

59-O-20

**AN ORDINANCE**

**Amending Title 6, Chapter 4 "General Provisions"**

**NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:**

**SECTION 1:** City Code Section 6-4-4-3 "Child Residential Care Homes Authorized as Permitted Uses In Residential Districts," of the Evanston City Code of 2012, as amended, is hereby further amended as follows:

**6-4-4-3. – CHILD RESIDENTIAL CARE HOMES AUTHORIZED AS PERMITTED USES IN RESIDENTIAL DISTRICTS.**

Child residential care homes may be permitted, as a special use, upon the issuance of a license pursuant to Section 6-4-4-2 of this Chapter, in the R1, R2, R3, R4, R4a, R5 and R6 districts; provided, however, that child residential care homes are not located within nine hundred (900) feet of another child residential care home, residential care home, transitional treatment facility, or an existing childcare institution.

**SECTION 2:** City Code Section 6-4-4-4 "Residential Care Homes (Category I – Four to Eight Residents) Authorized as Permitted Uses In Certain Residential and Nonresidential Districts," of the Evanston City Code of 2012, as amended, is hereby further amended as follows:

**6-4-4-4. – RESIDENTIAL CARE HOMES (CATEGORY I – FOUR TO EIGHT RESIDENTS) AUTHORIZED AS PERMITTED USES IN CERTAIN RESIDENTIAL AND NONRESIDENTIAL DISTRICTS.**

Residential care homes (category I) shall be permitted, as of right, upon the issuance of a license pursuant to Section 6-4-4-2 of this Chapter, in the R1, R2, R3, R4, R4a, R5, R6, B1, B2, B3, C1a, D1, D2, D3, D4, MU, MXE, T1 and T2 districts; provided, however, that residential care homes (category I) established in the B1, B2, B3, C1a, D2, D3, and D4 districts, shall be located above the ground floor and further provided that no residential care homes (category I) shall be permitted within nine hundred (900) feet of another residential care home or transitional treatment facility.

**SECTION 3:** City Code Section 6-4-4-6 “Residential Care Homes (Category II – Nine to Fifteen Residents) Authorized as Permitted Uses In Certain Residential and Nonresidential Districts,” of the Evanston City Code of 2012, as amended, is hereby further amended as follows:

**6-4-4-6. – RESIDENTIAL CARE HOMES (CATEGORY II – NINE TO FIFTEEN RESIDENTS) AUTHORIZED AS PERMITTED USES IN CERTAIN RESIDENTIAL AND NONRESIDENTIAL DISTRICTS.**

Residential care homes (category II) shall be permitted, as of right, upon the issuance of a license pursuant to Section 6-4-4-2 of this Chapter, in the R4, R4a, R5, R6, D1, MU, and MXE districts; provided, however, that no residential care homes (category II) shall be permitted within nine hundred (900) feet of another residential care home or transitional treatment facility.

**SECTION 4:** City Code Section 6-4-5-3 “Transitional Treatment Facilities (Category I – Four to Eight Residents) Authorized As Special Uses In Certain Residential Districts,” of the Evanston City Code of 2012, as amended, is hereby further amended as follows:

**6-4-5-3. – TRANSITIONAL TREATMENT FACILITIES (CATEGORY I – FOUR TO EIGHT RESIDENTS) AUTHORIZED AS SPECIAL USES IN CERTAIN RESIDENTIAL DISTRICTS.**

A transitional treatment facility (category I) may be permitted as a special use pursuant to the provisions set forth in Section 6-3-5, "Special Uses," of this Title and upon issuance of a license pursuant to Section 6-4-5-2 of this Chapter, in the R1, R2, R3, R4, R4a, R5, R6, MU, MUE, MXE, T1, and T2 districts; provided, however, that no transitional treatment facility (category I) shall be permitted within nine hundred (900) feet of another transitional treatment facility or a residential care home.

**SECTION 5:** City Code Section 6-4-5-4 “Transitional Treatment Facilities (Category II – Nine to Fifteen Residents) Authorized As Special Uses In Certain Residential Districts,” of the Evanston City Code of 2012, as amended, is hereby further amended as follows:

**6-4-5-4. - TRANSITIONAL TREATMENT FACILITIES (CATEGORY II - NINE TO FIFTEEN RESIDENTS) AUTHORIZED AS SPECIAL USES IN CERTAIN RESIDENTIAL DISTRICTS.**

A transitional treatment facility (category II) may be permitted as a special use pursuant to the provisions set forth in Section 6-3-5, "Special Uses," of this Title and upon issuance of a license pursuant to Section 6-4-5-2 of this Chapter, in the R4, R4a, R5, R6, MU, MUE, MXE, T1, and T2 districts; provided, however, that no transitional treatment facility (category II) shall be permitted within nine hundred (900) feet of another transitional treatment facility or a residential care home.

**SECTION 6:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

**SECTION 7:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 8:** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

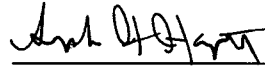
**SECTION 9:** If any provision of this Ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid application of this Ordinance is severable.

Introduced: June 8th, 2020

Approved:

Adopted: June 22nd, 2020

June 24, 2020




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Stephen H. Hagerty, Mayor

Attest:

Approved as to form:



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Devon Reid, City Clerk



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Kelley A. Gandurski, Corporation Counsel