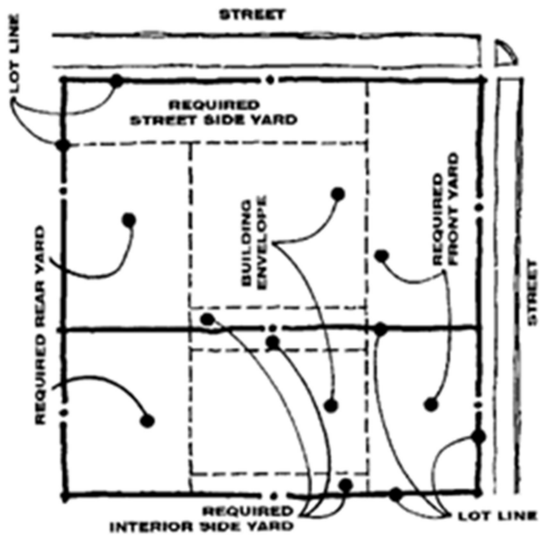

Chapter 1 - Definitions

For the purposes of this Zoning Code, the following terms shall have the following meanings:

ABUTTING	Having a common property line or district line.
ACCESSORY USE OR ACCESSORY STRUCTURE	A use or structure that: (a) is subordinate to and serves a principal structure or a principal use, except for a drive-in facility; (b) is subordinate in area, extent, and purpose to the principal structure or principal use served; (c) contributes to the comfort, convenience, or necessity of the occupants, business, or industry of the principal structure or principal use served; and (d) is located on the same lot as the principal structure or principal use served, except as otherwise expressly authorized by the provisions of this Zoning Code. Accessory parking facilities may be authorized to be located elsewhere. An accessory structure attached to a principal structure in a substantial manner by a wall or roof shall be considered part of the principal structure.
ADAPTIVE REUSE	The conversion of an existing structure to a commercial use, dwelling, or multiple dwellings predominantly within an existing structure or structures which have identified adaptive use as the principal means to preserve and assure the continued existence of said structure(s).
ADJACENT	Nearby, or next to, but not necessarily touching or abutting (e.g., across from a street or alley).
ADJOINING	Touching or joining at any point, line, or boundary.
ALCOHOL PRODUCTION FACILITY	An establishment that is primarily used for the manufacturing or brewing of wine, beer, spirits, or any other alcoholic beverage. An alcohol production facility may include an accessory tasting room but not a full-service restaurant kitchen.
ALLEY	A public or private right-of-way that affords secondary access to abutting properties.
ANIMAL MEDICAL OFFICE	A use or structure intended or used primarily for the testing and treatment of the disorders of animals, as well as acupuncture and water therapy for animals. This term does not include the training or grooming of animals, and this term does not include outdoor cages, pens, or runs for animals. This term does not include the overnight boarding of animals for monetary compensation with the exception of indoor boarding of animals for medical supervision.

ARTISAN MANUFACTURING	The production of goods by hand or with the use of small-scale mechanical equipment for the purpose of creating cultural, artistic, or one-of-a-kind goods. Such production may include use of light-industrial equipment such as kilns and paint booths.
AUTOMOBILE AND RECREATIONAL VEHICLE SALES	An establishment in which the principal activity is the sale and/or leasing of automobiles and/or motorized recreational vehicles, including, but not limited to, boats, campers, RVs, all-terrain vehicles (ATVs), motorcycles, and the like. This term may include uses accessory to such establishment, such as automobile repair uses and car washing and/or detailing uses. This term does not include any establishment that primarily sells micromobility devices such as e-scooters and e-bikes that do not require State licensing or registration for use by the consumer.
AUTOMOBILE, RETAIL SERVICE	A building, property, or activity in which the principal use is a service provided to a vehicle, including, but not limited to, a tire shop, automobile repair facility, auto-body work, and automobile painting.
AUTOMOTIVE GAS STATION/CAR WASH	A building, property, or activity in which the principal use is a service station that provides gasoline, diesel, kerosene, compressed hydrogen, or other like energy sources for automobiles and other recreational vehicles, and/or provides vehicle washing and detailing.
BASEMENT	The portion of a building where one-half (1/2) or more of the clear floor-to-ceiling height is below the established grade of the site.
BED AND BREAKFAST ESTABLISHMENT	An establishment in a private dwelling that provides temporary accommodations to overnight guests for compensation. Bed and breakfast establishments are distinguished from vacation rental units under section 3-2-4-1 of the City Code. A Shared Housing License is required by the City Manager or designee.
BLOCK	A tract of land on the same side of the street between 2 perpendicular or nearly perpendicular streets, or a tract of land bounded by a combination of 1 or more streets and public parks, cemeteries, railroad rights-of-way, bulkhead lines, shorelines of waterways, or corporate boundary lines.
BUILDING	A roofed and walled structure that is permanently affixed to the land and designed for permanent use.
BUILDING, COMPLETELY ENCLOSED	A building separated on all sides from the adjacent open space or from other buildings or other structures by a permanent roof and by exterior walls having only windows and normal entrance or exit doors, or by party walls.

<p>BUILDING ENVELOPE</p>	<p>The three-dimensional space within which a structure is permitted to be built on a zoning lot and that is defined with respect to such bulk regulations as height, yards, building coverage, and floor-area ratio.</p>
<p style="text-align: center;">Figure 1.1 ZONING LOT COMPONENTS</p> 	
<p>BUILDING, RESIDENTIAL</p>	<p>A principal building arranged, designed, used, or intended to be used for residential occupancy by 1 or more households. "Residential building" shall include, but is not limited to, the following types: (a) single-unit dwellings, (b) two-unit dwellings, (c) multiple-unit dwellings, and (d) a row of single-unit attached dwellings developed initially under single ownership or control.</p>
<p>BULK REGULATIONS</p>	<p>Standards and controls that establish the maximum size of structures and the buildable area within which structures may be located, including height, floor-area ratio, gross floor area, lot coverage, and yard requirements, but excluding residential density or use regulations.</p>
<p>BUSINESS</p>	<p>An occupation, employment, or enterprise that involves time, attention, labor, and materials, or wherein merchandise is exhibited, bought or sold, and/or where services are offered for compensation.</p>
<p>CANNABIS DISPENSARY</p>	<p>A facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire cannabis from a registered cultivation center for the</p>

	purpose of dispensing cannabis, cannabis-infused products, paraphernalia, or related supplies and educational materials to purchasers including registered qualifying patients as defined in the Compassionate Use of Medical Cannabis Program and the Cannabis Regulation and Tax Act as it may be amended from time to time, and regulations promulgated thereunder.
CANNABIS BUSINESS, NON-DISPENSARY	A facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation for any cannabis-related use other than a Cannabis Dispensary as defined by this Zoning Code and by the Compassionate Use of Medical Cannabis Program and the Cannabis Regulation and Tax Act as it may be amended from time to time, and regulations promulgated thereunder.
CATERING/GHOST KITCHEN	A commercial kitchen that prepares food for sale to the public, but without an active public retail component available on-site or space for the consumption of prepared food. Such use may include catering, kitchen rental, a startup facility, or cottage food production, but does not include a fully industrial kitchen intended for manufacturing packaged food. A Food Establishment License is required by the City Manager or designee.
CERTIFICATE OF OCCUPANCY	An official certification that a premise conforms to the provisions of this Zoning Code, any other requirements imposed by law, and any conditions set by the City Manager or designee, and may be used or occupied. A certificate of occupancy shall be issued before a structure may be occupied.
CERTIFICATE OF ZONING COMPLIANCE	A written certification that a structure, use, or parcel of land is, or will be in compliance with the requirements of this Zoning Code. A Certificate of Zoning Compliance may include conditions for approval.
CITY COUNCIL	The 9 Councilmembers and Mayor of the City of Evanston, Illinois as defined in Title 1, Chapter 5 of the City Code.
CLUSTER DEVELOPMENT	A development of 4 or more detached dwelling units concentrated on a lot in a way which provides area for open space, provides amenities for use by the residents, and/or preserves natural land areas.
COMMERCIAL RECREATION	A business in which indoor and/or outdoor

	recreation occur as a means of physical fitness, exercise, or sports training. Commercial recreation may include boxing facilities, spinning studios, gyms, swim schools, pickleball and basketball courts, as well as accessory uses incidental to the recreation such as personal training/coaching, juice bars, saunas, and locker room amenities. This term shall not include physical therapy services, massage therapy services, acupuncture, and the like; such uses shall be considered Office uses.
COMMUNITY CENTER	An establishment which includes recreational and/or cultural facilities, meeting rooms, social service and/or public health facilities, or any combination thereof. Community center uses may include after-school programs, summer camps, and tutoring services.
COMPATIBLE	Generally compliant where feasible but not requiring full compliance to a policy, regulation, or requirement.
CONVENTION/ BANQUET FACILITY	A principal use consisting of 1 or more large rooms or halls that is available to rent for banquets, exhibitions, weddings, and/or meetings that may include the provision of food, drink, and/or entertainment. A Food Establishment License is required by the City Manager or designee.
CULTURAL FACILITY	A facility intended for the gathering of people to observe a performance in an indoor theater, auditorium, or other building or structure, typically with fixed seating, or a communal space such as a library, museum, art gallery, or reading room. A "cultural facility" does not include an Entertainment/Amusement Facility.
DAYCARE - ADULT	Any place other than a private dwelling unit in which persons receive adult daycare services during any part of a day not exceeding 12 hours in a 24-hour period licensed pursuant to this Zoning Code. A Food Establishment License may be required by the City Manager or designee.
DAYCARE CENTER - CHILD	Any place other than a single-unit home in which children 9 years of age and under receive child daycare services during any part of a day not exceeding 12 hours in a 24-hour period licensed pursuant to this Zoning Code. A Food Establishment License may be required by the City Manager or designee.

DECK	A structure which is either freestanding or attached to a principal or accessory building, located in the rear yard or side yard and constructed above grade.
DRIVE-THROUGH FACILITY (PRINCIPAL OR ACCESSORY USE)	A facility, establishment or portion thereof that is designed, intended or used for transacting business with customers located in motor vehicles. "Drive-through facility" shall only be permitted in connection with a listed permitted, limited or special use.
DRIVEWAY	A private access way that provides direct access from a street or alley to a parking space.
DWELLING	A residential building or portion thereof. "Dwelling" shall not include a hotel, motel, boarding house, rooming house, dormitory, nursing home, mobile home, or institution.
DWELLING UNIT	A room or group of contiguous rooms that include facilities used or intended to be used for living, sleeping, cooking and eating, and that are arranged, designed or intended for use exclusively as living quarters. A dwelling unit may be attached or detached, and dwelling units may be located in all types of residential buildings.
DWELLING UNIT, ACCESSORY (ADU)	A smaller, secondary, independent housekeeping establishment located on the same zoning lot as a residential building. ADUs are independently habitable and provide the basic requirements of shelter, heating, cooking, and sanitation, and may be internal, attached or detached.
EDUCATIONAL INSTITUTION	An elementary school, middle school, or high school, or a facility containing classrooms, libraries, offices, or support facilities for 1 or more of the following purposes: educational services and related programs for faculty and staff and for students, preschool age children and their families; district administrative staff offices. A Food Establishment License is required by the City Manager or designee.
ENTERTAINMENT/ AMUSEMENT FACILITY	A facility in which the principal use is an activity intended to provide leisure or a live performance by a professional with the intention of providing entertainment. An Entertainment/Amusement Facility may include bowling alleys, movie theaters, performance entertainment venues, and concert facilities, and may include sale of food/beverages. A Food Establishment License may be required by the City Manager or designee.

FRONT FACADE

Any street-facing exterior wall of a principal structure that is parallel to or within 60 degrees of parallel to the lot's front lot line or side street lot line. This term shall not include any street-facing exterior wall or portion of a wall located 15 feet or further from the front lot line than the principal structure's exterior wall closest to such front lot line shall not be considered a front façade. Furthermore, this term shall not include any street-facing exterior wall or portion of a wall located 15 feet or further from the side street lot line than the principal structure's exterior wall closest to such side street lot line shall not be considered a front façade. See Figures 1.2 and 1.3 as illustration of this term.

Figure 1.2

FRONT-FACING FACADE OF THE PRINCIPAL BUILDING

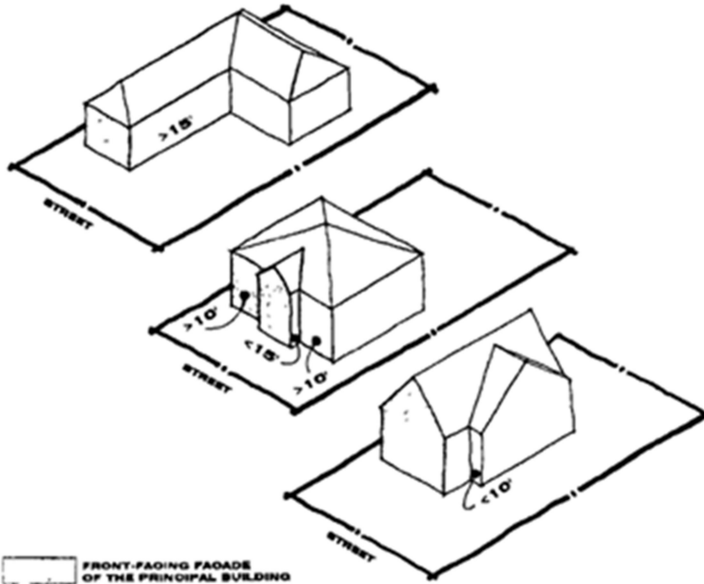
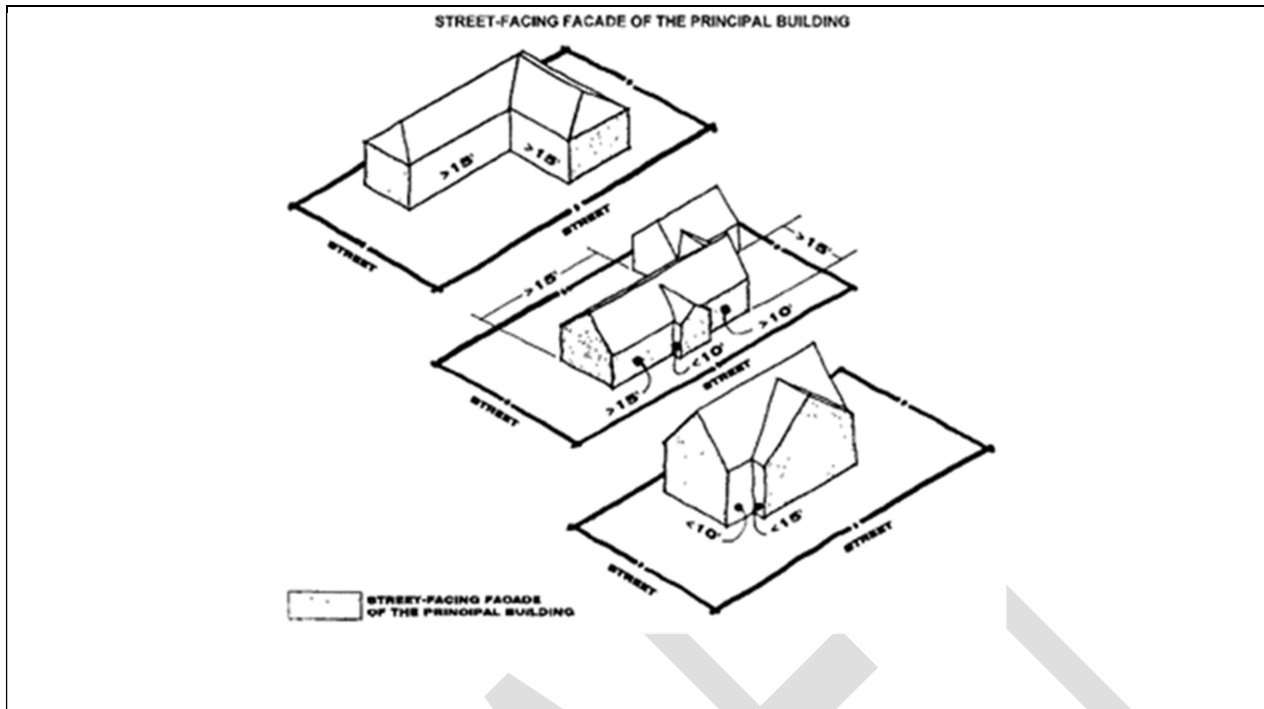


Figure 1.3



<p>FENCE</p>	<p>A structure, other than a building, that is a barrier and used as a boundary or means of protection or confinement. Any such barrier less than 24 inches in height shall not be considered a fence.</p>
<p>FENESTRATION</p>	<p>The design and placement of windows in a building.</p>
<p>FIREARM RANGE</p>	<p>Any indoor establishment intended for the discharging of a firearm, as defined in Section 9-8-1, for a sporting event or for practice, instruction, testing, or training in the use of a firearm. A firearm range may also include rental of a firearm for allowable uses within the establishment of a firearm dealer as defined and regulated by Title 9, Chapter 8 of the City Code.</p>
<p>FLOOR AREA, NET</p>	<p>The horizontal area of a building excluding the following areas: any space devoted to required off-street parking or loading for the building; elevator shafts; common stairwells; space used solely for heating, cooling, mechanical, or electrical equipment; mechanical penthouses; refuse rooms; and uses accessory to the building's principal use.</p>
<p>FLOOR AREA OF A DWELLING UNIT</p>	<p>The sum of the gross horizontal areas of the rooms constituting the dwelling unit, including closets, baths, utility rooms, enclosed porches, and hallways when accessible only to the occupants of said dwelling unit and not accessible to other occupants of the building or to the general public, and only when such rooms, halls, or other areas are an integral part of the dwelling unit. Floor area shall be measured from the interior faces of the outermost walls defining the dwelling unit.</p>

<p>FLOOR AREA, GROSS</p>	<p>The sum of the horizontal areas of all floors of the building measured from the exterior faces of the exterior walls, or from the centerline of a party wall separating 2 buildings. The gross floor area of a building shall include basement floor area when one-half (½) or more of the basement height is above natural grade for more than fifty (50) percent of the total perimeter. The gross floor area shall also include elevator shafts and stairwells to each floor, penthouses, attic space having headroom clearances that meet building code minimum ceiling heights, interior balconies and mezzanines, enclosed porches, floor area devoted to accessory uses, and floor space used for mechanical equipment, except equipment located on the roof, unless otherwise specified in this Zoning Code. The floor area of structures devoted to bulk storage of materials, including but not limited to grain elevators and petroleum storage tanks, shall be determined on the basis of height in feet, assuming one (1) floor for each fourteen (14) feet in height. In determining the floor area of an individual use within a multiple tenant building, the floor area is the sum of the gross horizontal areas measured from the interior faces of the interior walls of the space occupied by the use. Floor area shall include space devoted to structured off-street parking or loading facilities, including aisles, ramps and maneuvering space. Detached structures accessory to residential uses with three (3) units or less shall not count toward the floor area for the purpose of calculating the maximum floor area allowed on a lot.</p>
<p>FLOOR-AREA RATIO</p>	<p>The floor-area ratio (“FAR”) of the building or buildings on any zoning lot is determined by summing the gross floor area (in square feet) of all floors of all buildings located or proposed on a lot and dividing that sum by the lot area (in square feet). Where the FAR calculation result is a decimal, the decimal results of calculations of the floor area ratio on a parcel shall be rounded to the nearest hundredth.</p>
<p>FOOD/BEVERAGE ESTABLISHMENT</p>	<p>A facility where the principal use is the preparation and sale of food and/or beverages that are intended to be purchased or obtained on-site, but not necessarily consumed on-site. This term may comprise indoor seating, a full commercial kitchen, and/or a sidewalk cafe. This use shall not include uses otherwise defined within this Zoning Code including, but not limited to, an Entertainment/Amusement Establishment or a Retail Goods and Commercial Services Establishment that incidentally serves prepared food or beverages as an accessory use. A Food Establishment License is required by the Health and Human Services Department.</p>
<p>GOVERNMENT USE</p>	<p>A building or structure owned and operated by a municipal, state, federal, or other taxing body institution in which</p>

	governmental services are provided or conducted.
GRADE, ESTABLISHED	The mean level of the public sidewalk, or, if no sidewalk is present, the mean finished surface of the ground immediately adjacent to the subject property's front lot line.
GREEN SPACE	An area landscaped with shrubs, trees, or other vegetative ground cover that is accessible to the public.
HOME OCCUPATION	A business or profession carried out within a dwelling unit by a member of the household residing on the premises, conducted as an incidental and accessory use of a dwelling.
HOSPITAL	An institution licensed by state law that provides in-patient or emergency health services and medical or surgical care and related activities to patients and injured persons. A Food Establishment License may be required by the City Manager or designee.
HOTEL	A building in which accommodations are offered with or without meals principally to transient guests and that provides a common entrance, indoor lobby, indoor halls, and indoor stairways. A Shared Housing License is required by the City Manager or designee.
IMPERVIOUS SURFACE	Any material which significantly reduces or prevents natural absorption of stormwater into the soil and causes water to run off the surface. Impervious surfaces include, but are not limited to, buildings or other structures with roofs, sidewalks, and all stone, brick, concrete, or asphalt surfaces. Surfaces such as paver blocks or permeable paver systems may receive a credit towards impervious surface calculations if they maintain a demonstrable level of permeability. Uncovered decks may also receive a credit if they maintain a demonstrable level of permeability.
IMPERVIOUS SURFACE COVERAGE	The impervious surface area (measured on a horizontal plane) of a lot divided by the lot area, expressed as a percentage. The areas beneath elevated structures, such as an area of a building cantilevered over a landscaped area, shall not be considered impervious, so long as those areas beneath the elevated structures are maintained as fully permeable surfaces.
INCLUSIONARY HOUSING UNIT	See definition in Section 5-7 of the Inclusionary Housing Ordinance.
LANDSCAPED YARD	A front yard, side yard, or rear yard that is required to be landscaped as specified in this Zoning Code.
LIVE-WORK UNIT	A space in which a principal commercial use occupies more than 50% of the gross floor area and which also includes a connected dwelling unit. The principal commercial use shall comply with the use regulations of the underlying zoning

	district.
LOT	A parcel of land located within a single block which shall be either a "lot of record" or a "zoning lot" and is bounded by other lots or a street.
LOT AREA	Lot area is the total surface area (measured on a horizontal plane) of the land bounded by all property lines within a single lot, parcel, out lot, outparcel, lot of record, or other land conveyance that has been recorded by Cook County.
LOT, CORNER	A lot situated at the junction of and abutting on 2 or more intersecting streets; or a lot at the point of deflection in alignment of a single street, the interior angle of which does not exceed 135°.
LOT COVERAGE	The ratio between the ground floor area of all buildings or structures, including covered decks attached to the principal building or free-standing, on a lot and the total area of the lot.
LOT DEPTH	The average distance between the front lot line and the rear lot line of a lot.
LOT, FLAG	A lot with access provided to the bulk of the lot by means of a narrow corridor.
LOT LINE	A line of record bounding a lot that divides 1 lot from another lot or from a public or private street or alley or any other public space.
LOT LINE, FRONT	A boundary of a lot which is along an existing or dedicated public street, but not an alley. On a corner lot, the front lot line shall be as defined in this Section.
LOT LINE, REAR	The lot line opposite and most distant from the front lot line. In the case of triangular or otherwise irregularly shaped lots, a line ten (10) feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.
LOT LINE, SIDE	Any boundary of a lot which is not a front lot line or a rear lot line and does not abut a public street.
LOT LINE, STREET SIDE	A boundary of a lot which is along an existing or dedicated public street, but not an alley, and not designated as the front lot line as defined in this Section.
LOT, NONCONFORMING	A lot of record or zoning lot that lawfully existed prior to the adoption, revision, or amendment of this Zoning Code, but that fails by reason of such adoption, revision, or amendment to conform to the requirements of the zoning district in which it is located.
LOT OF RECORD	A lot that is part of a subdivision, the plat of which has been recorded by Cook County, or a parcel of land, the deed to which was recorded by Cook County prior to the adoption of

	this Zoning Code. A zoning lot may include one or more lots of record.
LOT, THROUGH	A lot with lot lines on two (2) streets that is not a corner lot. All street lot lines shall be deemed front lot lines.
LOT WIDTH	The distance between the side lot lines measured at the front yard setback line or at the street, whichever is greater.
LOT, ZONING	A single tract of land located within a single block that, at the time of filing for a building permit, is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single control. Therefore, "zoning lot or lots" may or may not coincide with a lot of record.
INDUSTRIAL, HEAVY	The processing, fabrication, assembly, or production of any goods or materials with the use of substantial industrial and/or manufacturing equipment or machinery that is likely to produce negative impacts on adjacent properties in terms of noise, smoke, fumes, odors, or other health and safety concerns.
INDUSTRIAL, LIGHT	The processing, fabrication, assembly, or production of any goods or materials and/or manufacturing oriented services that do not ordinarily have significant negative impacts on the use of adjacent properties. This term shall include but is not limited to tool shops, machine repair and service shops, machine-driven research and development, and similar establishments.
MEMBERSHIP ORGANIZATION	A use or activity operated by an organization of a professional, business, trade, civic, social, fraternal, or political nature that requires ongoing membership of participants. A Membership Organization use shall not apply to any portions of a facility that are open and available for use by the general public.
MICROHOME	A small residential building, with a ground gross floor area of six hundred (600) square feet or less, containing not more than 1 dwelling unit entirely surrounded by open space on the same lot and permanently affixed to a foundation. A mobile home or recreational vehicle shall not be considered a microhome. Attached dwelling units shall not be considered microhomes.
MICROMOBILITY DEVICE	Any device meant to carry one rider or operator and that is not required to be licensed or registered by the State of Illinois. Micromobility devices may be propelled either by the power of the rider or by an electric motor of less than seven hundred and fifty watts (one horsepower), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden, is less than twenty miles per hour. Micromobility devices include, but are not limited to, bicycles, unicycles, electric unicycles, tricycles, electric stand-up scooters, electric sit-down scooters, and segways.
MIXED-USE MARKET	One (1) facility that includes a variety of sub-uses that

	encourage cross-patronage in one (1) location. Some sub-uses may not be listed or eligible uses within the zoning district in which the facility is located, but may be allowed when the majority of the sub-uses are retail, food/beverage establishments, and/or service-oriented in nature. A Food Establishment License may be required by the City Manager or designee.
MUNICIPAL USE	The use of land or a structure operated by the local governing municipality to provide necessary and needed services to the general public. A municipal use may include, but is not limited to, a pumping station, fire station, police station, civic center, or other similar use.
NEIGHBORHOOD GARDEN	A principal use that provides space for people to grow plants for non-commercial purposes, such as beautification, education, recreation, or harvest, and is managed by a person or group responsible for maintenance and operations.
OFFICE	A principal use comprising the provision of professional services, including tax preparation, accounting, architecture, legal services, medical clinics and laboratories, psychological counseling, real estate and securities brokering, professional consulting services, physical therapy services, massage therapy services, acupuncture services, and the like.
OPEN SPACE	An area of naturally existing or planted vegetation adjacent to or surrounding a land use, unoccupied in its entirety by any enclosed structure, or portion of such land use, used as a buffer for the purposes of screening and softening the effects of the use, building or structure, no part of which buffer is used for parking or outdoor storage.
OPERATIONS PLAN	<p>An Operations Plan is a comprehensive document that outlines the operational details of a land use, ensuring compliance with zoning regulations and compatibility with the surrounding neighborhood. The plan must include, but is not limited to, hours of operation (a detailed schedule indicating the days and hours during which the establishment will be open for business or conducting activities), delivery schedule (specific information regarding delivery times, including frequency and types of deliveries (e.g., materials, supplies, or products)), employee count, customer access (information on customer access points and entrance and exit locations, and any measures taken to manage customer traffic), and safety and security measures (outline of security protocols, emergency procedures, and any lighting or surveillance systems in place to ensure safety for employees, customers and the surrounding community).</p> <p>The Operations Plan must be submitted as part of the zoning</p>

	application process and will be reviewed to ensure it aligns with the goals of land use planning and community welfare.
OUTDOOR STORAGE	The storage of any goods, material, equipment, part or merchandise in an enclosed, but open-to-the-sky, area, for more than a 24-hour period. "Outdoor storage" shall not include junkyard or salvage yard establishments or landfills and shall be an accessory to a principal use.
OWNER	Any full owner, part owner, joint owner, tenant in common, tenant in partnership, joint tenant, or tenant by the entirety with legal or beneficial title to the whole or to part of a structure or land.
PARKING AREA	1 or more parking spaces including access drives, aisles, ramps, and maneuvering area, serving a principal use located on the same lot.
PARKING, PRIVATE FACILITY	A privately owned structure or improved surface lot where the principal use is for the parking of licensed and operable automobiles and/or recreational vehicles.
PARKING SPACE	An area used or intended for use for the storage of 1 automobile. A parking space may be located in a private or public garage, a private or public parking lot, a carport, or in the open. A parking space is further limited to include only the storage of vehicles that are fully capable of legal operation on the public streets. Any other storage of vehicles shall be considered as the storage of goods and shall be prohibited except where specifically permitted by this Zoning Code.
PEDESTRIAN AREA	Any paved public or private route intended for pedestrian use that is separate and protected from the traveled portion of a roadway, and free from vehicular traffic.
PERSON	An individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two (2) or more persons having a joint or common interest, or any other legal entity.
PET BOARDING/ANIMAL DAYCARE	An establishment for which the principal use is the housing of domestic animals who are temporarily not in the care of their owners, which may include overnight stays, and does not include medical service to the animals.
PLANNED DEVELOPMENT	A tract of land, which may include more than one zoning lot, that is developed as a unit under single ownership or control and that meets or exceeds at least one of the minimum thresholds as defined in this Zoning Code.
PORCH, OPEN	An attached structure located at an ingress/egress point of a building, that is roofed or not roofed and less than 50% enclosed by walls, that is located between the exterior wall of a building and the right-of-way or lot line.

PORCH, ENCLOSED	An attached structure located at an ingress/egress point of a building, that is roofed and 50% or more enclosed by walls, but is not heated, and is located between the exterior wall of a building and the right-of-way or lot line.
PREMISES	A distinct portion of real estate, land, or lands with or without buildings or structures. It may or may not have the same meaning as "lot," "building," or "structure."
PUBLIC GATHERING AREA	A place to which the public has access for civic, educational, political, religious, recreational, or social purposes. Such areas may include parks, playgrounds, and the outdoor common areas of public and private buildings and facilities.
PUBLIC RECREATION	A place, structure, area, or other facility, indoor or outdoor, providing recreational programs and facilities generally accommodating significant segments of the community.
PUBLIC UTILITY	Any building, structure, substation, related equipment both above and below ground, or portion thereof used for providing, monitoring, and housing utilities for public consumption or use. This term shall include, but is not limited to, operations providing water, sewer, electricity, gas, public works facilities, and other uses similar in nature and impact.
RECOVERY/ SHELTER	A building with a primary use to provide shelter and/or recovery for individuals, including, but not limited to, a transitional treatment facility, rehabilitation care facility, domestic violence shelter, shelter for abused persons, and emergency and transitional shelters for homeless persons. A Long-Term Care or Shared Housing Provider License may be required by the City Manager or designee.
RELIGIOUS INSTITUTION	A church, synagogue, temple, meetinghouse, mosque, or other place of religious worship, including any accessory use or structure, such as a school, daycare center, dwelling, or emergency shelter.
RESEARCH AND INNOVATION LABORATORY	A building, property, or structure with facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the facility.
RESIDENTIAL CARE HOME	A dwelling unit shared by 15 or fewer residents, exclusive of staff, who require assistance and/or supervision. This includes, but is not limited to, a Child Residential Care Home, Residential Care Home - Category I, or Residential Care Home - Category II. See Section 8-16 (Residential Care Homes) and section 8-20 (Child Residential Care Homes) for Evanston Public Health Department requirements.
RETAIL TOBACCO STORE	A principal use in which the majority of sales revenue and/or sales floor space open to the public is for the display and sale of

	tobacco, tobacco-related items, smoking paraphernalia, cannabis-related items, electronic cigarettes, vapes, and similar items, and that is not a Cannabis Dispensary or Cannabis Business, Non-Dispensary as defined by this Zoning Code. A Retail Tobacco License is required by the City Manager or designee.
RETAIL GOODS AND COMMERCIAL SERVICES	A principal use in which the purpose is the sale of products and/or specialized services directly to the consumer. Retail Goods and Commercial Services shall include, but not be limited to, convenience stores, hardware stores, clothing stores, art galleries, hair salons, nail salons, tattoo shops, resale establishments, tutoring centers, and massage establishments. This use shall not include any use that is otherwise listed specifically in a zoning district as an eligible use. A Food Establishment License may be required by the City Manager or designee.
RIGHT-OF-WAY	A strip of land dedicated to or owned by the public for use as a roadway, walk, or other way.
SCREENING	A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or planted vegetation.
SELF-STORAGE FACILITY	A principal use in which members of the general public rent units of space for the indoor storage of personal items.
SETBACK	The measured distance from any lot line that bounds a property. A setback is measured along a horizontal plane by the distance specified for a particular zone or structure perpendicular to any lot line.
SETBACK, PLANNED STREETS	Where a street or highway shown on an adopted plan has a proposed right-of-way greater than the existing right-of-way, the front or side setback requirement shall be measured from the proposed right-of-way line.
SETBACK, REAR FOR TRIANGULAR LOTS	Where side lot lines meet at a point to the rear of the property and the standard method for determining the required rear setback as a perpendicular measurement from a rear lot line cannot be applied, a rear setback requirement shall be established as a line drawn from the point where side lot lines meet to the center point of the front lot line. The required rear setback is measured along this line and is drawn perpendicular to it.
SIGHT TRIANGLE	An area requiring vision clearance for the safety of the general public, typically measured from two specific perpendicular points and forming a triangular shape when connected, in which sight obscuring structures such as fences, shrubs or plants are limited or not allowed.

SINGLE-ROOM OCCUPANCY	A building with small dwellings in which tenants live independently and share one or more common elements such as bathrooms or kitchens. This includes, but is not limited to, rooming houses, apartment hotels, and single-room occupancy buildings. A Shared Housing License is required by the City Manager or designee.
SOLAR COLLECTOR	A silent device, structure, or part of a device or structure, which is used primarily to transform solar energy into thermal, chemical, or electrical energy. The solar collector shall be used as part of a system which makes use of such energy for the purposes of water heating, space heating or cooling, or power generation.
STADIUM	An athletic or sports field that is enclosed by tiers of seats for spectators.
SUPPORTIVE LIVING COMMUNITY	A building that consists of dwelling units and additional services that may or may not be included in the cost of housing. Residents may be independent or may require assistance. This includes, but is not limited to, Long-Term Care Facilities, such as nursing, skilled nursing, memory care, assisted living, sheltered care, specialized mental health rehabilitation facilities, and/or supportive living facilities, as well as independent living with integrated services. A Long-Term Care Facility License is required by the City Manager or designee.
SUSTAINABILITY PLAN	A plan submitted by an applicant that details how the applicant will address key environmental sustainability components, including but not limited to recycling, composting, outdoor litter pick-up, outdoor waste stations and emptying, to-go containers, and tap-water availability, as stipulated by the Sustainability Manual.
SUSTAINABILITY MANUAL	A document(s) authorized by the City Manager or designee that details how to administer and enforce the Sustainability Plan and Waste Enclosure Standards.
STORY	That portion of a building included between the surface of any floor and the surface of the floor above; or if there is no floor above, the attic, or space between the floor and the ceiling above. A basement shall be counted as a story, except in residential districts. A basement shall not be counted as a story.
STORY, UPPER SETBACK	An additional setback that applies to upper stories of a building to avoid a vertical plane.
STREET (AVENUE, COURT, PLACE, ROAD, TERRACE OR PARKWAY)	A publicly or privately dedicated right of way that affords a primary means of access to abutting property.
STRUCTURAL ALTERATIONS	Any change, other than incidental repairs, in the supporting members of a building or structure such as bearing walls or

	partitions, columns, beams or girders, or any substantial change in the roof or exterior walls.
STRUCTURE	Anything erected, the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground.
STRUCTURE, PRINCIPAL	A structure in which the principal use of the lot on which it is located is conducted.
SUBSTANTIAL REHABILITATION AND SUBSTANTIAL ADDITIONS	Construction or proposed construction that increases the gross floor area of the principal structure by twenty-five percent (25%) or more including as added floor area any newly constructed areas at or above the ground floor with an interior vertical clearance of 7 feet or more.
TEMPORARY USE OR STRUCTURE	A structure or use not designed or intended to be permanently placed or operated on the lot upon which it is located. A temporary use or structure shall not be allowed for more than 90 days, unless authorized by the City Manager or designee.
TRADE CONTRACTOR	A principal use that includes a majority of indoor warehousing and storage, and/or commercial vehicle fleet/equipment storage needed for the maintenance, repair, or construction of buildings and related areas. A Trade Contractor establishment may or may not be open to the general public for service. A Trade Contractor shall include, but not be limited to, contractor facilities, landscaping businesses, construction material supply and storage, heating and air-conditioning services, plumbing services, and other uses similar in nature and impact. A Trade Contractor use may include an outdoor warehousing and storage use as an accessory use. A showroom that is open to the general public and does not include substantial warehousing and storage shall not be considered a Trade Contractor use.
TRANSPORTATION FACILITY	A building or structure used as a terminus for rail or bus passenger service. This term shall include, but not be limited to, train and bus stations and other uses similar in nature and impact.
TRANSIT ORIENTED DEVELOPMENT (TOD)	A development pattern created around a transit station that is characterized by higher density, mixed uses, a pedestrian environment, reduced parking, and direct and convenient access to the transit station.
TOD AREA	An identified transit station and the area around it. The area provides for development that is compatible with and supportive of public transit and a pedestrian-oriented environment.
TRANSITION LANDSCAPE STRIP	A designated area, located primarily along lot lines, consisting of vegetative screening, earth berms or mounds, fencing, or decorative walls that creates a transition between districts or

	incompatible uses.
UNIVERSITY ATHLETICS FACILITY	A place, structure, or facility used for recreation, practice, intramural, or sport performances that may or may not include spectator seating intended for students and/or the general public, and including associated amenities, accessory uses, and student services. University Athletics Facilities include all indoor and outdoor sports facilities including arenas, playing fields, tennis courts, or recreational facilities intended for general student welfare, but do not include a Stadium use or any other use defined by this Zoning Code.
UNIVERSITY FACILITY	Uses that support post-secondary education and related typical student, educator, and administrative activities, including but not limited to classrooms, offices, lecture halls, student services, and food and beverage services, but excluding certain University uses related to Housing and Athletics that are otherwise listed within this Zoning Code.
UNIVERSITY HOUSING	A building that contains accommodations for University students, faculty, and/or associated staff that is managed by a post-secondary educational institution or students thereof. University Housing may or may not include food and beverage service and other associated student amenities. A Shared Housing License is required by the City Manager or designee.
URBAN FARM	A business with the principal use of growing plant products, fruit, and/or vegetables for wholesale or retail sales, located indoors, outdoor, or on a rooftop, and accessory operations including, but not limited to, the washing, packaging, and storage of products. Typical Urban Farms may include growing beds, aquaponics, greenhouses, and orchards.
USE	The purpose or activity for which the land or buildings thereon are designed, arranged, intended, occupied, or maintained. Permitted uses shall be uses explicitly allowed within specific zoning districts as outlined in this Zoning Code. Special uses shall be uses designated as special within certain zoning districts, subject to adherence to all applicable standards and procedures for special uses. Limited uses shall be uses that are permitted only when in compliance with specific requirements or conditions that are necessary to ensure compatibility with the surrounding neighborhood or area in which they are located. Non-conforming existing uses shall be uses that were legally established before the effective date of this Zoning Code. These uses are allowed to continue, provided they comply with regulations concerning nonconforming uses and structures as outlined in this Zoning Code.
USE, UNIQUE	A use determined by the City Manager or designee to be a use

	that is not listed as an authorized use in the underlying zoning district, but that will be of substantial land use or economic benefit to the City and whose authorization would not be appropriate through a zoning amendment.
VARIATION	Relief granted from certain regulations within the zoning code.
VOCATIONAL TRAINING/TRADE SCHOOL	A post-secondary facility, other than an accredited Community College or College/University Institution, that provides occupational or technical skills training for a variety of trades and occupations.
WASTE MANAGEMENT PLAN	A plan submitted by an applicant that details how the applicant will manage waste, including but not limited to, waste enclosures; waste containers; compactors; ventilation systems; truck access point locations, dimensions, access and circulation plans; other businesses sharing the enclosure; and the number of residential, commercial, or industrial units included in the plan, in accordance with the Sustainability Manual.
WHOLESALEING/WAREHOUSING/DISTRIBUTION	A principal use in which the storage of goods and materials that are substantially located within an enclosed structure/structures occurs, typically in bulk quantities to be transported out of the facility by distributors and not by the general public. Wholesaleing/ Warehousing/Distribution uses shall not include Self-Storage Facilities, or any other use specified by this Zoning Code.
WIRELESS COMMUNICATION FACILITY	A monopole, building-mounted or rooftop-mounted antenna device and any associated equipment that improves the wireless communication network.
YARD	<p>An open space on the same zoning lot with a use, building, or structure which is unoccupied and unobstructed from its lowest surface level to the sky, except as otherwise provided by this Zoning Code. A required yard extends along a lot line and to a depth or width specified in the yard requirements as a setback for the zoning district in which such zoning lot is located.</p> <p>A <i>streetside yard</i> is the area located immediately adjacent to a street lot line between the front yard and the rear lot line, and to the parallel facade of the principal structure facing the corner lot line.</p> <p>A <i>front yard</i> is the area located immediately adjacent to and extending along the full length of the front lot line between the side lot lines, and to the front facade of the principal structure facing that front lot line.</p> <p>An <i>interior side yard</i> is the area located immediately adjacent to and extending along another zoning lot or an alley between the</p>

	<p>front yard and the rear lot line, and to the parallel facade of the principal structure facing the abutting zoning lot or alley.</p> <p>A <i>rear yard</i> is the area located immediately adjacent to and extending along the length of the rear lot line between the side lot lines and/or street side lot lines.</p>
YARD OBSTRUCTION	<p>Yard obstructions are any structure or object that may or may not be attached to a principal or accessory structure, including, but not limited to, permanently roofed terraces or porches, chimneys, bay windows, awnings, canopies, arbors, trellises, balconies, overhanging eaves, building-mounted solar collectors, and stairs or ramps necessary for ADA accessibility.</p>
ZONING DISTRICT	<p>An area or areas within the limits of the city within which uniform regulations and requirements govern the use, placement, spacing and size of land and structures.</p>
ZONING MAP	<p>The official map delineating the boundaries of the zoning districts established by this Zoning Code.</p>

DRAFT

Chapter 2 - General Provisions

6.2.1. - TITLE

This Ordinance shall be known as the "Zoning Code." It may be cited as the "Zoning Code," or by the appropriate section of the City of Evanston Municipal Code.

6.2.2. - AUTHORITY

This Zoning Code is adopted by the City of Evanston as a home rule unit of local government pursuant to the powers granted and limitations imposed by Illinois law.

6.2.3. - PURPOSE

This Zoning Code is adopted for the purposes of:

- (A) Promoting the objectives and policies of the Comprehensive Plan, as adopted and amended by the City Council.
- (B) Fostering a vibrant, inclusive community that supports the holistic health of all its residents.
- (C) Ensuring equitable access to housing and essential needs such as schools, grocery stores, parks and recreational facilities, and hospitals.
- (D) Promoting safety through design of walkable neighborhoods with well-lit streets, ample sidewalks, and designated bike lanes to encourage transportation choices.
- (E) Enhancing the aesthetics of the built environment through thoughtful urban design, green spaces, preservation of natural landscapes, and creating visually pleasing and inspiring places for residents to live, work, and play.
- (F) Building a prosperous, inclusive community where economic vitality and quality of life are interwoven and benefit all.
- (G) Supporting local businesses, attracting new industries, and promoting workforce development initiatives to stimulate job growth.
- (H) Encouraging entrepreneurial endeavors and small business development through accessible resources, training programs, and financial incentives.
- (I) Revitalizing and supporting the downtown neighborhood and local business districts to create thriving hubs of commerce and culture, characterized by quality outdoor public spaces and parks, and a mix of retail, dining, entertainment, and office spaces.
- (J) Protecting our natural environment for the benefit of current and future generations.
- (K) Conserving lakefront and beaches through sustainable management practices that maintain water quality, support biodiversity, and provide public access for recreation and enjoyment.
- (L) Enhancing and expanding parks and open spaces to ensure they serve as vital assets for the community, promoting physical activity, mental well-being, and ecological balance.

- (M) Protecting ecologically sensitive areas by implementing conservation strategies, preventing habitat destruction, and promoting biodiversity to maintain healthy ecosystems.
- (N) Honoring our history, celebrating our diversity, and fostering a thriving cultural landscape for all.
- (O) Preserving and restoring historic buildings to maintain Evanston’s architectural heritage and connect our residents to our shared past.
- (P) Supporting diverse cultural expressions and events that reflect the rich identity of our community.
- (Q) Developing vibrant public spaces with impactful public art where people can gather, interact, and engage with cultural and artistic activities that inspire creativity, foster community pride, and attract visitors.
- (R) Building resilient and inclusive neighborhoods where people of all ages, incomes, and household structures can find suitable and attainable housing.
- (S) Maintaining a wide range and expanding the supply of housing types and sizes to meet Evanston’s diverse needs.
- (T) Providing housing choice in all neighborhoods to prevent displacement and promote economic diversity throughout the city.
- (U) Building an equitable, sustainable community where every resident has the opportunity to thrive and enjoy a high quality of life and well-being through inclusive land use, enhanced transportation choices, job creation and economic opportunities, housing diversity and attainability, vibrant arts and culture, environmental sustainability, and active community participation.

6.2.4. - APPLICABILITY

The regulations of this Zoning Code apply to all development, public or private, within the corporate limits of the City of Evanston, Illinois, unless otherwise expressly stated in this Zoning Code.

6.2.5. - SEVERABILITY

If any provision of this Zoning Code or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Zoning Code that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Zoning Code is severable.

6.2.6. - RULES OF CONSTRUCTION

In their interpretation and application, the provisions of this Zoning Code shall be held to be the minimum requirements for the promotion of the public health, safety, and welfare, while addressing energy efficiency and sustainability.

6.2.7. - EXEMPTION OF NONMUNICIPAL ESSENTIAL PUBLIC SERVICES

Except as provided in Subsections (A) and (B) of this Section, the construction, alteration or maintenance, by public utility companies, of overhead, surface or underground gas, electric, steam or water, distribution or transmission systems, collection, communication, supply or disposal systems, including mains, drains, sewers, pipes, conduits, tunnels, wires, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, poles, electrical substations, gas regulator stations and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utility companies, shall be exempt from the regulations of this Zoning Code.

- (A) The installation shall conform to federal communications and federal aviation agency rules and regulations, and those of other authorities having jurisdiction in the City.
- (B) Buildings and structures that cover a ground area of less than 9 square feet shall be exempt from the landscaping, screening, and yard requirements.

6.2.8. - COMPLIANCE WITH OTHER APPLICABLE REGULATIONS

- (A) In addition to the requirements of the Zoning Code, all uses and developments shall comply with all other applicable local, state, and federal regulations.
- (B) All references in the Zoning Code to other city, state, or federal regulations are for informational purposes only and do not constitute a complete list of such regulations. These references do not imply or create any responsibility for the City to enforce state or federal regulations.

6.2.9. - CONFLICTING PROVISIONS

- (A) If the provisions of this Zoning Code are inconsistent with a state law that preempts home rule authority or a federal law, the more restrictive provision shall control, to the extent permitted by law. The more restrictive provision is the one that imposes greater restrictions or more stringent controls, as determined by the City.
- (B) If the provisions of this Zoning Code are inconsistent with one another, or if they conflict with provisions found in other adopted ordinances or regulations of the City, the more restrictive provision shall control. The more restrictive provision is the one that imposes greater restrictions or more stringent controls as determined by the City.

6.2.10. - MEASUREMENT AND INTERPRETATION

- (A) Language
 - 1. Terms Used. All words and terms used have their commonly accepted and ordinary meaning unless they are specifically defined in this Zoning Code or the context in which they are used clearly indicates otherwise. Technical words and phrases that may have acquired a specialized and appropriate meaning in law shall be construed and understood according to such meaning.

2. **Terms Not Defined.** Words and phrases not specifically defined or interpreted in Chapter 1 – Definitions shall be construed according to the common and generally recognized usage of the language. Technical words and phrases, and others that have acquired a specialized and appropriate meaning in the law, shall be construed according to that meaning.
 3. **Mandatory and Discretionary Terms.** The words “shall,” “must,” “may only,” “shall not,” and “will” are mandatory in nature, establishing an obligation or duty to comply with the particular provision. The words “may” and “should” are permissive in nature.
 4. **Conjunctions.** Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:
 - a. “And” indicates that all connected items, conditions, provisions or events apply or are required.
 - b. “Or” indicates that only one of the connected items, conditions, provisions, or events applies or is required.
 - c. “And/or” indicates that one or more of the connected items, conditions, provisions, or events apply or are required.
 5. **Plural Terms and Verb Tenses.** Words used in the present tense include the future tense. Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise.
 6. **Other Term Interpretations.** The following listed terms shall also be defined as specified below:
 - a. Unless otherwise specified, an “area” of land means a “contiguous area.”
 - b. The word, “approve,” as used herein, necessarily includes the phrases, “approve with conditions, modifications, or amendments” as to the respective final decision of the respective decision-making official and/or body.
 - c. A “building,” “structure,” “land,” or “property” includes the words, “or part thereof,” unless the obvious construction of the wording indicates the contrary.
 - d. The terms “land use” and “use of land” shall include “building use,” “use of a building,” “structure use,” and “use of a structure.”
- (B) **Illustrations and Text.** In the event of a conflict or inconsistency between the text of these regulations and any heading, caption, figure, illustration, table, or map, the text shall control. Graphics and other illustrations are provided for informational purposes only and should not be relied on as a complete and accurate description of all applicable regulations or requirements. Where regulations may only be incorporated in a table (and are not otherwise specified in the text), that table shall have equal weight as the text of this Zoning Code.
- (C) **Computation of Days.** In computing any period of time in which an act is to be done, or a default occurs, the day of the act, event, or default, after which the designated period of time begins to run is not included. The last day of the period so computed is included unless:

1. Specifically defined as business days, time periods are calendar days.
2. It is a Saturday, Sunday or a legal holiday, in which event the period so computed includes the next business day, which is neither a Saturday, Sunday nor a legal holiday.
3. The act to be done is the filing of some paper with the City or a court, and the City offices or the court is not open on or closed for a part of such last day of the period, in which event the period runs until the end of the next day which is neither a Saturday, Sunday, legal holiday, or a day on which such City office or court is not open the entire day during ordinary business hours.
4. When the period of time allowed is more than 7 days, intermediate Saturdays, Sundays and legal holidays are included; but if the period of time allowed is 7 days or less, intermediate Saturdays, Sundays, and legal holidays shall not be counted in computing the period of time.

(D) Rounding. The following rules apply to rounding certain measurements:

1. Applicability
 - a. Linear measurements (i.e., feet and inches) may be rounded to the nearest foot, except those linear measurements relating to the horizontal or vertical dimensions of any parking or loading aisles, drives, driveways, spaces, or stalls.
 - b. Area measurements (i.e., square feet) may be rounded to the nearest square foot. However, linear measurements used to determine an area measurement shall not be rounded.
 - c. Itemized measurements (such as number of parking spaces and loading berths) shall not be rounded.
 - d. Where a percentage of any measurement (such as permitted lot coverage or permitted encroachment for a yard obstruction), the percentage shall be applied after the rounding has occurred. Numbers resulting from applying a percentage to a linear, area, or itemized measurement shall not be rounded.
 - e. A measurement shall be rounded if rounding that measurement obviates the need for an application for zoning relief; further, a measurement shall not be rounded if rounding that measurement creates a need for an application for zoning relief.
2. Rules
 - a. Where linear measurements are conducted to determine compliance with a standard less than or equal to 5 feet:

- (1) Numbers ending in fractions less than $\frac{1}{4}$ shall be rounded down to the nearest whole foot.
 - (2) Numbers ending in fractions greater than or equal to $\frac{1}{4}$ but less than three-fourths ($\frac{3}{4}$) shall be rounded to the nearest $\frac{1}{2}$ foot.
 - (3) Numbers ending in fractions greater than or equal to $\frac{3}{4}$ shall be rounded up to the nearest whole foot.
 - (4) Examples of rounding where linear measurements are conducted to determine compliance with a standard less than or equal to 5 feet include:
 - (1) $1\frac{1}{8}$ feet is rounded down to 1 foot.
 - (2) $3\frac{3}{8}$ feet is rounded up to $3\frac{1}{2}$ feet.
 - (3) $4\frac{5}{8}$ feet is rounded down to $4\frac{1}{2}$ feet
 - (4) $2\frac{3}{4}$ feet is rounded up to 3 feet.
- b. Where linear measurements are conducted to determine compliance with a standard greater than 5 feet:
- (1) Numbers ending in fractions less than $\frac{1}{2}$ shall be rounded down to the nearest whole foot.
 - (2) Numbers ending in fractions greater than or equal to $\frac{1}{2}$ shall be rounded up to the nearest whole foot.
 - (3) Examples of rounding where linear measurements are conducted to determine compliance with a standard greater than 5 feet include:
 - (4) $9\frac{1}{4}$ feet is rounded down to 9 feet.
 - (5) $7\frac{1}{2}$ feet is rounded up to 8 feet.
 - (6) $18\frac{3}{4}$ feet is rounded up to 19 feet.
- c. Where area measurements (i.e., square feet) are conducted:

- (1) Resulting fractions shall be dropped.
- (2) Numbers ending in a whole number less than 5 square feet shall be rounded down to the nearest 10 square feet.
- (3) Numbers ending in a whole number greater than or equal to 5 square feet shall be rounded up to the nearest 10 square feet.
- (4) Examples of rounding area measurements include:
 - (1) 14½ square feet is rounded down to 10 square feet.
 - (2) 43 square feet is rounded down to 40 square feet.
 - (3) 6,874 square feet is rounded down to 6,870 square feet.
 - (4) 88¼ square feet is rounded up to square feet.
 - (5) 75 square feet is rounded up to 80 square feet.
 - (6) 4,298 square feet is rounded up to 4,300 square feet.

(E) Building and Structure Height Measurement

1. Building Height Measurement. Building height is measured from the average elevation of the finished grade along the front of the building to the highest point of a roof surface for a flat roof, to the deck line of a mansard roof, and to the mean height level between eaves and ridge of a gable, hip, or gambrel roof.
2. Determining Average Elevation. When a property slopes downward from the front property line, one story that is additional to the specified maximum number of stories, if applicable in a particular zone, may be built on the lower, rear portion of the lot.
3. Stories. The measurement of a story is the height from the top of the finished floor of one level of a building to the next level. Where there is no finished floor on the above level, the story is measured as the top of the finished floor to the ceiling.
4. Fences and Walls Height Measurement. The measurement of height shall be made from the surface of the ground next to the fence or wall to the topmost point of the fence, post, supporting column, or wall. Where the ground on either side of the same fence or wall differs in level, the measurements shall be made from the surface of the higher ground.

Chapter 7 - Administration and Procedures

6.7.1. - GENERAL PROVISIONS

- (A) Authority. The following City offices and bodies have responsibility for implementing and administering this Zoning Code:
1. City Manager or designee.
 2. Land Use Commission.
 3. City Council.
- (B) City Manager
1. Roles and Powers. The City Manager or designee shall:
 - a. Administer the Zoning Code, including the maintenance of all records and findings related to the administration of the zoning code.
 - b. Forward all applications allowed by this Chapter to the appropriate review body.
 - c. Render interpretations of the provisions of this Zoning Code, including use interpretations, pursuant to Section ___ of this Zoning Code.
 - d. Render decisions on Minor Variations when not combined with other applications as listed in Section ___ of this Zoning Code.
 - e. Enforce this Zoning Code.
 2. Appeals of Decisions. Any decision of the City Manager or designee may be appealed to the Land Use Commission.
- (C) Land Use Commission
1. Roles and Powers. The Land Use Commission shall have the powers granted to it under Section 2-19-4 of this Municipal Code.
 2. Appeal of Decisions. Decisions of the Land Use Commission may be appealed to the Circuit Court as allowed in this Chapter.
- (D) City Council
1. Roles and Powers. The City Council shall:
 - a. Approve or disapprove applications for special uses, planned developments, plats of subdivisions, and amendments to the text and/or map of this Zoning Code.
 - b. Take such other actions not delegated to other bodies that may be desirable and necessary to implement the provisions of this Zoning Code.
 2. Appeal of Decisions. Decisions of the City Council may be appealed to the Circuit Court.
- (E) Authority to File Applications. The person having legal authority to take action in accordance with the approval sought shall file an application for any review in accordance with this Zoning Code. The person having authority shall be the record owner, the duly authorized agent of the

record owner, or a purchaser or lessee of the property and may be required to provide proof of such authority at the time of application.

(F) Initiation. Applications shall be on forms provided by the City Manager or designee.

(G) Classification of Application Types

1. Administrative. The following types of applications are reviewed by staff administratively according to the procedures within this Chapter:
 - a. Certificate of Zoning Compliance.
 - b. Interpretations.
 - c. Minor Variations.
 - d. Temporary Uses.
2. Quasi-Judicial. The following are considered quasi-judicial applications and are reviewed and determined by the Land Use Commission according to the procedures within this Chapter:
 - a. Major Variations.
 - b. Appeal of an Administrative Decision or Interpretation.
3. Legislative. The following are considered legislative applications and are reviewed by the Land Use Commission and determined by the City Council according to the procedures within this Chapter:
 - a. Text Amendments.
 - b. Map Amendments.
 - c. Plats of Subdivision.
 - d. Planned Developments.
 - e. Special Uses (including Unique Uses and Adaptive Residential Uses).

(H) Fees

1. An applicant shall pay fees to the City of Evanston in connection with the submission of an application in accordance with the City fee schedule. Fees paid are not refundable except where the City Manager or designee determines that an application was accepted in error, or the fee paid exceeds the amount due, in which case the amount of overpayment will be refunded to the applicant.

6.7.2. - ADMINISTRATIVE APPLICATIONS PROCEDURES

(A) Certificate of Zoning Compliance

1. Applicability. A Certificate of Zoning Compliance issued by the City Manager or designee stating compliance with the provisions of this Zoning Code have been met is required prior to:
 - a. Occupying or using any land, building, or structure, or any part thereof.

- b. Change in the use of land to a use of a different classification.
 - c. New construction, reconstruction, enlargement, or structural alteration of any building or structure, including accessory buildings and structures.
 - d. Change in use of any existing building or structure, including accessory buildings and structures, or portion thereof, to a use of a different classification.
 - e. Any change in the use of a nonconforming use or structure.
2. Procedure for Certificate of Zoning Compliance.
 - a. Complete Application. The City Manager or designee shall determine whether an application is complete within 15 business days of receipt. If the application is determined to be complete, the applicant shall be notified in writing that the application has been accepted. If the application is determined to be incomplete, the applicant shall be notified in writing specifying the deficiencies, including any additional information which shall be supplied, and that no further action will be taken by the City on the application until the deficiencies are corrected. If the applicant fails to correct the specified deficiencies within 90 days of the notification of deficiency, the City Manager or designee shall deem the application withdrawn.
 - b. Issue Certificate of Zoning Compliance. The City Manager or designee shall determine whether the proposed development activity complies with the provisions of this Zoning Code within 10 business days of determining a complete application.
3. Expiration
 - a. Construction shall begin within 12 months of issuance of a Certificate of Zoning Compliance, and the certificate shall expire 24 months after issuance if construction is not completed unless an extension is granted by the City Manager or designee.
 - b. Failure to begin construction within 12 months shall result in the expiration of the Certificate of Zoning Compliance unless an extension is granted.
 - c. Upon expiration of a Certificate of Zoning Compliance, a new application, including all applicable fees, shall be required.
4. Revocation
 - a. A Certificate of Zoning Compliance may be revoked by the City Manager or designee if the recipient of the certificate fails to develop or maintain the property in accordance with the plans submitted, the requirements of this Zoning Code, or any additional requirements lawfully imposed as a condition of approval.
 - b. The City Manager or designee shall issue a written notice of intent to revoke the Certificate of Zoning Compliance and transmit the notice to the recipient at least 10 business days prior to the date of the proposed revocation.
 - c. If the recipient of the Certificate of Zoning Compliance disagrees with the decision of the City Manager or designee, the recipient has 10 business days to file an Administrative Appeal as stipulated in Section _____ of this Zoning Code.

- d. No person may continue to make use of land or buildings in the manner authorized by any Certificate of Zoning Compliance after the certificate has been revoked.
5. Appeal. The applicant or any property owner within 250 feet of the subject property may appeal a certificate of zoning compliance issued by the City Manager or designee to the Land Use Commission within 10 business days of the date of mailing of notification. Upon receipt of an authorized appeal, the appeal request shall be scheduled for a public hearing with the Land Use Commission within 30 business days.
6. Records. A record of all applications for a certificate of zoning compliance shall be kept on file by the City Manager or designee.

(B) Interpretations

1. Applicability. The City Manager or designee may, by written application, render interpretations, including use interpretations and any rule or regulation contained within this Zoning Code.
2. Procedure for Interpretations.
 - a. Complete Application. The City Manager or designee shall determine whether an application is complete within 15 business days of receipt. If the application is determined to be complete, the applicant shall be notified in writing that the application has been accepted. If the application is determined to be incomplete, the applicant shall be notified in writing specifying the deficiencies, including any additional information which shall be supplied, and that no further action will be taken by the City on the application until the deficiencies are corrected. If the applicant fails to correct the specified deficiencies within 90 days of the notification of deficiency, the City Manager or designee shall deem the application withdrawn.
 - b. Issuance of Interpretation. Within 15 business days, the City Manager or designee shall issue a decision on the requested interpretation. This decision shall be issued in writing and sent to the applicant within 10 business days.
3. Appeal. The applicant or any property owner within 250 feet of the subject property may appeal interpretations issued by the City Manager or designee to the Land Use Commission within 10 business days of the date of mailing of notification. Upon receipt of an authorized appeal, the appeal request shall be scheduled for a public hearing with the Land Use Commission within 30 business days.
4. Records. A record of all applications for interpretations shall be kept on file by the City Manager or designee.

(C) Minor Variations

1. Applicability. The variations outlined below shall be considered Minor Variations and the City Manager or designee shall be authorized to grant, grant with conditions, or deny variations to the following requirements in accordance with the procedures of this Chapter:
 - a. Accessory Structure requirements.
 - b. Yard Obstruction requirements.

- c. Sign requirements.
 - d. Fence requirements.
 - e. Landscape requirements.
 - f. Waste Enclosure requirements.
 - g. Setback requirements (up to 35% of the minimum requirement).
 - h. Building Lot Coverage (up to 35% of the maximum requirement).
 - i. Impervious Surface Coverage (up to 35% of the maximum requirement).
 - j. Ground Floor Transparency (up to 35% of the minimum requirement).
2. **Combined Application.** Whenever an application for a minor variation, would, in addition, require a quasi-judicial or legislative action, the applicant shall indicate that fact on the application and shall, at the time of filing the application for minor variation, file an application for the associated quasi-judicial or legislative action. All combined applications shall follow the procedure allowed for the associated quasi-judicial or legislative action.
3. **Procedure for Minor Variations.**
- a. **Complete Application.** Within 15 business days after receipt of an application, the City Manager or designee shall determine whether the application is complete. If the application is determined to be complete, the applicant shall be notified in writing that the application has been accepted. If the application is determined to be incomplete, the applicant shall be notified in writing specifying the deficiencies, including any additional information which shall be supplied, and that no further action will be taken by the City on the application until the deficiencies are corrected.
 - b. **Opportunity to Comment.** Upon receipt of a complete application for a minor variation, the City will provide notice to all taxpayers of record located within a 250-foot radius of the subject property, inclusive of public streets, alleys and other public ways whose addresses appear on the current tax assessment list. The applicant shall pay any and all fees and postage associated with mailing such notice under this Section. The notice shall indicate that the application shall be available for review and submission of written comments thereon 10 business days prior to the determination of the City Manager or designee.
 - c. **Decision.** Within 20 business days of receipt of a completed application for a minor variation, the City Manager or designee shall, by written order, either approve, approve with conditions, or deny the requested variation.
 - d. **Notice of Decision.** The City shall send the decision of the City Manager or designee within 10 business days to the applicant and all other persons previously notified.
4. **Standards for Minor Variations**
- a. In considering an application for a minor variation, the City Manager or designee, or the Land Use Commission in the case of a minor variation appeal, shall approve

such variation or appeal only upon finding that the application complies with the separate standards as set forth below:

- (1) The practical difficulty is not self-created.
 - (2) The requested variation will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining properties.
 - (3) The requested variation supports or enhances the vision and reflects the broader policies established in the Comprehensive Plan.
 - (4) The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the City Manager or designee issues a decision regarding the variation.
5. Appeal. The applicant or any property owner within 250 feet of the subject property may appeal the decision of the City Manager or designee to the Land Use Commission within 10 business days of the notice of decision. Upon receipt of an authorized appeal, the appeal request shall be scheduled for a public hearing with the Land Use Commission within 30 business days.
6. Records. A record of all applications for minor variations shall be kept on file by the City Manager or designee.

(D) Temporary Uses

1. Applicability. The City Manager or designee shall be authorized to grant, grant with conditions, or deny of a temporary use or structure
2. Procedure for Temporary Uses
 - a. Complete Application. The City Manager or designee shall determine whether an application is complete within 15 business days of receipt. If the application is determined to be complete, the applicant shall be notified in writing that the application has been accepted. If the application is determined to be incomplete, the applicant shall be notified in writing specifying the deficiencies, including any additional information which shall be supplied, and that no further action will be taken by the City on the application until the deficiencies are corrected. If the applicant fails to correct the specified deficiencies within 90 days of the notification of deficiency, the City Manager or designee shall deem the application withdrawn.
 - b. Issue Temporary Use or Structure. The City Manager or designee shall determine whether the proposed temporary use or structure complies with the provisions of this Zoning Code within 10 business days of determining a complete application.

- (1) Denial. In the event that a temporary use or structure application is denied, the City Manager or designee shall state the specific reasons therefore and shall cite the specific provisions of this Zoning Code upon which such denial is based.
 - (2) Conditions on Temporary Uses or Structures. The temporary use or structure may be conditioned upon such special requirements as the City Manager or designee may determine are necessary to achieve the purposes of this Zoning Code and to protect the public health, safety, and welfare.
 - (3) Revocation of Temporary Use or Structure. The temporary use or structure may be revoked by the City Manager or designee pursuant to Section _____, "Revocation of Certificate of Zoning Compliance," of this Title if any of the standards and conditions imposed on a temporary use or structure are violated.
3. Records. A record of all applications for minor variations shall be kept on file by the City Manager or designee.

6.7.3. - QUASI-JUDICIAL APPLICATIONS AND PROCEDURES

(A) Major Variations

1. Applicability. The variations outlined below shall be considered major variations and the Land Use Commission shall be authorized to grant, grant with conditions, or deny major variations to the following requirements in accordance with the procedures of this Chapter:
 - a. Lot Area requirements.
 - b. Lot Width requirements.
 - c. Expansion or Alteration of Non-conforming Use requirements.
 - d. Off-street Parking, Loading, and Mobility requirements.
 - e. Increases greater than 35% above the following requirements: setbacks; building lot coverage; impervious surface coverage, ground floor transparency.
 - f. Building Height requirements (up to 15% above the maximum requirement in the R1-R4, M1, M2, D1, U1, CI, and OS districts).
 - g. Floor Area Ratio requirements (up to 15% above the maximum requirement in the R4, M1-3, D1, U4, and CI districts).
2. Combined Application. Whenever an application for a major variation, would, in addition, require a legislative action, the applicant shall indicate that fact on the application and shall, at the time of filing the application for major variation, file an application for the associated legislative action. All combined applications shall follow the procedure allowed for the associated legislative action.
3. Procedure for Major Variations.
 - a. Complete Application. The City Manager or designee shall determine whether the application is complete within 15 business days of receipt. If the application is

determined to be complete, the applicant shall be notified in writing that the application has been accepted. If the application is determined to be incomplete, the applicant shall be notified in writing specifying the deficiencies, including any additional information which shall be supplied, and that no further action will be taken by the City on the application until the deficiencies are corrected.

- b. Staff Review and Comments. The application and accompanying information are reviewed by the City Manager or designee for compliance with this Zoning Code and any other standards and regulations applicable to the property. Review comments shall be provided in writing to the applicant. The applicant shall respond to any written review comments to address questions and/or concerns prior to scheduling a public hearing.
 - c. Public Hearing. A public hearing before the Land Use Commission shall be required for all major variations.
 - d. Published Notification. The City shall provide notice of the public hearing by publication of a legal ad in one or more newspapers of general circulation. Such notice shall be published within a minimum of 15 days prior to the hearing date and no more than 30 days prior to the hearing date.
 - e. Mailed Notification. The City will provide notification by mail to all property owners within a 500-foot radius of the property lines of the subject property, inclusive of public roads, streets, alleys and other public ways from the subject site whose addresses appear on the current tax assessment list. The applicant must pay any and all fees and postage associated with mailing such notice pursuant to this Section. The failure of delivery of such notice, however, shall not invalidate any such hearing.
 - f. Signage Notification. The City shall post a sign on the subject property for a minimum of 10 business days prior to the public hearing indicating the place, time, and date of the hearing.
 - g. Decision. Following the close of the public hearing, the Land Use Commission shall either approve, approve with conditions, or deny the application for major variation.
4. Additional Conditions Authorized. In the review of Major Variation applications, the Land Use Commission may recommend and impose such conditions and restrictions upon the property or use benefited by the Major Variation as they may deem necessary to comply with the standards set forth in this Zoning Code, to reduce or minimize the impact of the Special Use upon other property in the neighborhood, and to further the purpose and intent of this Zoning Code and the objectives of the Comprehensive Plan.
 5. Standards for Major Variations. The following standards for approval shall be used to review all applications for major variations:
 - a. The proposed variation is compatible with adjacent land uses in terms of scale, intensity, and operational characteristics and does not create significant negative impacts on nearby properties.

- b. The requested variation supports or enhances the vision and reflects the broader policies established in the Comprehensive Plan.
 - c. The alleged hardship or practical difficulty is peculiar to the property.
 - d. The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.
 - e. Approval of the variation will result in public benefits to the surrounding neighborhood and the City as a whole.
 - f. The alleged difficulty or hardship has not been created by any person having an interest in the property.
 - g. The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision.
6. Adjustments and Amendments. The Land Use Commission is authorized to adjust or amend approved Major Variations by following the procedure for major variations allowed by this section.
 7. Appeal. The applicant or any property owner within a 500-foot radius of the subject property, inclusive of public roads, streets, alleys and other public ways from the subject site whose addresses appear on the current tax assessment list, may file an appeal of the decision issued by the Land Use Commission. Any such appeal shall be made to the circuit court.
 8. Records. A record of all applications for major variations shall be kept on file by the City Manager or designee.

(B) Appeal of Administrative Decisions or Interpretations

1. Applicability. An appeal is provided as a safeguard against arbitrary, ill-considered, or erroneous administrative decisions or interpretations. It is intended to avoid the need for legal action by establishing a local procedure to review and correct administrative errors. It is not, however, intended as a means to subvert the clear purposes, meanings, or intent of this Zoning Code or the rightful authority of the City Manager or designee.
2. Standing. Any property owner may appeal the application of the requirements of this Zoning Code as they have been applied to their property by the City Manager or designee. Additionally, any property owner within 250 feet of a property upon which the requirements of this Zoning Code have been administratively applied to may file an appeal.
3. Procedure for Appeals of Administrative Decisions and Interpretations.
 - a. Complete Application. The City Manager or designee shall determine whether the application is complete within 15 business days of receipt. If the application is determined to be complete, the applicant shall be notified in writing that the application has been accepted. If the application is determined to be incomplete, the applicant shall be notified in writing specifying the deficiencies, including any

- additional information which shall be supplied, and that no further action will be taken by the City on the application until the deficiencies are corrected.
- b. Public Hearing. A public hearing before the Land Use Commission shall be required for all appeals of administrative decisions.
 - c. Signage Notification. The City shall post a sign on the subject property for a minimum of 10 business days prior to the public hearing indicating the place, time, and date of the hearing.
 - d. Published Notice. The City shall provide notice of the public hearing by publication of a legal ad in one or more newspapers of general circulation. Such notice shall be published within a minimum of 15 days prior to the hearing date and no more than 30 days prior to the hearing date.
 - e. Land Use Commission Decision. Following the close of the public hearing, the Land Use Commission shall either approve, approve with modifications, or deny the appeal. The appellant may appeal the Land Use Commission decision to the circuit court.
4. Effect of Filing Application. The filing of an appeal shall stay all proceedings of the action appealed from, unless the City Manager or designee certifies to the Land Use Commission, after the notice of appeal has been filed, that a stay would cause imminent peril to life or property, in which case the proceedings shall not be stayed other than by a restraining order granted by the Circuit Court.
 5. Standards for Appeals of Administrative Decisions and Interpretations. The following standards shall be used to review all applications for Appeals of Administrative Decisions and Interpretations:
 - a. The original decision was inconsistent with the clear provisions and intent of the zoning code, and that the decision either misinterpreted or misapplied specific code provisions
 - b. Compelling evidence has been provided that the administrative decision or interpretation was not supported by substantial evidence in the record or was based on inaccurate, incomplete, or insufficient information.
 - c. The Land Use Commission may impose conditions upon an affirmative decision to ensure that the requirements and purposes of this Zoning Code are followed in the order, decision, determination, or interpretation.
 6. Appeal. The applicant may file an appeal of the decision issued by the Land Use Commission. Any such appeal shall be made to the circuit court.
 7. Records. A record of all applications for appeals of administrative decisions or interpretations shall be kept on file by the City Manager or designee.

6.7.4. - LEGISLATIVE APPLICATIONS AND PROCEDURES

(A) Special Uses

1. Applicability. The provisions outlined in this section shall be applied to all land uses requiring a special use permit as identified in Section ____ - Use Table.
2. Procedure for Special Uses.
 - a. Complete Application. The City Manager or designee shall determine whether the application is complete within 15 business days of receipt. If the application is determined to be complete, the applicant shall be notified in writing that the application has been accepted. If the application is determined to be incomplete, the applicant shall be notified in writing specifying the deficiencies, including any additional information which shall be supplied, and that no further action will be taken by the City on the application until the deficiencies are corrected.
 - b. Staff Review and Comments. The application and accompanying information are reviewed by the City Manager or designee for compliance with this Zoning Code and any other standards and regulations applicable to the district in which the property is located. Review comments shall be provided in writing to the applicant. The applicant shall respond to any written review comments to address questions and/or concerns prior to scheduling a public hearing.
 - c. Public Hearing. A public hearing before the Land Use Commission shall be required for all special uses.
 - d. Published Notification. The City shall provide notice of the public hearing by publication of a legal ad in one or more newspapers of general circulation. Such notice shall be published within a minimum of 15 days prior to the hearing date and no more than 30 days prior to the hearing date.
 - e. Mailed Notification. The City will provide notification by mail to all property owners within a 500-foot radius of the property lines of the subject property, inclusive of public roads, streets, alleys and other public ways from the subject site whose addresses appear on the current tax assessment list. The applicant must pay any and all fees and postage associated with mailing such notice pursuant to this Section. The failure of delivery of such notice, however, shall not invalidate any such hearing.
 - f. Signage Notification. The City shall post a sign on the subject property for a minimum of 10 business days prior to the public hearing indicating the place, time, and date of the hearing.
 - g. Land Use Commission Recommendation. Within 30 days after the close of the public hearing, the Land Use Commission shall make a recommendation to the City Council to approve, approve with conditions, or denial of the special use application and submit its recommendation to the City Council.
 - h. City Council Review and Decision. Upon receipt of the recommendation from the Land Use Commission, the City Council shall set a time to review the proposed special use application and shall approve, approve with conditions, or deny the special use application.

- i. Recordation. The ordinance approving a special use shall further contain a legal description of the property subject to such special use, and said ordinance, along with the development plan, shall be recorded by the applicant in the office of the Cook County Recorder before any permits may be obtained. A copy of the ordinance approving a special use along with the development plan shall also be filed with the City Manager or designee.
3. Additional Conditions Authorized. In the review of Special Use applications, the Land Use Commission may recommend and City Council may impose such conditions and restrictions upon the property or use benefited by the Special Use as they may deem necessary to comply with the standards set forth in this Zoning Code, to reduce or minimize the impact of the Special Use upon other property in the neighborhood, and to further the purpose and intent of this Zoning Code and the objectives of the Comprehensive Plan.
4. Standards for Special Uses. The following standards for approval shall be used to review all Special Use applications:
 - a. The proposed use supports or enhances the vision and reflects the broader policies established in the Comprehensive Plan.
 - b. The proposed use addresses evolving community needs, changing demographics, emerging development trends, or new economic realities.
 - c. The proposed use expands the tax base and supports economic development by fostering growth, providing opportunities for business expansion, or improving land use efficiency.
 - d. The proposed use promotes fairness and equitable access to opportunities without having a disproportionate effect on vulnerable or historically marginalized communities.
 - e. The proposed use provides safe and adequate access to the site, with consideration given to traffic flow, parking, and pedestrian and bicycle accessibility.
 - f. The proposed use is compatible with adjacent land uses in terms of scale, intensity, and operational characteristics and does not create significant negative impacts on nearby properties.
 - g. The proposed use minimizes adverse impacts on the environment, including air and water quality, wildlife, and natural resources.
 - h. The proposed use does not place an undue burden on public services and infrastructure, including water, sewer, emergency services, and utilities in the subject area.
5. Extensions and Amendments. The City Council is authorized to extend or amend approved Special Use Permits.
6. Appeal. The applicant or any property owner within a 1,000-foot radius of the subject property, inclusive of public roads, streets, alleys and other public ways from the subject

site whose addresses appear on the current tax assessment list, may file an appeal of the decision issued by the City Council. Any such appeals shall be made to the circuit court.

7. Records. A record of all applications for special uses shall be kept on file by the City Manager or designee.

(B) Planned Developments

1. Applicability.

- a. Building Height requirements

- (1) Exceeding 15% above the maximum requirement in the R1-R4, M1, M2, D1, U1, CI, OS districts.
 - (2) Exceeding the maximum requirement in the M3, D2, D3, U2, U3, U4, IC districts.
 - (3) Exceeding 150' in the D3 district.

- b. Floor Area Ratio requirements

- (1) Exceeding 15% above the maximum requirement in the R4, M1-3, D1, U4, and CI districts.
 - (2) Exceeding the maximum requirement in the D2 and D3 districts.

- c. Lot Size

- (1) Over 30,000 square feet in the R1-R3, M1, M2, and D1 districts.
 - (2) Over 50,000 square feet in the R4, M3, D2, D3, and CI districts.

- d. Building Size

- (1) Over 125,000 square feet in the R1-R3, M1, M2, D1, U1, IC, and OS districts.
 - (2) Over 250,000 square feet in the R4, M3, D2, D3, U2, U3, U4, and CI districts.

2. Procedure for Planned Development.

- a. Pre-Application Community Meeting. The applicant is required to hold a community meeting to discuss the initial concepts of the proposed planned development and general compliance with applicable provisions of this Zoning Code prior to the submission of an application. The notification list, copy of notification, sign-in sheet, and meeting summary that includes how the proposal addresses community feedback shall be provided by the applicant as part of their application submission.
 - b. Pre-Application Conference. The applicant is required to meet with the City Manager or designee to discuss the initial concepts of the proposed planned development and general compliance with applicable provisions of this Zoning Code prior to the submission of the application.
 - c. Complete Application. The City Manager or designee shall determine whether the application is complete within 15 business days of receipt. If the application is determined to be complete, the applicant shall be notified in writing that the

application has been accepted. If the application is determined to be incomplete, the applicant shall be notified in writing specifying the deficiencies, including any additional information which shall be supplied, and that no further action will be taken by the City on the application until the deficiencies are corrected.

- d. Staff Review and Comments. The application and accompanying information are reviewed by the City Manager or designee for compliance with this Zoning Code and any other standards and regulations applicable to the district in which the property is located. Review comments shall be provided in writing to the applicant. The applicant shall respond to any written review comments to address questions and/or concerns prior to scheduling a public hearing.
- e. Public Hearing. A public hearing before the Land Use Commission shall be required for all planned development applications.
- f. Published Notice. The City shall provide notice of the public hearing by publication of a legal ad in one or more newspapers of general circulation. Such notice shall be published within a minimum of 15 days prior to the hearing date and no more than 30 days prior to the hearing date.
- g. Mailed Notice. The City will provide notification by mail to all property owners within a 1,000-foot radius of the property lines of the subject property, inclusive of public roads, streets, alleys and other public ways from the subject site whose addresses appear on the current tax assessment list. The applicant must pay any and all fees and postage associated with mailing such notice pursuant to this Section. The failure of delivery of such notice, however, shall not invalidate any such hearing.
- h. Signage Notification. The City shall post a sign on the subject property for a minimum of 10 business days prior to the public hearing indicating the place, time, and date of the hearing.
- i. Land Use Commission Recommendation. Within 30 days after the close of the public hearing, the Land Use Commission shall make a recommendation to the City Council to approve, approve with conditions, or denial of the planned development application and submit its recommendation to the City Council.
- j. City Council Review and Decision. Upon receipt of the recommendation from the Land Use Commission, the City Council shall set a time to review the proposed planned development and shall approve, approve with conditions, or deny the planned development.
- k. Recordation. The ordinance approving a planned development shall further contain a legal description of the property subject to such planned development, and said ordinance, along with the development plan, shall be recorded by the applicant in the office of the Cook County Recorder before any permits may be obtained. A copy of the ordinance approving a special use along with the development plan shall also be filed with the City Manager or designee.

3. **Additional Conditions Authorized.** In the review of Planned Development applications, the Land Use Commission may recommend and City Council may impose such conditions and restrictions upon the property or use benefited by a Planned Development may deem necessary to comply with the standards set forth in this Zoning Code, to reduce or minimize the impact of the Planned Development upon other property in the neighborhood, and to further the purpose and intent of this Zoning Code and the objectives of the Comprehensive Plan.
4. **Standards for Planned Developments.** The following standards for approval shall be used to review all Planned Development applications:
 - a. The proposed development supports or enhances the vision and reflects the broader policies established in the Comprehensive Plan.
 - b. The proposed development addresses evolving community needs, changing demographics, emerging development trends, or new economic realities.
 - c. The proposed development expands the tax base and supports economic development by fostering growth, providing opportunities for business expansion, or improving land use efficiency.
 - d. The proposed development promotes fairness and equitable access to opportunities without having a disproportionate effect on vulnerable or historically marginalized communities.
 - e. The proposed development provides safe and adequate access to the site, with consideration given to traffic flow, parking, and pedestrian and bicycle accessibility.
 - f. The proposed development is compatible with adjacent land uses in terms of scale, intensity, and operational characteristics and does not create significant negative impacts on nearby properties.
 - g. The proposed development minimizes adverse impacts on the environment, including air and water quality, wildlife, and natural resources.
 - h. The proposed development does not place an undue burden on public services and infrastructure, including water, sewer, emergency services, and utilities in the subject area.
 - i. Approval of the proposed development will result in public benefits to the surrounding neighborhood and the City as a whole.
5. **Extensions and Amendments.** The City Council is authorized to extend or amend approved Planned Developments.
6. **Appeal.** The applicant or any property owner within a 1,000-foot radius of the subject property, inclusive of public roads, streets, alleys and other public ways from the subject site whose addresses appear on the current tax assessment list, may file an appeal of the decision issued by the City Council. Any such appeal shall be made to the circuit court.
7. **Records.** A record of all applications for planned developments shall be kept on file by the City Manager or designee.

(C) Map Amendments

1. Applicability. Amendments to the Zoning Map may be initiated by:
 - a. A referral of the City Council or City Manager or Designee.
 - b. A motion of the Land Use Commission.
 - c. An owner, agent, buyer or lessee of property within the area proposed to be changed or affected by the proposed map amendment.
2. Procedure for Map Amendments.
 - a. Pre-Application Conference. The applicant is required to meet with the City Manager or designee to discuss the initial concepts of a map amendment and general compliance with applicable provisions of this Zoning Code prior to the submission of the application.
 - b. Complete Application. Within 15 business days after receipt of an application, the City Manager or designee shall determine whether the application is complete. If the application is determined to be complete, the applicant shall be notified in writing that the application has been accepted. If the application is determined to be incomplete, the applicant shall be notified in writing specifying the deficiencies, including any additional information which shall be supplied, and that no further action will be taken by the City on the application until the deficiencies are corrected.
 - c. Staff Review and Comments. The application and accompanying information are reviewed by the City Manager or designee for compliance with this Zoning Code and any other standards and regulations applicable to the district in which the property is located. Review comments shall be provided in writing to the applicant. The applicant shall respond to any written review comments to address questions and/or concerns prior to scheduling a public hearing.
 - d. Land Use Commission Public Hearing. The Land Use Commission shall set a date for a public hearing regarding the proposed amendment.
 - e. Published Notice. The City shall provide notice of the public hearing by publication of a legal ad in one or more newspapers of general circulation. Such notice shall be published within a minimum of 15 days prior to the hearing date and no more than 30 days prior to the hearing date.
 - f. Mailed Notice. The City will provide mailed notice to all owners of property within a 500-foot radius of the property lines of the subject property, inclusive of public roads, streets, alleys and other public ways whose addresses appear on the current tax assessment list. The applicant shall pay all fees and postage associated with mailing such notice under this Section. The failure of delivery of such notice, however, shall not invalidate any such hearing or amendment. In addition, a sign shall be posted on the property for a minimum 10 business days prior to the public hearing indicating the place, time, and date of the hearing. Such notice is sufficient notice for the initial hearing, as well as any continuances of the same hearing.

- a. Pre-Application Conference. The applicant is required to meet with the City Manager or designee to discuss the initial concepts of a text amendment and general compliance with applicable provisions of this Zoning Code prior to the submission of the application.
 - b. Complete Application. The City Manager or designee shall determine whether the application is complete within 15 business days of receipt. If the application is determined to be complete, the applicant shall be notified in writing that the application has been accepted. If the application is determined to be incomplete, the applicant shall be notified in writing specifying the deficiencies, including any additional information which shall be supplied, and that no further action will be taken by the City on the application until the deficiencies are corrected.
 - c. Staff Review and Comments. The application and accompanying information are reviewed by the City Manager or designee for compliance with this Zoning Code and any other standards and regulations applicable to the district in which the property is located. Review comments shall be provided in writing to the applicant. The applicant shall respond to any written review comments to address questions and/or concerns prior to scheduling a public hearing.
 - d. Published Notice. Published notices shall contain the time, date, and place of the public hearing and any additional information as required by the City Manager or designee.
 - e. Mailed Notices are not required for Text Amendments. The City will not provide notice to property owners of the City when text amendments are being considered and/or approved by the Land Use Commission and City Council.
 - f. Land Use Commission Public Hearing. The Land Use Commission shall set a date for a public hearing regarding the proposed amendment.
 - g. Land Use Commission Recommendation. Within 30 days after the close of the public hearing, the Land Use Commission shall recommend the approval, approval with modifications, or denial of the proposed amendment and submit its recommendation to the City Council.
 - h. City Council Review and Decision. Upon receipt of the recommendation from the Land Use Commission, the City Council shall set a time to review the proposed text amendment and shall approve, approve with conditions, or deny the application.
 - i. Effective Date. Any amendment adopted by the City Council shall become effective 30 days after the date of adoption unless specified in the Ordinance.
3. Standards for Text Amendments. The following standards for approval shall be used in decisions regarding text amendments for this Zoning Code:
 - a. The amendment supports or enhances the vision and reflects the broader policies established in the Comprehensive Plan.
 - b. The amendment addresses evolving community needs, changing demographics, emerging development trends, or new economic realities.

- c. The amendment supports or stimulates the tax base and/or economic development by fostering growth, providing opportunities for business expansion, or improving land use efficiency.
 - d. The amendment promotes fairness and equitable access to opportunities without having a disproportionate effect on vulnerable or historically marginalized communities.
4. Appeal. The applicant or any property owner within a 500-foot radius of the subject property, inclusive of public roads, streets, alleys and other public ways from the subject site whose addresses appear on the current tax assessment list, may file an appeal of the decision issued by the City Council. Any such appeal shall be made to the circuit court.
 5. Records. A record of all applications for Text Amendments shall be kept on file by the City Manager or designee.

(E) Plat of Subdivision

1. Applicability. The purpose of a plat of subdivision is to create new property boundaries for existing tracts of land that are in conformance with all aspects of the City Code, or compliant by variation, and recorded by Cook County.
 - a. The City Council may, in accordance with the requirements of Title 4, Chapter 11, Subdivisions, and in accordance with the procedures of this Zoning Code, and other standards and regulations applicable to the district(s) in which the subject property is located, approve new subdivisions for tracts containing two or more lots.
2. Procedure for Plat of Subdivisions
 - a. Pre-Application. Prior to submitting a plat of subdivision application, an applicant shall submit and obtain a Certificate of Zoning Compliance that acknowledges compliance of all newly proposed tracts of land within the subdivision are compliant with the regulations of this Zoning Code and all other applicable regulations. Such compliance may be achieved by the approval of a variation.
 - b. Plat Review. The draft plat, application, and accompanying information is reviewed by the City Manager or designee for compliance with this Zoning Code and any other standards and regulations applicable to the district in which the property is located.
 - c. Review Comments. Review comments shall be provided in writing to the applicant, which may include but are not limited to proposed property lines, utility connection points, underground and/or overhead utilities, streets and rights-of-way, existing and proposed structures, landscaping, and any other areas of concern related to the draft plat.
 - d. Response to Review Comments. The applicant shall respond to any written review comments to address questions and/or concerns prior to proceeding to the City Council for a final determination.
 - e. Determination. The City Council shall take action to determine approval or denial of the proposed plat of subdivision.

- f. Signatures. Following approval by the City Council, the applicant shall provide a mylar copy of the plat of subdivision, which shall be routed for applicable signatures by the City Manager or designee.
 - g. Recordation. Once all applicable signatures from the City are obtained, the applicant shall obtain any remaining signatures from the County, and then shall record the plat of subdivision with Cook County. Proof of recordation of the final plat shall be provided to the City Manager or designee.
3. Effect of Approval. The approval of a proposed plat of subdivision by the City Council or the City Manager or designee shall not authorize any development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize new property boundaries for existing tracts of land, subject to recordation with Cook County. Such approval may authorize the preparation, filing and processing of applications such as permits or approvals as may be required by the regulations of the City, including, but not limited to, a building permit and certificate of occupancy.
4. Limitations. Subject to an exception granted by the City Council, any plat of subdivision not recorded with Cook County within one (1) year of adoption by the City Council or the City Manager or designee shall automatically terminate and be rendered void without further action by the City.
5. Appeal. The applicant or any property owner within a 500-foot radius of the subject property, inclusive of public roads, streets, alleys and other public ways from the subject site whose addresses appear on the current tax assessment list, may file an appeal of the decision issued by the City Council. Any such appeal shall be made to the circuit court.
6. Records. A record of all applications for Text Amendments shall be kept on file by the City Manager or designee.

6.7.5. - ENFORCEMENT

- (A) Authority. The City Manager or designee is hereby authorized to enforce this Zoning Code.
- (B) Violations. No building shall be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, and no land shall be used, in violation of this Zoning Code.
- (C) Complaints. Upon receipt of a complaint alleging a violation of this Zoning Code, the City Manager or designee shall investigate the complaint and shall take whatever action is warranted in accordance with the provisions of this Zoning Code.
- (D) Right of Entry. The City Manager or designee may make inspections of all buildings, structures and premises located within the City to determine their compliance with the provisions of this Zoning Code subject to the following standards and conditions:
 1. The inspection may take place only if (a) a complaint has been received by the City Manager or designee, and the complaint, in the opinion of the City Manager or designee, provides reasonable grounds for the belief that a violation exists; or (b) the inspection is undertaken as part of a regular inspection program.
 2. The inspection shall be made by the City Manager or designee.

3. Any person making such inspection shall furnish to the owner or occupant of the building, structure or premises sought to be inspected, sufficient identification and information to enable the owner or occupant to determine that the person is a representative of the City and the purpose of the inspection.
4. If the owner refuses to grant entry, the City may apply to the Circuit Court for a search warrant or other legal process for the purpose of securing entry to the premises.

(E) Penalties and Remedies

1. Violations of this Zoning Code or failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with approvals authorized by this Zoning Code, shall be punishable by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) per day that the violation exists.
2. Each day that any violation continues after notification by the City Manager or designee that such violation exists, shall be considered a separate offense.
3. This Code may also be enforced by an appropriate equitable action.