
Chapter 4 - Use Regulations

6.4.1. - OVERVIEW OF THIS CHAPTER

- (A) This chapter provides use permissions for all zoning districts, as well as additional standards for accessory uses and structures, temporary uses, and where special standards apply for individual uses.
- (B) Authorized Uses of Land and Structures. Within the designated zoning districts established by this Zoning Code, only the following types of land and building uses are permitted:
1. Permitted Uses. Activities explicitly allowed within specific zoning districts as outlined in this Zoning Code.
 2. Limited Uses. 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. Please refer to specific requirements or conditions found in Section 6.4.4.
 3. Special Uses. Activities designated as special within certain zoning districts, subject to adherence to all applicable standards and procedures for special uses.
 4. Planned Developments. A tract of land, which may include more than one zoning lot, that is developed as a unit under single ownership or control that meets or exceeds at least one of the minimum thresholds as defined in this Zoning Code.
 5. Non-Conforming Existing Uses. Activities that were legally established before the effective date of this Zoning Code and are allowed to continue, provided they comply with regulations concerning nonconforming uses and structures as outlined in this Zoning Code.
 6. Temporary Uses. Activities that occur for a limited duration of time. No temporary use, however, shall be established unless a Certificate of Zoning Compliance has been issued.
 7. Accessory Uses. Uses or structures that are incidental and subordinate to the primary use of the property. These accessory uses shall comply with the regulations and standards set forth for each zoning district and shall not alter the character of the primary use.
 8. Home Occupations. Business activities conducted entirely within a dwelling unit by its inhabitants, provided such activities comply with specific regulations regarding their scale and impact to maintain the residential fabric of the neighborhood.
- (C) Transitional Provisions. Anyone who has obtained a Certificate of Zoning Compliance within 90 days preceding the effective date of this Zoning Code may proceed under the regulations in effect at the time the Certificate of Zoning Compliance was issued. For applications for building permits submitted prior to the effective date of this Zoning Code, accompanied by complete working drawings, and where a building permit is issued within 6 months of such submission, the proposed construction may proceed under the regulations in effect at the time of submission, if construction commences within 180 days of the permit issuance. Additionally, any project that has either received preliminary approval from the appropriate city review

committee, or that has obtained approval for a variation or special use, including planned developments, prior to the effective date of this Zoning Code, may proceed under the zoning regulations that were in effect at the time of such approval, including any applicable time limitations. For applications for a special use, administrative review use, planned development, or variations that have been deemed complete by the City and have been filed prior to the effective date of this Zoning Code, may proceed under the regulations in effect at the time of filing, provided that the applicable determining body has rendered a decision on the application no more than six months after the effective date of this Zoning Code.

- (D) Adherence to Prior Code. Projects proceeding under prior zoning regulations shall adhere to the provisions of the approving Zoning Code in effect at the time of approval. All subsequent amendments to this Zoning Code shall be tracked and referenced through the municipal code system to ensure compliance and consistency.
- (E) Projects with Prior Zoning Entitlements. Projects that have obtained any type of zoning entitlement approval including but not limited to planned developments, special uses, administrative review uses, unique uses, and variations before the effective date of this Zoning Code, shall be subject to any conditions of approval within each applicable ordinance, regardless of whether said conditions are more restrictive than the requirements within this Zoning Code. Anyone seeking a modification to any ordinance or administrative approval shall be required to amend their zoning approval through the applicable amendment processes as outlined within this Zoning Code.
- (F) Existing Legal Uses. Any uses lawfully established prior to the effective date of this Zoning Code, which may become legally non-conforming as a result of its adoption, shall be deemed legal permitted uses or legal special uses under the provisions of this Zoning Code, as applicable.

6.4.2. - INTERPRETATION OF USE TABLE

Similar and Compatible Uses. For land uses not explicitly listed in the “use chart,” but determined to be clearly similar and compatible to one or more listed uses, the City Manager or designee may authorize such use. The use shall conform to the same provisions, restrictions, and entitlement processes applicable to the most similar and compatible listed use. The determination of what constitutes a similar and compatible use shall be at the sole discretion of the City Manager or designee.

6.4.3. - PERMITTED USES

The use chart below outlines all use permissions for each zoning district. Uses are either permitted (P), permitted by special use approval (S), permitted subject to compliance with limited use requirements (L), or prohibited (blank). The uses listed in the chart below must also comply with the land use requirements as outlined in Section 6.4.4.

LEGEND: P = Permitted Use L = Limited Use S = Special Use [blank] = Prohibited Use	R 1	R 2	R 3	R 4	M 1	M 2	M 3	D 1	D 2	D 3	U 1	U 2	U 3	U 4	IC	CI	OS
	NONSTANDARD USES																
Adaptive Reuse	L	L	L	L	L	L	L	L	L	L		L	L	L	S	S	S
Unique Use	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S
RESIDENTIAL																	
Supportive Living Community			L	P	S	L	P	P	P	P					P	S	
Residential Care Home	P	P	P	P	L	L	L	L	L	L					P	S	
Single-Room Occupancy			P	P	L	L	L	L	L	L					P	S	
Recovery / Shelter			P	P	L	L	L	L	L	L	P	P	P		P	S	
Microhome	L	L	S	S											S	S	
Dwelling, 1-4 units	P	P	P	P	P	P	P	L	L	L					S	S	
Dwelling, 5+ units			P	P	L	L	L	L	L	L	P	P			P	S	
COMMERCE AND SERVICES																	
Artisan Manufacturing			S	L	P	P	P	P	P	L						P	
Bed and Breakfast	L	L	L	L	P	P	P	S	S	S							
Cannabis Dispensary					L	L	L	L	L	L					L	L	
Cannabis Business (non-dispensary)					S	S	S	S	S	S						P	
Catering/Ghost Kitchen					L	L	L	L	L	L			L	P	P	P	
Convention/Banquet Facility					S	L	L	P	P	L			L	P		S	
Daycare Center – Child	L	L	L	L	L	L	L	L	L	L	P	P	P	P	P	L	S
Hospital															P		
Hotel				S	S	S	P	P	P	P							
Office				S	P	P	P	P	P	P	P	P	P		P	P	
Pet Boarding/Animal Daycare and Grooming					L	L	L	L	L	L	S				L	L	
Animal Medical Office				L	L	L	L	L	L	L					L	L	
Research and Innovation Laboratory						L	P	P	P	P	P	P			P	P	
Food/Beverage Establishment				L	L	L	L	L	L	L			L	L	P	L	S
Commercial Recreation					L	L	P	P	P	P			L	P	P	P	S
Retail Goods and Commercial Services				L	P	P	P	P	P	P	P	P	P	P	P	P	
Entertainment/ Amusement Facility					P	P	P	P	P	P				S		P	S
Urban Farm	L	L	L	P	P	P	P	P	P	P					P	P	
Wireless Communication Facility	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Mixed-Use Market				P	P	P	P	P	P	P					P	P	

LEGEND: P = Permitted Use L = Limited Use S = Special Use [blank] = Prohibited Use	R 1	R 2	R 3	R 4	M 1	M 2	M 3	D 1	D 2	D 3	U 1	U 2	U 3	U 4	IC	CI	OS
	Funeral Services					S	P	P	P	P	P						
AUTOMOTIVE																	
Automotive Retail Service (tire store, auto repair)					S	S	L	S	S	S						L	
Automotive Gas Station/Car Wash					S	S	S									P	
Automobile and Recreational Vehicle Sales						S	L	P	P	P						S	
Private Parking Facility					S	S	S	S	S	S	S	P	P	P	S	S	
Drive-Through Facility (Principal or Accessory Use)						S	S	S	S	S						S	
PUBLIC/COMMUNITY																	
Cultural Facility				P	P	P	P	P	P	P	P	P	P				P
Community Center				P	P	P	P	P	P	P	P	P	P			P	P
Public Recreation (indoor or outdoor)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Educational Institution	P	P	P	P	P	P		P	P	P	P	P	P		P	P	P
Neighborhood Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Daycare – Adult	L	L	L	L	L	L	P	P	P	P					L		S
Government Use				S	S	S	P	P	P	P	P	P	P	S	P	P	P
Stadium												P	S	S	S		
Public Utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P
Membership Organization			S	S	P	P	P	P	P	P	P	P	P	P		P	
Cemetery																	P
Municipal Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Transportation Facility			P	P	P	P	P	P	P	P	P	P	P	P		P	P
Religious Institution	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Vocational Training/Trade School					L	L	P	P	P	P	P	P	P		P	P	
INDUSTRIAL																	
Alcohol Production Facility					S	S	L	L	L	L						P	
Trade Contractor					S	S	S									P	
Wholesaling/Warehousing/Distribution							S	S	S	S						P	
Light Industrial							S	S	S	S						P	
Heavy Industrial																S	
Self-Storage Facility																S	
Outdoor Storage																L	
UNIVERSITY																	

LEGEND: P = Permitted Use L = Limited Use S = Special Use [blank] = Prohibited Use	R	R	R	R	M	M	M	D	D	D	U	U	U	U	IC	CI	OS
	1	2	3	4	1	2	3	1	2	3	1	2	3	4			
University Housing											P	P	P				
University Facility											P	P	P				
University Athletics Facility											P	P	P	P			
Indoor Recreational Facility (college or university)														P			
Outdoor Recreational Facility (college or university)														P			
Intramural, intercollegiate or amateur sports and athletic events and practice therefor														P			
Playground														P			
Band playing and practice in connection with another permitted use														P	P		
Commencement, convocation and graduation exercises														P	P		
University-sponsored lecture, speakers, musical performances and other cultural events held within an enclosed building provided that attendance is limited to ten thousand (10,000) or less														P			
Outdoor lectures, speakers, non-musical festivals, social events and other community or cultural events, and musical performances in conjunction or associated with the foregoing (which shall require loudspeaker permits from the City for any noise amplification), hosted by the University or City and designed for the University or local community, provided that the capacity for such events is no greater than seven thousand five hundred (7,500), and no more than sixty (60) days of programming occurs annually. Outdoor plazas shall not be rented to organizations not affiliated with the University or City														P			
University related banquet halls, including breakfasts,														P			

LEGEND: P = Permitted Use L = Limited Use S = Special Use [blank] = Prohibited Use	R	R	R	R	M	M	M	D	D	D	U	U	U	U	IC	CI	OS
	1	2	3	4	1	2	3	1	2	3	1	2	3	4			
luncheons, dinners, meeting and dining room facilities, if attendance is limited to the capacity of the specific facilities																	
Accessory uses to university permitted uses, including administrative and faculty offices, classroom, auditoriums, athletic facilities and parking spaces														P			
Public facing concerts (provided they meet the land use requirements)														P			

6.4.4. - LAND USE REQUIREMENTS

Permitted uses of land shall be subject to the requirements and conditions listed below or may request a major variation to modify or eliminate any requirement or condition subject to the requirements of Section 6.7.X(X). A Limited Use shall comply with all listed requirements and conditions or may request a Special Use to modify or eliminate any requirement and condition subject to the requirements of Section 6.X.X (X) Special Uses.

(A) Nonstandard Uses

1. Adaptive Reuse

- a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.
- b. The adaptive reuse shall be predominantly contained within an existing structure or structures and shall demonstrate adaptive use as the principal means to preserve and assure the continued existence of said structure(s), which structure(s) must have evident artistic, cultural, social, or architectural value to the community.
- c. Adaptive reuses are exempt from minimum loading area requirements and minimum lot area residential density requirements.
- d. Any lighting installed to illuminate off-street parking areas shall be confined to direct light onto the parking area only.

(B) Residential

1. Dwellings, 1-4 Units

- a. An existing lot of record that does not meet the minimum lot size requirement for the district is allowed 1 dwelling unit and 1 accessory dwelling unit unless a major variation is granted.
 - b. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee. The plan may be prepared by the builder, developer, or property owner.
 - c. In the D1, D2, and D3 zone, dwelling units shall only be allowed above the ground floor.
2. Dwellings, 5+
 - a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.
 - b. At least one commercial, public, or community gathering space shall be located on the ground floor.
 3. Supportive Living Community
 - a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.
 - b. At least one commercial, public, or community gathering space shall be located on the ground floor.
 4. Residential Care Home
 - a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.
 - b. A facility may not be located on the ground floor.
 5. Single-Room Occupancy
 - a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.
 - b. At least one commercial, public, or community gathering space shall be located on the ground floor.
 - c. Access to a private or shared full bathroom and kitchen shall be provided.
 6. Recovery/Shelter
 - a. At least one commercial, public, or community gathering space shall be located on the ground floor.
 7. Microhome
 - a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.
 - b. In alignment with the City of Evanston's Climate Action and Resilience Plan (CARP), the incorporation of green infrastructure practices, such as permeable pavements and rain gardens, is encouraged for effective stormwater management.

Homes shall meet or exceed the city's energy efficiency standards, utilizing features like high-performance insulation and energy-efficient systems to support the goals outlined in CARP, promoting sustainability and reducing energy consumption.

- c. Microhomes are permitted as principal structures on individual zoning lots in all residential districts subject to the limiting requirements of this Section.
- d. Each microhome on a lot shall be subject to the primary structure setbacks.
- e. Each microhome shall be set back a minimum distance of 10 feet from each other.
- f. Where more than three microhomes are placed on a single lot, a cottage court format, with shared internal community space is encouraged.
- g. Any zoning relief requested for the initial construction of a microhome development shall be treated as a minor variation, without requiring major variation approval. After the initial construction is completed, microhomes may seek zoning relief through either major or minor variation processes.
- h. Development Standards:
 - i. Front yard: The setback shall be the average setback of existing lots on the block or a minimum of 27 feet, whichever is less.
 - ii. Side yard adjacent to a street: 10 feet
 - iii. Interior side and Rear yard: 3 feet
 - iv. Building Height: The maximum building height for any microhome shall not exceed 28 feet, or 2 stories, whichever is less.
 - v. Building Lot Coverage: Shall adhere to the maximum building lot coverage and impervious surface limits established for the underlying zoning district.
 - vi. Design Standards: Exterior materials must be compatible with the surrounding neighborhood's aesthetic and architectural character. Acceptable materials include but are not limited to wood, fiber cement siding, metal, stucco, and composite materials.
 - vii. Rooflines: Microhomes shall be designed in a manner that is consistent with or complementary to the surrounding homes and incorporate the use of gable, hipped, or mansard roof styles. The use of contemporary or modern styles may be allowed only if the design maintains visual harmony with the surrounding area. When more than one microhome is permitted on a lot a diverse range of architectural styles is encouraged to create visual interest and prevent uniformity.
- i. To place over four (4) microhomes on one lot in any zone, the property owner shall go through the Special Use approval process.

(C) Commerce and Services

1. Artisan Manufacturing

- a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.
 - b. The production process shall not produce odors, dust, vibration, noise, or other external impacts that are detectable beyond the property lines of the subject property.
 - c. All equipment used in production and all products produced shall be located within the principal building.
2. Bed and Breakfast
 - a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.
 - b. The bed and breakfast operation shall be located within and be accessory to a private dwelling.
 - c. Licensing and standards shall comply with Title 8, Chapter 19 – Bed and Breakfast Establishments.
3. Cannabis Dispensary
 - a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.
 - b. All cannabis dispensaries, regardless of the type of license held, shall maintain the state-mandated minimum setback distances from schools and other dispensaries as established for Adult Use Dispensary Licenses.
4. Catering/Ghost Kitchen
 - a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.
 - b. An Operations Plan shall be submitted and approved by the City Manager or designee.
 - c. All cooking and preparation activities shall take place indoors, with no outdoor cooking or food preparation permitted.
 - d. Ventilation systems shall be installed to minimize odors, and operators shall comply with air quality regulations.
5. Convention/Banquet Facility
 - a. An Operations Plan shall be submitted and approved by the City Manager or designee.
 - b. Events that use amplified music or sound may only occur indoors and shall keep doors and windows closed while amplification is in use.
 - c. A Sustainability Plan shall be submitted and approved by the City Manager or designee.

- d. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.
6. Daycare Center – Child
 - a. An Operations Plan shall be submitted and approved by the City Manager or designee.
 - b. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.
7. Pet Boarding/Animal Daycare and Grooming
 - a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.
 - b. An Operations Plan shall be submitted and approved by the City Manager or designee.
 - c. The operator shall place and maintain the upkeep of an outdoor Pet Waste Station on the property.
 - d. The parts of a building where animals are boarded shall be fully enclosed, with solid core doors and no operable windows, and shall be sufficiently insulated/soundproofed so no unreasonable noise, odor, or sound can be detected off premises or through shared tenant party walls and ceilings.
 - e. Any outdoor spaces must be only for temporary animal use between the hours of 7:00 am and 7:00 pm and shall not contain any animal kennels or sleeping areas.
8. Animal Medical Office
 - a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.
 - b. An Operations Plan shall be submitted and approved by the City Manager or designee.
 - c. The operator shall place and maintain the upkeep of an outdoor Pet Waste Station on the property.
 - d. The parts of a building where animals are temporarily boarded shall be fully enclosed, with solid core doors and no operable windows, and shall be sufficiently insulated so no unreasonable noise or odor can be detected off premises.
9. Research and Innovation Laboratory
 - a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.
 - b. An Operations Plan shall be submitted and approved by the City Manager or designee.
10. Food/Beverage Establishment

- a. A Sustainability Plan shall be submitted and approved by the City Manager or designee.
- b. A Traffic Demand Management Plan that includes an analysis of delivery and loading operations, as well as waste collection, shall be submitted for a determination of suitability by the City Manager or designee. The plan may be prepared by the business owner, property owner, or operator of the establishment.

11. Commercial Recreation

- a. An Operations Plan shall be submitted and approved by the City Manager or designee.
- b. Recreation shall occur entirely within an enclosed building, and doors and windows shall remain closed while the Facility operates.
- c. Additional soundproofing is required on the walls and ceiling if amplified music or sound is used at the Facility.
- d. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee. The plan may be prepared by the business owner, property owner, or operator of the establishment.

12. Retail Goods and Commercial Services

- a. If a facility is in a mixed-use development, it shall be located primarily on the ground floor.
- b. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee. The plan may be prepared by the business owner, property owner, or operator of the establishment.

13. Urban Farm

- a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee. The plan may be prepared by the business owner, property owner, or operator of the establishment.
- b. An Operations Plan shall be submitted and approved by the City Manager or designee.

14. Wireless Communication Facility

- a. New monopole facilities shall confirm rooftop location or co-location on an existing pole is not possible.
- b. Equipment boxes shall be screened from view, whether rooftop-mounted or ground-located.
- c. The height permitted for a monopole or rooftop location is the minimum height required to achieve the functionality of the equipment.

(D) Automotive

1. Automobile Retail Service

- a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee. The plan may be prepared by the business owner, property owner, or operator of the establishment.
- b. An Operations Plan shall be submitted and approved by the City Manager or designee. The operator shall provide a detailed description of vehicle servicing machinery and equipment proposed including any tanks.
- c. All automobile-related work shall occur within an enclosed building.
- d. Outdoor storage of hazardous materials is prohibited.
- e. A sight-obscuring landscaping screen and fence is required along all property lines that abut a residential district or use.

2. Automobile and Recreational Vehicle Sales

- a. All outdoor Automobile and Recreational Vehicle Sales shall be on paved surfaces with proper stormwater management and shall be obscured by landscaping or fencing on all sides that abut a residential use or district.
- b. An Operations Plan shall be submitted and approved by the City Manager or designee.

(E) Public/Community

1. Daycare – Adult

- a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee. The plan may be prepared by the business owner, property owner, or operator of the establishment.
- b. An Operations Plan shall be submitted and approved by the City Manager or designee.
- c. For facilities with capacity of 30 attendees and greater, a Traffic Demand Management plan shall be submitted for a determination of suitability by the City Manager or designee.

2. Vocational Training/Trade School

- a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.
- b. An Operations Plan shall be submitted and approved by the City Manager or designee.

(F) Industrial

1. Alcohol Production Facility

- a. A Traffic Demand Management Plan shall be submitted for a determination of suitability by the City Manager or designee.

- b. There are no limitations on the scale of alcohol production within the CI zone, however, in all other zones production is limited to 20,000 barrels annually for breweries and cideries, and 750,000 proof gallons annually for distilleries.
- c. The use shall not create strong odors which are perceptible from other properties.
- d. If the Facility is located on the ground floor, the Facility shall include a retail area or tasting room and may serve food.

2. Outdoor Storage

- a. Where outdoor storage is allowed as a principal use, all goods, material, equipment, parts, or merchandise shall be located on a paved surface with proper stormwater management.
- b. Where outdoor storage is allowed as a principal use, all goods, material, equipment, parts, or merchandise stored outdoors shall be enclosed by a sight-obscuring landscaping screen and a fence along all property lines.

(G) University

1. Public Facing Concerts

- a. Attendance at such events is limited to twenty-eight thousand five hundred (28,500) persons.
- b. A coordinated transportation management plan shall be submitted to the City Manager or its designee.
 - i. Intersections within one thousand (1,000) feet shall return to baseline traffic counts within one (1) hour of the end of a concert event.
 - ii. Enforcement: Traffic counters and police personnel shall be supplied at Northwestern's expense and deployed by the City of Evanston before, during and after events to evaluate traffic counts. The location of traffic counters, timing of deployment, and baseline traffic counts shall be determined within the Memorandum of Understanding negotiated between the City of Evanston and Northwestern.
 - iii. Penalty: Violation of the traffic standard shall result in a twenty-five thousand dollar (\$25,000.00) penalty per event.
- c. Private security is provided for University-owned parking areas utilized. Northwestern shall provide three (3) police officers or private security personnel, approved by the City, to address potential public safety impacts before, during, and after concert events.
 - i. Enforcement: Three (3) police officers or private security personnel approved by the City shall be provided at Northwestern's expense. The City of Evanston shall document the number of substantiated 911 calls within one thousand (1,000) feet of the U2 zone before, during, and after each event and provide a report to Northwestern. If substantiated 911 calls associated with concerts exceed the baseline average by more than fifty (50) percent additional police officers or private security personnel, approved by the City, may be required as part of the concert operations plan at Northwestern's expense. The baseline calls for service shall be determined within the

- memorandum of understanding negotiated between the City of Evanston and Northwestern.
- ii. Penalty: Violation of the public safety and nuisance standard for not providing minimum staffing as detailed above, shall result in a twenty-five thousand dollar (\$25,000.00) penalty per event.
 - d. Northwestern shall provide two (2) parking officials to monitor parking before, during, and after events.
 - i. Enforcement: Two (2) parking enforcement staff shall be provided by the City for events at Northwestern's expense. The City of Evanston shall document the number of parking tickets within one thousand (1,000) feet of the U2 zone before, during, and after each event and provide a report to Northwestern. If parking tickets associated with concerts exceed the baseline average by more than fifty (50) percent additional parking officials may be required as part of the concert operations plan at Northwestern's expense. The baseline parking tickets shall be determined within the Memorandum of Understanding negotiated between the City of Evanston and Northwestern.
 - ii. Penalty: Violation of the parking standard for not providing minimum staffing as detailed above, shall result in a twenty-five thousand dollar (\$25,000.00) penalty per event.
 - e. Reasonable provision of multi-modal traffic-control devices at no City expense including personnel, shall be provided to ensure the free flow of pedestrian, bike and vehicular traffic and the security and safety of said traffic flow.
 - f. Live animals used in conjunction with any event may only be stored within a completely enclosed building.
 - g. There shall be no more than six (6) total days of such events in any calendar year within the U2 district, excluding setup and takedown. Such events shall not occur on the same date as other full-capacity events at the stadium or fieldhouse. If a concert is delayed or canceled due to weather or force majeure (including illness or pandemic), the concert may be rescheduled in the same calendar year without counting as an additional concert towards the six (6) concert maximum. The Mayor may grant a waiver in the case of a delay due to weather or force majeure (including illness or pandemic) to the additional standards, enforcement, and penalty provisions below.
 - h. Lighting associated with such events shall be directed away from adjacent residences.
 - i. Sound limitation: Sound levels during concert events shall not exceed an average of eighty (80) dba at specified locations.
 - i. Curfew: All sound systems shall be off by 10:00 p.m. Sunday through Thursdays and 10:15 p.m. Fridays, Saturdays, and days preceding national holidays and legal school holidays enumerated in 105 ILCS 5/24-2. During the school regular session calendar from approximately Labor Day to Memorial Day, Northwestern agrees that evening concerts on Sunday through Thursday (assuming the next day is not a holiday) will not be permitted without prior approval from the City.

- ii. Enforcement: A noise monitoring system shall be installed by Northwestern at the property line surrounding the stadium and within one thousand (1,000) feet throughout the adjacent residential neighborhoods. The Evanston Police Department shall receive the output and monitor for compliance. The location of the noise monitoring system and ongoing maintenance and calibration shall be determined within the Memorandum of Understanding negotiated between the City of Evanston and Northwestern.
- iii. Penalty: Violation of the sound limitation and curfew standards shall result in the penalties outlined below.
- j. Any uses not outlined herein shall require approval by the City's Special Events Committee.

6.4.5. - ACCESSORY USES AND STRUCTURES

(A) Accessory uses and structures shall be approved in accordance with the following regulations:

1. No accessory use or structure shall be approved, established or constructed before the principal use is approved.
2. Accessory uses and structures shall be compatible with and subordinate to the principal use and structure.
3. No accessory building shall be located within five (5) feet of the nearest wall of the principal structure. Accessory structures that are not buildings, such as arbors, trellises, and flag poles are exempt from this requirement.
4. No accessory building shall be located within the front yard setback or the street side yard setback, nor between the street-facing facade(s) of the principal building and the property lines. Accessory structures that are not buildings, such as arbors, trellises, and flag poles, are exempt from this requirement.
5. No accessory structure shall exceed 28 feet in height.
6. In all Residential Districts:
 - a. An accessory use or structure located in a rear yard or interior side yard shall be at least 3 feet from any property line.
 - b. No accessory building located on a corner lot shall be closer to a street side lot line than the principal structure. Accessory structures that are not buildings, such as arbors, trellises, and flag poles, are exempt from this requirement.
7. In all Non-Residential Districts:
 - a. An accessory use or structure located in a rear yard or interior side yard shall be subject to the yard requirements of the zoning district in which they are located or shall be at least 3 feet from any property line, whichever is less.
 - b. Accessory outdoor storage shall be allowed subject to the following.

- i. Shall be located on a paved surface with proper stormwater management.
- ii. Shall be screened on all sides by a sight-obscuring landscape screen, fence, or by a building.
- iii. Shall not be located in any front yard or street side yard. Where located in a side yard, shall not occupy more than 30% of the side yard.
- iv. Shall be located at least 3 feet from the side and rear property lines.

(B) Home Occupations. Home occupations may be permitted in any dwelling unit provided the home occupation complies with the following regulations:

- 1. Telecommuting is permitted in any dwelling unit by right and is not considered a home occupation.
- 2. Home occupations shall occupy less than 50% percent of the total gross floor area of the residence.
- 3. The occupation shall be carried out by the resident(s) entirely within their dwelling unit or accessory building. No merchandise shall be sold or displayed on the premises, and no equipment or materials shall be stored on any outdoor portion of the premises.
- 4. The home occupation shall not create any nuisances to the surrounding area, including but not limited to substantial traffic or parking congestion, deliveries, noise, dust, smoke, or odor.
- 5. The occupation shall be permitted one sign that is a maximum of 2 square feet in size.
- 6. A maximum of one person other than a resident of the dwelling unit may be employed on the premises.
- 7. No more than five individuals beyond the resident(s) and non-resident employee, if applicable, shall be allowed on the premises at one time.
- 8. Any person engaging in a home occupation shall register as a business with the City Manager or designee and shall be subject to the city business and occupations tax.

(C) Exterior Mechanical Equipment

- 1. Air conditioning equipment, generators, pool mechanicals, and similar equipment are subject to the following setback requirements:

Front Yard Setback	Prohibited to be placed in front yard area
Side Street Yard Setback	4 ft. min.
Interior Side Yard Abutting an Alley Setback	4 ft. min.
Interior Side Yard Not Abutting an Alley Setback	6 ft. min.
Rear Yard Setback	3 ft. min.

- 2. Exterior mechanical equipment shall be screened from view using landscaping, fencing, and/or accessory structures.

(D) Accessory Dwelling Units (ADUs)

1. Construction. An ADU may be created through new construction, alteration or an addition to an existing structure.
2. Number of Units. One (1) ADU is permitted per zoning lot.
3. Minimum Lot Area. None. ADUs are exempt from the minimum lot area requirements for a zoning lot.
4. Maximum ADU Size. All ADUs shall be smaller than the gross floor area of the largest primary dwelling unit and shall not exceed 1,200 square feet of gross floor area.
5. For a detached ADU, Section 6.4.5 Requirements for Accessory Uses Structures, shall apply.
6. For an attached ADU, the yard requirements shall be those required for a principal structure in the underlying zoning district.

(E) Swimming Pools

1. Outdoor swimming pools shall only be located in a rear yard and shall be located at least ten (10) feet from all property lines.
2. For swimming pool mechanical equipment, the regulations for Section 6.4.5 (C) Exterior Mechanical Equipment shall apply.

(F) Accessory Outdoor Storage of Vehicles, Boats, and Recreational Vehicles

1. Shall only be permitted in Residential Districts
2. Shall be located within the rearmost twenty-five (25) feet of the property unless authorized in an alternative location through a minor variation request.
3. Shall be located on a paved surface with proper stormwater management.
4. Shall be screened on all sides by a sight-obscuring landscape screen or sight-obscuring fence.
5. Not more than one truck with a maximum gross weight of 8,000 pounds or one trailer with a maximum gross weight of 5,000 pounds is permitted as outdoor storage.
6. Not more than one motorized or towable camper, boat, or boat trailer is permitted as outdoor storage.

(G) Driveways and Open Parking

1. Open parking spaces shall not be located in a front or street side yard.
2. In all Residential Districts, a driveway shall lead to a legally-located parking space that is either enclosed or is within an interior side yard or rear yard.

6.4.6. - TEMPORARY USES

(A) Subject to the limitations of this Zoning Code, temporary uses shall be permitted in the zoning districts as hereinafter specified. No temporary use, however, shall be established unless a Certificate of Zoning Compliance has been issued.

(B) The following temporary uses are permitted in the following zoning districts:

1. Residential Districts

- a. Tents. Tents shall be allowed for a thirty (30) day period.
- b. Contractor's Offices/Trailers and Equipment Sheds. Contractor's offices/trailers and equipment sheds shall be limited to the duration of construction.
- c. Real Estate Offices/Trailers. Real estate offices/trailers shall be limited to the period of active selling or leasing of units. No sleeping or cooking accommodations shall be allowed in such facilities except in a model dwelling unit used for marketing purposes.
- d. Portable Outdoor Moving Containers. Portable outdoor moving containers shall be allowed for no more than twenty-one (21) days.

2. Nonresidential Districts

- a. Outdoor Festivals, Sidewalk Sales, Art, Craft and Plant Shows, Exhibits, Displays, and Sales. O Activities shall be limited to 7 consecutive days in length and 6 occurrences per year.
- b. Seasonal Sales. Seasonal Sales such as holiday trees, pumpkins, and garden materials shall be limited to a duration of forty-five (45) days and 4 occurrences per year.
- c. Contractor's Offices/Trailers and Equipment Sheds. Contractor's offices/trailers and equipment sheds shall be limited to the duration of construction.
- d. Real Estate Offices/Trailers. Real estate offices/trailers shall be limited to the period of active selling or leasing of units. No sleeping or cooking accommodations are allowed.

(C) During construction and during non-residential temporary uses, temporary exceptions to the zoning regulations for parking, fences, yards, and other items may be permitted subject to the following conditions:

1. Upon written application stating the nature of the prospective noncompliance and its expected duration, the City Manager or designee may grant to the owner of a property within the City a temporary exemption from selected provisions of this Zoning Code.
2. Exemptions shall be subject to such conditions as may be determined to be reasonable, when such exemption, based upon facts submitted by the applicant, is necessary to permit the construction, alteration, temporary use, or demolition of improvements upon the property. Each temporary exemption so granted shall be in writing and a copy thereof, together with the application and supporting documentation, if any, shall be transmitted to the City Manager or designee to be maintained among their records.

Chapter 5 - Development Standards

6.5.1. - GENERAL PROVISIONS

- (A) Overview. The following general provisions of this Section apply to development in all zoning districts unless stated otherwise.
- (B) Subdivisions
1. Prior to the issuance of a building occupancy permit, any subdivision of a lot of record shall be completed in accordance with city regulations.
 2. Compliance After Subdivision. No developed zoning lot shall be divided into two or more zoning lots, nor shall any portion of a developed zoning lot be conveyed, unless all resulting zoning lots either fully comply with all applicable lot size, bulk, parking, and other zoning district regulations, or maintain but do not increase existing legal nonconformities.
- (C) Minimum Lot Dimensions
1. Newly Created Lots. Every residential building erected on a lot or parcel created after the effective date of this Zoning Code shall be constructed on a lot or parcel that meets the lot size requirements of the zoning district in which it is located.
- (D) Existing Lots of Record. In any residentially zoned area, on a lot of record existing on the effective date of this Zoning Code, a dwelling may be erected regardless of the size of the lot, provided that all other zoning requirements are met. General Lot and Bulk Regulations
1. No lot, building, structure, or premises shall be used or occupied, nor shall any building or structure be erected, demolished, moved, reconstructed, extended, or enlarged, except in compliance with the regulations and requirements specified for the zoning district in which it is located.
 2. No building permits shall be issued for any lot or portion thereof that has been sold, transferred, or conveyed in violation of these provisions.
 3. Provided that the lot(s) and structure(s) thereon, when considered as a whole, conform with or do not further conflict with zoning requirements, individual ownership and conveyance of attached dwelling units (such as townhouses), garages, accessory dwelling units (ADU), and associated land (which need not be contiguous) are permitted under certain conditions. These may include arrangements such as condominiums or cooperatives, or through recorded covenants and easements that govern maintenance, prohibit unauthorized expansions, and stipulate reconstruction conditions in the event of demolition or destruction.
 4. All new buildings and structures shall comply with the bulk regulations established for the zoning district in which they are located. Existing buildings or structures shall not be enlarged, reconstructed, altered, or relocated in a manner that creates or increases any conflict with the bulk regulations of this Zoning Code. Such changes are not permitted for buildings occupied wholly or partly by a nonconforming use, nor for the purpose of adding a dwelling unit or increasing residential density unless the building is brought into

full compliance with all applicable requirements. However, a variation may be sought and approved in accordance with the procedures outlined in this Zoning Code, allowing for deviations from the bulk regulations.

5. Existing buildings or structures that are noncomplying solely with respect to required yards may be enlarged, reconstructed, altered, or relocated, provided that such changes do not further conflict with the provisions of the nonconforming chapter of this Zoning Code or increase the nonconforming aspects of the building or structure. Vertical additions to a building or structure that is noncomplying solely with respect to required yards shall not be considered as increasing the nonconforming aspect of that building, provided that the nonconforming yard is not increased.
6. In cases where provisions of this section are more restrictive than those in the regulations concerning nonconforming uses and structures, the provisions of this section shall prevail.

(E) Yard Requirements

1. No lot shall be reduced in area in a way that causes the required yards or other open spaces to be less than prescribed by this Zoning Code.
2. For vacant through lots or corner lots, any street lot line may be designated as the front lot line. However, if a front lot line has been established on at least one of two or more contiguous through lots, the same street lot line shall be deemed the front lot line for all such contiguous lots. The City Manager or designee has the authority to determine the front lot line for a corner lot, considering factors such as:
 - a. Existing building orientation and setbacks.
 - b. Proportions of lot dimensions, with a preference for the shorter street frontage.
 - c. Development patterns within the neighborhood.
 - d. The property owner's preference.

(F) Flag Lots

1. Subdivision applications for the creation of flag lots shall require approval of a major variation. Required yards shall be established during the platting process.

(G) Permitted Obstructions in a Required Yard

1. A yard obstruction is an item attached to a principal or accessory structure, including, but not limited to, permanently roofed porches, chimneys, bay windows, awnings, canopies, arbors, trellises, balconies, eaves, staircases, ramps, and lifts for the disabled. Decks that are attached to a principal or accessory structure shall be considered an accessory structure and subject to the accessory structure requirements. Air Conditioning units attached to a principal or accessory structure are not considered a yard obstruction.
2. Yard obstructions shall be permitted to project into required yards as noted in the table below:

ASPECT	DESCRIPTION
Extent of Encroachment	Such obstructions may extend into the required building setbacks by no more than 10% of the depth of that yard/requirement and include but are not limited to: chimneys, bay windows, balconies, awnings, canopies, arbors, and trellises.
Eaves and Gutters	For additions to existing structures, the eaves and gutters may be constructed beyond the 10% encroachment to match or more closely match the roof eave and gutter on the existing structure.
Open Front Porches	Open front porches may extend into no more than 25% of the required front yard setback, provided they maintain a minimum front yard setback of 10 feet and minimum depth of 7 feet.
Open Side Porches	Open side porches may extend into no more than 10% of the required side yard setback, provided they maintain a minimum 3-foot side yard setback.
Stairs/ramps	Stairs and ramps that are unenclosed and unroofed may be located one (1) foot from any property line. A landing that does not exceed the minimum size as may be required by the Building Code, shall be considered part of the stairs/ramp.
Residential Ramps/Lifts	Ramps and lifts on a residential property, which are necessary for an individual to access their residence, shall be considered a permitted yard obstruction with no required minimum setback. A maximum 5-foot by 5-foot roofed overhang above the building entryway shall be considered part of the residential ramp/lift and exempt from setback requirements. Such ramp/lift and overhang may be provided only while a disabled individual resides in the residence.
Obstruction of Sight Lines at Intersections	No yard obstruction exceeding 30 inches in height shall be located within 20 feet of the corner curb line at an intersection to maintain clear sight lines for traffic safety.
Waste Enclosures	Waste enclosures are not required to be setback from a property line and are subject to the guidelines contained within Section 6.5.3.

6.5.2. - LANDSCAPING STANDARDS

- (A) Purpose. The purpose of this section is to establish landscaping and screening requirements that promote sustainability, enhance the natural environment, support the goals of the Evanston Climate Action and Resilience Plan (CARP), and improve the aesthetic appearance of the City.
- (B) Intent. These standards are intended to:
 1. Promote Environmental Sustainability. Enhance green infrastructure, reduce urban heat islands, and support carbon sequestration efforts.

2. **Improve Stormwater Management.** Utilize landscaping to sustainably manage stormwater runoff and reduce flooding risks.
 3. **Enhance Biodiversity.** Increase the use of native plant species to support local ecosystems and pollinators.
 4. **Elevate Aesthetic Quality.** Improve the visual appeal of developments, contributing to the beauty of Evanston.
 5. **Support Climate Resilience.** Incorporate adaptive landscaping practices that respond to and mitigate climate change impacts.
- (C) **Applicability.** The provisions of this section shall apply to all new developments and all expansions of an existing building footprint exceeding 2,000 square feet of new gross floor area.
- (D) **Exemptions**
1. 1 – 4 dwelling units on existing lots of record are exempt from the requirements of this section.
- (E) **General Landscaping Requirements**
1. **Landscape Plan Submission.** All covered developments shall submit a detailed Landscape Plan as part of the site plan approval process, including:
 - a. Existing tree inventory, including the caliper of all trees greater than 4-inches as measured at 5-feet in height and the species of all trees 4-inches in caliper or greater.
 - b. Location and dimensions of all existing and proposed landscaping areas.
 - c. General types, size, and quantity of all plant materials.
 2. **Minimum Requirement.** A minimum of 10% of the total lot area shall be landscaped (may include landscaped roof areas)
- (F) **Institutional Campuses.** Landscaping may be aggregated within specific areas to achieve appropriate use of outdoor space based on the needs of the campus.
- (G) **Plant material standards.** All properties shall feature a variety of landscaping such as a mixture of ornamental and shade trees, shrubs, plants, grasses, and groundcover to maximize sustainable plantings that will succeed long-term on the property. The use of bioswales and/or rain gardens is also encouraged as landscaping elements. Plant material standards should be provided per the table below:

Standard	Requirement
Species Selection	<p>Native Plants: At least 80% of plant materials should be native species to the Evanston region to promote biodiversity and ecological resilience.</p> <p>Diversity: No single species should comprise more than 15% of the total plantings to prevent monocultures and enhance disease resistance.</p> <p>Invasive Species: The use of invasive plant species is prohibited.</p>
Plant Sizes	<p>Shade Trees: Should be a minimum caliper of 2.5 inches at planting.</p> <p>Ornamental Trees: Should be a minimum caliper of 2 inches at planting.</p> <p>Evergreen Trees: Should be a minimum height of 6 feet at planting.</p> <p>Shrubs: Should be minimum height or spread of 18 inches at planting.</p>

	Groundcover and Perennials: Planted at densities to achieve full coverage within two (2) growing seasons.
Plant Quality	All plant materials should comply with the latest edition of the American Standard for Nursery Stock (ANSI Z60.1). Plants shall be healthy, vigorous, and free from pests and diseases.
Soil Preparation	Soil in planting areas shall be tested and amended as necessary to support healthy plant growth. Incorporate organic matter and ensure proper drainage to promote root development.

(H) Installation and maintenance.

1. Installation shall occur during appropriate seasons to ensure plant establishment.
2. Developments should consider whether an irrigation system is necessary for the success of the plantings.
3. Use of harvested rainwater or greywater for irrigation is encouraged.
4. Utilize drought-tolerant plant species to reduce irrigation needs.
5. Incorporate mulch in planting beds to retain soil moisture and suppress weeds.
6. Landscaping shall be designed to provide habitats for pollinators, birds, and other wildlife. Include features such as nesting boxes, bee hotels, and butterfly gardens.
7. Landscaping of green roofs is encouraged.
8. Additional landscaping buffers may be required on a lot when commercial or industrial uses are adjacent to residential uses.

(I) Parking Lot Landscaping. To lessen the visual impact of parking areas, mitigate heat islands, and manage stormwater runoff through the integration of landscaping elements, the following requirements are required for all parking areas with 10 or more parking spaces:

1. Perimeter Buffer. A landscaping buffer is required around all boundaries of the parking lot that do not abut an alley.
2. Landscape Islands. One landscaping island is required for every 10 parking spaces or portion thereof. Each landscaping island shall feature at least one tree and shall be of a sufficient size to ensure the continued health of the tree. Parking spaces that are not open to the sky do not count towards the parking space total for the purposes of calculating the required number of landscaping islands.

6.5.3. - WASTE ENCLOSURE STANDARDS

(A) Purpose. The purpose of this section is to establish waste enclosure requirements that promote sustainability and enhance the organization of and access to waste-related services in the City of Evanston.

(B) Intent. These standards are intended to:

1. Promote sustainability and preserve space to allow for diversionary waste services to be available now and into the future.
 2. Organize containers in a manner that allows for the highest use by ensuring containers can be properly filled and utilized.
 3. Increase and preserve access to waste containers for service by private scavengers.
 4. Elevate the visual appeal of developments, contributing to the overall character and beauty of Evanston.
- (C) Applicability. The provisions of this section apply to all new construction, adaptive reuse, gut rehab, or an existing development with a building expansion more than 25% of the existing gross floor area. New construction of fewer than five (5) dwelling units is exempt from this provision.
- (D) General Waste Enclosure Requirements.
1. A Waste Management Plan (WMP) shall be submitted and approved by the City Manager or designee. If the WMP does not receive approval, the applicant may seek a minor variation.
 2. Applicable developments shall establish an interior or exterior waste enclosure to collect and have waste serviced.
- (E) Waste Management Plan Application. All waste enclosures shall submit a detailed Waste Management Plan as part of the site plan approval process, including:
1. List of all waste enclosures, including the volume of waste expected for each.
 2. Specification detailing proper airflow and drainage to prevent odors, water accumulation, and pest infestations.
 3. Design demonstrating compliance with the requirements of Section 6.5.3(F).
- (F) Minimum Waste Enclosure Requirements. Minimum waste enclosure requirements shall be in accordance with the Waste Enclosure Manual. Developments that demonstrate the inability to meet an individual requirement must provide a suitable alternative. The City Manager or designee has the authority to waive an individual requirement if the applicant is unable to meet the requirement or provide a suitable alternative. The minimum waste enclosure requirements are listed below:
1. Any interior enclosure where service is also completed shall not be located in basements or underground and should be reviewed by the hauler for confirmation that service can be completed.
 2. All exterior waste enclosures should meet the following requirements:
 - a. Enclosures may not be situated in a space where waste containers are being stored under a stairway
 - b. Enclosures shall not be located in a front yard or between the principal structure and any front yard or street side yard lot line. Enclosures may be located zero (0) feet from property line(s) unless otherwise determined in the Waste Management Plan.

(G) Waste Enclosure Design Standards. These standards establish design guidelines for suitable waste enclosures but are not strict requirement. Where feasible, waste enclosures should include the design standards listed below:

1. Any enclosure's floor shall be of an impervious surface that fits the entire enclosure.
2. Waste containers stored in an exterior enclosure shall rest on a flat, level surface.
3. Gates shall be constructed of durable materials that have sufficient strength to withstand repetitive swinging and shall remain operable. Enclosure gates may not open onto sidewalks, parking spaces, ADA zones, or public rights-of-ways.
4. Enclosures that abut an alley shall utilize a sliding door system to prevent service issues or obstructions in the alley.
5. All exterior enclosure walls shall be six feet (6') in height and shall be constructed with materials that are not easily damaged by rodents. The use of brick is encouraged, and the use of building materials that complement the principal structure is encouraged.
6. Exterior enclosures that store waste containers 4 yards³ or larger shall not have a roof.
7. The minimum clearance inside a roofed or partially roofed enclosure is seven feet and six inches (7'6") with a six foot and eight-inch (6'8") high entryway for pedestrian access.
8. Developments using a chute waste collection system shall offer a separate recycling chute adjacent to every trash chute.
9. Developments that have food waste-producing or food-serving elements shall accommodate space within their enclosure for storing food scrap containers for composting.
10. Developments of greater than 6 dwelling units shall utilize a dumpster for trash and recycling.
11. Dumpster access shall be to the longest side of the dumpster.
12. A 3-foot access aisle is required along the longest side of the dumpster.

6.5.4. - OUTDOOR GATHERING SPACES/GREEN SPACE FOR DEVELOPMENT STANDARDS

(A) Purpose. The purpose of this section is to establish regulations for the integration of outdoor gathering spaces and green spaces into developments in the City of Evanston.

(B) Intent. These standards are intended to:

1. Promote environmental sustainability by enhancing green infrastructure and biodiversity.
2. Enhance community well-being through accessible, safe, and enjoyable outdoor spaces.
3. Support climate resilience by incorporating design elements that mitigate climate-related risks.
4. Integrate cultural elements reflecting Evanston's heritage through art and educational features.

(C) Applicability

1. All new planned developments within the City of Evanston shall comply with the minimum outdoor gathering or green space requirements. For the purpose of this Section, “new” planned developments shall include only those developments filing a planned development application after the effective date of this Zoning Code. Any amendments to previously approved planned developments shall not be considered a “new” planned development.
 2. All new development on lots over 10,000 square feet, excluding residential developments with 1-4 dwelling units, shall comply with the minimum outdoor gathering or green space requirement or pay an impact fee established in this Section.
- (D) General Requirements. Developments subject to this Section shall be compatible with and actively contribute to the goals and strategies of Evanston's Comprehensive Plan, Climate Action and Resilience Plan (CARP), and Parks and Green Space Strategic Plan.
- (E) Minimum Outdoor Gathering or Green Space Requirements.
1. All applicable developments shall allocate at least 10% of the lot area to public space for outdoor gatherings or green space, to be determined through the plan approval process. The square footage of the planted portions of green roofs shall count toward the minimum square footage requirement.
 2. All green spaces and outdoor gathering areas shall comply with the Americans with Disabilities Act.
 3. New developments are encouraged to incorporate the following characteristics in their public space for outdoor gatherings or green space:
 - a. Native species that promote local biodiversity and support pollinators, including different species of native trees, native shrubs, and perennials, while avoiding the use of invasive species.
 - b. Layered vegetation structures that provide habitats for various wildlife species.
 - c. Trees that are resilient to climate change impacts and provide canopy coverage of at least 50% of the green space area within 10 years of planting.
 - d. Green infrastructure that manages stormwater, including rain gardens, bioswales, green roofs, and permeable pavements.
 - e. Cisterns or rain barrels for rainwater harvesting and landscape irrigation.
 - f. Materials and designs that reduce urban heat islands, such as high-albedo surfaces and shaded areas.
 - g. Flood-resistant design elements in areas prone to flooding as identified in the City's floodplain maps.
 - h. Windbreaks using vegetation or structural elements to reduce wind speeds.
 - i. Seating, lighting, and waste receptacles, including, recycling and compost bins.
 - j. Public art, including sculptures, murals, or interactive art pieces reflecting Evanston's cultural heritage.

- k. Educational elements, including informational signage about local ecology, climate action initiatives, and historical context.
- l. Water features, including use of fountains or splash pads with recirculating systems to conserve water.
- m. Playground equipment, including provision of inclusive and accessible equipment for children of all abilities.
- n. Spaces that can accommodate cultural events and community gatherings.
- o. Historical markers or plaques acknowledging significant local history.
- p. Energy-efficient, Dark Sky-compliant fixtures to minimize light pollution and to enhance safety without causing glare or light trespass.
- q. Motion sensors or timers to reduce energy consumption during low-use periods.
- r. Renewable energy sources, such as solar panels or small-scale wind turbines, particularly for lighting, water features, and electric vehicle charging stations.
- s. Solar installations that double as shade structures in gathering areas.
- t. Waste sorting stations with clear signage for recycling and composting, policies to reduce single-use plastics during events, and educational signage promoting waste reduction and proper disposal.
- u. Materials with low embodied energy and those that are recyclable or biodegradable at the end of their life cycle, while avoiding materials that emit volatile organic compounds or other harmful substances.

(F) Impact Fees

- 1. A development on a lot over 10,000 square feet, excluding residential developments with one to four (1-4) dwelling units, may pay an impact fee of 1% of the construction value of the project to the Public Space Impact Fund in lieu of allocating public space for outdoor gatherings or green space.
- 2. In calculating any impact fee(s) to be paid to the Public Space Impact Fund, the construction value of the project shall include any materials and labor used in the construction of the development. The price of the impact fee(s) shall not be included in the construction value of the project.

(G) Public Space Impact Fund

- 1. There is hereby created a continuing and non-lapsing “Public Space Impact Fund” (the “fund”) for the purpose of investing in public green spaces, parks, landscaping, and trees.
- 2. The City Manager or designee shall be the custodian of the fund.
- 3. All interest accrued on the fund shall be reinvested in the fund.

6.5.5. - INCLUSIONARY HOUSING BONUSES

(A) Any covered development, as defined under City Code Section 5-7-3, excluding if located in an R1 or R2 zoning district, is entitled to the following development bonuses:

1. Covered developments providing less than 100% of the required inclusionary housing units on-site: none.
2. Covered developments providing 100% or more of the required inclusionary housing units on-site:

STANDARD	PERCENTAGE OF ON-SITE INCLUSIONARY HOUSING UNITS		
	15+%	>20%	50+%
Height	+ 12 feet	+ 12 feet	+ 12 feet
Floor-Area Ratio	-	+ 1.0 FAR	+1.0 FAR
Expedited Staff Review	-	-	Yes
Streamlined Approval	-	-	Yes
Appeal Limitations	-	-	Yes

3. Publicly-funded covered developments providing 100% or more of the required inclusionary housing units on-site:

STANDARD	PERCENTAGE OF ON-SITE INCLUSIONARY HOUSING UNITS		
	30+%	>35%	50+%
Height	+ 12 feet	+ 12 feet	+ 12 feet
Floor-Area Ratio	-	+ 1.0 FAR	+1.0 FAR
Expedited Staff Review	-	-	Yes
Streamlined Approval	-	-	Yes
Appeal Limitations	-	-	Yes

6.5.6. - FENCE STANDARDS

(A) The following regulations shall apply to all fences constructed, installed, or replaced after the effective date of this Zoning Code. The standards governing permissible materials, locations, and heights of fences are detailed within this section of the Zoning Code. No person shall erect, construct, install, or replace a fence without first receiving a Certificate of Zoning Compliance.

(B) Fence Standards. The following table outlines the fence standards for all applicable property types

PRINCIPAL	FRONT	SIDE/REAR	PROHIBITED	DESIGN
-----------	-------	-----------	------------	--------

USE TYPE OR ZONING DISTRICT	YARD MAX. HEIGHT	YARD MAX. HEIGHT	MATERIALS	REQUIREMENTS
Residential, Commercial, or Mixed-Use	4 feet	6 feet	Barbed wire, electrified fencing, front yard chain-link, chicken wire	Front yard fences shall be ≥50% open
Institutional Campus, Innovation and Manufacturing	6 feet	8 feet	Barbed wire, electrified fencing, front yard chain link, chicken wire	Front yard fences shall be ≥50% open except where screening of outdoor storage is required, in which case 100% solid fencing is required
Parks, Recreational Areas, Schools				No height restriction for open-mesh-type fences

(C) Fence Orientation. All fences shall have their finished face directed toward any adjacent residential property or street. However, the unfinished face may be oriented toward an alley. Fence gates shall not swing onto adjacent properties or the public right-of-way.

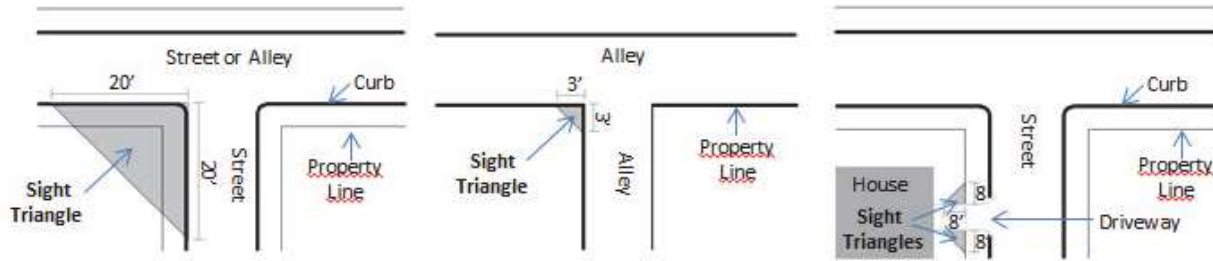
(D) Fence Location

1. Fences are not subject to building setback requirements and may be located at the property lines, in compliance with the sight triangles for vision clearance stated in this Zoning Code’s Definitions Chapter.
2. Fences erected, constructed, installed, or replaced shall ensure compliance with sight distance requirements at the intersection of 2 streets, 2 alleys, or a street and an alley, or a property line and a driveway that leads to a street. Sight distance is required as outlined in Figure 6.5.7 and the table below:

INTERSECTION	SIGHT TRIANGLE SIZE	MEASURED FROM	MAXIMUM HEIGHT WITHIN SIGHT TRIANGLE	MAXIMUM OPACITY WITHIN SIGHT TRIANGLE
2 Streets	20' × 20'	Edge of curbs	2.5'	Any
2 Alleys	3' × 3'	Edge of property lines	2.5'	Any
Street & Alley	20' × 20'	Edge of curb (street) and edge of property line	2.5'	Any

		(alley)		
Property Line & Driveway (leading to street)	8' × 8'	Edge of driveway and property line	4'	50%

Figure 6.5.7
Sight Triangle Dimensions



(E) Nonconforming Fences. Fences that were legally established prior to the effective date of this Zoning Code, but no longer meet current standards, may retain their legal nonconforming status. However, any repairs or replacements to such fences shall adhere to the following standards:

1. Any repair or replacement shall not increase the degree of nonconformity and shall ensure that adequate sight distance is provided as required in the table above.

6.5.7. - OFF-STREET PARKING, LOADING AND MOBILITY STANDARDS

(A) Provision of Accessible Automobile Parking Spaces

1. All off-street parking spaces shall comply with the requirements of the Illinois Accessibility Code (IAC).

(B) Design and Construction Standards for Automobile Parking Lots

1. Off-street parking facilities shall have direct access to a public right-of-way through an alley, driveway, or permanent access easement.
2. Parking access lanes should be placed along a secondary thoroughfare or alley where possible.
3. For single-use lots with only one dwelling unit, no more than one curb cut is permitted for access to the property.
4. For single-use lots with only one dwelling unit, double-track/wheel strip driveways are allowed, so long as each wheel strip is at least 18 inches in width and the area between the wheel strips is landscaped with living groundcover. However, within the public right-of-way, the driveway shall be fully paved along its total width, from the property line to the curbline.

5. Wheel stops, bumper guards, or other alternatives, which are properly anchored and secured, shall be provided to prevent vehicles from damaging or encroaching upon any sidewalk, landscaping, fence, wall, or structure.
6. All open parking areas or parking lots shall be improved in accordance with regulations applicable to driveway pavement thickness contained in Section 7-3-8(C) of the Evanston City Code. The portion of a driveway within a public right-of-way shall be constructed in accordance with the standards set forth by the City Manager or designee. Parking on gravel, dirt, grass, woodchips and similar non-hardscape surfaces shall be prohibited, unless done in compliance with Section 6.3.6(C) of this Zoning Code.
7. Shared driveways are encouraged.

(C) Design and Construction Standards for Automobile Parking Spaces

1. All off-street parking spaces and drive aisles shall comply with the minimum dimensional standards shown in Table 6.5.8 below with the exceptions of non-automobile parking and mechanical access parking.

(D) Table 6.5.8 – Parking Stalls and Drive Aisle Dimensions (in Feet)

[GRAPHIC TO BE ADDED AT FUTURE DATE]

KEY:

O - Parking angle

I - Parking space length

SL - Single loaded module width

W - Parking space width

A - Aisle width

DL - Double loaded module width

STALL ANGLE	STALL WIDTH (MIN.)	STALL DEPTH (MIN.)	DRIVE AISLE WIDTH, 1-WAY (MIN.)	DRIVE AISLE WIDTH, 2-WAY (MIN.)	VERTICAL CLEARANCE (MIN.)
0 degrees	8'	21'	12'	24'	7' 6"
30 degrees	8' 6"	15'	11'	--	7' 6"
45 degrees	8' 6"	17' 3"	11'	--	7' 6"
60 degrees	8' 6"	19'	16' 3"	--	7' 6"
90 degrees	8' 6"	18'	--	24'	7' 6"

(E) Electric Vehicle (EV) parking, including but not limited to EV-Installed, EV-Ready, and EV-Capable spaces shall comply with Section 4-2-2 of the City of Evanston Building Code.

(F) Provision of Micromobility Device Parking and Infrastructure

1. Micromobility device parking and infrastructure shall be provided for all projects that are required to submit a TDM plan. The quantity and type of micromobility parking spaces and infrastructures shall be determined as based on the findings within the TDM plan.

(G) Traffic Demand Management (TDM) Plans

1. A Traffic Demand Management plan is a set of strategies designed to reduce the amount of single occupancy vehicle travel and overall trip generation of a specific development.
2. TDM plans are required for the following:
 - a. A development that requires planned development approval, including any amendments thereto.
 - b. A development that requires special use approval, including any amendments thereto.
 - c. A limited use where a TDM is listed as requirement per Section 6.3.4 of this Zoning Code.
 - d. A permitted use where a TDM is listed as a requirement per Section 6.3.4 of this Zoning Code.
 - e. A development that meets any of the following criteria:
 - i. The area of the zoning lot to be improved with new construction is in excess of thirty thousand (30,000) square feet.
 - ii. The development provides for the construction of more than 24 new residential units.
 - iii. The development plan for which application for a building permit is made provides for the new construction of more than 20,000 square feet of gross floor area under one roof for any Commerce and Services use or Public/Community use.
 - f. Wireless Communication Facilities uses are exempt from TDM plan requirements.
3. The City Manager or designee may exempt an applicant from the TDM plan requirements if it is found that the proposed development will not cause a significant increase in single-occupancy vehicle travel.
4. A TDM plan shall be prepared by a qualified professional with demonstrated experience in transportation planning, traffic engineering, or comparable field unless otherwise authorized by this Zoning Code.
5. A TDM plan shall determine:
 - a. The anticipated travel demands for the project.
 - b. How the anticipated travel demand for the project will be met on-site or off-site, including the number of on-street vehicle parking spaces, off-street vehicle parking spaces, or shared vehicle parking arrangements, the number of short-term and long-term micromobility device parking spaces, and accommodations for pedestrians, cyclists, motorists, transit riders, and the mobility-impaired.

- c. The strategies that will be employed to reduce single-occupancy vehicle trips, reduce vehicle miles traveled by site users, and promote transportation alternatives such as walking, cycling, ridesharing, and transit.
 - d. The modal share objectives that will be sought from the implementation of TDM strategies.
 6. TDM Strategies. TDM strategies may include, but are not limited to, the following:
 - a. Walking, cycling, ridesharing, and transit promotion and education.
 - b. Parking cash-out programs or unbundled parking/market rate pricing.
 - c. Shared parking arrangements.
 - d. Enhanced bicycle parking and services (above the minimum required).
 - e. Support for car-share and bike-share services and facilities.
 - f. Carpooling or vanpooling programs or benefits.
 - g. Free or subsidized transit passes, transit-to-work shuttles, or enhanced transit facilities (such as bus shelters).
 - h. Guaranteed ride home (GRH) programs.
 - i. Provision for alternative work schedules (i.e., flextime, compressed work week, staggered shifts, telecommuting).
 - j. Promotion of “live near your work” programs.
 - k. Roadway improvements adjacent to the site to help encourage transportation alternatives.
 - l. Designation of an on-site employee and/or resident transportation coordinator.
 7. Review of TDM plan. Where a TDM is required, the plan shall be reviewed against the standards below and determined by the City Manager or designee to be suitable or unsuitable.
 - a. Where a TDM is deemed suitable, the associated development shall:
 - i. Provide the number of parking spaces, micromobility parking spaces, transportation infrastructure improvements, and any other physical improvements that are identified within the TDM as necessary to support the findings within the plan.
 - b. Implement any strategies and/or features outlined within the TDM that are necessary to support the findings within the plan. Where a TDM is deemed unsuitable or the applicant deviates from the recommendations of the TDM, a major variation shall be required.
 8. TDM Review Standards. The City Manager or designee shall review a TDM Plan base on the following standards.

- a. The project includes design aspects and/or programs to minimize single-occupancy vehicle trips and maximize the utilization of transportation alternatives to the extent practicable, considering the opportunities and constraints of the site and the nature of the development.
- b. The existing or proposed transportation infrastructure in the vicinity of the project is sufficient to accommodate anticipated transportation demand without placing an unreasonable burden on public infrastructure, such as transit and on-street parking facilities, and the surrounding neighborhood, with a preference for enhancements to public infrastructure.
- c. Contributions to the City’s public micromobility program are acceptable to meet the TDM requirements.

(H) Loading Areas

- 1. Off-street loading facilities shall be required for new developments and shall be provided at the rate specified for a particular use within the table below.

LAND USE	GROSS FLOOR AREA (SQ. FT.)	NO. OF BERTHS AND SIZE**
Hotels and Supportive Living Communities	10,000—200,000	One Short
	each additional 100,000	One Short
Multi-Unit Residential	30,000—100,000	One Short
	each additional 200,000	One Short
Retail Goods and Commercial Services, Food/Beverage Establishments, Artisan Manufacturing Uses, Cannabis Dispensaries	5,000—10,000	One Short
	10,001—25,000	Two Short
	25,001—60,000	Two Long
	60,001—100,000	Three Long
	each additional 200,000	One Long
Office Uses, Research and Innovation Laboratory	10,000—200,000	One Short
	each additional 100,000	One Short
	up to 500,000	
	each additional 500,000	One Short
Hospitals, University Housing, University Facilities, University Athletics Facilities, Stadiums	10,000—300,000	One Short
	each additional 200,000	One Short
Convention/Banquet Facilities, Cultural And Conference Facilities, Entertainment/Amusement Facility	10,000—20,000	One Short
	20,001—100,000	One Long
	each additional 100,000	One Long
Light and Heavy Industrial Uses,	5,000—10,000	One Short

LAND USE	GROSS FLOOR AREA (SQ. FT.)	NO. OF BERTHS AND SIZE**
Alcohol Production Facilities	10,001—40,000	One Long
	40,001—100,000	Two Long
	each additional 100,000	One Long
Transportation Facilities	10,000—40,000	One Short
	40,001—100,000	One Long, One Short
	each additional 100,000	One Long
Wholesaling/Warehousing/Distribution Facilities, Self-Storage Facilities,	5,000—40,000	One Long
	40,001 - 100,000	Two Long
	each additional 100,000	One Long
Public Utility Uses	10,000—40,000	One Short
	40,001—100,000	One Long, One Short
	each additional 100,000	One Long
Footnotes:		
*Gross floor area refers to buildings or structures on-premises.		
**Berth (Loading Dock)	Short	Long
Dimensions	10 ft. wide × 35 ft. deep	12 ft. wide × 50 ft. deep

2. Loading areas shall be separated from pedestrian facilities.
3. No permitted or required loading berth shall be located within 30 feet of the nearest point of intersection of any 2 streets.
4. No loading berth may be located on a front facade, in a front yard, or on the street-side facade on a corner lot except in the CI zone.
5. Loading and unloading activity may not encroach upon any public right-of-way, except where specifically designated by the City Manager or designee.
6. All loading areas shall have a vertical clearance of at least 14 feet.
7. All loading areas and access aisles shall be constructed of concrete, asphalt, or comparable hardscaped surface.
8. All loading berths shall be signed to indicate “No Idling.”
9. Where any loading area is located within 50 feet of, and visible from, an interior side or rear lot line that abuts any residential lot, the loading area shall be screened with a fence six feet in height.
10. Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street or alley in a manner that will least interfere with traffic movement.

11. Unless otherwise specified, a required off-street loading berth shall be at least 10 feet in width by at least 35 feet in length for short berths, and 12 feet in width by at least 50 feet in length for long berths exclusive of aisle and maneuvering space. Appropriate and sufficient space shall be given for maneuvering around berths.
12. If loading, unloading, and the movement of goods is deemed to be the primary activity of an establishment that has installed loading berths, said establishment will be interpreted as a Distribution use except for fulfillment centers where individuals are picking up goods ordered via e-commerce.
13. Central loading facilities may be substituted for loading berths on the individual zoning lots, provided the following conditions are fulfilled:
 - a. Each zoning lot served shall have direct access to the central loading area without crossing streets or alleys at-grade.
 - b. Total off-street loading berths provided shall meet the minimum requirements herein specified, based on the use of the several types of uses served. (Area of types of uses may be totaled before computing number of loading berths.)
 - c. No zoning lot served shall be more than 500 feet away from the central loading area.
 - d. The tunnel or ramp connecting the central loading area with the zoning lot served shall be not less than 7 feet in width and have a clearance of not less than 7 feet.

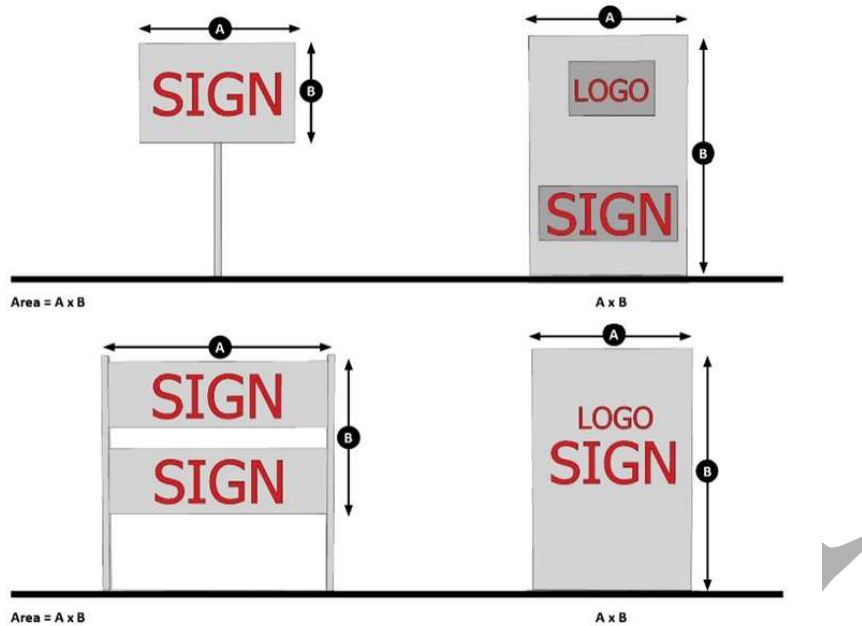
6.5.8. - SIGN STANDARDS

- (A) Purpose. The purpose of the sign standards is to regulate the design and placement of signs within the City of Evanston to ensure they enhance the visual quality of the community, protect property values, and promote public safety. While upholding the right to free expression, the sign standards prevent visual clutter and ensure that signs effectively communicate information without creating confusion or detracting from the city's aesthetic environment.
- (B) Signs are intended to serve as complementary, subordinate elements to the buildings and land uses they identify or advertise. They should integrate harmoniously with the surrounding architecture and streetscape, rather than serve as dominant or isolated features. These standards apply to the erection, display, and safety of signs, with the goal of supporting an attractive, orderly, and safe community for residents, businesses, and visitors.
- (C) Applicability. The provisions of this article shall apply to all signs erected within the city that are directed to be viewed from any outdoor space(s). All erection, construction, reconstruction, enlargement, moving, altering, or converting of signs in the city shall be performed in compliance with the requirements of this Zoning Code.
- (D) General Standards for All Signs in All Districts
 1. Signs in residential districts shall be limited to the following:
 - a. Signage for any licensed business or other non-residential use, whether legally nonconforming or compliant use, is permitted on the building where the use occurs

only and shall not be illuminated, subject to the regulations of Section 6.5.8(N) below.

- b. Signage for any licensed Home Occupation shall be a maximum of 2 square feet in size and in compliance with the Home Occupation regulations of Section 6.3.5(B) of this Zoning Code. Home Occupation signage shall not be subject to the regulations of Section 6.5.8(N) below.
2. Commercial Message Location. A sign which displays a commercial message is permitted only on the premises where the business, profession, accommodation, commodity, service, entertainment, or other commercial activity represented on the sign is located. Any sign that may display a commercial message may also display any noncommercial message, either in place of or in addition to the commercial message, so long as the sign complies with the other requirements of this Zoning Code.
 3. Interchangeable Noncommercial Messages. Any sign that may display one type of noncommercial message may also display any other type of noncommercial message, so long as the sign complies with the other requirements of this Zoning Code.
- (E) Sign Area Limitation. The combined total sign surface area of signs on a premises shall not exceed:
1. Area of Facade. An area equivalent to fifteen percent (15%) of the total eligible facade.
 2. Total Area. At no time shall the combined total sign surface area of all signs pertaining to any occupant, other than exempt signs or temporary window signs, exceed five hundred (500) square feet. The maximum aggregate sign surface area for any tenant space may be divided between as many sign types as desired by an occupant, subject to number, location, and area restrictions for each sign type delineated herein.
 3. Sign Face Calculation. The surface area of a sign shall be calculated only on the basis of the face(s) that can be seen at one (1) time.
- (F) Measuring Sign Dimensions
1. Sign Height. All signs, except wall signs and tall building identification signs, shall adhere to a maximum height limitation of fifteen and one-half (15.5) feet. The height is measured from the established grade to the tallest portion of the sign.
 2. Sign Area
 - a. Framed or Background Signs. For signs that include a sign frame or background around or behind the sign letters, designs, or symbols, the sign area shall mean the area of the frame or background and contents therein, such as 6 square feet in the case of a 2-foot-by-3-foot vinyl temporary yard sign.
 - b. Mounted Signs. For sign elements mounted directly on a principal or accessory structure's architectural surface, such as in the case of letters mounted without a frame or background into a building's brick facade, the sign area shall mean the area of the smallest rectangle that encompasses all the letters, designs, and symbols of a sign.

Figure 6.5.9
Measuring Sign Dimension



(G) Sign Location and Safe Movement

1. Sight Triangle for Vision Clearance. No sign may obstruct the sight triangle of an intersection along a public right-of-way. The sight triangle for vision clearance is defined in this Zoning Code's Definitions Chapter.
2. Traffic Signs and Signals. No sign shall be erected, maintained, or altered in a manner that, by its color, shape, positioning, or overall design, obstructs the visibility of any traffic sign or traffic signal. Furthermore, signs shall not utilize colors, shapes, positioning, or messages that could reasonably cause confusion with pedestrian or vehicular traffic directives. Additionally, the installation of red, green, or yellow illuminated signs within a 300-foot radius of any traffic signal is strictly prohibited.
3. A sign shall not be located in a manner that interferes with the movement or visibility of pedestrians, cyclists, motorists, or other micromobility users of the right-of-way.
4. A sign and its supporting structures shall not interfere with public utility equipment or communications lines or equipment that are either above or below grade.

(H) Special Uses. For special uses in any district, sign types, sizes, location, and manner may be allowed or prohibited in association with such special use.

(I) Lots with Multiple Street Frontages. For a lot with multiple street frontages, any sign allowance that allows sign counts or area based on street frontage shall apply to each street frontage. A public alleyway does not constitute a street frontage.

(J) Additional Sign Regulations

REGULATION TYPE	REQUIREMENTS/RESTRICTIONS

Advertising Vehicles	Prohibited: Parking any vehicle or trailer with advertising signs/devices on public right-of-way, public property, or private property where they are prominently visible from a public right-of-way. Exception: Mobile vehicle vendors licensed by the City of Evanston are exempt from this restriction.
No Tree Mounting	Prohibition: Signs shall not be nailed, tacked, or affixed to trees or other vegetation in a manner that punctures the bark to protect tree health and integrity.
No Handbills	Prohibition: Posting or affixing handbills, posters, notices, or similar attention gathering devices on traffic control boxes, signs, lamp poles, utility poles, traffic control supports, viaducts, or other regulated locations as specified under Title 7 of the Municipal Code.
Illuminated Signs	External Illumination: Lighting shall be designated, shielded, fixed, and not directly visible from public rights-of-way or surrounding premises. Internal Illumination: Light should shine only through lettering and graphics with opaque or translucent backgrounds. Illumination in and to Residential Districts: Lights shall not illuminate signage in any way that is within or primarily directed towards an abutting residential district. The incidental view of illuminated signage that faces a public right-of-way from an abutting or adjacent residential district is allowed.
Flashing Signs	Except for Commercial Variable Message Signs (VMS), signs shall not have flashing, blinking, color-changing lights, or rotating beacons.
Movable Sign Parts	Signs and their parts shall not be movable or rotating, and shall not have illuminated effects that create the illusion of movement
Changeable Copy	Except for marquee signs, gasoline price signs, VMS signs, and exempt signs, signs shall not contain movable letters or changeable copy.
Items Secured	Any manually movable items on a sign, such as covers for service openings, shall be secured with chains or hinges to prevent unintended movement.

(K) Permits

1. No permit for signage shall be issued to a property prior to the approval or issuance of a permit for an allowed temporary or permanent principal use and/or structure.
2. Any sign of the following type(s) does not require a permit: temporary signs, address signs and entranceway signs, home occupation signs.

(L) Exempt Sign Types. The following signs are exempt from the requirement to obtain a permit and shall not be counted toward the total allowable number and size of signs permitted on a premises:

SIGN TYPE	SIZE LIMITATION (≤ MEANS LESS THAN OR EQUAL TO, < MEANS LESS THAN)	ADDITIONAL RESTRICTIONS
Addresses	≤ 2 sq ft per address or as required by law	Shall include address numerals and other required

SIGN TYPE	SIZE LIMITATION (≤ MEANS LESS THAN OR EQUAL TO, < MEANS LESS THAN)	ADDITIONAL RESTRICTIONS
		information to identify location by law or regulation.
Bulletin Boards	≤ 12 sq ft	For public, religious, or similar institutions; shall be located on the premises of the institution.
Signs Near Construction Sites	Residential Zones: ≤16 sq ft Mixed-Use, Institutional, University, or Downtown Zones: ≤48 sq ft Creation and Innovation Zone: ≤96 sq ft	May not be erected before permit issuance and shall be removed within 10 days after work completion or permit expiration.
Flags and Standards	< 50 sq ft	Includes flags, standards, emblems, insignia.
Government Signs	No specific limit	Applies to all signs required or maintained by local, state, or federal governments including traffic signs, regulatory devices, directional signs, legal notices, warnings, and other safety-related signs approved by traffic engineer or City Council.
Historical Markers	≤ 4 sq ft	Shall be flat against a building, monument stone, or other permanent surface, and be commemorative or memorial in nature.
Temporary Yard Decorations	No specific limit	Temporary, decorative displays related to civic, patriotic, or religious holidays.
Ground-Mounted Monument Signs	Residential Zones: ≤ 12 sq. ft Institutional, University, or Creation and Innovation Zones: ≤ 30 sq ft	1 per curb cut. Located ≥ 5 feet from front or street side lot line. 1 whole edge of the sign must be mounted to the ground.
Signs Near Drive-Through Stacking Areas	≤ 25 sq ft and ≤ 8 ft in height	Located ≤ 5 ft from a drive-through stacking area. May

SIGN TYPE	SIZE LIMITATION (≤ MEANS LESS THAN OR EQUAL TO, < MEANS LESS THAN)	ADDITIONAL RESTRICTIONS
		be externally illuminated, internally illuminated, or electronic.
Inlaid Signs	No specific limit	Includes plaques, tablets, cornerstones, or other inlaid lettering. Inlaid signs shall be painted, dyed, or stained no more than 1 color in addition to the color or stain of the facade or surface from which it is inlaid.
Illuminated Window Signs	≤ 4 sq ft	Max 1 sign per street frontage per tenant and affixed to a window. May be illuminated only when premises are open for inspection.
Temporary Yard Signs	≤ 6 sq ft per occupancy or tenant.	1 sign per street frontage and located entirely on private property. The sign(s) shall not be illuminated.
Site Information Signs	≤ 4 sq ft	Provides directions or wayfinding instructions.
Special Displays	No specific limit	Shall be approved by the City Manager or designee and removed by the specified deadline.
Temporary Window Signs	Total ≤ 25% of window area	No temporary window sign shall be displayed for a period greater than 30 consecutive calendar days.
Vending Machine Signs	≤ 4 sq ft per exposed face Total ≤ 8 sq ft	Permanent, non-flashing signs affixed to vending machines, gasoline pumps, ice/milk containers, or similar machines.

(M) Prohibited Signs. All signs not specifically permitted in this Zoning Code are prohibited in any location in the city.

(N) Permitted Signs. The table below defines each sign type and its respective requirements. Each sign type listed below shall be counted toward the total allowable number, size, location and area of signs permitted on each tenant premises within a property:

SIGN TYPE	REQUIREMENT	PERMITTED DISTRICT
Freestanding Sign	<p>Number of Signs: 1 per frontage per tenant premises; not allowed if building façade is within 20 feet of the street.</p> <p>Sign Area: Max area: 10% of eligible facade area up to a maximum of 120 sq. ft.; max 12 sq ft for any premises frontage that is under 120 ft</p> <p>Location: No sign beyond perimeter lot line or within 20 feet of right-of-way intersections</p> <p>Height: 1 foot of height allowed for every foot the signage is set back from the property line. Max height: 15.5 feet.</p>	All districts. Within residential districts, only permitted to identify a subdivision, mixed-use development or multi-unit structure; freestanding signage is expressly prohibited for commercial uses in residential districts.
Wall Sign	<p>Number of Signs: 1 wall sign shall be allowed. More than 1 wall sign shall be allowed when the street facing facade(s) of the tenant premises exceeds 50 linear feet.</p> <p>Sign Area: Total wall sign area shall not exceed 10% of the eligible tenant facade area, with individual signs not exceeding 125 sq ft.</p> <p>Multiple Sign Limit: More than 1 wall sign is allowed per eligible tenant facade area. When more than 1 wall sign per eligible tenant facade</p>	All districts. Signage in residential districts shall not be illuminated.

SIGN TYPE	REQUIREMENT	PERMITTED DISTRICT
	<p>area is provided, each additional wall sign shall be reduced in allowed sign area by 20%.</p> <p>Location: Shall be located on the portion of the wall related to the occupant. Shall be located on the facade of the first and/or second floor only, and within an appropriate facade area that does not interfere with architectural elements of the building or fenestration areas of other tenant spaces.</p> <p>Projection: Shall not project more than 12 inches beyond the wall.</p>	
Permanent Window Sign	<p>Area: Max 25% of the window area.</p> <p>Location: Confined to the transparent area of the window, without touching frames or mullions, and within the total eligible facade area of the tenant space.</p> <p>Installation: Shall be permanently applied (paint, vinyl, etc.). No temporary adhesives unless approved.</p>	All districts. Signage in residential districts shall not be illuminated.
Variable Message Signs (VMS)	<p>Cycle Length: Shall be between 3 to 7 seconds; no flashing effect.</p> <p>Brightness: Shall auto-adjust brightness with outdoor light conditions.</p> <p>Area: Shall be included in</p>	All University Districts (U1, U2, U3, and U4), and for all educational and governmental uses regardless of the zoning district in which said use is located.

SIGN TYPE	REQUIREMENT	PERMITTED DISTRICT
	<p>the total allowed sign area for the premises. Maintenance: Shall be maintained to ensure clear and complete messaging.</p>	
<p>Canopy and Awning Signs</p>	<p>Commercial Message: Shall be flush to the face and/or skirt of the canopy or awning. Sign Area: Max 15% of the vertical section area. Side letters or graphics max 4 inches in height. Location: Min 7 feet 6 inches above the sidewalk. Shall project not more than 36 inches beyond the property line Installation Considerations: Respect the rhythm of fenestration; awnings should not interrupt significant architectural features</p>	<p>All districts. Signage in residential districts shall not be illuminated.</p>
<p>Neon Signs</p>	<p>Location: Confined to the transparent area of the window, without touching frames or mullions, and within the total eligible facade area of the tenant space. Area: Max 5% of the window area; neon signs shall not extend to the edges of the window.</p>	<p>All districts except when expressly prohibited in residential districts.</p>
<p>Scoreboards</p>	<p>Sign Area: Max 1,250 sq. feet. Location: Permitted adjacent to an athletic field when not directly</p>	<p>All districts. Scoreboards shall not directly face a residential district.</p>

SIGN TYPE	REQUIREMENT	PERMITTED DISTRICT
	<p>facing a residential district.</p> <p>Installation Considerations: Amplified music shall not play through any Scoreboard speakers. Scoreboards shall be turned off when not in use for an activity at said athletic field.</p>	
<p>Tall Building Sign</p>	<p>Number of Signs: Not more than 1 per facade and not more than 2 on any 1 building</p> <p>Eligible Buildings: Any building 6 stories or more in height</p> <p>Sign Area: Max 200 sq. ft. per sign</p> <p>Location: Shall be located within the upper third of the building facade, and shall not project above the roof of the building</p>	<p>All districts except as expressly prohibited in residential districts.</p>
<p>Temporary Signs</p>	<p>Number of Signs: Max 2 per year per occupant.</p> <p>Sign Area: Max 32 sq ft per face, or 64 sq ft total.</p> <p>Location: Shall be on private property and follow the location rules for wall or freestanding signs; not allowed on vehicles.</p> <p>Time Limitations: Max duration per sign shall be 30 consecutive days and no more than 30 cumulative days within a twelve-month period.</p>	<p>All districts except where freestanding signs are expressly prohibited in residential districts.</p>

SIGN TYPE	REQUIREMENT	PERMITTED DISTRICT
	<p>Materials: Shall be anchored to prevent hazards. All signs over 50 lbs. shall meet city safety standards.</p> <p>Exemptions: Temporary window signs are exempt from these conditions.</p>	
<p>Automobile and Recreational Vehicle Sales Signs</p>	<p>Number of Signs: 1 freestanding sign per dealership facade frontage with a max two per parcel. 1 wall sign per dealership facade frontage.</p> <p>Sign Area: Freestanding: Max 140 sq ft per face.</p> <p>Wall signs: Max 25% of the façade area.</p> <p>Location: Freestanding signs at lot line shall be at least 50 ft apart. All wall signs cannot extend above the roofline.</p> <p>Height: Freestanding signs shall be a max 25 feet in height.</p> <p>Flags: Allowed on used car lots only; shall be uniform in color and replaced when worn.</p>	<p>Any Automobile and Recreational Vehicle Sales establishment</p>
<p>Blade Signs</p>	<p>Position : Perpendicular to the facade to which the sign is attached. The top edge of the sign shall be no higher than 15 feet 6 inches above grade.</p> <p>Area: Max 24 square feet.</p> <p>Clearance: Bottom shall be at least 7 feet 6 inches</p>	<p>All districts.</p>

SIGN TYPE	REQUIREMENT	PERMITTED DISTRICT
	above grade. Illumination: Blade signs can be illuminated except within residential districts. Number of Signs: 1 blade sign per building facade.	

DRAFT

Chapter 6 - Nonconforming Uses and Structures

6.6.1. - PURPOSE

Purpose. Regulations governing nonconforming uses and structures are established to control the continued existence of legal nonconforming uses and structures by bringing about their gradual elimination, by regulating their enlargement, intensification, expansion or reconstruction, and by prohibiting their reestablishment after abandonment or destruction, and regulating the use of, and construction on, nonconforming lots.

6.6.2. - GENERAL PROHIBITION; AUTHORITY TO CONTINUE

- (A) Uses and Structures. No structure or use, or part thereof, shall hereafter be erected, constructed, altered, enlarged, relocated, used or intensified in character or operation except in conformity with the provisions of this Zoning Code. Legal nonconforming uses and structures shall be allowed to continue so long as they remain otherwise lawful, subject to the provisions of this Zoning Code. Nonconforming uses and structures that were not lawfully in existence on the effective date of this Zoning Code shall be prohibited.
- (B) Nonconforming Lots. No nonconforming lot shall be used, nor any structure erected thereon, except in conformance with this section and/or as authorized by this Zoning Code.
- (C) Interpretation. This Code imposes a general prohibition on the enlargement, expansion, relocation, or intensification of nonconforming uses and structures, and on the change of any nonconforming use to a use other than one allowed in the district in which the use is located. Nothing in this Zoning Code shall be construed to provide a property owner with any property right or other legal right to compel the city to grant an exception to this general prohibition.
- (D) Change of Tenant or Ownership. A change of tenancy, ownership or management of any nonconforming use or structure shall be allowed, provided there is no change in the nature or character of such nonconforming use or structure, except as otherwise provided by this Zoning Code.

6.6.3. - ESTABLISHMENT OF NONCONFORMING RIGHTS; CERTIFICATE OF NONCONFORMING USE

- (A) Any person having a legal or equitable interest in a nonconforming property may apply for a certificate of nonconforming use by complying with the procedure set forth in this section. Upon issuance, a certificate of nonconforming use shall be evidence that the use or structure designated therein is a legal nonconforming use or structure at that time.
- (B) Application. Any person who has a legal or equitable interest in land may file an application for a certificate of nonconforming use on a form approved by the City Manager or designee.
- (C) Nonconforming Uses and/or Structures. Where an application seeks a nonconforming use certificate to establish the legal nonconforming status of a structure and/or use, the City Manager or designee may issue or deny such certificate upon review of a certified survey,

building permits, or other documentation deemed necessary or sufficient by the City Manager or designee.

(D) Loss of Nonconforming Rights

1. Discontinuance

- a. General. If a nonconforming use or structure is discontinued for a continuous period of more than 1 year, it shall be deemed to be abandoned and may not thereafter be reestablished or resumed. Any subsequent use of the land or structure shall conform to the requirements of the district in which it is located.
- b. Rebuttal of Abandonment. A property owner may rebut the presumption of abandonment only by presenting clear and convincing evidence that discontinuance of the nonconforming use or structure for the specified period was due to circumstances beyond the property owner's control. The property owner shall bear the burden of proof.
- c. Change to Conforming Use. When a nonconforming use has been changed to a conforming use, it may not thereafter be reestablished or changed to another nonconforming use. In addition, whenever the degree of nonconformity with the provisions of this Zoning Code is reduced, the degree of nonconformity shall not thereafter be increased.

2. Damage or Destruction

- a. Legal Nonconforming Structure Containing a Conforming Use. When a legal nonconforming structure is damaged or destroyed by any cause or means, a new structure may be reestablished in the same location if a building permit for reconstruction or replacement of the nonconforming structure is applied for within 180 days of the date the property is damaged or destroyed. Reasonable conditions may be imposed by the City Manager or designee to mitigate any newly created impact on adjacent property. A new structure built on the parcel 180 days after the date the property is damaged or destroyed shall fully conform with the regulations of the district in which it is located.
- b. Legal Nonconforming Use. When a legal nonconforming use is damaged or destroyed by any cause or means, a building permit shall be applied for within 180 days of date the property is damaged or destroyed to reconstruct or replace the structure with its pre-existing conditions and not enlarged, relocated or expanded. Reasonable conditions may be imposed by the City Manager or designee to mitigate any newly created impact on adjacent property. A new structure built on the parcel and new uses established 180 days after the date the property is damaged or destroyed shall fully conform with the regulations of the district in which it is located.

6.6.4. - EXPANSION OR ALTERATION OF NONCONFORMING USES AND STRUCTURES

- (A) Buildings Nonconforming as to Yards Only. A building nonconforming as to yards only shall have all the rights of a conforming building, except that said building shall not be enlarged, altered, or relocated in such a way as to increase its nonconformity. For the purposes of this section, the extension along the existing setback or the addition of a second story or half-story shall not be considered as increasing its nonconformity, provided that the structure shall not be enlarged, altered or relocated within the required front yard and all other requirements of this Zoning Code are met. If substantial alteration of a building results in demolition of the structure, the entire structure shall be subject to the yard requirements applicable to a new structure, except as authorized by this section related to buildings that are damaged or destroyed.
- (B) Structure (Conforming or Nonconforming) Containing a Legal Nonconforming Use. Structures containing one (1) or more legal nonconforming uses may be expanded, enlarged in any way as long as the expansion and/or alterations comply with the requirements for the zoning district the property, except as authorized by this section related to buildings that are damaged or destroyed.
- (C) Expansion of Nonconforming Outdoor Use. No nonconforming, principal outdoor use of land shall be expanded to occupy a greater area of land than was occupied on the date such use first became a legal nonconforming use, nor shall such outdoor use be moved, in whole or in part, to any other portion of the lot or parcel than was occupied by such use on the date the use first became a legal nonconforming use or otherwise intensified, except as provided in this section.
- (D) Maintenance and Repair
1. General. Normal maintenance and repair, including cosmetic changes and replacement, restoration and improvement may be performed on any nonconforming structure or on any conforming structure containing a nonconforming use, provided however, that no such maintenance or repair shall result in an expansion, relocation or enlargement of the use or structure or increase the extent of the nonconformity, except as otherwise provided by this Zoning Code.
 2. Replacement. Following damage or destruction, replacement of a nonconformity shall mean that the structure and site, if reinstated with a nonconformity as allowed under the terms of this Zoning Code, shall be reconstructed to match the pre-existing conditions that preceded damage or destruction. Reasonable conditions may be imposed by the City Manager or designee to mitigate any newly created impact on adjacent property. Nonconformities that are completely or substantially reconstructed that include changes to building placement or design shall be subject to this section.
 3. Exceptions. The City Manager or designee may authorize minor changes in the placement and size of improvements provided such changes decrease the extent of the nonconformity.
 4. Compliance with Current Standards. All nonconforming uses and all conforming uses in nonconforming structures shall at all times maintain compliance with all general performance standards and with all landscaping, screening and curbing requirements applicable in the district in which the use is located, or applicable in the most restrictive

district in which the use is first allowed, whichever has the greater requirement. Upon determination by the City Manager or designee that strict compliance with applicable standards would be practically or economically infeasible, the City Manager or designee shall require compliance with such portion of applicable standards as is practically and economically feasible.

DRAFT