Executive Summary

This document describes the updates to the Evanston City Code to remove potential conflict with the Evanston Climate Action Plan (ECAP). The change and additions are to definitions to reflect updates in technology, approach. This document includes updates to:

- Solar Collector definition update
- Geothermal: add definition
- Coin Operated and Amusement Devices definition
- Coal Burning – remove allowances
- Update Refuse Disposal by Burning. Further study is needed to allow for the introduction of biomass energy devices and facilities.
- Reconstruction definition – separate document
- Update definition of ‘Weeds’ to promote use of native plants

Other changes were considered for better compliance with the ECAP, but not included in this package. Examples include the definitions of:

- Junk (3-15-1) – unable to find a better definition that encourages recycling and reuse.
- Alcohol (3-5-1) – unable to find a better definition that also encourages the use of alternative fuels such as alcohol.
- Automatic Dry Cleaning Machines (3-8-10-2) – unable to find an current example of a definition such that green practices are encouraged.
- Christmas Tree Sales (3-24-1). Ordinance allows for licensing of sellers of Christmas trees, but does not enforce recycling. Currently, recycling of Christmas trees is a policy, not an ordinance.
- Plumbing Code (4-6-x): no provisions for grey water handling, etc. This is a complicated topic that should be handled separately from this document.
- Electrical Code (4-7,8-x) Work should be undertaken to keep the code current to handle emerging smart grid technology and other conservation devices. The ICC is already addressing this topic.
- Wind Turbines. There is nothing in the City code to restrict or encourage installation of wind turbines, including small turbines that can be mounted on the top of light poles and residential roofs. However, the need to develop code that allows sensible use, while preventing installation of overly large turbines is a complex subject and will be handled separately.
- Impervious Surfaces (used in multiple places in Title 6). There are now pervious paving materials that should be encouraged. However, the use of this new material should be pushed via policy and practice by the City, not via code.
## Proposed Changes to Evanston City Code to Update Special Regulations Applicable to Solar Collectors

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| **6-4-6-8: SPECIAL REGULATIONS APPLICABLE TO SOLAR COLLECTORS:**  
(A)Purpose And Applicability: The purpose of this section is to ensure that solar collectors, whether accessory to principal uses, or integrated with principal uses, are compatible in character and appearance with the principal structure and surrounding neighborhood or area of the zoning districts in which they are located. The provisions of this section apply to solar collectors installed or modified after the effective date hereof. Solar collectors are permitted as an accessory use to any principal permitted or special use subject to the following development standards.  
(B)Appearance And Materials: Solar collectors should be neutral in color and generally matching the roof color of the principal structure. All such devices shall have the following characteristics:  
1. Not be plastic or other non-UV stable material;  
2. Include frames, where applicable, of anodized aluminum or painted steel; and  
3. Where devices are encased with glass, the glass shall be nonreflective tempered glass.  
(C)Yards: Solar collectors shall be subject to the following yard requirements:  
1. Solar collectors are an allowed encroachment in front, side, and rear yards so long as they do not project more than five feet (5') from an exterior wall.  
2. Solar collectors may be located flush with the exterior wall of the principal and street facing facades.  
3. In side wall installations, solar collectors must be set back a minimum of three feet (3') from the property line.  
4. In rear wall installations, solar collectors must be set back a minimum of three feet (3') from the rear property line.  
(D)Height: Solar collectors shall be | Delete all (B) | Delete color and matching requirement. Trend for white or light grey shingles to help with cooling in the summer will conflict with usual black or dark grey of solar panels and collectors  
Delete (B1) material composition will vary depending on technology and manufacturing techniques and installation methods  
Delete (B2). Physically integrated roofing products are now available and resemble roof shingles or tiles and are installed along with standard roof shingles or tiles so that they blend into the overall appearance of the roof. |
subject to the following height requirements:

1. Solar collectors may not exceed the maximum building height requirements for the district in which they are located;
2. Solar collectors located on sloped roof buildings may extend up to five feet (5') above the roof ridge; and
3. Solar collectors located on flat roofed buildings may extend up to ten feet (10') above the roof height.

(E)Bulk Requirements: Solar collectors integrated into the structure or building cladding shall be subject to the bulk requirements of the zoning district in which they are located.

(F)Ground Mounted Separate Or Adjacent To The Principal Structure: Solar collectors mounted on the ground shall not:

1. Be more than ten feet (10') high;
2. Have a footprint (as determined by a horizontal plane at the ground generated by extending all parts of the structure vertically down) greater than twenty five percent (25%) of the principal building footprint; or
3. Be located in front or street facing yards.

(G)Accessory Structures: Solar collectors mounted to accessory structures:

1. Shall comply with all yard requirements for accessory structures; and
2. May extend up to four feet (4') above the roof ridge for sloped roof structures and up to five feet (5') above the roof height for flat roofed structures.

(H)Lot Coverage Or Impervious Surface Area: Solar collectors which meet the minimum standards and maximum size limits as determined by this section, shall not be counted in lot coverage or impervious surface area. (Ord. 35-0-08)
## Proposed Addition to Evanston City Code to define Geothermal heating and cooling devices

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<td>There is no current definition</td>
<td><strong>GEOTHERMAL ENERGY.</strong> Renewable energy generated from the interior of the Earth and used to produce energy for heating buildings or serving building commercial or industrial processes. Geothermal energy does not include systems that use energy independent of the geothermal source to raise the temperature of the extracted heat, such as heat pumps.</td>
<td>from International Construction Code (ICC) proposed draft of 4Jan2010.</td>
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**Alternative**
A geothermal heat pump uses the thermal energy of the ground or groundwater to provide residential or industrial space conditioning and/or domestic water heating. A geothermal heat pump normally consists of an indoor conditioning and/or domestic water heat exchanger(s), compressors, and a ground-side heat exchanger. A geothermal heat pump may provide space heating, space cooling, water heating, or a combination of these functions and may also include the functions of liquid circulation, thermal storage, air circulation, air cleaning, dehumidifying or humidifying. A geothermal heat pump system generally consists of one or more geothermal heat pump models, the ground heat exchanger(s), the air and/or hydronic space conditioning distribution system(s), temperature controls, and thermal storage tanks. | Definition from EnergyStar web site |

## Proposed Changes to Evanston City Code to Update Coin Operated and Amusement Devices

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<td>COIN-OPERATED AND AMUSEMENT DEVICES 3-8-1: DEFINITIONS: COIN-OPERATED DEVICE: Any coin-operated device, machine or device</td>
<td>COIN-OPERATED AND AMUSEMENT DEVICES 3-8-1: DEFINITIONS: COIN-OPERATED DEVICE: Any coin-operated device, machine</td>
<td>Simply add the allowance for coin operated devices to provide electricity. Coin operated machines for plug in cars are already in testing.</td>
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The term includes vending machines for food, beverages, confections, packaged and unpackaged products, musical devices, amusement devices, mechanical laundries and dryers, and machinery which provides a service to the consumer upon the deposit of coins. Provided, however, that vending machines for tobacco products are excluded from this definition. (Ord. 82-0-96).

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<tr>
<th>Proposed Changes to Evanston City Code to remove Coal Burning</th>
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<td>4-10-10-3 Coal Burning Equipment: (A)Automatic, Mechanically Fired Equipment: All institutional, industrial and commercial buildings and multiple-family dwellings using coal for fuel shall be equipped with fuel burning equipment of the automatic, mechanically fired type. (B) Hand Fired Equipment: In buildings other than those referred to in subsection (A) of this section, no person shall operate any hand fired fuel burning equipment with any solid fuel other than low volatile solid fuel. (C) Approved Fuels: The director shall maintain and upon request furnish a list of brands or trademarks of approved low volatile solid fuels and shall prescribe the requisite testing procedures for any person seeking approval of a solid fuel not so listed; the expense of any such test shall be borne by the person seeking approval. (Ord. 112-0-67; amd. Ord. 36-0-71)</td>
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### Proposed Changes to Evanston City Code to Update Refuse Disposal by Burning

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<td>4-10-10-4: REFUSE DISPOSAL BY BURNING ¹;</td>
<td>4-10-10-4: REFUSE DISPOSAL BY BURNING</td>
<td>Most important: 4-10-10-4 does not envision bio mass energy production. City waste, in the form of garbage and sewage, is a source for biomass energy.</td>
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(A) Multiple Chamber Incinerators: No person shall burn refuse except in a multiple chamber incinerator equipped with auxiliary automatic gas firing equipment with adjustable operation cycle timers and pilot and flame failure protective devices. Such multiple chamber incinerators shall not be of the flue fed type.

(B) Construction: All incinerators in this classification shall be constructed in accordance with the applicable standards as set forth in the Incinerator Institute of America publication entitled “Incinerator Standards”, 1963 edition, and they shall be of the requisite size as shown in table VII therein.

a. These incinerators shall be served by a separate flue to which only the incinerator will be connected.
b. Flue door openings shall be designed so that the clear opening of the door shall not exceed one-third (1/3) of the cross-sectional area of the flue.
c. Flue doors and frames shall be approved and labeled by the Underwriters' Laboratories, Inc.
d. Flue doors shall be self-closing.
e. These incinerators shall be equipped with auxiliary automatic gas-firing equipment with adjustable operation cycle-timers.
f. The auxiliary gas-firing equipment shall be equipped with pilot and flame-failure protective devices.
g. These incinerators shall have a roof-mounted settling chamber proportioned to reduce gas velocity to one-quarter (1/4) of the velocity in the flue.
h. These incinerators shall have a chimney height of five feet (5') above the highest point of the building or above any obstruction within fifty feet (50') of the chimney.
i. These incinerators shall have a minimum grate area of fifteen-
hundredths (0.15) square feet per sleeping room or efficiency unit.
j. These incinerators shall have a minimum volume of three (3) cubic feet for each square foot of grate area.
k. These incinerators shall have secondary or overfire air provided through adjustable openings equivalent in area to two (2) square inches per square foot of grate area. (Ord. 112-0-67; amd. Ord. 36-0-71)

Proposed Changes to Evanston City Code to Standards for Special Uses

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<td>6-3-5-10: STANDARDS FOR SPECIAL USES:</td>
<td>Add (J) to reduce greenhouse gas (GHG) emissions</td>
<td>Allows zoning board to use the goal of the ECAP for justification of Special Use.</td>
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The zoning board of appeals or the plan commission, as the case may be, shall only recommend approval, approval with conditions, or disapproval of a special use based upon written findings of fact with regard to each of the standards set forth below and, where applicable, any special standards for specific uses set forth in the provisions of a specific zoning district:

(A) It is one of the special uses specifically listed in the zoning ordinance;
(B) It is in keeping with purposes and policies of the adopted comprehensive general plan and the zoning ordinance as amended from time to time;
(C) It will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special uses of all types on the immediate neighborhood and the effect of the proposed type of special use upon the city as a whole;
(D) It does not interfere with or diminish the value of property in the neighborhood;
(E) It can be adequately served by
public facilities and services; 
(F) It does not cause undue traffic congestion; 
(G) It preserves significant historical and architectural resources; 
(H) It preserves significant natural and environmental features; and 
(I) It complies with all other applicable regulations of the district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the grant of a variation. (Ord. 43-0-93)

### Proposed Changes to Evanston City Code to Bicycle Parking

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| **6-16-2-11: BICYCLE PARKING FACILITIES:**  
New public, hospital, university or college buildings, and shopping centers shall provide bicycle parking facilities **if required** by the site plan and appearance review committee. (Ord. 43-0-93) | **6-16-2-11: BICYCLE PARKING FACILITIES:**  
New public, hospital, university or college buildings, and shopping centers shall provide bicycle parking facilities by the site plan and appearance review committee. (Ord. 43-0-93) | Deleted ‘if required’  
All new facilities should have bicycle parking to encourage alternative transport. |

### Proposed Changes to Evanston City Code to Definition of Weeds

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| **8-6-1: DEFINITION:**  
"Weeds", as used in this Chapter, shall include the following: burdock, ragweed (giant), ragweed (common), thistle, cockleburr, jimson, blue vervain, common milk weed, wild carrot, poison ivy, wild mustard, rough pigweed, lambquart, wild lettuce, curled dock, smart weeds (all varieties), poison hemlock and wild hemp, and bindweed (all varieties). The term "weed" shall also apply to unmowed or uncultivated grasses (all varieties). (1957 Code, sec. 21-38; amd. 1979 Code) | **8-6-1: DEFINITION:**  
"Weeds", as used in this Chapter, shall include the following: burdock, ragweed (giant), ragweed (common), thistle, cockleburr, jimson, blue vervain, common milk weed, wild carrot, poison ivy, wild mustard, rough pigweed, lambquart, wild lettuce, curled dock, smart weeds (all varieties), poison hemlock and wild hemp, and bindweed (all varieties). The term "weed" shall also apply to unmowed or uncultivated grasses (excluding native grasses; bluestem, Indisan and switchgrass varieties). (1957 Code, sec. 21-38; amd. 1979 Code) | Exclude native IL grasses from definition of ‘weeds’ including Bluestem grasses, Indian grass (Sorghastrum nutans L.) and switch grass.  
Comment: most of these native grasses will be ‘cultivated’ and therefore not classified as ‘weeds’ |
| Code, sec. 21-38; amd. 1979 Code |  |