EVANSTON
ILLINOIS

TEXT AMENDMENT
Municipal Use Exemption

Case # 19PLND-0077

Meagan Jones, Neighborhood and Land Use Planner
Scott Mangum, Planning & Zoning Manager

November 13, 2019
EXISTING REGULATIONS
Section 6-7-4 of the Zoning Ordinance allows the establishment of certain governmental or proprietary uses owned or operated by the City regardless of the Zoning District. The Municipal Use Exemption provision of the Zoning Ordinance allows flexibility in the location of municipal facilities.

6-7-4. - MUNICIPAL USE EXEMPTION.
Any governmental or proprietary function owned or operated by the City shall be a permitted use in any district. The City Council may approve buildings and structures owned and operated by the City that do not comply with all of the requirements of the underlying district, if they are necessary for the provision of desired City services and if the adverse impact on surrounding properties resulting from such noncompliance is minimized. Adverse impacts may be minimized by design, architectural treatment, screening, landscaping and/or placement on the lot. Such plan for reduction of adverse impact shall be subject to review by the Design and Project Review Committee.

Some existing uses and buildings that would not be allowed without the Municipal Use Exemption include:

- Civic Center
- Church Street Pumping Station
- Water Treatment Plant, Water Tower and Pump Station
- Several City Parking Lots
- Several City Fire Stations
August 28, 2019 Plan Commission:
Discussion began on the proposed amendment with the following discussion points:

• Clarification of language regarding the review process of new uses vs. construction of new buildings
• Consideration of having municipal uses follow the same approval process as non-municipal uses
• Request of information on other municipality regulations

October 16, 2019 Zoning Committee Meeting:
Discussion continued on the proposed amendment with the following discussion points:

• Requiring additional review for larger developments, similar to other non-municipal projects
• Providing additional notice to the public
Proposed Amendments:
The following changes are proposed to section 6-7-4:

6-7-4. - MUNICIPAL USE EXEMPTION.

(A) Any governmental or proprietary function owned or operated by the City shall be a permitted use in any district except where the proposed use would otherwise require planned development approval, and in such event, the City shall comply with the subsection (D) of this section.

(B) Where the construction of buildings and structures owned or operated by the City do not comply with all of the requirements of the underlying district, then City Council approval of the project is required, and the City Council may authorize that construction if

(1) the noncompliance is necessary or beneficial for the City to perform the desired services and

(2) The City takes reasonable steps to minimize adverse impacts on surrounding properties resulting from such noncompliance.
Proposed Amendments (continued):

(C) If City Council approval is required, whether pursuant to subsections (A) (B) or (D) of this Section, said project shall nevertheless be exempt from the variation review process set forth in Section 6-3-8. However, the Design and Project Review Committee shall review the planned construction prior to City Council taking action and provide recommendations regarding the minimization of potential adverse impacts by design, architectural treatment, screening, landscaping and/or placement on the lot.

(1) Prior to City Council approval of the project, the City will provide notice of the Design and Project Review Committee meeting, through the use of a third party service, by first class mail to all owners of property within a five hundred (500) foot radius of the property lines of the subject property, inclusive of public roads, streets, alleys and other public ways from the area proposed for development whose addresses appear on the current tax assessment list as provided by the City. The failure of delivery of such notice, however, shall not invalidate any such review process.

(2) Prior to the construction of the project, the City will provide notice of the Design and Project Review Committee meeting, through the use of a third party service, by first class mail to all owners of property within a five hundred (500) foot radius of the property lines of the subject property, inclusive of public roads, streets, alleys and other public ways from the area proposed for development whose addresses appear on the current tax assessment list as provided by the City. The failure of delivery of such notice, however, shall not invalidate any such review process.

(D) Where, with respect to a project or a use proposed by the City, mandatory planned development minimum thresholds for that district are met, the process for review of planned developments as stated in Section 6-3-6 shall be followed in lieu of the procedures listed in this section.
### Standards for Amendments

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<thead>
<tr>
<th></th>
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EVANSTON ILLINOIS

TEXT AMENDMENT
Accessory Dwelling Units (ADUs)

Case # 19PLND-0097

Meagan Jones, Neighborhood and Land Use Planner
Scott Mangum, Planning & Zoning Manager

November 13, 2019
ZONING ORDINANCE TEXT AND MAP AMENDMENT: EMERSON STREET REZONING

Background
At the September 23, 2019 Planning & Development Committee meeting, the Committee discussed proposed amendments relating to Accessory Dwelling Units (ADUs). Through a collaboration with City staff and the Economic Development Cooperative (EDC) these amendments are intended to address inequitable opportunities to develop ADUs based on zoning that have been identified through community outreach and research on ADUs. The Committee referred the proposed amendments to the Plan Commission for further discussion.

Current Regulations
ADUs are permitted primarily as coach houses which are defined as:

| COACH HOUSE:          | A single detached secondary or accessory dwelling located on the same zoning lot as the principal dwelling unit including a garage. Tenants of coach houses may be unrelated to the owners of the principal residential structure. A maximum of one (1) coach house is allowed per Single-Family Detached Dwelling |

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City of Evanston
Community Development
Proposed Amendments:

Section 6-18-3. – Definitions

| COACH HOUSE: | A single detached secondary or accessory dwelling unit located on the same zoning lot as the principal residential structure dwelling unit including a garage. Tenants of coach houses may be unrelated to the owners of the principal residential structure. A maximum of one (1) coach house is allowed per Single-Family Detached Dwelling-zoning lot. |

Section 6-4-6-2. – General Provisions for Accessory Uses and Structures

(G) No accessory building shall exceed fourteen and one-half (14 1/2) feet in height for a flat roof or mansard roof, or twenty (20) feet measured from grade to the highest point of said structure for all other roofs, except as otherwise provided for garages and coach houses in Section 6-4-6-4 of this Chapter.
**Proposed Amendments (continued):**

**Section 6-4-6-3. - Allowable Accessory Uses and Structures (Detached From Principal Structure)**

(B) Table 4-A — Permitted accessory buildings, structures and uses:

<table>
<thead>
<tr>
<th>Yard</th>
<th>District</th>
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<td>Both</td>
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<td>1. Accessory dwelling units to principal residential structure (Coach House) to single-family detached homes</td>
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</table>
Proposed Amendments (continued):

Section 6-4-6-4. Special Regulations Applicable to Garages and Coach Houses

Garages and coach houses for Evanston landmarks and structures in City Council designated historic districts shall be subject to the following requirements:

(A) Height:

1. For garages and coach houses with flat and mansard roofs, height requirements for accessory buildings apply, as set forth in Section 6-4-6-2 of this Chapter.

2. All garages and coach houses without flat or mansard roofs shall be no taller than three-fourths (3/4) the height of the principal structure, measured to the roof apex, but in no case shall the height exceed twenty-eight (28) feet.

(B) Yards: All garages and coach houses shall meet the setback requirements for accessory structures, as set forth in Section 6-4-6-2 of this Chapter.

(C) Roofs: The roof of the garage or coach house shall be compatible in pitch and shape with the roof of the principal structure.
Proposed Amendments (continued):

Section 6-4-6-4.- Special Regulations Applicable to Garages and Coach Houses

Coach Houses for properties that are not an Evanston landmark nor located in City Council designated historic districts shall be subjected to the following requirements:

(A) Height:

1. For coach houses with a flat or mansard roof, an increase of one (1) foot in height shall be allowed for every one (1) foot in additional setback provided from every property line that directly abuts another property (not including right of way). In no case shall the height of the accessory structure exceed twenty (20) feet.

2. For coach houses without flat or mansard roofs, an increase of one (1) foot in height shall be allowed for every one (1) foot additional setback provided from every property line that directly abuts another property (not including right of way). In no case shall the height of the accessory structure exceed twenty-eight (28) feet.
## Table 16-B: Schedule of Minimum Off-Street Parking Requirements

<table>
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<tr>
<th>Coach house</th>
<th>1 parking space for each dwelling unit within the coach house; if the coach house meets affordability criteria or transit-oriented criteria, no parking space is required.</th>
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Transit-oriented criteria is met if the coach house is within a designated Transit-Oriented Development area or within a one-thousand (1,000) foot distance of a Metra, PACE, or Chicago Transit Authority public transit bus stop or train station.

Affordability criteria is met if, at the time of coach house construction, the household income of the owner that builds a coach house is at or below 80% of the area median income (AMI), as determined annually by the Illinois Housing Development Authority. Affordability criteria is also met if a unit within the principal structure or coach house is rented at or below 80% AMI for a period of ten (10) years.
ZONING ORDINANCE TEXT AND MAP AMENDMENT: ACCESSORY DWELLING UNITS

TOD Map:
ZONING ORDINANCE TEXT AND MAP AMENDMENT: ACCESSORY DWELLING UNITS

TOD Map:

Public Transit Stops + 1000’ Radii

Public Transit
   Metra Rail
   CTA “L”
   CTA Buses
   Pace Buses
   Bike Sharing
## Standards for Amendments

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