

82-O-21

AN ORDINANCE

Amending Title 6 of the City Code Concerning “Live-Work Units”

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

SECTION 1: City Code Section 6-18-3 “Definitions” of the Evanston City Code of 2012, as amended, is hereby amended as follows:

6-18-3. – DEFINITIONS.

| | |
|----------------|--|
| LIVE-WORK UNIT | A structure or a portion of a structure tenant space: a) that combines an <u>where allowed commercial or manufacturing nonresidential activity with a residential living space for</u> occurs by the owner or proprietor of the commercial or manufacturing nonresidential activity, and that person's household; b) where the resident owner or proprietor of the business is responsible for the commercial or manufacturing nonresidential activity performed; and c) where the commercial or manufacturing nonresidential activity conducted takes place pursuant to a valid business license or permit associated with <u>as the principal use of the structure or tenant space and a living quarters accessory to the allowed nonresidential activity serves as a dwelling unit on the premises. A live-work unit shall not consist of solely the allowed nonresidential activity and a sleeping unit without a kitchen for use exclusively by the occupant.</u> |
|----------------|--|

SECTION 2: City Code Section 6-9-3-2 "Permitted Uses" of the Evanston City Code of 2012, as amended, is hereby amended as follows.

6-9-3-2. – PERMITTED USES.

The following uses, provided they are twenty thousand (20,000) square feet or less in size, are permitted in the B2 district:

Artist studios and accessory dwelling units (provided the accessory dwelling unit shall not front upon any street).

Brew pub.

Caterer.

Cultural facility.

Dwellings (when located above the ground floor).

Educational institution—Private.

Educational institution—Public.

Financial institution.

Food store establishment (with hours of operation between 6:00 a.m. and 12:00 midnight).

Governmental institutions.

Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title)

Neighborhood garden.

Office.

Religious institution.

Residential care home—Category I (when located above the ground floor and subject to the requirements of Section 6-4-4, "Residential Care Homes and Residential Residential Care Homes," of this Title).

Restaurant—Type 1.

Retail goods establishment.

Retail services establishment.

SECTION 3: City Code Section 6-9-4-2 “Permitted Uses” of the Evanston City Code of 2012, as amended, is hereby amended as follows.

6-9-4-2. – PERMITTED USES.

The following uses are permitted in the B3 district:

Artist studios and accessory dwelling units (when the accessory dwelling unit is located above the ground floor).

Brew pub.

Caterer.

Commercial indoor recreation.

Cultural facility.

Dwellings (when located above the ground floor).

Educational institution—Private.

Educational institution—Public.

Financial institution.

Food store establishment (with hours of operation between 6:00 a.m. and 12:00 midnight).

Government institution.

Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title)

Neighborhood garden.

Office.

Residential care home—Category I (when located above the ground floor and subject to the requirements of Section 6-4-4, "Residential Care Homes and Child Residential Care Homes," of this Title).

Restaurant—Type 1.

Retail goods establishment.

Retail services establishment.

SECTION 4: City Code Section 6-9-5-2 "Permitted Uses" of the Evanston City Code of 2012, as amended, is hereby amended as follows.

6-9-5-2. – PERMITTED USES.

The following uses, provided they are twenty thousand (20,000) square feet or less in size, are permitted in the B1a district:

Artist studios and accessory dwelling units (provided the accessory dwelling unit shall not front upon any street).

Brew pub.

Caterer.

Cultural facility.

Dwellings (above ground floor).

Educational institution—Private.

Educational institution—Public.

Financial institution.

Food store establishment (hours between 6:00 a.m. and 12:00 midnight).

Governmental institutions.

Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title)

Neighborhood garden.

Offices.

Religious institution.

Residential care home—Category I.

Restaurant—Type 1.

Retail goods establishment.

Retail services establishment.

SECTION 5: City Code Section 6-10-2-2 “Permitted Uses” of the Evanston City Code of 2012, as amended, is hereby amended as follows.

6-10-2-2. – PERMITTED USES.

The following uses are permitted in the C1 district:

Brew pub.

Business or vocational school.

Caterer.

Commercial indoor recreation.

Commercial shopping center.

Cultural facility.

Educational institution—Private.

Educational institution—Public.

Financial institution.

Food store establishment.

Government institution.

Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title)

Neighborhood garden.

Office.

Public utility.

Recording studio.

Religious institution.

Restaurant—Type 1.

Retail goods establishment.

Retail services establishment.

SECTION 6: City Code Section 6-10-3-2 “Permitted Uses” of the Evanston City Code of 2012, as amended, is hereby amended as follows.

6-10-3-2. – PERMITTED USES.

The following uses are permitted in the C1a district:

Brew pub.

Business or vocational school.

Caterer.

Commercial indoor recreation.

Commercial shopping center.

Cultural facility.

Dwellings (except that within the C1a district lying between Lee Street on the north and Kedzie Street on the south dwellings are only allowed when located above the ground floor).

Educational institution—Private.

Educational institution—Public.

Financial institution.

Food store establishment (with hours of operation between 6:00 a.m. and 12:00 midnight).

Government institution.

Hotel.

Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title)

Neighborhood garden.

Office.

Public utility.

Religious institution.

Restaurant—Type 1.

Retail goods establishment.

Retail service establishment.

SECTION 7: City Code Section 6-10-4-2 “Permitted Uses” of the Evanston City Code of 2012, as amended, is hereby amended as follows.

6-10-4-2. – PERMITTED USES.

The following uses are permitted in the C2 district:

Automobile and recreational vehicle sales and/or rental.

Automobile repair service establishment.

Automobile service station.

Brew pub.

Business or vocational school.

Caterer.

Commercial indoor recreation.

Commercial outdoor recreation.

Commercial shopping center.

Cultural facility.

Educational institution—Private.

Educational institution—Public.

Financial institution.

Food store establishment.

Funeral services excluding on-site cremation.

Government institution.

Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title)

Neighborhood garden.

Office.

Public utility.

Recording studio.

Religious institution.

Restaurant—Type 1.

Retail goods establishment.

Retail services establishment.

Trade contractor (when having no outside storage).

Wholesale goods establishment.

SECTION 8: City Code Section 6-11-2-2 “Permitted Uses” of the Evanston City Code of 2012, as amended, is hereby amended as follows.

6-11-2-2. – PERMITTED USES.

The following uses are permitted in the D1 district:

- Artist studio.
- Brew pub.
- Commercial indoor recreation.
- Cultural facility.
- Dwelling—Multiple-family.
- Financial institution.
- Food store establishment (provided the store shall not be opened for business later than 12:00 midnight CST).
- Government institution.
- Hotel.
- Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title)
- Membership organization.
- Office.
- Public utility.
- Religious institution.
- Residential care home—Category I (subject to the general requirements of Section 6-4-4 of this Title).
- Residential care home—Category II (subject to the general requirements of Section 6-4-4 of this Title).
- Restaurant—Type 1.
- Retail goods establishment.
- Retail services establishment.

SECTION 9: City Code Section 6-11-3-3 “Permitted Uses” of the Evanston City Code of 2012, as amended, is hereby amended as follows.

6-11-3-3. – PERMITTED USES.

The following uses are permitted in the D2 district:

- Artist studio.
- Brew pub.
- Commercial indoor recreation (when located above the ground floor).
- Cultural facility.
- Dwellings (when located above the ground floor).
- Financial institution (above the ground floor).
- Food store establishment.
- Funeral services excluding on site cremation.
- Government institution.
- Hotel.
- Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title)
- Membership organization.
- Office (when located above the ground floor).
- Residential care home—Category I (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).
- Restaurant—Type 1.
- Retail goods establishment.
- Retail services establishment.

SECTION 10: City Code Section 6-11-4-2 “Permitted Uses” of the Evanston City Code of 2012, as amended, is hereby amended as follows.

6-11-4-2. – PERMITTED USES.

The following uses are permitted in the D3 district:

- Artist studio.
- Brew pub.
- Commercial indoor recreation.
- Commercial parking garage.
- Cultural facility.

Dwellings (when located above the ground floor).

Financial institution.

Food store establishment.

Funeral services excluding on site cremation.

Government institution.

Hotel.

Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title)

Medical broadcasting station.

Membership organization.

Office.

Public utility.

Residential care home—Category I (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).

Restaurant—Type 1.

Retail goods establishment.

Retail services establishment.

SECTION 11: City Code Section 6-11-5-2 “Permitted Uses” of the Evanston City Code of 2012, as amended, is hereby amended as follows.

6-11-5-2. – PERMITTED USES.

The following uses are permitted in the D4 district:

Artist studio.

Brew pub.

Commercial indoor recreation.

Cultural facility.

Dwelling (when located above the ground floor).

Financial institution.

Food store establishment.

Government institution.

Hotel.

Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title)

Membership organization.

Office.

Public utility.

Residential care home—Category I (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).

Restaurant—Type 1.

Retail goods establishment.

Retail services establishment.

SECTION 12: City Code Section 6-12-2-2 “Permitted Uses” of the Evanston City Code of 2012, as amended, is hereby amended as follows.

6-12-2-2. – PERMITTED USES.

The following uses are permitted in the RP district:

Brew pub.

Commercial indoor recreation.

Commercial parking garage.

Conference facility (college/university).

Conference facility (noncollege/university).

Cultural facility.

Daycare center—Adult (subject to the general requirements of Section 6-4-3, "Adult Daycare Homes," of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2, "Child Daycare Homes," of this Title).

Dwellings—Multiple-family.

Financial institution.

Government institution.

Hotel.

Industrial service establishments.

Light manufacturing.

Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title).

Neighborhood garden.

Office.

Pharmaceutical manufacturing.

Public transportation center.

Public utility.

Research and development industries.

Restaurant—Type 1.

Retail goods establishment.

Retail services establishment.

Single-family attached dwelling unit.

Warehouse establishment.

Wholesale goods establishment.

SECTION 13: City Code Section 6-13-2-2 “Permitted Uses” of the Evanston City Code of 2012, as amended, is hereby amended as follows.

6-13-2-2. – PERMITTED USES.

The following uses are permitted in the MU district:

Business or vocational school.

Community center.

Craft alcohol production facility.

Cultural facility.

Dwelling—Single-family attached.

Dwelling—Single-family detached.

Dwelling—Two-family.

Dwellings—Multiple-family.

Educational institution—Private.

Educational institution—Public.

Government institution.

Light manufacturing.

Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title)

Neighborhood garden.

Office.

Public utility.

Recreation center.

Religious institution.

Residential care home—Category I (subject to the requirements of Section 6-4-4, "Residential Care Homes and Residential Residential Care Homes," of this Title).

Residential care home—Category II (subject to the requirements of Section 6-4-4, "Residential Care Homes and Residential Residential Care Homes," of this Title).

Wholesale goods establishment.

SECTION 14: City Code Section 6-13-3-2 "Permitted Uses" of the Evanston City Code of 2012, as amended, is hereby amended as follows.

6-13-3-2. – PERMITTED USES.

The following uses are permitted in the MUE district:

Building materials establishment.

Business or vocational school.

Commercial parking garage.

Commercial parking lot.

Craft alcohol production facility.

Educational institution—Private.

Educational institution—Public.

Industrial service establishment.

Light manufacturing.

Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title)

Neighborhood garden.
Office.
Public transportation center.
Public utility.
Trade contractor.
Vehicle storage establishment.
Warehouse establishment.
Wholesale goods establishment.

SECTION 15: City Code Section 6-13-4-2 “Permitted Uses” of the Evanston City Code of 2012, as amended, is hereby amended as follows.

6-13-4-2. – PERMITTED USES.

The following uses are permitted in the MXE district:

Artist studio.
Building materials establishment.
Business or vocational school.
Caterer.
Craft alcohol production facility.
Dwelling—Single-family attached.
Dwelling—Single-family detached.
Dwelling—Two-family.
Dwelling—Multiple-family.
Educational institution—Public.
Government institution.
Industrial service establishment.
Light manufacturing.
Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title)
Neighborhood garden.
Office.

Public transportation center.
Public utility.
Residential care home—Category I.
Residential care home—Category II.
Retail goods establishment.
Retail services establishment.
Trade contractor.
Vehicle storage establishment.
Warehouse establishment.
Wholesale goods establishment.

SECTION 16: City Code Section 6-14-2-3 “Special Uses” of the Evanston City Code of 2012, as amended, is hereby amended as follows.

6-14-2-3. – SPECIAL USES.

The following uses may be allowed in the I1 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Aquaponics.
Business or vocational school.
Cannabis cultivation center.
Car wash.
Daycare center—Domestic animal.
Firearm range (located more than three hundred fifty (350) feet from any R1, R2, R3 district, or located more than three hundred fifty (350) feet from any school, child daycare facility, or public park in any zoning district as measured from lot line to lot line).
Heavy cargo and freight terminal.
Heavy manufacturing.
Kennel.
Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title)
Media broadcasting towers.

Open sales lot.

Outdoor storage (when covering more than thirty percent (30%) of an interior side yard or as a principal use).

Pharmaceutical manufacturing.

Planned developments (subject to the requirements of Section 6-14-1-10, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).

Retail goods establishment.

Retail service establishment.

Urban farm.

Urban farm, rooftop.

SECTION 17: City Code Section 6-14-3-3 "Special Uses" of the

Evanston City Code of 2012, as amended, is hereby amended as follows.

6-14-3-3. – SPECIAL USES.

The following uses may be allowed in the I2 district, subject to the provisions set forth in Section 6-3-5, "Special Uses," of this Title:

Administrative review uses, pursuant to Section 6-3-5-16(B) "Applicable Uses".

Aquaponics.

Automobile storage lot.

Brew pub.

Business or vocational school.

Cannabis cultivation center.

Car wash.

Daycare center—Domestic animal.

Firearm range (located more than three hundred fifty (350) feet from any R1, R2, R3 district, or located more than three hundred fifty (350) feet from any school, child daycare facility, or public park in any zoning district as measured from lot line to lot line).

Heavy cargo and freight terminal.

Heavy manufacturing.

Kennel.

Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title)

Media broadcasting tower.

Open sales lot.

Outdoor storage (when covering more than thirty percent (30%) of an interior side yard or as a principal use).

Pharmaceutical manufacturing.

Planned developments (subject to the requirements of Section 6-14-1-10, "Planned Developments," of this Chapter and Section 6-3-6, "Planned Developments," of this Title).

Recycling center.

Restaurant—Type 1.

Retail goods establishment.

Retail service establishment.

Special education institution—Public.

Urban farm.

Urban farm, rooftop.

SECTION 18: City Code Section 6-15-2-2 "Permitted Uses" of the Evanston City Code of 2012, as amended, is hereby amended as follows.

6-15-2-2. – PERMITTED USES.

The following uses are permitted in the O1 district:

Financial institution.

Government institution.

Hotel.

Live-Work Units (subject to the general requirements of Section 6-4-13 of this Title).

Neighborhood garden.

Office.

Public utility.

Restaurant—Type 1.

SECTION 19: City Code Section 6-4-13 “Special Regulations Pertaining to Live-Work Units” is hereby added to the Evanston City Code of 2012, as amended, as follows:

6-4-13. – SPECIAL REGULATIONS PERTAINING TO LIVE-WORK UNITS.

- A. Purpose and Intent: The purpose of this Section is to permit the establishment of live-work units that are compatible with the nonresidential and non-university districts in which they are located and to ensure that live-work units are safe and habitable for occupants.
- B. Construction: A live-work unit may be created through new construction, addition to an existing principal structure, or conversion of an existing principal structure to a live-work unit.
- C. Number of Units: One (1) live-work unit is permitted per principal nonresidential activity with a valid business registration granted in accordance with Title 3 (Business Regulations) of the Evanston City Code occurring within a structure or tenant space.
- D. Minimum Lot Size: None.
- E. Dwelling Unit Size within a Live-Work Unit:
 - 1. Maximum: No more than 49 percent of the floor area of each live-work unit, excluding bathrooms, may be used or arranged for designated residential purposes.
 - 2. Minimum: All live-work units shall be of a suitable area that may sufficiently accommodate one (1) dwelling unit, as defined by Section 6-18-3 of this Title, and shall be compliant with all applicable requirements stated in Title 4 (Building Code) of the Evanston City Code.
- F. Ownership and Occupancy:
 - 1. Permitted Residents: At least one (1) of the occupants shall be either the property owner conducting the nonresidential activity within the live-work

unit or the business owner responsible for the nonresidential activity presently leasing the live-work unit from the property owner.

Should the permitted resident be presently leasing the live-work unit from the property owner, the dwelling unit within the live-work unit shall be subject to Chapters 5-3 (Landlord and Tenant Regulations) and 5-8 (Registration of Rental Residential Buildings).

2. No Vacation Rentals: Live-work units shall not be rented or leased as Vacation Rentals, as defined by Section 5-9-2 of the Housing Regulations.
- G. Off-Street Parking: Parking is required for the nonresidential activity being conducted within the live-work unit per Chapter 16 (Off-street Parking and Loading), Table 16-B. Additional parking shall not be required for the dwelling unit component of the live-work unit.
- H. Design Standards:
1. Location: The residential activity of the structure or tenant space occurring within the live-work unit shall not be visible from the public right-of-way. In structures greater than one story in height, the nonresidential activity shall occur on the ground floor of the structure.
 2. Entrances: Only one (1) entrance to the dwelling-unit component of the live-work unit may be located on the front-facing facade of the principal building, provided one (1) dedicated customer entrance is already provided and the residential activity is not visible from the public right-of-way.
- If the dwelling unit component of the live-work unit is 1,000 square feet or larger, excluding the bathroom or bathrooms, it shall have at least two dedicated entrances.
- I. Alterations or Additions to Existing Structures: If an existing nonresidential principal structure that does not meet one or more of the standards within the underlying zoning district is converted into a live-work unit, the structure is exempt from the standard(s) it does not meet. However, any alterations or additions that would result in the structure becoming less conforming with those standards it does not meet are not allowed.

SECTION 20: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 21: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

Introduced: 07/28/2021, 2021
Adopted: 09/13/2021, 2021

Approved:
9/16, 2021

Daniel Biss
Daniel Biss, Mayor

Attest:
Stephanie Mendoza
Stephanie Mendoza, City Clerk

Approved as to form:
Nicholas E. Cummings
Nicholas E. Cummings, Corporation Counsel