



# City of Chicago



SO2020-4586

Office of the City Clerk

## Document Tracking Sheet

**Meeting Date:** 9/9/2020

**Sponsor(s):** Lightfoot (Mayor)

**Type:** Ordinance

**Title:** Amendment of Municipal Code Sections 17-7-0600 and 17-13-0500 by modifying provisions governing special character overlay districts

**Committee(s) Assignment:** Committee on Zoning, Landmarks and Building Standards

## **SUBSTITUTE ORDINANCE**

### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** Section 17-7-0600 and 17-13-0500 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by inserting the underscored language and deleting the stricken language, as follows:

*(Omitted text is unaffected by this ordinance)*

#### **17-7-0600 Special character overlay districts generally.**

##### **17-7-0601 Purpose.**

**17-7-0601-A** The purpose of this section is to expressly authorize the establishment of *special character overlay districts* for neighborhoods that have unique or distinctive physical characteristics that are not generally present in other areas of the city, or to protect and guide development in areas that have distinctive neighborhood characteristics. Such unique or distinctive physical characteristics may come in the form of:

1. Size, shape or *lot* configurations that deviate greatly from the platting pattern found in other parts of the city;
2. Building types or architectural styles that conflict with *base district* standards, yet make a positive contribution to the physical character or livability of an area; **or**
3. Environmental or other physical features that would prevent reasonable development under applicable zoning standards;
4. Identifiable and cohesive neighborhood unit possessing similar development patterns and physical characteristics (for example, building features, site design, land use patterns, and natural or streetscape characteristics); or
5. May be located adjacent (that is, as a buffer area) to an existing Chicago Landmark District.

**17-7-0601-B** The special zoning regulations that apply within *special character overlay districts* are intended to reduce conflicts between new construction and existing development, encourage city beautification and conserve the character of the city's most unique neighborhoods. Special character districts are not intended to serve as neighborhood-specific zoning rules that modify zoning standards merely because of dissatisfaction with development that complies with otherwise applicable standards. Such situations should be addressed through consideration of amendments to *base district* zoning standards that would apply citywide.

**17-7-0602 Minimum Requirements.** An area will be eligible for designation as a *special character overlay district* after a recommendation by the City Council Committee on Zoning, Landmarks and Building Standards if at the time of application it is located within any R, B, C, D or M district, and contains at least 4 contiguous acres of land area.

**17-7-0603 Authorized Regulations and Standards.** *Special character overlay district* regulations may address any of the following:

**17-7-0603-A** uses;

**17-7-0603-B** *floor area ratios*;

**17-7-0603-C** densities (*lot area per dwelling unit*);

**17-7-0603-D** number of buildings on a *zoning lot*;

**17-7-0603-E** *lot area*;

**17-7-0603-F** *building coverage*;

**17-7-0603-G** *yards* or setbacks;

**17-7-0603-H** *lot frontage*;

**17-7-0603-I** *building heights*;

**17-7-0603-J** building entrances and/or orientation;

**17-7-0603-K** exterior building materials and design;

**17-7-0603-L** layout of *public ways*;

**17-7-0603-M** vehicular and pedestrian circulation patterns;

**17-7-0603-N** amount or location of parking and loading; or

**17-7-0603-O** other zoning-related standards that are necessary to address unique zoning, platting or development features.

**17-7-0603-P** district-specific design guidelines for rehabilitation, new construction, and additions published by the Department of Planning and Development.

**17-7-0603-Q** rehabilitation of character buildings as outlined in district-specific design guidelines. Character buildings have unique historical, architectural, or other impact on the district environment. Rehabilitation of identified character buildings is a priority in accordance with Sec. 17-7-0601-A.

**17-7-0604 Procedure for Establishment.** *Special character overlay districts* must be established in accordance with the procedures of Sec. 17-13-0500.

**17-7-0605 Variations/Administrative Adjustments.** Within any established *special character overlay district*, applicants may seek authorized *administrative adjustments* or *variations*, pursuant to the applicable *administrative adjustment* or *variation* procedures of Chapter 17-13.

**17-7-0606 Special Uses.** Within any established *special character overlay district*, any applicant may seek approval of a *special use* allowed by the *base district* or Special Character District standards. In such cases, the applicant must demonstrate that the proposed *special use* meets the

general applicable approval criteria for *special uses* and that the proposed use will comply with applicable *special character overlay district* regulations.

*(Omitted text is unaffected by this ordinance)*

**17-13-0500 Establishment of special character overlay district.**

**17-13-0501 Initiation of Special Character Overlay District Amendment.** An amendment to create a *special character overlay district* must be processed in accordance with the provisions of Sec. 17-13-0300, except to the extent that this section imposes additional requirements.

**17-13-0502 Application and Public Notice.**

**17-13-0502-A** Applications to establish a *special character overlay district* must include the following: 1) an in-depth written description of the physical characteristics and criteria eligibility of the neighborhood that necessitate the establishment of an *overlay district*; 2) a map of the proposed district boundary; 3) a list of all of the PINS, property addresses, and property owners within the area; 4) a letter from the Department of Planning and Development supporting the proposed overlay district.

**17-13-0502-B** Public notice of an application for an amendment to create a *special character overlay district* must be given in the same manner as for other Zoning Map Amendments under Sec. 17-13-0300 except as expressly provided in this section.

**17-13-0502-C** Whenever the applicant is a member of the City Council or the Zoning Administrator, notice may be served by first class mail.

**17-13-0502-D** Upon receipt of any such application, the Zoning Administrator must transmit an original copy without delay to the Chairman of the City Council Committee on Zoning, Landmarks and Building Standards.

**17-13-0502-E** In addition to the persons to whom written notice must be provided under Sec. 17-13-0300, written notice of the filing of the application and of the community meeting required by Sec. 17-13-0503 must also be sent to the *property owners* of property within the proposed *special character overlay district*, as determined from the authentic tax records of Cook County.

**17-13-0502-F** The application must address the factors to be considered by the City Council in determining whether the particular area qualifies as a *special character overlay district*.

**17-13-0503 Community Meeting.** Before a public hearing is held by the City Council Committee on Zoning, Landmarks and Building Standards, as provided for in Sec. 17-13-0300, to consider recommending the designation of any area as a *special character overlay district*, the Department of Planning and Development must hold at least one public meeting in the ward in which the proposed district is located for the purpose of explaining the proposal, soliciting comments on it, and making findings regarding the factors listed in Sec. 17-13-0505. The Department of Planning and Development must notify the Alderman or Aldermen of the ward(s) in writing of the time, place and purpose of the meeting and must also publish notice of the

public meeting in a newspaper of general circulation within the ward(s). The Department of Planning and Development shall make all of the information presented at the meeting available to the public and shall provide a meeting summary of public input received.

**17-13-0504 Report and Recommendation.** The Department of Planning and Development must submit a written report and recommendation on the proposed *special character overlay district* Amendment to the City Council Committee on Zoning, Landmarks and Building Standards before the date scheduled for a formal public hearing before that Committee.

**17-13-0505 Factors to be Considered.** In reviewing an application for a *special character overlay district* amendment, the City Council Committee on Zoning, Landmarks and Building Standards must give consideration to all of the following factors:

**17-13-0505-A** whether the property within the proposed *special character overlay district* meets the minimum requirements of Sec. 17-7-0602.

**17-13-0505-B** whether the proposed *overlay district* is consistent with Sec. 17-7-0601.

**17-13-0505-C** whether the existing zoning of the property would allow new development that is inconsistent with the unique characteristics within the proposed district.

**17-13-0505-D** the area's importance to the city's heritage or identity, whether comprehensive plans exist for the area and the nature of recent and planned public and private investment within the area;

**17-13-0505-E** whether supplemental *special character overlay district* regulations are needed to maintain the stability and unique character of the area or to promote development that is consistent with any adopted comprehensive plans or design guidelines for the area; and

**17-13-0505-F** the proportion of land within the district that would become nonconforming if the *special character overlay district* Amendment were approved.

**SECTION 2.** This ordinance shall take full force and effect upon its passage and approval.