



City of Chicago



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Office of the City Clerk

Document Tracking Sheet

Meeting Date: 7/29/2015

Sponsor(s): Emanuel (Mayor)
Solis (25)
Cappleman (46)
Ervin (28)
Mell (33)
Moreno (1)

Type: Ordinance

Title: Amendment of Municipal Code Chapters 2-45, 17-3, 17-4, 17-8, 17-10 and 17-13 concerning transit-oriented developments

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



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

July 29, 2015

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith, together with Aldermen Solis, Cappleman, Ervin, Mell and Moreno, an ordinance amending the zoning code regarding transit-oriented developments.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor

ORDINANCE

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

SECTION 1. Section 17-3-0402 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by deleting the struck-through language and inserting the underscored language as follows:

17-3-0402 Lot Area per Unit (Density).

(Omitted text is unaffected by this ordinance.)

17-3-0402-B MLA Reduction for Transit-Served Locations. All projects in B dash 3 and C dash 3 districts ~~that reduce vehicular parking from the otherwise required minimum parking standard by 50% for residential uses or 50% or more for non-residential uses, pursuant to Sec. 17-10-0102-B, located within 1,320 feet (one-fourth mile) of a CTA or METRA rail station entrance or within 2,640 feet (one-half mile) of a CTA or METRA rail station entrance when the subject building is located along a pedestrian street or a pedestrian retail street~~ are eligible to use reduced *lot area* per unit standards as established in the table below. These minimum lot area reductions are allowed only if reviewed and approved as an *administrative adjustment* under the provisions of Section 17-13-1000, or if the project qualifies as a mandatory or elective *planned development* under Sections 17-8-0500 or 17-8-0600 and is reviewed and approved in accordance with the ~~Type I Zoning Map Amendment~~ *planned development* procedures of Sec. 17-13-0302 17-13-0600:

(Omitted text is unaffected by this ordinance.)

SECTION 2. Section 17-3-0403 of the Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

17-3-0403 Floor Area Ratio.

(Omitted text is unaffected by this ordinance.)

17-3-0403-B FAR Increase for Transit-Served Locations. All projects in B dash 3 and C dash 3 districts ~~that reduce vehicular parking from the otherwise required minimum parking standard by 50% for residential uses or 50% or more for non-residential uses, pursuant to Sec. 17-10-0102-B, located within 1,320 feet (one-fourth mile) of a CTA or METRA rail station entrance or within 2,640 feet (one-half mile) of a CTA or METRA rail station entrance when the subject building is located along a pedestrian street or a pedestrian retail street~~ may increase the maximum *floor area ratio* standard to 3.5. This *floor area ratio* increase is allowed only if reviewed and approved as an *administrative adjustment* under the provisions of Section 17-13-1000, or if the project qualifies as a mandatory or elective *planned development* under Sections 17-8-0500 or 17-8-0600 and is reviewed and approved in accordance with the *planned development* procedures of Sec. 17-13-0600, and in either case any such *floor area ratio* increase shall be deemed a rezoning within the meaning of Sec. 2-45-115.

17-3-0403-C Additional FAR Increase for On-Site Affordable Housing Units in Transit-Served Locations. All projects in B dash 3 and C dash 3 districts subject to Sec. 2-45-115 that ~~(1) qualify for and are granted a *floor area ratio* increase of 0.5 under Sec. 17-3-0403-B above, and (2) are eligible for additional *floor area ratio* increases as follows: (1) projects that provide at least 50% of the required affordable units on-site, may increase the maximum *floor area ratio* standard by an additional 0.25 to 3.75, and (2) projects that provide 100% of the required affordable units on-site may increase the maximum *floor area ratio* standard by an additional 0.5 to 4.0.~~ These *floor area ratio* increases is are allowed only if reviewed and approved as an *administrative adjustment* under the provisions of Section 17-13-1000, or if the project complies with all of the requirements of a transit served location pursuant to Sec. 17-10-0102-B, qualifies as a mandatory or elective *planned development* under Sections 17-8-0500 or 17-8-0600 and is reviewed and approved in accordance with the *planned development* procedures of Sec. 17-13-0600.

SECTION 3. Section 17-3-0408 of the Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language as follows:

17-3-0408 Building Height.

(Omitted text is unaffected by this ordinance)

17-3-0408-B Building Height Increases for Transit-Served Locations.

1. All projects in B dash 3 and C dash 3 districts ~~that reduce vehicular parking from the otherwise required minimum parking standard by 50% for residential uses or 50% or more for non-residential uses, pursuant to Sec. 17-10-0102-B, located within 1,320 feet (one-fourth mile) of a CTA or METRA rail station entrance or within 2,640 feet (one-half mile) of a CTA or METRA rail station entrance when the subject building is located along a *pedestrian street* or a pedestrian retail *street* are eligible for increases in maximum *building height* as established in the table below. These *building height* increases are allowed only if reviewed and approved as an *administrative adjustment* under the provisions of Section 17-13-1000, or if the project qualifies as a mandatory or elective *planned development* under Sections 17-8-0500 or 17-8-0600 and is reviewed and approved in accordance with the ~~Type I Zoning Map Amendment~~ *planned development* procedures of Sec. 17-13-0302 17-13-0600.~~

2. All projects in B dash 3 and C dash 3 districts subject to Sec. 2-45-115 that (a) qualify for and are granted a *building height* increase under Sec. 17-3-0408-B.1 above, and (b) provide at least 50% of the required affordable units on-site, are eligible for additional increases in maximum *building height* as established in the table below. These *building height* increases are allowed only if reviewed and approved as an *administrative adjustment* under the provisions of Section 17-13-1000 or if the project ~~complies with all of the requirements of a transit served location pursuant to Sec. 17-10-0102-B,~~ qualifies as a mandatory or elective *planned development* under Sections 17-8-0500 or 17-8-0600 and is reviewed and approved in accordance with the *planned*

development procedures of Sec. 17-13-0600.

District	Maximum Building Height (feet)			
	Lot frontage of 25 feet or less	Lot frontage of more than 25 and less than 50 feet	Lot frontage of 50 to 99.9 feet	Lot frontage of 100 feet or more
Buildings with Ground-Floor Commercial Space that Complies with Sec. 17-3-0305				
Dash 3	50	55	70	75
Dash 3 <u>with at least 50%</u> Sec. 2-45-115 Units	55	60	75	80
Buildings without Ground-Floor Commercial Space that Complies with Sec. 17-3-0305				
Dash 3	50	50	65	70
Dash 3 <u>with at least 50%</u> Sec. 2-45-115 Units	55	55	70	75

(Omitted text is unaffected by this ordinance)

SECTION 4. Section 17-4-0404 of the Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

17-4-0404 Lot Area per Unit.

(Omitted text is unaffected by this ordinance)

17-4-0404-C MLA Reduction for Transit- Served Locations. Projects in D dash 3 districts that reduce vehicular parking from the otherwise required minimum parking standard by 50% for residential uses or 50% or more for non-residential uses, pursuant to Sec. 17-10-0102-B, located within 1,320 feet (one-fourth mile) of a CTA or METRA rail station entrance or within 2,640 feet (one-half mile) of a CTA or METRA rail station entrance when the subject building is located along a *pedestrian street* or a *pedestrian retail street* are eligible to use reduced lot area per unit standards as established in the table below. These minimum lot area reductions are allowed only if reviewed and approved as an *administrative adjustment* under the provisions of Section 17-13-1000, or if the project qualifies as a mandatory or elective *planned development* under Sections 17-8-0500 or 17-8-0600 and is reviewed and approved in accordance with the Type I Zoning Map Amendment *planned development* procedures of Sec. 17-13-0302 17-13-0600.

(Omitted text is unaffected by this ordinance)

SECTION 5. Section 17-4-0405 of the Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

17-4-0405 Floor Area Ratio.

(Omitted text is unaffected by this ordinance)

17-4-0405-C FAR Increase for Transit- Served Locations. All projects in D dash 3 districts ~~that reduce vehicular parking from the otherwise required minimum parking standard by 50% for residential uses or 50% or more for non-residential uses, pursuant to Sec. 17-10-0102 B,~~ located within 1,320 feet (one-fourth mile) of a CTA or METRA rail station entrance or within 2,640 feet (one-half mile) of a CTA or METRA rail station entrance when the subject building is located along a *pedestrian street* or a *pedestrian retail street* may increase the maximum *floor area* ratio standard to 3.5. This increase is allowed only if reviewed and approved as an *administrative adjustment* under the provisions of Section 17-13-1000, or if the project qualifies as a mandatory or elective *planned development* under Sections 17-8-0500 or 17-8-0600 and is reviewed and approved in accordance with the *planned development* procedures of Sec. 17-13-0600, and in either case any such *floor area ratio* increase shall be deemed a rezoning within the meaning of Sec. 2-45-115.

17-4-0405-D Additional FAR Increase for On-Site Affordable Housing Units in Transit-Served Locations. All projects in D dash 3 districts subject to Sec. 2-45-115 that ~~(1) qualify for and are granted a *floor area ratio* increase of 0.5 under Sec. 17-4-0405-C above, and~~ ~~(2) are eligible for additional *floor area ratio* increases as follows: (1) projects that provide at least 50% of the required affordable units on-site; may increase the maximum *floor area ratio* standard by an additional 0.25 to 3.75, and (2) projects that provide 100% of the required affordable units on-site may increase the maximum *floor area ratio* standard by an additional 0.5 to 4.0.~~ These *floor area ratio* increases is are allowed only if reviewed and approved as an *administrative adjustment* under the provisions of Section 17-13-1000 or if the project ~~complies with all of the requirements of a transit-served location pursuant to Sec. 17-10-0102 B,~~ qualifies as a mandatory or elective *planned development* under Sections 17-8-0500 or 17-8-0600 and is reviewed and approved in accordance with the *planned development* proccdures of Sec. 17-13-0600.

SECTION 6. Section 17-8-0500 of the Zoning Ordinance is hereby amended by deleting the struck-through language, as follows:

17-8-0500 Mandatory planned development thresholds.

(Omitted text is unaffected by this ordinance.)

~~**17-8-0516 Floor Area Increases for Transit-Served Locations.** *Planned development* review and approval is required for any development in B dash 3 and C dash 3 districts requesting a *floor area* increase under Sec. 17-3-0403 B and Sec. 17-3-0403 C. *Planned*~~

~~development review and approval is also required for any development in D dash 3 districts requesting a floor area increase under Sec. 17-4-0405 C and Sec. 17-4-0405 D.~~

SECTION 7. Section 17-10-0102-B of the Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language as follows:

17-10-0102-B Transit-Served Locations.

1. In B, C or D districts, minimum off-street automobile parking ratios for residential uses may be reduced by up to 50 percent from the otherwise applicable standards for new construction or rehabilitation or reuse of existing structures located within ~~600~~ 1,320 feet (one-fourth mile) of a CTA or METRA rail station entrance or within ~~1,200~~ 2,640 feet (one-half mile) of a CTA or METRA rail station entrance when the subject building is located along a *pedestrian street* or a *pedestrian retail street*.

2. In ~~B dash 3, C dash 3 and D dash 3~~ B dash 3, C dash 3 and D dash 3 districts, and in M districts for non-residential uses only, minimum off-street automobile parking ratios for residential and non-residential uses may be reduced by up to ~~75~~ 100 percent from the otherwise applicable standards for new construction or rehabilitation or reuse of existing structures located within ~~600~~ 1,320 feet (one-fourth mile) of a CTA or METRA rail station entrance or within ~~1,200~~ 2,640 feet (one-half mile) of a CTA or METRA rail station entrance when the subject building is located along a *pedestrian street* or a *pedestrian retail street* ~~for projects subject to Sec. 2-45-115 that provide at least 50% of the required affordable units on-site.~~ Any reduction in minimum off-street automobile parking ratios in excess of 50% under this Section 17-10-0102-B.2 is allowed only as an administrative adjustment under the provisions of Section 17-13-1003-EE, or if the project qualifies as a mandatory or elective planned development under Sections 17-8-0500 or 17-8-0600 and is reviewed and approved in accordance with the planned development procedures of Sec. 17-13-0600.

~~3. In B, C, D or M districts, minimum off-street automobile parking ratios for non-residential uses may be reduced by up to 100 percent from the otherwise applicable standards for new construction or rehabilitation or reuse of existing structures located within 600 feet of a CTA or METRA rail station entrance or within 1,200 feet of a CTA or METRA rail station entrance when the subject building is located along a pedestrian street or a pedestrian retail street. Any reduction in minimum off-street automobile parking ratios in excess of 50% under this Section 17-10-0102-B.3 shall be approved only as an Administrative Adjustment under the provisions of Section 17-13-1003-EE. Any party requesting a reduction in excess of 50% under this Section 17-10-0102-B.3 shall provide notice to the alderman of the ward in which the subject property is located, and no such reduction shall be approved until at least 10 days after the date that such notice was delivered to the alderman.~~

34. Vehicular parking ratio reductions for transit-served locations are authorized only when the subject development includes at least one bicycle parking space for each automobile parking space that would otherwise be required under the applicable standards of Section 17-10-0200. When such calculations result in a bicycle parking requirement in excess of 50 bicycle parking spaces, the limits described in Section 17-10-0301-B shall not apply. All

bicycle parking design is subject to the regulations of Section 17-10-0302.

45. The ~~600~~ 1,320-foot and ~~1,200~~ 2,640-foot distances specified in this section must be measured along a straight line between the rail station entrance ~~and the entrance of the building for which the parking reduction is requested~~ and the nearest boundary of the lot to be developed.

56. In the RM6 or RM6.5 districts, the required parking may be reduced as approved in a Planned Development or by the Zoning Administrator pursuant to a Type I Rezoning Ordinance for developments which meet all of the following criteria:

a. qualify for and are approved pursuant to the Planned Development provisions of Chapter 17-8 or for Type I rezoning under the provisions of Section 17-13-0302;

b. are located within 250 feet of an entrance to a CTA or Metra rail station, as measured from the nearest boundary of the lot to be developed;

c. include in the building or buildings to be constructed or rehabilitated at least one bicycle parking space for each automobile parking space that would otherwise be required under Section 17-10-0200; and

d. provide additional alternatives to automobile ownership, such as car-sharing vehicles or other shared modes of transportation.

(Omitted text is unaffected by this ordinance)

SECTION 8. Section 17-13-0107-A of the Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language as follows:

17-13-0107-A Written Notice. Whenever the provisions of this Zoning Ordinance require that “Written Notice” be provided, such notice must be given as specified in this section.

1. Timing.

(a) One written notice of *administrative adjustment* applications must be provided by the applicant at least 10 days before the Zoning Administrator takes action on the application. The Zoning Administrator may not take final action on an *administrative adjustment* application until at least 10 days after the date that notices were mailed to abutting *property owners* as well as the Alderman of the ward in which the administrative adjustment is proposed. Notwithstanding the foregoing, in the case of *administrative adjustments* under Sections 17-13-1003-EE and 17-13-1003-LL, such written notice must be provided at least 20 days before the Zoning Administrator takes action on the application.

(b) One written notice for all other applications requiring written notice must be provided by the applicant no more than 30 days before filing the application.

2. Radius. Unless otherwise expressly stated, the notification radius for applications requiring written notice is as follows:

(a) In the case of special use applications and zoning map amendments, including *planned developments*, written notice must be provided to *property owners* of the subject property and to all *property owners* within 250 feet of the *property lines* of the subject property.

(b) In the case of *special use* applications for *sanitary landfills, hazardous waste treatment or storage facilities, liquid waste handling facilities, resource recovery facilities, reprocessible construction/ demolition material facilities, incinerators or transfer stations*, the applicant must provide written notice to all *property owners* within 500 feet of the *property lines* of the subject property.

(c) In the case of *administrative adjustment* applications, the applicant must provide written notice to *property owners* of abutting lots on both sides of the subject property, except that in the case of administrative adjustments under Sections 17-13-1003-EE and 17-13-1003-LL, written notice must be provided to *property owners* of the subject property and to all *property owners* within 100 feet of the *property lines* of the subject property.

(d) In the case of *variation* applications, written notice must be provided to *property owners* of the subject property and to all *property owners* within 100 feet of the *property lines* of the subject property.

(e) Land occupied by public roads, *streets, alleys* and other *public ways* is to be excluded in computing the required notification radius.

SECTION 9. Section 17-13-1003 of the Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language as follows:

(Omitted text is unaffected by this ordinance)

17-13-1003-EE Parking Reductions for Transit-Served Locations.

1. The Zoning Administrator is authorized to approve an *administrative adjustment* reducing off-street parking requirements for residential and non-residential uses from the otherwise applicable standards by more than 50% as expressly authorized in Sec. 17-10-0102-B.

2. Such an *administrative adjustment* may be approved only when the Zoning Administrator determines that:

(a) the project complies with the applicable standards of Sec. 17-10-0102-B;

(b) the project complies with the criteria, standards and regulations of Sec. 17-3-0500 pertaining to *pedestrian streets* and pedestrian retail *streets*, even if the project is not located along a *pedestrian street* or a pedestrian retail *street*;

(c) the project complies with the general goals set forth in the *Transit Friendly Development Guide: Station Area Typology*, and any other station-specific plans, designs or guidelines adopted by the Chicago Plan Commission;

(d) the applicant will actively promote public transit and alternatives to automobile ownership through car sharing programs or other shared modes of transportation, such as funding the installation of new public bike-share (Divvy) docks or stations within or adjacent to the project site and the purchase of bikes for such docks or stations, subject to the review and approval of the Chicago Department of Transportation of such bike-share expenditures;

(e) the requested reduction will be offset by enhancements to the pedestrian environment that are not otherwise required, such as wider sidewalks, decorative pavement, trees, raised planters, outdoor seating, special lighting, bus shelters or other types of weather protection for pedestrians, transit information kiosks, or other pedestrian amenities; and

(f) the proposed adjustment meets the general approval criteria of Section 17-13-1007-B.

3. Before approving an *administrative adjustment* of off-street parking requirements in transit-served locations in excess of 50%, the Zoning Administrator must consider the availability of on-street parking in the vicinity of the project.

4. Before approving an *administrative adjustment* of off-street parking requirements in transit-served locations in excess of 50%, the applicant must prepare and submit a site plan for review and approval in accordance with the procedures of Sec. 17-13-0800.

5. The Zoning Administrator is authorized to require the applicant to submit a travel demand management plan prepared by a qualified professional that addresses the transportation impacts of the development on parking and transit use, and includes a description of the strategies and programs the applicant will implement to reduce parking demands.

(Omitted text is unaffected by this ordinance)

17-13-1003-LL MLA Reductions, FAR Increases and Building Height Increases for Transit-Served Locations.

1. The Zoning Administrator is authorized to approve the following *administrative adjustments* in transit-served locations:

(a) an *administrative adjustment* reducing *lot area* per unit standards as expressly authorized in Sec. 17-3-0402-B for projects in B dash 3 and C dash 3 districts, and as expressly authorized in Sec. 17-4-0404-C for projects in D dash 3 districts;

(b) an *administrative adjustment* increasing the maximum *floor area ratio*

standards as expressly authorized in Sec. 17-3-0403-B and 17-3-0403-C for projects in B dash 3 and C dash 3 districts, and as expressly authorized in Sec. 17-4-0405-C and 17-4-0405-D for projects in D dash 3 districts; and

(c) an administrative adjustment increasing the maximum building height standards as expressly authorized in Sec. 17-3-0408-B for projects in B dash 3 and C dash 3 districts.

2. Such administrative adjustments may be approved only when the Zoning Administrator determines that:

(a) the project complies with the applicable standards for each administrative adjustment as set forth in the sections referenced above;

(b) the project complies with the criteria, standards and regulations of Sec. 17-3-0500 pertaining to pedestrian streets and pedestrian retail streets, even if the project is not located along a pedestrian street or a pedestrian retail street;

(c) the applicant will actively promote public transit and alternatives to automobile ownership through car sharing programs or other shared modes of transportation, such as funding the installation of new public bike-share (Divvy) docks or stations within or adjacent to the project site and the purchase of bikes for such docks or stations, subject to the review and approval of the Chicago Department of Transportation of such bike-share expenditures;

(e) the requested reduction will be offset by enhancements to the pedestrian environment that are not otherwise required, such as wider sidewalks, decorative pavement, trees, raised planters, outdoor seating, special lighting, bus shelters or other types of weather protection for pedestrians, transit information kiosks, or other pedestrian amenities; and

(f) the proposed adjustment meets the general approval criteria of Section 17-13-1007-B.

3. Before approving an administrative adjustment of minimum lot area, maximum floor area ratio, and maximum building height standards in transit-served locations, the applicant must prepare and submit a site plan for review and approval in accordance with the procedures of Sec. 17-13-0800.

SECTION 10. Section 2-45-115 is hereby amended by deleting the struck-through language and inserting the underscored language as follows:

2-45-115 2015 Affordable requirements.

(Omitted text is unaffected by this ordinance)

(T) *Supplemental Incentives for On-Site Affordable Units in Transit-Served Locations.* Residential housing projects in transit-served locations, as defined in Sec. 17-10-0102-B, that qualify for and are granted the floor area bonuses set forth in Sec. 17-3-0403-B (for projects in B dash 3 and C dash 3 districts) or Sec. 17-4-0405-C (for projects in D dash 3 districts) or the building height increases set forth in Sec. 17-3-0408-B.1 (for projects in B dash 3 and C dash 3 districts), and that provide at least 50% of the required affordable units on-site, are eligible for supplemental incentives under Sec. 17-3-0403-C (additional FAR increase in B dash 3 and C dash 3 districts), Sec. 17-3-0408-B.2 (additional building height increase in B dash 3 and C dash 3 districts), and Sec. 17-4-0405-D (additional FAR increase in D dash 3 districts) ~~and Sec. 17-10-0102-B.2 (additional parking reduction in B dash 3, C dash 3 and D dash 3 districts).~~

SECTION 11. To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code of Chicago, or any portion thereof, is in conflict with any provision of this ordinance, the provisions of this ordinance shall control. The provisions of this ordinance are declared to be separate and severable. The invalidity of any provision of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

SECTION 11. This ordinance shall be in full force and effect on November 1, 2015.