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Legislation Details (With Text)

File #: SO2013-5995
Type: Ordinance **Status:** Passed
File created: 7/24/2013 **In control:** City Council
Final action: 9/11/2013
Title: Amendment of Municipal Code Chapters 17-3, 17-4, 17-8, 17-10 and 17-13 regarding transit-oriented development
Sponsors: Emanuel, Rahm
Indexes: Ch. 3 Business & Commercial Districts, Ch. 4 Downtown Districts, Ch. 8 Planned Developments, Ch. 10 Parking & Loading, Ch. 13 Review & Approval Procedures
Attachments: 1. SO2013-5995.pdf, 2. O2013-5995.pdf

Date	Ver.	Action By	Action	Result
9/11/2013	1	City Council	Passed as Substitute	Pass
9/4/2013	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	Pass
7/24/2013	1	City Council	Referred	

SUBSTITUTE 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).

17-3-0402-A ~~Lot Area per Unit (Density)~~ Standards. Where allowed, all residential development in B and C districts is subject to the following minimum lot-area-per-unit standards:

District	Minimum Lot Area per Unit (square feet)		
	Per Dwelling Unit	Per Efficiency Unit	Per SRO Unit
Dash 1	2,500	2,500	Not Allowed
Dash 1.5	1,350	1,350	Not Allowed
Dash 2	1,000	700	700
Dash 3	400	300	200
Dash 5	200	135	100

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, 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 the project is reviewed and approved in accordance with the Type 1 Zoning Map Amendment procedures of Sec. 17-13-0302:

District	Minimum Lot Area per Unit
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	(square feet)		
	Per Dwelling	Per Efficiency	Per SRO
	Unit	Unit	Unit
Dash 3	300	200	135

SECTION 2. Section 17-3-0403 of the Zoning Ordinance is hereby amended by adding a new Section 17-3-0403-B, 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, may increase the maximum floor area ratio standard to 3.5. This floor area ratio increase is allowed only if the project

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 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, are eligible for increases in maximum building height as established in the table below. These buildings height increases are allowed only if the project is reviewed and approved in accordance with the Type I Zoning Map Amendment procedures of Sec. 17-13-0302.

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	5Q	55	70	75
Buildings without Ground-floor Commercial Space that complies with Sec. 17-3-0305				
Dash 3	5Q	50	65	70

17-3-0408-BC Exemption for Wrigley Field Adjacent Area. The building height limits of Sec. 17-3-0407 0408 do not apply to residential construction in the "Wrigley Field Adjacent Area," as defined in Chapter 4-388 of the Municipal Code.

SECTION 4. Section 17-4-0404 of the Zoning Ordinance is hereby amended by adding a new Section 17-4-0404-C, 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, 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 the project is reviewed and approved in accordance with the Type I Zoning Map Amendment procedures of Sec. 17-13-0302.

Dash	Reduced Minimum Lot Area per Unit
Designation	(square feet)
;3	Dwelling units: 300 Efficiency units: 200
	SRO units: 135

SECTION 5. Section 17-4-0405 of the Zoning Ordinance is hereby amended by adding a new

Section 17-4-0405-C, as follows: 17-4-0405

Floor Area Ratio.

(Omitted text is unaffected by this ordinance)

17-3-0405-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, may increase the maximum floor area ratio standard to 3.5. This increase is allowed only if the project is reviewed and approved in accordance with the planned development procedures of Sec. 17-13-0600.

SECTION 6. Section 17-8-0500 of the Zoning Ordinance is hereby amended by adding new Section 17-8-0516:

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

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 are reduced by up to 50 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.

2. For new construction in such locations, the Zoning Administrator is authorized to approve off street parking ratio reductions of up to 25 percent if the Commissioner determines, based on information provided by the applicant, that transit use and alternatives to private automobile use will be actively promoted and/or that other factors are likely to result in automobile ownership rates that are lower than indicated by applicable off street parking ratios. 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 17-10-0200-B.2 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.2 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.

3. 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.

3- 4. The 600-foot and 1,200-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.

~~4 5. In B or C districts with a dash 5 density designation or in~~ 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 17-13-0302 of the Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language as follows:

17-13-0302 Type 1 and Type 2 zoning map amendments.

17-13-0302-A Type 1.

1. A Type 1 application is required for proposals ~~to rezone property:~~

a) to rezone property to a zoning district that allows a floor area ratio that is 2 or more times higher than the subject property's existing zoning classification must submit a Type 1 application (for example, rezoning from RT4 to a B or C dash 3 classification would require a Type 1 application, since the FAR allowed under dash 3 [3.0] is more than double that of the RT4 district [1.2]);

b) to rezone property from a zoning district that does not impose maximum height limits to a zoning district that does impose maximum height limits; or

c) to rezone property from a zoning district that does not allow household living uses to a zoning district that does allow household living uses (for example, rezoning from an M district to an R district); or

(d) to reduce the minimum lot area per unit standards or increase the maximum height limits as allowed in Sections 17-3-0402-B, 17-3-0408-B and 17-4-0404-C.

(Omitted text is unaffected by this ordinance)

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:

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

1. The Zoning Administrator is authorized to approve an administrative adjustment reducing off-street parking requirements for 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 the subject building is located along a pedestrian street or a pedestrian retail street.

(Omitted text is unaffected by this ordinance)

17-13-1003-GE FF Off-Site Parking.

1. The Zoning Administrator is authorized to approve an administrative adjustment to permit off-site parking as expressly authorized in Sec. 17-10-0600.

2. Such an administrative adjustment may be approved only when the Zoning Administrator determines that the off-site parking arrangement complies with the standards of Sec. 17-10-0600.

17-13-1003-PFGG Bicycle Parking.

1. The Zoning Administrator is authorized to approve an administrative adjustment reducing the number of bicycle spaces required under Chapter 17-10.

2. Such an administrative adjustment may be approved only when the Zoning Administrator determines that use will not generate any bicycle traffic or that it would be impossible to provide bicycle parking at the subject location.

17-13-1003-GG HH Shared Parking and Cooperative Parking Arrangements.

1. The Zoning Administrator is authorized to approve an administrative adjustment to permit shared and cooperative parking arrangements as expressly authorized in Sec. 17-10-0700 and Sec. 17-10-0800.
2. Such an administrative adjustment may be approved only when the Zoning Administrator determines that the shared or cooperative parking arrangement complies with the applicable standards of Sec. 17-10-0600 or Sec. 17-10-0800.

17-13-1003-HH II Landscaping. The Zoning Administrator is authorized to approve administrative adjustments to otherwise applicable landscape standard as expressly authorized in Sec. 17-11-0600.

17-13-1003-14 JJ Wireless Communications Facilities.

1. The Zoning Administrator is authorized to approve an administrative adjustment to permit a wireless communications facility utilizing a monopole tower structure in excess of 50 feet in height that does not meet the applicable setback from an RSI, RS2 or RT3 district and to allow a wireless communications facility not utilizing a ground-mounted tower structure that does not satisfy the requirements of Sec. 17-9-0118.
2. Such an administrative adjustment may be approved only when the Zoning Administrator determines that the proposed adjustment meets the general approval criteria of Sec. 17-13-1007-B.

17-13-10034JJK Enclosed Walkways in Rear Setback.

1. *The Zoning Administrator is authorized to approve an administrative adjustment to permit an enclosed or partially enclosed walkway, connecting garage space to the principal building, to encroach into the required rear setback,*
2. Such administrative adjustments may be approved only when the Zoning Administrator determines that the proposed setback reduction meets the general approval criteria of 17-13-1007-B.

(Omitted text is unaffected by this ordinance)

SECTION 10. Section 17-10-0603 of the Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language as follows:

17-10-0603-A In B, C, DC, DX, DS and M districts, all required accessory parking spaces must be located on the same zoning lot as the building or use served, except that:

1. Required accessory parking serving nonresidential uses in B, C, DC, DX, DS and M districts may be located off site when approved as an administrative adjustment (See Sec. 17-13-1003-EE FF, provided that:
 - a) the distance between the nearest off-site, accessory parking space and the entrance to the use served by such parking does not exceed 100 feet; and
 - b) the proposed off-site, accessory parking is not located in an R or DR district.

2. Required accessory parking serving residential or nonresidential uses in B, C, DC, DX, DS and M districts may be located off site when approved as a special use (See Sec. 17-13-0900), provided that the distance between the nearest off-site, accessory parking space and the entrance to the use served by such parking does not exceed 600 feet.

(Omitted text is unaffected by this ordinance)

SECTION 11. Section 17-10-0301 of the Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language as follows:

17-10-0301 Spaces Required. Except as expressly stated in this section, bicycle parking must be provided in accordance with the off-street parking ratios of Sec. 17-10-0200.

17-10-0301-A Unless otherwise expressly stated, whenever bicycle parking is required, at least 2 bicycle spaces must be provided.

17-10-0301 -B No use is required to provide more than 50 bicycle parking spaces.

17-10-0301-C The Zoning Administrator is authorized to approve an administrative adjustment reducing the number of bicycle spaces required for a particular use in accordance with Sec. 17-13-1003 FF-GG.

(Omitted text is unaffected by this ordinance)

SECTION 12. Section 17-10-0702 of the Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language as follows:

17-10-0702-A The Zoning Administrator is authorized to approve and administrative adjustment allowing shared parking arrangements for nonresidential uses with different hours of operation. (See Sec. 17-13-1003-GGHH)

17-10-0702-B The Zoning Administrator may permit up to 100% of the parking required for a daytime use to be supplied by the off-street parking spaces provided for a nighttime or Sunday use and vice-versa.

(Omitted text is unaffected by this ordinance)

SECTION 13. Section 17-10-0801 of the Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language as follows:

17-10-0801 Description. Cooperative parking represents an arrangement in which two or more commercial uses provide their required off-street parking in the same parking lot, thereby reducing the number of individual parking lots and the number of curb cuts required to serve such lots. Reduced off-street parking requirements are available as an incentive for providing cooperative parking. Approval of an administrative adjustment is required. (See Sec. 17-13-1003 GG HH)

(Omitted text is unaffected by this ordinance)

SECTION 14. 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 15. This ordinance shall be in full force and effect upon passage and approval.