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Legislation Details (With Text)

File #: SO2022-3785
Type: Ordinance **Status:** Passed
File created: 11/16/2022 **In control:** City Council
Final action: 1/18/2023
Title: Amendment of Municipal Code Chapters 17-2, 17-3, 17-4, 17-9 and 17-10 regarding textual correction update of Chicago Zoning Ordinance
Sponsors: Lightfoot, Lori E.
Indexes: Ch. 2 Residential Districts, Ch. 3 Business & Commercial Districts, Ch. 4 Downtown Districts, Ch. 9 Use Regulations, Ch. 10 Parking & Loading, Ch. 17 Terminology & Measurements, Land Use & Zoning-Tables & Index
Attachments: 1. O2022-3785.pdf, 2. SO2022-3785.pdf

Date	Ver.	Action By	Action	Result
1/18/2023		City Council	Passed as Substitute	Pass
1/17/2023	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	
11/16/2022	1	City Council	Referred	

SUBSTITUTE ZONING CODE CORRECTION ORDINANCE

WHEREAS, The City of Chicago is a home rule unit of government as defined in Article VII, Section 6(a) of the Illinois Constitution; and

WHEREAS, As a home rule unit of government, the City of Chicago may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, From time to time, provisions of the Municipal Code are identified as being obsolete, erroneous, unworkable, or otherwise in need of correction; and

WHEREAS, Maintaining an up-to-date and accurate Municipal Code is a matter pertaining to the government and affairs of the City of Chicago; now, therefore,

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

SECTION 1. Section 17-2-0303 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

17-2-0303 Lot Area per Unit (Density).

(Omitted text is unaffected by this ordinance) 17-2-0303-B

Exemptions.

(Omitted text is unaffected by this ordinance)

3. Newly established Detached houses are a prohibited use in RT and RM districts that are within community preservation areas, as that term is defined in Section 2-44-085(B), and are also within 2,640 feet of a CTA or METRA rail station entrance or exit or within 1,320 feet of a CTA bus line corridor roadway segment listed in Table 17-17-0400-B, except in RT districts where a two-flat is permitted but cannot be established pursuant to the applicable bulk and density standards, a detached house may be established.

4. Newly established Two-flats are a prohibited use in RM districts that are within community preservation areas, as that term is defined in Section 2-44-085(B), and are also within 2,640 feet of a CTA or METRA rail station entrance or exit or within 1,320 feet of a CTA bus line corridor roadway segment listed in Table 17-17-0400-B, except in RM districts where a multi-unit residential building cannot be established pursuant to the applicable bulk and density standards, a two-flat may be established. Furthermore, only in those instances when no two-flat can be established pursuant to the applicable bulk and density standards, a detached house may be established.

(Omitted text is unaffected by this ordinance)

17-2-303-B Exemptions.

(Omitted text is unaffected by this ordinance)

2. Ground Floor. Type A Units, except those provided in detached houses, are exempt from inclusion in minimum lot area per dwelling unit calculations, in RS3, RS3.5, RT3.5, and RT4 districts.

(Omitted text is unaffected by this ordinance)

17-2-0304 Floor Area Ratio.

17-2-0304-A Standards. All development in R districts is subject to the following maximum floor area ratio standards:

District	Maximum Floor Area Ratio*
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(Omitted text is unaffected by this ordinance)

PTA	1.0
RT	1.2
RM	1.2

units 1.2 for all other buildings

(Omitted text is unaffected by this ordinance)

(Omitted text is unaffected by this ordinance)

17-2-0307 Rear Yard Open Space. All development in RS, RT, RM4.5 and RM5 districts is subject to the following minimum rear yard open space standards, except as expressly allowed under the townhouse development standards of Section 17-2-0500.

District	Minimum Rear Yard Open Space (square feet per dwelling unit/% of lot area, whichever is greater)	Diameter (in feet) of a Circle That Must Fit Within Rear Yard Open Space
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(Omitted text is unaffected by this ordinance)

RT4A

42

(Omitted text is unaffected by this ordinance)

(Omitted text is unaffected by this ordinance)

17-2-0309 Side Setbacks.

17-2-0309-A Standards. All development in R districts is subject to the following minimum side setback standards, except as expressly allowed under the townhouse development standards of Seer Section 17-2-0500. Reversed corner lots are subject to Seer Section 17-2-0309-B. (See Seer Section 17-17-0308 for rules governing the measurement of side setbacks.)

Minimum Side Setback

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(Omitted text is unaffected by this ordinance)

RT4/RT4A Townhouse: See Seer Section 17-2-0500 All other principal buildings: Combined total width of side setbacks must equal 20% of lot width with neither required setback less than 2 feet or 8% of lot width, whichever is greater; no side setback is required to exceed 5 feet in width; See also note 1, below

(Omitted text is unaffected by this ordinance)

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 17-3-0200 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, as follows:

17-3-0200 Allowed uses.

(Omitted text is unaffected by this ordinance)

17-3-0207 Use Table and Standards.

USE GROUP	Zoning Districts						Use Stand ard	Parking Stand ard
Use Category	B1	B2	B3	C1	C2	C3		
Specific L								
P= permitted by-right S = special use approval required PD = planned development approval required - = Not allowed								
RESIDENTIAL								
A. Household Living								
1. Artist LiveP above the	P	P	p	P	-			§ 17-10-0207-
2. Artist LiveS the groun	P	S	S	S	-			§ 17-10-0207-

3.	Dwelling LP ground flc	P	P	p	P	-	§ 17-10-0207-
4.	Dwelling l second flc						
4a.	DetachedSPA	P-A	SPA	SPA	SPA	PA	§ 17-3-0307, § 17-10-0207- § 17-3-0307,
4b.	Elderly HcS	P	S	S	S	-	§ 17-3-0307, § 17-10-0207-
4c.	Multi-UnitS	P	S	S	S	-	§ 17-3-0307, § 17-10-0207-
4d.	Single-RcS	P	S	S	S	-	§ 17-10-0207-
4e.	TownhouS	P	S	S	S	-	§ 17-2-0500 § 17-10-0207-
4f.	Two-Flat SPA	P-A	SPA	SPA	SPA	PA	§ 17-3-0307, § 17-10-0207- § 17-3-0307,

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(Omitted text is unaffected by this ordinance)

(Omitted text is unaffected by this ordinance)

SECTION 3. Section 17-3-0300 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

17-3-0300 General district standards.

(Omitted text is unaffected by this ordinance) 17-3-0307

Exceptions

(Omitted text is unaffected by this ordinance)

2. In B and C districts with a dash 1, dash 1.5, dash 2, dash 3, or dash 5 suffix (e.g., B1-3) Newly established detached houses and two flats are prohibited uses in B and C districts that are within community preservation areas, as that term is defined in Section 2-44-085(B), and are also within 2,640 feet of a CTA or METRA rail station entrance or exit or within 1,320 feet of a CTA bus line corridor roadway segment listed in Table 17-17-0400-B. Where ~~where~~ a multi-unit residential building cannot be established pursuant to the applicable bulk and density standards, a two-flat may be established. Furthermore, only in those instances when no two-flat can be established pursuant to the applicable bulk and density standards, a detached house may be established. ~~When a residential use is proposed below the second floor pursuant to this Section 17-3 0307.2 it may only be established pursuant to the special use review and approval procedures of Section 17-13-GSOOt~~
3. *In B and C districts, elderly housing cannot be established m in the form of a detached house or two-flat.*
4. ~~Detached houses and two flats are prohibited uses in B and C districts that are within community preservation areas, as that term is defined in Section 2-AA -085(B), and are also within 2,640 feet of a CTA or METRA rail station entrance or exit or within 1,320 feet of a CTA bus line corridor roadway segment listed in Table 17-17-0400-B.~~

17-3-0308 Specific Criteria for Transit-Served Locations.

In B and C districts, any new construction within 2,640 feet of a CTA or METRA rail station entrance or exit must satisfy all of the following specific criteria:

(Omitted text is unaffected by this ordinance)

2. The project complies with the standards and regulations of Section 17-3-0504, except paragraph H if the project is not located along a pedestrian street and except paragraph C if the land use is designated in a non-commercial use group, pertaining to pedestrian streets and pedestrian retail streets, even if the project is not located along a pedestrian street or a pedestrian retail street;

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SECTION 4. Section 17-3-0400 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

(Omitted text is unaffected by this ordinance)

17-3-0402-B MLA Reduction for Transit-Served Locations. All projects in B₂3 and C₂3 districts located within 2,640 feet of a CTA or METRA rail station entrance or exit or within 1,320 feet of a CTA bus line corridor roadway segment listed in Table 17-17-0400-B and which are in compliance with Section 17-3-0308 are eligible to use the 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 Section 17-13-0302, or the planned development procedures of Section 17-13-0600 (if the project qualifies as a mandatory or elective planned development under Sections 17-8-0500 or 17-8-0600):

(Omitted text is unaffected by this ordinance)

17-3-0403-B FAR Increase for Transit-Served Locations. All projects in B₂3 and C₂3 districts located within 2,640 feet of a CTA or METRA rail station entrance or exit or within 1,320 feet of a CTA bus line corridor roadway segment listed in Table 17-17-0400-B and which are in compliance with Section 17-3-0308 may increase the maximum floor area ratio standard as established in the table below. This floor area ratio increase is allowed only if the project is reviewed and approved in accordance with the Type I Zoning Map Amendment procedures of Sec. 17-13-0302, or the planned development procedures of Sec. 17-13-0600 (if the project qualifies as a mandatory or elective planned development under Sections 17-8-0500 or 17-8-0600).

(Omitted text is unaffected by this ordinance)

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

1. All projects in B₂3 and C₂3 districts located within 2,640 feet of a CTA or METRA rail station entrance or exit or within 1,320 feet of a CTA bus line corridor roadway segment listed in Table 17-17-0400 and which are in compliance with Section 17-3-0308 are eligible for increases in maximum building height as established in the table below. These building height increases are allowed only if the project is reviewed and approved in accordance with the Type I Zoning Map Amendment procedures of Section 17-13-0302, or the planned development procedures of Section 17-13-0600 (if the project qualifies as a mandatory or elective planned development under Sections 17-8-0500 or 17-8-0600).

District	Maximum Building Height (feet)			
	Lot frontage of 25 feet or less	Lot frontage of more than 25 feet and less than 50 feet	Lot frontage of 50 feet or more	Lot frontage of 100 feet or more
Buildings with Ground-Floor Commercial Space that Complies with Section 17-3-0305				

Dash 3	50	55	70	75 [1]
Dash 3-with at least 50% Section 2-45-444 2-44-080 Units	55	60	75	80 [1]

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Buildings without Ground-Floor Commercial Space that Complies with Section 17-3-0305				
Dash 3	50	50	65	70 [1]
Dash 3 - with at least 50% Section 2-45-445 2-44-080 Units	55	55	70	75 [1]

(Omitted text is unaffected by this ordinance)

17-3-0410-B Exemption.

2. The limits on efficiency units do not apply to transit-served developments within 660 feet of a CTA or METRA rail station entrance or exit or a CTA bus line corridor roadway segment listed in Table 17-17-0400-B.

(Omitted text is unaffected by this ordinance)

SECTION 5. Section 17-4-0300 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

(Omitted text is unaffected by this ordinance)

17-4-0301 Specific Criteria for Transit-Served Locations.

In D districts, any new construction within 2,640 feet of a CTA or METRA rail station entrance or exit must satisfy all of the following specific criteria:

(Omitted text is unaffected by this ordinance)

2. The project complies with the standards and regulations of Section 17-4-0504, except paragraph E if the project is not located along a pedestrian street and except paragraph C if the land use is designated in a non-commercial use group, pertaining to pedestrian streets and pedestrian retail streets, even if the project is not located along a pedestrian street or a pedestrian retail street;

SECTION 6. Section 17-4-0400 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

(Omitted text is unaffected by this ordinance) 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=3 districts located within 2,640 feet of a CTA or METRA rail station entrance or exit or within 1,320 feet of a CTA bus line corridor roadway segment listed in Table 17-17-0400-B and which are in compliance with Section 17-4-0301 are eligible to

use the 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

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and approved in accordance with the Type I Zoning Map Amendment procedures of Section 17-13-0302, or the planned development procedures of Section 17-13-0600 (if the project qualifies as a mandatory or elective planned development under Sections 17-8-0500 or 17-8-0600).

(Omitted text is unaffected by this ordinance)

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;3 districts located within 2,640 feet of a CTA or METRA rail station entrance or exit or within 1,320 feet of a CTA bus line corridor roadway segment listed in Table 17-17-0400-B and which are in compliance with Section 17-4-0301 may increase the maximum floor area ratio standard as established in the table below. This floor area ratio increase is allowed only if the project is reviewed and approved in accordance with the Type I Zoning Map Amendment procedures of Section 17-13-0302, or the planned development procedures of Section 17-13-0600 (if the project qualifies as a mandatory or elective planned development under Sections 17-8-0500 or 17-8-0600). Projects that receive a floor area increase under this Section are not eligible for additional bonus floor area under Section 17-4-1000, nor shall a floor area increase under this Section be credited against bonus floor area under Section 17-4-1000.

(Omitted text is unaffected by this ordinance)

17-4-0409 Number of Efficiency Units.

(Omitted text is unaffected by this ordinance)

17-4-0409-B Allowed Exceptions.

2. The limits on efficiency units do not apply to transit-served developments within 660 feet of a CTA or Metra rail station entrance or exit or a CTA bus line corridor roadway segment listed in Table 17-17-0400-B.

(Omitted text is unaffected by this ordinance)

SECTION 7. Section 17-9-0111-G of the Municipal Code of Chicago is hereby renumbered and moved to its sequentially appropriate spot, by deleting the number struck through and by adding the number underscored as follows:

~~17-9-0111-G~~ 17-9-0109-G The minimum lot area for a new gas station may be reduced to not less than 10,000 square feet, when approved as a variation (see Section 17-13-1101-G).

(Omitted text is unaffected by this ordinance)

SECTION 8. Section 17-17-0903-F of the Municipal Code of Chicago is hereby renumbered and moved to its sequentially appropriate spot, by deleting the number struck through and by adding the number underscored as follows:

17-17-0903-F 17-10-0903-F Relationship to Accessible Routes. Accessible parking spaces and access aisles must be designed so that vehicles, when parked, cannot obstruct the required clear width of adjacent accessible routes.

(Omitted text is unaffected by this ordinance)

SECTION 9. Section 17-10-207-M of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

District	Minimum Automobile Parking Ratio (per unit or gross floor area)	Minimum Bike Parking
<i>(Omitted text is unaffected by this ordinance)</i>		
17-10-0207-M Parking Group M. (Retail, Body Art, Eating and Drinking Establishments, Food and Beverage Sales, Participant Sports and Recreation, Fortune Telling, Personal Service, Auto Supply/Accessory Sales, Artist Work or Sales Space, Copying and Reproduction, or Cannabis Business Establishment)		
B, C, M dash 1, 1.5, 2	Health Clubs: as required by Sec. 4-6-020 of the Municipal Code Participant Sports and Recreation: 1 per 10 persons capacity All other: None for first 4,000 square feet then 2.5 spaces per 1,000 square feet	1 per 5 auto spaces
B, C, M dash 3	Health Clubs: as required by Sec. 4-6-020 of the Municipal Code Participant Sports and Recreation: 1 per 10 persons capacity All other: None for first 10,000 square feet then 2.5 spaces per 1,000 square feet	
B, C, M dash 5	Health Clubs: as required by Sec. 4-6-020 of the Municipal Code Participant Sports and Recreation: 1 per 10 persons capacity All other: None for first 35,000 square feet or 2 * lot area, whichever is greater, then 1.33 spaces per 1,000 square feet	
<i>(Omitted text is unaffected by this ordinance)</i>		

(Omitted text is unaffected by this ordinance) SECTION 10. This ordinance shall take effect upon its passage
and approval.