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Legislation Text

File #: O2020-2217, Version: 1

Zoning
City Council 4/22/2020

ORDINANCE

SECTION 1. Section 17-13-905 of the Municipal Code of the City of Chicago is hereby amended by deleting the language struck-through and inserting the language underscored, as follows:

17-13-0905 Approval Criteria.

17-13-0905-A General Criteria. Except as otherwise expressly provided in this Zoning Ordinance, no special use application may be approved unless the Zoning Board of Appeals finds that the proposed use in its proposed location meets all of the following criteria:

1. complies with all applicable standards of this Zoning Ordinance;
2. is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community;
3. is compatible with the character of the surrounding area in terms of site planning and building scale and project design;
4. is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation; and
5. is designed to promote pedestrian safety and comfort.

(Omitted text is unaffected by the Ordinance)

17-13-0905-C Special Uses in PMDs.

(A) No special use application within a planned manufacturing district for any industrial use which requires an air pollution control permit pursuant to Chapter 11-4 of this Code may be approved unless the Zoning Board of Appeals finds that the special use criteria of this Section has been satisfied before a public hearing is held by the Zoning Board of Appeals, as provided for in Section 17-13-0904 to consider a special use within a planned manufacturing district for any industrial use which requires an air pollution control permit, the following requirements must be met:

1 The Zoning Board of Appeals shall forward all completed special uses applications within a planned manufacturing district for any industrial use which requires an air pollution control permit to (a) the Chairman of the Committee on Environmental Protection and Energy; and (h) Alderman of the Ward in which such special use is proposed to be located, along with a request for a letter of support, non-objection, or objection, as well as any information the Zoning Board of Appeals has compiled in regard to either the criteria under this Section or the general approval criteria under Section 17-13-0905-A. The Zoning Board of Appeals may not take any action on a special use application within a planned manufacturing district for any industrial use which requires an air pollution control permit until 60 days after giving the notices required under this Section.

2 Before a public hearing is held by the Zoning Board of Appeals, as provided for in Section 17-13-0904, to consider a special use

application within a planned manufacturing district for any

industrial use which requires an air pollution control permit, the applicant must hold at least one community meeting in the Ward in which such special use is proposed to be located for the purpose of explaining the proposal and soliciting comments on it. The applicant shall cause such community meetings to be aired via the use of or transmission by the Internet, or shall post a recording of such community meetings on the Internet within a reasonable time following the applicable community meeting. Such community meeting must be held no later than 30 days prior to the date of the anticipated special use hearing before the Zoning Board of Appeals; notice for such community meeting must be issued, pursuant to this Section, no later than two weeks prior to such community meeting. The applicant must notify the Chairman of the Zoning Board of Appeals, the Chairman of the Committee on Environmental Protection and Energy, and the Alderman of the Ward in which such special use is proposed to be located in writing of the time, place and purpose of the community meeting. The applicant must publish notice of the community meeting in a newspaper of general circulation within the ward and the applicant must send written notice by USPS first class mail to the property owner of the subject property and to all property owners within 1,000 feet of the property lines of the subject property. Such applicant shall furnish a complete list of the names and last known addresses of the persons provided with such written notice as well as a written affidavit certifying compliance with such written notice to the Chairman of the Zoning Board of Appeals on or before the public hearing is held by the Zoning Board of Appeals, in a form prescribed by the Commissioner of the Department of Planning and Development.

3. The Chairman of the Committee on Environmental Protection and Energy shall convene a subject matter hearing on the environmental impacts of any proposed special use within a planned manufacturing district for any industrial use which requires an air pollution control permit within 40 days following receiving notice pursuant to Section 17-13-0905-C(A)(1). The applicant for such special use permit shall testify at the Committee hearing to provide information necessary to demonstrate the applicant's effort to not burden the surrounding community, including any net-zero sustainability efforts to reduce or contain any potential pollution. The Chairman of the Committee on Environmental Protection and Energy shall submit the record of any subject matter hearing held under this Section to the Zoning Board of Appeals.

(B) In acting on any special use application within a planned manufacturing district, the Zoning Board of Appeals must apply the General (approval) Criteria of Sec. 17-13-0905 and make specific findings on the probable effects of the proposed use on:

1. existing manufacturing activities, including the potential for land use conflicts and nuisance complaints; and
2. efforts to market other property within the planned manufacturing district for industrial use[^]and.
3. the quality of air and water in the surrounding community and any other deleterious environmental impacts

(Omitted text unaffected by the Ordinance)

SECTION 2. This ordinance shall take effect upon its passage and publication.