



# City of Chicago



SO2015-5334

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 regarding transit-oriented development projects

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



MA196

## SUBSTITUTE ORDINANCE

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

**SECTION 1.** Section 17-3-0400 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:

#### **17-3-0400 Bulk and density standards.**

*(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 of a CTA or METRA rail station entrance or within 2,640 feet of a CTA or METRA rail station entrance when the subject building is located along a pedestrian street or a pedestrian retail street, and which (1) provide no more than one parking space per dwelling unit, and (2) satisfy the criteria set forth in Sec. 17-13-0905-F, 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, 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.)*

**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 of a CTA or METRA rail station entrance or within 2,640 feet of a CTA or METRA rail station entrance when the subject building is located along a pedestrian street or a pedestrian retail street, and which (1) provide no more than one parking space per dwelling unit, and (2) satisfy the criteria set forth in Sec. 17-13-0905-F, 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 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).~~

**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. This ~~These *floor area ratio* increases is are~~ allowed only if the project ~~complies with all of the requirements of a transit-served location pursuant to Sec. 17-10-0102-B, and 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).~~

**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 of a CTA or METRA rail station entrance or within 2,640 feet of a CTA or METRA rail station entrance when the subject building is located along a *pedestrian street* or a *pedestrian retail street*, and which (a) provide no more than one parking space per *dwelling unit*, and (b) satisfy the criteria set forth in Sec. 17-13-0905-F, 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 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).~~

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 the project ~~complies with all of the requirements of a transit-served location pursuant to Sec. 17-10-0102-B, and 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).~~

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 with at least <u>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 with at least <u>50%</u> Sec. 2-45-115 Units	55	55	70	75

*(Omitted text is unaffected by this ordinance)*

**SECTION 4.** Section 17-3-0410 of the Zoning Ordinance is hereby amended by deleting the struck-through language and inserting the underscored language as follows:

**17-3-0410 Number of Efficiency Units.**

*(Omitted text is unaffected by this ordinance)*

**17-3-0410-B Exemption.**

1. The limits on *efficiency* units do not apply to SROs or *elderly housing* developments, provided that the Zoning Administrator determines that such developments constitute bona fide SROs or *elderly housing* developments.
2. The limits on *efficiency* units do not apply to transit-served developments within 660 feet of a CTA or METRA rail station entrance.

**SECTION 5.** 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 of a CTA or METRA rail station entrance or within 2,640 feet of a CTA or METRA rail station entrance when the subject building is located along a *pedestrian street* or a pedestrian retail *street*, and which (1) provide no more than one parking space per *dwelling unit*, and (2) satisfy the criteria set forth in Sec. 17-13-0905-F, 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, 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)*

**SECTION 6.** 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 of a CTA or METRA rail station entrance or within 2,640 feet of a CTA or METRA rail station entrance when the subject building is located along a *pedestrian street* or a pedestrian retail *street*, and which (1) provide no more than one parking space per *dwelling unit*, and (2) satisfy the criteria set forth in Sec. 17-13-0905-F, 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 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).

**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. This~~ These *floor area ratio* increases is are allowed only if the project ~~complies with all of the requirements of a transit-served location pursuant to Sec. 17-10-0102-B, and 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).

**SECTION 7.** 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 8.** 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 of a CTA or METRA rail station entrance or within ~~1,200~~ 2,640 feet of a CTA or METRA rail station entrance when the subject building is located along a *pedestrian street* or a *pedestrian retail street*. The minimum off-street automobile parking ratios for residential uses may be further reduced by up to 100 percent from the otherwise applicable standards if the project is reviewed and approved as a *special use* in accordance with Sec. 17-13-0900, or 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).

~~2. In B dash 3, C dash 3 and D dash 3 districts, minimum off-street automobile parking ratios for 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 of a CTA or METRA rail station entrance or within 1,200 2,640 feet 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.~~

23. 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~~ 1,320 feet of a CTA or METRA rail station entrance or within ~~1,200~~ 2,640 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.32 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.32 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.

**SECTION 9.** Section 17-13-0905 of the Zoning Ordinance is hereby amended by adding a new Section 17-13-0905-F as follows:

*(Omitted text is unaffected by this ordinance)*

**17-13-0905-F Parking Reductions for Transit-Served Locations.**

1. Specific Criteria. No special use application for the reduction of 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, may be approved

unless the Zoning Board of Appeals finds that the *special use* meets the General Criteria of Sec. 17-13-0905 and all of the following specific criteria:

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

(b) the project complies with the 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; and

(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.

2. Before approving a *special use* to reduce off-street parking requirements in transit-served locations in excess of 50%, the Zoning Board of Appeals must consider the availability of on-street parking in the vicinity of the project.

3. The Zoning Board of Appeals 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 which includes a description of the strategies and programs the applicant will implement to reduce parking demands.

**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 premiums 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).~~

*(Omitted text is unaffected by this ordinance)*

**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 12.** This ordinance shall be in full force and effect on November 1, 2015.