

Preferred Committee: Committee on Zoning, Landmarks and Building Standards

ORDINANCE

WHEREAS, the City Council has carved successive exceptions into the minimum lot area and minimum lot area per unit standards of the Chicago Zoning Ordinance, for transit-served locations, downtown floor area bonuses, North Branch Corridor projects, conversion units, coach houses, and accessible dwelling units; and

WHEREAS, the City Council has excluded a class of dwelling unit from the calculation of floor area, at Section 17-2-0304-D; and

WHEREAS, the City Council has established incentives for family-sized units, at Sections 2-44-080, 2-44-085 and 2-44-090; and

WHEREAS, eliminating minimum lot area and minimum lot area per unit standards in those districts where multi-unit residential development is already allowed, and excluding family-sized units from the calculation of floor area ratio in those districts, will allow residential development to make full use of the floor area those districts already permit and to include family-sized units without reducing the number of homes provided; now, therefore,

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

SECTION 1. Section 17-2-0301 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

17-2-0301 Lot Area.

17-2-0301-A Minimum Lot Area Standards. All development in RRS districts is subject to the following minimum *lot area* standards except as expressly allowed in Sec. 17-2-0301-B:

District	Minimum <i>Lot Area</i> * (square feet)
RS1	6,250
RS2	5,000
RS3	2,500
RT3.5	2,500
RT4 to RM6.5	4,650

(*See Sec. 17-17-0302 for rules governing the measurement of *lot area*.)

(omitted text is unaffected by this ordinance)

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

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

17-2-0303-A Minimum Lot Area per Unit Standards. All development in RRS districts is subject to the following minimum lot-area-per-unit standards. These standards are not to be interpreted as a guarantee that allowed densities can be achieved on every lot. Other factors,

such as off-street parking, height limits, *dwelling unit* sizes and lot configuration may work to limit *density* more than these standards.

District	Minimum Lot Area per Unit* (square feet)
RS1	6,250
RS2	5,000
RS3	2,500, except as expressly allowed in Sec. 17-2-0303-B
RT3.5	1,250
RT4	~~Dwelling units: 1,000 Efficiency units: 1,000 SRO units: 500~~
RM4.5	~~Dwelling units: 700 Efficiency units: 700 SRO units: 500~~
RM5	~~Dwelling units: 400 Efficiency units: 400 SRO units: 200~~
RM5.5	~~Dwelling units: 400 Efficiency units: 400 SRO units: 200~~
RM6	~~Dwelling units: 300 Efficiency units: 135 SRO units: 135~~
RM6.5	~~Dwelling units: 300 Efficiency units: 135 SRO units: 135~~

(*See Sec. 17-17-0304 for rules governing the measurement of *lot area* per unit.)

17-2-0303-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, RT3.5, and RT4 districts~~the RS3 district.

(omitted text is unaffected by this ordinance)

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

17-3-0402 Lot area per unit (density).

~~17-3-0402-A Standards. Where allowed, all residential development in B and C districts is subject to the following minimum lot area per unit standards:~~ 17-3-0402-A Standards. There are no minimum *lot area* per unit standards in the B and C districts.

District	Minimum Lot Area per Unit (square feet)		
	<i>Per Dwelling Unit</i>	<i>Per Efficiency Unit</i>	<i>Per SRO Unit</i>
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

~~(See Sec. 17-17-0304 for rules governing the measurement of *lot area* per unit.)~~

17-3-0402-B MLA Reduction for Transit-Served Locations. All projects in B-3 and C-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 17-3-0308 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; 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); or, if the project is subject to the requirements of the Affordable Requirements Ordinance due to an entitlement as defined in Section 2-44-085:17-3-0402-B Reserved.

District	Proportion of ARO requirement on-site per 2-44-085 (Must include a minimum of one affordable unit under 2-44-085)	Minimum Lot Area per Unit (square feet)		
		Per Dwelling Unit	Per Efficiency Unit	Per SRO Unit
Dash-3	50%	350	250	180
	75%	325	225	160
	100%	300	200	135

17-3-0402-C Exceptions. In the case of a building permit application for the conversion of an occupied or vacant *commercial establishment* located below the second floor within a multi-story building into residential dwelling units, the Zoning Administrator is authorized to approve such conversion pursuant to Section 17-13-1003-NN.

SECTION 4. Section 17-4-0404 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

17-4-0404 Lot Area per Unit.

17-4-0404-A Standards. All development in "D" districts is subject to the following minimum *lot area* per unit standards. These standards are not to be interpreted as a guarantee that allowed densities can be achieved on every lot. Other factors, such as off-street parking requirements, minimum *dwelling unit* standards and lot configuration issues may work to limit *density* more than these standards. 17-4-0404-A Standards. There are no minimum *lot area* per unit standards in the "D" districts.

Dash Designation	Minimum Lot Area per Unit (square feet)
-3	Dwelling units: 400 Efficiency units: 300 SRO units: 200
-5	Dwelling units: 200 Efficiency units: 135 SRO units: 100
-7	Dwelling units: 145 Efficiency units: 90 SRO units: 75
-10	Dwelling units: 115 Efficiency units: 75 SRO units: 60
-12	Dwelling units: 115 Efficiency units: 75 SRO units: 60
-16	Dwelling units: 100 Efficiency units: 65 SRO units: 50

(See Sec. 17-17-0304 for rules governing the measurement of *lot area* per unit.)

17-4-0404-B MLA Reduction for Downtown Floor Area Bonus. Projects that qualify for and are granted floor area bonuses under Sec. 17-4-1000 are eligible to use reduced lot area per unit standards. For each one percent increase in floor area awarded through the floor area bonus provisions of Sec. 17-4-1000, the minimum *lot area* per unit standard is reduced by one percent. The minimum *lot area* per unit reduction may not exceed 30 percent, regardless of the floor area bonus granted, except in dash 16 *bulk* and *density* designations, where this cap shall not apply. 17-4-0404-B Reserved.

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 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). 17-4-0404-C Reserved.

District	Proportion of ARO requirement on-site per 2-44-085 (Must include a minimum of one affordable unit under 2-44-085)	Minimum Lot Area per Unit (square feet)		
		Per Dwelling Unit	Per Efficiency Unit	Per SRO Unit
Dash 3	50%	350	250	180
	75%	325	225	160
	100%	300	200	135

17-4-0404-D Allowed Exceptions.

1. In the case of a building permit application for the conversion of an occupied or vacant *commercial establishment* located below the second floor within a multi-story building into residential dwelling units, the Zoning Administrator is authorized to approve such conversion pursuant to Section 17-13-1003-NN.

2. In the case of a building permit application for rehabilitation or reuse of an official Chicago Landmark building or an existing "contributing building" within an official Chicago Landmark district located in a DC-16 or DX-16 District, an applicant may request an exemption from the applicable minimum *lot area* per unit standards by submitting a written request to the Zoning Administrator in accordance with this section. At least 30 days prior to submitting such request, the applicant shall provide written notice to the alderman of the ward in which the building is located and solicit a recommendation. Such notice shall include, at a minimum: (a) the street address of the existing building; (b) a statement that a *density* waiver has been requested for the address; (c) the name and mailing address of the applicant; and (d) a request for the alderman's recommendation. A request for an exemption under this section shall be submitted to the Zoning Administrator and shall include: (a) a description of the proposed development; (b) a copy of the

~~notice sent to the alderman of the ward in which the building is located; and (c) the recommendation of such alderman. If the Zoning Administration finds that the request meets the requirements of this section and the alderman's recommendation is that the exception should be granted, the Zoning Administrator may grant such exception. All other 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 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).~~2. Reserved.

SECTION 5. Section 17-7-0409 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

~~**17-7-0409 Minimum Lot Area per Unit.** Projects that qualify for and are granted floor area bonuses under Sec. 17-7-0407 are eligible to use reduced lot area per unit standards. For each one percent increase in floor area awarded through the floor area bonus provisions of Sec. 17-7-0407, the minimum lot area per unit standard is reduced by one percent. The minimum lot area per unit reduction may not exceed 60 percent, regardless of the floor area bonus granted.~~17-7-0409 Reserved.

SECTION 6. Section 17-7-0902 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

~~**17-7-0902 Lot Area per Dwelling Unit.** At least 1,250 square feet of lot area is required per dwelling unit, except that on lots with a depth of more than 125 feet, the minimum lot area per dwelling unit is 1,500 square feet.~~17-7-0902 Reserved.

SECTION 7. Section 17-7-1104 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

~~**17-7-1104 Lot Area.** At least 1,400 square feet of lot area is required per dwelling unit.~~17-7-1104 Reserved.

SECTION 8. Section 17-9-0103.1-C of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

17-9-0103.1-C Standards.

(omitted text is unaffected by this ordinance)

~~8. Business live/work units shall comply with the minimum lot area standards of Section 17-3-0402 for dwelling units; provided, however, in the case of buildings constructed prior to August 1, 2012, one business live/work unit per building shall be exempt from the minimum lot area requirements.~~8. Reserved.

(omitted text is unaffected by this ordinance)

SECTION 9. Section 17-9-0131 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

17-9-0131 Conversion Units.

(omitted text is unaffected by this ordinance)

3. Conversion units are not subject to the minimum lot area per unit provisions of Sections 17-2-0303-A, ~~17-3-0402-A, 17-7-0702, or 17-7-0802,~~ 17-7-0902 or 17-7-1104.

(omitted text is unaffected by this ordinance)

SECTION 10. Section 17-9-0201-F of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

17-9-0201-F Coach Houses.

(omitted text is unaffected by this ordinance)

10. Coach houses are not subject to the minimum *lot area* provisions of Sections 17-2-0303-A, ~~17-3-0402-A~~, ~~17-7-0702~~, or ~~17-7-0802~~, ~~17-7-0902~~ or ~~17-7-1104~~.

(omitted text is unaffected by this ordinance)

SECTION 11. Section 17-2-0304 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

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 <i>Floor Area Ratio</i> *
RS1	0.50
RS2	0.65
RS3	0.90
RT3.5	1.05
RT4	1.20 (See <i>accessible dwelling unit</i> exceptions, Sec. 17-2-0304-B)
RM4.5	1.70
RM5	2.00
RM5.5	2.50
RM6	4.40; premium may apply – See Sec. 17-2-0304-C
RM6.5	6.60; premium may apply – See Sec. 17-2-0304-C

(*See Sec. 17-17-0305 for rules governing the measurement of *floor area ratio*.)

(omitted text is unaffected by this ordinance)

~~**17-2-0304-C Premiums.** Multi-unit residential buildings located in an RM6 or RM6.5 district on lots that permit 50 or more dwelling units, based on the lot's zoning classification, are eligible for *floor area ratio* premiums in accordance with the following: For each one percent decrease in the number of dwelling units below the maximum number permitted under Section 17-2-0303-A, a 0.50% increase in the allowable *floor area ratio* is allowed, provided that the *floor area ratio* is not increased by more than 25% over the otherwise applicable maximum under Section 17-2-0304-A.~~ **17-2-0304-C Reserved.**

(omitted text is unaffected by this ordinance)

17-2-0304-E Family-Sized Units. Family-sized units, as defined in Section 17-17-0253.5, will not be counted as floor area for the purpose of calculating *floor area ratio* in RT and RM districts. This exemption applies only to the calculation of *floor area ratio*.

SECTION 12. Section 17-10-0102-B of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

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

(omitted text is unaffected by this ordinance)

4. Residential buildings which: i. achieve a mandatory planned development threshold, pursuant to Section 17-8-0513; ii. ~~maximize minimum lot area density for efficiency units~~, pursuant to Sections 17-2-0313, 17-3-0410 or 17-4-0409; iii. maximize *floor area ratio*, pursuant to Sections 17-2-0304, 17-3-0403 or 17-4-0405, ~~determined without regard to the exclusion of family-sized units from floor area~~; and, iv. are 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, may replace, at a 1:1 ratio, square footage required for *accessory parking* that was reduced pursuant to Section 17-10-0102-B.1 with floor area for on-site affordable square footage, as defined by Section 2-44-085, provided:

(omitted text is unaffected by this ordinance)

SECTION 13. Chapter 17-17 of the Municipal Code of Chicago is hereby amended by adding a new Section 17-17-0253.5, as follows:

17-17-0253.5 Family-Sized Unit. A *dwelling unit* containing three or more sleeping rooms. (See Sections 14B-12-1202, 14B-12-1204 and 14B-12-1207 for the ventilation, light and interior space requirements applicable to sleeping rooms.)

SECTION 14. Section 17-3-0403 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

17-3-0403 Floor Area Ratio.

(omitted text is unaffected by this ordinance)

17-3-0403-D Family-Sized Units. Family-sized units, as defined in Section 17-17-0253.5, will not be counted as floor area for the purpose of calculating *floor area ratio*. This exemption applies only to the calculation of *floor area ratio*.

SECTION 15. Section 17-4-0405 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

17-4-0405 Floor Area Ratio.

(omitted text is unaffected by this ordinance)

17-4-0405-E Family-Sized Units. Family-sized units, as defined in Section 17-17-0253.5, will not be counted as floor area for the purpose of calculating *floor area ratio*. This exemption applies only to the calculation of *floor area ratio*.

SECTION 16. Chapter 17-7 of the Municipal Code of Chicago is hereby amended by adding a new Section 17-7-0415, as follows:

17-7-0415 Family-Sized Units. Family-sized units, as defined in Section 17-17-0253.5, will not be counted as floor area for the purpose of calculating *floor area ratio* in the North Branch Corridor Overlay District. This exemption applies only to the calculation of *floor area ratio*.

SECTION 17. The City Council intends that any development satisfying all other applicable bulk, density, and use regulations of this Zoning Ordinance shall not be denied, conditioned, or delayed based on a minimum lot area or minimum lot area per unit standard repealed by this ordinance. No provision of this Code may be construed to reinstate, by implication, cross-reference, or otherwise, a minimum lot area or minimum lot area per unit requirement eliminated by this ordinance.

SECTION 18. If any provision of this ordinance or its application is held unconstitutional or invalid, such invalidity shall not affect other provisions or applications that can be given effect without the invalid provision, and each invalid provision is severable.

SECTION 19. This ordinance shall take effect upon its passage and approval.



Walter Burnett Jr.
Alderman, 27th Ward



Bennett Lawson
Alderman, 44th Ward