

ORDINANCE

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

SECTION 1. Chapter 17-3 of the Municipal Code of Chicago is hereby amended by adding a new Section 17-3-0600, as follows:

17-3-0600 TOD streets.

17-3-0601 Purpose. This section is intended to support transit-oriented development ("TOD") along key portions of business and commercial streets that have strong access to transit in order to promote transit ridership, economic vitality, and pedestrian safety and comfort.

17-3-0602 Designation and Boundaries.

17-3-0602-A *TOD streets* must be identified in the text of this Zoning Ordinance and shown on the Official Zoning Atlas.

17-3-0602-B The *TOD street* designation may be established or removed only in accordance with the Zoning Ordinance Text and Zoning Map Amendment procedures of Section 17-13-0200 and Section 17-13-0300. Both a text and map amendment is required.

17-3-0602-C The *TOD street* designation applies to all *zoning lots* that abut the right-of-way of a *TOD street*.

17-3-0602-D The *TOD street* segment must be 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 and the *TOD street* must start and end at an intersecting right-of-way.

17-3-0602-E No property abutting a *TOD street* shall be rezoned except upon an application duly filed and approved by the city council. Any rezoning of property abutting the *TOD street* on or after the effective date of this Section 17-3-0600 shall be required to be rezoned to a "B" or "C1" district with a minimum of 3 FAR; provided, however, the rezoning requirements and restrictions in effect immediately before the effective date of this Section 17-3-0600 shall apply to all rezoning applications that were submitted to the City in complete form and are pending approval before the effective date, unless the applicant chooses to be governed by this Section 17-3-0600.

17-3-0603 Standards.

17-3-0603-A Applicability. The standards of this section apply to all development on *lots* that abut the right-of-way of designated *TOD streets* unless otherwise expressly stated.

17-3-0603-B Building Location.

1. For buildings with non-residential ground-floor uses, the ground-floor building facade that faces a *TOD street* must abut the sidewalk or be located within 5 feet of the sidewalk.

2. For buildings with residential uses on the ground-floor fronting the *TOD street*, the entire ground-floor facade that faces a *TOD street* must be located within 15 feet from the sidewalk. The setback is to be landscaped with treatments such as: native plantings, raised planters, trees, and permeable pavers for seating and gathering areas.

3. These building location standards do not apply to permitted arcades, public plazas or parks, areas for outdoor seating, entries to through-block connections, or recessed entries.

17-3-0603-C Windows.

1. For non-residential ground-floor uses, a minimum of 60% of the *TOD street*-facing façade between 4 feet and 10 feet in height must be comprised of clear, non-reflective windows that allow views of the interior space or display area.

2. The bottom of any window or *product display window* used to satisfy this requirement may not be more than 4.5 feet above the adjacent sidewalk.

3. *Product display windows* used to satisfy these requirements must have a minimum height of 4 feet and be internally lighted.

4. Operable storefront openings are allowed for a more seamless outdoor and indoor experience.

17-3-0603-D Doors and Entrances.

1. On lots abutting *TOD streets*, buildings must have at least one primary entrance door facing the *TOD street*. For *corner lots* abutting *TOD streets*, one of the primary entrance doors may face either the *TOD street* or can be located at the corner. For mixed-use buildings on *corner lots*, the ground-floor entrance for the business and commercial uses shall front the *TOD street* and the entrance for the residential uses may front the side street.

2. The primary entrances should be designed to be obvious to pedestrians and help provide building identity and presence on the *TOD street*.

3. Recessed entry widths may not exceed 12 feet or 5% of the building's street-facing facade width, the depth may not exceed the entrance width, and the height may not exceed 2 stories.

17-3-0603-E Parking and Service Areas. All new off-street parking and loading, trash, and dumpsters should be located at the rear of the lot, away from the *TOD street* and away from residential buildings and entrances. Landscaping and walls should be used to screen such areas/activities from view.

17-3-0603-F Driveways and Vehicle Access. Vehicle access to *lots* located along a *TOD street* must come from an *alley*. No new curb cuts or driveways are allowed from a *TOD street*.

17-3-0604 Prohibited Uses. The following are expressly prohibited on *lots abutting TOD streets*:

1. strip centers;
2. drive-through facilities;
3. vehicle sales and service uses involving any outdoor storage of vehicles or goods;
4. gas stations;
5. car washes;
6. residential storage warehouses;
7. electronic data storage centers; and,
8. motor vehicle repair shops.

17-3-0605 Allowed Uses. Permanent uses and facilities are allowed abutting *TOD streets* in accordance with the list of following uses.

1. Business live/work units compliant with Section 17-9-0103.1;
2. Artist Work or Sales Space;
3. Outdoor patio (if located on a rooftop); and
4. Outdoor patio (if located at grade level).

SECTION 2. Sections 17-4-0301 and 17-3-0308 of the Municipal Code of Chicago are hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

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)

4. Residential building projects shall not have a number of parking spaces in excess of ~~50% of the Minimum Automobile Parking Ratio for the applicable district listed in Section 17-40-0208~~ 0.5 spaces per unit with any fractional result rounded up to the next higher whole number, unless additional parking spaces are approved as follows: (i) an *administrative adjustment* under the provisions of Section 17-13-1003-EE, or (ii) for any property within the downtown area or the downtown expansion area as defined in Section ~~17-14500~~ 17-1-1500 as approved by the Zoning Administrator in accordance with this subsection (ii). At least 30 days prior to submitting such a request, the applicant shall provide written notice to the alderman of the ward in which the property is located soliciting a recommendation. Such notice shall include, at a minimum: (a) the street address of the property; (b) a statement that a parking limit 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, provided, however, that any additional parking approved under this Section

shall: (a) only serve as accessory residential parking with no ability to utilize Section 17-10-0503; (b) the additional parking shall be subject to Section 17-10-0205, as applicable; and (c) the applicant shall pay a fee equal to the square footage of parking and drive aisle space to serve vehicles in excess of 100% of the Minimum Automobile Parking Ratio times the corresponding amount as applicable to the property in the Expanded D (Downtown) district boundaries and corresponding land cost per square foot bonus chart effective on the date of approval, per Section 17-4-1000, except that 17-4-1003-A shall not apply as an exclusive planned development trigger. Any such fee paid shall be deposited in the City of Chicago's Affordable Housing Opportunity Fund or the Citywide Adopt-a-Landmark Fund; and

(Omitted text is unaffected by this ordinance)

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:

1. The project complies with the applicable standards of Section 17-10-0102-B;
- ~~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;~~
3. 2. 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;
4. 3. Residential building projects shall not have a number of parking spaces in excess of ~~50% of the Minimum Automobile Parking Ratio for the applicable district listed in Section 17-10-0207~~ 0.5 spaces per unit with any fractional result rounded up to the next higher whole number, unless additional parking spaces are approved as follows: (i) an *administrative adjustment* under the provisions of Section 17-13-1003-EE, or (ii) for any property within the downtown area or the downtown expansion area as defined in Section 17-1-1500 as approved by the Zoning Administrator in accordance with this subsection (ii). At least 30 days prior to submitting such a request, the applicant shall provide written notice to the alderman of the ward in which the property is located soliciting a recommendation. Such notice shall include, at a minimum: (a) the street address of the property; (b) a statement that a parking limit 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, provided, however, that any additional parking approved under this section shall (a) only serve as accessory residential parking with no ability to utilize Section 17-10-0503; and (b) the applicant shall pay a fee equal to the square footage of parking and drive aisle space to serve vehicles in excess of 100% of the Minimum Automobile Parking Ratio times the corresponding amount as applicable to the property in the Expanded D (Downtown) district boundaries and corresponding land cost per square foot bonus chart effective on the date of approval, per Section 17-4-1000, except that

17-4-1003-A shall not apply as an exclusive planned development trigger. Any such fee paid shall be deposited in the City of Chicago's Affordable Housing Opportunity Fund or the Citywide Adopt-a-Landmark Fund; and

5. 4. The project complies with the Travel Demand Study and Management Plan rules of the Chicago Department of Transportation. The City's Commissioner of Transportation is authorized to issue Travel Demand Study and Management Plan rules consistent with this section.

SECTION 3. Chapter 17-13 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

(Omitted text is unaffected by this ordinance)

17-13-1003 Authorized Administrative Adjustments. The Zoning Administrator has the authority to review and approve the following *administrative adjustments*:

(Omitted text is unaffected by this ordinance)

17-13-1003-P Pedestrian and TOD Streets – Building Location Standards

1. The Zoning Administrator is authorized to approve an *administrative adjustment* to the Building Location standards of Sec. 17-3-0504-B, Sec. 17-3-0604-B and Sec. 17-4-0504-B.

2. Such an *administrative adjustment* may be approved only when the Zoning Administrator determines that:

(a) useable public spaces or pedestrian amenities (e.g., extra-wide sidewalk, plaza with seating or outdoor dining area) are provided between the building and the *pedestrian street property line* and

(b) the proposed adjustment meets the general approval criteria of Sec. 17-13-1007-B.

17-13-1003-Q Pedestrian and TOD Streets – Transparent Window Standards.

1. The Zoning Administrator is authorized to approve an *administrative adjustment* to the transparent window area standards of Sec. 17-3-0504-C, Sec. 17-3-0604-C and Sec. 17-4-0504-C to allow ~~up to a 25%~~ reduction in the amount of transparent window area required.

2. Such an *administrative adjustment* may be approved only when the Zoning Administrator determines that (1) such a reduction will be offset by the provision of other pedestrian amenities or building or site design features that are not otherwise required such as but not limited to artwork, landscaping beyond what is required by the Landscape Ordinance, and architectural detailing that adds to the building's visual interest and (2) the proposed adjustment meets the general approval criteria of Sec. 17-13-1007-B.

17-13-1003-R Pedestrian and TOD Streets – Door and Entrance Standards.

1. The Zoning Administrator is authorized to approve an *administrative adjustment* to the Door and Entrance standards of Sec. 17-3-0504-D, Sec. 17-3-0604-D and Sec. 17-4-0504-D to allow a side building entrance.

2. Such an *administrative adjustment* may be approved only when the Zoning Administrator determines that:

(a) a safe pedestrian walkway not exceeding 20 feet in length is provided between the building entrance and the sidewalk abutting the *pedestrian street or TOD street* and

(b) the proposed adjustment meets the general approval criteria of Sec. 17-13-1007-B.

17-13-1003-S Driveway and Vehicle Access Standards.

1. The Zoning Administrator is authorized to approve an *administrative adjustment* to the Driveway and Vehicle Access standards of Sec. 17-2-0402-B, Sec. 17-3-0504-G, Sec. 17-3-0604-G, Sec. 17-4-0700, and Sec. 17-7-0413-A1.

2. Such an *administrative adjustment* may be approved only when the Zoning Administrator determines, in consultation with the Chicago Department of Transportation that:

(a) access to the subject *lot* cannot be safely accommodated by *alley* or side (non-Pedestrian or TOD) *street* access and

(b) the proposed adjustment meets the general approval criteria of Sec. 17-13-1007-B.

(Omitted text is unaffected by this ordinance)

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

(Omitted text is unaffected by this ordinance)

17-17-02177 Through Lot. A *lot* having a pair of opposite *property lines* along two more or less parallel public *streets*, and that is not a *corner lot*.

17-17-02177.5 TOD Street. Any *street* officially designated as a *Transit Oriented Development (TOD) street* in accordance with Section 17-3-0600.

17-17-02178 Top of the Bank. The slope adjacent to the water's edge and that point at the top of the slope at which the contour of the slope ceases to be 10% or greater.

(Omitted text is unaffected by this ordinance)

SECTION 5. This ordinance shall be in full force and effect upon passage and approval.