

## **S U B S T I T U T E   O R D I N A N C E**

**WHEREAS,** The City of Chicago has encouraged transit-oriented development since 2013; and

**WHEREAS,** Encouraging development around Chicago's transit assets both promotes lower carbon transportation choices and reduces household costs that may be associated with car ownership; and

**WHEREAS,** Businesses choose to locate near transit for efficiency and to access and recruit from among Chicago's talented workforce; and

**WHEREAS,** The City's current transit-oriented development policy applies only to rail stations; and

**WHEREAS,** Certain streets have bus service frequencies and ridership comparable to rail lines in many cities; and

**WHEREAS,** The transit-oriented development policy may be further improved to promote development and affordability in communities; now, therefore

### **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 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 located within 1,320 feet of a CTA or METRA rail station entrance or a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b or within 2,640 feet of a CTA or METRA rail station entrance or a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b 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)*

### **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 located within 1,320 feet of a CTA or METRA rail station entrance or a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b or within 2,640 feet of a CTA or METRA rail station entrance or a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b 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 1 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 Building Height.**

*(Omitted text is unaffected by this ordinance)*

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

1. All projects in B dash 3 and C dash 3 districts located within 1,320 feet of a CTA or METRA rail station entrance or a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b or within 2,640 feet of a CTA or METRA rail station entrance or a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b 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).

*(Omitted text is unaffected by this ordinance)*

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

*(Omitted text is unaffected by this ordinance)*

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

*(Omitted text is unaffected by this ordinance)*

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 a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b.

**SECTION 2.** Section 17-4-0400 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by inserting the underscored language, as follows:

**17-4-0400 Bulk and density standards.**

*(Omitted text is unaffected by this ordinance)*

**17-4-0404-C MLA Reduction for Transit-Served Locations.** Projects in D dash 3 districts located within 1,320 feet of a CTA or METRA rail station entrance or a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b or within 2,640 feet of a CTA or METRA rail station entrance or a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b 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)*

**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 located within 1,320 feet of a CTA or METRA rail station entrance or a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b or within 2,640 feet of a CTA or METRA rail station entrance or a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b 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). Projects that receive a floor area increase under this section are not eligible for additional bonus floor area under Sec. 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.**

*(Omitted text is unaffected by this ordinance)*

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 a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b.

**SECTION 3.** Section 17-10-0100 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by inserting the underscored language, as follows:

**17-10-0102 Bulk and Density Standards.**

*(Omitted text is unaffected by this ordinance)*

**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 1,320 feet of a CTA or METRA rail station entrance or a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b or within 2,640 feet of a CTA or METRA rail station entrance or a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b 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).

**Table 17-10-0102-B.1.a – CTA Bus Routes Included**

*(Incorporated for reference only; bus route name is subject to change)*

<b><u>Route Name</u></b>	<b><u>Corridor</u></b>
<u>Chicago/66</u>	<u>Chicago Ave</u>
<u>79<sup>th</sup>/79</u>	<u>79<sup>th</sup> Street</u>
<u>Ashland/9</u>	<u>Ashland Ave</u>
<u>Ashland Express/X9</u>	<u>Ashland Ave</u>

<u>Western/49</u>	<u>Western Ave</u>
<u>Western Express/X49</u>	<u>Western Ave</u>
<u>Garfield/55</u>	<u>Garfield Blvd</u>
<u>63<sup>rd</sup>/63</u>	<u>63<sup>rd</sup> Street</u>
<u>Hyde Park Express/2</u>	<u>South Lake Shore Drive</u>
<u>Jackson Park Express/6</u>	<u>South Lake Shore Drive</u>
<u>Jeffery Jump/J14</u>	<u>South Lake Shore Drive</u>
<u>South Shore Express/26</u>	<u>South Lake Shore Drive</u>
<u>Stony Island/28</u>	<u>South Lake Shore Drive</u>
<u>Stockton/LaSalle Express/134</u>	<u>North Lake Shore Drive</u>
<u>Clarendon LaSalle Express/135</u>	<u>North Lake Shore Drive</u>
<u>Sheridan LaSalle Express/136 (on Sheridan)</u>	<u>North Lake Shore Drive</u>
<u>Stockton/Michigan Express/143</u>	<u>North Lake Shore Drive</u>
<u>Inner Drive Michigan Express/146 (on Marine)</u>	<u>North Lake Shore Drive</u>
<u>Outer Drive Express/147 (on Sheridan)</u>	<u>North Lake Shore Drive</u>
<u>Clarendon Michigan Express/148</u>	<u>North Lake Shore Drive</u>
<u>67<sup>th</sup>-69<sup>th</sup>-71<sup>st</sup>/67</u>	<u>67<sup>th</sup>/69<sup>th</sup>/71<sup>st</sup></u>
<u>Pershing/39</u>	<u>Pershing</u>

Table 17-10-0102-B.1.b – Bus Line Corridor Roadway Segments

<u><b>Street Name</b></u>	<u><b>Segment</b></u>		<u><b>Served by Route(s)</b></u> (subject to change)
	<u><b>From</b></u>	<u><b>To</b></u>	
<u>Chicago Avenue</u>	<u>Fairbanks Court</u>	<u>Austin Boulevard</u>	<u>Chicago/66</u>
<u>79th Street</u>	<u>South Shore Drive</u>	<u>Cicero Avenue</u>	<u>79th/79</u>
<u>Ashland Avenue</u>	<u>Irving Park Road</u>	<u>95th Street</u>	<u>Ashland/9</u> <u>Ashland Express/X9</u>
<u>Western Avenue</u>	<u>Foster Avenue</u>	<u>79th Street</u>	<u>Western/49</u> <u>Western Express/X49</u>
<u>55th/Garfield Blvd</u>	<u>E Hyde Park Blvd</u>	<u>Cicero Avenue</u>	<u>Garfield/55</u>
<u>63rd Street</u>	<u>Stony Island Avenue</u>	<u>Cicero Avenue</u>	<u>63rd/63</u>
<u>Stony Island Avenue</u>	<u>56th Street</u>	<u>95th Street</u>	<u>Hyde Park Express/2</u> <u>Jackson Park Express/6</u> <u>South Shore Express/26</u> <u>Stony Island/28</u>
<u>Exchange Avenue/Commercial Avenue</u>	<u>83rd Street</u>	<u>91st Street</u>	<u>South Shore Express/26</u>
<u>Jeffery Blvd</u>	<u>67th Street</u>	<u>99th Street</u>	<u>Jeffery Jump/J14</u>

<u>E Hyde Park Blvd</u>	<u>East End Avenue</u>	<u>Cottage Grove Ave</u>	<u>Hyde Park Express/2</u> <u>Jackson Park Express/6</u> <u>Stony Island/28</u>
<u>S Hyde Park Blvd</u>	<u>E Hyde Park Blvd</u>	<u>56th Street</u>	<u>Jackson Park Express/6</u> <u>Stony Island/28</u>
<u>Cottage Grove Avenue</u>	<u>E Hyde Park Blvd</u>	<u>60th Street</u>	<u>Hyde Park Express/2</u>
<u>60th Street</u>	<u>Stony Island Avenue</u>	<u>Cottage Grove Avenue</u>	<u>Hyde Park Express/2</u>
<u>67th Street</u>	<u>South Shore Drive</u>	<u>Stony Island Avenue</u>	<u>Jackson Park Express/6</u> <u>Jeffery South Shore Express/26</u> <u>67th-69th-71st/67</u>
<u>91st Street</u>	<u>Mackinaw Avenue/Ewing Avenue</u>	<u>Commercial Avenue</u>	<u>South Shore Express/26</u>
<u>Ewing Avenue</u>	<u>91st Street</u>	<u>106th street</u>	<u>South Shore Express/26</u>
<u>83rd Street</u>	<u>South Shore Drive</u>	<u>Commercial Avenue</u>	<u>South Shore Express/26</u>
<u>South Shore Drive</u>	<u>67th Street</u>	<u>83rd Street</u>	<u>Jackson Park Express/6</u> <u>Jeffery South Shore Express/26</u>
<u>S Lake Park Avenue</u>	<u>47th Street</u>	<u>56th Street</u>	<u>Hyde Park Express/2</u> <u>Jackson Park Express/6</u> <u>Stony Island/28</u>
<u>67th Street</u>	<u>Stony Island Avenue</u>	<u>Rhodes Avenue</u>	<u>67th-69th-71st/67</u>
<u>Rhodes Avenue</u>	<u>67th Street</u>	<u>Keefe Avenue</u>	<u>67th-69th-71st/67</u>
<u>Keefe Avenue</u>	<u>Rhodes Avenue</u>	<u>69th Street</u>	<u>67th-69th-71st/67</u>
<u>69th Street</u>	<u>Keefe Avenue</u>	<u>Western Avenue</u>	<u>67th-69th-71st/67</u>
<u>Western Avenue</u>	<u>69th Street</u>	<u>71st Street</u>	<u>67th-69th-71st/67</u>
<u>71st Street</u>	<u>Western Avenue</u>	<u>Kedzie Avenue</u>	<u>67th-69th-71st/67</u>
<u>Pershing Road</u>	<u>Cottage Grove Avenue</u>	<u>Prairie Avenue</u>	<u>Pershing/39</u>
<u>Prairie Avenue</u>	<u>Pershing Road</u>	<u>41st Street</u>	<u>Pershing/39</u>
<u>41st Street</u>	<u>Prairie Avenue</u>	<u>Indiana Avenue</u>	<u>Pershing/39</u>
<u>Indiana Avenue</u>	<u>41st Street</u>	<u>Pershing Road</u>	<u>Pershing/39</u>
<u>Pershing Road</u>	<u>Indiana Avenue</u>	<u>LaSalle Street</u>	<u>Pershing/39</u>
<u>LaSalle Street</u>	<u>Pershing Road</u>	<u>35th Street</u>	<u>Pershing/39</u>
<u>Michigan Avenue</u>	<u>Pershing Road</u>	<u>41st Street</u>	<u>Pershing/39</u>
<u>41st Street</u>	<u>Michigan Avenue</u>	<u>Indiana Avenue</u>	<u>Pershing/39</u>
<u>Clarendon Avenue</u>	<u>Lawrence Avenue</u>	<u>Irving Park Avenue</u>	<u>Clarendon LaSalle Express/135</u> <u>Clarendon Michigan Express/148</u>

<u>Irving Park Avenue</u>	<u>Clarendon Avenue</u>	<u>Marine Drive</u>	<u>Clarendon LaSalle Express/135</u> <u>Clarendon Michigan Express/148</u>
<u>Marine Drive</u>	<u>Foster Avenue</u>	<u>Irving Park Avenue</u>	<u>Sheridan LaSalle Express/136 (on Sheridan)</u> <u>Inner Drive Michigan Express/146 (on Marine)</u> <u>Clarendon Michigan Express/148</u>
<u>Sheridan Road</u>	<u>Howard Avenue</u>	<u>Foster Avenue</u>	<u>Sheridan LaSalle Express/136 (on Sheridan)</u> <u>Outer Drive Express/147 (on Sheridan)</u>
<u>Sheridan Road</u>	<u>Belmont Avenue</u>	<u>Diversey Parkway</u>	<u>Stockton/LaSalle Express/134</u> <u>Stockton/Michigan Express/143</u>
<u>Lake Shore Drive (Inner Drive)</u>	<u>W Sheridan Road</u>	<u>Belmont Avenue</u>	<u>Clarendon LaSalle Express/135</u> <u>Inner Drive Michigan Express/146</u>

2. 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 1,320 feet of a CTA or METRA rail station entrance or a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b or within 2,640 feet of a CTA or METRA rail station entrance or a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b 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.2 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.2 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.

*(Omitted text is unaffected by this ordinance)*

4. The 1,320-foot and 2,640-foot distances specified in this section must be measured along a straight line between the rail station entrance and the nearest boundary of the lot to be developed or, when applied to a CTA bus line corridor roadway segment listed in Table 17-10-0102-B.1.b, between the roadway segment centerline and the nearest boundary of the lot to be developed.

*(Omitted text is unaffected by this ordinance)*

**SECTION 4.** The City shall, within 18 months of the passage of this ordinance, publish an Equitable Transit Oriented Development Policy Plan. The Office of the Mayor shall have primary responsibility for producing this document. The intent of this document shall be to measure the success of Chicago's policies to encourage development near transit served locations and explore opportunities to further support transit, affordable housing, and equitable development through transit-oriented development and other incentives. Further details to be examined under the Policy Plan are outlined in Exhibit A.

**SECTION 5.** 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 6.** This ordinance shall be in full force and effect upon passage and approval.



## **EXHIBIT A**

The Equitable Transit Oriented Development Policy Plan shall establish performance indicators for measuring the success of the transit-oriented development (TOD) provisions of Chicago's Zoning Ordinance and evaluate the performance of the TOD provisions since their inception. It shall recommend standards for the selection of transit-served geographies, with access to either rail or high-frequency bus transit service, where the TOD provisions shall apply. It shall also assess the current performance of the TOD provisions, identify policy best practices, and recommend revisions to the TOD provisions where appropriate in topic areas that may include:

- a. Avoiding displacement of residents, small businesses, cultural institutions, and community organizations;
- b. Allowing levels of development intensity and mixture of uses appropriate for the multimodal transportation context and surrounding land use;
- c. Allowing levels of parking appropriate for the multimodal transportation context and surrounding land use;
- d. Encouraging investment in communities of color and low-income communities and appropriately addressing various market conditions;
- e. Discouraging use of single-occupancy vehicles through travel demand management;
- f. Identifying methods to support transit system investment through development; and
- g. Facilitating effective coordination of City plans and programs between City departments and with external stakeholders, including businesses.

Development of the Equitable Transit Oriented Development Policy Plan shall be coordinated with civic stakeholder groups and provide substantial opportunity for community engagement. The results of this plan should be used to propose further revisions to the TOD provisions.