



Progress Report of the  
Mayor's Zoning Reform Commission

# Principles for Chicago's New Zoning Ordinance

Recommendations for Preserving, Protecting, and Strengthening Chicago's Neighborhoods

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and Strengthening Chicago's Neighborhoods

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Mayor's Zoning Reform Commission  
May 2002*

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# Introduction

*Chicago must continue to work to preserve, protect, and strengthen the rich character and diversity of our neighborhoods. An overhaul of Chicago's zoning ordinance will be a large step in achieving our goals. The revision of the Ordinance must involve all the people of Chicago from every neighborhood and background. To be effective, the changes must protect our property values, enhance the character of our neighborhoods, strengthen our retail districts, and promote job growth. They must help maintain Chicago's neighborhoods as places where people want to live and can afford to live. They need to be progressive in their approach and create sustainable urban design standards. They also must address the availability of parking while considering traffic congestion and increasing access to public transportation, and encourage the development and preservation of parks and open spaces throughout the city.*

Mayor Richard M. Daley  
July 2000

In his call to rewrite Chicago's Zoning Ordinance, Mayor Daley challenged us to meet a higher goal—to continue to improve the quality of life in neighborhoods throughout Chicago for our children and families.

It is a goal he first established over a decade ago. To date it has resulted in over 6.5 billion dollars of investments in new schools, libraries, parks, police and fire stations, and other anchors of our communities. It has also created investments in a menu of new streets, alleys, sewers, sidewalks, and lighting in every neighborhood of Chicago.

Through a rewrite of the zoning ordinance we hope to continue to support and guide the city's investments that put improving neighborhood quality of life for our children and families first.

He has set a very high bar. Simple adjustments, repairs or amendments to the city's 45-year-old ordinance would not be enough. Chicago needed a comprehensive review of the existing ordinance, followed by a major overhaul to make the ordinance compatible with the city's 21st Century needs.

The new zoning ordinance will be the latest step in Chicago's legacy of innovation and leadership in urban planning. The 1909 *Plan of Chicago* is one of the seminal documents of modern urban

planning. The city's 1923 zoning ordinance was among the first in the nation, while the current 1957 ordinance introduced innovations followed by cities across the country.

Since 1989, Mayor Daley has initiated more than a dozen major amendments to the 1957 zoning ordinance—including provisions designed to protect the riverfront, improve landscaping, and limit building height. These changes were intended to improve the quality of life in our neighborhoods, and they have been largely successful in accomplishing that objective. This comprehensive ordinance rewrite will be the culmination of these incremental improvements.

The success of an updated zoning ordinance relies on the vision behind it. At the outset of this initiative, the Mayor set forth his goals to improve neighborhood quality of life: to ensure the stability of residential property values; maintain the affordability of housing for all; provide welcoming and vital retail areas; promote more transportation choices and ensure parks and open spaces across the city.

Because the new zoning ordinance will affect every Chicagoan, many interests must be taken into account, including those who design, finance, and build, development projects throughout the city. The multi-disciplinary character of the Mayor's Zoning Reform

Commission—composed of neighborhood and civic groups, planners, architects, bankers and elected officials—reflects the diversity of experience and opinion that must be taken into account.

Input from Chicagoans has been, and will continue to be, a vital aspect of the zoning revision process. At the outset of the project in the fall of 2000, a special web site was created to keep Chicagoans informed about the zoning reform effort and to solicit public comments ([www.cityofchicago.org/mayor/zoning](http://www.cityofchicago.org/mayor/zoning)). At that time, the Zoning Reform Commission also conducted a series of seven community meetings in neighborhoods across the city. These were followed in the summer of 2001 with six public workshops on specific zoning issues.

Turnout at these sessions was large and enthusiastic, drawing participants from all over Chicago. The hundreds of people who attended workshops accounted for almost 300 different organizations, representing thousands of residents and businesses. The large attendance speaks volumes about the importance of updating the zoning ordinance.

Chicagoans have spoken loud and clear, and the Commission has listened. What we heard is that the new zoning ordinance should maintain the physical character of Chicago's neighborhoods, which in many cases is based on the cultural diversity of our city. It should provide a shield against out-of-scale buildings, and protect important quality-of-life features, such as public open spaces and private yards. But the new zoning code must also balance protection of neighborhood character with the need for continued growth and economic development. The new zoning ordinance cannot be a barrier to jobs and industry. The new zoning ordinance must also be predictable, understandable and enforceable. It must be written to make the intent and purpose clear to developers, property owners, residents—everyone.

The Commission took those comments, and sought out the best practices of zoning regulations from cities across the country to develop recommendations for further public review. The Commission has adapted those best practices to fit Chicago's unique needs and is presenting them in the following chapters of this progress report.

Every effort has been made to make recommendations that will improve the quality of life of all Chicagoans. We hope that publication of this interim report will encourage everyone to stay informed, and to continue to participate in the zoning modernization process.

*Community meetings held in late 2000 throughout the city highlighted the need for zoning reform. Some of the comments we heard at those meetings are included in this report.*

#### Recent Zoning Ordinance Amendments

1990	Goose Island and Elston Corridor PMDs
1991/99	Landscape Ordinance
1991	Public Way Tree Planting
1991	Riverfront Protection
1993	Special Districts Enabling Legislation
1994–99	Approval of 24 Special Districts
1993	Adult-Use Restrictions
1996	Michigan Avenue Sign Ordinance
1998	Townhouse Design Standards
1998	Open Space Impact Fee
1998	Kinzie Industrial PMD
1999	Strip Center Design Standards
1999	Parking Garage Standards
1999	Drive-Thru Business Standards
2000	State Street/Wabash Sign Ordinance
2000	Commercial/Office (C5) Zoning
2000	Height Limits in R4 and R5 Districts
2001	Posting of Public Notice Signs
2001	Height Limits in Business/Commercial Districts
2001	Chicago/Halsted PMD
2001	Downtown Bonus System Update

# Protecting Residential Character

*“Neighborhood protection is what the originators of zoning had in mind.”*

Resident, Northwest Side

Chicago is a city of neighborhoods—and the vast majority of its residential areas have a very consistent scale and character. A new zoning ordinance should reinforce these established patterns, which will help stabilize property values and encourage continued investment.

Most of the city’s low- to moderate-density neighborhoods were built prior to any zoning regulations. Builders used common development practices for each area. Front and rear yards on any given block were generally of an equal size. Yards were used as yards, not as paved-over parking pads. Building heights were matched to the surrounding structures, not to what could be squeezed out of regulatory loopholes. During the past decade, however, many developments have deviated from those traditions.

The city has taken steps in recent years to protect neighborhood character. Height limits have been established for some zoning districts and “special districts” were created to preserve neighborhood character through requirements for consistent building setbacks and prohibitions on blank walls, street-facing garages, and “patio pits.” Such improvements have had a positive impact on neighborhoods, and the time has come to extend them to residential areas throughout the city.

This chapter is directed at solving some of the character issues that face Chicago’s neighborhoods, focusing specifically on the middle-R districts—R3, R4, and R5—where a great deal of new development has been occurring in recent years. The recommendations are designed to ensure that the city’s new zoning code will reflect the existing character of our famous neighborhoods.



## Key Recommendations

- Replace the bulk control formulas (FAR) used in some residential districts with building height, setback and coverage limits.
- Eliminate front yard interruptions—such as driveways, blank walls, and patio pits—while ensuring that residential buildings have consistent setbacks in both front and rear yards.
- Remove the regulation that encourages high-rise residential buildings in areas where mid-rise development would be more compatible.



## Regulating the size of buildings in a more predictable manner

Since 1957, many Chicago neighborhoods have had a sort of sky's-the-limit policy for new development. This is because floor area ratios (FARs), the ordinance's chief method of regulating building size, do not control building height, width or depth; they merely

*These two examples point out the need for minimum rear yard requirements.*



control the amount of floor area contained within a building.

During the hot real estate market of the 1990s, many neighborhoods learned the shortcomings of FAR the hard way. Changes in consumer preferences and building practices—particularly the trend toward larger dwelling units and taller floor-to-ceiling heights—began to render FAR irrelevant as a predictor of residential bulk/scale. In the absence of size limits, new three-flats and condominium buildings were being built that dwarfed neighboring structures.

Sometimes these new buildings contained an identical amount of floor area and dwelling units as nearby buildings. Yet they appeared to be a story or more taller than their neighbors. This phenomenon was particularly prevalent in R4 and R5-zoned neighborhoods, where new buildings were being constructed at a scale completely out of context with the area's established building character. As a result, in 2000, the City Council amended the zoning ordinance to impose maximum building height limits in R4 and R5 districts: at 38 and 45 feet, respectively (Last year, maximum building height limits were also imposed in some of the Business and Commercial zoning districts because they too were experiencing new construction that was sometimes out of context with existing buildings.)

The addition of building height limits has gone a long way toward preserving the established scale and character of the city's older neighborhoods. But it also has had an unintended consequence—hastening the disappearance of back yards. Since height limits now prevent buildings from going up, they are increasingly going back, thereby covering more of the rear portion of the lot. The space traditionally used for an open back yard is often gone.

This phenomenon of the “vanishing back yard” is not due solely to larger building footprints. As a matter of fact, increasing pressure to build larger buildings (thereby minimizing per-square-foot building costs) has been working to reduce rear yards for years. Moreover, off-street parking also is consuming much of the available open area on a lot, as are porches, decks, and other rear yard structures. The net effect is that the character of Chicago's back yards is changing. The sense of open space that a neighborhood



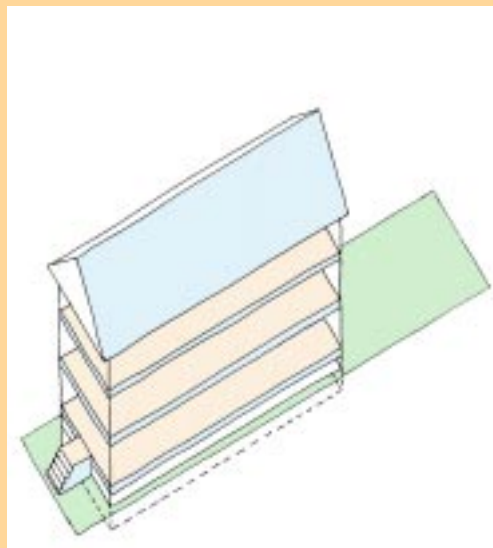
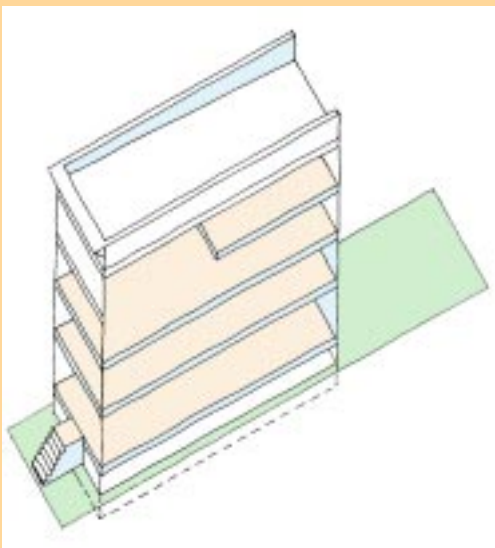
## Why are these new buildings so tall?

*“Loft-like duplex unit. Soaring ceilings. Dramatic entry.”*

These terms began popping up in real estate ads during the 1990s for buildings like the one above. These structures tower over their older cousins for three key reasons: taller ceiling heights, basements that morph into living spaces, and upper-floor mezzanines.

Basements now rise out of the ground a half story. Above that are two floors with 12- to 14-foot ceilings (compared to the 8- or 9-foot ceilings of the past). Top floors often measure nearly 20 feet and feature half-floor mezzanines. Add an extra two feet per floor for beefed-up ceiling joists and you’ve got a towering 55-foot “three-flat on steroids.”

The drawings contrast a new three-flat (below left) with an older version, whose height was typically no more than 35–40 feet. Also note the newer structure’s mezzanine and basement, neither of which counts toward the building’s allowable floor area (FAR).



*Current front yard setback requirements do not take into account the setbacks of existing buildings. This creates a “gap-tooth” effect on some streets.*



resident once had, when looking down a block, is diminishing.

The new zoning ordinance should replace FAR as a means of bulk control—at least in the middle-R districts—and move instead to a series of simple building height, setback, and lot coverage limits. This will ensure that new buildings will better fit in with two of the key aspects of residential neighborhood character—building heights and lot coverage.

These new coverage and setback controls will ensure that some usable open area exists on each residential lot. To address the impacts of open-air parking, the ordinance should perhaps require that landscaping and screening be used to soften the effect of these “hardscapes,” while ensuring that at least some unpaved areas remain in rear yards.

## Preserving the character of the street

The character of a neighborhood is strongly related to the appearance of its individual streets. For instance, what are the sizes of the yards and are they used for open space or parking lots? How do the buildings on an individual block relate to one another? Do they have windows facing the street or are they blank walls?

### Correct the gap-tooth effect

Have you ever walked down a sidewalk and noticed the very irregular sizes of front yards? That “gap-tooth” effect, which is caused by some buildings having generous front yards and others being built very close to the sidewalk, often is a consequence of zoning’s rigid rules for front yard residential setbacks.

While intended to produce a fairly consistent depth of front yards along a given block, these regulations often can have just the opposite effect. The reason is that many of the city’s older buildings were constructed before zoning took effect in 1923. Builders at the time simply lined up their structures on a block. The result: uniform front yards and a consistent streetscape.

With the advent of new “infill” development in many of Chicago’s established neighborhoods, new buildings must adhere to minimum front yard setback requirements, which often are out-of-synch with the practices used by earlier builders. By requiring conformance



with these setback requirements, the city's zoning ordinance sometimes mandates that new development not fit the context of the existing neighborhood.

We think "averaging" provisions for front yards are the solution. These context-based regulations would reflect the setbacks of buildings to either side, rather than rigid zoning rules that may not reflect an area's existing character. Since many older structures in residential neighborhoods are placed closer to the sidewalk than the ordinance now requires, the most common effect of setback averaging provisions would be to allow buildings somewhat closer to the sidewalk. In other cases, however, setback averaging could work to impose a greater front yard requirement where buildings along a block have very deep front yards.

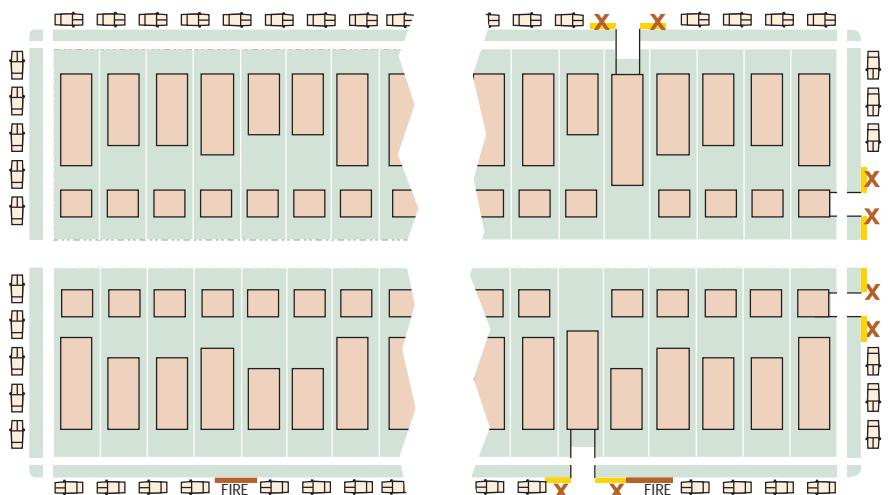
### Eliminate street-facing garages

Alleys are great, and a drive through nearly any new suburban subdivision will quickly remind you why. In many suburban communities, it is difficult to locate the actual house, since the main feature along many streets is a set of oversized garage doors. The wide driveways serving these street-facing garages are filled with parked cars and, on trash day, garbage cans. Because of the frequency of curb cuts, there are fewer on-street parking spaces and a greater potential for safety conflicts between pedestrians and vehicles. Many communities are now drafting rules that discourage street-facing garages, both for safety and aesthetic reasons.

Now imagine Chicago without alleys. The ground floor of nearly all new residential buildings would be composed almost entirely of garage doors. Our streets would be an endless series of curb cuts breaking the flow of the sidewalk. Yards would virtually disappear, and the amount of on-street parking would be diminished.

The city's comprehensive system of alleyways should be protected and extended into new developments. That way, whenever an improved alley is present, front driveways and street-facing garages can be prohibited and alleys can be used for the service and conveniences they were always designed to handle. We believe this small, but important, change is one of the keys to preserving safe and attractive, Chicago-style neighborhoods.

*Among the problems caused by street-facing garages: parked cars blocking sidewalks (below) and the loss of on-street parking spaces (indicated by the Xs on the block plan at bottom).*



### Front yards—not patio pits

The zoning ordinance refers to them as “below-grade patios or terraces.” Many residents simply call them “patio pits.” Both terms are intended to describe those sunken, walled-in, concrete slab boxes that have been installed in the front yards of many newer residential buildings.



Patio pits theoretically provide small outdoor spaces for ground-floor residents. However, they appear markedly out of place in most city neighborhoods. They disrupt the sense of open space created by continuous open front yards along a block of residences. Because they’re paved, they substitute concrete for front yard green space. Because they’re below grade, they turn a walk along a public sidewalk into an experience akin to looking down from the edge of a canyon wall. Finally, they function more as receptacles for leaves and litter than they do as usable open space for residents.

Below-grade terraces and other excavations should be prohibited within all front yards.

### No more blank walls

One wouldn’t think that such a topic even needs to be addressed. After all, what builder or architect would deliberately construct a building with blank walls facing the public street in a residential neighborhood? Yet, it happens, and the result is one of the most negative consequences of an urban fortification style of development—lifeless

*“Patio pits” (above) and blank building walls (below) should be prohibited in the new zoning ordinance if we are to protect the pedestrian character of neighborhoods.*



spaces, lacking the sense of safety we feel when doors and windows provide “eyes on the street.”

Our recommendation, therefore, is to require that a certain percentage of all street-facing walls include windows, doors, or similar features that would prevent blank walls. Requiring that front doors face the street is another possible solution.

## Eliminate the “high-rise mandate”

Most people assume that the high-rise buildings lining the lakefront were built that way because of the desire of their property owners. For the most part, that’s probably true. However, it’s also true that, under the 1957 zoning ordinance, any property owner who wants to take advantage of their high-

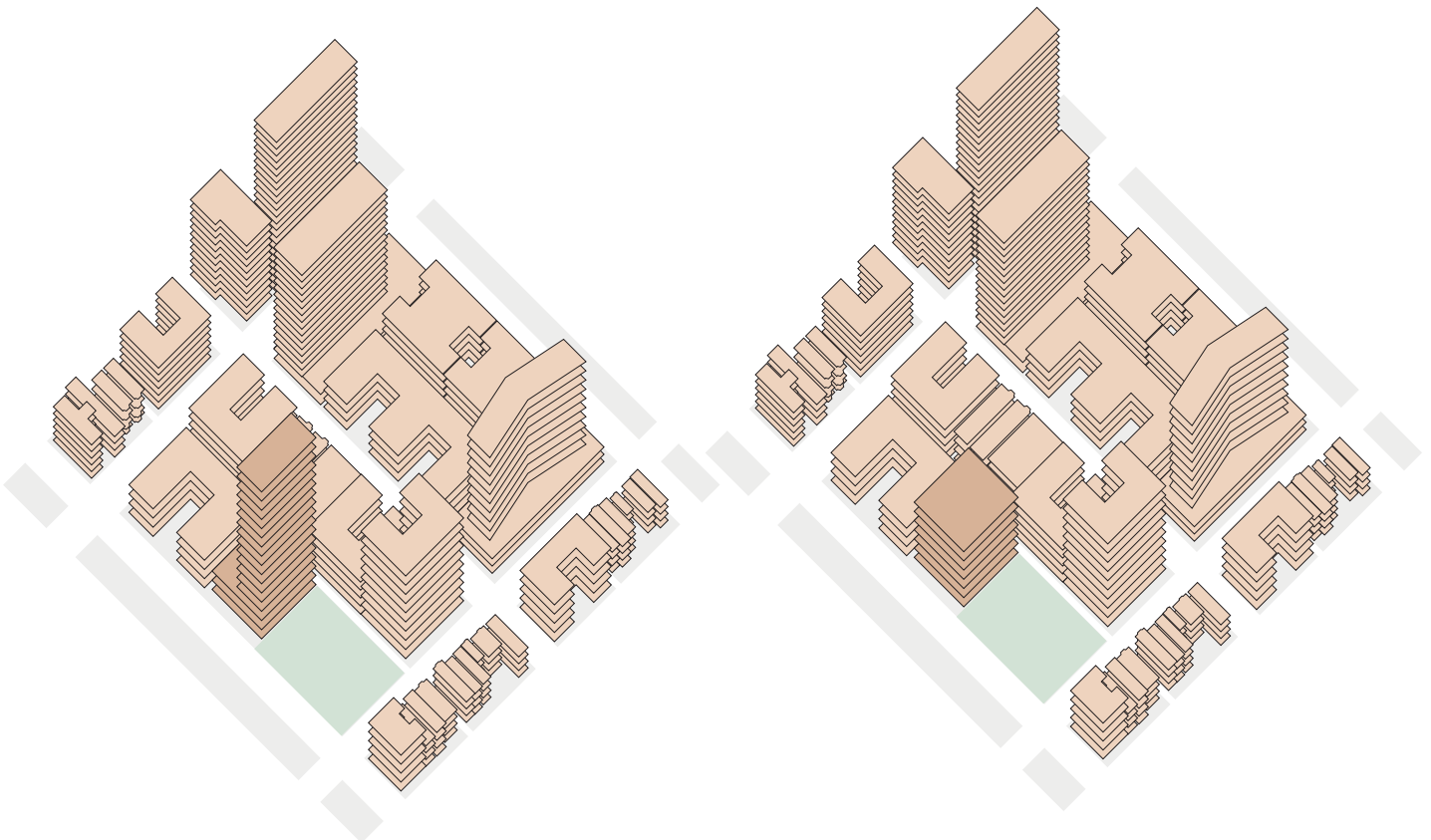
density zoning district (R6–R8) is required to build a tall slender high-rise.

This “high-rise zoning mandate” occurs because the ordinance limits the amount of building lot coverage to 50 percent—for residential buildings over 30 feet in height in those types of zoning districts. These provisions were intended to ensure sufficient sunlight and open space in high-density residential districts.

Many agree this “tower-in-a-park” zoning requirement has had undesirable effects outside of the Central Area, especially in those areas along the lakefront where there is a more mid-rise residential character.

Therefore, we are recommending that the existing lot-coverage limit be eliminated and that developers in high-density “R” districts have the option of building structures that better fit with existing neighborhood building patterns.

*Existing high-density residential zoning limits the area of upper floors to only half the lot size (below left). The “zoning mandate” to build tall buildings should be eliminated to allow the option of shorter buildings (below right), which can be more consistent with an area’s established character.*



# Making Districts Fit Our Residential Neighborhoods

*"We need a new zoning district, somewhere between R3 and R4, which would allow two units on a 25-foot-wide lot."*

Architect, Near West Side

**T**wo-flats. Rowhouses. Three-story graystones. They're some of Chicago's most popular residential building types, constructed during an era before zoning regulations. Yet, ironically, these structures could not be built in many city neighborhoods today—simply because our zoning districts often are not properly tailored to fit current housing needs or choices.

In order to build a "two-flat"—which is a two-story building containing two separate housing units—you would first need to be located in a mid-density zoning district. Unfortunately, that type of (R4) zoning district also would permit much denser developments, including four- or even five-unit structures that would dwarf a modest two-flat or bungalow. Meanwhile, the R3 district severely limits housing options beyond detached, single-family residences. The result is that many of today's neighborhoods are caught between districts.

This same dilemma also occurs in some of the city's "high-density" residential areas, where a simple jump between zoning districts can be the difference between a pleasant neighborhood and one where the number of cars begins to overwhelm local streets, alleys, and backyards.

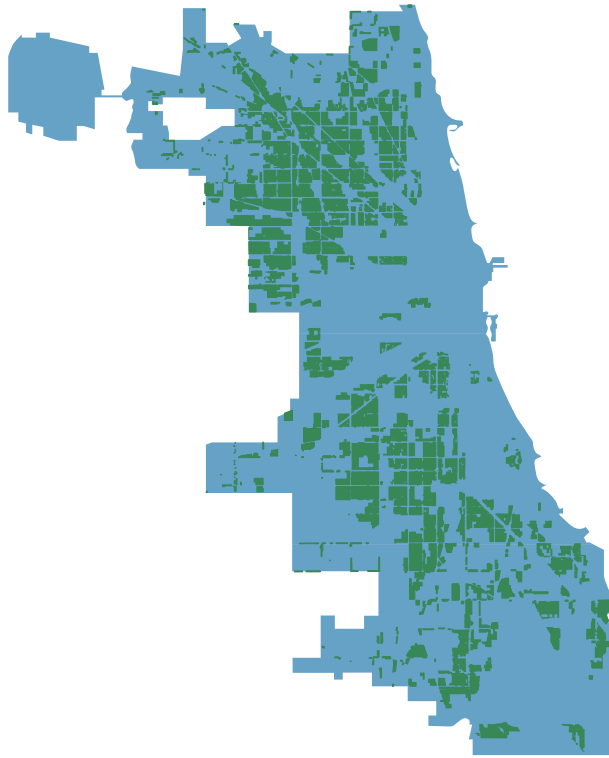
"Special district" zoning has addressed this issue in some neighborhoods. But the lessons learned from that recent initiative need to be expanded—in a comprehensive way—throughout the city.



## Key Recommendations

- Create a new residential zoning district (R3½) to fill the gap between current R3 and R4 districts, thus protecting neighborhood character while providing options for property owners.
- Develop a new residential district (R4½) to fill the gap between current R4 and R5 districts, again to create more housing opportunities while protecting existing neighborhood character.
- Consolidate the high-rise residential districts (R6–R8)—which together account for less than half of one percent of the city's land area.





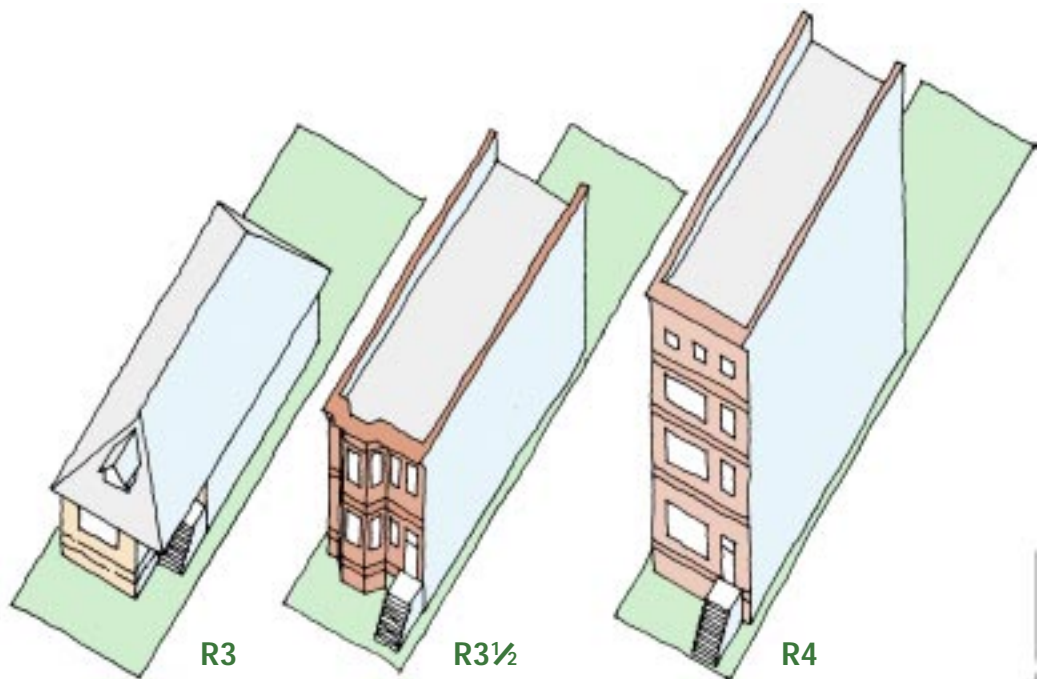
*R3 zoning, which covers 20% of the city (green areas on map), provides for single-family residential development. A new “R3½” district would encourage new two-flats, townhouses, and other housing options—but not at the higher densities of the current R4 zoning (below).*

## Create a new “R3½-style” district

“R3” is the most widely used zoning classification in Chicago. It’s termed a “general residence district,” even though it is primarily designed for detached houses. Because of its flexibility to accommodate a variety of existing conditions, R3 has a bit of an identity problem. In some neighborhoods it serves as a small-lot single-family district, just as it was designed to function. In other areas, R3-zoned lands now contain a mix of two-flats, three-flats, and even larger residential buildings, many of which were rendered nonconforming by downzonings.

Residents in many Chicago neighborhoods view “R3” as a very desirable zoning classification because it effectively ensures that most new development will be single-family and low-density in character. However, the very things that make R3 an attractive zoning designation from the standpoint of some, make it unattractive to others.

Because of its low maximum floor area ratio (0.9) and density (1 dwelling unit per 2,500 square feet of lot area), R3 discourages very large houses, two-flats, townhouses and other multi-unit housing types. Although recent zoning amendments, such as changing the maximum FAR from 0.7 to 0.9, have made the district more attractive to builders, there remains considerable pressure to rezone R3 parcels to higher zoning classifications,



simply to permit larger houses, two-flats, three-flats and townhouses.

Based on comments from local officials, community residents, and builders, we are recommending two very different R3-style districts. Both would recognize the multiple roles this district plays in the development of our city's residential neighborhoods. Specifically:

- A "small-lot single-family" R3 zoning district would retain the existing bulk standards of the current R3 district, but would only allow detached houses to be constructed. This would be an attractive zoning classification for the conservation of existing R3 neighborhoods, where detached, single-family houses predominate.
- A second R3-style district (call it "R3½") would allow two-flats to be constructed on a standard-sized city lot (25 x 125 feet), and would allow new townhouses to be built on slightly larger lots. This district would address the gulf that now exists between R3 (which can be too restrictive in some settings) and R4 (which can be too permissive in some settings). The new R3½ district would have bulk standards to protect the physical character of "in-between" neighborhoods.

## Create a new "R4½-style" district

If you live just a few blocks west of the lakefront, there's a good chance your residential zoning is R4 or R5. And, if you've been to a community meeting to discuss a property owner's request for rezoning, chances are you've heard that the proposed development project "didn't quite fit" R4. Yet, at the same time, it was nowhere near the level of development that would be allowed by an R5 zoning classification.

One of the most familiar criticisms of the city's existing residential zoning districts is that the "jump" between some categories is too steep, meaning that allowed density and floor area can increase dramatically from one district to the next. The current transition between R4 and R5 is perhaps the best case-in-point. As you move from one district to the next, the maximum permitted floor area nearly doubles—from an FAR of 1.2 to 2.2—and the allowed density increases by more than 100%.



*Current R5 residential zoning (top) would permit 400 housing units (yellow dots)—far more than the 179 currently located on this block in Wrigleyville (bottom). But R4 doesn't fit because too many buildings already exceed the density allowed by R4 zoning.*



To address this issue, we're recommending that a new "bridge" district be created between R4 and R5. This R4½-style district would help smooth the transition between current districts, while offering a viable zoning option for neighborhoods that have an existing character that falls somewhere between R4 and R5. It should be noted that even if the city moves to a system that regulates building scale through height, setback and coverage limits, there will still be a need to establish a bridge district between the R4 and R5 classifications.

## Consolidate the current high-density districts

The term "high density" means different things in different places. In the suburbs of Chicago, high-density residential zoning can

mean anything over 12 or 15 dwelling units per acre. In the city itself, high density translates to R6, R7, and R8—and that means high density, up to 400 or 500 units per acre and no maximum building heights.

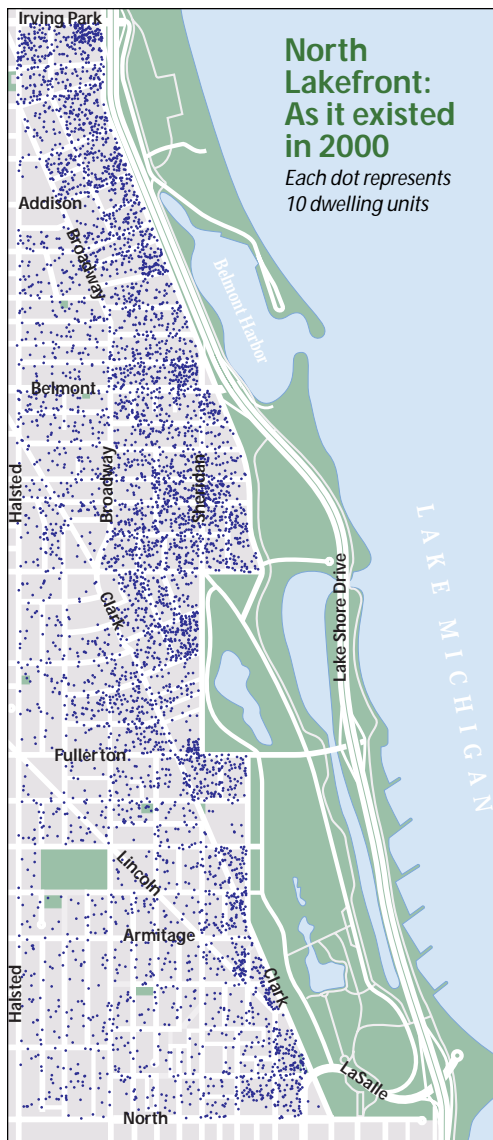
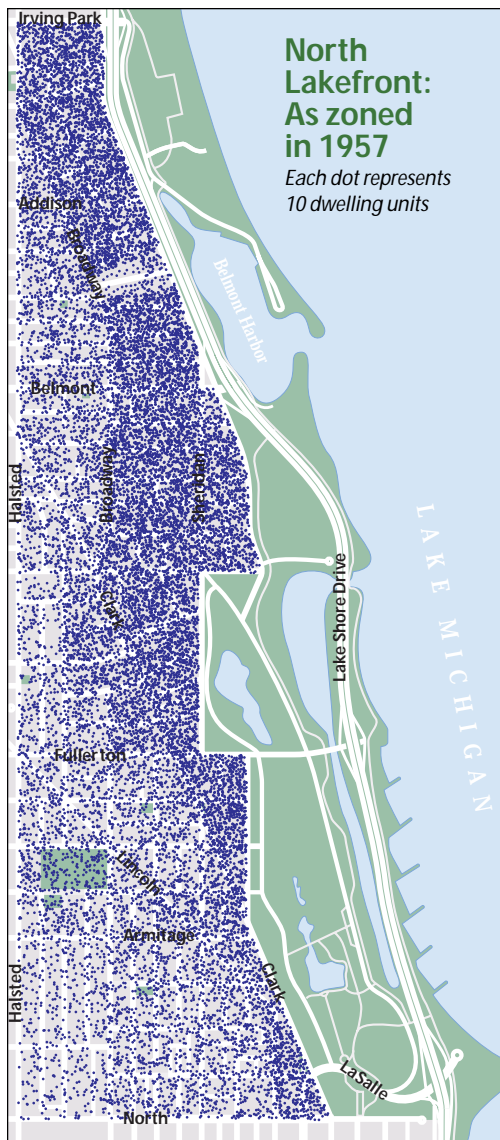
Very little R7 and R8 zoning actually exists in Chicago—less than half of one percent of the city's land area. However, the specter of new apartment buildings built to this potential causes shivers for many residents of lakefront neighborhoods, where most of these zoning categories now exist.

A recent study of the North Side provides stunning evidence of the permissiveness of the 1957 ordinance's high-density residential zoning scheme. The study, which examines development patterns in the area bounded by North Avenue, Irving Park, Halsted, and Lake Michigan shows that if the area now zoned

*Much of the city's lakefront was zoned R7 and R8—permitting densities well in excess of what now exists.*







	Maximum Density (dwelling units per acre)	Maximum Floor Area (per acre)
R1	6	21,780
R2	8	28,314
R3	17	39,204
R4	43	52,272
R5	108	95,832
R6	249	191,664
R7	363	304,920
R8	479	435,600

*In an area many already consider congested with 54,000 units (2000 Census), the 1957 zoning ordinance would have permitted more than 200,000 housing units (far left).*

for high-density residential had been built to its full potential, there would be well over 200,000 dwelling units in the area. Compare that with the 54,000 housing units that now exist in that area.

The findings are remarkable: in an area of the city many consider to be congested now with a population of just over 100,000, the 1957 ordinance would have allowed nearly one-half million people.

Disputes over the permissiveness of the city's high-density residential districts date back to the years immediately following adoption of the current zoning ordinance.

This dissatisfaction led to passage in 1973 of the Lakefront Protection Ordinance, which did not downzone the lakefront, but did mandate public hearings on any new

lakefront development. Fears about the impacts of high-density, high-rise development also gave rise to a steady spate of downzonings during the late 1970s in several lakefront neighborhoods, including the Gold Coast, Hyde Park, Lincoln Park, and Lakeview.

It is our recommendation that the existing three districts be consolidated—with an allowable density approximating the current R6. Tougher district standards also should be developed to help mitigate the impacts of traffic, parking, and other issues related to high-rise/high-density residential buildings.

# Strengthening Business Districts

*“Strip-style development has got to stop. We are turning the city into the suburbs. We need to encourage a more pedestrian-friendly retail environment.”*

Community activist,  
East Village

**B**usiness and commercial zoning districts are where we work, shop, play, and—in some cases—live.

Chicago’s original (1923) zoning ordinance included a single commercial zoning classification that was applied along virtually every major street in the city. In contrast, today’s ordinance includes 52 different business and commercial zoning categories.

These districts are applied to some 700 miles of street frontage—roughly the distance from Chicago to Washington, D.C. As some observers have noted, that’s enough B- and C-zoned land to serve a city of eight million, or nearly triple the city’s current population.

The result is much more commercially zoned frontage than we need, which often means vacant lots, boarded up storefronts, and underutilized buildings. At the same time, ironically, we may not have enough viable sites for today’s commercial marketplace. Many of our B- and C-zoned lots are very small, and their shallow (125-foot deep) configurations make it difficult to assemble sites for modern retailing.

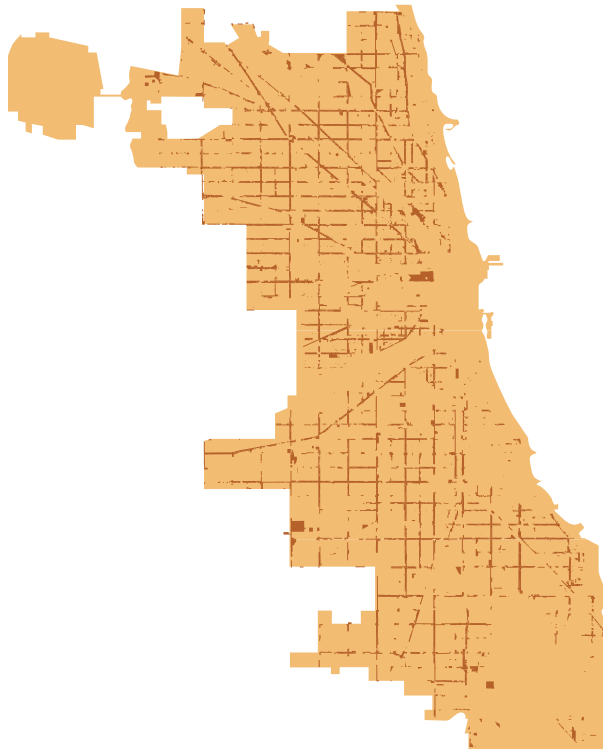
In recent years, some retail areas of the city have been revitalized due to investments in nearby residential areas and to new residential developments interspersed with businesses along those streets. One way to continue these positive trends is to rethink our categories of commercial districts. Which ones are tailored to heavily pedestrian areas? Which are more appropriate to auto-dominated streets? And what about those corridors in between?



## Key Recommendations

- Create a new commercial zoning district that allows a mix of residential and retail uses, in order to activate underutilized streets.
- Reduce the current number of B and C districts—from 52 to approximately 15—while better matching zoning classifications to modern market needs.
- Protect “pedestrian-oriented streets” through appropriate standards.
- Create criteria for major commercial streets whose functions are clearly “auto-mobile dominated.”
- Create criteria for “transitional” commercial streets, which provide for a mix of both pedestrian and auto-oriented uses.





## Allow residential uses in certain districts

Zoning is good at keeping bad things from happening, such as an industrial plant locating in the middle of a thriving residential neighborhood. However, occasionally—and usually unintentionally—zoning also keeps some good things from happening.

This is the case with some of our city's underdeveloped commercial streets, which are the "store windows" to our neighborhoods. Yet, because of the city's oversupply of commercially zoned land, many of these streets are pockmarked by vacant lots and empty storefronts. While the neighborhoods located behind them are often vibrant, their commercial front doors give a quite different appearance.

We need to find ways to accommodate residential development in some existing commercial zoning districts. While most of these districts allow housing above the ground floor, none of them allows housing units at the street level or in stand-alone structures. Instead of providing more activity along a street, just the opposite occurs—less street life.

To address this issue, we're proposing the creation of at least one mixed-use "commercial-residential" district that allows—as-of-right—residential buildings next to commer-

*Commercial zoning is largely strung along the city's former streetcar lines, a pattern that doesn't always reflect the needs of today's retailers. We propose that new residential buildings (below) be permitted in some of these areas.*



cial and mixed-use buildings. While such a district won't necessarily be appropriate for all streets, it will provide an important zoning tool to revitalize some streets.

By providing a greater range of housing options, this also could have a positive impact on housing affordability. The new residential uses could include artist housing, more rental opportunities, and housing for the elderly—where the proximity to mass transit, retail districts, and other pedestrian-oriented activities would be especially valued.

In order to maintain the scale of these existing districts, height limits, which were instituted by the City Council in 2001, should be retained for the new districts. These height limits, which now apply in most business and commercial districts with “dash 1, 2 or 3 suffixes,” generally restrict buildings to between 38 and 65 feet in height, depending on the width of the lot and the type of ground floor use.



## Consolidate districts to better reflect the marketplace

The city's current selection of 52 different business and commercial districts needs to be reorganized. Our jumble of districts causes confusion. Moreover, many of the districts no longer reflect the reality of today's commercial and business marketplace.

By creating a set of clearer and distinct groupings of districts, it also should be possible to link the new zoning classifications more closely to community redevelopment goals. This will better reflect the city's desired commercial character for the 21st century.

We believe the city's 52 existing “B” and “C” zoning classifications can be reworked into five districts, with only a few density and building-size variations in each one.

*Areas such as Roscoe Village already have a lively mix of business and residential buildings. Existing zoning districts could easily be consolidated, as shown in the chart below.*

Description	Use Types	Equivalent Existing District
<b>Neighborhood Commercial</b>	retail and neighborhood service uses, residential and/or office uses above the ground floor	B1, B2, B3
<b>Commercial-Residential Mixed-Use</b>	retail, neighborhood service, office and residential uses	B1, B2, B3
<b>Community Commercial</b>	broad range of retail, service, office, residential uses above the ground floor	B4, B5
<b>Commercial, Employment, Entertainment</b>	office, high-technology, entertainment, wholesale, distribution, commercial and manufacturing uses (no residential)	C5
<b>Commercial Service</b>	commercial and service, including some low-impact manufacturing	C1, C2, C3

## Addressing the character of commercial areas

In addition to market-related issues, we also need to address the physical character of our commercial areas. New district regulations should build on the successes of the city's new strip mall, drive-thru and landscaping standards. These types of provisions should be expanded to promote functional and attractive commercial areas that serve as positive assets to the residential communities they border.

If commercial streets are the store windows to our treasured neighborhoods, then care must be taken to ensure that those windows present a positive image. As with the residential districts, commercial character is all about how an area looks and functions. Of course, not all of our commercial areas are the same, and a one-size-fits-all strategy will not work.

One way of helping craft new zoning districts is to first identify the city's different types of commercial areas. In turn, these classifications might help form the necessary criteria to guide redevelopment. Our analysis suggests there are three basic types of commercial places in Chicago:

- Pedestrian-oriented shopping streets, which are exemplified by such streets as

Wentworth Avenue in Chinatown, 26th Street in Little Village, and Armitage Avenue immediately west of Halsted Street. Stretches of pedestrian streets also can be found along Clark, Devon, 53rd, Lincoln, Milwaukee, 71st, and other streets throughout the city.

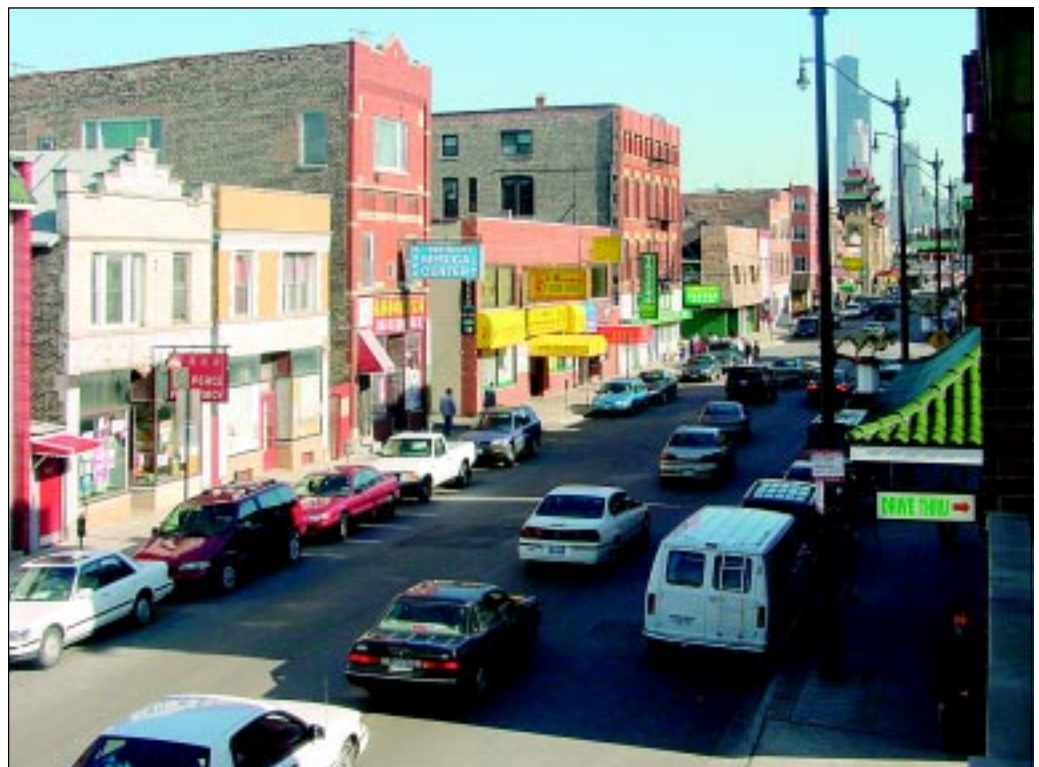
- Auto-dominated commercial streets, such as what currently exists along stretches of Ashland, Cicero, Stony Island, Harlem, and Western avenues.
- Transitional commercial streets, which are the (many) streets that fall somewhere in the middle.

### Pedestrian-oriented shopping streets

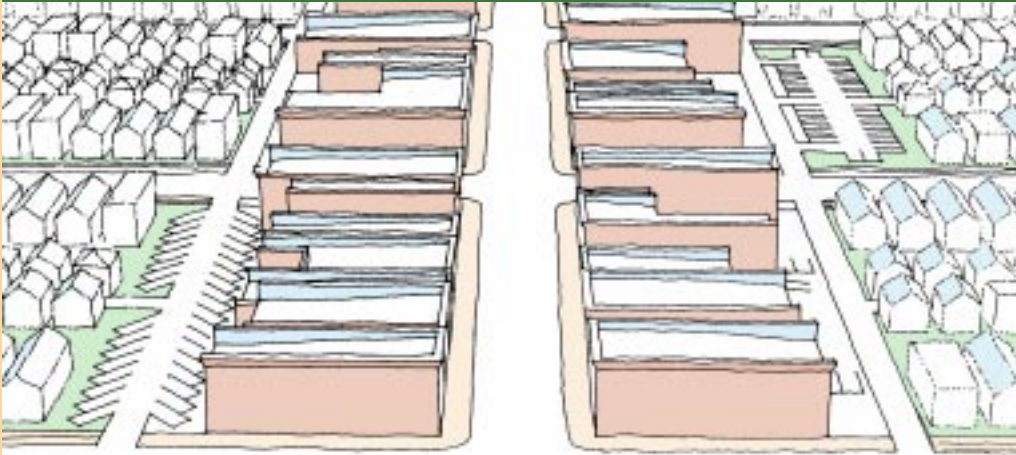
Chicago's best pedestrian-oriented streets are characterized by narrow rights-of-way, landscaped sidewalks, numerous small storefronts, and lots of pedestrians. Whether we think about it or not as we walk down these streets, the things that appeal to us are fairly simple.

The buildings in these districts, which are usually two or three stories tall, are built up to the sidewalk. There are few, if any, places where this "streetwall" has been broken up by parking lots, vacant parcels, or buildings set back far from the street. Large window areas

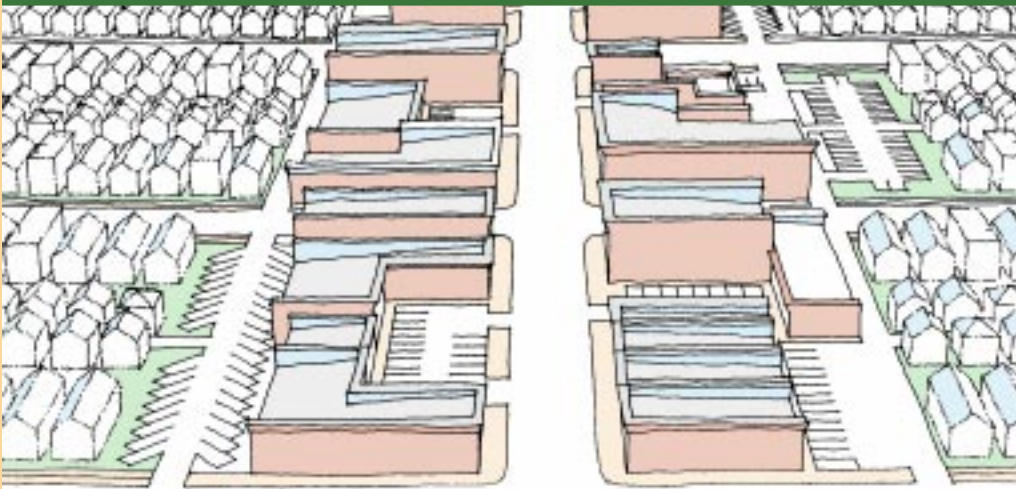
*Wentworth Avenue in Chinatown is one of the city's most distinctive pedestrian-oriented shopping areas.*



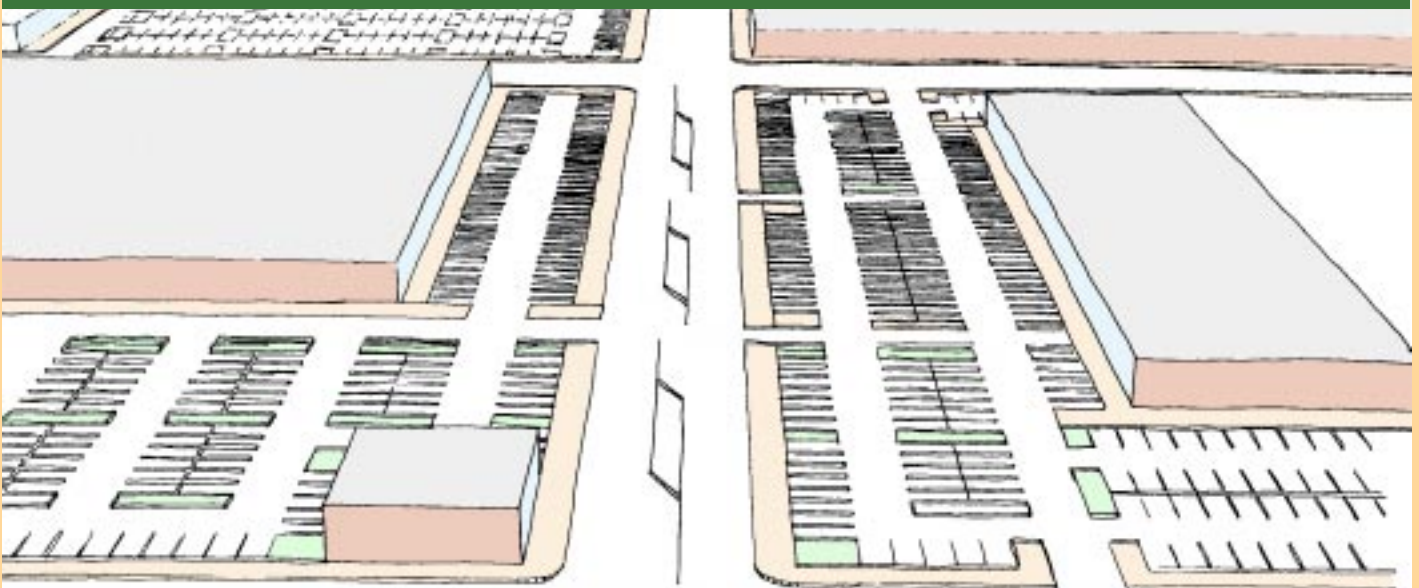
### Pedestrian-oriented shopping streets



### Transitional commercial streets



### Auto-dominated commercial streets



## Three types of commercial areas

All commercial streets are not created equal. They have different characteristics, functions, and appearances.

The **pedestrian-oriented shopping street** (top) is home to small neighborhood stores. They are characterized by narrow rights-of-way, numerous storefronts, and attract mainly pedestrians.

**Transitional commercial streets** (center) are Chicago's most common type of business area. The challenge is to accommodate cars and parking without destroying the area's attractiveness to pedestrians.

**Auto-dominated commercial streets** (bottom) are characterized by wide rights-of-way, parking lots, numerous driveways, buildings set back from the street—and traffic. Large stores may attract customers from the entire region. The challenge is to “soften the edges,” creating safe walking routes, efficient circulation, and well-designed parking areas.

line the sidewalk, providing views into the stores or to display areas inside the windows. Shop entrances are right next to the sidewalk, and the sidewalks themselves are fairly wide (at least six to eight feet). Transit access is usually excellent, and on-street parking spaces are typically located next to the sidewalk.

The sum effect is that we feel safe and involved as we walk along these pedestrian-oriented streets. We're protected from cars (since they're not crossing the sidewalk into parking lots) and we have easy access between stores. This is the same model that shopping center developers are now trying to recreate in suburban communities across the country. Chicago has attractive, walkable shopping streets, and we should preserve them.

Preserving the character of the city's best pedestrian-oriented streets will require the adoption of new development standards. These standards, which are geared toward preserving the qualities that make these areas attractive to pedestrians, should:

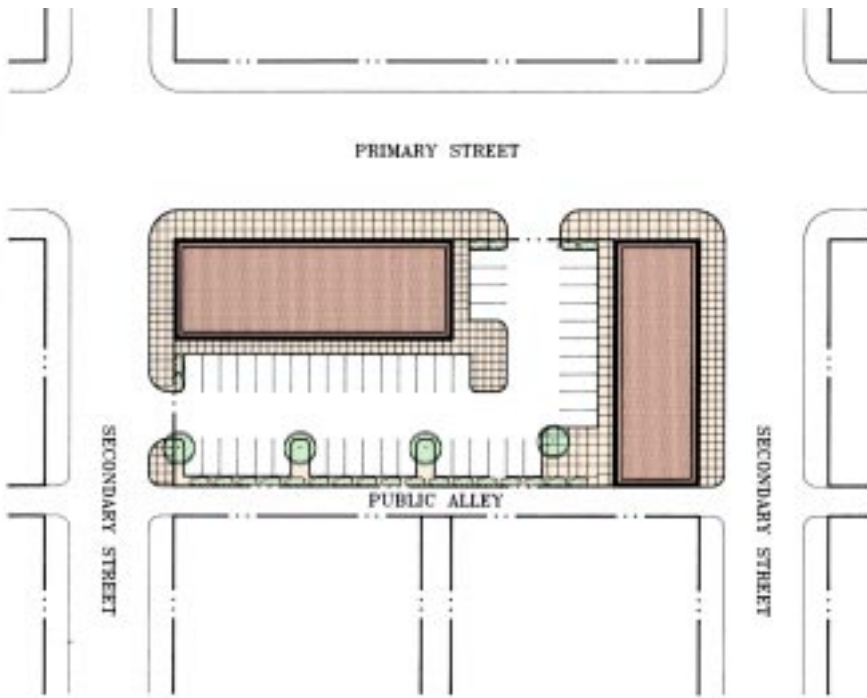
- Ensure preservation of a continuous streetwall by requiring that new buildings be built at or very close to the sidewalk, with special emphasis on corner buildings
- Mandate that a major portion (65-75%) of walls at street level contain display windows or other transparent elements to enliven the street-level pedestrian experience
- Require building entries that open onto the sidewalk
- Control the location of driveways and off-street parking areas that are accessed from the street
- Ensure uninterrupted sidewalk space

Establishment of these types of controls will help protect what makes Chicago's neighborhoods special.

### Auto-dominated commercial streets

In contrast to their pedestrian-oriented cousins, auto-dominated commercial streets are characterized by wide rights-of-way, buildings that are set back far from the street, numerous driveways and off-street parking spaces and automobile traffic.

Commercial development along such streets is geared almost exclusively toward attracting auto traffic. This emphasis can come at the



*Good site design can accommodate off-street parking (above) without interrupting the retail continuity of the street. Transparent storefronts (below) make sidewalks safer and more pleasant.*





expense of a commercial street's appearance and the safety of the pedestrians that walk along these streets, particularly near bus and transit stops, schools, and other pedestrian-oriented attractions. Rarely are there "pedestrian safety refuges" in large parking lots, which forces those who are walking—either from parked cars or from the sidewalk—to share driving aisles with moving cars.

Too many closely-spaced driveways can cause traffic to slow on the adjacent street and make it difficult for pedestrians to walk safely down the sidewalk.

Parking lots along auto-dominated streets are usually located prominently in front of the commercial buildings. Unfortunately, many have minimal or nonexistent landscaping. This not only makes them unattractive, it also provides no relief from heat buildup, which occurs as the sun beats down on a sea of unbroken asphalt pavement. Adding trees and shrubbery along the street and within parking lots makes good sense from both the customer and the environmental standpoint.

The proposed standards for auto-dominated streets would emphasize taming the most negative impacts through such standards as:

- Creating more sensible spacing between driveways along these corridors and more connections between abutting parking lots
- Providing safe walking routes and other pedestrian features in large parking lots
- Providing landscaping, screening, and appropriate buffers to "soften" large parking lots
- Creating sharing and/or interconnections of off-street parking areas between neighboring businesses

### Transitional commercial streets

Auto-dominated and pedestrian-oriented streets constitute the most recognizable commercial classifications in Chicago, but they are really the minority street type. Most streets don't fit neatly into either of these classes. Most, in fact, fall somewhere in between and we believe the new zoning ordinance needs to include standards for these "transitional" streets. As you might expect, the appropriate standards will need to be a blend of pedestrian street controls and auto-oriented standards.



*Chicago's commercial corners have traditionally been anchored by buildings that are built to the street line. New buildings (above) often don't observe this nicety. A better solution (below) positions the building at the corner, with an entrance serving both parking lot and sidewalk.*



# Creating Downtown-Specific Zoning

*"We're the hub of Chicago's retail and tourist industries, but we're also home to 25,000 people. How do we balance the two?"*

Community leader,  
Streeterville

**D**owntown Chicago has a unique and vibrant mix of activities. It's one of the biggest employment centers in the nation and its residential population would rank as one of the state's largest cities. The names of its various neighborhoods reveal its great diversity: Dearborn Park, the Loop, the Magnificent Mile, McCormick Place, Printers Row, River North, Streeterville, West Loop Gate, etc.

Downtown is characterized by a high-density office and employment core, surrounding mixed-use areas, diverse cultural, educational, and entertainment venues, thriving retail businesses, a wide variety of residential neighborhoods, and innumerable commercial and service uses. This mix of activities and uses is served by a traffic circulation system that relies heavily on public transportation and pedestrian activity but also accommodates a great deal of automobile traffic.

One advantage of making recommendations for the zoning ordinance at this time is that it corresponds with the preparation of a new Central Area Plan. This plan will summarize a series of recommendations aimed at helping Chicago continue to grow and prosper. To do that, the plan will identify new areas for office expansion and other potential growth corridors, as well as areas whose character should be protected and locations for open space and transportation improvements.

Many of the recommendations in this chapter directly relate to the discussions, proposals, and policy issues that arose as part of the central area planning process.



## Key Recommendations

- Create a set of new zoning districts that reflect the unique mix of uses downtown.
- Maintain current FAR levels, while considering extending zoning bonuses to certain mid-density districts.
- Institute “planned development” review for large projects in or adjacent to areas with special character.
- Create new design standards governing pedestrian amenities and signs on high-rise buildings.
- Continue to grant zoning bonuses for building design and pedestrian amenities, tied to areas identified in the Central Area Plan.



## Downtown Core (DC) district



We are proposing a new, downtown-specific zoning framework that includes four new districts:

- A Downtown Core (DC) district would support the Loop's regional role as a primary hub for business, communications, office, government, retail, cultural, educational, entertainment, and tourist activity. Despite its emphasis on office and employment uses, mixed-use and residential development should be allowed in the "DC" district because such uses make a vital contribution to the long-term success of the downtown core area.
- A Downtown Mixed-Use (DX) district would accommodate mid- to high-rise office, commercial, public, institutional, and residential development in areas that are well-served by transit and within walking distance of the Downtown Core (DC) district. Regulations for the "DX" district would promote mixed-use and housing developments with active ground-floor uses.
- A Downtown Residential (DR) district would support moderate- to high-density residential development and low-intensity, ground-floor commercial uses that have housing located on upper stories. Under this proposed "DR" district, low-density office developments also would be allowed on the lower floors of residential buildings when those uses would not conflict with the district's residential character.
- A Downtown Service (DS) district would accommodate many types of commercial and service uses that are essential for the livelihood of businesses and residents of the downtown and its surrounding neighborhoods. Under this proposed "DS" district, new residential development would not be allowed and standards would be included to ensure that uses in the district did not create problems for their neighbors.

## Downtown Mixed-Use (DX) district



Each of these new downtown zoning classifications would be specifically tailored to the diverse mix of uses and activities in the Central Area. The new zoning ordinance will spell out the overall purposes of each of the four new downtown zoning districts, while emphasizing how each will contribute to sustaining and enhancing the distinctive character of Downtown Chicago.

## Maintain FAR levels; consider bonuses for mid-density areas

What really distinguishes the Central Area from the rest of Chicago's neighborhoods are its high levels of development "intensity." Existing zoning encourages its large buildings and the new ordinance won't change that. Downtown continues to be an appropriate location for high-intensity development, due to its excellent transit access and the desire to maintain its status as a regional center of commerce.

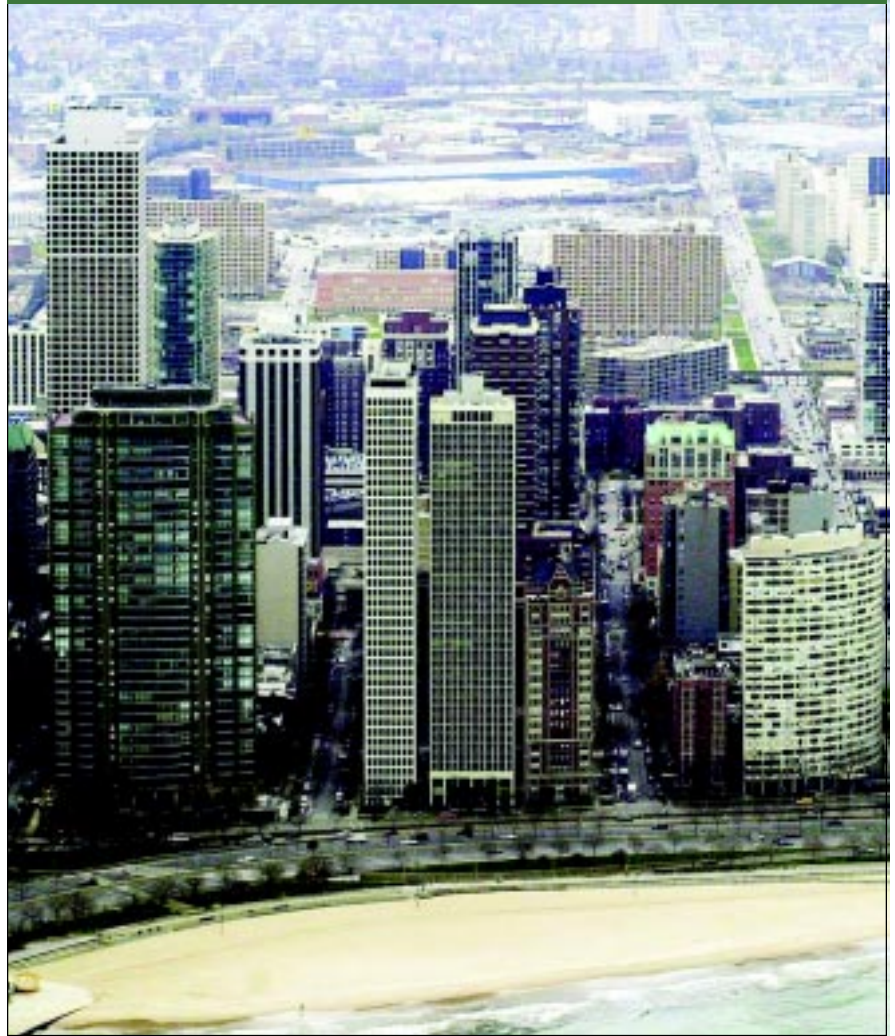
As in the neighborhoods, FAR (floor area ratio) is the method used for measuring the intensity of downtown development. Although some low-intensity zoning exists downtown, the majority of its districts are subject to maximum FARs of 16, 12, or 7—meaning that buildings can contain a floor area equal to 16, 12, or 7 times the size of the underlying lot area.

We are not proposing any changes to these base FAR standards. Buildings in the highest intensity areas will still be allowed a base FAR of 16 or 12, which can go higher with additional floor area "bonuses" for buildings that provide certain amenities, such as comfortable plazas and attractive winter gardens.

In terms of development intensity, the next level down are the zoning districts with FARs of 7 or lower. Currently, these districts are not permitted any floor area bonuses. As a result, there often are large jumps in building size between developments in these districts and those in the higher-intensity districts. This leads to frequent requests to rezone property from a district allowing an FAR of 7 to one allowing a base FAR for 12. Such requests are often viewed as allowing the potential for too much intensity.

To address this issue, this report recommends the creation of a new bonusable 7 FAR district to bridge the wide gap that exists between the current non-bonusable 7 FAR and bonusable 12 FAR districts. A bonusable 7 FAR classification should be tied to certain locations and specific design amenities such as upper-floor building setbacks, and bonuses will need to be carefully calibrated using the methodology employed in the recent downtown bonus system update. Note that bonuses

Downtown Residential (DR) district



Downtown Service (DS) district



are not being proposed for all areas with a base FAR of 7 nor for any areas of downtown that are subject to lower maximum FARs, such as 5 or 3. The new ordinance text and zoning maps will need to apply FAR standards that reflect the established character of areas within the downtown, particularly moderate density residential areas.

## Expand “PD thresholds” for sensitive areas

In order to supplement the FAR requirements for downtown zoning districts, existing Planned Development (PD) “thresholds” should be expanded in selected circumstances. Currently, the city’s review of PDs is triggered only when a proposed development exceeds a certain building height or lot size. Under our proposal, the PD height thresholds for the core of downtown would remain at 600 feet. However, we’re proposing that in and around special character areas—such as the Gallery District, the Courthouse District and the Prairie Avenue Historic District—the height thresholds would be reduced from their current levels.

This proposed change in PD thresholds would help ensure that large new developments are designed to fit into existing neighborhoods, particularly where the character of an area is strongly established. As today, these height thresholds will trigger a requirement for PD review only when buildings are proposed that would exceed the thresholds.

## Apply new design standards

Chicago’s existing downtown zoning regulations focus on two things: the basic dimensions of a building (“bulk regulations”) and a list of allowed uses. The new zoning ordinance should go further and ensure a high quality of life for those who live downtown by requiring neighborhood-type amenities in residential living environments. High-rise residential buildings should contain on-site open space and other features such as balconies, terraces and dog runs. Through such amenities, the qualities of neighborhood living will be available to residents of the city’s downtown neighborhood.

*The skyline tells the tale. There’s a dramatic difference between the allowable FAR in the low-rise areas of River North and the high-rise buildings of the Loop. A limited FAR bonus in return for such public amenities as upper-floor setbacks could reduce the demand for rezoning, while protecting the area’s essential character.*





Clear shop windows enliven downtown sidewalks and make them safer. Such amenities should be required on pedestrian-oriented streets.

We recognize that areas within downtown vary markedly from one another—in scale, form, and development intensity. One area may have a distinctive architectural style. Another may have unique building forms or street patterns. Still others will have activities related to their unique location—along the river, near a major park, or close to a special attraction.

*New buildings in areas of special character, such as the Courthouse District (below left), would trigger Planned Development review at a lower height than currently required. The goal is to improve buildings like the one built next to the Clarke House (below right), which can overwhelm such sensitive areas as the Prairie Avenue Historic District.*

To address these differences, we are proposing that a set of standards be developed to help reinforce and enhance the defining characteristics of different areas of downtown. Among the possibilities:

- Build-to line standards that ensure continuous streetwalls along public sidewalks, particularly on pedestrian-oriented streets.
- Upper-story setbacks for buildings in mixed-use areas, to keep new structures from looming over adjacent residential and other less-intensive districts.
- Limits on the number of street curb cuts, in order to provide for the safety of pedestrians and reinforce strong retail and residential character.
- Use of clear, non-reflective windows along sidewalks, to encourage activity and allow views into active retail spaces, atriums, courtyards, or public entries.
- Ensure the presence of high-activity uses on the ground floor of buildings lining major pedestrian routes.



*Upper-level setbacks in mixed-use districts (right) would be encouraged by the new zoning rules. Strongly discouraged: blank walls and frequent curb cuts (below).*



- Prohibit roof-mounted signs and require that all high-rise wall signs—those above 150 feet—be approved through the special-use process. See also “Reducing Sign Clutter.”
- Depict proposed design and character standards on new zoning maps, in order to show where and how the regulations apply.

## Tie amenity-based bonuses to specific areas

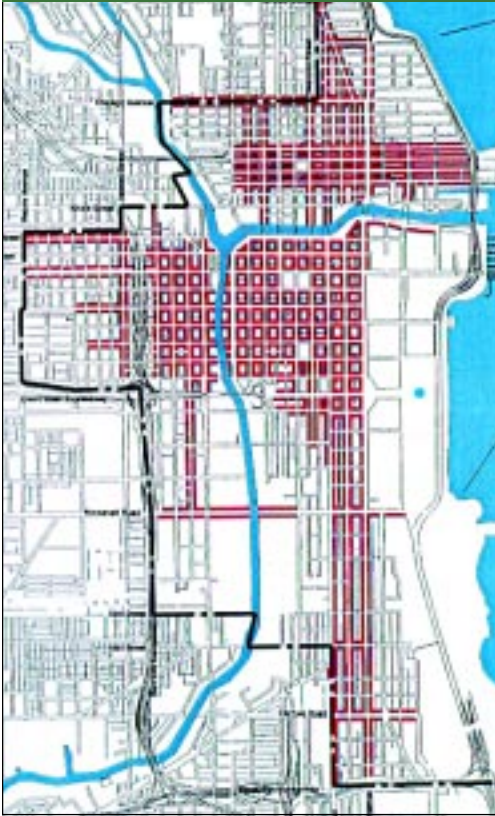
The process of updating Chicago’s zoning ordinance to address contemporary development issues is not limited to this current effort. It has been ongoing for most of the last decade.

One of the principal achievements of that effort came in February 2001, when the City Council adopted a new approach to down-





## Ground-floor retail frontage



town zoning bonuses. The new bonus system now offers the prospect of increased building area in exchange for tangible public amenities.

The old zoning bonus system had sometimes resulted in the granting of floor area bonuses for features of questionable value, such as barren plazas or narrow covered sidewalk arcades. The new system includes a major revamping of those rules designed to improve the quality-of-life experience for those who live, work, and visit downtown with public benefits, such as new open space, green roofs, and transit improvements.

The proposed new zoning code will incorporate the new bonus FAR regulations. But as previously mentioned, we are also considering a recommendation that would extend elements of the bonus system to lower FAR areas. This could help create a more gradual transition of development intensity between the Loop and surrounding neighborhoods.

As mentioned in “Promoting Housing Affordability and Choice,” one other significant change is recommended for the downtown bonus system: Adding affordable housing units to the list of project features that qualify for floor area bonuses.



*Zoning requirements will be tailored to support principles emerging in the new Central Area Plan, such as encouraging active retail frontage along selected streets (above left). New bonus regulations encourage amenities such as winter gardens (above).*

# Retaining Jobs and Attracting Industry

*"Companies will only make investments in their plant facilities if they know the area is going to remain as manufacturing."*

Economic development leader,  
Southwest Side

Chicago's manufacturing base is alive and well. Modern industrial areas are attracting new light industries while accommodating the expansion or modernization of existing manufacturers. The city's program of planned industrial corridors has identified those areas of the city that are best equipped to handle new uses, while helping to direct necessary public improvements and marketing efforts.

An updated zoning ordinance can help do even more to retain jobs and attract industry. The city has learned important lessons from its five Planned Manufacturing Districts (PMDs), which protect industrial areas from encroachment by incompatible uses. Goose Island, for example, is now full of industrial uses, where just a decade ago it was largely vacant. A major reason was the reassurance PMD zoning gave to companies that the area would not be invaded by residential and commercial uses.

Residential and commercial uses can afford higher rents, and the resulting higher land prices can discourage critical investments by manufacturers, leading to uncertainty, neighborhood complaints, and industrial displacement. The city's new C5 zoning district, created in 2000, creates another good model for the new ordinance. It encourages modern, employment-related uses, while discouraging large retail establishments and prohibiting residential uses.

In addition to protecting industrial uses, this report suggests two other improvements to the manufacturing district regulations: elimination of industrial performance standards and consolidation of existing M districts.



## Key Recommendations

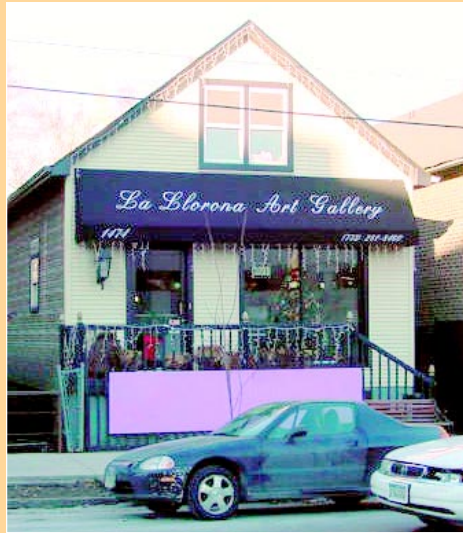
- Reduce the number of nonmanufacturing uses allowed in manufacturing districts.
- Replace antiquated “industrial performance standards” with landscaping, screening, and setback standards.
- Consolidate the number of existing manufacturing districts—from 15 to approximately six.



## Can you find the industrial use?

All these nonmanufacturing uses—and a number of others—are permitted in manufacturing districts under Chicago’s current zoning ordinance (from top to bottom): art gallery, grocery store, car wash, and tennis club.

The intrusion of these uses into “M” zones makes it harder for industrial employers to find appropriate sites and can discourage owners of industrial plants from making long-term investments.



## Reduce the number of nonmanufacturing uses allowed in “M” districts

When you think of manufacturing and industry, you think of businesses that produce products, assemble goods, or provide services. You don’t necessarily think of strip shopping centers, banks, barbershops, liquor stores, drug stores, restaurants, or community centers. Yet these types of nonmanufacturing uses, and others, are allowed in today’s manufacturing-zoned (M) areas.

While this may not seem like a big deal, it makes “M” districts unpredictable. Will an area remain a viable location for industry, or will it begin to change to more commercial uses? This creates uncertainty, which is bad for property owners and businesses considering investments. When businesses choose not to invest, it is often a sign that jobs will be lost—either to other area municipalities or to the region as a whole.

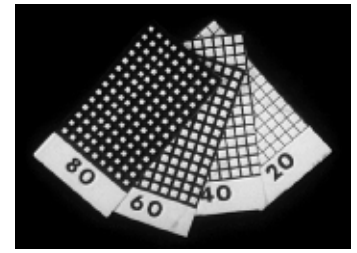
Also, when nonmanufacturing uses are permitted, it creates heightened competition for available M-zoned land. The resulting increase in land costs can cause displacement of existing manufacturing businesses. The city has successfully used Planned Manufacturing Districts to retain jobs and attract industry. These districts should continue to be used when necessary to address the needs of a particular area, and we must extend the lessons learned from PMDs to other areas of the city.

In the new ordinance, we are recommending that the range of uses allowed in “M” districts be trimmed to include just heavy commercial, office, and manufacturing uses. In doing so, Chicago will help ensure that M-zoned lands are reserved for industry and other value-added employment uses.

## Remove industrial performance standards

“Industrial performance standards,” a part of the current zoning ordinance since its adoption, deal with the environmental impacts of industrial uses, including: noise, vibrations, odors, and smoke.

Today, however, many different federal, state and local agencies work to ensure that industries are “clean” and that they pose no



A Ringelmann Chart (above) is used to measure the density of smoke, based on its percent of blackness. It's one of the many technical devices needed to enforce the current ordinance's antiquated industrial performance standards. Scenes like the one at left are increasingly rare because of stricter environmental regulations; today's industrial buildings (above left) are much better neighbors.

safety threats to nearby communities. We are, therefore, recommending that the new zoning ordinance replace industrial performance standards with more modern standards, such as those used in contemporary industrial parks to regulate landscaping, screening, and setbacks. We're confident that doing so will further mitigate the impacts of manufacturing uses.

## Consolidate districts

The current ordinance has 15 possible M-zoning districts. There are three basic "use" classifications (M1, M2, and M3), each of which can be combined with five different "bulk" classifications (-1 through -5). This fine-grained approach is no longer required to accommodate the typical building practices of modern industries. We believe the number of M-districts can be reduced



substantially—without sacrificing flexibility or land-use compatibility goals.

The first consolidation step would merge the M2 (General Manufacturing) use classification with the M3 (Heavy Manufacturing) district. Changes in industrial processes and the overall regulatory climate no longer require such a fine-grained approach to industrial land-use regulation.

The five possible bulk classifications, which dictate FARs and building setbacks, could easily be reduced to no more than three. Again, this would not unduly restrict the range of choice for industrial users. Our recommendation is based on the fact that today's manufacturing uses—even in industrial or business parks—rarely, if ever, require the types of development intensities (FAR of 5 or 7) allowed by two of the classifications.

Existing Districts (15 total)	New Districts (6 total)
M1-1	Limited Manufacturing-1
M1-2	Limited Manufacturing-2
M1-3	Limited Manufacturing-3
M1-4	eliminate
M1-5	eliminate
M2-1, M3-1	Heavy Industry-1
M2-2, M3-2	Heavy Industry-2
M2-3, M3-3	Heavy Industry-3
M2-4, M3-4	eliminate
M2-5, M3-5	eliminate

# Enhancing Transportation Options

*"More parking means more traffic and more congestion. We need to use transit."*

Photographer, South Loop

*"I disagree. We need more parking, not less."*

Resident, Lincoln Park

**M**any communities talk about "transit-oriented development." Chicago is a model of how it actually works.

More than 95 percent of the city's population lives within a five-minute walk of bus or "L" service, and many of its retail districts are built near transit stations. In the past decade, the city has built a new "L" line to serve the Southwest Side, rebuilt the Green line, and is making major improvements to the Blue and Brown lines.

Yet as Chicago revises its zoning ordinance, there are more than one million automobiles in the city. And, based on comments from the public meetings on zoning reform, there are nearly that many different views about parking regulations.

Public workshop participants and transportation experts have widely varying opinions on transportation, traffic congestion and parking issues. Some believe that traffic congestion can only be addressed by requiring more off-street parking spaces, while others claim that increasing the parking supply will only lead to even more congestion. Some point to the availability of mass transit, urging that denser development—with no parking requirements—should be directed to areas around those stations. Still others note that the current parking requirements for a massive new single-family residence are the same as for a new 600-square-foot apartment.

While a principal goal is to encourage use of mass transit, we also recognize the need to accommodate the automobile and to tailor solutions to different communities.



## Key Recommendations

- Increase the current 1:1 parking requirements—for new single-family, townhouses, and 3+ bedroom apartments and condominium units.
- Maintain the current parking exemption for small business uses (less than 4,000 square feet), but require on-site parking for larger uses.
- Reduce parking requirements for affordable housing and developments near transit nodes.
- Simplify the process for “shared” or off-site parking.
- Institute new standards for bicycle parking.
- Establish limits on “accessory parking.”
- Establish a new transportation zoning district.





*A “one-size-fits-all” parking requirement doesn’t recognize the different needs of different types of housing. New single-family houses built in this Southwest Side neighborhood, for example, would need two off-street parking spaces, while small apartment buildings would still only require one per unit.*

*Small storefronts like these on East 53rd Street would continue to be exempt from off-street parking requirements, but new businesses larger than 4,000 square feet would have to provide off-street parking.*



## Residential parking requirements

Most zoning districts require that one off-street parking space be provided for each new housing unit. This “1:1 ratio” applies regardless of housing type or size. No distinction is made, for example, between a 600-square-foot apartment and a 5,000-square-foot house, or between a luxury penthouse and a much more modest unit in a six-flat building.

The existing “one-size-fits-all” standard doesn’t recognize that there are differences when it comes to car ownership and types of housing. As a result, the ordinance’s minimum parking requirements sometimes underestimate and, other times, overestimate the need for additional parking spaces. Consequently, we are recommending several modifications to the residential parking requirements.

For single-family houses and townhouses, the amount of required off-street parking should be increased from one space per unit to two spaces per unit. But, we also propose that “tandem-style” parking (where one space is located behind another) be allowed as a way of meeting this increased requirement. It currently is not permitted.

At the same time, we propose that in unusual cases where detached houses have no alley access (on small lots) no off-street parking would be required. This will ensure that the parking standards don’t inadvertently mandate street-facing garages (see “Protecting Residential Character”).

For multi-unit residential buildings, we recommend retention of the existing 1:1 requirement except for large (more than two bedroom) units. For these units, which may need to be defined on the basis of floor area, we’re suggesting that the minimum parking ratio be increased to 1.5 spaces per unit. (Also see discussion of reduced ratios, below.)

## Nonresidential parking requirements

In neighborhood commercial areas most small businesses are not required to provide off-street parking spaces. This recognizes the pedestrian-oriented character of these areas as well as the difficulty of trying to fit both a new commercial building and its parking



spaces onto one of the small lots that line most of the city's commercial streets.

As a result, businesses in most areas of the city are not required to provide parking for the first 4,000 square feet of floor area. Those businesses that do exceed that amount need to provide one parking space for each 400-500 square feet of additional floor area. In still other areas of the city, the size of a parking-exempt building is much larger (10,000-140,000 square feet, depending on the district), and the parking ratios (spaces per floor area) are much lower.

We believe the rules that exempt a small business (4,000-square feet and below) from off-street parking requirements make sense because they help preserve the character of neighborhood commercial areas. Similarly, very low off-street parking ratios remain appropriate in the downtown area, due to its transit access, high land costs, and design issues.

However, a 4,001-10,000 square foot business—about the size of a medium-sized restaurant or a new drug store, respectively—should provide on-site parking. People drive to these types of destinations. This report recommends eliminating the large business parking exemption. Under our proposal, only the first 4,000 square feet of floor area would be exempt from providing off-street parking in the non-downtown districts.

Beyond 4,000 square feet of floor area, the existing business parking ratios would apply—generally two- to two-and-a-half spaces for each 1,000 square feet of floor area.

## Reduced ratios for special situations

We mentioned that the current zoning ordinance relies on one-size-fits-all parking standards. That's not entirely true. Over the years, the ordinance has been amended to include reduced parking ratios for such uses as senior citizen housing, single-room occupancy units, small theaters, and community centers.

We believe those types of amendments have had a positive impact and should be broadened to affect more situations. In support of our affordable housing recommendations, we are suggesting that these developments should be eligible for a reduced parking

requirement. For example, it may be appropriate to require less parking for small units in affordable housing projects. The ratios should be calculated on a case-by-case basis, based on the type or size of units being constructed and their location relative to transit.

## Support transit-oriented development

To recognize and encourage transit use, this report suggests lower parking requirements for developments near a CTA rail station or an intersection of major bus routes. Residential developments in these locations would be subject to the current 1:1 requirement, rather than any of the increases suggested above (e.g., 1.5–2.0 parking spaces per unit). This recommendation strikes a balance between transit and private car usage. Many Chicago households, particularly those living in transit-accessible neighborhoods, share a single car and use transit.

Nonresidential developments near transit nodes—particularly employment uses, such as offices—would be eligible for reductions of 10-25 percent. This would encourage more development near locations with good transit availability, particularly around those “L” stations in pedestrian-oriented commercial areas and in centrally located parts of the city where it would help spark community redevelopment efforts. In outlying neighbor-



*Parts of the city are well served by transit and potentially need less parking. Developments in areas near some transit stations (below) would be eligible for reductions in required parking.*





*When businesses share off-street parking lots, less land is devoted to lifeless paved areas and the character of streets can be better maintained. It can also be cost effective for the businesses.*



hoods, park-n-ride lots or public parking in developments around transit stations may be a more appropriate way to encourage transit ridership. Again, there is no one-size-fits-all solution.

We're also recommending that the idea of a "transportation" zoning district be pursued. As initially suggested by the Chicago Transit Authority, the idea is that such a district could help preserve railroad or utility corridors for future transit use and mitigate land-use impacts along such routes.

## Shared and off-site parking

One of the best ways to provide adequate off-street parking is to encourage "shared parking," where two or more users (such as a store, office, restaurant, or church) share the same parking spaces.

Not only does shared parking ensure a more efficient use of land, but by limiting the amount of pavement it can help reduce stormwater runoff, water pollution, and the urban heat island effect (see also "Expanding Environmentally Responsible Zoning"). Also, parking is expensive to build. Open-air parking lots generally cost \$5,000-\$10,000 per space—and several times over that for garages. Finally, more parking lots mean less of the types of active uses that make our

neighborhoods desirable places in which people live, work, and shop.

Although the existing zoning ordinance does allow shared parking and off-site parking facilities, it makes the process difficult by requiring special approval. This means applications, fees, hired experts, and time.

It's another example of an obstacle that stands in the way of good public policy. In order to encourage a greater use of shared and off-site parking arrangements, we are suggesting that a variance no longer be required. Under our proposal, shared and off-site parking would be permitted by the Zoning Administrator (as an exception), subject to strict compliance with standards governing both the location and continued availability of the required parking spaces.

## Bicycle parking

We shouldn't overlook the fact that private cars are not our only means of transportation. Wherever possible, the new zoning ordinance should help ensure there are other transport choices, including mass transit, walking, and bicycling.

Those who choose to ride a bike need safe and secure bicycle parking facilities—at home, work, and elsewhere. Although Chicago has established a national reputation as a leader in meeting the needs of cyclists,

the current zoning ordinance is behind the times. It neither requires nor encourages bicycle parking.

We recommend that the new zoning ordinance correct that oversight by including standards for bicycle parking. These would require that bicycle parking spaces be provided for any use likely to generate at least some bicycle traffic. Consideration should also be given to requiring that commercial parking garages set aside a small area for safe and secure bicycle storage (for instance, lockers rather than remote parking stalls).

## Accessory vs. non-accessory parking

“Accessory parking,” in the language of zoning, is parking that serves the use that exists on a site. Some common examples of accessory parking are: the spaces in a private garage behind a house, the parking lot located next to a grocery store, or the employee parking spaces in a lot behind an office building. “Non-accessory parking,” as you might expect, is parking that isn’t devoted exclusively to the use that exists on the site, but rather is available to the general public (e.g., a parking garage).

These are important definitions to know. Here’s why. The current zoning ordinance does not include “accessory parking” in its calculations of the maximum floor area (FAR) or size of a building. This means there are many (parking) floors in new mid- and high-rise buildings that are not counted in the calculation of FAR, resulting in structures that are far taller than you would otherwise expect. Since the ordinance contains no definition of non-accessory parking, it is often called “accessory” and then it too is exempt from FAR calculations, resulting in taller and taller buildings.

This report suggests that the new ordinance establish specific limits on the number of parking spaces that can be counted as “accessory” parking. Buildings that include parking in excess of these limits would be required to count the surplus spaces as floor area. The result would be to close the zoning loophole that has allowed commercial parking in residential buildings, while addressing the impact that parking has on the size and scale of buildings.



*The city has installed thousands of bike racks in the last decade, and is creating 125 miles of marked bike lanes. The off-street parking requirements of the new ordinance should address bicycle parking as well as auto parking issues.*

*With no limits on what can be counted as accessory parking, the current ordinance inadvertently allows ever-larger parking podiums under buildings and commercial garages masquerading as accessory parking. Even when well-disguised, parking floors make apartment towers, like this one in River North, taller without counting against FAR limits.*



# Promoting Housing Affordability and Choice

*"Even with people working two minimum-wage jobs, you can't afford market-rate, two-bedroom apartments. It's a very serious issue."*

Housing advocate, Uptown

The proportion of rental units in the Chicago region is shrinking, and only 56 percent of new homes sold in 2001 were affordable by families earning the median income. Some say this represents an affordable housing crisis, and many have made their views known throughout the public portion of this zoning reform process.

A sufficient supply of affordable housing is key to a strong economy, to the creation of vital communities, and to our quality of life.

In 2001, the City of Chicago committed \$325 million to create more than 13,000 units of affordable housing, and several programs administered by the city's Department of Housing have also been directed at the issue.

"New Homes for Chicago" and the "City Mortgage Program" have helped over 8,000 families buy homes. The "Emergency Housing Assistance Program" has helped over 25,000 homeowners improve their properties.

The "Chicago Partnership for Affordable Neighborhoods" is a city-developer partnership to provide affordable units in market-rate developments through developer write-downs and purchase price assistance. The city's "Low-Income Housing Trust Fund," and other programs aimed at multi-family and single-room occupancy housing have helped create or preserve almost 40,000 rental units.

Through the new zoning ordinance, we can remove some of the existing regulatory barriers, and we can provide new zoning incentives to increase the supply. But zoning policies are only one piece of the puzzle. A comprehensive approach will require changes in tax policy, lending practices, community perceptions, and building code requirements—matters that go far beyond what can be accomplished through zoning reform.



## Key Recommendations

- Maintain current ordinance features that encourage affordable housing.
- Establish a more expedited zoning review process for affordable housing.
- Create new zoning (FAR) bonuses for affordable housing in specific areas of the city, such as downtown.
- Permit more residential construction in commercial districts.

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## Current features of the ordinance

Relative to other communities, Chicago's existing zoning ordinance includes provisions that are favorable to the creation of affordable housing. These should be retained and, where possible, expanded.

### Densities and housing types

The ordinance scores very good marks in terms of the range of housing types and densities allowed within its residential, business, and commercial zoning districts.

Six of the eight existing "R" districts allow a mix of single-family and multi-unit housing types. Almost all existing "B" and "C" districts allow residential uses as part of mixed-use buildings. These are progressive concepts as demonstrated by the number of other communities now scrambling to devise mixed-use zoning classifications and provisions that would allow a mix of housing types within new developments.

While density alone does not ensure the provision of affordable housing, the absence of higher density zoning options is often cited as an obstacle. Chicago's existing ordinance certainly cannot be faulted on these grounds. Four of the city's eight "R" districts allow densities in excess of 100 dwelling units per acre, compared to many other communities,

where the highest density districts typically top out at 25–30 units per acre. While we are suggesting a reduction of density allowed in the highest density residential districts (See "Making Districts Fit Our Residential Neighborhoods"), we are not proposing substantial density reductions in other districts, and very high densities will continue to be allowed in some areas downtown.

### Parking requirements

Off-street parking requirements in the current zoning ordinance also help hold down the cost of housing. For example, there are no minimum requirements for elderly housing or community homes, and single room occupancy (SRO) developments require only one parking space per 10 units (just 10% of the normal residential standard).

The benefit of these reduced parking requirements is they have made the development of these types of projects much more affordable.

## Removing procedural obstacles

One simple way to increase the supply of affordable housing is to eliminate the procedural obstacles to its development. The cliché is true. Time means money, and streamlining project approval procedures can help overcome some of the hurdles to affordable housing.

*The current ordinance requires just one parking space for every 10 units of single-room occupancy housing, like the new South Loop building (right), and allows SROs in nearly all zoning districts. This flexibility should be retained in the new ordinance.*



One approach is to automatically move applications for affordable housing projects to “the front of the line” for zoning approvals. Designated zoning analysts could be assigned to oversee the processing of qualified affordable housing projects and to resolve any problems that crop up during the zoning review process.

These special procedures would only be available to qualifying affordable housing projects and sponsors. These projects could be defined as those creating dwelling units that are rented or sold at a price affordable to very-low, low-, or moderate-income households for a period of no less than 25–30 years. Thresholds for different income groups could be established for the number of dwelling units in a project. For instance, projects containing five percent very-low income units might qualify, while 20% might be the threshold for moderate-income units, all based on U.S. Department of Housing and Urban Development (HUD) definitions.

A qualifying sponsor could be defined as those developers, either nonprofit or for-profit, who meet certain criteria established by the city. The zoning ordinance could establish a process for receiving and approving a developer’s qualifications, which could further eliminate obstacles by shortening and simplifying the development process. Logos, such as the symbols used by the Federal Fair Housing or Equal Opportunity agencies, could be displayed by qualifying sponsors or projects to gain name recognition and support for participants.

## Create zoning bonuses

“Incentive zoning” came into use in the 1970s, as a means of protecting open space and securing public amenities and better urban design. In essence, the city relaxes certain zoning requirements in exchange for the developer providing a certain public benefit.

Chicago currently uses incentive zoning techniques in its downtown zoning districts to create open space, better design, and transit improvements. Many would argue that affordable housing is as vital to a healthy economy as any of those amenities. Moreover, providing affordable housing near jobs helps reduce traffic congestion, as workers are able to live closer to their place of employment.



Bonuses for affordable housing are recommended as an addition to the city’s downtown bonus system. Bonus densities could be awarded to high-rise residential or commercial projects in exchange for providing affordable housing units, either on-site or off-site.

Incentives should be targeted to benefit different groups. Bonuses could be higher, for example, for very-low-income housing than for low- or moderate-income housing. Bonuses could also be granted specifically for senior housing with senior amenities, a form of affordable housing in great demand.

Affordable housing incentive provisions will need to clearly and explicitly state the terms of the trade-off between the city and the developer. Devising the specifics of this program and its associated bonuses will not be an easy matter. Income eligibility requirements will need to be defined and criteria established to determine pricing, resale restrictions, and the exact bonuses to be expected.

Because Chicago already allows for substantial housing density, this incentive may not make sense in all areas of the city. The city may want to consider limiting these bonuses to targeted geographic areas or districts—downtown, for example. If such provisions are to apply outside of the downtown area, incentives might only be available for affordable housing projects or large-family units near major transit nodes.

Finally, all of these proposed incentives would need to be tied to a detailed legal agreement that would include provisions that the units remain affordable for a set period of time and meet all standards for a qualifying affordable housing project.

*One way to increase the supply of affordable housing is to establish a “fast-track” approval process for developments containing a certain percentage of affordable units.*

# Expanding Environmentally Responsible Zoning

*"The zoning code should address the issue of environmental development. We should require much more greening and we should look at energy efficiency and building materials."*

Business person, Hyde Park

Chicago has long been known as a national leader when it comes to environmental policies and "green" initiatives. In the past decade alone, the city has amended its zoning and development regulations to offer greater protection to the riverfront, require the planting of street trees, and ensure the provision of open space to serve new housing developments. Landscaping standards were added to the zoning ordinance in the early 1990s, bringing national attention to Chicago as one of the first "mature" cities with a comprehensive approach to this issue.

These standards require the planting of trees, shrubbery, and other landscaping in association with new developments and parking lots. The landscape ordinance has been frequently updated since then, most recently to include landscaping and other greening requirements for parking garages. Since its adoption in 1991, this ordinance has resulted in the planting of nearly 10,000 new trees each year.

In addition to this regulatory approach, the city has led by example, through numerous streetscaping and landscaped median projects for major commercial streets, the "green roof" demonstration project for City Hall, and "green-oriented" site planning efforts for new or expanded schools, libraries, police stations, and fire stations.

We also need ways to create new open spaces in our existing or redeveloping neighborhoods. Downtown zoning bonuses can be used to create some of these "green" features, including pocket parks, green roofs, riverfront walkways, and street corridor improvements. Large parks and open spaces need their own zoning classification, rather than being grouped in the same district as their adjacent neighborhoods.





## Key Recommendations

- Retain and expand existing landscaping standards.
- Create zoning incentives for new improvements, such as “green roofs” and other sustainable building practices, and pocket parks.
- Establish a separate zoning district for parks, open space, and cemeteries.



## Softening the edges

The city's "hard edges" can be softened through landscaping and other techniques—both in existing and proposed developments. The street "faces" of neighborhoods should be made up of yards, not concrete driveways, patio pits, and garages. Back yards, too, play an important role. In addition to a pleasant environment, back yards provide an important stormwater management function by absorbing rainwater.

Among the techniques for softening the city that have been mentioned elsewhere in this report, are:

- Establishing "building coverage" requirements for new developments in certain residential zoning districts, which could help ensure more green space on individual building lots.
- Requiring landscaping and/or visual screening for open-air parking lots in the rear yards of buildings. This can help soften the visual impact of those paved areas, while helping to reduce stormwater runoff.
- Eliminating front-yard obstructions, such as "patio pits" or driveways to street-facing garages, which will help provide a greater sense of open space along residential streets.
- Encouraging more shared parking, thereby resulting in less land devoted to pavement.

Other specific ideas can be explored during the text-drafting portion of this zoning reform effort. One possibility would be to allow alternative paving surfaces (such as pervious paving material) for some types of parking lots and vehicle use areas. The city is currently testing the use of "pervious" paving for alleys.

Another possibility would be to either require landscaped "green roofs" in selected projects and/or allow green roof areas to be counted toward partial satisfaction of landscaping requirements. One of the best-known examples of a green roof is the one atop City Hall (see previous page). A different, simpler example of a green roof was recently installed by the Department of Environment at the Midwest Center for Green Technology in the East Garfield Park area.

## Bonusing green

The city's downtown zoning bonus system was recently revised, resulting in new, substantial incentives for pocket parks, green roofs, special street landscaping, and financial contributions to off-site parks or walkway improvements along the Chicago River.

Other bonuses should be investigated throughout the zoning reform process. More specific energy efficiency and environmental review criteria should be added to the Planned Development section of the zoning ordinance.

*Our recommendations for prohibiting patio pits, front yard driveways, and buildings so deep that they almost touch the garage should help to preserve the soft edges created by landscaping and on-site open space*





## A new zoning district for parks

Chicago’s zoning ordinance doesn’t currently include a special classification for parks and open spaces. Instead, we use our standard residential, commercial, and manufacturing zoning districts for parkland.

Under this system, most of the parks and open spaces located in a residential neighborhood are generally zoned in an “R” classification, while those in a commercial or industrial area may be zoned in one of the “B,” “C,” or “M” districts. This has caused difficulties when new park uses are proposed that are not permitted in the underlying zoning district, such as park concession stands or golf courses.

We’re proposing the creation of a new zoning district (or districts) for our major parks, open spaces, and cemeteries. The district(s) will address allowed uses and activities as well as development rules. We will probably need to continue to allow parks in other zoning districts (because it may be impractical to

apply the park/open space zoning designation to each and every park in the city), but creation of a new district will provide a better zoning tool for protecting parkland.

*Zoning areas like Jackson Park (above) for building densities upwards of 400 units per acre or heavy industry doesn’t make a lot of sense. We’re recommending creation of a “parks and open space” zoning district.*

Park	Zoning
Burnham Park	R7 (typical)
Grant Park	R8
Lincoln Park	R7
Garfield Park	R5
Washington Park	R5
Jackson Park	R6
Humboldt Park	R5
Clark Park (Addison and Chicago River)	M1-1
Hermitage Park (59th and Hermitage)	M1-1
Ping Tom Park (300 West 19th)	M2-3, M2-4

# Promoting Rehabilitation and Reuse

*"The zoning code puts you in the position where it's easier to do the easy thing, demolition, than to do the right thing, which is reuse."*

Developer, Old Town

A modern zoning ordinance should amount to more than requirements and mandates. It should also make it easy to "do the right thing," by removing obstacles that stand in the way of desirable development practices. Building rehabilitation and reuse is a case-in-point.

Many factors affect the reuse of older buildings, including the real estate market, lending practices, building code requirements, and zoning regulations. Traditionally, most zoning ordinances have been written with the development of vacant land in mind.

One of the unintended consequences is that zoning regulations often can make the rehabilitation of existing buildings more difficult and costly than new development or demolition. Well-intentioned rules governing building size, height and setbacks, as well as off-street parking and loading standards, sometimes serve as barriers to the reuse of older buildings.

Unfortunately, these "regulatory disincentives" have an equal effect, both on marvelous old buildings that add a great deal to community character and run-of-the-mill buildings that few would miss if they were gone.

The time, effort, and money now required to overcome these barriers can affect a developer's bottom-line—and make the difference in a decision whether to renovate or demolish. Given Chicago's great legacies of architecture, history, and neighborhoods, we believe the new ordinance should be proactive in encouraging rehabilitation and reuse.



## Key Recommendations

- Reduce parking requirements that discourage building rehabilitation projects.
- Create a two-tiered approach for parking reductions with bonuses for buildings 50 years or older.
- Remove other obstacles to conversions, such as allowing more sensible additions and making it easier to convert empty storefronts to housing.
- Provide incentives and standards to ensure the presence of strong corner buildings.



## Removing parking obstacles

### Building additions

Today, if you add space to an existing non-residential building, the zoning ordinance requires you to provide new parking spaces in direct proportion to the size of the addition. For instance, if the parking standard is one space for every 400 square feet of floor area, a modest 3,200-square-foot addition would require eight more parking spaces.

The ordinance today grants a modest allowance for buildings built prior to 1957, noting that the requirement doesn't apply until the

size of the addition exceeds 15% of the existing building area. For a 20,000-square-foot building, this would permit a 3,000-square-foot addition before the parking standard kicks in.

However, the current ordinance takes a somewhat different approach when it comes to residential buildings. In that case, it requires that parking spaces be provided for the entire building whenever a new unit is added and whenever an "alteration" is made to the building. We believe there are two problems with these requirements: the term "alteration" is not defined and the application of retroactive parking requirements stifles even a minor residential addition.

*Under the existing zoning ordinance adaptive reuse can be difficult. The new ordinance should offer greater flexibility when it comes to parking requirements and minor building additions.*



In order to provide greater flexibility and incentives for building reuse, we propose that the new ordinance continue to require parking for any additional residential units added to a building, but allow the possibility of exceptions or variations to accommodate a one or two-unit addition to a building that is at least 50 years old. We also propose that parking be required for building additions in older nonresidential buildings only when the floor area increases by 25% or more. For younger existing buildings, the 15% rule would apply.

This two-tiered approach would offer flexibility for all existing buildings, but the greatest incentives would be offered to the oldest buildings. We propose this 50-year cutoff date because it coincides with a common eligibility criterion for historic designation and the approximate adoption date of the current ordinance.

### New uses in existing buildings

Under the existing ordinance, when the use of an existing building changes, parking spaces must be provided as if it were new construction. Again, pre-1957 buildings are allowed a parking exception if the requirements of the new use do not exceed those of the old use—but only if the building has not been vacant for more than six months. This six-month rule has been a deal-killer for many prospective building rehab projects.

Again, we propose a two-tiered solution. Buildings that are less than 50 years old would be required to provide additional parking spaces only in the amount that the new use exceeds those of the “last active use.” Similarly, we would propose that for buildings 50 years or older, the parking standards would apply only if the requirements for the new use exceeded the last active use by 10-25%.

### Parking exceptions

It would be wrong to characterize the current zoning ordinance as completely inflexible on the subject of parking requirements for older buildings. The ordinance does authorize the Zoning Board of Appeals to reduce some parking or loading requirements for older residential buildings, especially in higher-density districts. The problem with this appeals process is that it involves time,

expense, and unpredictability—all of which are disincentives to rehabilitation and reuse.

We suggest the new ordinance offer an easier and faster route for parking exceptions for building rehabilitation. Under our proposal, the authority for granting parking “relief” for existing buildings would shift from the Zoning Board of Appeals to the Zoning Administrator, who would be authorized to grant the following exceptions:

	Nonresidential Uses	Residential Uses
<b>Buildings 0-49 years old</b>	Could reduce applicable parking requirements by 1 space or 20%, whichever is greater	Could reduce applicable parking requirements by 1 space or 10%, whichever is greater
<b>Buildings over 50 years old</b>	Could reduce applicable parking requirements by up to 100%	Could reduce applicable parking requirements by 2 spaces or 20%—except above R5, in which case 5 spaces or 25%

*Old churches and civic buildings that no longer perform their original function can sometimes be put to other use, provided that zoning and other regulations don't discourage their conversion.*



In order to ensure adequate review, the ordinance would require the Zoning Administrator to notify the respective Alderman before taking action. Deadlines could be included to ensure timely processing.

## Removing the stigma of nonconforming buildings

There are thousands of so-called “nonconforming” buildings in the city. Originally built in compliance with existing rules, they no longer “conform” since zoning or building codes have changed—or were instituted—since their construction. Their nonconformity could be anything, including failure to meet current yard, floor area, height, or density standards.

*Current zoning rules should be changed to allow vacant storefronts to be converted to residential uses.*



Many people, unfortunately, confuse nonconforming with illegal. A much better description for these structures might be “previously conforming” buildings, denoting that they did comply when they were built.

## Building additions

This special status causes problems for owners when they propose certain improvements. The zoning ordinance does not permit any building addition unless it—and, in some cases, the structure itself—are made to conform with certain provisions of the zoning district.

Let’s say you’re adding a third story to a two-story building that doesn’t comply with the rear yard setback requirement. The addition would have to be set back from the rear wall, even though that wall had been in place for decades. The same would hold true for a small ground-floor addition. This can pose obstacles to even minor building additions and, like the other regulatory barriers discussed above, can make the difference in an owner’s decision to rehab or sell.

We suggest that the existing ordinance language be clarified to offer a more common-sense interpretation of the rule governing additions to “previously conforming” buildings. For buildings less than 50 years old, the Zoning Administrator would have the authority to approve additions, provided they did not encroach further than the existing building and complied with all height, floor area, and density limits.

For older nonresidential buildings (50+ years), the same rules would apply, except the Zoning Administrator could approve floor area increases up to 10 percent. In R3, R4, and R5 districts, this FAR waiver could be up to 15 percent. Both would provide more flexibility for building changes, thus encouraging more neighborhood rehabilitation, as opposed to demolition.

## Storefront conversions

Have you ever noticed the abandoned corner stores, taverns, and other nonresidential buildings located in many of our residential neighborhoods? Existing zoning rules can make it difficult to convert those older buildings to residential use—even though the prospects for new retail use are slim.



Generally, these residential storefront conversions exceed floor-area-ratio (FAR) standards in the zoning ordinance. And, if the ground floor unit is being converted to a separate dwelling, it might run up against both the FAR and minimum-lot-area-per-dwelling-unit (MLA) standards.

In order to bring these spaces back to productive use—and activate the street in the process—we are recommending that the Zoning Administrator have the authority to approve exceptions to FAR and/or MLA standards (for a single storefront). This would apply when a former nonresidential building in a residential district is being converted and when the conversion will result in no more than one extra dwelling unit on the site.

## Reusing corner buildings

One of the great strengths of Chicago's commercial districts is the impressive buildings that anchor many of its major street intersections. In some cases, these are the tallest and most dominant structures for miles around. In other locations, they simply provide the urban fabric that ties the neigh-

borhood—and its business district—together. These “corner buildings” are particularly important at the city's many six-corner intersections, where two streets are intersected by a diagonal street, such as Archer, Clark, Lincoln, Milwaukee, or Ogden.

Unfortunately, many of these corners are being converted to new uses, as the older building is demolished and replaced—often with a strip center, drive-thru facility, or other use that does not conform with adjacent building lot lines. The current ordinance provides no incentives for their reuse.

We recommend that the new ordinance provide incentives and reasonable standards to protect these iconic Chicago corners. Along pedestrian-oriented streets, build-to requirements and drive-thru prohibitions along both streets may help (See discussion of pedestrian-oriented streets in “Strengthening Business Districts”). In order to encourage the presence of major buildings on vacant corners, we may also want to allow for higher FARs at some corner locations. (Note: the city's 1923 zoning ordinance permitted larger buildings on corners than in mid-block locations.)



*The new ordinance should retain the Chicago tradition of major buildings at the corners of commercial streets. We should take care that regulations don't work to encourage the demolition of good buildings, and that new ones follow the same traditions.*

# Reducing Sign Clutter

*"Signs, signs,  
everywhere  
a sign ..."*

The Five-Man  
Electrical Band, 1971

**S**ign regulations can be an ordinance unto itself. They can cover on-premise and off-premise signs. Billboards and projecting signs. Sign awnings and free-standing canopies. Neon and backlit. And on and on.

In the case of the Chicago zoning ordinance, the Zoning Reform Commission has established a subcommittee to more fully investigate the issue of sign controls. In the meantime, we take up three critical issues relating to signs: their size, their height, and those that flash. All three merit immediate attention.

The sign provisions in the 1957 zoning ordinance were a reflection of their time. Many of the city's largest commercial streets bear witness to this belief that bigger, taller, brighter is better.

Recently, the city has adopted special sign controls for several downtown commercial streets, including Michigan Avenue, Oak Street, and State Street. As with other zoning amendments from the 1990s, these protections need to be extended throughout the city.



### Key Recommendations

- Reduce the maximum allowable size of signage by up to 75%.
- Limit the height of freestanding signs to no more than 35 feet.
- Ban roof signs downtown and require review of wall signs above a certain height.
- Prohibit electronic message boards within 100 feet of residential areas and other sensitive uses.
- Ban brightly illuminated video display boards.



The building becomes the sign. Our existing rules governing the size of signs are overly generous, as illustrated by the fact that the entire face of a building can be a sign.



## Maximum sign area limits

The current ordinance includes a very generous limit on the size of signs. In most nonresidential zoning districts, a business owner can install a total amount of exterior signage of 24 square feet for each foot of lot frontage.

For example, a typical small business with 25 feet of frontage in a pedestrian-oriented

district could install a two-story tall (600 square foot) sign covering the width of the property. A larger retail operation, such as a corner gas station with roughly 200 feet of street frontage (75 x 125 feet), would be allowed 4,800 square feet of signage—the size of seven highway billboards.

We propose to reduce the maximum sign area ratio to six square feet per foot of frontage, which is a 75 percent reduction from today's ordinance. For the two examples above, this

The proposed new sign area limits would still allow generous signage (below right), but wouldn't overwhelm the building as the existing limits allow (below).



would translate to 150 square feet of signage for a small storefront business (for example, a 6- x 25-foot sign) and 1,200 square feet for the typical corner gas station.

## Sign height

The current ordinance provides no restrictions on the height of freestanding signs or signs attached to the side of a building. However, it does limit the height of “roof signs” to 50 feet. A roof sign is defined as a sign located on top of a building or one projecting above a building’s roof line.

The lack of sign height standards has been used to great advantage by fast-food chains, gas stations, and shopping centers seeking to attract motorists from great distances. Unfortunately, the effects of these tall signs can intrude into residential neighborhoods.

Our proposal is to limit the height of freestanding signs to no more than 35 feet, while retaining the current 50-foot height limit for rooftop signs. When it comes to downtown, we believe that protecting our famed skyline will require a ban on roof signs and special-use review for any wall sign above 150 feet.

## Electronic signs

Many newer signs are in the form of electronic message boards and brightly illuminated video display boards. You often find them on banks, currency exchanges, even churches. In addition to promoting the on-site business, they flash the time, temperature, current specials, a waving American flag, or other messages.

With the increasing presence of residential development along and near commercial streets, electronic signs are increasingly visible from houses and apartments. They can have a negative impact on people’s quality of life and the current ordinance contains no regulations governing their locations.

Video display boards would be prohibited under our proposal. In addition, we recommend prohibiting most other electronic signs within 100 feet of all residential zoning districts, residential buildings, the “lakefront protection district,” the Chicago River, parks larger than two acres, designated Chicago Landmarks, and boulevards.



*Signs that flash electronic messages or video-like displays are distracting to motorists and annoying to nearby residents. The new ordinance would limit locations of electronic message boards and ban video display boards altogether.*

*Tall freestanding signs attract the attention of motorists at the expense of nearby residential areas. Height limits are proposed as a means of dealing with this issue.*



# Simplifying and Streamlining

*"We ought to have a zoning ordinance that you don't need a lawyer to help you understand."*

Attorney, Near North

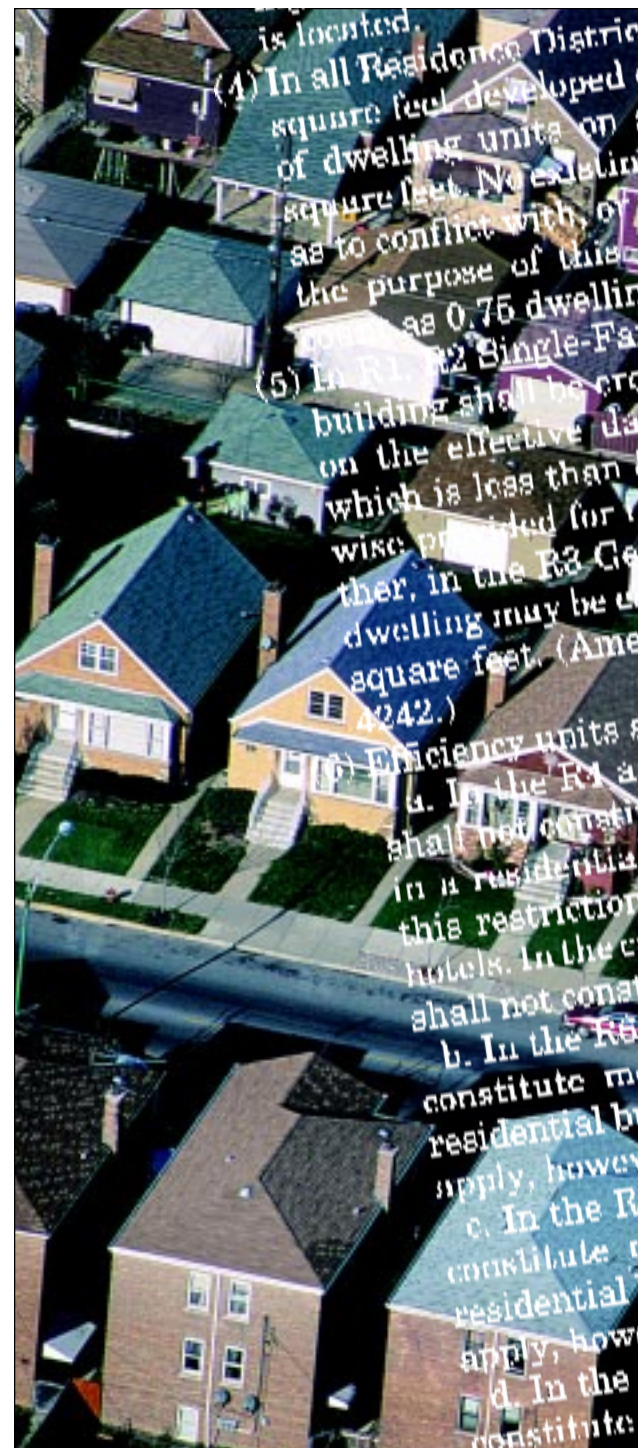
**H**ave you read the Chicago zoning ordinance? Not cover to cover, but maybe a look to answer a basic question, such as "What could be built on that vacant lot across the street?" or "Am I allowed to construct a rear addition to my house?" What you probably found was one tough read.

In his call to rewrite the zoning ordinance, Mayor Daley said that the regulations should be more accessible and understandable and that administrative provisions need to be made simpler and more predictable. We agree, and so does the general public. In fact, one of the recurring themes of the public input process is how difficult the current ordinance is for the average resident to use and understand. Even those who administer it each day are sometimes left scratching their heads over the meaning of some provisions.

Given the important role zoning plays in shaping the city, the new zoning code should be logically organized, well-formatted, and easy to use. In short, zoning rules and regulations aren't effective if people don't understand them.

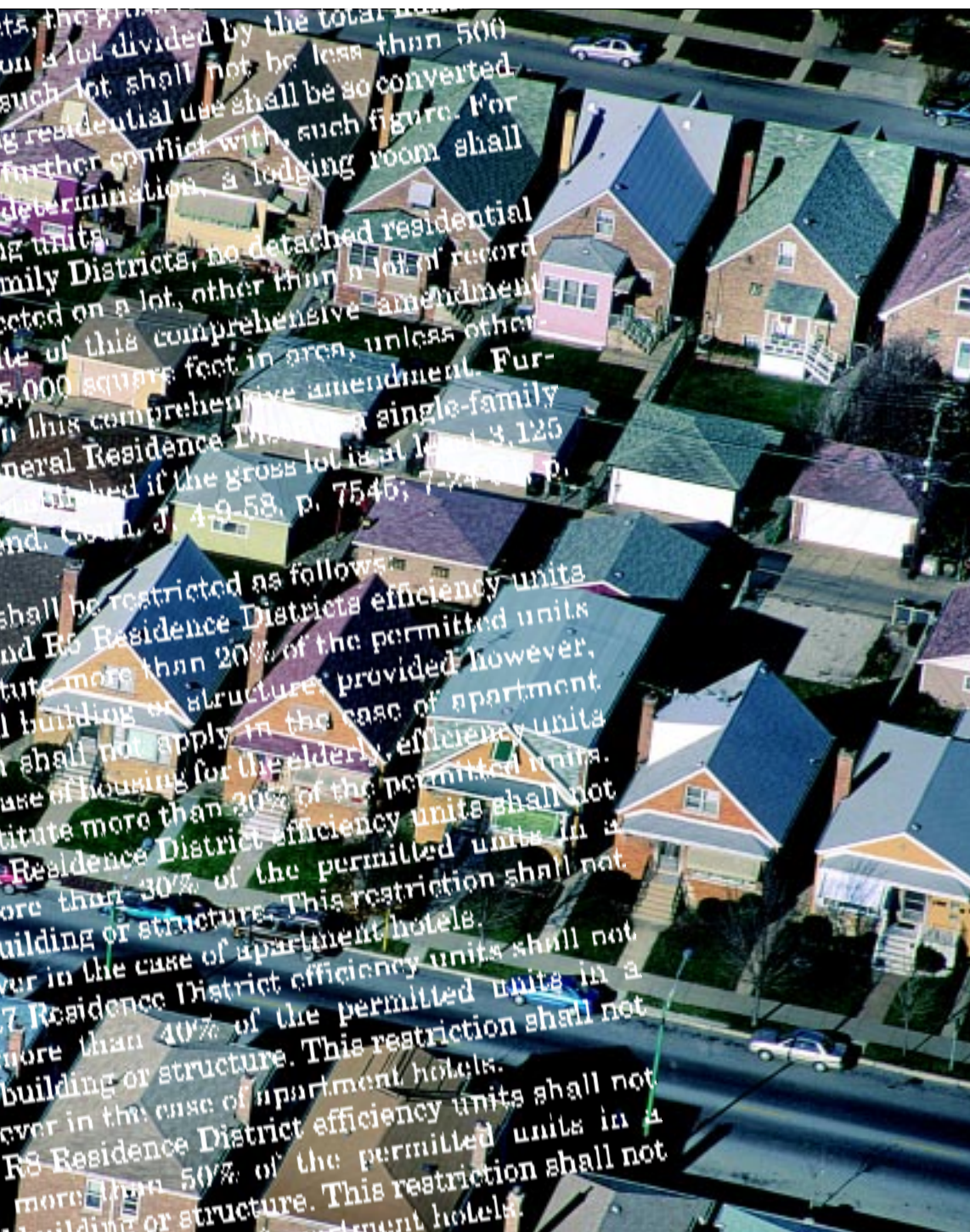
The city has already made improvements in this regard. New landscaping, townhouse, and parking regulations—as well as the city's new zoning bonuses—are accompanied by guidebooks that summarize the new standards in words and pictures. Public notice procedures have been improved by requirements for signs to be posted on property that is the subject of a zoning-related application.

The new ordinance doesn't have to read like a novel, but it does need to be an easy-to-use reference document that's laid out so people can look up the information they need.



## Key Recommendations

- Make the ordinance easier to understand. Modernize terms, eliminate legalese, use a clear layout and illustrations, and reduce the number of zoning districts—from 75 to no more than 40.
- Create more predictable procedures by removing obstacles to development and by limiting discretionary approvals.
- Make the zoning ordinance text and map available on the city's web site.



## Making it easy to use and understand

Like a lot of regulations, the existing ordinance isn't written in plain English. It often takes several sentences to say what could be said in one. It contains arcane phrases to express commonplace ideas. It seeks to be precise, but often ends up being redundant. By attempting to be cautious, it ends up being verbose. It's written in legalese.

### A users' guide

Not everyone searching the ordinance is a zoning lawyer, and the layout of a modern ordinance should recognize this fact. A users' guide needs to be located inside the front cover—to point users in the general direction of the information they need. This short preface can be designed as a series of short responses to typical zoning questions, such as:

- How do I know which zoning rules apply to my property?
- How do I get my zoning changed?
- What if I can't comply with zoning rules because of my irregular-shaped lot?
- Do I need zoning approval to build a deck in my back yard?

In order to be really useful, this users' guide should be supplemented with more detailed information, such as handouts and other explanatory materials available in the zoning and building departments. Although geared toward very basic questions, these guides can go a long way in addressing the needs of casual ordinance users.

### A clear table of contents and index

The new zoning ordinance should have an index—something it now lacks—and a revised table of contents. A good index will help direct users to the most important terms and concepts, as well as relevant examples of their use. These are the basic tools that can make the ordinance easier to use for both citizens and professionals.

### An inviting page layout

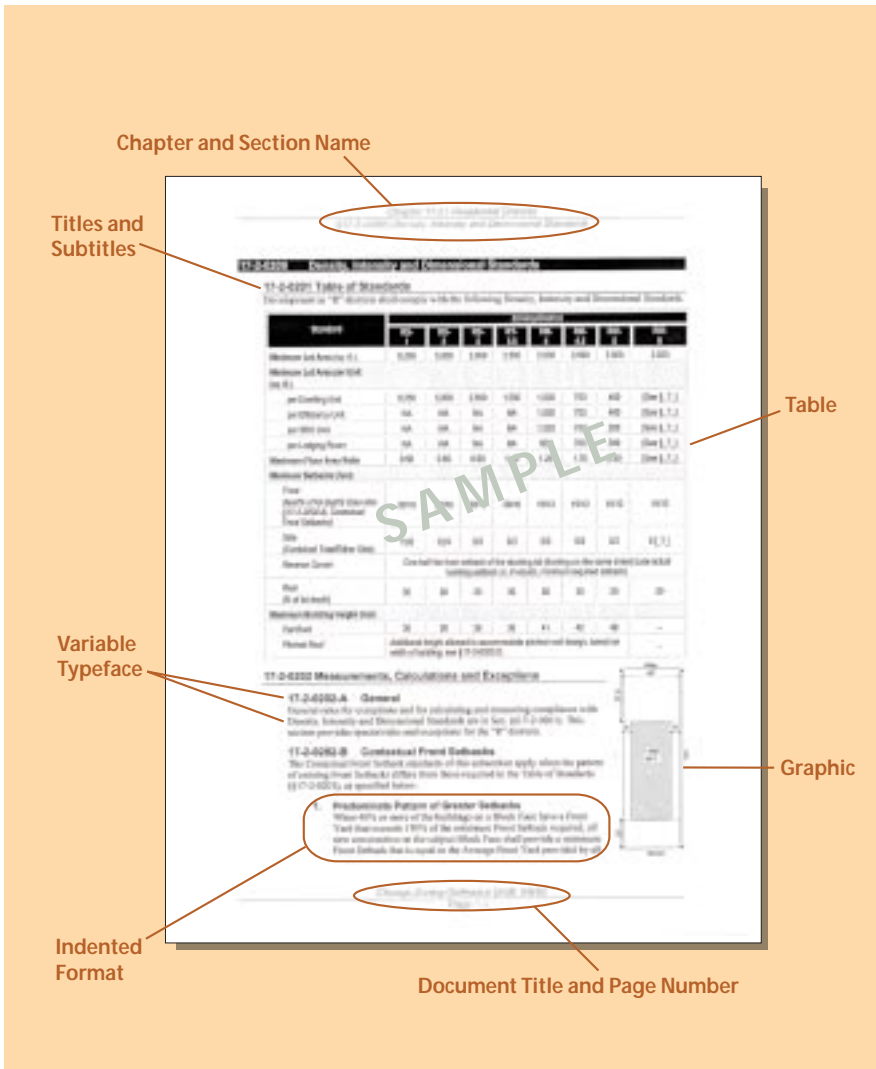
The new ordinance should have large, distinct typefaces for section titles and subtitles. Indented text can indicate various levels within the document. Generous white space and strong graphics will help to enhance the document's visual appearance, while improving its usability.

### Tables, charts, and illustrations

Many zoning standards and requirements could be more clearly presented by using tables or charts. This would eliminate redundancies, as well as the inevitable inconsistencies and conflicting provisions that occur when the same standards are presented repeatedly for each zoning district—as is the case with the current ordinance. Eliminating these redundancies through the use of tables can also substantially reduce the overall size of the printed ordinance document.

The new ordinance should also contain illustrations and graphics—instead of just raw text—to convey regulatory concepts. A picture can truly be worth a thousand words.

A sample page layout shows how a new zoning ordinance could be made more readable.

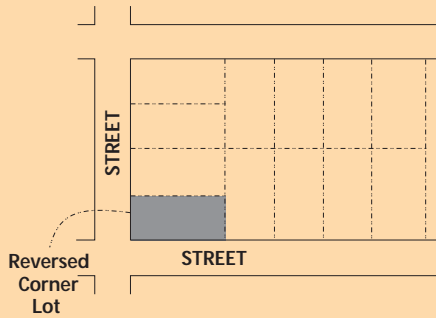




### A definition only in words?

A “reversed corner lot” is a corner lot the street side lot line of which is substantially a continuation of the front lot line of the first lot to its rear.

### Or with a diagram?



### Reducing the number of districts

Does Chicago need 75 different zoning district classifications and 24 so-called “special districts” that are used in various neighborhoods? Our research suggests that no more than 40 classifications should be adequate for the new ordinance. The number of special districts can be greatly reduced by including the types of controls used in special districts into the ordinance as a whole, which is what has been proposed in the previous chapters.

The new zoning ordinance can also convert multiple existing districts into one or more consolidated classifications. By paying careful attention to what has already been built under existing regulations, we hope to accomplish this consolidation without creating many nonconforming uses.

### Modernizing and simplifying use regulations

Suppose you want to open a new health club, or would simply like to know what kind of zoning you need for such a business. That’s the type of question that a zoning ordinance should be able to answer, right?

Health clubs—or “physical culture and health services,” as they’re now called—are listed under 52 different zoning districts, each with its own special uses and other provisos.

The new ordinance will include a single table that shows which uses are allowed where. Special regulations or standards can be clearly noted right in the table. This format would be easier to use and much easier to amend.

The revised ordinance also would update terminology, putting to rest outdated and cumbersome terms, such as “auto laundry” (car wash), “tourist homes” (bed-and-breakfasts), “homes for the aged,” “kiddie parks,” and “haberdasheries.”

The current ordinance’s 310 permitted use types could be collapsed into a single use table that includes no more than 50 use categories. This move would eliminate an outmoded classification system that attempts to list every possible business and activity type.

### Making procedures more predictable

Regulations and procedures should be predictable, and no more complicated than necessary. One simple method is to deregulate routine matters, which means removing regulatory obstacles that get in the way of people doing things that don’t cause any problems.

### Deregulating routine matters

The new zoning ordinance would seek to take routine matters and accepted practices out of the regulatory process.

Take side yard setback provisions, for example. Today, if you want to construct a residential building that sits on one side of its lot, you will need to get an exception or variance—even if all the other buildings on

Existing Districts (15 total)	New Districts (6 total)
M1-1	Limited Manufacturing-1
M1-2	Limited Manufacturing-2
M1-3	Limited Manufacturing-3
M1-4	eliminate
M1-5	eliminate
M2-1, M3-1	Heavy Industry-1
M2-2, M3-2	Heavy Industry-2
M2-3, M3-3	Heavy Industry-3
M2-4, M3-4	eliminate
M2-5, M3-5	eliminate

*A diagram (above left) is a clearer way to explain confusing terms. The number of manufacturing districts (above) can be dramatically reduced.*

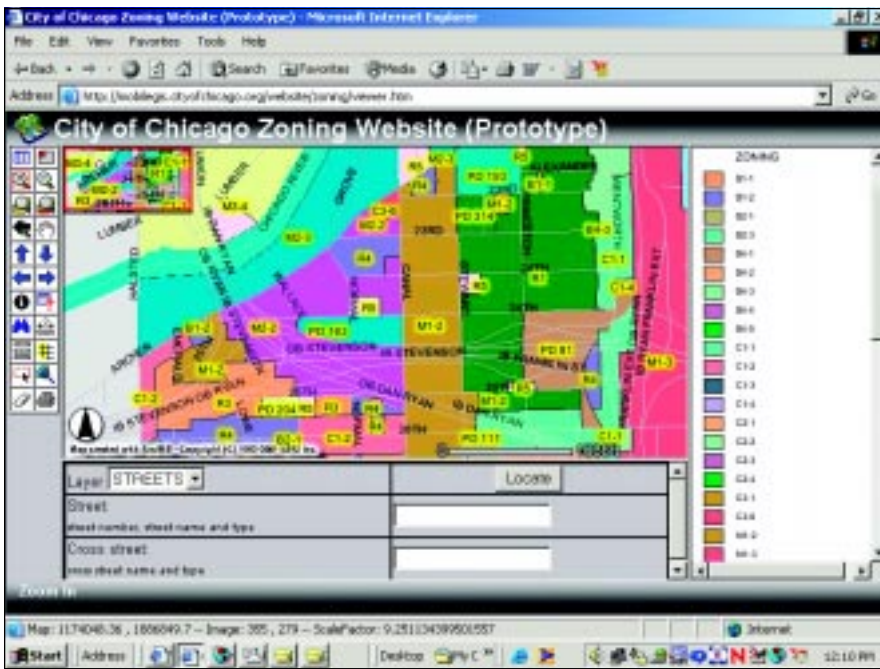
*Rather than listing all specific uses, the new ordinance would simply categorize them as a single type.*

### Existing Use Type

- Clothing rental shops
- Costume rental shops
- Department stores
- Dress shops
- Furrier shops
- Haberdasheries
- Millinery shops
- Musical instrument sales and repair
- Shoe stores
- Wearing apparel shops

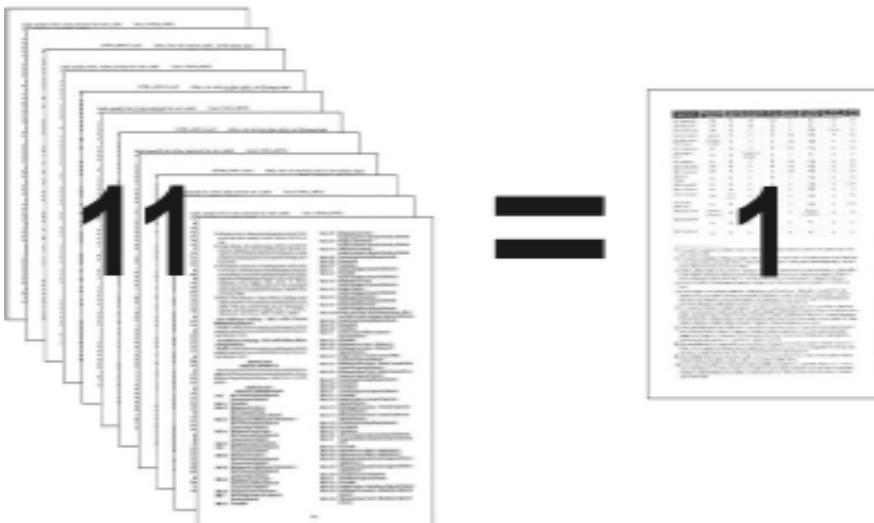
### Proposed Use Category

Retail Sales



*One advantage of the new zoning ordinance is that it will be fully computerized, including Internet access.*

*Using a table can reduce 11 pages of special-district text to a single page.*



the street are lined up that way. It also means paying a fee and waiting for permission just to construct a building that fits in with the existing neighborhood. Variances such as these could be eliminated under the new zoning ordinance.

The current ordinance also requires a variance for shared parking lots. This means that nearby business owners, who would rather share a parking lot than knock down a building to build a new one, must overcome a procedural roadblock. We believe that the new ordinance should eliminate this variance requirement.

Special-use requirements also should be reexamined to see if all the things that now require special-use approval (a process that again means time and money) are really “special.” We recommend that special-use procedures should be reserved for truly special uses—at least those with impacts that can vary greatly from one case to the next. Requiring special-use approval for routine land uses, such as pet shops, art galleries, parks, and playgrounds, should be avoided.

As the draft ordinance is prepared, we will work to identify other special uses that should be moved to the class of “uses allowed as of right,” subject to compliance with objective zoning standards.

### Predictable review and approval criteria

In recent years, the City Council has considered over 750 zoning amendments every year. Most of these involve requests by individual property owners for a change in their zoning classifications. Unlike many zoning ordinances, Chicago’s current ordinance does not spell out the criteria that should be used to evaluate these rezoning requests.

The new zoning ordinance should include decision-making guidelines. These would add more predictability to the ordinance and help demystify the rezoning process for staff, elected officials, applicants, and the general public.

While many uses are allowed in Chicago’s zoning districts simply “as-of-right,” other uses are allowed only if they are reviewed and approved in accordance with special-use procedures. In contrast to zoning amendments, the ordinance does include decision-making criteria for special uses. The problem

is the criteria are rather vague and don't fit many of the circumstances that surround special-use applications.

We recommend updating these criteria as part of the drafting process. The guidelines should be revised to reflect the range of uses and activities that require special-use approval. We also recommend that the number of uses requiring special-use approval be reduced. This could be done by adding objective standards to the ordinance that will allow routine uses and developments to be approved as-of-right.

### Giving property owners the right to protest rezonings

According to the current ordinance, if enough property owners surrounding a proposed rezoning object, then a two-thirds vote of the full City Council is required for rezoning approval. The owner of the subject property, however, does not have the right to protest.

The new zoning code should allow both property owners and nearby residents to have the opportunity to file formal protests regarding proposed rezonings.

### Adding use-it-or-lose-it provisions

Here's a fairly common scenario: Someone proposes a development that doesn't fit the current zoning of their property. To secure the necessary rezoning, they prepare plans showing how nice the project will be, including building elevations, landscaping, and other positive features. The rezoning gets approved but then, sometimes at least, the project never gets off the ground. Yet, the new zoning remains. Moreover, there's nothing that ties the rezoning to a specific development plan. Consequently, once a rezoning is approved another very different project could be built as long as it complied with the new zoning.

We recommend that the new ordinance include language expressly allowing the city to initiate a zoning "rollback" if no development occurs on a rezoned property within a specified period of time, say 18-24 months. Such a provision could help ensure more predictability in the rezoning and development process.

## Where Do We Go From Here?

This interim report is the direct result of broad participation by the citizens of Chicago. From the beginning of this process, the Mayor's Zoning Reform Commission has sought and received a great deal of community input through meetings, newsletters, our website and issue-focused workshops.

With that feedback from Chicagoans, the Commission has been able to develop these recommendations to use as tools to apply to our neighborhoods. Our next step is to seek further review of these recommendations in a series of public citywide meetings. We need to make sure these recommendations are the right fit for Chicago, now and in the future.

The Commission will be reaching out to all communities, local chambers of commerce, industrial councils, local elected officials and citizens with a stake in Chicago's future. We are committed to crafting an ordinance, and later a new zoning map, that benefits all of Chicago's citizens. We encourage you to stay involved and informed.

Please send your comments to the Mayor's Zoning Reform Commission at:

City Hall, Room 1004  
121 N. LaSalle St.  
Chicago, IL 60602

Or visit our website at [www.cityofchicago.org/mayor/zoning](http://www.cityofchicago.org/mayor/zoning)

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