

Zoning Recommendations from Chicago Neighborhoods

December 2001

**Metropolitan Planning Council
Zoning Project Working Group**

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Special Thanks

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For more information on MPC's zoning work, visit www.metroplanning.org.

About the Metropolitan Planning Council

Founded in 1934, the Metropolitan Planning Council (MPC) is a nonprofit, nonpartisan group of business and civic leaders committed to serving the public interest through the promotion and implementation of sensible planning and development policies necessary for a world-class Chicago region.

MPC conducts policy analysis, outreach and advocacy in partnership with public officials and community leaders to improve equity of opportunity and quality of life throughout metropolitan Chicago.

Special Thanks

The Shaping Communities through Urban Design project has been made possible through generous grants from the Graham Foundation for Advanced Studies in the Fine Arts, the State of Illinois Department of Commerce and Community Affairs, the Steans Family Foundation and the Woods Fund of Chicago.

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EXECUTIVE SUMMARY

Introduction

The Metropolitan Planning Council (MPC) offers this document, *Neighborhood Zoning Recommendations*, to aid the Mayor's Zoning Reform Commission and the City Council in making changes to Chicago's current zoning ordinance. It reflects concerns of residents regarding development and zoning in four diverse neighborhoods, and offers a menu of zoning solutions that can address these concerns.

Earlier this year, as part of its zoning initiative, Shaping Communities Through Urban Design, MPC began working closely with four communities to gain input on how the existing zoning code affected the quality of life in their neighborhoods. These communities were selected based on their demographic representation, level of development activity in their neighborhoods and their location within the city.

Using the expertise of a volunteer Zoning Working Group made up of development professionals, MPC conducted a series of neighborhood focus groups that uncovered residents' desires relative to zoning issues. Of the many concerns that were raised, six issues and related policies were prominent among all four communities. MPC's working group and consultants then offered possible zoning solutions to those issues. We present here the most feasible and acceptable ones, as evaluated both by the neighborhood stakeholders and MPC's staff and volunteers knowledgeable in zoning matters. These issues and solutions are not prioritized and are meant to serve as a menu of possible ways to address the concerns raised by focus group participants. We believe that these recommendations offer a spectrum of zoning approaches that, if adopted into the new code, could further develop neighborhoods into healthy, livable and vibrant communities.

SUMMARY OF NEIGHBORHOOD ZONING SOLUTIONS

1. ISSUE: Insufficient supply of diverse housing options.
POLICY: Provide a broader range of housing options.

Focus group participants expressed the need for a broader range of housing options within neighborhoods. Residents and stakeholders value living in vibrant, mixed-income neighborhoods that offer a continuum of housing for families of all sizes and socio-economic backgrounds. There was an energized discussion on whether to make the provision of affordable housing mandatory or to encourage it with incentives. All agreed that, given recent market pressures on Chicago's real estate market, something needed to be done to expand housing opportunities while encouraging the development of mixed-income, sustainable neighborhoods.

MPC focus group participants expressed fewer concerns about residential design than about the need for a range of housing types and affordability. They did, however, identify pedestrian-friendly features such as mixed-use streets and blocks, windows and doors facing the street, a consistent street wall, traditional neighborhood planning and New Urbanist design concepts, that could visually promote a sense of harmony and safety in their neighborhoods.

Given the limitations of zoning ordinances alone to produce new units of affordable housing, focus group participants suggested a combination of mandatory requirements and non-mandatory recommendations.

Zoning Solutions:

- 1.1. Rezone areas along major streets to residential where shallow lot depth and extensive vacancies indicate the area is obsolete or marginal for modern commercial development.
- 1.2. Offer a menu of incentives and expedited permit review tracks for small affordable housing projects.
- 1.3. Institute inclusionary zoning that would require residential development projects above a certain threshold, scaled to zone, to set aside a percentage of affordable housing units.
- 1.4. Establish standards for, and permit, accessory dwelling units, such as coach houses, in lower density residential districts.
- 1.5. Develop standards for, and permit, live/work units in certain commercial districts.
- 1.6. Permit townhouses in all residential districts that permit multiple-family dwellings.
- 1.7. Allow a larger percentage of multiple family units to be efficiencies.
- 1.8. Create new residential districts with smaller minimum lot sizes that only permit one, or one- and two-family residential developments to preserve the existing character and density of such neighborhoods.

**2. ISSUE: Inadequate supply and inefficient use of existing parking.
POLICY: Increase neighborhood parking flexibility and availability.**

Parking is an issue of considerable importance in both residential neighborhoods and commercial districts. The lack of available parking spaces near homes, transit and businesses was a major frustration expressed in every community. Both residents and business owners recognized a need for more parking spaces to meet demands, but also recognized the difficulties developers face in providing the required parking on individual sites. Surprisingly, most participants did not support increasing residential and commercial parking requirements. Participants preferred innovative solutions, primarily the “right-sizing” of existing spaces and shared parking, over plans to simply create more spaces. These solutions were desirable because they maximize the usefulness of existing parking while minimizing the impact of cars and development on neighborhoods.

Zoning solutions:

- 2.1 Revise parking provisions to allow, without review by the Zoning Board of Appeals, parking spaces to be shared by more than one use, where uses do not have substantially overlapping hours of operation.
- 2.2 Establish maximum parking requirements, that, when exceeded, must be allowed to be shared.
- 2.3 Adjust residential district special use requirements for accessory parking for B, C and M districts to provide opportunities for shared parking.

**3. ISSUE: Form and function of commercial districts does not always fit the existing character of neighborhoods.
POLICY: Create new commercial districts based on character, density and use.**

Focus group participants generally felt that commercial and business districts were unattractive, not functional and not in character with their community. They wanted zoning to promote a livable, walkable and vibrant neighborhood. For example, participants believed that, depending on street width, proximity to transit, range of uses and locations of buildings and parking, certain areas should be oriented to automobiles or to transit. While they recognized that the market often determines the type of commercial development in their neighborhood, they suggested standards that would address more than just bulk based on the type of district.

Participants preferred eliminating the current business district zoning and creating new districts based on physical character, rather than use and bulk. Implementing existing City of Chicago site design standards for transit-oriented and pedestrian-oriented districts would further support these new districts. The result would be more attractive, convenient commercial development better suited to the residents of each neighborhood.

Zoning solutions:

- 3.1 Create a new Pedestrian-Oriented District and apply existing City of Chicago design standards to new districts.

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- 3.2 Create new “big box” commercial districts and use existing urban design standards for these new districts.
 - 3.3 Create new transit-oriented commercial districts and apply urban design standards for transit-oriented commercial districts.
 - 3.4 Develop standards for, and permit live/work units in, some commercial districts.
 - 3.5 Consider rezoning to residential areas along major streets where shallow lot depth and extensive vacancies indicate the area is obsolete or marginal for modern commercial development.

4. ISSUE: Transitions at the periphery of some industrial areas insufficiently protect industrial and adjacent non-industrial uses.

POLICY: Protect and promote industrial developments.

Presently, the City uses three different zoning control techniques to protect industrial areas from encroachment. These techniques also mitigate potential negative affects of industrial uses on nearby properties. Several participants expressed concerns about industrial impacts on their neighborhoods.

First, Chicago has designated five Planned Manufacturing Districts (PMDs), each with its own ordinance that includes customized use, bulk, site design and performance controls. Focus group participants believed the City should consider increasing the number or size of PMDs to protect additional areas of the City.

The second technique uses commercial districts as transition areas to buffer industrial from other non-residential uses. In particular, the purpose of the C5 Commercial/Office district is to serve as a transition district between heavy manufacturing districts, including PMDs, and residential and other high traffic generating uses. This district permits a variety of office, commercial, entertainment and manufacturing uses. Though the uses in these districts serve as appropriate transitions, they lack design standards. Participants recommended inclusion of appropriate urban design guidelines.

The third way industrial transitions are provided is through residential district boundary requirements that require minimum setbacks. Setback requirements for various manufacturing districts range from 20 to 125 feet. Setbacks serve a useful function, although they currently are not required to be landscaped. Landscaping should be required for setbacks from residential districts to serve as more effective buffers. Residents of the Back of the Yards neighborhood, in particular, commented on the positive effects of the design and landscaping of the industrial corridor within their neighborhood.

Zoning solutions:

- 4.1 Require landscaping of industrial setbacks from residential districts.
- 4.2 Create transition requirements/standards in manufacturing districts that match existing PMD standards.

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- 4.3 Extend river edge boundaries (see Appendix L, Chicago River Corridor Design Guidelines & Standards).

5. ISSUE: There is a need for better communication and greater opportunities for neighborhood participation in the development review process.

POLICY: Increase neighborhood involvement through additional notification procedures.

Focus group participants in three out of the four communities complained that neighborhood notice, and opportunities for participation in the development review process, are insufficient. While MPC recognizes that striking a balance between streamlining review procedures and allowing for adequate neighborhood review is a significant challenge, there may be opportunities to permit greater neighborhood notification for at least larger development projects without substantially lengthening the review process. This would require codification of a neighborhood review process, or neighborhood notification requirements beyond those that are currently in place.

Currently, the public hearing notification requirements for discretionary review requests consist of a notice mailed to all property owners within 250 feet of the subject property 30 days in advance, and a posted sign on the subject property within five days of application. Many focus group participants believed that these signs were too small and the language on the notice too difficult to understand. Many residents also cited certified mail as a reason for delay in notification. Since letters had to be picked up at the post office, it was less likely that residents actually received notices on time. Participants suggested that the mailed notice requirement be expanded to include all neighborhood organizations and all residents who indicate an interest in specific properties or areas of the city. This could be implemented through an “interested parties notification registry,” similar to the one used to inform Illinois residents about tax increment financing districts. One practical suggestion was to mail notifications on zoning activities as regular mail instead of certified mail.

Zoning solutions:

- 5.1 Employ an “interested parties notification registry” procedure similar to that used in the tax increment finance notification process.
- 5.2 Require that direct notice of all discretionary review requests be mailed to neighborhood organizations that request to be notified of development proposals.
- 5.3 Establish a neighborhood contact requirement for development proposals of a certain scale to give neighborhood organizations an opportunity to request an informational meeting prior to City review.
- 5.4 Improve the public notification process by posting announcements in additional public spaces.

**6. ISSUE: There are no design standards for open space development.
POLICY: Increase quality and quantity of neighborhood open space.**

The current zoning ordinance does not include design standards for open space, nor does it encourage the development of more green space on a city-wide basis. Participants agreed that design standards could improve the quality and usability of outdoor plazas and green space currently available in their neighborhoods. Such standards could apply to open space that is provided as part of residential, commercial and industrial developments. The current ordinance only details open space requirements for townhouse developments. The standards require 150 square feet of common open space per dwelling unit, each area with a minimum dimension of 25 square feet and a minimum size of 2,000 square feet. The standards also require a minimum of one tree to be planted for each 1,000 square feet of common open space. At a minimum, these townhouse standards should also be made applicable to all residential planned developments and large-scale, by-right residential developments.

Expanded design standards for privately developed open space could be created and applied as either bonus provisions or as binding requirements.

Zoning solutions:

- 6.1 Limit lot coverage in residential districts. Establish a maximum lot coverage requirement.
- 6.2 Establish minimum setback and screening requirements for certain active recreational uses on private park sites that have the potential to disrupt surrounding residential uses.
- 6.3 Require public access to any developed river edge open space.
- 6.4 Provide density bonuses in return for publicly accessible open space.

NEIGHBORHOOD ZONING RECOMMENDATIONS: ISSUES, POLICIES AND ZONING SOLUTIONS

1. ISSUE: Insufficient supply of diverse housing options.
POLICY: Provide a broader range of housing options.

Many workshop participants expressed a need for a broader range of housing options within neighborhoods. The housing types permitted by the current ordinance include: one-family dwellings, two-family dwellings, multi-family dwellings, townhouses, single room occupancy buildings, family community homes, group community homes, housing for elderly persons and transitional residences. Housing diversity could be expanded to include other housing types that may be better suited to sectors of the population such as small households consisting of senior citizens or young couples. Housing diversity can also be encouraged by allowing some housing types that are currently permitted under the ordinance (e.g., single room occupancy buildings, efficiencies and townhouses) in additional zoning districts or without quantity limitations. Although defining and developing standards for various housing types does not guarantee that there will be a market for them, it will give property owners more options for developing new housing.

Zoning solutions:

1.1 Rezone areas along major streets to residential where shallow lot depth and extensive vacancies indicate the area is obsolete or marginal for modern commercial development.

Based on input received at zoning workshops, some areas along major streets are considered appropriate for redevelopment with residential uses. In some areas, extensive vacant land and/or buildings along major streets indicate commercial obsolescence and/or excessive commercial zoning. Some workshop participants, including those with residential development experience, believe these areas offer opportunities for residential developers to assemble larger tracts of land for redevelopment. Although some major streets would not be considered appropriate for residential development, others are transit corridors that would provide residents with good access to public services, parks, schools, shopping, etc. Sites on major streets are also considered safer.

Implementation of this regulatory approach may not require new zoning ordinance text provisions, but a revision of the zoning map. The re-mapping process will involve careful analysis of the balance of land uses and availability of vacant commercial land for redevelopment prior to down-zoning any property from commercial to residential. The re-mapping process could also provide opportunities for promoting new large-scale residential development in areas of the city where land is available.

1.2 Offer a menu of incentives and permit review tracks for smaller affordable housing projects.

Incentive programs evoked mixed reactions from workshop participants. Residents and developers alike warned of potential developer opposition to mandatory set-asides of affordable units. Likewise, developers may or may not take advantage of incentives. Both approaches, which rely solely on new

residential development, are susceptible to market forces. Another approach to expanding housing options is to offer a voluntary density bonus to help offset the cost of requiring affordable units. This approach has two benefits. First, offering increased density would help to offset the cost of the affordable units in a housing market that is “hot” and where land values are high. Second, offering density bonuses for these large-scale developments may provide the greatest opportunities for minimizing any potential negative impacts of increased density, especially related to parking and congestion. Although parking and traffic congestion problems exist throughout the city, new large-scale developments are more likely to have adequate land area and design flexibility to provide on-site parking and other amenities for the additional units.

Determining appropriate density bonuses may depend on several factors. Ideally, the value of the additional density offered needs to exceed the cost of maintaining the set-aside units as affordable in order to be fiscally attractive to developers. The ordinance should include a sliding-scale density bonus that offers larger bonuses for the provision of more desirable types of affordable units (e.g., single-family dwellings) or for units affordable to the most needy households (e.g., very low income).

Affordable housing regulations could include the following:

- 1) Define “low” and “moderate” income households by the standards set by the U.S. Department of Housing, where low to moderate equals 50 to 120 percent of area median income (\$65,565 for a household of four in Chicago in 2001). New housing would be “affordable” to families in this income range.
- 2) Require a developer to ensure that “for sale” or rental units are maintained as affordable for a minimum time period.
- 3) Have developers contribute to a City affordable housing fund in lieu of providing the affordable units. This would add an administrative burden to the City but could be extended to require contributions from non-residential developments as well.
- 4) Require the sale to or rental of units to the Chicago Housing Authority (or a nonprofit community group) for the provision of housing for very low income families.

Establishing a “menu” of potential incentives would allow for adequate review where flexibility from district requirements is requested, as would an expedited permitting process for those projects that do not require flexibility. This would require placing limitations on the degree of flexibility to be granted by City staff or the Zoning Administrator to avoid the appearance of arbitrary zoning decisions. A second review track could permit City staff or the Zoning Administrator to approve exceptions from the district requirements that are within the set limitations. The existing City exception process currently permits these types of approvals and could be expanded to include additional exceptions for affordable housing. For example, affordable housing incentives could be linked to permit review tracks as follows:

Affordable Housing Incentives and Permit Review Tracks

Permit Review Track I: A first-priority permitting process is offered for affordable housing projects that do not require waivers or exceptions from district requirements.

Permit Review Track II: Administrative review is offered for affordable housing projects that require

exceptions from the district requirements within the following limitations:

- 1) Increased density from 15-30 percent, with the greatest density bonuses for affordable housing that is located above ground floor retail and/or within 1,500 feet of a transit stop.
- 2) Reductions in setbacks, lot area or lot width not to exceed 20 percent.
- 3) Increased building height, floor area ratio (or lot coverage, if established) not to exceed 20 percent.
- 4) Waivers or reductions in the parking requirements for affordable housing projects within 1,500 feet of a transit stop.

Permit Review Track III: Affordable housing projects that require waivers or exceptions in excess of the limitations set forth above shall be subject to planned development review or the variation process.



Half of the units at North Town Village, a new development on Chicago's Near North Side, are affordable to low and moderate income families.

1.3 Institute an inclusionary zoning requirement that residential development projects above a certain threshold set aside a percentage of affordable housing units.

The City of Chicago does not currently require residential developers to set aside a percentage of newly constructed dwelling units as affordable to low and moderate income households. Inclusionary zoning would require a certain percentage of affordable dwelling units within larger-scale residential developments. An appropriate minimum development size should be determined based on the density of the underlying zoning. In higher density residential areas, developments of 40 or more units would be appropriate for inclusionary zoning. While in medium or lower density areas, developments of 20 or 10 would be included. A 10-15 percent set-aside is consistent with programs elsewhere in the country.

1.4 Establish urban design standards for, and permit accessory dwelling units in, lower density residential districts.

One approach to promoting a range of housing options is to permit accessory dwelling units in residential districts. These units could provide quality shelter for an elderly parent, child care worker or young renter. Accessory dwelling units can be located within a principal building or in a detached accessory building. Presently, in the R1 and R2 Single Family Residence Districts, only single-family detached dwellings are permitted, precluding the creation of accessory dwelling units within principal buildings. The R3 through R8 districts permit two-family and multiple-family dwellings, but all residential districts prohibit dwelling units in accessory buildings to be permanently occu-



Coach houses, like this one in Lakeview, are examples of accessory dwelling units.

pied as housekeeping units (i.e., they may only be used temporarily as guest quarters). Thus, the construction of new accessory buildings, and occupancy in existing accessory buildings, is prohibited in all residential districts.

There are two types of accessory dwelling units that could be considered:

1. Accessory dwelling units that do not involve the addition of floor area:
 - Accessory dwelling units created within an existing principal building.
 - Accessory dwelling units created through occupancy of an existing dwelling unit located above a detached garage (a “coach house”).
 - Accessory dwelling units created through occupancy of an existing detached accessory building that is not located above a garage.
2. Accessory dwelling units that involve the addition of new floor area:
 - Accessory dwelling units created through the addition of floor area to an existing or as part of construction of a new principal building.
 - Accessory dwelling units created through the addition of floor area above an existing detached garage or as part of construction of a new coach house.
 - Accessory dwelling units created through the construction of a new detached accessory building that is not a garage.

In evaluating the appropriateness of these different types of accessory dwelling units within lower density residential districts, the following should be considered:

- Whether the physical character of lower density residential neighborhoods will be affected, particularly as perceived from the street.
- Whether the increased density will create additional parking problems.
- Whether the increased intensity of development on the lot will greatly affect the openness of rear yards and result in excessive lot coverage.

Bulk and design standards can be created to ensure new developments or redevelopments are compatible with the character of lower density residential districts. Potential design standards for accessory dwelling units may include the following:

Standards for Accessory Dwelling Units

1. Total maximum number of dwelling units per lot. In single-family residence districts, the creation of the accessory dwelling unit shall result in a density of no more than two (2) dwelling units per lot. In multiple-family residential districts, the maximum permitted density for the district shall not be exceeded.
2. Maximum size of accessory unit. The area of the accessory dwelling unit shall not exceed 1/3 of the floor area of the principal building, or a maximum of 750 square feet, whichever is less. The floor area of the accessory unit shall be counted toward the maximum permitted floor area ratio for the lot. Newly constructed coach houses are permitted to be constructed with an increased maximum permitted height of 18 feet.

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3. Permitted locations of accessory dwelling unit entrances on the principal building. In single-family residence districts where an accessory unit is within a principal building, the front facade shall retain the appearance of a single-family residence in that an additional entrance shall not be permitted on a facade facing a street, unless the building had additional entrances prior to occupancy of the accessory unit. An additional entrance may be added to the rear or side of the building not facing the street, provided that any stoop, stairwell, deck or balcony that serves as access meets the applicable setback requirements.
 4. Off-street parking requirement. In an effort to balance the demand for off-street parking with a need to minimize the amount of impervious surface on a lot, one additional parking space is required only for accessory dwelling units that are created through the addition of floor area, whether through new construction or additions to existing buildings on the lot.
 5. Compatibility with the principal building. The exterior appearance of any accessory dwelling unit created through the addition of new floor area shall be compatible with the existing principal building. The exterior building materials, roof design, trim details, eave width and window proportions shall be compatible with those of the existing and/or newly constructed principal building.



These live-work units in West Town include ground floor space for a home office and a living area above.

1.5 Develop standards for and permit live/work units in certain commercial districts.

Presently Chicago does not permit live/work units. Live/work units are a housing type that integrates the residential quarters of the dwelling unit with a workspace. By definition, live/work units are mixed-use in character. This housing type may be appropriate for obsolete commercial and industrial areas of the city that have existing buildings with floor plans, ceiling heights, etc. that can be converted to accommodate dual use of the units. In addition, live/work units could be appropriate in vibrant business areas. While ground-floor residential uses in pedestrian-oriented retail districts can detract from the active nature of the “streetlife,” live/work units may be a flexible mixed-use option for vacant ground floor space, provided the units are designed to be compatible with surrounding pedestrian-oriented

retail uses. If permitted in some business and commercial areas, design standards could include the following:

Standards for Live/Work Units in Business or Commercial Districts

- 1) The residential portion of the unit shall be located at the rear or above the ground floor of the unit, and the work space and any associated retail area shall be located at the front of the unit, facing the street.
- 2) Retail sales shall be permitted, provided that at least a portion of the goods for sale are produced on the premises.
- 3) The ground floor area of the unit shall meet the minimum floor area requirement for retail space.
- 4) The front facade of the live/work unit shall address the street by including design elements such as clear ground floor windows, public art, architectural embellishments, landscaping and/or pedestrian

amenities, whether or not retail goods are offered for sale on the premises.

Activity conducted in the live/work unit shall be required to meet performance standards for noise, odor, heat, etc. to prevent the creation of nuisances.

1.6 Permit townhouses with appropriate urban design standards in all residential districts that permit multiple-family dwellings.

Permitting townhouses at least in all districts that permit multiple-family dwellings would provide opportunities for increased housing diversity in additional neighborhoods in Chicago. The current ordinance permits townhouses in R4, R5, R6, R7 and R8 districts. Presently, one, two and multiple-family dwellings are permitted uses in the R3 district, whereas townhouses are prohibited. Whether or not the existing residential district structure is retained, townhouses may be an appropriate infill housing option in any district that permits multiple-family dwellings.



These new townhouses in Lincoln park fit in with their historic neighbors thanks to good urban design.

Although permitting townhouses may increase density in some neighborhoods, the design of townhouse units with individual entrances can be compatible with the character of many existing neighborhoods that contain a mix of housing types, provided that the rows of individual units are oriented parallel to, and with front entrances facing, the street. Conversely, rows of townhouses that are oriented perpendicular to the street, with the end wall of the end unit facing the street should be prohibited for all infill townhouse development within the interior of occupied neighborhood blocks.

Perpendicular orientation is acceptable in some larger townhouse projects developed with an internal circulation system. However, requiring parallel orientation to replicate the existing character of neighborhoods could expand opportunities for infill townhouse development without compromising neighborhood character.

1.7 Allow a larger percentage of multiple family units to be efficiencies.

The current ordinance limits the percentage of efficiency units in multiple-family developments. The current limitations are as follow:

District	Maximum Percentage of Efficiency Units
R4 and R5	20
R6	30
R7	40
R8	50

These maximum percentages could be increased or eliminated in an effort to permit the construction of additional affordable efficiency units in multiple-family residential districts.

1.8 Create new residential districts that only permit one, or one-and two-family residential units, with appropriate urban design, to preserve the existing character and density of such neighborhoods.

Within R3 and R4 districts, many are where one and two-family dwellings are the primary housing types. Under R3 and R4 zoning, one, two and multiple-family residential dwellings are permitted.

Where the lot sizes in these neighborhoods conform to R1 or R2 minimum lot size requirements, these areas may be appropriately rezoned to R1 or R2 to preserve their single-family residential character and density. However, in neighborhoods where there is a mix of one and two-family dwellings or where the lot sizes conform to the R3 minimum standard of 2,500 square feet, rezoning to R1 or R2 would create nonconformities. As a means of promoting a diversity of housing types, including the construction of new one and two-family dwellings, the establishment of new one or one and two-family residential districts that permit smaller lot sizes may be appropriate. Where the majority of the lots meet or are close to the R3 minimum lot area of 2,500 square feet, that would serve as an appropriate minimum lot size, adjustable only via lot size averaging as permitted in the R1 and R2 districts. Where a different lot size is predominant, new residential districts could be crafted to preserve the lower density character of these areas.

In order to encourage the development of roofed front porches, an attractive urban design element, we offer the following recommendation, which could be applied to all single and multiple family districts. The required front yard set back in R1, R2 and R3 is 20 feet or 16 percent of lot depth, whichever is less, plus an additional one foot for every two feet by which the building height exceeds 25 feet. Despite the fact that front porches are considered an attractive design feature, they are not permitted to encroach into the required front yard set back. An incentive to encourage the construction of front, unenclosed, roofed porches that address the street is to permit them to encroach into the required front yard provided there are limitations to porch width and that minimum setback is maintained. For example, front roofed, unenclosed porches could be permitted to encroach into required front yards that are a minimum of 20 feet in depth, provided that the maximum encroachment is 8 feet.

**2. ISSUE: Inadequate supply and inefficient use of existing parking.
POLICY: Increase neighborhood parking flexibility and availability.**

Parking is an issue of considerable importance in both residential neighborhoods and commercial districts. Addressing parking on a city-wide basis is essentially a planning, rather than a zoning issue, in that implementation requires identifying suitable locations, as well as funding, operating and maintenance mechanisms. Participants support construction of municipally owned and operated parking facilities. Parking could also be operated and maintained by business associations. The City could fund the initial construction of such facilities through the establishment of a parking fund that business owners would have the option of paying into in lieu of providing on-site parking. This could be implemented by requiring payment into the parking fund for each parking space that is not provided, to be used to pay for the cost of constructing municipal facilities. This option places a financial burden on the City in requiring it to administer such a program and ultimately

construct and maintain parking lots. This alternative is not likely to be implemented by the City without the adoption of a comprehensive city-wide parking policy, which would require it to take on the responsibility of constructing and maintaining parking facilities. Therefore, the zoning solutions described below focus on removing zoning ordinance barriers to shared parking, and identifying situations where shared parking among uses could be required.

Zoning solutions:

2.1 Revise the collective parking provisions to allow parking spaces to be shared by more than one use, where the uses do not have substantially overlapping hours of operation, without review by the Zoning Board of Appeals.

The current collective parking provisions for B, C and M districts permit collective parking among uses, provided that the total number of spaces is not less than the total number required for all separate uses. Parking spaces may be counted as required spaces for more than one use only if approved by the Board of Appeals. These provisions allow for collective parking, but not shared parking.



The Hyde Park Bank parking lot is shared by several nearby stores.

These provisions could be revised to permit shared parking among uses that have alternate peak hours by-right, without requiring review by the Board of Appeals. The City could allocate the responsibility of evaluating proposed joint arrangements to City staff, or permit administrative review where a limited number of spaces are to be shared. For example, the ordinance could permit City staff to approve joint parking agreements where the number of shared spaces that serve both uses does not exceed 50 percent of the sum of required spaces for the separate uses. Revising the collective parking provisions would alleviate a regulatory barrier to the provision of shared parking.



Many large parking lots sit half empty for much of the day and could easily be shared by several uses.

2.2 Adjust the residential district special use requirements for accessory parking for B, C and M districts to provide opportunities for shared parking.

Presently, the ordinance permits accessory parking for adjacent B, C or M uses that are located within 500 feet, in residential districts as special uses. The special use standards include requirements that lots be maintained solely for non-residential use and closed between the hours of 10 p.m. and 7 a.m. The permitted hours of use serve as barriers to allowing for shared parking. The City could consider adjusting the requirement to only permit such parking if it is maintained as shared parking for the adjacent residential neighborhood or other surrounding uses. Another option may be to permit accessory parking for adjacent B, C or M districts as permitted uses in residential districts if it is maintained as shared parking. The third option would be to require only those spaces that exceed the parking

requirements to be maintained as shared parking, as described above.

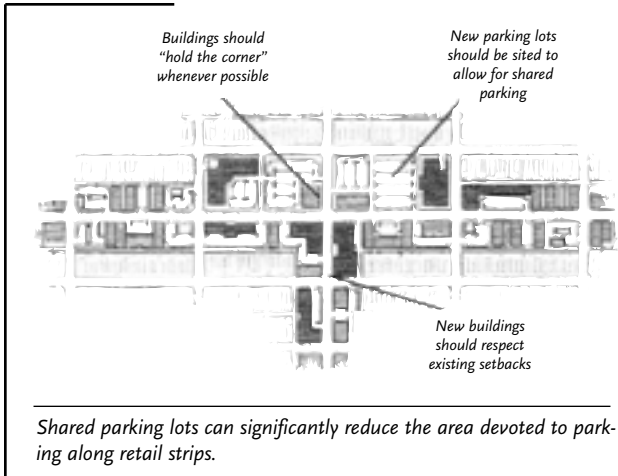


Image courtesy Camiros, Ltd.

2.3 Establish maximum parking requirements, that, when exceeded, must be used as shared parking.

Encouraging shared parking between uses with alternate peak times can be difficult since many retail users are reluctant to assume the additional liability. However, one approach is to establish a maximum percentage increase in parking that may be provided above the minimum requirement, which, if exceeded, shall only be permitted as shared parking with other uses. For example, institutional, commercial and manufacturing uses that exceed the minimum parking requirements by more than 20 percent could be required to maintain excess parking spaces as shared parking. Prior to issuance of a building permit, the applicant

would have to provide a joint parking agreement between themselves and other uses with alternate peak times. Such a provision could maximize the use of at least a portion of the spaces in otherwise single-use parking lots.

3. ISSUE: Form and function of commercial districts does not always fit the existing character of neighborhoods.

POLICY: Create new commercial districts based on character, density and use.

Focus group participants generally believed that commercial and business districts were often unattractive, not functional and not in character with their community. They wanted zoning to promote a livable, walkable and vibrant neighborhood. For example, they felt that, depending on street width, proximity to transit, range of uses and the locations of buildings and parking, certain areas should be oriented to automobiles or transit. While they recognized that the market had much to do with the type of commercial development in their neighborhoods, they suggested standards that would address more than just bulk in determining the type of district.

Participants preferred eliminating the current business district structure and creating new districts based on physical character, rather than use and bulk. Implementing existing Chicago site design standards for transit-oriented and pedestrian-oriented districts would further support these new districts. The desired end result would be more attractive, convenient commercial development better suited to the residents of each neighborhood.

Zoning solutions:

3.1 Create new Pedestrian Oriented Districts, and implement existing City of Chicago design standards that would apply to new districts.



The option that may require the least amount of modification to the existing base districts would be the development of a Pedestrian-Oriented District. This district could be selectively applied to pedestrian-oriented districts throughout Chicago regardless of the underlying zoning. The standards could be crafted to be design-related rather than bulk and use related, so that they could be applicable to most business districts. The design standards could be crafted as follows:

Standards for Pedestrian-Oriented Districts

- 1) Establish a maximum front building setback.
- 2) Prohibit front yard parking between buildings and sidewalks.
- 3) Permit pedestrian amenities such as outdoor eating areas, benches, water features, patios, covered walkways, retail courtyards or public plazas within a limited additional front setback area (e.g., 15 feet) where such a setback is consistent with the prevailing development pattern.
- 4) Require clear ground floor windows or public art, if approved by the City, on facades that face the street.
- 5) Require buildings on corner lots to reinforce the corner by siting building mass along both the front and side street property lines.
- 6) Require main entrances of buildings to be on the sidewalk.
- 7) Restrict openings in building frontages for vehicular and non-vehicular access.
- 8) Require distinct ground floor definition with architectural features.
- 9) Establish a minimum building height, if appropriate.
- 10) Require large building elevations to be divided into smaller planes or areas.
- 11) Restrict permitted signs to those placed directly on buildings. Prohibit billboards and other free standing signs. Substantially reduce the permitted sign area to one or two square feet per one foot of lineal frontage.

3.2 Create new “big box” commercial districts and implement existing urban design standards for these new districts.

The current ordinance does not have specific standards for big-box retailers, but it does place limitations on the floor area of business establishments in certain business and commercial districts. Based on these floor area limitations, big-box retailers are limited to a few B and C districts and most are processed as planned developments. There are two approaches that the City can take to address the needs of big-box retailers without permitting their encroachment into industrial areas or neighborhood business districts.



This bookstore in Beverly features a design that welcomes both motorists and pedestrians.

One alternative would be for the City to create a big-box or large-scale shopping center district that is mapped in areas of the City where there are large redevelopment sites with adequate automobile and transit access. Such areas should be located on major arterial streets at the periphery of pedestrian-oriented commercial nodes because the traffic and parking demands, as well as scale and design of these retail uses are often incompatible with the pedestrian character of these nodes. The drawback

to this approach is that relegating big-box retailers to large vacant, redevelopment sites may not permit such uses to locate in the areas of greatest market demand. Another option may be to permit big-box users to locate on the periphery of pedestrian-oriented commercial nodes subject to design standards that help to integrate them into the urban environment. In addition to those included in the City's Landscape Ordinance, other standards that could be required of big-box and large-scale retail development within close proximity to pedestrian-oriented nodes could include the following:

Standards for Big-Box and Large-Scale Retail Development

- 1) Limit the footprint of anchor stores to 30,000-40,000 square feet. This would require larger retail anchors to construct multi-story stores that are more consistent with the pedestrian scale of the adjacent district.
- 2) Require a minimum of 25 percent of the street frontage to be occupied by buildings located on the front lot line, or set back no more than 15 feet if the setback area is landscaped. On corner lots, concentrate building mass at the corner. The street frontage can be occupied by a single building and/or outlot buildings.
- 3) Require clear ground floor windows on facades that face the street.
- 4) Require main entrances of buildings to be located adjacent to or clearly visible from the sidewalk. Where building entrances are not adjacent to the sidewalk, require a direct pedestrian connection and internal circulation among main entrances.
- 5) Require distinct ground floor definition with architectural features.
- 6) Require large building elevations to be divided into smaller planes or areas using design elements.
- 7) Require all waste disposal and loading areas to be screened and located so as not to be visible to pedestrians.
- 8) Substantially reduce the permitted sign area of wall signs to no more than four square feet per one foot of lineal frontage. Only permit freestanding monument signs that are landscaped at the base rather than pole or pylon signs. Require coordinated signage of uniform size and height within shopping centers. Prohibit billboards within close proximity to residential districts.

3.3 Create new Transit-Oriented Commercial Districts and implement urban design standards for them.

Most of the pedestrian-oriented design characteristics listed above would apply to nodes around transit stops. However, in addition to the above design standards that focus on preservation of the street wall and facade design, transit-oriented design standards could also be developed to apply specifically in areas surrounding "L" and Metra transit stops and at intersections of two (2) or more major bus routes. These could be developed as standards or incentives, and could apply in addition to those required in the Pedestrian-Oriented District, where appropriate. The purpose of these standards is to encourage



New buildings near transit stations should help to promote transit use, walking and cycling through urban design. Features such as build-to lines, curb cut restrictions and screened small parking lots can improve the pedestrian experience.

Image courtesy Camiros, Ltd.

the concentration of mixed-use development near transit stops. For example, these standards could apply to sites that are within 1,500 feet of transit stops. The standards could include the following:

Standards for Development Within Close Proximity to Transit Stops

- 1) Mixed-use incentive. Offer an increased FAR, density, and building height for mixed-use development that includes residential near transit stops. The greatest FAR, density, and/or building height incentives could be provided for affordable housing developments.
- 2) Minimum density requirement for residential development near transit stops. Require all residential development near transit stops to be developed at a minimum of 80 percent of the maximum permitted density.
- 3) Reduced parking requirements near transit stops. Offer reduced parking requirements such as 0.5 parking spaces/dwelling unit or 1.5 parking spaces/1,000 square feet of retail space near transit stops.
- 4) Corner lot incentive. Offer an increased FAR, density and building height for developments on corner lots. This bonus may not be used in combination with the mixed-use bonus.

3.4 Develop standards for and permit live/work units in certain commercial districts (see Section 1.5).

3.5 Consider rezoning areas along major streets to residential where shallow lot depth and extensive vacancies indicate the area is obsolete or marginal for modern commercial development (see Section 1.10).

4. ISSUE: Transitions at the periphery of some industrial areas insufficiently protect industrial and adjacent non-industrial uses.

POLICY: Protect and promote industrial developments.

Presently, the City uses three different zoning control techniques to protect industrial areas from encroachment. These techniques also mitigate potential negative impacts of industrial uses on nearby properties, which participants expressed as their major concern regarding industrial districts.

First, Chicago has designated five Planned Manufacturing Districts (PMDs), each with its own ordinance that includes customized use, bulk, site design and performance controls. Focus group participants believed the City should consider increasing the number or size of PMDs, as a means of protecting additional areas of Chicago.

The second technique uses Commercial districts as transition areas to buffer industrial from other non-residential uses. In particular, the purpose of the C5 Commercial/Office district is to serve as a transition district between heavy manufacturing districts, including PMDs, and residential and other high traffic generating uses. This district permits a variety of office, commercial, entertainment and manufacturing uses and though the uses in these districts serve as appropriate transitions, they lack design standards.

The third way that industrial transitions are provided is through the residential district boundary requirements that require minimum setbacks from residential districts. The setback requirements for various Manufacturing

districts range from 20 feet to 125 feet in depth. The setbacks serve a useful function, although they currently are not required to be landscaped. Landscaping should be required within the setbacks from residential districts so they serve as more effective buffers. Residents of the Back of the Yards neighborhood, in particular, commented on the positive effects of the design and landscaping of the industrial corridor located within their neighborhood.

Zoning solutions:



The Stockyards Industrial Park in Back of the Yards features extensive screening and landscaping.

4.1 Require landscape of industrial setbacks from residential districts.

Presently, the City's Landscape Ordinance requires landscaping only for parking lots, parking structures and parkways. Although space limitations make it difficult for adequate setbacks to be provided on most nonresidential sites, the manufacturing district setback requirements from residential districts provide ample room for installation of a landscape buffer, provided that the setback area is not used for parking. If the setback area is occupied by surface parking, then the site should be landscaped to meet the City Landscape Ordinance requirements for parking lots. However, where the setback area is not used for parking, landscape material should be required. The required landscaping should include a mix of canopy trees, evergreen trees and shrubs for year-round screening that may be supplemented with a berm, fence and/or wall. The landscape requirements could be structured to set forth a menu of options that are dependent upon the buffer width.

4.2. Create transition requirements in manufacturing districts that match existing PMD standards (see Appendix J, PMD standards, Kinzie Corridor).

Commercial districts permit a mix of retail, entertainment, office, wholesale/distribution, warehousing and limited manufacturing uses. Although these transition areas typically serve a larger market area than the surrounding neighborhood, establishing design standards could have the dual purpose of minimizing potential negative impacts on neighboring residential uses and preserve the traditional physical character of these areas.

Design Standards for Transitional Commercial Districts

- 1) Require buildings to hold at least 75 percent of the front lot line, or if located on a corner lot, then 75 percent of the lot line on both street frontages, or require front yard setback averaging.
- 2) Require shared curb cuts and/or cross access between buildings and uses.
- 3) Establish a minimum distance of curb cuts from intersections and maximum curb cut width.
- 4) Require outdoor storage to be screened.
- 5) Require large building elevations to be divided into smaller planes or areas or enhanced with architectural elements.
- 6) Require clear ground floor windows on facades that face the street.
- 7) Require public building entrances to be on the sidewalk.

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- 8) Require distinct ground floor definition with architectural features.
 - 9) Substantially reduce permitted sign area to no more than four square feet per one foot of lineal frontage and only permit freestanding monument signs that are landscaped at the base, rather than pole or pylon signs. Prohibit billboards within close proximity to residential districts.
 - 10) Require lighting to be shielded and directed downward at all time, and limit intensity to no more than one foot candle at any property line that abuts residential uses.

4.3. Extend River Edge Standards (see Appendix L, Chicago River Corridor Design Guidelines & Standards).

5. ISSUE: There is a need for better communication and greater opportunities for neighborhood participation in the development review process.

POLICY: Increase neighborhood involvement through additional notification procedures.

Focus group participants in three out of the four communities believed neighborhood notice and opportunities for participation in the development review process to be insufficient. While MPC recognizes that striking a balance between streamlining review procedures and allowing for adequate neighborhood review is a challenge, we believe there may be opportunities to permit greater neighborhood involvement for at least larger development projects without substantially lengthening the review process. This would require codification of a neighborhood review process or neighborhood notification requirements beyond those that are currently in place.

Currently, the public hearing notification requirements for discretionary review requests consist of a 30-day mailed notice to all property owners within 250 feet of the subject property and posted sign on the subject property within five days of application. Many focus group participants believed that the signs were too small and the language on the notice too difficult to understand. Many residents also cited certified mail as a reason for delay in notification, because letters had to be picked up at the post office, making it less likely that residents would actually receive their notices on time. Participants suggested that the mailed notice requirement be expanded to include mailed notification to all neighborhood organizations and all residents that indicate an interest in specific properties or areas of Chicago. This could be implemented through an “interested parties notification registry,” similar to that used to inform residents in Illinois about tax increment financing districts. To ensure broader reach of this information, a practical suggestion offered was to mail notifications on zoning activities as regular mail, rather than certified mail, which is currently the case.

Zoning solutions:

5.1 Employ an “interested parties notification registry” procedure similar to Illinois’ tax increment finance notification process (see 65 ILCS 5/11-74.4-4.2 Sec. 11-74.4-4.2).

The state of Illinois has created an interested parties registry for which any interested individual or civic organization can sign up to receive information about tax increment finance districts in their city. A similar process could be implemented for zoning changes or variances within a specific community or ward of Chicago. Interested parties would submit their names to the City who would then be responsible for mailing out the notice. Interested parties would be required to renew their interest every two years or thereabouts to avoid unnecessary mailings.

5.2 Require direct mailed notice of all discretionary review requests to neighborhood organizations that request to be notified of development proposals.

Currently, the public hearing notification requirements for discretionary review requests consist of a notice mailed to all property owners within 250 feet of the subject property and posted sign on the subject property within five days of application. The mailed notice requirement could be expanded to include mailed notification to all neighborhood organizations that indicate an interest in specific properties or areas of Chicago. The City would maintain this list of neighborhood organizations, and make it available for public review upon request. This expanded mailed notice requirement is similar to a process currently used in San Francisco for all building permit applications submitted for property within Neighborhood Commercial districts.

5.3 Establish a neighborhood contact requirement for development proposals of a certain scale, which would give neighborhood organizations an opportunity to request an informational meeting prior to City review.

A neighborhood contact requirement could be established for development proposals of a certain scale that are not subject to discretionary review. The neighborhood contact requirement could be established in addition to or in place of the expanded mailed notice requirement. However, this process could require the applicant to attend an informational meeting within the neighborhood, at the request of the neighborhood organization. The City would have to maintain a list of the neighborhood organizations that are entitled to review proposals. This process is similar to one currently used in Portland, Ore. for development proposals of a certain size that are not subject to discretionary or design review. The neighborhood contact requirement could be established as follows:

Neighborhood Contact Requirements

- 1) Applicability. The following development proposals are subject to neighborhood contact requirements. Development proposals that are subject to discretionary review procedures are exempt from the neighborhood contact requirement:
 - a. Residential development proposals that include more than 10 dwelling units.
 - b. Development proposals that include more than 10,000 square feet of nonresidential gross floor area.
- 2) Neighborhood notification. The applicant must contact the neighborhood organization(s) for the area by mail to request an informational meeting. The neighborhood organization shall reply to the contact within 14 days and hold a meeting within 30 days of the date of the initial contact. If the neighborhood organization does not reply to the applicant's letter within 14 days and/or hold the requested meeting within 30 days, the applicant may apply for a building permit without further delay.
- 3) Purpose of the informational meeting. The informational meeting shall be open to the public and shall allow neighborhood residents and the developer to discuss concerns about the design of the proposal. The focus of the meeting should be the design of the proposal, and not whether the proposal will be built. The discussion at the meeting is advisory only and any direction given is not binding upon the applicant. However, the neighborhood organization may record its concerns in

writing and forward them to the City so that they will be on file for review when the applicant requests a building permit.

- 4) Follow-up letter to the neighborhood organization. After the meeting and before applying for a building permit, the applicant must send a follow-up letter to the neighborhood organization. The letter will explain modifications, if any, the applicant is making to the proposal's design. A copy of the letter shall be provided to the City at the time the applicant requests a building permit.

5.4 Improve public notification process by posting announcements in public spaces.

6. ISSUE: There are no design standards for public or private open space development.
POLICY: Increase quality and quantity of neighborhood open space.

The current ordinance does not have design standards for open space, nor does it encourage the development of more open space on a city-wide basis. Participants agreed that design standards could improve the quality and usability of outdoor plazas and green space in their neighborhoods. Such standards could apply to open space that is provided as part of residential, commercial and industrial developments. The current ordinance only details open space requirements for townhouse developments. The standards require 150 square feet of common open space per dwelling unit, each area with a minimum dimension of 25 square feet and a minimum size of 2,000 square feet. The standards also require a minimum of one tree to be planted for each 1,000 square feet of common open space. At a minimum, these townhouse standards could also be made applicable to all residential planned developments and large-scale, by-right residential developments.

Expanded design standards for privately developed open space could be created and applied as either bonus provisions or as binding requirements.

Zoning solutions:

6.1 Limit lot coverage in residential districts. Establish a maximum lot coverage requirement.

Many workshop participants believed that excessive lot coverage with buildings, structures and pavement significantly affected the openness of residential yards. Not only is the sense of openness affected, excessive building coverage can also obstruct air and light on adjacent properties. Many communities address the issue of over-development by limiting permitted building coverage or impervious surface coverage on individual lots.

The current ordinance uses several bulk control techniques to limit development in residential districts. There are minimum lot area and width requirements for each district, which may only be reduced if the average on the block face is less than required. The ordinance limits the size of principal buildings with a combination of maximum FAR, minimum setback, and in some districts, maximum building height requirements. Detached accessory buildings are also limited in size in that they may occupy no more than 60 percent of the required rear yard, except on lots 25 feet or less in width where a garage of 480 square feet is permitted. Detached accessory buildings and off-street parking spaces are only permitted in rear yards.

Any changes to the existing bulk controls would require evaluation to ensure that the combination of controls permit the desired size and scale of residential buildings and that their cumulative effect will not create excessive nonconformities. In other words, prior to introduction of a new bulk control technique such as lot coverage requirements, the entire “package” of bulk controls should be evaluated for each district. For example, if lot coverage requirements are introduced, they may be more effectively combined with setback and building height requirements to regulate residential bulk. This could allow for elimination of maximum FAR.

Establish a maximum lot coverage requirement.

Maximum lot coverage requirements should not be established without an analysis of existing conditions and the amount of coverage that is permitted under the current code. If the building envelopes on conforming lots within residential districts were built-out with respect to setbacks and accessory building size, the approximate percentage of lot area that is permitted to be occupied by buildings is as follows:

<u>District</u>	<u>Current Permitted Building Coverage</u>
R1 (6,250 sf lot)	62%
R1 (3,750 sf lot)	64%
R2 (5,000 sf lot)	62%
R2 (3,750 sf lot)	65%
R3 (2,500 sf lot)	62%
R4 and R5 (1,650 sf lot)	70%
R6 through R8 (1,650 sf lot)	80%

The percentage of lot area that can be occupied by buildings varies in each district, and ranges from about 60 percent to 80 percent. This implies that a range of lot coverage requirements may be most useful, with the most restrictive lot coverage requirements for the largest lots in R1 and R2 districts.

Neighborhood open space could be further enhanced with limits on the maximum amount of impervious surface on new residential development. This would eliminate the practice of filling in back yards with garages and decks, leaving no space for trees or grass.

6.2 Establish minimum setback and screening requirements for active recreational uses on public or private park sites that have the potential to negatively affect surrounding residential uses.

There are a number of active recreational uses that have the potential to negatively affect surrounding residential uses. They may generate excessive noise, and therefore may not be appropriate uses when located adjacent to residential uses. The City could establish minimum setback and screening requirements from adjacent residential uses. Such active recreational uses that propose to locate within minimum required setbacks could be treated as special uses. A minimum setback requirement could be 300 feet. The types of active recreational uses that are typically found in parks and have the potential to be a nuisance to adjacent residential uses include the following:

- Basketball courts
- Tennis courts
- Public swimming pools
- Skateboard or roller blade facilities.

6.3 Require public access to any developed river edge open space.

6.4 Provide density bonuses with design standards for residential, commercial private/public development in return for publicly accessible open space. (see density bonuses for central area of Chicago, Chicago Zoning Ordinance, Section 8.5-6).

The current ordinance does not have adequate design standards for private open space. Design standards could improve the quality and usability of private outdoor plazas and green space. Such standards could apply to open space that is provided as part of residential, commercial and industrial developments. The current ordinance does have open space requirements for townhouse developments. The standards require common open space in the amount of 150 square feet per dwelling unit, each area with a minimum dimension of 25 square feet and a minimum size of 2,000 square feet. The standards also require a minimum of one tree to be planted for each 1,000 square feet of common open space. At a minimum, these requirements could also be made applicable to all residential planned developments and large-scale, by-right residential developments.



This townhouse development in West Town includes a large common courtyard.

Expanded design standards for private open space could be created and applied as either bonus provisions or as binding requirements for all private open space. Private outdoor open space requirements may include the following types of standards:

Standards for Private Outdoor Open Space

- 1) Size, access and openness. Private outdoor open space shall be a minimum of 2,000 square feet in area, and shall be easily accessible from the adjacent public sidewalk, either directly or via interior paved pedestrian pathways a minimum of six feet in width. All private outdoor open space shall be open to the sky and oriented to provide access to sunlight.
- 2) Outdoor plaza surface and visibility. Urban outdoor plazas shall be paved with materials that exceed City standards and shall be located near building entrances. Not less than 50 percent of the first-floor facade facing the space shall include windows of clear or tinted glass to allow for views out into the open space.
- 3) Outdoor green space surface. With the exception of interior paved pedestrian pathways and the surface beneath and around children's play areas, all private outdoor green space shall be planted with turf grass.
- 4) Landscape requirements. All private outdoor open space shall be required to be landscaped with

one shade tree and five shrubs for each 1,000 square feet of open space. Perennials and native grasses shall be used to supplement this material. All plant material shall meet the requirements of the Chicago Landscape Ordinance.

- 5) Amenity requirements. All private outdoor open space areas shall be required to provide comfortable seating for patrons at a rate of one seat for every 200 square feet of open space. In addition, all open space areas shall include trash receptacles and bicycle racks, as well as tables, planters, water features and/or public art.
- 6) Illumination. For the safety of patrons, all private outdoor open space shall be adequately illuminated at night. In particular, adequate lighting shall be provided along pedestrian pathways.
- 7) Maintenance. Private outdoor open space shall be maintained by the property owner. Maintenance responsibilities shall include timely lawn and landscape maintenance, emptying of trash receptacles, and maintenance of play equipment, benches, light fixtures and other amenities.
- 8) Children's play area requirements. When a children's play area is included in private open space areas, it shall be required to be a minimum of 1,000 square feet in area, with a minimum dimension on each side of 25 feet. The area must be clearly delineated and separated from other outdoor recreational facilities. The play area shall be fenced along any perimeter that is within 10 feet of a street, alley, property line or parking area.
- 9) Play equipment. The play equipment installed in a children's play area should be determined based on neighborhood recreational needs. Each child's play area shall include play structures, swing structures, slides, permanent sand boxes and/or other children's play equipment that is commonly found in a public park. Equipment must be of adequate materials to match the expected use. Play structures shall be spaced at least 12 feet apart to allow children space to circulate or fall without striking another structure. Swings or other moving equipment shall be located in an area away from other structures. The Chicago Park District shall approve all proposed equipment.
- 10) Play area surface. The surface under and around play equipment shall be soft enough to cushion falls. This surface shall extend at least 6 feet in all directions from stationary pieces of equipment. In front of and behind swings, that surface material shall extend a distance equal to twice the height of the suspending bar. Acceptable surface materials include wood chips, mulch, sand and pea-gravel.