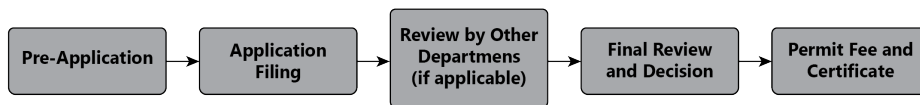


The Chicago Zoning Ordinance regulates the zoning in Chicago and determines the types of uses allowed in each of the zoning districts within the boundaries of the City. The Zoning Ordinance classifies the use of land into five (5) main groupings: Residential, Industrial, Public and Civic, Commercial, and Other. Each of these uses is further divided into Use Categories that classify land uses based on common categories. Within the different districts identified in the Ordinance, it specifies the uses that are permitted by-right, the prohibited uses, and uses or changes that are allowed if reviewed and approved by a decision-making authority with the power and duties to make such decision based on procedures set in the Zoning Ordinance.

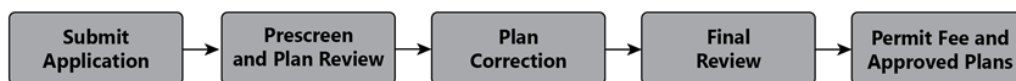
**1. By-right Processes (No Zoning Change):** By-right Zoning refers to uses or developments permitted in a specific zoning district that comply with all applicable standards of the zoning code. The zoning code will mark these uses with a “P” that stands for “permitted by-right”. These developments are not subject to zoning procedures and do not require final approval by City Council. However, they still require the necessary permits and licenses to proceed, and some of these processes include a review from the Zoning Administrator to ensure compliance with the zoning code.

There are three different processes for applicants to obtain building permits depending on size/project scope. The Department of Buildings (DOB) is responsible for issuing building permits for construction, renovation, and demolition projects. Most projects will still need a review and approval from the Zoning Administrator’ Office to ensure that it complies with the zoning ordinance before the permit is approved by the DOB.

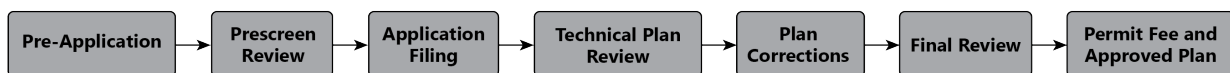
**a. Easy Permit Process:** It is a streamlined permit process for small repair or replacement projects that do not require architectural drawings. These processes are usually approved on the same day of the application if it complies with all requirements or does not need the review of other departments, which can significantly extend the application time frame. Projects that fall under this process include plumbing replacement, electrical work, masonry work, roof work, and other small projects.



**b. Standard Plan Review:** This process is for permit applications of projects that require architectural drawings. The threshold includes new construction buildings not greater than 80 feet high, non-residential projects up to 150,000 square feet, residential projects with fewer than 50 dwelling units, school projects up to 60,000 square feet, foundations and excavation not more than 12 feet deep, and removal of non-load bearing interior partitions.



**c. Developer Services Permit Program:** The city established this process to accommodate the needs of large developments that do not fall under the threshold for Standard Plan Reviews. The DOB assigns a Project Administrator (PA) for the project and selects a third-party consulting firm to review the process.



**2. Zoning Changes Processes:** The Zoning Ordinance includes several procedures for zoning changes, including text amendments to the ordinance, zoning map amendments, industrial corridor zoning map amendments, planned developments, planned manufacturing districts, special uses, administrative adjustments, variations, and appeals. Changes may be proposed by the mayor, a member of the City Council, the Zoning Administrator, an Alderman, a property owner or the property owner's authorized agent to file applications for zoning changes. The only exception is with text amendments to the zoning ordinance, which can only be proposed by the Mayor, City Council, or the Zoning Administrator.

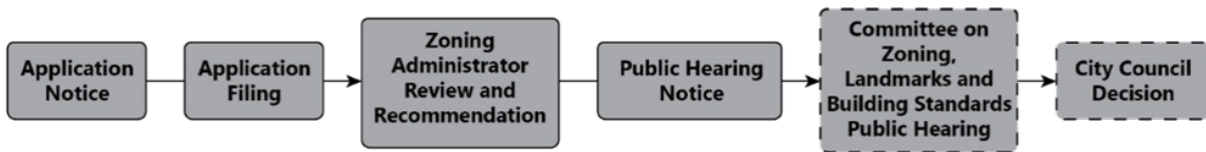
The process for a zoning change usually starts with an application to the Zoning Administrator's Office or the Zoning Board of Appeals. Zoning processes where the City Council is the final decision-maker must be forwarded to the City Clerk for records. All applications are then reviewed by one or more public bodies, which later forward a recommendation to the final decision-making authority. Zoning changes must be approved or denied in public meetings, with prior notice given to the public.



**a. Zoning Text Amendment:** Refers to actual modifications to the text of the zoning ordinance (e.g., the adoption of new ordinances and the removal or changes of existing standards). Only the Mayor, City Council, or the Zoning Administrator may propose changes to the text of the zoning ordinance.



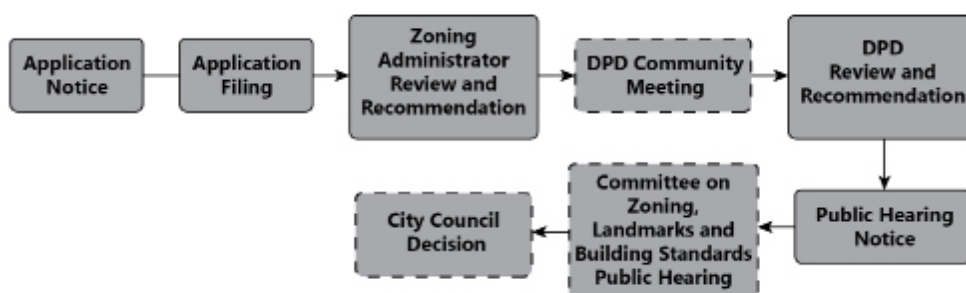
**b. Zoning Map Amendments:** Refers to changes to the zoning map. Zoning Map Amendments may be proposed by the Mayor, City Council, Zoning Administrator, and the property owner of the subject property or the subject property owner's authorized agent.



**i. Industrial Corridors:** Refers to zoning changes within existing industrial corridors. These may be proposed by the Mayor, City Council, Zoning Administrator, and the property owner of the subject property or an authorized agent. Requires an additional meeting from the Plan Commission for rezoning manufacturing (M), planned manufacturing district (PMD), parks and open spaces (POS), or transportation (T) zoning districts. The City Council is the final decision-making body on zoning map amendments and may act by simple majority vote.



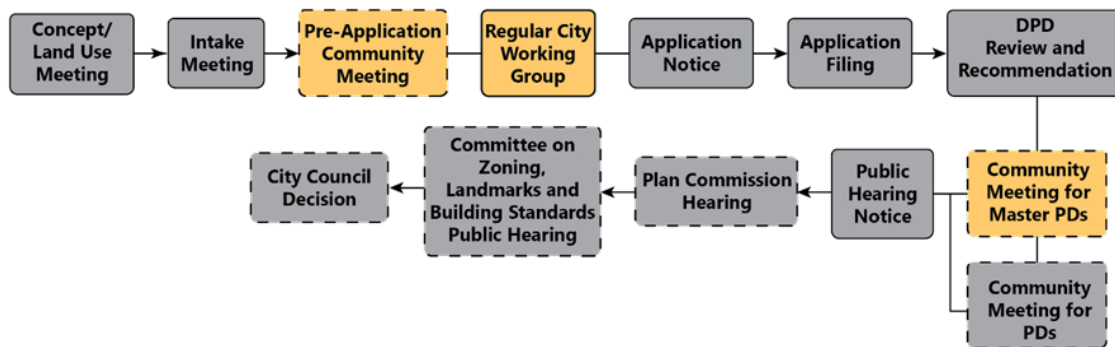
**ii. Special Character Overlay District:** The city started adopting special districts in 1994 to help control density and preserve the character of neighborhoods without discouraging new development. It imposes certain standards for new development to help them blend with the "feel" of the area. These may be proposed by the Mayor, City Council, Zoning Administrator, and the property owner(s) of the subject property or an authorized agent. DPD must hold at least one public meeting in the ward(s) in which the proposed district is located. The City Council is the final decision-making body on zoning map amendments and may act by simple majority vote.



**iii. Planned Developments:** Requires proposals that involve air rights, airports and heliports, buildings that exceed the height thresholds of certain districts, development within 100 feet of a waterway, and large residential, commercial, and industrial developments, and other large proposals to go through the Planned Development process. In 2020, the Department of Planning and Development updated the PD procedures to increase transparency in the process and allow for more opportunities for community input regarding large developments. DPD encourages the applicant to meet with staff and other city departments during the project development phase, with initial floor plans, massing studies, and elevation. Requires Plan Commission meeting prior to City Council's Committee on Zoning, Landmarks and Buildings Standards meeting. The City Council is the final decision-making body on zoning map amendments and may act by simple majority vote.

**iv. Master Planned Developments:** applies to "megaprojects" that do not fall under the threshold for standard Planned Developments. Requires large private projects that have or exceed 20 gross acres or 15 net acres, 4 million square feet or a 3 million incremental increase, or 4,000 dwelling units or a 3,000 incremental increase to go over the Master Planned Development process. It also applies to city owned land, waterfront sites, or industrial uses that have or exceed 15 gross acres or 10 net acres, 3 million square feet or a 2.5 million incremental increase, or 3,000 dwelling units or a 2,500 incremental increase. Requires a Pre-Application community meeting, creation of a regular city working group, and additional community meetings as needed after reviewed by the planning department, prior to a Plan Commission Hearing, must also conduct a community impact assessment.

Steps in yellow or marked with '\*' are specific to Master PD projects



**v. Planned Manufacturing Districts:** This process involves the designation of city areas as Planned Manufacturing Districts. Applications may be filed by the mayor, the property owners of all land within the boundaries of the proposed PMD, or the Alderperson of the ward in which the proposed PMD is located. Requires the DPD to organize at least one public meeting in the Ward in which the proposed PMD is located to explain and collect input on the proposal. Includes Plan Commission hearing. If the City Council does not take action on a proposed PMD amendment within 6 months of the day the Plan Commission recommendation is filed with the City Council, the applicant may consider the application to have been denied.

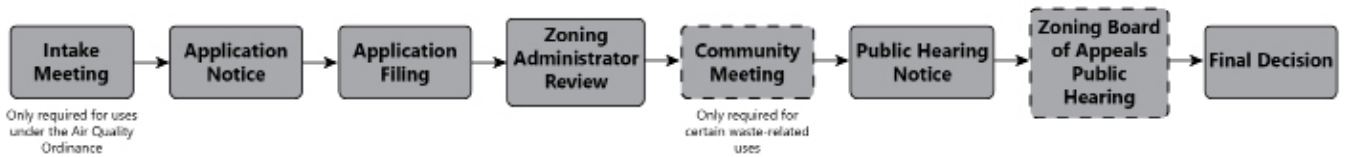


**vi. Site Plan Review:** Site Plan Reviews are required in some cases to ensure that proposed development complies with the standards of the zoning ordinance and is aligned with the character and pattern of the neighborhood. The City Council is the final decision-making body on zoning map amendments and may act by simple majority vote.

Steps in yellow in the graph are specific to the Air Quality Zoning Ordinance process



**vii. Special Uses:** Special Uses are those that require case-by-case analysis to determine if they are compatible with the surrounding uses and development patterns. Applications for special uses must be filed with the Zoning Board of Appeals (ZBA). Proposals that involve waste-related uses must include a surrounding land use report, an environmental assessment of the facility siting, and an end-up plan describing the use of the site after terminating use of the facility. Requires at least one community meeting for special use applications related to cannabis businesses. The ZBA is the final decision-making body, and the application needs the vote of 3 members to be approved.



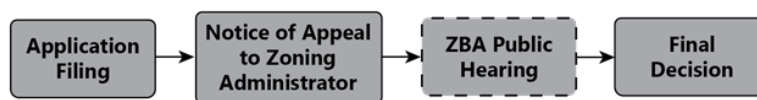
**viii. Variations:** The Zoning Board of Appeals can authorize variations and grant applicants' relief from the literal requirements of the zoning ordinance, when these requirements represent a hardship on the property owner, including the reduction of off-street parking requirements, loading areas, and increase of the maximum gross floor area of commercial or industrial establishments. Requires the Zoning Board of Appeals to hold a public hearing.



**ix. Administrative adjustments:** This process authorizes the Zoning Administrator to approve small modifications to certain zoning standards, such as allowing developers to exceed the applicable floor area ratio, reduce setbacks in landmark districts, and increase building height by up to 10%.



**x. Appeals:** The Zoning Board of Appeals is authorized to review appeals of decisions made by the Zoning Administrator. This also includes decisions related to the review of permits for by-right developments. The application for an appeal must be filed with the Zoning Board of Appeals within 45 days after the final decision by the Zoning Administrator. Upon notice of the application, the Zoning Administrator must transfer to the Zoning Board of Appeals all documents related to the process.



### 3. Relevant Ordinances in Regard to Zoning Changes

**a. Lake Michigan and Chicago Lakefront Protection Ordinance:** In 1973, the city adopted the Lake Michigan and Chicago Lakefront Protection Ordinance to support the goals of the Lakefront Plan. The ordinance created an overlay district divided into three zones to preserve and protect Lake Michigan and the lakefront: the offshore zone, which includes all areas of Lake Michigan; the public zone, which includes all public open space and public paths adjacent to the shoreline of the Lake; and the private use zone, which includes all zoning lots in accordance with maps of the district. Requires the Plan Commission to review proposals to undertake any landfill, excavation, mining, drilling, roadway building or construction in the areas that fall under the ordinance. Requires the Plan Commission to hold a public hearing allowing all interested parties to express their opinions.

**b. Affordable Requirements Ordinance:** The City first established the Affordable Housing Requirement Ordinance in 2003 to increase the provision of affordable housing units in Chicago. Since first established, the ordinance has had 3 revisions, with changes to increase the percentage of affordable units provided, address patterns of segregation in the city, and decrease displacement of long-time residents in areas experiencing rapid development. It requires residential projects proposals with 10 or more units that involve City Council approval (e.g., zoning change), a city land purchase, or receive financial assistance to set aside units as affordable housing before receiving a permit to start construction.

**c. Air Quality Zoning Ordinance:** Requires additional review processes for certain facilities that contribute to air pollution or uses near these facilities. Depending on the size and scope of the development, the ordinance requires additional steps for existing processes - Site Plan Review, Planned Development, and Special Use. Projects proposals that are required by the ordinance to go through a site review process include the construction or expansion of Class III, Class IVA, Class IVB, and Class V recycling; container storages, freight terminals; intensive manufacturing, production, and industrial service; outdoor storage of raw materials as a principal use; warehousing, wholesaling, and freight movement; waste-related uses, coke and coal bulk material uses; windrow composting, and manganese bearing material uses. For these proposals, the ordinance states that before filing an application with the Zoning Administrator, the applicant is required to submit a traffic impact study for review by the Department of Transportation and an air quality impact evaluation for review by the Department of Public Health. If these business types exceed 10 acres, the application must proceed through the planned development process. The planned development process is also triggered if these business types – except for warehousing, wholesaling, and freight movement - are located within 660 feet of certain residential, business, commercial, or public open space. Zoning map amendments residential, daycare, schools, hospitals, and recreational open spaces uses located within 660 feet of any intense manufacturing and industrial operation must go through the special use process with the Zoning Board of Appeals.

**d. Transit-oriented Development:** First adopted in 2013, the Transit-Served Location Ordinance allows for the reduction of minimum lot area, reduction of minimum off-street parking, FAR increase, and building height increase of project proposals near transit-served areas only if such projects are reviewed and approved per the standard Zoning Map Amendment process or if it qualifies as such, a Planned Development process.

#### 4. Unofficial Processes

Chicago is historically known for having a City Council that defers to aldermen recommendations when it comes to development in their specific wards. The practice known as aldermanic prerogative or aldermanic privilege dates to the mid-nineteenth century and refers to the unwritten power that aldermen have to either block or allow development and City Council actions in the wards they represent. Over the years, aldermanic prerogative has been known as a tool that brought inconsistent development in the city, supported segregation in neighborhoods, and encouraged corruption.

Some Wards leverage the aldermanic prerogative to further include the residents in decisions regarding zoning changes within the wards. By tradition, the Committee on Zoning, Landmarks & Building, other review bodies, and fellow Council members take into consideration the recommendation of the Alderperson of the Ward subject to the zoning change before making a final decision on a proposal.

