



# Developer Zoning Process and Guidelines – 40th Ward

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## Our Process

The 40<sup>th</sup> Ward office uses a community-driven process to evaluate all proposed changes to the zoning map. We do not advance zoning changes without community input, including a public meeting hosted at the Ward office or by a neighborhood organization.

If you are seeking aldermanic approval for a zoning change in the 40<sup>th</sup> Ward, we request the following steps:

1. Submit project information via our digital intake form:

<https://40thward.org/zoning-intake-form/>

The form will require contact information for the owner, developer, and architect, as well as common address, PIN number, and building plans/drawings.

Please submit all relevant information! It's fine to leave forms blank if they do not apply to your type of project.

2. If this is your first time working with our office, or if the Alderman has substantial questions, we will schedule a meeting with aldermanic staff at the Ward office. The purpose of the meeting will be to introduce the project, be made aware of any concerns from the Alderman, and to schedule a public meeting date, time, and location.
3. Once a public meeting has been scheduled, it is the responsibility of the owner/developer to post meeting notice on the property in question, and to mail or hand-deliver notice to all homes within a two-block radius of the project site.
4. Public meeting notice and an online comment form will also be posted at the 40<sup>th</sup> Ward website: <https://40thward.org/zoningrequests/>
5. The public meeting consists of four phases:



- a) introduction to the process by aldermanic staff
  - b) development team presents the proposed change and project
  - c) moderated question and answer with the public
  - d) attendees fill out comment forms; aldermanic staff collects
6. Following the public meeting, the Alderman and staff will compile all comments (online and from the meeting) and highlight major issues/concerns. If necessary, changes to the proposed construction will be discussed with developers.
7. The Alderman will issue a decision on the requested zoning change based on community feedback and the ability of the owner/developer to address critical issues.

## General Guidelines

To promote new investment that increases our City's vitality and tax base, protects current residents and businesses, is compatible with existing land uses, fosters harmony and balance in our neighborhoods, celebrates our architectural heritage, and abides by the City of Chicago Zoning Ordinance, the 40<sup>th</sup> Ward office encourages development that adheres to the following guidelines:

- **Type 1 Zoning.** To give accurate feedback, neighbors need to be able to consider detailed plans and renderings, with confidence that those will accurately represent the finished product. We request Type 1 zoning changes in all cases.
- **Affordable housing.** Our administration is deeply committed to affordable housing options in the 40<sup>th</sup> Ward. Above and beyond the requirements laid out in Chicago's 2007 expanded Affordable Requirements Ordinance, for any development of ten or more units, we seek a baseline commitment to at least 30% of either units or square footage at affordable rates (or to a lesser percentage of units/square footage at a higher rate of affordability). We discourage in-lieu fees and off-siting, and expect any off-site affordable housing commitments to be located in the same ward as the development.
- **Expansion of Housing and Rental Stock.** We prefer not to see units leaving the market. Increasing the available housing stock is critical to affordability and to maintaining a local population that can sustain our local businesses. Converting multi-unit buildings into single-family residences is



discouraged.

- **Complementary and compatible development.** We encourage new development that seeks to reflect the character and context of the adjacent and other buildings in the surrounding area, comparable in quality, scale, density and building materials.
- **Architectural heritage.** This office will encourage the preservation, renovation and adaptive re-use of the existing building stock. Similarly, it will discourage the demolition of historically significant buildings and structurally sound housing. It also will facilitate the creation or extension of residential landmark districts if such districts meet the criteria set forth by the City of Chicago.
- **Property protection.** This office will require strict enforcement of the City of Chicago Excavation Ordinance, including its provisions regarding notice to adjacent property owners.
- **Green space and green building practices.** To promote greening of the ward, this office will encourage retention of rear yards that are open, permeable and green, and not replaced by garage roof decks or undermined by underground bunkers. This office will also discourage the loss of open yard space to enclosed connectors or breezeways between residential structures and detached garages by denying requests for zoning relief for such structures. This office will require that the storm-water impact is equal or less than allowable under the existing zoning. The office will support green building initiatives consistent with existing zoning; proposers are encouraged to enroll projects in to the Green Permits program.
- **Private covenants and CBAs.** This office will encourage the use of private, recorded agreements, covenants, and Community Benefits Agreements with the ward office or local community organizations that further the goals of these guidelines.
- **Public notice.** We expect compliance with all public notice regulations including map amendments, administrative adjustments, special uses, variations and “as of right” new construction.