

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

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 17-2-0300 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by inserting the underscored language, as follows:

17-2-0300 Bulk and density standards.

(Omitted text is unaffected by this ordinance)

17-2-0301-C Exceptions. Any application seeking a zoning map amendment, pursuant to Section 17-13-0300, in order to establish a residential, day care, hospital, parks and recreation, school or outdoor assembly use that is proposed to be established within 660' of any (a) windrow composting facility, (b) intensive manufacturing, production and industrial service use, (c) Class III, Class IVA, Class IVB and Class V recycling facility, (d) warehousing, wholesaling, and freight movement use, (e) container storage, (f) freight terminal, (g) outdoor storage of raw material as a principal use, (h) waste-related use, or (i) manganese-bearing material operation use may be allowed only if further reviewed and approved in accordance with the special use procedures of Section 17-13-0900, unless it otherwise meets a planned development threshold of Section 17-8-0500.

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 17-3-0200 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by inserting the underscored language, as follows:

17-3-0200 Allowed uses.

(Omitted text is unaffected by this ordinance)

17-3-0207 Use Table and Standards.

USE GROUP		Zoning District						Use Standard	Parking Standard
Use Category		B1	B2	B3	C1	C2	C3		
	Specific Use Type								
P = permitted by-right S = special use approval required PD = planned development approval required - = Not allowed									
(Omitted text is unaffected by this ordinance)									
INDUSTRIAL									

<i>(Omitted text is unaffected by this ordinance)</i>								
WW. Warehousing, Wholesaling and Freight Movement	-	-	-	P	P	P	<u>§ 17-9-0117</u>	§ 17-10-0207-U
<i>(Omitted text is unaffected by this ordinance)</i>								

SECTION 3. Section 17-3-0300 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by inserting the underscored language, as follows:

17-3-0300 General district standards.

(Omitted text is unaffected by this ordinance)

17-3-0307 Exceptions. Any application seeking a zoning map amendment, pursuant to Section 17-13-0300, in order to establish a *residential, day care, hospital, parks and recreation, school, eating and drinking establishment* with an *outdoor patio* or outdoor assembly use that is proposed to be established within 660' of any (a) *windrow composting facility*, (b) *intensive manufacturing, production and industrial service use*, (c) *Class III, Class IVA, Class IVB and Class V recycling facility*, (d) *warehousing, wholesaling, and freight movement use*, (e) *container storage*, (f) *freight terminal*, (g) *outdoor storage of raw material as a principal use*, (h) *waste-related use*, or (i) *manganese-bearing material operation use* may be allowed only if further reviewed and approved in accordance with the *special use* procedures of Section 17-13-0900, unless it otherwise meets a *planned development* threshold of Section 17-8-0500.

SECTION 4. Section 17-5-0200 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by deleting the struck-through language and by inserting the underscored language, as follows:

17-5-0200 Allowed uses.

(Omitted text is unaffected by this ordinance)

17-5-0207 Use Table and Standards.

USE GROUP		Zoning District			Use Standard	Parking Standard
Use Category		M1	M2	M3		
	Specific Use Type					
P = permitted by-right S = special use approval required PD = planned development approval required - = Not allowed						
(Omitted text is unaffected by this ordinance)						
PUBLIC AND CIVIC						
(Omitted text is unaffected by this ordinance)						

B. Day Care Reserved		<u>P</u>	<u>P</u>		<u>§ 17-9-0105.5</u>	<u>§ 17-10-0207-E</u>
<i>(Omitted text is unaffected by this ordinance)</i>						
INDUSTRIAL						
<i>(Omitted text is unaffected by this ordinance)</i>						
EE. Manufacturing, Production and Industrial Services						
<i>(Omitted text is unaffected by this ordinance)</i>						
4.	Intensive	-	-	P	<u>§ 17-9-0117</u>	§ 17-10-0207-U
FF. Mining/Excavation Reserved				<u>S</u>	<u>§ 17-9-0117</u>	<u>§ 17-10-0207-U</u>
GG. Recycling Facilities						
<i>(Omitted text is unaffected by this ordinance)</i>						
HH. Warehousing, Wholesaling and Freight Movement (except as more specifically regulated)		P	P	P	<u>§ 17-9-0117 & 17-9-0108.1</u>	§ 17-10-0207-U
1.	Container Storage	-	S	S	<u>§ 17-9-0105 & § 17-9-0117</u>	§ 17-10-0207-U
2.	Freight Terminal	-	P	P	<u>§ 17-9-0117</u>	§ 17-10-0207-U
3.	Outdoor Storage of Raw Materials as a Principal Use	-	-	P	<u>§ 17-9-0117</u>	§ 17-10-0207-U
II. Waste-Related Use						
<i>(Omitted text is unaffected by this ordinance)</i>						
2.	Incinerators	-	-	<u>S</u>	<u>§ 17-9-0117</u>	<u>§ 17-10-0207-U</u>
3.	Incinerators, Municipal	-	-	<u>S</u>	<u>§ 17-9-0117</u>	<u>§ 17-10-0207-U</u>
4. <u>2.</u>	Liquid Waste Handling Facilities	-	-	S	§ 17-9-0117	§ 17-10-0207-U
5. <u>3.</u>	Reprocessable Construction/Demolition Material Facility	-	-	S	§ 17-9-0117	§ 17-10-0207-U
6. <u>4.</u>	Resource Recovery Facilities	-	-	S	§ 17-9-0117	§ 17-10-0207-U
7.	Sanitary Landfills	-	-	<u>S</u>	<u>§ 17-9-0117</u>	<u>§ 17-10-0207-U</u>
8. <u>5.</u>	Transfer Stations	-	-	S	§ 17-9-0117	§ 17-10-0207-U
9. <u>6.</u>	Modified Transfer Stations	-	-	S	§ 17-9-0117	§ 17-10-0207-U

(Omitted text is unaffected by this ordinance)

SECTION 5. Section 17-6-0200 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by inserting the underscored language, as follows:

17-6-0200 POS, Parks and Open Space Districts.*(Omitted text is unaffected by this ordinance)***17-6-0204 Development Standards.***(Omitted text is unaffected by this ordinance)*

17-6-0204-F Exceptions. Any application seeking a zoning map amendment, pursuant to Section 17-13-0300, in order to establish a day care, parks and recreation, eating and drinking establishment with an outdoor patio or outdoor assembly use that is proposed to be established within 660' of any (a) windrow composting facility, (b) intensive manufacturing, production and industrial service use, (c) Class III, Class IVA, Class IVB and Class V recycling facility, (d) warehousing, wholesaling, and freight movement use, (e) container storage, (f) freight terminal, (g) outdoor storage of raw material as a principal use, (h) waste-related use, or (i) manganese-bearing material operation use may be allowed only if further reviewed and approved in accordance with the special use procedures of Section 17-13-0900, unless it otherwise meets a planned development threshold of Section 17-8-0500.

SECTION 6. Section 17-6-0400 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by deleting the struck-through language and by inserting the underscored language, as follows:

17-6-0400 PMD, Planned Manufacturing Districts.*(Omitted text is unaffected by this ordinance)***17-6-0403-F Use Table and Standards.**

USE GROUP		PMD (Planned Manufacturing District)																Use Standard		
Use Category		No. 2	No. 3	No. 4		No. 5	No. 6	No. 7		No. 8		No. 9	No. 10	No. 11		No. 12	No. 13		No. 14	No. 15
				A	B			A	B	A	B			A	B					
P = permitted by right S = special use approval req'd PD = planned development approval req'd - = not allowed																				
PUBLIC AND CIVIC																				
A. Day Care		-	-	-	P/S S	P =	P =	P =	P/S S	-	P/S S	-	-	-	P/S S	P =	P =	P =	P =	§ 17-9-0105.5
(Omitted text is unaffected by this ordinance)																				
INDUSTRIAL																				
(Omitted text is unaffected by this ordinance)																				
FF. Manufacturing, Production and Industrial Services																				
(Omitted text is unaffected by this ordinance)																				
4.	Intensive	P	-	-	-	-	P	-	-	P	-	-	-	P	-	P	P	P	-	§ 17-6-0403-

	(manufacturing of acetylene, cement lime, gypsum or plaster-of-paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins and radioactive materials)																			G.15 & § 17-9-0117
(Omitted text is unaffected by this ordinance)																				
II. Warehouse and Freight Movement (except as more specifically regulated)		P	P	P	P	P	P	P	S	P	P	P	P	P	P	P	P	P	P	§ 17-9-0117 & 17-6-0403-G.17
1.	Container Storage	-	-	-	-	S	S	S	S	S	-	S	S	P	S	S	S	-	-	§ 17-9-0105 & § 17-9-0117
2.	Freight Terminal	-	-	S	-	S	S	S	S	S	-	S	S	P	S	P	P	P	-	§ 17-9-0117
3.	Outdoor Storage of Raw Materials as a Principal Use	-	-	S	-	-	P	-	-	S	-	P	S	P	-	P	P	P	P	§ 17-9-0117
JJ. Waste-Related Uses																				
(Omitted text is unaffected by this ordinance)																				
2.	Incinerators	-	-	-	S	-	-	-	-	-	-	S	-	-	-	S	S	S	-	§ 17-9-0117
3.	Incinerators, — Municipal	-	-	-	-	-	-	-	-	S	-	S	-	S	-	S	S	S	-	§ 17-9-0117
4. 2.	Liquid Waste Handling Facilities	-	-	-	-	-	S	-	-	S	-	S	-	S	-	S	S	S	-	§ 17-9-0117
5. 3.	Reprocessable Construction/De molition Material Facility	-	-	-	-	-	S	-	-	S	-	S	-	S	-	S	S	S	-	§ 17-9-0117
6. 4.	Resource Recovery Facilities	-	-	-	-	-	S	-	-	S	-	S	-	S	-	S	S	S	-	§ 17-9-0117
7.	Sanitary — Landfills	-	-	-	-	-	S	-	-	-	-	S	-	S	-	S	S	S	-	§ 17-9-0117
8. 5.	Transfer Stations	-	-	-	-	-	S	-	-	S	-	S	-	S	-	S	S	S	-	§ 17-9-0117
9. 6.	Modified	-	-	-	-	-	S	-	-	S	-	S	-	S	-	S	S	S	-	§ 17-9-0117

Transfer Stations																			
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(Omitted text is unaffected by this ordinance)

17-6-0403-G Supplemental Use Standards. In addition to the use standards listed in Section 17-9-0100 of this ordinance, the following Supplemental Use standards also shall apply where specifically indicated.

(Omitted text is unaffected by this ordinance)

12. **Retail Sales, General.** General retail sales are limited to incidental sales of goods produced on site, and retail space shall not occupy more than 3,000 square feet or 20% of the total gross floor area, whichever is less, provided:

a. this on-site production limit shall not apply in PMD 4B, and the Zoning Board of Appeals is authorized to increase the maximum floor area limit if reviewed and approved in accordance with the ~~special use~~ special use procedures of Section 17-13-0900;

(Omitted text is unaffected by this ordinance)

17. **Fulfillment Centers.** Warehouses may include the distribution of retail products, both general and food and beverage, directly to the consumer through third-party delivery, provided there is no customer-accessible sales area on site. Such products do not have to be produced on site.

(Omitted text is unaffected by this ordinance)

SECTION 7. Section 17-8-0500 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by deleting the language stricken through and by inserting the underscored language, as follows:

17-8-0500 Mandatory planned development thresholds.

(Omitted text is unaffected by this ordinance)

17-8-0511 Large Industrial Developments. ~~Planned development review and approval is required for any industrial development on M-zoned land with a net site area of 5 acres or more if the lot on which the development is located is within 100 feet of any residential district. Otherwise, planned development review and approval is required only for industrial development on M-zoned land with a net site area of 10 acres or more.~~

17-8-0511-A Planned development review and approval is required for any industrial development on M-zoned land with a net site area of 5 acres or more if the subject site is located within 100 feet of any residential district. Otherwise, planned development review and

approval is required only for industrial development on M-zoned land with a net site area of 10 acres or more.

17-8-0511-B Planned development review and approval is required for any (a) windrow composting facility, (b) intensive manufacturing, production and industrial service use, (c) Class III, Class IVA, Class IVB and Class V recycling facility, (d) warehousing, wholesaling, and freight movement use, (e) container storage, (f) freight terminal, (g) outdoor storage of raw material as a principal use, (h) waste-related use, or (i) manganese-bearing material operation use on C, M or PMD-zoned land with a net site area of 10 acres or more or if the subject site is located within 660 feet of any R, B, C or POS zoning district.

(Omitted text is unaffected by this ordinance)

SECTION 8. Section 17-9-0100 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by deleting the struck-through language and by inserting the underscored language, as follows:

17-9-0100 Use standards.

(Omitted text is unaffected by this ordinance)

17-9-0105.5 Day Care Facilities in Manufacturing and Planned Manufacturing Districts.

17-9-0105.5-A Day care facilities are subject to the provisions of Municipal Code Chapter 4-75.

17-9-0105.5-B Day care facilities ~~are permitted in M1, M2 and PMD districts as a primary use with a maximum gross floor area of 4,500 square feet. In PMD buffer districts, if such use is reviewed and approved in accordance with the special use procedures of Section 17-13-0900, the Zoning Board of Appeals is authorized to allow a maximum floor area of 12,000 square feet~~ may be allowed in PMD subarea B districts if such use is reviewed and approved in accordance with the special use procedures of Section 17-13-0900, and the Zoning Board of Appeals is authorized to allow a maximum floor area of 12,000 square feet.

~~**17-9-0105.5-C** Day care facilities are permitted as an accessory use to any industrial use-type allowed in any M or PMD district.~~

~~**17-9-0105.5-D**~~ **17-9-0105.5-C** Day care facilities established in any M or PMD district must be operated within a *completely enclosed building* with no outdoor or unenclosed recreational areas.

(Omitted text is unaffected by this ordinance)

17-9-0108.1 Fulfillment Centers. Warehouses may include the distribution of retail products, both general and food and beverage, directly to the consumer through third-party

delivery, provided there is no customer-accessible sales area on site. Such products do not have to be produced on site.

(Omitted text is unaffected by this ordinance)

17-9-0117 Waste-Related Uses, Recycling Facilities, Intensive Manufacturing, Production and Industrial Service Uses, Warehousing, Wholesaling and Freight Movement, Container Storage, Freight Terminal, Outdoor Storage of Raw Material as a Principal Use, Mining/Excavation Uses, Coke & Coal Bulk Material Uses, Windrow Composting and Manganese-bearing Material Operation Uses.

17-9-0117-A Waste-Related Uses, Recycling Facilities, Mining/Excavation Uses, Container Storage, Freight Terminal, Outdoor Storage of Raw Material as a Principal Use, Windrow Composting and Manganese-bearing Material Operation Uses. Buildings, storage areas and work areas on the site of all ~~waste-related uses, Class III, Class IVB, and Class V Recycling Facilities, mining/excavation, and manganese-bearing material operation~~ uses must be located at least 150 feet from all R zoning district boundaries, provided that (a) windrow composting facilities, (b) container storage, (c) freight terminal, (d) outdoor storage of raw material as a principal use, (e) waste-related uses, (f) Class III, Class IVA, Class IVB and Class V recycling facilities, or (g) manganese-bearing material operation uses must be established pursuant to the *planned development* standards of Section 17-13-0600 if the subject site's net site area meets or exceeds 10 contiguous acres or if the subject site is located within 660' of any R, B, C or POS zoning district. ~~landfills, hazardous waste disposal/storage, and windrow-composting facilities must be located at least 660 feet from R zoning district boundaries.~~

(Omitted text is unaffected by this ordinance)

17-9-0117-E Intensive Manufacturing, Production and Industrial Service Uses and Warehousing, Wholesaling and Freight Movement Uses. Storage areas and work areas on the site of all *intensive manufacturing, production and industrial service uses and warehousing, wholesaling and freight movement* uses must be conducted within fully enclosed buildings or structures; and, if the subject site's net site area meets or exceeds 10 contiguous acres or if the subject site is located within 660' of any R, B, C or POS zoning district, such uses must be established pursuant to the *planned development* standards of Section 17-13-0600.

17-9-0117-F Waste-Related Uses, Recycling Facilities, Intensive Manufacturing, Production and Industrial Service Uses, Warehousing, Wholesaling and Freight Movement, Container Storage, Freight Terminal, Outdoor Storage of Raw Material as a Principal Use, Coke & Coal Bulk Material Uses, Windrow Composting and Manganese-bearing Material Operation Uses. All such uses are subject to the following site plan review criteria, in addition to the requirements of Section 17-13-0800.

17-9-0117-F.1 The site plan review application must include a traffic study and an air quality impact evaluation based on the traffic study, and the Commissioner of the Chicago Department of Transportation must review each traffic study and the Commissioner of the Chicago Department of Public Health must review each air impact evaluation, and the

Commissioners shall provide an opportunity for public review and comment on each traffic study and air impact evaluation, and forward their joint written recommendation on the proposal to the Zoning Administrator before a zoning certification may be issued.

17-9-0117-F.2 All such uses are subject to compliance with the applicable landscape regulations of Chapter 17-11, expressly including the *vehicular use area* and *screening* standards.

17-9-0117-F.3 All lighting must be directed downward and shielded to prevent illumination of adjoining properties.

17-9-0117-F.4 Before filing an application for site plan review, but after submitting for City review the traffic study and air impact evaluation required under Section 17-9-0117-F.1, the applicant must hold at least one community meeting in the ward in which the use is proposed to be located for the purpose of explaining the proposal, including the traffic study and air impact evaluation, and soliciting comments on it. Such community meeting must be held no later than two weeks prior to the date of filing the application; notice for such community meeting must be issued, pursuant to this Section, no later than two weeks prior to such community meeting. The Zoning Administrator is authorized to review and approve the day, time, location and format of the community meeting to promote public access. The applicant must notify the Zoning Administrator and the Alderman of the ward in which the use is proposed to be located in writing of the time, place and purpose of the community meeting. The applicant must publish notice of the community meeting in a newspaper of general circulation within the ward and the applicant must send written notice by USPS first class mail to the *property owner* of the subject property and to all *property owners* within 250 feet of the property lines of the subject property. Such applicant shall furnish a complete list of the names and last known addresses of the persons provided with such written notice as well as a written affidavit certifying compliance with such written notice to the Zoning Administrator in a form prescribed by the Commissioner of the Department of Planning and Development on or before the date of filing of an application for site plan review.

17-9-0117-F.5 All such uses are subject to compliance with the Department of Planning and Development's sustainable development policy.

(Omitted text is unaffected by this ordinance)

SECTION 9. Section 17-13-0100 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by inserting the underscored language, as follows:

17-13-0100 General.

(Omitted text is unaffected by this ordinance)

17-13-0107 Public Notices.

17-13-0107-A Written Notice. Whenever the provisions of this Zoning Ordinance require that “Written Notice” be provided, such notice must be given as specified in this section.

(Omitted text is unaffected by this ordinance)

2. Radius. Unless otherwise expressly stated, the notification radius for applications requiring written notice is as follows:

(a) In the case of special use applications and zoning map amendments, including *planned developments*, written notice must be provided to *property owners* of the subject property and to all *property owners* within 250 feet of the *property lines* of the subject property, as well as, in the case of special use applications, to the Alderman of the ward(s) in which the special use is proposed.

(Omitted text is unaffected by this ordinance)

SECTION 10. Section 17-13-0300 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by inserting the underscored language, as follows:

17-13-0300 Zoning map amendments (rezoning).

(Omitted text is unaffected by this ordinance)

17-13-0302 Type 1 and Type 2 zoning map amendments.

17-13-0302-A Type 1.

1. A Type 1 application is required for proposals:

(Omitted text is unaffected by this ordinance)

(e) to rezone property in order to establish a residential, day care, hospital, parks and recreation, school, eating and drinking establishment with an outdoor patio or outdoor assembly use that is proposed to be established in any R, B, C or POS zoning district and within 660’ of any (i) windrow composting facility, (ii) intensive manufacturing, production and industrial service use, (iii) Class III, Class IVA, Class IVB and Class V recycling facility, (iv) warehousing, wholesaling, and freight movement use, (v) container storage, (vi) freight terminal, (vii) outdoor storage of raw material as a principal use, (viii) waste-related use, or (ix) manganese-bearing material operation use.

(Omitted text is unaffected by this ordinance)

SECTION 11. Section 17-17-0100 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by inserting the underscored language, as follows:

17-17-0100 Use group and category descriptions.

(Omitted text is unaffected by this ordinance)

17-17-0105-E Warehousing, Wholesaling and Freight Movement. Storage, wholesale sales and distribution of materials and equipment. Typical uses include storage warehouses, moving and storage firms, fulfillment centers, trucking or cartage operations, truck staging or storage areas, wholesale sales of materials and equipment to parties other than the general public and the following specific use types:

(Omitted text is unaffected by this ordinance)

SECTION 12. This ordinance shall take full force and effect upon its passage and approval.