

Community Driven Zoning and Development 33rd Ward

Procedures and Goals

September 2019



Alderman Rossana Rodríguez Sánchez
Thirty-Third Ward
City of Chicago

Table of Contents

Community Driven Zoning and Development Mission Statement.....	3
Goals of the Community Driven Zoning and Development Process.....	4
Zoning Map Amendment Procedures	5
Zoning Map Amendment Procedures for the Legalization of Basement and Attic Apartments	7
Procedures for Letter of Support for Administrative Adjustments.....	9
Procedures for Letter of Support for Special Uses	10
Procedures for Letter of Support for Zoning Variance	12
Neighbor-led Organization Memorandum of Agreement.....	13
Zoning Map Amendment Application Packet Checklist	15
Developer’s Acknowledgment of City Regulations	17
City of Chicago Applications.....	19

Community Driven Zoning and Development Mission Statement

We aim to democratize zoning and decisions regarding land use and development in the 33rd Ward. Zoning changes shape the pace and character of development in our neighborhoods. The effects are long-lasting and can result in poor planning, racial inequality, and increasing unaffordability. The negative effects are intensified when the process is initiated and dominated by actors whose interest is short-term economic returns over and above long-term planning and the needs, desires, and histories of our neighborhoods. We believe that these adverse effects are avoided when zoning-related decisions involve the broad participation of residents beyond those seeking zoning changes. When the zoning process includes all residents, especially those who benefit from the many uses of land aside from the immediate extraction of profits, the entire community and local economy is uplifted.

The 33rd Ward is characterized by a robust tradition of neighbor-led organizing rooted in the goal of ensuring the well-being of all of our residents. We will tap into this tradition to enhance our zoning practices. In doing so, it is the 33rd Ward Office's intent to oversee a process that allows our residents and those requesting zoning changes to understand the concerns and hopes of the surrounding community. Holding meetings to address issues of how zoning changes affect properties in the short and long term will be crucial to meet those ends.

Our Community Driven Zoning and Development process intends to put forward a set of recommendations encouraging the sharing of important information, such as size, use, density, and affordability, among persons or companies seeking zoning changes, the community, and the Alderman. The 33rd Ward Office has sought to establish a Community Driven Zoning and Development Process that will be inclusive, transparent, effective, and comprehensive.

Goals of the Community Driven Zoning and Development Process

1. **To fully and accurately represent the interests of the residents of the ward in a manner that respects and fosters diversity across all demographics.** This will mean engaging in meetings that foster open and honest communication in a respectful and productive environment.
2. **To fully inform the community about requests made for zoning changes and their potential impact.** To that end, the 33rd Ward Office will not only insist upon the checklist of materials but will also evaluate whether additional informational meetings are necessary to ensure that entities requesting complicated or high-impact zoning changes present in full to the community and respond to any requests for community benefit agreements. The office will also expect that all notice requirements are met fully by developers requesting zoning changes.
3. **To determine the needs and best interests of those impacted by any changes.** The 33rd Ward Office is committed to a process that aims to minimize incidental costs to residents. Zoning changes can bring community benefit through commercial and residential improvement, but it can also result in corresponding costs through infrastructure stress, increased density, and demand on city services. The Community Driven Zoning and Development Process will seek to help residents weigh these factors when considering proposed changes.
4. **To engage community groups that can provide insight and expertise in order to accurately reflect the community as a whole.** It is essential to the process that neighborhood identity and autonomy is respected. As such, the 33rd Ward Office wishes to engage community groups from individual neighborhoods that will actively engage community members and represent them in a democratic and responsible fashion. The extent to which groups may be involved may vary depending on the wishes and needs of each neighborhood.
5. **In addition to the goals outlined above, the 33rd Ward Office aims to achieve the purpose and intent identified in the Chicago Zoning Ordinance and Land Use Ordinance (Title 17-1-0500), most notably the goals of “promoting the public health, safety and general welfare; preserving the overall quality of life for residents[;] protecting the character of [...] residential neighborhoods[;] promoting pedestrian, bicycle and transit use[;] encouraging environmentally responsible development[; and] maintaining a range of housing choices and options.”**

We believe our Community Driven Zoning and Development Process will help us achieve the above stated goals and will promote responsible zoning changes in the 33rd Ward. We thank all those who have helped us craft this process, and we hope to see vibrant, sustainable development in the 33rd Ward.

Zoning Map Amendment Procedures

1. The party requesting the Zoning Map Amendment will turn in a completed application packet to the 33rd Ward Office.
2. The 33rd Ward Office will review the application packet and identify which neighbor-led organization(s) will be responsible for organizing, promoting, and hosting a public hearing concerning the proposed Zoning Amendment. Currently, these neighbor-led organization(s) include:
 - Albany Park Defense Network, Albany Park Neighbors, American Indian Center, Autonomous Tenants Union, Avondale Neighborhood Association, Communities United, Ecuador Unido, Horner Park Advisory Council, Logan Square Neighborhood Association, Logan Square Preservation, North River Commission, People of East Albany Park, Ravenswood Manor Improvement Association, and the 33rd Ward Youth Council.

The designated neighbor-led organizations will create a Neighborhood Table to assign public hearing responsibilities on a case-by-case basis.

3. The party requesting the Zoning Amendment will work with the corresponding neighbor-led organization(s) to schedule a public hearing. They will also work with the corresponding neighbor-led organization(s) to finalize written notice of the hearing.
4. The party requesting the Zoning Amendment will mail this written notice to neighbors within a 750-foot radius of the property. Designated neighbor-led organization(s) will promote the public hearing via digital media channels and public flyers.
5. The party requesting the Zoning Amendment must post a notice sign on the subject property. The notice sign must be installed no less than two weeks prior to the public hearing and remain in place until the date of the public hearing and any subsequent City Council action. The sign must be posted in such a way as to be plainly visible from each roadway or right-of-way abutting the property. It must measure at least 24 inches by 30 inches, and the font of the sign must measure at least 20 points. Signs shall be posted in a professional manner and able to withstand normal weather events. The notice must include the common street address of the subject property, a description of the nature, a rendering of the proposed development. It must measure at least 12 inches on one side, the scope and purpose of the application or proposal; a description of the current zoning status of the site, the name and address of the applicant; the date that the application was filed; and a source for additional information on the application or proposal. The information must be printed in both English and the ward's second most popular language, as determined by the most recent census data. Currently, the ward's second most popular language is Spanish.
6. The neighbor-led organization(s) will submit documentation of the public hearing to the 33rd Ward Office. The neighbor-led organization(s) will then meet with the 33rd Ward

Office and submit a written recommendation to the 33rd Ward Office within 7 days from the date of their public hearing.

7. The 33rd Ward Office will notify the party requesting the Zoning Map Amendment of their stance on the proposed Zoning Map Amendment.
8. Upon decision of recommendation, the 33rd Ward Office will draft a letter concerning the project. The letter will be posted online and filed with the designated neighbor-led organization(s) and the party requesting the Zoning Map Amendment. The 33rd Ward Office's recommendation will be sent to the Chicago City Council Committee on Zoning, Landmarks & Buildings.

Zoning Map Amendment Procedures for the Legalization of Basement and Attic Apartments

Attic and basement (“garden”) apartments are found throughout the 33rd Ward and the City of Chicago. Many of these units predate the 2004 citywide comprehensive zoning map amendments and are therefore “legal” units under the property’s Certificate of Zoning Compliance.

The following considerations were made when assessing the procedures for legalizing new or existing basement and attic apartments:

- The historically working-class makeup of Chicago’s northwest side has meant that many attic and basement apartments have not been zoning compliant, or are not reflected as compliant in the official record, despite previous or current owner’s assertions that the unit predates the 2004 comprehensive zoning map amendment. The zoning noncompliance of these units risks the displacement of current and longtime tenants.
- Property taxes have risen throughout the northwest side as a result of gentrification and Mayor Rahm Emanuel’s 2016 property tax hike, and an increasing number of working- and middle-class property owners have sought to add a legal basement or attic apartment to their building to assist with the burden of rising property taxes.
- The 2004 comprehensive zoning map amendment led to compliant and noncompliant attic and basement units on the same block. Legalizing these units increases density and potentially reins in rising rents without altering the built environment.
- Previous meetings held under the CDZD guidelines to legalize these units have been poorly attended and have always resulted in a favorable outcome for the zoning applicant.

Given the above considerations, the following procedures will apply for the review of Zoning Map Amendment applications for the legalization of basement & attic apartments:

1. The party requesting the Zoning Map Amendment will turn in a complete application to the 33rd Ward Office. This application must include:
 - (1) a sworn affidavit on the amount of rent to be charged,
 - (2) documentation demonstrating the number of years the apartment has existed, and
 - (3) any and all documentation related to zoning code violations related to the unit.
2. The 33rd Ward Office will review the application packet and forward it to the responsible neighbor-led organization(s).
3. The applicant will deliver notice to neighbors within 750 feet of the proposed Zoning Map Amendment. The notice will be prepared by the 33rd Ward Office and will inform neighbors of the nature of the amendment sought and when the amendment will be heard in the Zoning Committee. It will also solicit input from neighbors.

4. The responsible neighbor-led organization(s) will review the application and any input submitted by neighbors and forward any questions, comments, or concerns to the 33rd Ward Office within two weeks of receipt of the application.
5. The 33rd Ward Office will review the input from the neighbor-led organization(s) and send a recommendation to the Chicago City Council Committee on Zoning, Landmarks & Buildings.
6. Notwithstanding a petition signed by one-third of the residents on the block on which the zoning map amendment is sought, the public meeting for the consideration of the zoning map amendment will be the meeting held by the Committee on Zoning, Landmarks & Buildings.
7. The 33rd Ward Office will request that the applicant downzone their property to the previous zoning once the attic or basement unit has been legalized.

Procedures for Letter of Support for Administrative Adjustments

If a party is seeking a letter of support for an Administrative Adjustment Application in the 33rd Ward, they must submit a full application packet to the 33rd Ward Office. The application packet will include, but is not limited to, the following:

- A copy of the original Official Denial of Zoning Certification, signed by the applicant and the Bureau of Planning and Zoning.
- Architectural plans for the requested Administrative Adjustment, which must include the following:
 - Site plan
 - Floor plan
 - Front, side, and rear elevations, as well as height and width measurements
- Current plat of survey
- Copy of notification sent/to be sent to adjoining property owners and the 33rd Ward Alderman

The party seeking the letter of support agrees to turn in a full application packet. They agree to furnish additional documentation at any point in the process if requested by the 33rd Ward Office. The 33rd Ward Office, from time to time, may seek community input on the application. This may involve, but is not limited to, a public hearing held by a partnering neighbor-led organization.

All final decisions on Zoning Variance applications are made by the Zoning Board of Appeals. The 33rd Ward Alderman may write a letter in support of or against a Special Use but is not the final decision maker on the matter. It is not uncommon for the Zoning Board of Appeals to go against an Alderman's wishes.

Please note that any documentation related to zoning provided to our office is subject to the provisions of the Freedom of Information Act.

Procedures for Letter of Support for Special Uses

If a party is seeking a letter of support for a Special Use Application in the 33rd Ward, they must submit a full application packet to the 33rd Ward Office. The application packet will include, but is not limited to, the following:

- City of Chicago Special Use Application
- The following Necessary Attachments as specified in the City of Chicago Special Use Application:
 - A copy of the original ‘Official Denial of Zoning Certification’ signed by the applicant and the Bureau of Planning and Zoning.
 - If the applicant is not the owner, written authorization of the property owner to file the application.
 - Economic Disclosure Statement. Pursuant to Chapter 2-154 of the Municipal Code of Chicago, an Economic Disclosure Statement and Affidavit are required to be filed. If the applicant is not the owner of the property, disclosure statements must be filed by both the applicant and the owner.
 - A copy of the letter sent to property owners within 250 feet of the subject property notifying them of the application filing. The notice must provide a detailed description of the detail of the proposed Special Use. An Affidavit verifying the letters have been sent and a sample letter must be submitted.
 - Photographs depicting the front, rear and sides of the subject property, as well as photographs of subject property in relation to abutting properties.
 - One set of 11" x 17" drawings including, where applicable: site plan, floor plans, landscape plan, building elevations and sections, and a plat survey (do not include electric, plumbing, ventilation and mechanical plans).
 - Project Narrative – Written summary of proposed project – Including but not limited to – current land uses on the site, surrounding/adjacent buildings and land uses, size of building and/or site, hours of operation, estimated project costs, number of proposed construction and permanent jobs, and evidence of community support for the proposed project.
 - If applicable, a certified copy of the Zoning Map Amendment published in the Chicago City Council Journal of Proceedings.

The party seeking the letter of support agrees to turn in a full application packet. They agree to furnish additional documentation at any point in the process if requested by the 33rd Ward Office. The 33rd Ward Office, from time to time, may seek community input on the application. This may involve, but is not limited to, a public hearing held by a partnering neighbor-led organization.

All final decisions on Zoning Variance applications are made by the Zoning Board of Appeals. The 33rd Ward Alderman may write a letter in support of or against a Special Use but is not the final decision maker on the matter. It is not uncommon for the Zoning Board of Appeals to go against an Alderman's wishes.

Please note that any documentation related to zoning provided to our office is subject to the provisions of the Freedom of Information Act.

Procedures for Letter of Support for Zoning Variance

If a party is seeking a letter of support for a Variance Application in the 33rd Ward, they must submit a full application packet to the 33rd Ward Office. The application packet will include but is not limited to the following:

- City of Chicago Variation Application
- The following Necessary Attachments as specified in the City of Chicago Variance Checklist:
 - Official Denial of Zoning Certification, signed by the applicant and the Department of Planning and Development, Bureau of Zoning and Land Use
 - If the applicant is not the owner, written authorization of the property owner to file the application
 - Economic Disclosure Statement. Pursuant to Chapter 2-154 of the Municipal Code of Chicago, an Economic Disclosure Statement and Affidavit are required to be filed. If the applicant is not the owner of the property, disclosure statements must be filed by both the applicant and the owner.
 - Affidavit of Notification of all Property Owners within Notification Boundary
 - Notification Letter sent to all Property Owners within Notification Boundary
 - Copy of Mailing Addresses for all Property Owners within Notification Boundary
 - Site Plan, Landscape Plan, Building Elevations (with height and material callouts)
 - Floor Plans and Plat of Survey
 - Signed Consent of Property Owner (if applicable)

The party seeking the letter of support agrees to turn in a full application packet. They agree to furnish additional documentation at any point in the process if requested by the 33rd Ward Office. The 33rd Ward Office, from time to time, may seek community input on the application. This may involve, but is not limited to, a public hearing held by a partnering neighbor-led organization.

All final decisions on Zoning Variance applications are made by the Zoning Board of Appeals. The 33rd Ward Alderman may write a letter in support of or against a Special Use but is not the final decision maker on the matter. It is not uncommon for the Zoning Board of Appeals to go against an Alderman's wishes.

Please note that any documentation related to zoning provided to our office is subject to the provisions of the Freedom of Information Act.

Neighbor-led Organization Memorandum of Agreement

This agreement, entered into on this _____ day, of _____ (month), _____ (year) between Alderman Rossana Rodríguez Sánchez and _____ (hereafter referred to as the neighbor-led organization or NLO), is to ensure the success of the 33rd Ward's Community Driven Zoning and Development Process. The NLO agrees to abide by the standards and procedures outlined in this agreement as a requisite of their participation in the 33rd Ward's Community Driven Zoning and Development Process.

Safeguards to Ensure Community Interests

In order to ensure that the NLO is acting in the community's interests, the NLO agrees to abide by the following standards:

- All existing bylaws, operating agreements, and other governing documents will be submitted to and reviewed by the 33rd Ward Office.
 - Any future amendments made to these documents will also be submitted to the 33rd Ward Office.
- In order to maintain Community Driven Zoning and Development best practices, the NLO will meet with the 33rd Ward Office on a quarterly basis.

Public Hearings

The party requesting the Zoning Map Amendment will be held responsible for providing written notice to surrounding properties. The NLO is responsible for organizing, promoting, and holding a public hearing to receive community input regarding the proposed development. For particularly large or controversial proposals, the NLO or the 33rd Ward Office may find that multiple public hearings are necessary. In order to ensure that the NLO is holding inclusive, transparent public hearings, the NLO agrees to abide by the following standards:

- Public hearings will be promoted via use of digital media channels (social media, email list, website, etc.) and public flyers of the hearing.
- Public comment should be available for at least 20 minutes of the scheduled hearing.
- Spanish translation must be provided at all meetings.
- Hearings must be held in handicap accessible spaces.
- Attendance, minutes, and audio recording must be taken at all meetings and turned in to the 33rd Ward Office.
- Promotion of the hearing will begin no later than 14 days before the scheduled hearing.

The NLO understands that they are agreeing to represent the best interest of their communities' residents. The NLO agrees to abide by the above stated guidelines, and further understands that

they may be required to work in unison with other community groups or government agencies on a case-by-case basis. We understand that special circumstances may require the 33rd Ward Office to become involved in a zoning request to a greater extent than what is outlined in the Zoning Map Amendment Procedures, and that from time to time, the 33rd Ward Office may amend the process or handle a zoning request solely within their office. The NLO will provide a written recommendation from the hearing to the Alderman, which will be posted on the Alderman's website and to the community by social media at a minimum. The 33rd Ward Office will respect the recommendations of the NLO as representing the community's best interest, as expressed in the public hearings, but in unique exceptional circumstances may arrive at a different ultimate recommendation.

Please note that any documentation or correspondence related to zoning provided to our office is subject to the provisions of the Freedom of Information Act.

For the NLO:

Signature

Name, Title, Organization

Date

For the 33rd Ward Office:

Signature

Rossana Rodríguez Sánchez, 33rd Ward Alderman

Date

Zoning Map Amendment Application Packet Checklist

Those seeking a Zoning Map Amendment in the City of Chicago's 33rd Ward must turn in a full application packet for our Community Driven Zoning and Development process. The application will include but is not limited to the following:

- Purchase contract and/or lease agreement, if necessary
- Certified plats of survey
- Full project plans
 - If you are seeking a reduction below minimum off-street parking, parking concerns must be directly addressed in the plans
 - Must include zoning map of the property and the surrounding area
 - Must include architectural drawings of the property as built and drawings of the proposed property changes
 - Must include photographs of the subject property
- Proposed written notice of Zoning Map Amendment to be sent out to neighboring properties
 - The written notice will contain:
 - The common street address of the subject property
 - Description of the nature, scope and purpose of the application or proposal
 - Name and address of the applicant
 - Source for additional information on the application or proposal
 - Date, time, and location of scheduled public hearing concerning requested Zoning Map Amendment
- For commercial developments, some form of economic analysis supporting the viability of the development and the proposed benefits it would bring to its surrounding area
- City of Chicago Application for an Amendment to the Chicago Zoning Ordinance (attached)
- City of Chicago Economic Disclosure Statement and Affidavit. Pursuant to Chapter 2-154 of the Municipal Code of Chicago, an Economic Disclosure Statement and Affidavit are required to be filed. If the applicant is not the owner of the property, disclosure statements must be filed by both the applicant and the owner. (attached)
- City of Chicago Affordable Housing Profile (if necessary) (attached)
- Developer's Acknowledgments of City Regulations (attached)

The party seeking the Zoning Map Amendment agrees to turn in a full application packet. Further, they agree to furnish additional documentation at any point in the process if requested by the 33rd Ward Office.

Please note that any documentation related to zoning provided to our office is subject to the provisions of the Freedom of Information Act.

Developer's Acknowledgment of City Regulations

Site Management

1. Construction noise shall not occur before 8 AM or past 9 PM during weekdays. Efforts shall be made to decrease construction noise during weekend morning hours.
2. Loading/unloading and staging activities at the construction site shall not occur before 7 AM or after 10 PM.
3. Permits shall be posted on site in a visible location.
4. Construction vehicles and materials shall not be stored on public property without the proper permits.
5. If a construction vehicle is blocking access in an alley or a street, and asked to move the driver shall do so quickly and respectfully.
6. All construction vehicles shall obey city parking regulations.
7. Idling vehicles and equipment shall be turned off if unnecessary.
8. Effective rat abatement shall be used before and during demolition/construction. Requests for city rat abatement, can be put into the 33rd Ward office.
9. Private dumpsters, not neighborhood trash containers, shall be used for trash disposal and they should be emptied regularly to prevent from overflowing.
10. The City's Materials Recycling Ordinance shall be followed.
11. Oily, greasy chemical, hazardous or toxic wastes shall not be discharged into waterways and City sewers.
12. Construction dust shall be mitigated by the use of a wet saw, green mesh and any other protective measures that are deemed helpful.
13. Workers shall clean up the construction site and any other areas that were disturbed due to construction (e.g. alley and sidewalk) at the end of every day.
14. The site shall be secured with the proper fencing around the entire site at the end of every day.
15. Portable toilets shall be used, situated only on the site property and emptied as often as necessary.
16. Snow removal and yard maintenance shall be done as required by law.
17. Trespassing on private property or using others' private property or utilities, without permission, is strictly forbidden.
18. Any damage done to others' property in the area shall be the sole responsibility of the development company.

Public Way

1. The landscaping on the public way and on the adjacent properties shall be protected.
2. Obsolete curbs and driveways shall be replaced.

3. Sidewalks in disrepair adjacent to the project shall be reconstructed.

Communication

1. At least one week prior to the date of construction, the adjacent neighbors shall be contacted in writing to provide the developer/representative’s contact information and to discuss any construction-related issues pertinent to the neighbor.
2. Any significant changes in the project or management shall be communicated to the 33rd Ward Alderman's Office. Contact Anthony Tamez-Pochel (anthony@33rdward.org) and Chris Poulos (chris@33rdward.org).

On-site manager’s contact info

Name: _____

Title: _____

Company: _____

Mobile: _____

Email: _____

I acknowledge that there are inherent challenges when doing construction in an urban area like the 33rd ward. I shall do everything in my power to minimize the negative impacts of the neighbors and the community as a whole.

Signature: _____

Date: _____

Approximate Dates of Demolition: _____

Approximate Dates of Excavation: _____

Approximate Completion Date of Exterior Work: _____

Approximate Completion Date of Project: _____

City of Chicago Applications

[City's Zoning Amendment Application & Information Packet](#)

[Special use application](#)

[Variation application](#)