



Village of Oak Park | MMH Zoning Update

BUILD Alignment

Prepared for: Village of Oak Park

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Relationship Between Shape Oak Park & BUILD Legislation

The Shape Oak Park zoning recommendations were developed in response to the Village's housing goals and local development context. The recommendations are based on the recently adopted Strategic Vision for Housing Plan (2024) and are tailored to the unique needs of Oak Park. The recommendations support incremental housing growth within existing neighborhoods, accommodate additional housing along corridors and near transit, reduce regulations that can increase development costs, and retain standards addressing the scale and form of new development. Many of these recommendations align with the general direction of the proposed BUILD legislation, although Oak Park's approach is more specifically calibrated to local conditions.

The proposed Illinois BUILD legislation is a package of housing-related reforms intended to reduce regulatory barriers and expand housing opportunities in Illinois communities. The proposals remain pending in the Illinois General Assembly with separate bills in the Illinois House and Senate. The precise scope and requirements of the legislation remain uncertain since the bills are still pending and may be amended. They have not been signed into law. The primary House legislation (HB 5626) combines several housing initiatives into a single omnibus bill. Related Senate bills (SB 4060, 4064, and 4071) address individual components of the package separately.

The purpose of this discussion is to identify areas of policy alignment and issues that the Village may want to monitor as the BUILD legislation continues to evolve.

Key Findings

1. Shape Oak Park is advancing many of the core zoning reforms in the BUILD proposal.

Shape Oak Park and the BUILD proposal are generally aligned with their goals of expanding housing options and reducing regulatory barriers. Neither approach is uniformly more expansive than the other. Shape Oak Park provides greater flexibility in some areas based on reforms tailored to local

priorities. The BUILD proposal would remove additional barriers in other areas through broadly applicable statewide minimum standards.

2. Shape Oak Park’s recommendations use a nuanced and locally tailored approach.

The BUILD proposal would establish statewide middle-housing allowances based primarily on lot area. Oak Park’s recommendations do not have a minimum lot area requirement and instead provide a broad allowance of up to four dwelling units in residential neighborhoods. There are opportunities to construct up to six dwelling units in locations that are appropriate for additional housing on zoning lots that are 5,000 square feet or greater with one of the following qualifications:

- Located within one-quarter mile walking distance of a major transit stop
- Located within one-eighth mile walking distance of a primary corridor
- At least two of the units on the lot are affordable housing reserved for households earning less than 60 percent of area median income (AMI) for renter-occupied units or less than 80 percent of area median income for owner-occupied units.

3. Oak Park can proceed with local zoning reforms while monitoring state legislation.

The Shape Oak Park recommendations proactively address many of the housing barriers identified by the proposed BUILD legislation while retaining protections for neighborhood form and historic resources. The Village can advance its locally tailored zoning work and revisit targeted ordinance provisions if state requirements are enacted since the legislation remains pending.

The following table provides a topic-by-topic summary of how the Shape Oak Park zoning recommendations align with the proposed BUILD legislation and identifies related issues the Village may want to consider as the zoning update moves forward. The table focuses on areas of substantial difference or potential follow-up in residential zoning districts. The table does not compare standards for the Mixed-Use M Districts because the BUILD proposal focuses on residential zoning classifications.

Table 1: Proposed Policies Comparison

Topic	Shape Oak Park Recommendation	Relationship to BUILD Legislation	Recommended Action for Village
Middle Housing Allowances	Allow up to 4 dwelling units in the proposed Neighborhood (N) Districts. Allow up to 6 units on larger lots, near transit, corridors, or when affordable units are provided.	Generally Aligned. BUILD would allow detached single-family dwellings on lots as small as 2,500 square feet in any residential district that permits detached single-family dwellings. BUILD would also allow up to 4 units on lots over 2,500 square feet, 6 units on lots over 5,000 square feet, and 8 units on lots over 7,500 square feet.	Monitor. Adjust if BUILD requires more dwelling units based on lot area.

Topic	Shape Oak Park Recommendation	Relationship to BUILD Legislation	Recommended Action for Village
Dimensional Standards	Establish tailored dimensional standards that are specific to each district for the proposed N Districts, including setbacks, building height, and impervious surface coverage. Remove lot area minimum for N Districts. See Table 2 below for a comparison between dimensional standards.	Generally Aligned. BUILD would establish default maximum setbacks for front (10 feet), corner side (10 feet), interior side (5 feet), and rear yards (10 feet). BUILD would also require a permitted height of at least 35 feet, lot coverage of at least 70%, and FAR of at least 1.5 with no more than 6 feet of required separation between structures on the same lot, except as required by the fire code. See Table 2 below for a comparison between dimensional standards.	Monitor. Adjust if BUILD establishes dimensional standards.
Objective Standards and Approvals	Replace subjective or unclear requirements with measurable standards. Apply right-sized design standards so that smaller middle-housing projects are not regulated in the same manner as larger multi-unit buildings. Single-family homes and middle housing types are treated with same standards.	Directly Aligned. BUILD would require clear and objective standards and prohibit discretionary review of middle housing unless the same review applies to detached single-family dwellings. If the default standards apply, BUILD would also limit design standards, such as primary entrance location, transparency standards, and separate standards for cottage clusters.	Proceed. Zoning update should incorporate objective standards and administrative approvals.
Accessory Dwelling Units (ADUs)	Remove owner-occupancy requirements; allow ADUs with detached single-unit dwellings, two-unit dwellings, and triplexes; and allow more than one ADU in limited circumstances.	Generally Aligned. BUILD would allow one ADU with a single-family dwelling in every district that permits single-family dwellings. BUILD would prohibit minimum or maximum limits on ADU size or bedroom count. Therefore, Shape Oak Park and BUILD are each more permissive in different respects.	Monitor. Adjust if BUILD requires additional allowances for ADUs.
Parking ¹	Remove minimum off-street vehicle parking requirements Village-wide while continuing to regulate parking that is voluntarily provided.	Shape Oak Park Goes Beyond BUILD. BUILD would cap minimum parking requirements at 0.5 spaces per multi-unit dwelling and one space per single-unit dwelling. It would prohibit minimum parking requirements for dwellings under 1,500 square feet, affordable housing projects, assisted-living establishments, ground-floor nonresidential spaces in mixed-use buildings, and buildings converted from nonresidential to residential use.	Proceed. Zoning update should eliminate minimum off-street parking requirements.

Topic	Shape Oak Park Recommendation	Relationship to BUILD Legislation	Recommended Action for Village
Middle Housing Types and Conversions of Existing Buildings	Add definitions and use permissions for triplexes, fourplexes, fiveplexes, sixplexes, cottage housing, and courtyard buildings. Update protections for existing middle-housing types. Further refine standards for clustered housing and conversions of existing residential buildings.	Generally Aligned. BUILD would define middle housing to include duplexes, triplexes, fourplexes, cottage clusters, townhouses, attached and detached courtyard housing, and stacked-flat plexes that include 2 to 8 dwelling units. BUILD would allow certain conversions of up to 8 units in existing residential buildings when an expansion does not exceed 50% of the existing floor area or 1,200 square feet, whichever is greater.	Monitor. Adjust if BUILD requires additional allowances for clustered housing and conversions.
Administrative Implementation Tools	Consider pre-reviewed plans, permit checklists, fee review, and targeted incentives for ADUs and middle housing.	Shape Oak Park Goes Beyond BUILD. BUILD would address third-party plan review and inspections, plan-review timelines and impact fees but would not establish pre-reviewed plans, permit checklists, or targeted local incentives for ADUs and middle housing.	Follow-Up Item. After the initial zoning amendments are adopted, the Village should evaluate pre-reviewed plans, permit checklists, fee review, and targeted incentives.
Note: 1. Separate from the proposed BUILD legislation, the Illinois People Over Parking Act (50 ILCS 845/5-1 et seq.) took effect on June 1, 2026. The Act prohibits units of local government from imposing or enforcing minimum parking requirements for development projects located within one-half mile of a public transportation hub or one-eighth mile of a public transportation corridor.			

Table 2: Dimensional Standards Comparison

Dimensional Standard	Shape Oak Park Recommendations	Proposed BUILD Legislation	Notes
Maximum Front Setbacks	N-1: 30 feet N-2: 20 feet N-3: 15 feet	10 feet	Shape Oak Park differs because it responds to existing Oak Park context.
Maximum Corner Setbacks	N-1: 5 feet N-2: 5 feet N-3: 5 feet	5 feet	
Maximum Interior Side Setbacks	N-1: 6 feet N-2: 5 feet N-3: 5 feet	5 feet	
Maximum Building Height	N-1: 35 feet and 3 stories N-2: 35 feet and 3 stories	35 feet	

	<i>N-3: 55 feet and 5 stories</i>		
<i>Lot Coverage</i>	<i>Not applicable</i>	<i>70%</i>	<i>Shape Oak Park replaces lot coverage with maximum impervious surface coverage to protect open space and meet Oak Park sustainability goals.</i>
<i>FAR</i>	<i>Not applicable</i>	<i>1.5</i>	<i>Shape Oak Park does not consider FAR.</i>
<i>Separation Requirement</i>	<i>6 feet</i>	<i>6 feet</i>	

Single-Stair Buildings

HB5626 provides that, if signed into law, beginning January 1, 2027, no county or municipality may prohibit the construction of residential buildings that contain a single stairway serving as an exit for all units. Research suggests that the requirement for two forms of egress adds costs to construction projects, and that single-stair buildings can be an effective way to address housing affordability. In addition to added construction costs, two forms of egress add building volume, which requires greater lot area and therefore increases land value. The added building volume, which encourages double-loaded corridors, yields apartment buildings that are often perceived as too large or bulky for residential neighborhoods.

This proposed change to the Illinois Building Code supports the goals of Shape Oak Park by maximizes efficiency in an existing housing type, achieves greater densities on lots previously too small to accommodate multi-unit housing types, and addresses housing affordability. As a home-rule municipality, the Village of Oak Park retains the ability to adopt local regulations governing the design and implementation of single-stair buildings, provided those regulations do not conflict with the state's requirements. Village leaders should familiarize themselves with the proposed code changes and consider strategies to prepare planning officials, the local fire department, and building inspectors for this new approach.

Other states and municipalities have amended, or are currently amending, their building codes to allow single-stair buildings, including Nashville, Tennessee; Seattle, Washington; and New York State. Below is a comparison chart that highlights the differences between the single-stair requirements and language in each of the above locations. This comparative study can help Oak Park leaders understand how different jurisdictions have addressed safety measures and design standards for these building types.

Table 3: Comparison of Single-Stair Legislation for R-2 Occupancies

	Illinois HB5626 & SB4061	Nashville, TN BL2025-898	Seattle, WA	New York State SBS10501
<i>Status</i>	<i>Proposed 2026</i>	<i>Adopted 2025</i>	<i>Adopted 1977</i>	<i>Proposed 2026</i>

	Illinois HB5626 & SB4061	Nashville, TN BL2025- 898	Seattle, WA	New York State SBS10501
Building Requirements				
Height	Six stories above grade plane	Six stories above grade plane	Six stories above grade plane	Six stories above grade plane, or 75 feet, whichever is less.
Maximum units per floor	Four	Four	Four	Four
Stair requirements	--	54" clear. Space beneath the stair may not be used for storage.	--	--
Sprinkler requirements	Automatic sprinkler system in exit stairway required	NFPA 13 is required in all habitable spaces.	Automatic sprinkler system required. Residential sprinkler required in habitable spaces of each dwelling unit.	Automatic sprinkler system required
Pressurization (mechanical air pressure that keeps smoke out of exits and corridors)	--	The interior exit stairway and exit passageway must be pressurized in accordance with 909.20 of the adopted building code	The interior exit stairway and exit passageway must be pressurized in accordance with 909.20 of the adopted building code	--
Smoke detection	Required in all common areas and individual units	--	--	--
Unit entry/exit requirements	Self-closing devices required	Units cannot open directly into the exit stair	Units cannot open directly into the exit stair	Unit layout must provide direct access to the stair
Common path of egress travel	--	20 feet maximum	20 feet maximum	--
Exit access travel distance	--	125 feet maximum	125 feet maximum	--
Emergency escape	One per unit	--	--	Adequate emergency responder access (e.g. balconies, panels, windows)
Fire Rating Requirements				
Overall	--	--	1-hour	No less than 2-hours for structural elements

	Illinois HB5626 & SB4061	Nashville, TN BL2025- 898	Seattle, WA	New York State SBS10501
Stair	--	2-hour minimum	--	Stairway must be smoke-proof and properly ventilated
Circulation	--	1-hour minimum	--	--
Dwelling unit doors	--	45-minute minimum	--	--
<i>Miscellaneous requirements</i>				
Buildings per site	--	1 per parcel	2 per parcel	--
Permitted locations	--	Only allowed in the Urban Zoning Overlay (UZO)	--	Cities with populations of 1 million or more. Must be permitted in any multi-unit zoning district.
Mixed occupancy	--	Allowed	Allowed	--
Openings	--	Openings other than the required exit door are not allowed within 10 feet of the exit stair	--	--
Exit termination (exterior location where an exit ends from a building)	--	--	The exit shall not terminate in an egress court where the court depth exceeds the court width unless it is possible to exit in either direction to the public way.	--
When the single-stair legislation is silent on a given item, the building code standard applies.				

Key Findings

- All examples have the same requirement for building height and units per floor, resulting in a building approach with a similar scale across the different municipalities.
- HB5626 is silent on issues regarding the maximum travel distance, fire-rating requirements, and unit entry/exit locations.
- Both Nashville and New York State have designated zoning districts or parameters that determine where single-egress buildings are allowed, providing greater direction for their applicability and desired context.
- Additionally, Nashville and Seattle set a limit on the number of single-stair buildings that may be built on a single parcel.

Considerations specific to Oak Park

- Engage the Oak Park Fire Department on the single-stair building requirements so they can properly train their personnel in navigating these buildings in the event of a fire.
- Engage local building inspectors so they become familiar with the requirements and can establish protocols for evaluating new buildings. (E.g. Portland, Oregon requires a pre-application meeting for single-stair buildings).
- Identify and evaluate which context and/or zoning district(s) within Oak Park are best suited to accommodate this building type. Include relevant departments, such as emergency responders, in these conversations from a holistic perspective.
- Consider additional design guidelines and/or pre-reviewed plans for single-stair buildings to ensure Village compatibility and build support for this type of building amongst key stakeholders.
- Request that the Housing Task Force consider and research housing affordability bonuses for this type of building to further promote housing affordability.

Legislation sources:

- Illinois [House Bill 5626](#) and [Senate Bill 4061](#)
- [Nashville BL2025-898](#)
- [Summary of Seattle's Single-Stair requirements](#)
- [Seattle Building Code](#)
- [New York State SBS10501](#)

Additional single-stair resources:

- [“Small Single Stairway Buildings Have a Strong Safety Record”](#) from the Pew Charitable Trust
- [“Single Stair Would Benefit Chicago Families and Make Infill Easier”](#) by Steve Vance
- [“Single Stair Reform in Chicago”](#) from Strong Towns Chicago
- [“The Single-Stair Solution: A Path to More Affordable, Diverse, and Sustainable Housing”](#) from the Mercatus Center at George Mason University.