



City of Chicago



O2020-2850

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 5/20/2020

Sponsor(s): Lightfoot (Mayor)
Burnett (27)
Martin (47)
Osterman (48)
Hadden (49)
Tunney (44)

Type: Ordinance

Title: Amendment of Municipal Code Titles 2, 4 and 17 regarding affordable dwelling units

Committee(s) Assignment: Joint Committee: Committee on Housing and Real Estate;
Committee on Zoning, Landmarks and Building Standards

JT
ZONING/
HSG



OFFICE OF THE MAYOR
CITY OF CHICAGO

LORI E. LIGHTFOOT
MAYOR

May 20, 2020

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Housing, the Commissioner of Planning and Development, and the Commissioner of Buildings, I transmit herewith, together with Aldermen Burnett, Haden, Martin, Osterman and Tunney, an ordinance amending various provisions of the Municipal Code regarding affordable dwelling units.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours

A handwritten signature in black ink that reads "Lori E. Lightfoot".

Mayor

ORDINANCE

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

SECTION 1. Section 2-44-065 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

2-44-065 Program applications, administration, and related fees.

(Omitted text is unaffected by this ordinance)

(9) Compliance Monitoring Late Fee – \$20 per unit for all housing units in a project or building in addition to the Compliance Monitoring fee.

(10) Affordable Conversion Unit Initial Registration Fee – \$500 per unit.

(Omitted text is unaffected by this ordinance)

SECTION 2. Chapter 2-44 of the Municipal Code of Chicago is hereby amended by inserting a new Section 2-44-106, as follows:

2-44-106 Affordable conversion units.

(a) *Title.* This section shall be known and cited as the “Affordable Conversion Unit Ordinance” or “ACU Ordinance.”

(b) *Purpose.* This section establishes affordability requirements for certain conversion units established in conformity with the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, in order to preserve and expand available affordable housing in the City.

(c) *Definitions.* As used in this section:

“Affordable housing unit(s)” means housing that is affordable to households earning up to 60% of the area medium income (“AMI”), as published annually by the Department of Housing. As used in this definition: “Affordable” means annual rent less than or equal to the amount at which total monthly housing costs, as specified in rules duly promulgated by the Commissioner, do not exceed 30% of income for a household making 60% of the area medium income. “Area median income” or “AMI” means the median household income for the Chicago Primary Metropolitan Statistical Area, as calculated and adjusted on an annual basis by the United States Department of Housing and Urban Development.

“Conversion unit” has the meaning ascribed to that term in Section 17-17-240.6.

“Owner” has the meaning ascribed to the term “property owner” in Section 17-17-02134.

“Residential building” means a residential building, as defined in Section 17-17-02146, that is a principal building, as defined in Section 17-17-02125.

(d) *Affordable conversion units – Required when.* If, pursuant to Section 17-2-0303-C, two or more conversion units are added, either separately or in any combination, at any time, to a residential building, the owner of such building shall maintain 50% of those conversion units as affordable housing units. Provided, however, that if this 50% calculation results in a fractional number, any such fractional result shall be rounded down to the previous consecutive whole number. This subsection (d) shall run with the land and be enforceable against any subsequent owner.

(e) *Registration.* Subsequent to the application for a building permit with the Department of Buildings for a conversion unit, the Department of Planning and Development will advise the owner whether any of the proposed conversion units are required to be maintained as affordable housing unit(s). If the owner is required under this section to maintain any of the proposed conversion units as affordable housing unit(s), the owner shall register those affordable conversion unit(s) with the Department of Housing in accordance with rules duly promulgated by the Commissioner. Such registration shall be accompanied by the Affordable Conversion Unit Initial Registration Fee, as set forth in Section 2-44-065, to defray the costs of administering this section.

(f) *Recorded notice – Required.* If a conversion unit is required to be maintained as an affordable housing unit, the Department of Housing shall require the owner to record, with the Cook County Recorder of Deeds, a notice against the property on which such conversion unit is located indicating that such conversion unit is required to be maintained as an affordable housing unit for the duration of the affordability requirement, as set forth in subsection (i) of this section. Such notice shall require owners and subsequent owners to keep owner contact information, including an e-mail address, current with the Department of Housing.

(g) *Building permit – Prohibited when.* No building permit shall be issued by the Department of Buildings for any conversion unit that is required to be maintained as an affordable housing unit until: (i) the applicant for such permit provides the Department of Housing with a copy of the recorded notice required under subsection (f) of this section; and (ii) the Department of Housing provides written notification of such fact to the Department of Buildings.

(h) *Annual compliance affidavit – Required.* If an owner is required, pursuant to subsection (d) of this section, to maintain any conversion unit as an affordable housing unit, such owner shall be required, on or before January 15 of each calendar year following initial registration of that unit with the Department of Housing, to file an annual compliance affidavit with the Department certifying that such conversion unit is being maintained as an affordable housing unit within the meaning of this section.

(i) *Duration of affordability requirement.* Each conversion unit required under this section to be maintained as an affordable housing unit shall be maintained as an affordable

housing unit for 30 years from the date of the recorded notice required under subsection (f) of this section.

(j) *Inapplicability of other affordability requirements.* Conversion units required under this section to be maintained as affordable housing units shall be exempt from Sections 2-44-070, 2-44-080, 2-44-090, 2-44-100 and 2-44-105.

(k) *Rules.* The Commissioner is authorized to adopt such rules as the Commissioner deems necessary or appropriate for the proper implementation, administration and enforcement of this section.

(l) *Penalty.* In addition to any other penalty provided by law, any person who violates this section shall be subject to a fine of \$500.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

(m) *Private right of action.* An aggrieved tenant may enforce this section against any owner subject to this section by means of a civil action in which the court may provide injunctive relief or award treble damages and the plaintiff's court costs and reasonable attorney fees.

SECTION 3. Section 4-6-290 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-290 Bed-and-breakfast establishment.

(a) *Definitions.* As used in this section:

(Omitted text is unaffected by this ordinance)

“Bed-and-breakfast establishment” or “establishment” means an owner-occupied single-family residential building, or an owner-occupied, multiple-family residential building, or an owner-occupied condominium, townhouse or cooperative, in which 11 or fewer sleeping rooms are available for rent or for hire for transient occupancy by registered guests. The term “bed-and-breakfast establishment” does not include: (1) a single-room occupancy buildings, as that term is defined in Section ~~17-17-02163~~ 4-6-220; (2) shared housing units, registered pursuant to as defined in Section 4-14-010, that are registered or required to be registered with the City pursuant to Chapter 4-14 of this Code; or (3) vacation rentals, licensed pursuant to as defined in Section 4-6-300(a), that are licensed or required to be licensed by the City pursuant to Section 4-6-300; (4) hotels, as defined in Section 4-6-180; (5) conversion units, as defined in Section 17-17-0240.6; or (6) coach houses, as defined in Section 17-17-0234.6, unless the coach house was being used for residential purposes as of January 16, 2003. If the bed-and-breakfast establishment is a single-family residential building located on a lot that includes a principal house and an accessory building that was being used for residential purposes as of January 16, 2003, the accessory building shall be considered to be part of the establishment. The term “guests” does not include members of the owner’s family household within the meaning of the Chicago Zoning Ordinance; nor does it include persons who have signed a lease to use and

occupy residential property unless the leased residential property is held out by its owner, or by any person acting on the owner's behalf, to be a bed-and-breakfast establishment.

(Omitted text is unaffected by this ordinance)

"Platform" has the meaning ascribed to that term in Section 4-13-100.

"Short-term residential intermediary" or "intermediary" has the meaning ascribed to that term in Section 4-13-100.

(Omitted text is unaffected by this ordinance)

(f) *Legal duties.* Each licensee engaged in the business of bed-and-breakfast establishment shall have a duty to:

(Omitted text is unaffected by this ordinance)

(8) If the bed-and-breakfast establishment is listed on any short term residential rental intermediary platform or short term residential rental advertising platform, a licensee under this section shall have the following duties:

(Omitted text is unaffected by this ordinance)

(ii) not to list on a platform, or permit any person to list on a platform, and not to rent, or permit any person to rent, and not to book for future rental, or permit any person to book for future rental, any: (A) bed-and-breakfast establishment that is not properly licensed by the city City; or (B) conversion unit, as defined in Section 17-17-0240.6; or (C) coach house, as defined in Section 17-17-0234.6, lawfully established after July 31, 2020;

(Omitted text is unaffected by this ordinance)

SECTION 4. Section 4-6-300 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-300 Vacation rentals.

(a) *Definitions.* As used in this section:

(Omitted text is unaffected by this ordinance)

"Owner" means any person who owns 25% or more of the interest in a dwelling unit. For purposes of this Section 4-6-300 only, the term "owner" includes a person who is a lessee of a cooperative pursuant to a proprietary lease.

"Platform" has the meaning ascribed to that term in Section 4-13-100.

(Omitted text is unaffected by this ordinance)

“Vacation rental” means a dwelling unit that contains 6 or fewer sleeping rooms that are available for rent or for hire for transient occupancy by guests. The term “vacation rental” ~~shall~~ does not include: (i) single-room ~~occupancies~~ occupancy buildings, as that term is defined in Section ~~17-17-02163~~ 4-6-220; (ii) bed-and-breakfast establishments, as that term is defined in Chapter ~~14B-2~~ Section 4-6-290; (iii) hotels, as that term is defined in Section 4-6-180; (iv) a dwelling unit for which a tenant has a month-to-month rental agreement and the rental payments are paid on a monthly basis; (v) corporate housing, as defined in Section 4-14-010; (vi) guest suites, as defined in this subsection (a); ~~or~~ (vii) shared housing units, as defined in Section 4-14-010, that are registered or required to be registered with the City pursuant to Chapter 4-14 of this Code; (viii) conversion units, as defined in Section 17-17-0240.6; or (ix) coach houses, as defined in Section 17-17-0234.6, lawfully established after July 31, 2020.

(Omitted text is unaffected by this ordinance)

(h) *Vacation rentals listed on a platform.* If a vacation rental is listed on any short term residential rental intermediary platform or short term residential advertising platform within the meaning of Chapter 4-13 of this Code, a licensee under this section shall have the following duties:

(Omitted text is unaffected by this ordinance)

(2) *Rental without license – Rental of conversion units and coach houses – Prohibited.* Such licensee shall not list on a platform, or permit any person to list on a platform, or rent, or permit any person to rent, or book for future rental, or permit any person to book for future rental, any: (A) vacation rental which is not properly licensed by the city City; or (B) conversion unit, as defined in Section 17-17-0240.6; or (C) coach house, as defined in Section 17-17-0234.6, lawfully established after July 31, 2020;

(Omitted text is unaffected by this ordinance)

SECTION 5. Section 4-13-100 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting, in correct alphabetical order, the language underscored, as follows:

Section 4-13-100 Definitions.

As used in this chapter:

(Omitted text is unaffected by this ordinance)

“Coach house” has the meaning ascribed to that term in Section 17-17-0234.6.

“Conversion unit” has the meaning ascribed to that term in Section 17-17-0240.6.

(Omitted text is unaffected by this ordinance)

“Platform” means an internet-enabled application, mobile application, or any other digital platform used ~~by a short term residential rental intermediary~~ to connect guests with a short term residential rental provider.

(Omitted text is unaffected by this ordinance)

SECTION 6. Section 4-13-260 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

4-13-260 Ineligibility – Listing on platform by a provider prohibited when.

(a) *Conditions of ineligibility for listing.* A short term residential rental shall be ineligible for listing by a provider on a licensee's platform under the following conditions:

(Omitted text is unaffected by this ordinance)

(12) *Conversion unit.* When the short term residential rental is a conversion unit; or

(13) *Coach house.* When the short term residential rental is a coach house lawfully established after July 31, 2020.

(Omitted text is unaffected by this ordinance)

SECTION 7. Section 4-14-010 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting, in correct alphabetical order, the language underscored, as follows:

4-14-010 Definitions.

As used in this chapter:

“Bed-and-breakfast establishment” has the meaning ascribed to that term in Section 4-6-290.

(Omitted text is unaffected by this ordinance)

“Coach house” has the meaning ascribed to that term in Section 17-17-0234.6.

“Conversion unit” has the meaning ascribed to that term in Section 17-17-0240.6.

(Omitted text is unaffected by this ordinance)

“Shared housing unit” means a dwelling unit containing 6 or fewer sleeping rooms that is rented, or any portion therein is rented, for transient occupancy by guests. The term “shared housing unit” ~~shall~~ does not include: (1) single-room occupancy buildings; (2) hotels; (3)

corporate housing; (4) bed-and-breakfast establishments; (5) guest suites; ~~or~~ (6) vacation rentals; (7) conversion units; or (8) coach houses lawfully established after July 31, 2020.

(Omitted text is unaffected by this ordinance)

SECTION 8. Section 4-14-050 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

4-14-050 Unlawful acts.

(Omitted text is unaffected by this ordinance)

(j) Listing and rental of conversion units – Prohibited. It shall be unlawful for any shared housing host to list on a platform, or permit any person to list on a platform, or rent, or permit any person to rent, or book for future rental, or permit any person to book for future rental, any conversion unit.

(k) Listing and rental of coach houses – Prohibited. It shall be unlawful for any shared housing host to list on a platform, or permit any person to list on a platform, or rent, or permit any person to rent, or book for future rental, or permit any person to book for future rental, any coach house lawfully established after July 31, 2020.

SECTION 9. Section 17-2-0200 of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, is hereby amended by inserting the language underscored, as follows:

17-2-0200 Allowed Uses.

(Omitted text is unaffected by this ordinance)

17-2-0207 Use Table and Standards

USE GROUP	Zoning Districts									Use Standard	Parking Standard
	RS	RS	RS	RT	RT	RM	RM	RM			
Use Category	1	2	3	3.5	4	4.5	5-5.5	6-6.5			
Specific Use Type	1	2	3	3.5	4	4.5	5-5.5	6-6.5			
P = permitted by right S = special use approval req'd PD = planned development approval req'd - = not allowed											
RESIDENTIAL											
A. Household Living											
1. Detached House	P	P	P	P	P	P	P	P		17-10-0207-A	
2. Elderly Housing	-	-	-	P	P	P	P	P		17-10-0207-	

											A
3.	Two-Flats	-	-	P	P	P	P	P	P	<u>17-2-0303-B</u>	17-10-0207-A
4.	Townhouse	-	-	-	P	P	P	P	P	17-2-0500	17-10-0207-A
5.	Multi-Unit (3+ units) Residential	-	-	-	P	P	P	P	P		17-10-0207-C
6.	Single-Room Occupancy	-	-	-	-	P	P	P	P		17-10-0207-B
7.	<u>Conversion Unit</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>17-2-0303-C & 17-9-0131</u>	
8.	<u>Coach House</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>17-9-0201-F</u>	
<i>(Omitted text is unaffected by this ordinance)</i>											

SECTION 10. Section 17-2-0300 of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, is hereby amended by deleting the language stricken through and by inserting the underscored language, as follows:

17-2-0300 Bulk and density standards.

(Omitted text is unaffected by this ordinance)

17-2-0303-C Conversion Unit. In the case of building permit applications for the repair, remodeling, and/or alteration of *residential buildings* that are located in any RS, RT or RM zoning district and that have been in lawful existence for 20 or more years, the density of such *residential buildings* may be increased in accordance with Section 17-9-0131 by 33% of the number of lawfully established *dwelling units*, other than *conversion units*, that have been in existence in the residential building for 20 or more years; provided, however, that if such *residential building* contains a single *dwelling unit*, the density of such *residential building* may be increased by one *dwelling unit*. If this 33% calculation results in a fractional number, any fractional result of 0.5 or more shall be rounded up to the next consecutive whole number; and any fractional result of less than 0.5 shall be rounded down to the previous consecutive whole number.

(Omitted text is unaffected by this ordinance)

17-2-0307 Rear Yard Open Space. All development in RS, RT, RM4.5 and RM5 districts is subject to the following minimum *rear yard* open space standards, except as expressly allowed under the *townhouse development* standards of Section 17-2-0500.

District	Minimum Rear Yard Open Space	Minimum Dimension on Any Side (feet)
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	(square feet per dwelling unit/% of lot area, whichever is greater)	<u>Diameter (in feet) of a Circle That Must Fit Within Rear Yard Open Space</u>
RS1	400/6.5	20 <u>15</u>
RS2	400/6.5	20 <u>15</u>
RS3	225/6.5	15
RT3.5	100/6.5	12
RT4	65/6.5	12
RT4A	65/6.5	12
RM4.5	50/6.5	10
RM5	36/5.25	10

(Omitted text is unaffected by this ordinance)

17-2-0309 Side Setbacks.

17-2-0309-A Standards. All development in R districts is subject to the following minimum *side setback* standards, except as expressly allowed under the *townhouse development* standards of Section 17-2-0500. *Reversed corner lots* are subject to Sec. 17-2-0309-B. (See Sec. 17-17-0308 for rules governing the measurement of *side setbacks*.)

District	Minimum Side Setback
RS1	Detached house Principal residential building: Combined total width of side setbacks must equal 30% of lot width with neither required setback less than 5 feet or 10% of lot width, whichever is greater Principal nonresidential building (e.g., religious assembly and school buildings): 15 feet or 50% of building height, whichever is greater
RS2	Detached house Principal residential building: Combined total width of side setbacks must equal 30% of lot width with neither required setback less than 4 feet or 10% of lot width, whichever is greater Principal nonresidential building (e.g., religious assembly and school buildings): 15 feet or 50% of building height, whichever is greater
RS3	Detached house Principal residential building: Combined total width of side setbacks must equal 20% of lot width with neither required setback less than 2 feet or 8% of lot width, whichever is greater Principal Nonresidential buildings (e.g., religious assembly and school buildings): 12 feet or 50% of building height, whichever is greater
<i>(Omitted text is unaffected by this ordinance)</i>	

(Omitted text is unaffected by this ordinance)

17-2-0311 Building Height.

17-2-0311-A Standards. All residential buildings in R districts are subject to the following maximum *building height* standards, except as expressly allowed in Sec. 17-2-0311-B:

District	Maximum Building Height (feet)
RS1	Detached house Principal residential buildings: 30 Principal nonresidential buildings: None
RS2	Detached house Principal residential buildings: 30 Principal nonresidential buildings: None
RS3	Detached house Principal residential buildings: 30 Principal nonresidential buildings: None
<i>(Omitted text is unaffected by this ordinance)</i>	

SECTION 11 Section 17-9-0100 of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, is hereby amended by inserting the language underscored, as follows:

17-9-0100 Use Standards.

(Omitted text is unaffected by this ordinance)

17-9-0131 Conversion Units

1. Conversion units in any RS, RT or RM zoning district are subject to Section 17-2-0303-C.

2. Conversion units in any RS, RT or RM zoning district are not subject to the minimum lot area per unit provisions of Sections 17-2-0303-A, 17-7-0702, 17-7-0802, 17-7-0902 or 17-7-1104.

3. Conversion units in any RS, RT or RM zoning district are not subject to the open space provisions of Sections 17-2-0307 or 17-2-0308.

4. Conversion units may be established without corresponding accessory parking.

5. Conversion units shall be maintained as affordable housing units to the extent required under Section 2-44-106.

6. Conversion units may not be established on any zoning lot that contains a coach house.

7. Conversion units shall not be rented, leased, or otherwise made available for compensation of any type for transient occupancy by persons other than members of

the unit owner's or tenant's household. As used in this paragraph (7), the term "transient occupancy" means occupancy on a daily or nightly basis, or any part thereof, for a period of 31 or fewer consecutive days. In addition to any other penalty provided by law, any person who violates this paragraph (7) shall be subject to a fine of not less than \$1,500.00 nor more than \$3,000.00 dollars for each offense. Each day that a violation continues shall constitute a separate and distinct offense. The Department of Planning and Development, Department of Housing, Department of Buildings, and Department of Business Affairs and Consumer Protection are each authorized to enforce this paragraph.

SECTION 12. Section 17-9-0200 of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

17-9-0200 Accessory uses, buildings and structures.

17-9-0201 General.

(Omitted text is unaffected by this ordinance)

17-9-0201-C An accessory building or structure, other than a coach house, may not be constructed on any lot before the construction of the principal building to which it is accessory.

17-9-0201-D ~~No accessory building~~ The combination of all accessory buildings may not occupy more than 60% of the area of a required rear setback, except:

(Omitted text is unaffected by this ordinance)

17-9-0201-F Coach Houses

1. Coach houses shall not reduce any existing on-site, accessory parking required to serve the existing principal building on the zoning lot.

2. Coach houses may be established without accessory parking to serve the coach house.

3. Coach houses shall not exceed 22 feet in building height.

4. No rooftop features shall be allowed to exceed 22 feet in overall height above grade on coach houses.

5. At least three feet of open space that is unobstructed and unoccupied from its lowest level to the sky must be provided between the coach house and at least one side property line for the entire length of the building wall, except when a side lot line abuts an alley or street.

6. A minimum separation of 15 feet must be provided between the rear wall of the principal building and the front wall of the coach house.

7. No dwelling unit within a coach house shall exceed 700 square feet of floor area and only one dwelling unit is permitted.

8. Coach houses in any RS, RT or RM zoning district are not subject to the minimum lot area provisions of Sections 17-2-0303-A, 17-7-0702, 17-7-0802, 17-7-0902 or 17-7-1104.

9. Coach houses in any RS, RT or RM zoning district are not subject to the open space provisions of Sections 17-2-0307 or 17-2-0308; but are subject to Chapter 16-18 of this Code.

10. Coach houses in any RS, RT or RM zoning district are not subject to the floor area ratio provisions of Section 17-2-0304-A.

11. When established prior to the principal building on a zoning lot, a coach house must be located entirely within the rear setback of the zoning lot in accordance with this Section 17-9-0201 and shall be exempt from the setback requirements of Section 17-2-0306.

12. Coach houses shall not be established on any zoning lot that contains a conversion unit.

13. Coach houses shall not be established if the principal building contains more than four lawfully established dwelling units.

14. Dwelling units contained within coach houses lawfully established after July 31, 2020 shall not be rented, leased, or otherwise made available for compensation of any type for transient occupancy by persons other than members of the unit owner's or tenant's household. As used in this paragraph (14), the term "transient occupancy" means occupancy on a daily or nightly basis, or any part thereof, for a period of 31 or fewer consecutive days. In addition to any other penalty provided by law, any person who violates this paragraph (14) shall be subject to a fine of not less than \$1,500.00 nor more than \$3,000.00 dollars for each offense. Each day that a violation continues shall constitute a separate and distinct offense. The Department of Planning and Development, Department of Housing, Department of Business Affairs and Consumer Protection, and Department of Buildings are each authorized to enforce this paragraph.

(Omitted text is unaffected by this ordinance)

SECTION 13. Section 17-10-0200 of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, is hereby amended by deleting the language stricken through and by inserting the underscored language, as follows:

17-10-0200 Off-street parking ratios

(Omitted text is unaffected by this ordinance)

District	Minimum Automobile Parking Ratio (per unit or gross floor area)	Minimum Bike Parking
17-10-0207-A Parking Group A (Detached Houses, Two-flat, Townhouses)		
<u>All districts</u> RS1 and RS2	2 spaces 1 space per unit, provided that off-street parking is not required for detached houses on lots of records that are 33 feet or less in width if the subject lot does not have access to an improved alley and provided further that the Zoning Administrator is authorized to approve an administrative adjustment allowing a minimum of 1 parking space per unit if such reduction will result in more useable open space on the lot (See Sec. 17-13-1003 CC); 1 space per unit for government-subsidized units.	None
RS3	2 spaces per unit for detached houses and 1.5 spaces per unit for two flats, provided that off street parking is not required for detached houses or two flats on lots of records that are 33 feet or less in width if the subject lot does not have access to an improved alley. and provided further that the Zoning Administrator is authorized to approve an administrative adjustment allowing a minimum of 1 parking space per unit if such reduction will result in more useable open space on the lot (See Sec. 17-13-1003 CC); 1 space per unit for government-subsidized units	None
All other districts	1 space per unit, provided that off street parking is not required for detached houses or two flats on lots of records that are 33 feet or less in width if the subject lot does not have access to an improved alley; 1 space per unit for government-subsidized detached houses and two flats	None
<i>(Omitted text is unaffected by this ordinance)</i>		

SECTION 14. Section 17-13-1000 of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, is hereby amended by deleting the language stricken through and by inserting the underscored language, as follows:

17-13-1000 Administrative adjustments.

(Omitted text is unaffected by this ordinance)

17-13-1003-BB Additional Dwelling Unit. In the case of building permit applications for the repair, remodeling, and/or alteration of ~~buildings~~ residential buildings that have been in lawful existence for 50 ~~20~~ or more years, ~~containing and contain~~ not more than 6 *dwelling units*, ~~sought to correct Notices of Violation cited by the Department of Buildings, or for the voluntary rehabilitation of such structures, in which there is evidence that the building has been converted, altered or used for a greater number of dwelling units than existed at the time of its construction,~~ the Zoning Administrator is authorized to approve an *administrative adjustment* to make zoning certification of the increased *density*, not to exceed more than one unit ~~above its original construction,~~ upon review of documented evidence supporting such increase in *density*.

17-13-1003-CC ~~Parking Reduction for Detached Houses and Two Flats.~~ [Reserved.]

- ~~1. The Zoning Administrator is authorized to approve an *administrative adjustment* allowing a minimum of 1 parking space per *dwelling unit* in RS1, RS2 and RS3 districts.~~
- ~~2. Such an *administrative adjustment* may be approved only when the Zoning Administrator determines that the proposed adjustment will result in more useable open space on the lot.~~

(Omitted text is unaffected by this ordinance)

SECTION 15. Section 17-15-0300 of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

17-15-0300 Nonconforming uses.

(Omitted text is unaffected by this ordinance)

17-15-0303 Expansion.

(Omitted text is unaffected by this ordinance)

17-15-0303-D ~~Nonconforming coach houses on properties designated as official Chicago Landmarks or located within the boundaries of a Chicago Landmark District may continue to be occupied or may be re-occupied. Incidental repairs and normal maintenance necessary to keep such a coach house in sound condition are permitted; expansions are permitted only to the extent that such expansion does not violate any applicable bulk and density standard of Sections 17-9-0201-F(7) and 17-9-0201(F)(8). be used as a dwelling unit for a single household if the Zoning Administrator determines that competent evidence exists that the coach house was previously used as a legal dwelling unit. Incidental repairs and normal maintenance necessary to keep nonconforming coach house in sound condition are permitted, but no expansions are allowed.~~

17-15-0303-E [Reserved.] ~~Nonconforming coach houses on properties outside the boundaries of a Chicago Landmark District may continue to be occupied as dwelling units provided that they have not been continuously vacant for more than one year. Incidental repairs and normal maintenance necessary to keep nonconforming coach house in sound condition are permitted, but no expansions are allowed.~~

(Omitted text is unaffected by this ordinance)

SECTION 16. Section 17-17-0100 of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

17-17-0100 Use group and category description.

(Omitted text is unaffected by this ordinance)

17-17-0104-S Lodging. Provision of *lodging* services on a temporary basis with incidental food, drink, and other sales and services intended for the convenience of guests. The following are *lodging* use types:

1. **Bed and Breakfast.** An owner-occupied, detached house or an owner-occupied *dwelling unit* within a multi-unit *residential building* that does not exceed 4 stories in height and contains no more than 11 sleeping rooms or an owner-occupied condominium, townhouse or cooperative in which 11 or fewer sleeping rooms are available for rent ~~on~~ or for hire for transient occupancy by registered guests. For purposes of this definition, the term “bed and breakfast” does not include ~~single-room occupancy~~ single-room occupancy buildings. If the bed and breakfast is a detached house located on a lot that includes a principal house and an *accessory building* that was being used for residential purposes as of January 16, 2003, the *accessory building* ~~that~~ will be considered to be part of the establishment.

2. **Hotel/Motel.** An establishment containing ~~42~~ 7 or more guest rooms and in which short-term *lodging* is offered for compensation and which may or may not include the service of one or more meals to guests. Typical *uses* include hotels, motels and transient boarding houses. For purposes of this definition, the term “hotel/motel” does not include single-room occupancy buildings or bed and breakfast establishments.

3. **Vacation Rental.** A *dwelling unit* that contains 6 or ~~less~~ fewer sleeping rooms that are available for rent or for hire for transient occupancy by guests. The term “guests” does not include members of the owner’s ~~household~~ household. The term “vacation rental” shall not include: (i) single-room occupancy buildings; (ii) ~~bed and breakfast~~ bed and breakfast establishments, as that term is defined in Chapter 14B-2 of this Code; (iii) ~~hotels/motels, as that term is defined in Section 4-6-180 of this Code~~; (iv) any *dwelling unit* for which a tenant has a month-to-month rental agreement, ~~as that term is defined in Section 5-12-030 and the rental payments are paid on a monthly basis~~; ~~or~~ (v) ~~Corporate Housing~~ corporate housing, as that term is defined in Section 4-6-300 4-14-010; ~~or~~ (vi) ~~“guest suites”~~ guest suites, as that term is defined in Section 4-6-300; ~~or~~ (vii) *shared housing units* registered pursuant to Chapters 4-13 and 4-14 of

this Code; (viii) conversion units; or (ix) coach houses lawfully established after July 31, 2020.

4. Shared Housing Unit. “Shared housing unit” means a *dwelling unit* containing 6 or fewer sleeping rooms that is rented, or any portion therein is rented, for transient occupancy by guests. The term “shared housing unit” ~~shall~~ does not include: (1) ~~single-room occupancy~~ single-room occupancy buildings; (2) ~~hotels~~ hotels/motels; (3) corporate housing, as defined in Section 4-14-010; (4) guest suites, as defined in Section 4-6-300; (5) ~~bed and breakfast~~ bed and breakfast establishments; ~~or~~ (6) vacation rentals; ~~(7) conversion units; or (8) coach houses lawfully established after July 31, 2020.~~

(Omitted text is unaffected by this ordinance)

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

17-17-0200 General Terms.

(Omitted text is unaffected by this ordinance)

17-17-0234.6 Coach House. An accessory building meeting the requirements of Section 17-9-0201-F and containing one dwelling unit.

(Omitted text is unaffected by this ordinance)

17-17-0240.6 Conversion Unit. A dwelling unit that is: (i) either newly constructed or rehabilitated for reuse, and (ii) located within a principal residential building that has been in lawful existence for 20 or more years, and (iii) established in accordance with Sections 17-2-0303-C and 17-9-0131.

(Omitted text is unaffected by this ordinance)

SECTION 18. Section 17-17-0300 of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, is hereby amended by inserting the language underscored, as follows:

17-17-0300 Measurements.

17-17-0301 Division of Improved Zoning Lots. No improved zoning lot may be divided into two or more zoning lots and no portion of any improved zoning lot may be sold unless all improved zoning lots resulting from the division or sale comply with all the applicable bulk regulations of the zoning district in which the property is located; provided, however, that such divisions which do not further increase the extent of any existing nonconformity shall be permitted; for instance, a nonconforming setback which is not impacted by the proposed division.

(Omitted text is unaffected by this ordinance)

17-17-0309 Features Allowed to Encroach in Required Setbacks. Required setbacks in all districts must be unobstructed and unoccupied from the ground to the sky except that features are allowed to encroach into required setbacks to the extent indicated in the following table:

Obstruction/Projection into Required Setback	Front	Side	Rear
<i>(Omitted text is unaffected by this ordinance)</i>			
Chimneys that project no more than 18 inches into the setback	Yes	Yes	Yes
<u>Coach houses that do not contain enclosed parking but are established adjacent to a public alley must be set back at least two feet from the rear property line; provided, however, that this two-foot setback is not required if the coach house is located at least ten feet from the centerline of the alley, as evidenced by a survey or other similar evidence provided by the applicant and deemed acceptable by the Zoning Administrator</u>	<u>No</u>	<u>No</u>	<u>Yes</u>
Satellite dish antennas, not exceeding 1 meter in diameter	Yes [1]	Yes	Yes
<i>(Omitted text is unaffected by this ordinance)</i>			

SECTION 19. This ordinance shall take full force and effect ten days after its passage and publication. Provided, however, that no building permit application for a conversion unit or coach house shall be accepted by the Department of Buildings until August 1, 2020.