



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2018-4089  
**Type:** Ordinance **Status:** Failed to Pass  
**File created:** 5/25/2018 **In control:** City Council  
**Final action:**  
**Title:** Amendment of Municipal Code Section 2-45-117 regarding commissioner's authority to evaluate and approve housing development proposals under Near West/Near North Pilot Area Ordinance and 2015 Affordable Requirements Ordinance  
**Sponsors:** Ervin, Jason C., Scott, Jr. Michael, Burnett, Jr., Walter  
**Indexes:** Ch. 45 Dept. of Housing and Economic Development  
**Attachments:** 1. O2018-4089.pdf

| Date      | Ver. | Action By    | Action         | Result |
|-----------|------|--------------|----------------|--------|
| 5/29/2019 | 1    | City Council | Failed to Pass |        |
| 5/25/2018 | 1    | City Council | Referred       |        |

## ORDINANCE

WHEREAS, the City of Chicago ("City") is a home rule unit of government by virtue of the provisions of the Constitution of the State of Illinois of 1970, and as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City Council adopted the 2015 Affordable Requirements Ordinance, Section 2-45-115 of the Municipal Code (the "2015 ARO"), to promote the development of affordable housing and create mixed-income neighborhoods where residents of all incomes can thrive; and

WHEREAS, to further address gentrification pressures in the Near West/Near North Areas of the City, the City Council amended Chapter 2-45 of the municipal code to augment the requirements of the ARO in those area by adopting the Near West/Near North ARO Pilot Area Ordinance ("Pilot Area Ordinance"), adopted as Chapter 2-45-117 of the Municipal code by the City Council on October 11, 2017; and

WHEREAS, among the goals of the Pilot Area Ordinance is to stimulate development of affordable housing in portions of areas within the Pilot Area Ordinance where such development is needed to further economic development while providing for affordable housing into the future;

***WHEREAS, the City Council finds that to achieve this and other goals of the Pilot Area Ordinance, flexibility is needed to evaluate and approve alternative affordable housing development scenarios which meet the goals of the Pilot***

***Area Ordinance but accommodate differing and varying conditions; now, therefore***

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

SECTION 1. The foregoing recitals are adopted as the findings of the City Council.

SECTION 2. Chapter 2-45 of the Municipal Code of Chicago is hereby amended by adding the underscored language to Section 2-45-117, as follows:

(K) The commissioner shall have the authority to approve, after

consultation with the Alderman in whose Ward the property which is the subject of a proposal is located, alternative modes of compliance with the requirements of the Pilot Area Ordinance and the 2015 ARO. including modifications to the number and size of required affordable units, provided that the commissioner finds that the proposed alternative mode of compliance would result in greater benefits, including larger affordable units or greater affordability levels, than would otherwise result from the strict application of the otherwise applicable requirements.

**SECTION 3. This Ordinance shall take effect immediately upon its passage and approval.**