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Legislation Details (With Text)

File #: O2018-6119
Type: Ordinance **Status:** Failed to Pass
File created: 7/25/2018 **In control:** City Council
Final action:

Title: Amendment of Municipal Code Chapters 17-13 and 17-14 by adding new sections regarding City of Chicago Affordable Housing Equity Ordinance

Sponsors: Pawar, Ameya, Cappleman, James, Moore, David H., Sadlowski Garza, Susan, Maldonado, Roberto, Mell, Deborah, Reboyras, Ariel, Dowell, Pat, Mitts, Emma, Lopez, Raymond A., Foulkes, Toni, Munoz, Ricardo, Moore, Joseph, Curtis, Derrick G., Willie B. Cochran, Scott, Jr. Michael, Austin, Carrie M., Taliaferro, Chris, King, Sophia D., Arena, John, Ervin, Jason C., Moreno, Proco Joe, Solis, Daniel, Burnett, Jr., Walter, Santiago, Milagros, Ramirez-Rosa, Carlos, Waguespack, Scott

Indexes: Ch. 13 Review & Approval Procedures, Ch. 14 Administration

Attachments: 1. O2018-6119.pdf

Date	Ver.	Action By	Action	Result
5/29/2019	1	City Council	Failed to Pass	
7/25/2018	1	City Council	Referred	

July 25, 2018 City Council

Amendment of Municipal Code Creating New Section Entitled "City of Chicago Affordable Housing Equity Ordinance"

WHEREAS, it is a public purpose of the City of Chicago that all individuals and families in Chicago have access to safe, decent affordable housing for as long as they need it; and

WHEREAS, there is a scarcity of multi-family affordable housing in Chicago for low-income individuals and families in need; and

WHEREAS, there is a particularly dire shortage of affordable housing for families with children, especially in predominantly white neighborhoods and in gentrifying areas; and WHEREAS, there are some wards providing a disproportionate share of multi-family affordable housing units, while other parts of the city provide virtually none; and

WHEREAS, the entire City has a duty to affirmatively further fair housing by taking meaningful actions that overcome patterns of residential racial segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected classes; now, therefore,

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

SECTION ONE: RECITALS. The foregoing recitals are incorporated herein as the findings of the City Council.

SECTION TWO: A new Chapter 17, Section 14-600 of the Municipal Code of Chicago is hereby created as follows:

17-14-0600 City of Chicago Affordable Housing Equity Ordinance.

17-14-0601 Purpose and Intent. The purpose and legislative intent of this Chapter is to advance equitable and inclusive communities and expand affordable housing options for low-income households, especially families with children, across all of Chicago. This chapter will help meet the City's goals of creating equity in the availability of affordable housing across the City, reducing residential racial segregation, and equalizing opportunity.

17-14-0602 Definitions. For the purpose of this sections, the following definitions shall apply:

- a. "Underserved Ward" means a ward in which less than ten percent of its total occupied multi-family rental units are Affordable Housing, as defined in Section 2-45-115(B), or any successor ordinance.
- b. "Affordable Application" means an application for approval of a residential or mixed use Planned Development for property located in an Underserved Ward for a project in which ten percent or more of the proposed on-site multi-family rental dwelling units constitute Affordable Housing as defined in Section 2-45-115 (B), or any successor ordinance. "Affordable Application" shall also mean any application for a zoning change which triggers the requirements of Section 2-45-115, provided such units required under that Section are provided on site.

17-14-0603 Department of Housing. The Commissioner of the Department of Housing shall determine annually which wards meet the designation as an "Underserved Ward" as that term is defined in Section 17-14-0602, or any successor ordinance, and publish those findings as part of the City of Chicago's Quarterly Affordable Housing Plan Progress Reports.

PLANNED DEVELOPMENTS

17-13-0609 Review and Decision-Making Criteria. In reviewing and making decisions on proposed planned developments, review bodies and decision-making bodies must consider at least the following factors:

17-13-0609-A whether the proposed development complies with the standards and guidelines of Sec. 17-8-0900;

17-13-0609-B whether the proposed development is compatible with the character of the surrounding area in terms of uses, density and building scale, while prioritizing the creation of equitable and integrated living patterns throughout the city's neighborhoods, with a balance of homeownership and rental housing in each ward, with prioritization of a proposed development for multi-family rental housing in an "Underserved Ward" as that term is defined in Section 17-14-0602; and

17-13-0609-C whether public infrastructure facilities and city services will be adequate to serve the proposed development at the time of occupancy.

17-14-0604 Zoning Approval Process for Affordable Applications

- a. Plan Commission approval of Affordable Applications. If the Plan Commission fails to take action within 90 days of the date of filing of a complete Affordable Application, said application shall be deemed approved by the Plan Commission, provided stall period shall be tolled due to any delay requested by the applicant.
- b. Committee on Zoning, Landmarks, and Building Standards approval of Affordable Applications. If the Committee on Zoning, Landmarks, and Building Standards fails to take action within 90 days of the date of filing of a complete Affordable Application, or within 90 days of Plan Commission approval in the case of a Planned Development, said application shall be deemed approved by the Committee, provided stall period shall be tolled due to any delay requested by the applicant. Such application shall be reported out to the City Council at the next City Council meeting following the expiration of the 90-day period as if it were approved by the Committee.
- c. City Council approval of Affordable Applications. If the City Council fails to take final action on an

Affordable Application by the conclusion of the second meeting following the Application's reporting out from the Committee on Zoning, Landmarks, and Buildings Standards, or automatic reporting from the Committee as provided by Sec. 17-14-0603-B, such application shall be deemed approved by the City Council.

17-14-0605 Appeal of the Denial of Affordable Applications

- a. If the City Council takes final action to deny approval of an Affordable Application, such application shall be referred for automatic appeal to the Chicago Zoning Board of Appeals, which shall hold a public hearing to reconsider the denial in accordance with Sec. 17-13-1206.
- b. The Chicago Zoning Board of Appeals shall review the Affordable Application using the criteria set forth in 17-01-0905-A and, in its decision on reconsideration, also take into account the need for multi-family rental affordable housing in the Underserved Ward and the need to create equitable and integrated living patterns throughout all of Chicago's wards with a balance of homeownership and rental housing.
- c. The Chicago Zoning Board of Appeals is the final decision making body on appeals. The Zoning Board of Appeals may, upon the concurring vote of three members, confirm denial or approve the Affordable Application. Every decision of the Zoning Board of Appeals on an Affordable Application must be accompanied by written findings of fact specifying the reasons for the decision.
- d. This appeal process is not intended in any way to impede any remedies an Affordable Application