



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2019-7523  
**Type:** Ordinance  
**Status:** Failed to Pass  
**File created:** 9/18/2019  
**In control:** City Council  
**Final action:** 5/24/2023  
**Title:** Amendment of Municipal Code Chapter 16-18 by further regulating Open Space Impact Fee funds, eliminating refund provisions and removing Paulina Street Corridor  
**Sponsors:** Waguespack, Scott  
**Indexes:** Ch. 18 Open Space Impact Fee Ordinance  
**Attachments:** 1. O2019-7523.pdf

Date	Ver.	Action By	Action	Result
5/24/2023	1	City Council	Failed to Pass	
9/18/2019	1	City Council	Referred	

### ORDINANCE

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

SECTION 1. Chapter 16-18 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored.

*(Omitted text is not affected by this ordinance)*

#### 16-18-040 Fee formula.

Open space impact fees shall be calculated based on the following formula:

Fee = Open Space Need x Open Space Cost x Developer's Share where:

Open Space Need = Number of Dwelling Units x Estimated Household Size x Minimum Open Space Standard (2 acres per 1,000 people); and

Household Size is estimated to increase with the size of the dwelling units as follows:

Size of Unit (Square Feet)	Household Size (Persons)
Less than 800	1
800- 1,599	2
1,600-2,999	3
3,000 and up	4

Open Space Cost = \$20.00 ~~\$12.00~~ per square foot; and

Developer's Share = 30 percent, except units which qualify as "affordable housing" which shall be charged a flat nominal fee regardless of size.

Affordable housing, as used in this section, has the same definition as ascribed in Section 2-44-080 ( b) of the Chicago Municipal Code is defined as housing which is sold or rented at or below the maximum price or fair market rents established by the Chicago department of planning and development for the "City Lots for City Living" or "New Homes for Chicago" affordable housing programs. The above stated maximum price or fair market rents may be modified by the department of planning and development from time to time.

#### 16-18-050 Fee schedule.

Based on the formula set forth in Section 16-18-040 hereof, open space impact fees shall be charged according to the following fee schedule:

#### Open Space Impact Fee For

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(square feet)*	(per dwelling unit)**	Affordable Housing (per unit)
Less than 800 0-799	\$522.00 \$313.00	\$100.00
800-1,599	\$1,044.00 \$313.00	\$100.00
1,600-2,999	\$1,566.00 \$940^00	\$100.00
3,000 and up	\$2,088.00 \$1,253.00	\$100.00

Beginning December 1, 2021, the open space impact fee shall increase on December 1 of each subsequent year by an amount equal to the percentage increase, if any, in the Consumer Price Index for Chicago-Naperville-Elgin Metropolitan Statistical Area for all items published by the United States Department of Labor for the 12 months ending in August of each year.

\*Square feet includes only those areas that meet the definition of "floor area ration" as set forth in Section 17-17-0305 of the Chicago Zoning Ordinance.

\*\*Except "affordable housing" as defined in Section 16-18-040.

#### ~~16-18-100 Refunds.~~

~~Any funds not expended or encumbered for planning, engineering, acquisition or construction within seven years from the date on which the fees were collected shall be returned to the current property owner. Refunds shall be paid no later than six months after the seventh year triggering the refund.~~

#### ~~16-18-120 Paulina Street Corridor.~~

~~The Paulina Street Corridor shall consist of all property within the area defined by West Wellington Avenue; North Paulina Street; a line 565 feet south of West Wellington Avenue; a line from a point 565 feet south of West Wellington Avenue and 344 feet east of North Paulina Street to West Wolfram Street, at a point 221 feet west of North Ashland Avenue; West Wolfram Street to a point 130.3 feet east of North Paulina Street; from this point a line parallel to North Paulina Street to the alley next south of and parallel to West Wolfram Street; North Paulina Street; the alley next south of and parallel to West Wolfram Street; North~~

Paulina Street; a line 511 feet south of West Diversey Parkway; the alley next east of and parallel to North Paulina Street; the alley next north of and parallel to West Wrightwood Avenue; North Marshfield Avenue; West Wrightwood Avenue; a line 365.65 feet west of and parallel to North Paulina Street; a line 99.11 feet north of and parallel to West Wrightwood Avenue; a line 109.06 feet west of and parallel to North Paulina Street; a line 111.81 feet north of and parallel to West Wrightwood Avenue; a line 15.01 feet east of and parallel to the Chicago and Northwestern Railroad right of way. Notwithstanding the fee schedule set forth in Section 16-18-050 of this chapter, open space impact fees for the Paulina Street Corridor shall be charged according to the following fee schedule:

Size of Unit (Square Feet)	0-799
Open Space Impact Fee (Per Dwelling Unit)	\$1,011

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800-1,599
1,600-2,999
3,000 and up

The Developer's share is 100 percent, except units which qualify as "affordable housing", which shall be charged a flat nominal fee of \$100.00 regardless of size. All other provisions of Chapter 16-18 shall apply to the Paulina Street Corridor, except that no credit will be given for open space or recreational facilities on site.

SECTION 2. This ordinance shall take full force and effect on December 1, 2020.

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