



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2021-1228

**Type:** Ordinance **Status:** Passed

**File created:** 3/24/2021 **In control:** City Council

**Final action:** 4/21/2021

**Title:** Amendment of Municipal Code Chapters 17-2, 17-9 and 17-17 regarding open space, side setbacks for accessory buildings and allowable feature encroachments of Additional Dwelling Units (ADUs) in residential zoning districts

**Sponsors:** Lightfoot, Lori E.

**Indexes:** Ch. 2 Residential Districts, Ch. 9 Use Regulations, Ch. 17 Terminology & Measurements, Land Use & Zoning-Tables & Index

**Attachments:** 1. O2021-1228.pdf

Date	Ver.	Action By	Action	Result
4/21/2021	1	City Council	Passed	Pass
3/24/2021	1	City Council	Referred	

OFFICE OF THE MAYOR

CITY OF CHICAGO

LORI E. LIGHTFOOT  
MAYOR

March 24, 2021

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

Ladies and Gentlemen:

At the request of the Commissioners of Buildings and Planning and Development, I transmit herewith an ordinance amending the Municipal Code of Chicago regarding additional Dwelling Units (ADUs).

Your favorable consideration of this ordinance will be appreciated.

## ORDINANCE

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

SECTION 1. Section 17-2-0300 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)*

17-2-0307 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.

<b>District</b>	<b>Minimum Rear Yard Open Space (square feet per dwelling unit/% of lot area, whichever is greater)</b>	<b>Minimum Dimension on Any Side (feet) Diameter (in feet) of a Circle That Must Fit Within Rear Yard Open Space</b>
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*(Omitted text is unaffected by this ordinance)*

*(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.)*

<b>District</b>	<b>Minimum Side Setback</b>
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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

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RS3	OotncluHl 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
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*(Omitted text is unaffected by this ordinance)*

*(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

*(Omitted text is  
unaffected by this  
ordinance)*

SECTION 2. Section 17-9-0200 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

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

*(Omitted text is unaffected by this ordinance)*

*(Omitted text is unaffected by this ordinance)*

17-9-0201-C An accessory building or structure, other than a coach house constructed pursuant to 17-9-0201- (F) (13), 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

*(Omitted text is unaffected by this ordinance)*

1 I. Coach houses in any RS2, RS3, RT or RM zoning district are not subject to the open space provisions or "Sections 17-2-0307 or 17-2-0308", but are subject to Chapter 16- 18 of this Code. Provided, however, that coach houses may not reduce existing open space required under Sections 17-2-0307 or 17-2-0308 that serves [the principal building on the zoning lot.

*(Omitted text is unaffected by this ordinance)*

13. A coach house may be constructed on a lot before the construction of the principal building to which it is accessory. When established prior to the principal building on a zoning lot, a coach house must be located entirely within [he rear setback of [he zoning lot in accordance with this Section 17-9-0201^ and will be exempt from the rear setback requirements of Section 17-2-0306-B.

14. The combination of all accessory buildings may not occupy more than 60% of the area of a required rear setback. Reserved.

*(Omitted text is unaffected by this ordinance)*

18. The following additional requirements shall apply to coach houses in the West, South, and Southeast Zones of the Additional Dwelling Unit-Allowed Areas:

- a. A building permit may not be issued to add a coach house unit to a zoning lot with ~~three or fewer est~~ established dwelling units unless the principal building on the zoning lot is owner-occupied at the time of permit application.

*(Omitted text is unaffected by this ordinance)*

SECTION 3. Section 17-17-0300 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

17-17-0300 Measurements.

*(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
Coach houses meeting the requirements of Section 17-2-201 -F.	No	No	Yes
<i>Coach houses that are constructed 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.</i>			

Satellite dish antennas, not exceeding 1 meter in diameter  
*(Omitted text is unaffected by this ordinance)*

YesNl Yes Yes

SECTION 4. This ordinance shall take full force and effect upon its passage and approval.