

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

Section 1. Chapter 16-18 of the Municipal Code shall be amended by inserting the language underscored and removing the stricken language, as follows:

(Omitted text unaffected by this ordinance)

16-18-040 Fee formula.

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

(1) Fee = Open Space Need × Open Space Cost × Developer's Share where:

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

(3) Household Size is estimated to increase with the size of the dwelling unit as follows:

<i>Size Of Unit (Square Feet)</i>	<i>Household Size (Persons)</i>
Less than 800	1
800 – 1,599	2
1,600 – 2,999	3
3,000 and up	4

(4) Open Space Cost = \$12.00 per square foot prior to December 31, 2024; and thenceforth shall be adjusted as follows:

(i) Beginning on January 1, 2025 Open Space Cost shall increase to \$16.00 per square foot; and

(ii) Beginning on January 1, 2026, Open Space Cost shall increase to \$20.00 per square foot; and

(iii) Beginning on January 1, 2027, Open Space Cost shall increase to \$24.00 per square foot; and

(iv) Beginning on January 1, 2028, and on every January 1 thereafter, Open Space Cost shall be adjusted according to the annual CPI or increased by 2.5%, whichever is less, to reflect current market-rate land values.

(5) 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 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.

(Omitted text unaffected by this ordinance)

16-18-080 Credit for on-site open space within planned developments.

In the case of larger developments which are processed as planned developments, developers are encouraged to provide open space and recreational facilities on-site to serve new residents instead of paying open space impact fees. Developers are encouraged to incorporate native plant species in their open spaces pursuant to the Department of Planning and Development's Sustainable Development Policy. Developers are encouraged to incorporate suitably designed dog-friendly areas on-site.

"Dog-friendly area" is defined as a designated section of land where dogs are allowed to run and play off-leash. Dog-friendly areas should abide by the guidelines set forth by Chicago Park District. Size of the dog-friendly area shall reflect the amount of available land and licensed dog population in the community area and shall be a minimum size of no less than 0.10 acres (4,356 square feet).


Credit may be given for open space or recreational facilities within a planned development that satisfy all or most of the goals of the City Space Plan and adequately serve the needs of the proposed new development. No credit shall be given for open space that is not publicly accessible.

16-18-090 Use of funds.

Open space impact fees shall be earmarked for open space acquisition and capital improvements which provide a direct and material benefit to the new development from which the fees are collected. Fees may not be used to cure existing park deficiencies. Open space impact fees must be expended within the same or a contiguous community area from which they were collected after a legislative finding by the ~~city council~~ City Council that the expenditure of fees will directly and materially benefit the developments from which the fees were collected. Open space impact fees may be transferred to an adjacent community area with the consent of the developer and the Alderman of the community area in which the fees were collected, after a legislative finding by the City Council that the expenditure of fees will directly and materially benefit the community areas from which the fees were collected. Community areas are geographic areas which are identified in the City Space Plan and designated pursuant to Chapter 1-14 of the Municipal Code of the City of Chicago.

(Omitted text unaffected by this ordinance)

Section 2. This ordinance shall take effect immediately after its passage and publication.



Daniel La Spata
Alderman, 1st Ward