

SUBSTITUTE ORDINANCE

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

SECTION 1. Section 2-44-106 of the Municipal Code of Chicago, is hereby amended by deleting the struck through language, as follows:

2-44-106 Affordable conversion units.

(a) Title. This section shall be known and cited as the "Affordable Conversion Unit Ordinance" or "ACU Ordinance".

(Omitted text is unaffected by this ordinance)

(c) Definitions. As used in this section:

~~"Additional Dwelling Unit Allowed Areas" has the meaning ascribed to that term in Section 17-7-0570.~~

"Affordable Conversion Unit(s)" means any one or more affordable housing unit(s) designated as such and required to be registered as such by the Department of Housing pursuant to subsection (e) of this section.

(Omitted text is unaffected by this ordinance)

~~(p) — Recommendation to City Council of expansion of additional dwelling unit allowed areas. On or before May 31, 2024, the Department of Housing and the Department of Planning and Development shall evaluate the establishment of conversion units (including Affordable Conversion Units) and coach houses in Additional Dwelling Unit Allowed Areas to reassess best practices for their regulation and to make recommendations to the City Council regarding expansion, contraction or elimination of such Additional Dwelling Unit Allowed Areas.~~

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

17-2-0200 Allowed Uses.

(Omitted text is unaffected by this ordinance)

17-2-0207 Use Table and Standards

USE GROUP	Zoning Districts									Use Standard	Parking Standard
	RS	RS	RS	RT	RT	RM	RM	RM	RM		
Use Category	1	2	3	3.5	4	4.5	5-5.5	6-6.5			
Specific Use Type											
P = permitted by right S = special use approval req'd PD = planned development approval req'd - = not allowed											
RESIDENTIAL											
A. Household Living											

<i>(Omitted text is unaffected by this ordinance)</i>										
7.	Conversion Unit within Additional Dwelling Unit-Allowed Areas	<u>S</u>	<u>SP</u>	P	P	P	P	P	P	17-2-0303-C & 17-9-0131
8.	Coach House within Additional Dwelling Unit-Allowed Areas	<u>S</u>	<u>SP</u>	P	P	P	P	P	P	17-9-0201-F
<i>(Omitted text is unaffected by this ordinance)</i>										

17-2-0303-C Conversion Unit. ~~Within Additional Dwelling Unit-Allowed Areas, in~~ In the case of building permit applications for the repair, remodeling, or alteration of *residential buildings* that are located in any ~~RS2, RS3, RT or RM~~ zoning district and that have been in lawful existence for 20 or more years, the density of such *residential buildings* may be increased in accordance with Section 17-9-0131 by 33% of the number of lawfully established *dwelling units*, other than *conversion units*, that have been in existence in the *residential building* for 20 or more years; provided, however, that if such *residential building* contains a single *dwelling unit*, the density of such *residential building* may be increased by one *dwelling unit*. If this 33% calculation results in a fractional number, any fractional result of 0.5 or more must be rounded up to the next consecutive whole number; and any fractional result of less than 0.5 must be rounded down to the previous consecutive whole number.

SECTION 3. Chapter 17-3 of the Municipal Code of Chicago is hereby amended by deleting the struck through language and inserting the underscored language, as follows:

17-3-0200 Allowed Uses.

(Omitted text is unaffected by this ordinance)

17-3-0207 Use Table and Standards

USE GROUP		Zoning Districts						Use Standard	Parking Standard
Use Category		B1	B2	B3	C1	C2	C3		
Specific Use Type									
P = permitted by right S = special use approval req'd PD = planned development approval req'd - = not allowed									
RESIDENTIAL									
A. Household Living									
<i>(Omitted text is unaffected by this ordinance)</i>									
3.	Dwelling Units located above the ground floor	P	P	P	P	P	-		17-10-0207-C
4.	Dwelling Units located below <u>below</u> the ground floor or below <u>below</u> (as follows)								
4a.	Detached House	S	P	S	S	S	-		17-10-0207-A
4b.	Elderly Housing	S	P	S	S	S	-		17-10-0207-D
4c.	Multi-Unit (3+ units) Residential	S	P	S	S	S	-		17-10-0207-C
4d.	Single-Room Occupancy	S	P	S	S	S	-		17-10-0207-B

4e.	Townhouse	S	P	S	S	S	-		17-10-0207-A
4f.	Two-Flat	-	-	-	-	-	-		
5.	Conversion Unit	<u>P/S</u>	<u>P</u>	<u>P/S</u>	<u>P/S</u>	<u>P/S</u>	-	<u>17-2-0303-C;</u> <u>17-9-0131</u>	
6.	Coach House	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>17-9-0201-F</u>	
<i>(Omitted text is unaffected by this ordinance)</i>									

17-3-0308 Conversion Unit. In the case of building permit applications for the repair, remodeling, or alteration of *residential buildings* that are located in any B, C1, or C2 zoning district, and that have been in lawful existence for 20 or more years, the density of such *residential buildings* may be increased in accordance with Section 17-9-0131 by 33% of the number of lawfully established *dwelling units*, other than *conversion units*, that have been in existence in the *residential building* for 20 or more years; provided, however, that if such *residential building* contains a single *dwelling unit*, the density of such *residential building* may be increased by one *dwelling unit*. If this 33% calculation results in a fractional number, any fractional result of 0.5 or more must be rounded up to the next consecutive whole number; and any fractional result of less than 0.5 must be rounded down to the previous consecutive whole number.

(Omitted text is unaffected by this ordinance)

SECTION 4. Section 17-7-0570 of the Chicago Municipal Code, including subsections 17-7-0571 and 17-7-0572, and Figure 17-7-0570, is hereby repealed in its entirety.

SECTION 5. Chapter 17-9 of the Municipal Code of Chicago is hereby amended by deleting the struck through language and inserting the underscored language, as follows:

17-9-0100 Standards.

(Omitted text is unaffected by this ordinance)

17-9-0131 Conversion Units.

1. A building permit for a ~~conversion unit~~ may not be issued for a ~~zoning lot~~ located outside of an ~~Additional Dwelling Unit Allowed Area~~. Reserved.
2. Prior to issuance of a building permit for a new conversion unit, ~~either~~ the permit applicant must provide written notice to the local alderman, or the City must provide electronic notice to ~~abutting property owners and to~~ the local alderman. The written or electronic notice must include: (a) the street address of the existing building; (b) a statement that a conversion unit will be established at the address; and (c) the name and mailing address of the applicant. If the applicant provided notice to the local alderman under this subsection 17-9-0131.2, the ~~The~~ applicant must submit a written affidavit certifying compliance with the notice requirements with the permit application.
3. *Conversion units* are subject to Section 17-2-0303-C and 17-3-0308.
4. *Conversion units* are not subject to the minimum *lot area* per unit provisions of Sections 17-2-0303-A, 17-3-0402-A, 17-7-0702, 17-7-0802, 17-7-0902 or 17-7-1104.

(Omitted text is unaffected by this ordinance)

8. Conversion units may only be established by-right in non-B2, Neighborhood Mixed-Use District, zoning districts below the second floor if the ground floor is occupied by at least 40% of front property line adjacent commercial space. ~~not be established on any zoning lot that contains a coach house.~~

(Omitted text is unaffected by this ordinance)

10. ~~The following additional requirements apply to conversion units in the West, South, and Southeast Zones of Additional Dwelling Unit-Allowed Areas:~~

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

b. ~~A building permit may not be issued to add a conversion unit to a zoning lot where two other zoning lots on the same block face and opposite block face have obtained permits to add a conversion unit or coach house unit during the same calendar year.~~

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

(Omitted text is unaffected by this ordinance)

17-9-0201 General.

(Omitted text is unaffected by this ordinance)

17-9-0201-F Coach Houses.

1. ~~A building permit for a new coach house unit may not be issued for a zoning lot located outside of an Additional Dwelling Unit-Allowed Area. Coach Houses established in B or C zoning districts may only be established in the rear 30 feet of the lot depth.~~

2. Prior to issuance of a building permit for a new coach house unit, ~~either the permit applicant must provide written notice to the local alderman, or the City must provide electronic notice to abutting property owners and to the local alderman. The written or electronic notice must include: (a) the street address of the property where a coach house unit will be established; (b) a statement that a coach house unit will be established at the address; and (c) the name and mailing address of the applicant. If the applicant provided notice to the local alderman under this subsection 17-9-0201-F.2, the ~~The~~ applicant must submit a written affidavit certifying compliance with the notice requirements with the permit application.~~

3. ~~Coach houses may not reduce any existing on-site, accessory parking required to serve the existing principal building on the zoning lot. Accessory parking to serve the principal residential building on the same zoning lot as the coach house may be waived pursuant to an administrative adjustment authorized pursuant to Section 17-13-1003-LL.~~

(Omitted text is unaffected by this ordinance)

8. ~~A minimum separation of 15 feet must be provided between the rear wall of the principal building and the front wall of the coach house. Reserved.~~

9. ~~A dwelling unit within a coach house may not exceed 700 square feet of floor area, exclusive of interior stairs which directly access the dwelling unit. Only one dwelling unit is permitted per coach house. Reserved.~~

10. ~~Coach houses in any RS2, RS3, RT or RM zoning district are not subject to the minimum lot area provisions of Sections 17-2-0303-A, 17-3-0402-A, 17-7-0702, 17-7-0802, 17-7-0902 or 17-7-1104.~~

11. ~~Coach houses in any RS2, RS3, RT or RM zoning district are not subject to the open space provisions of 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. All coach houses are subject to Chapter 16-18 of this Code.~~

12. ~~Coach houses in any RS2, RS3, RT or RM zoning district are not subject to the floor area ratio provisions of Section 17-2-0304-A or 17-3-0403-A.~~

(Omitted text is unaffected by this ordinance)

15. ~~Coach houses may not be established on any zoning lot that contains a conversion unit. Reserved.~~

(Omitted text is unaffected by this ordinance)

17. ~~Dwelling units contained within coach houses lawfully established after May 1, 2021 may not be rented, leased, or otherwise made available for compensation of any type for transient occupancy, as defined in Section 4-6-290, by persons other than members of the unit owner's or tenant's household. In addition to any other penalty provided by law, any person who violates this Section 17-09-0201-F(167) will be subject to a fine of not less than \$1,500.00 nor more than \$3,000.00 for each offense. Each day that a violation continues constitutes a separate and distinct offense. The Department of Planning and Development, Department of Housing, Department of Buildings and Department of Business Affairs and Consumer Protection are each authorized to enforce this Section 17-09-0201-F(167).~~

18. ~~The following additional requirements shall apply to coach houses in the West, South, and Southeast Zones of 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 established dwelling units unless the principal building on the zoning lot is owner-occupied at the time of permit application.~~

b. ~~A building permit may not be issued to add a coach house unit to a zoning lot where two other zoning lots on the same block face and opposite block face have obtained permits to add a conversion unit or coach house unit during the same calendar year.~~

(Omitted text is unaffected by this ordinance)

SECTION 6. Chapter 17-13 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

17-13-1000 Administrative Adjustments

(Omitted text is unaffected by this ordinance)

17-13-1003-LL Coach House Parking Relief. The parking requirements of Section 17-10-0207, as they apply to the principal residential building on the zoning lot, may be waived pursuant to Section 17-13-1007 through the administrative adjustment procedure, when a coach house is constructed or expanded on the same zoning lot.

(Omitted text is unaffected by this ordinance)

SECTION 7. Chapter 17-9 of the Municipal Code of Chicago is hereby amended by deleting the struck through language and inserting the underscored language, as follows:

17-17-0200 General terms.

(Omitted text is unaffected by this ordinance)

17-17-0234.6 Coach House. An accessory building meeting the requirements of Section 17-9-0201-F ~~and containing one dwelling unit.~~

(Omitted text is unaffected by this ordinance)

SECTION 8. This ordinance shall take full force and effect 120 days after its passage and approval.