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NOTICE TO RESIDENTIAL DEVELOPERS

REGARDING NEW OPEN SPACE

IMPACT FEES

City of Chicago
Richard M. Daley, Mayor

OPEN SPACE IMPACT FEE ORDINANCE FACT SHEET

DESCRIPTION AND PURPOSE

Open space impact fees are charges imposed as a condition of building permit approval for new residential development. The fees will be used to address the need for more public open space and ensure that adequate open space and recreational facilities are available to serve residents of new development.

WHEN DID THE ORDINANCE BECOME EFFECTIVE?

April 6, 1998.

WHO WILL BE REQUIRED TO PAY FEES?

All persons seeking building permits for new residential development or rehab that creates new dwelling units. Replacement of housing units that were demolished no more than one year ago is exempt.

HOW MUCH ARE THE FEES?

Most new housing units (with 800-1,599 square feet each) will be charged $626 per unit. Smaller units (with less than 800 square feet) will pay less ($313) and larger units will pay more ($940 for units with 1,600-2,999 square feet; and $1,253 for units with 3,000 square feet or more). Fees for qualified affordable housing will be $100 per unit.

HOW ARE THEY CALCULATED?

Fees are based on open space needs of new development and the estimated cost of providing public open space. Open space needs are based on the number of people that are expected to occupy a housing unit. The fee formula assumes an average of two people for most new housing units (with 800-1,600 square feet), one person in smaller units (with less than 800 square feet), and three or four people in larger units.

HOW WILL FEES BE SPENT?

In most cases, fees will be spent on acquisition or development of neighborhood-oriented public open space within the same community area in which the development occurs. However, fees could also be spent on regional facilities within the same Park District region where fees are collected. Before transferring funds to the Park District or other open space provider, the City Council will be required to make a finding that the use of funds will reasonably benefit the new development paying the fees. Fees will be refunded to the current owner if not spent within 7 years of collection.

CITY OF CHICAGO
OPEN SPACE IMPACT FEE WORKSHEET

Owner: _____ _____
First Name Last Name

Property Address: _____ _____
Street # Zip Code

Applicant: _____ Phone #: (____) _____
First Name Last Name

Description of Work: _____

Exempt replacement dwelling unit? **Yes** ☐ **No** ☐

(If yes, attach permit for unit(s) replaced. Demolition permit and utility records must be less than one year old.)

GENERAL FEE REQUIREMENT

Dwelling Unit Sizes	# of Units	Fee per Unit	# of Units x Unit Fee
Up to 799 sq.ft.		$313.00	
800 to 1,599 sq.ft.		$626.00	
1,600 to 2,999 sq.ft.		$940.00	
3,000 sq.ft. and Up		$1,253.00	
		TOTAL	
Affordable Housing (Attach documentation.)		$100.00	

Fee reduced due to individualized assessment? **Yes** ☐ **No** ☐

Fee credit for on-site open space? **Yes** ☐ **No** ☐

NOTE: Applicants requesting an Individualized Assessment or Credit as authorized by Section 16-18-070 and Section 16-18-080 of the Chicago Municipal Code must make application to the Commissioner of Planning and Development (attach letter to this form).

TOTAL FEE AFTER REDUCTIONS OR CREDITS

For Departmental Use Only

DEPARTMENT OF ZONING Reviewed By: _____

Phone #: _____

Enter fee amount from above under Plan Examination - Code 18 of the Building Permit Application. Enter "OPN" under Approval column.

DEPARTMENT OF REVENUE Date of Payment: _____

INSTRUCTIONS FOR RESIDENTIAL DEVELOPERS REGARDING OPEN SPACE IMPACT FEES

The attached **Open Space Impact Fee Worksheet** must be completed and attached to your building permit application. Review of the Open Space Impact Fee Worksheet will be done simultaneously with zoning review. The worksheet requires you to provide information regarding the size and number of dwelling units and calculate the fee amount. The size of units in square feet should include only areas that meet the Zoning Ordinance definition of "floor area."

Calculation of unit sizes is not required in the following cases:

- **Exempt Replacement Housing Units.** If a new dwelling is replacing a unit that was demolished less than a year ago, no fee is required. Just check the box for "Exempt Replacement Housing Unit" and attach the demolition permit documenting the existence of a dwelling unit on that site within the past year and a utility bill or other documentation showing the number of pre-existing dwelling units.

- **Affordable Housing.** Affordable housing units are required to pay a nominal fee of $100 per unit regardless of unit size. Just check the Affordable Housing box on the worksheet and indicate the number of affordable housing units. Be sure to attach the documentation required in the *"Affordable Housing Sales Price and Rent Limit Information Sheet"*.

- **Individualized Assessment of Impact.** The Open Space Impact Fee Ordinance estimates the need for public open space and the cost of public open space city-wide. If you believe these assumptions are substantially incorrect for your development, you may submit an Individualized Assessment of Impact to the Department of Planning & Development for a determination of whether the fees should be reduced or waived. Please see the attached *"Instructions for Individualized Assessment of Open Space Impact Fees."*

- **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. Please see the attached *"Instructions for Open Space Impact Fee Credits."*

For more information on Open Space Impact Fee requirements, please contact the Department of Planning & Development at 744-6710.

Affordable Housing Sales Price and Rent Limit Information Sheet

"The Open Space Impact Fee Ordinance defines "affordable housing" as "housing which is sold or rented at or below the maximum price or fair market rents established by the Chicago Department of Housing for the City Lots for City Living or New Homes for Chicago affordable housing programs."

As of the date of this publication, the Department of Housing has established the following affordable housing maximum price and rent levels:

MAXIMUM HOUSING PRICES

SINGLE FAMILY	$140,000
2-FAMILY	$210,000 (for both units)
MULTI-UNIT CONDO	$120,000

MAXIMUM FAIR MARKET RENTS

# OF BEDROOMS	FAIR MARKET RENTS
0	$529
1	$635
2	$756
3	$946
4	$1,058
5	$1,217

Rents are calculated to represent total monthly housing expenses, including rental and all utilities.

REQUIRED DOCUMENTATION:
Government-assisted housing: attach government contract.
Unassisted housing: attach "Affordable Housing Affidavit."

Maximum price and rent levels may be modified by the Department of Housing from time to time.

INSTRUCTIONS FOR OPEN SPACE IMPACT FEE CREDIT

In the case of Planned Developments, an Applicant may request a reduction or an exemption of the Impact Fee in return for the provision of on-site parks recreation facilities, or other open space. Such requests will be evaluated by the Department of Planning and Development during the Part I phase of the project.

In order to qualify for credit, such open space must have a minimum contiguous area of 2000 square feet, a minimum dimension of 25 feet, landscaping improvements, recreational facilities and/or walkways, and trees at the rate of one per 1000 square feet of open space. The fee will be reduced at a rate of $313 per 87 square feet of qualifying open space (the amount of park space required per person based on the CitySpace goal of one acre per 1000 persons). Such space shall be open and accessible to all residents of the development, but need not be open to the public. The open space must be improved in accordance with a stated time schedule and maintained in accordance with an approved plan.

Along with its Part II approval, the DPD will attach a fee reduction or waiver letter to the site plan documenting the size, location, and improvements to the qualifying open space. This letter should be presented to the Department of Buildings by the Applicant at the time of the final tabulation of fees.

For more information on Planned Developments, contact:

Department of Planning and Development at 744-6710