

RESOLUTION NO. 15-81

GLENVIEW'S AFFORDABLE HOUSING PLAN

WHEREAS, the Village of Glenview (the "Village") is a home rule municipality in accordance with the Constitution of the State of Illinois of 1970;

WHEREAS, the Village has the authority to adopt policies and to promulgate rules and regulations that pertain to its government and affairs that protect the public health, safety and welfare of its citizens;

WHEREAS, on May 5, 2015 and May 19, 2015 the corporate authorities have reviewed the Affordable Housing Plan dated May 19, 2015 ("Plan"), a copy of which Plan is attached hereto as Exhibit 1;

WHEREAS, the proposed Plan complies with the requirements as established by the Affordable Housing Planning and Appeals Act of Illinois; and

WHEREAS, the corporate authorities have determined that it is in the public interest to adopt the Plan.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Trustees of the Village of Glenview, as follows:

Section 1: That the facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

Section 2: The Plan is hereby adopted as a policy on affordable housing within the corporate limits of the Village.

Section 3: That upon the approval of the Plan, the President and Board of Trustees will direct the implementation of the Plan by the appropriate administrative measures as soon as practicable.

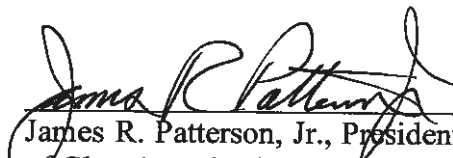
PASSED this 19th day of May, 2015

AYES: Britton Detlefs Hinkamp Jenny Karton White

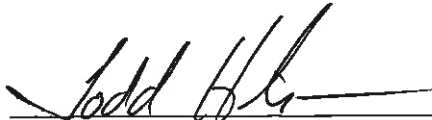
NAYS: None

ABSENT: None

APPROVED by me this 19th day of May, 2015


James R. Patterson, Jr., President of the Village
of Glenview, Cook County, Illinois

ATTESTED and FILED in my office this 19th day of May, 2015.



Todd Hileman, Village Clerk
Village of Glenview, Cook County, Illinois

Exhibit 1:

Glenview's Affordable Housing Plan



VILLAGE OF GLENVIEW, ILLINOIS

AFFORDABLE HOUSING PLAN

May 19, 2015

1 – BACKGROUND

1.1 Introduction

The Village of Glenview (the “Village”) has been actively involved through support or sponsorship in providing, or separately in approving affordable housing options over the past 25 years, so persons with moderate incomes can enjoy the benefits of living in our community, and so our residents can enjoy the benefits of a community with economic diversity. Examples include: Patten House, Depot Square, Thresholds, Thomas Place at the Glen, Greenleaf Manor, Axley Place, and various group community residences. The Village has been careful to balance the worthy objectives of these actions against other important policies favoring the following:

- the maintenance of the Village’s single-family-home character;
- multi-family residential uses in proximity to amenities (public transportation, jobs, grocery stores, shopping, recreation, etc.);
- land use redevelopment consistent with the capacity of infrastructure; and,
- preservation of land owner’s property rights.

1.2 Purpose

The purpose of Glenview’s Affordable Housing Plan (the “Plan”) is to establish a policy on affordable housing within the corporate limits of the Village in accordance with the Affordable Housing and Planning Appeals Act of Illinois (AHPAA). Through this policy document, or Plan, the Village reaffirms its ongoing commitment to a proactive, but reasoned approach towards compliance with the State of Illinois requirements.

1.3 Affordable Housing Planning and Appeals Act of Illinois (AHPAA)

The State of Illinois adopted Public Act 93-0595, the Affordable Housing Planning and Appeals Act of Illinois (“the Act”), which went into effect on January 1, 2004 and was recently updated in 2013 per Public Act 98-287. The Act, a copy of the latest version is attached as Exhibit 1, is intended to address the lack of moderately-priced housing that exists in many communities. The Act is premised on a finding that “there exists a shortage of affordable, accessible, safe and sanitary housing in the State”. The Act’s purpose is to “encourage counties and municipalities to incorporate affordable housing within their housing stock sufficient to meet the needs of their county or community.” It requires counties and municipalities with less than 10% affordable housing to adopt a Plan.

1.4 Non-Exempt Local Governments

Non-Exempt List:

The Illinois Housing Development Authority (the “IHDA”) is the State agency charged with enforcing the Act and tasked with generating a list of communities which have a portion of the local year-round housing stock considered affordable that is below 10%, as determined by data from the U.S. Census Bureau. These communities are designated as Non-Exempt Local Governments and must comply with the Act requirements which include the submission of a Plan to IHDA. An Exempt Local Government is any local government in which at least 10% of its total year-round housing units are affordable, as determined by IHDA, or any municipality with a population under 1,000 people.

Compliance in 2013:

In 2013, the Act was updated to reflect the use of new data sets, as the previous information used in the 2004 evaluation is no longer collected by the U.S. Census Bureau. The amended Act requires the use of the American Community Survey (the “ACS”) census data, a mandated survey which includes statistical estimates based on the now discontinued long form decennial census questionnaire. IHDA uses simplified formulas to determine a community’s housing affordability and uses the most current ACS data to update the non-exempt local government list approximately every 5 years, with the next update scheduled for 2018.

On December 2, 2013, the Village was notified by IHDA that it became a Non-Exempt Local Government, with 7.4% of the housing stock considered affordable, based on 2011 ACS 5-Year Estimate data which is published on a 2 year delay. Section 2.1 of this Plan includes an explanation of how the data was used for Glenview’s specific calculations. In accordance with the Act, the Village has 18 months from the time of notification to adopt a Plan, which needs to be submitted to IHDA within 60 days of the Plan’s approval by the Village.

1.5 Determining Affordability

Definition:

Affordable housing, as defined by the Act, means “housing that has a value or cost or rental amount that is within the means of a household that may occupy moderate-income or low-income housing.” For owner-occupied units it would include mortgage, amortization, taxes, insurance, and association fees constituting no more than 30% of the gross annual income for a household of the size that may occupy the unit. For rental units it would include rent and utilities constituting no more than 30% of the gross annual income for a household of the size that may occupy the unit. The Act establishes a process for identifying communities with the most acute shortage of local housing stock available at an amount that would be affordable to:

- A. Renters at 60% of the regional median household income
- B. Homebuyers at 80% of the regional median household income

Area Median Income:

The Chicago Metropolitan Statistical Area (the “Chicago MSA”) which includes Cook County, Dekalb County, DuPage County, Grundy County, Kane County, Kendall County, McHenry County, and Will County, was used by the State to calculate the regional median household income or the Area Median Income (the “AMI”) as defined by the Act. According to U.S. Census data the AMI for the Chicago MSA is \$61,045, which was used to calculate the affordable monthly rent and housing payments for every community in the Chicago MSA; an area with a population of almost 9.4 million people.

Glenview’s Affordable Rent and Housing Payments:

The Village is located in the Chicago MSA, therefore the Act assigns the following affordable monthly rent and housing payments to every community in the Chicago MSA:

- A. Calculation of affordable monthly rent:
 $\$61,045 \text{ (AMI)} \times 60\% \times 30\%$ (portion of income affordable for housing) / 12 = **\$916** a month
- B. Calculation of affordable monthly house payment:
 $\$61,045 \text{ (AMI)} \times 80\% \times 30\%$ (portion of income affordable for housing) / 12 = **\$1,221** a month

The Act focuses on affordability as a regional issue, and thus Glenview’s median household income of \$103,080, as noted in the 2011 ACS 5-Year Estimates prepared by the U.S. Census Bureau, is higher than the Chicagoland region median income (Chicago MSA) and was not used in the calculations. If it had been, and utilizing the aforementioned calculations, Glenview’s affordable monthly rent and housing payments would have been \$1,546 and \$2,061 respectively.

1.6 Components of the Plan

As set forth in the Act, a Non-Exempt Local Government must prepare a Plan which includes the following four (4) components:

- 1. A statement of the total number of affordable housing units that is necessary to exempt the local government from the operation of the Act** (*i.e.*, the number necessary to bring the percentage of affordable housing units to 10% of the total housing stock).
- 2. Identification of lands** within the jurisdiction that are most appropriate for the construction of affordable housing, and of existing structures most appropriate for conversion to, or rehabilitation for, affordable housing, including a consideration of lands and structures of developers who have expressed a commitment to provide affordable housing and lands and structures that are publicly or semi-publicly owned.
- 3. Incentives that the local government may provide** for the purpose of attracting affordable housing to their jurisdiction.
- 4. Selection of one of the following goals** for increasing local affordable housing stock:
 - (a) A minimum of 15% of all new development or redevelopment within the local government that would be defined as affordable housing;
 - (b) A minimum of a 3 percentage point increase in the overall percentage of affordable housing within the jurisdiction; or
 - (c) A minimum of a total of 10% of affordable housing within its jurisdiction.

1.7 Enforcement of the Act

The Act is not punitive, but values-based, which means there are currently no regulatory statutes dedicated to non-compliance (i.e. a community choosing to forgo the adoption and submittal of a Plan or implementation of the Plan). However, if a Plan is not filed and a community denies an affordable housing project in their community or grants an approval with conditions to make the proposed project infeasible, the developer could bring the development project to the State Housing Appeals Board (the "SHAB"). The seven member SHAB was appointed in 2012 to hear appeals from affordable housing developers who feel that they have been treated unfairly and the SHAB could require a community to accept the denied development project.

The SHAB has not been called to hear a case to date, but would be convened upon the filing of a complaint by a developer. Both the Village and the developer would have an opportunity to present evidence and defend their positions in accordance with the established administrative rules. In accordance with the Act and based on the date of the Village's notification as a Non-Exempt Local Government, a developer could not bring a case before the SHAB until December 2, 2018.

Key Dates:

- *December 2, 2013* - First notice to Village by IHDA of Non-Exempt Local Government status
- *June 2, 2015* – 18 month deadline for Village to adopt Affordable Housing Plan
- *August 2, 2015* – 60 day deadline for Village to submit the Affordable Housing Plan to IHDA
- *December 2, 2018* – First date a developer would be able to appeal the Village's denial of a project which contained affordable units

2 - VILLAGE'S AFFORDABLE HOUSING STOCK

2.1 Determination of Glenview's Affordable Housing Stock

Below is an explanation of how IHDA used the 2011 ACS 5-Year Estimates prepared by the U.S. Census Bureau to calculate the number of affordable rental and housing units in Glenview.

Village of Glenview, Cook County:

Population:	44,143
Area Median income:	\$61,045 (as determined by Chicago MSA – see Section 1.5)
Rental Units;	2,303
Owner Occupied Units:	<u>13,699</u>
<i>Total Housing Units:</i>	<i>16,002</i>

Affordable Monthly Rent:

As noted in Section 1.5 of this plan and as defined by the Act, the calculation to determine the affordable monthly rent in Glenview for a household at 60% of the AMI is as follows:

$$\$61,045 \text{ (AMI)} \times 60\% \times 30\% \text{ (portion of income affordable for housing)} / 12 = \mathbf{\$916 \text{ per month}}$$

Number of Affordable Rental Units:

Using data taken from the Census and calculations provided by IHDA the number of affordable rental units in Glenview can be counted as follows:

Gross Rent	Units Paying Rent	Rent Below \$916	Rent Above \$916
Less than \$200	11	11	
\$200 to \$299	86	86	
\$300 to \$499	49	49	
\$500 to \$749	105	105	
\$750 to \$999 ¹	383	253	130
\$1,000 to \$1,499	481		481
\$1500 or more	1,188		1,188
Total	2,303	504²	1,799

¹ The affordable monthly rental amount in Glenview, \$916, falls within the \$750 to \$999 gross rent interval. Since \$916 represents 67% of the \$750 to \$999 gross rent interval (((916-750)/(999-750))*100 = 67%), an estimated 253 units of the 383 units within that interval have a gross rent below \$916.

² The total number of units in the lower gross rent intervals (Less than \$200 to \$749) is 251. Adding the two figures (251+253) equals a total of **504 affordable rental units** in Glenview.

Affordable Monthly Housing Payment:

As noted in Section 1.5 of this plan and as defined by the Act, the calculation to determine an affordable monthly payment for a household at 80% of the AMI is as follows:

$$\$61,045 \text{ (AMI)} \times 80\% \times 30\% \text{ (portion of income affordable for housing)} / 12 = \mathbf{\$1,221 \text{ a month}}$$

Affordable Housing Value:

Based on data from the U.S. Census and calculations provided by IHDA the median real estate taxes paid in Glenview were \$7,055, or \$588 a month (7,055/12). This amount was subtracted (1,221-588) from the \$1,221 monthly housing payment to reach the final affordable monthly payment of \$633.

Mortgage contract terms for the calculation of affordable owner-occupied units are not explicitly defined in the Act, so IHDA relied on industry standards and academic literature to calculate the affordable home values. A fixed-rate 30-year mortgage with a down payment of 10% of the purchase price was chosen because research has shown that those are the optimal terms for both low-income homebuyers and mortgage lenders, regarding probability of negative home equity and default rates. An average interest rate for the past five years (2008 - 2012) was calculated using the Historical Selected Interest Rates for Conventional Mortgages (Annual) published on the website for the Board of Governors of the Federal Reserve System. This interest rate, 4.8%, was assumed for the calculation of affordable owner-occupied units. Reliable data for homeowner's insurance and homeowners association fees was not available on a community-level scale and therefore was not included in the determination process and any such data used in the determination process would only have increased the number of Non-Exempt Local Governments.

Using the present value calculation typical for determining an affordable sales price in mortgage lending and assuming a 4.8% interest rate (the average interest rate for conventional mortgages over the last five years), a 30-year loan term and a 10% down payment – an affordable home value in Glenview was determined to be \$132,710.

Number of Affordable Owner-Occupied Units:

Using data taken from the Census and calculations provided by IHDA the number of affordable owner-occupied units in Glenview can be counted as follows:

Unit Value	Owner Occupied Units	Value Below \$132,710 ³	Value Above \$132,710
Less than \$50,000	196	196	
\$50,000 to \$99,999	291	291	
\$100,000 to \$149,999 ⁴	293	192	101
\$150,000 to \$199,999	390		390
\$200,000 to \$299,999	1,292		1,292
\$300,000 to \$499,999	3,886		3,886
\$500,000 to \$999,999	5,958		5,958
\$1,000,000 or more	1,393		1,393
Total	13,699	679⁵	13,020

³ Using a present value calculator: $P(1-(1+r)^{-n}/r)$ where P is a monthly payment of \$633; r is the interest rate period (4.8/12=0.4); and n is the number of payments for a 30 year loan (360) which equals \$120,648 times a 10% down payment to equal an approximately \$132,710 unit value.

⁴ The affordable home value in Glenview, \$132,710, falls within the \$100,000 to \$149,000 unit value interval. Since \$132,710 represents 67% of the \$100,000 to \$149,000 unit value interval ($((132,710-100,000)/(149,000-100,000))*100 = 67\%$), an estimated 192 units within the interval have a value below \$132,710.

⁵ The total number of units in the lower unit value intervals is 487. Adding the two figures (487+192) equals a total of **679 affordable owner-occupied units** in Glenview.

Total Glenview Affordable Housing Units:

The sum (504 rentals + 679 owner-occupied) of affordable housing units in Glenview equals **1,183 units**.

Percentage of Affordable Housing in Glenview:

The percentage (1,183 affordable housing units / 16,002 total housing units) of affordable housing units in Glenview is **7.4%**.

2.2 Total Number of Affordable Housing Units Needed to Become Exempt Local Government

In Glenview, the total number of affordable housing units required for exemption is 10% of the total housing stock, or 1,601 affordable units (10% of 16,002 total units). Based on the data and calculations provided by IHDA, 1,183 affordable housing units are located within the Village. To comply with the 10% requirement for exemption, an additional **418 affordable units would be required to comply with the Act** or (1,601-1,183).

3 – POTENTIAL LOCATIONS FOR AFFORDABLE HOUSING

3.1 Village Land Uses

By far the highest percentage of land area within the Village boundaries is zoned single-family residential, consisting of single-family detached homes that provide the essence of Glenview’s community character.

ZONED	PERCENT OF AREA IN VILLAGE
Mixed Use	0.2%
Business / Commercial	7.6%
Downtown District	0.7%
Industrial	9.4%
Public Lands	17.5%
Single-Family Residential	57.7%
Multi-Family Residential	6.9%
Total	100%

Approximately 58% of the existing land area in the Village is designated single-family residential, with approximately 7% designated as multi-family residential, and the remaining 35% dedicated to other various uses. Because of the predominant single-family character and other desirable features such as prestigious school districts and plentiful options for recreation that have evolved over the 116 years of the Village’s history, real estate in Glenview, when available tends to be expensive.

3.2 Inner-ring Suburb

According to the 2011 ACS 5-Year Estimates prepared by the U.S. Census Bureau the median Glenview home value is \$530,000. The relatively high value of land in Glenview, an inner-ring suburb, makes it impractical to achieve the goal of this Plan through the creation of new affordable single-family detached dwellings. Rather, the focus could be on the creation of new affordable units in multi-family buildings (e.g. - a single building that includes a number of separate living quarters such as apartments or condominiums).

With the redevelopment of the Glenview Naval Air Station and Glenview’s post Great Recession building boom, most redevelopment opportunities now consist of small infill parcels. Given the limited availability of vacant properties or parcels subject to large-scale redevelopment, and the high cost of land, there are few significant opportunities for increasing new affordable housing units within the Village. This Plan takes these unique circumstances into account and acknowledges that any economic impact of providing affordable housing would be shared broadly by all Village residents, not imposed narrowly on land owners who happen to own property suitable for such use.

3.3 Potential Affordable Housing Locations

The best opportunities for creating additional affordable housing are on relatively large parcels through multi-family product types such as apartments, condominiums, senior housing, and mixed-use buildings (first floor commercial and top floor residential uses), etc. in zoning districts which permit multi-family residential uses. More specifically, such potential mixed-income or affordable multi-family developments should be focused in locations that are transit-oriented, which are supported by public transportation. Exhibit 2, attached to this Plan, references the location of the current Metra and Pace transit stops. Affordable housing developments which support moderate and denser housing should also be located near amenities, such as possible places of employment, a grocery store, shopping choices, parks for recreation, and in a pedestrian friendly walking environment.

Each site that presents itself will require careful review through the planning and zoning processes designed to protect neighborhood and community interests. The Village's experience is that opportunities to provide affordable housing sometimes arise without substantial notice and the Village must be prepared to respond promptly lest an opportunity be lost. While this Plan references potential locations for affordable housing, it is necessary to be vigilant in seeking additional possibilities and to be ready to act when they arise.

3.4 Zoning for Affordable Housing

It is improbable any new or rehabbed single-family detached home in the R-1 through R-6 zoning districts would meet the definition of "affordable," unless it were in some way subsidized by government or a not-for-profit entity. Even then, this approach will not effectively address the need for additional affordable housing in the Village. Accordingly, the zoning districts where multi-family residential is permitted and other districts that could reasonably include affordable living arrangements are presently accounted for in the Village's Municipal Code.

The conclusion of this Plan is the Municipal Code, by allowing the following uses as either permitted or conditional uses, requires no additional use categories to facilitate the creation of new affordable housing.

1. Family and community residences in the R-1, R-1.3, R-2, R-3, R-4, R-5, R-6, R-E, RT-8, and R-18 zoning districts.
2. Multi-family dwelling units in the Downtown Development District upper floors on red blocks and other Downtown Development District blocks as designated
3. Multi-family dwelling units in the B-1 upper floors, MURC, Planned Development (including Continuing Care Retirement Communities), and RT-8 and R-18 zoning districts.
4. Monasteries, convents, or retreat houses in R-1, and R-E zoning districts.
5. Senior citizen housing facilities permitted by Planned Development and by conditional use in the R-1, R-2, R-3, R-4, R-5, R-6, R-13, R-E, RT-8, and R-18 zoning districts.

4 – POTENTIAL INCENTIVES

4.1 Potential Incentives

This Plan adopts the following three methods of encouraging land owners and developers to provide Affordable Developments:

Education:

This Plan establishes an affordable housing education policy which requires the Village Manager or his/her designee (the “Staff”) to meet with an owner or developer (the “Applicant”) of a prospective multi-family development before they apply for any rezoning, final site plan review, conditional use permit, building permit, or other Village authorization or approval in any applicable zoning district. At this meeting, the Applicant would be given a copy of this Plan and, depending on the circumstances of the particular site, would be asked to consider the idea of including affordable housing units in the project. In addition, Staff would explain the incentives as outlined in this Plan and other relevant provisions of applicable Village ordinances.

The meeting would assure that an Applicant is educated on affordable housing opportunities in the Village and must at least consider the idea of including affordable housing units in a potential multi-family project. The meeting also provides an opportunity for the Village to review potential incentives as described in the next paragraphs, in furtherance of this Plan. Documentation of the meeting between Staff and the Applicant shall be included in the staff reports distributed to the Commissions conducting the necessary regulatory reviews as described in the Municipal Code. Aside from meeting with Staff for the purpose stated, this education policy would impose no other obligation on an Applicant, and the Staff would have no authority to take or refuse to take any action based on the Applicant’s unwillingness to include affordable housing units.

Zoning Bonuses:

The Village could provide zoning bonuses for multi-family developments incorporating a certain percentage of affordable units. These bonuses would be in the form of relaxations to height, setback, parking, and similar regulations. The Village government would incur no cost in providing this type of incentive, although care should be exercised in the granting of such bonuses, as the regulations being relaxed were presumably adopted for the protection of the community and neighboring property owners.

It is possible that bonuses could be provided through the Planned Development District, which permits a degree of flexible development standards, without adversely affecting neighboring properties. As such, Applicants coming to the Village with plans for multi-family developments will be encouraged to seek zoning approval of their projects as Planned Developments to make it attractive for Applicants to include affordable housing units in their plans.

Direct Village Involvement:

The Village could consider direct involvement, on an ad hoc basis, when a desirable site for affordable housing becomes available, community support is found to exist, and Village involvement is the only practical way to accomplish the project. For example, the Village could provide financial incentives for the development of affordable housing by acquiring property and reselling it to a multi-family developer that includes affordable housing units (similar to Thomas Place at the Glen). Because the acquisition cost may be higher than the subsequent resale price (given the affordable housing requirements accompanying the resale), the cost in this case is borne by the taxpayers at large through whatever tax resources the Village utilizes.

Other techniques with a similar broad cost sharing impact could include:

- property tax abatements
- financing assistance through municipal bonds or low cost loans
- outright grants
- reduced fees (*e.g.*, zoning and building permits, water/sewer fees, etc.)
- cooperation with affordable housing developers requesting private/public funding

Since the Act did not appropriate any funds to assist local governments in pursuing its affordable housing goal, significant financial participation by the Village will be the exception rather than the general rule.

5 – THE GOAL

5.1 The Goal of this Plan

In accordance with the purpose of the Act, this Plan adopts the goal of increasing the local affordable housing stock to a minimum of 10% of the total housing units within the Village. It would require an increase in the percentage of affordable housing units from 7.4% to 10%, or from 1,183 affordable units to 1,601 affordable units, or by a total of 418 affordable units. While this Plan focuses on multi-family developments, other affordable living arrangements will undoubtedly continue to be added to the Village's housing stock as the number of group homes and accessory living units increase in the ordinary course to meet a growing need. Overall, it is believed that concentrating on new multi-family development in a manner consistent with the Municipal Code is a reasonable approach for pursuing the 10% goal.

5.2 Variables Impacting the Goal

In accordance with the Act, IHDA determines a community's housing affordability by using the most current ACS data to update the non-exempt local government list approximately every 5 years, with the next update scheduled for 2018. There are numerous variables which may impact the percentage of affordable housing units in the Village, and could include the following circumstances:

- While ACS data is the federally recognized statistical product used to guide policy decisions, the data is self-reported by residents participating in the survey and results can vary from survey year to survey year, and are simply a representation of the likely existing conditions.
- Development activity - unit counts (both market-rate and affordable units) could increase or decrease based on the pace of new construction which may impact the data
- Occupancy rates of owner-occupied or rental units – unoccupied units were not included in the figures calculated by IHDA, so a change in occupancy rates could impact the data
- Market conditions such as the cost of land and housing materials, the demand for housing and its impacts on unit price and rent rates, lending rates, and the general economy may all impact the housing data

6 – IMPLEMENTATION

6.1 Village Manager

Staff shall be responsible for meeting with Applicants requesting Village approvals for multi-family developments by performing and documenting the following acts:

- Providing the Applicant with a copy of this Plan
- Asking the Applicant to consider the idea of including 10% or more affordable housing units in their project
- Explaining to the Applicant the Planned Development process and other relevant provisions of the Municipal Code

6.2 The Village Board

The Village Board is ultimately responsible for applying the provisions of the Glenview Municipal Code, as they may be amended from time to time, to applications involving multi-family residential development where an Applicant is proposing affordable housing units in light of the Village policies set forth in this Plan, as well as other applicable Village policies. Just as multi-family development with affordable housing units are not subject to a higher level of scrutiny under the rezoning, variation, and conditional use standards than developments without such units, neither are they entitled to greater leniency under the standards.

6.3 2016 Comprehensive Plan

In conjunction with the review of the latest housing trends as part of the 2016 Comprehensive Plan, the Comprehensive Plan Committee may recommend the consideration of new building types and/or additional zoning categories. Examples may include “missing middle” housing types (diverse housing options in scale with single-family residences along a spectrum of affordability, including carriage homes, duplexes, fourplexes, and bungalow courts) and housing types for an aging population.

Additionally, this policy document known as the Plan and any recommendations for addressing impactful housing trends as part of the forthcoming Comprehensive Plan process, shall be incorporated into the housing section of the 2016 Comprehensive Plan document ultimately presented to the Plan Commission and adopted by the Village Board of Trustees.

7 – ATTACHMENTS

7.1 Exhibits

Exhibit 1 – Affordable Housing Planning and Appeals Act of Illinois

Exhibit 2 – 2105 Bus and Metra Transit Stops

Exhibit 1:

**Affordable Housing Planning and Appeals Act
of Illinois**

HOUSING (310 ILCS 67/)
Affordable Housing Planning and Appeal Act.

(310 ILCS 67/1)

Sec. 1. Short title. This Act may be cited as the Affordable Housing Planning and Appeal Act.

(Source: P.A. 93-595, eff. 1-1-04.)

(310 ILCS 67/5)

Sec. 5. Findings. The legislature finds and declares that:

- (1) there exists a shortage of affordable, accessible, safe, and sanitary housing in the State;
- (2) it is imperative that action be taken to assure the availability of workforce and retirement housing; and
- (3) local governments in the State that do not have sufficient affordable housing are encouraged to assist in providing affordable housing opportunities to assure the health, safety, and welfare of all citizens of the State.

(Source: P.A. 93-595, eff. 1-1-04.)

(310 ILCS 67/10)

Sec. 10. Purpose. The purpose of this Act is to encourage counties and municipalities to incorporate affordable housing within their housing stock sufficient to meet the needs of their county or community. Further, affordable housing developers who believe that they have been unfairly treated due to the fact that the development contains affordable housing may seek relief from local ordinances and regulations that may inhibit the construction of affordable housing needed to serve low-income and moderate-income households in this State.

(Source: P.A. 93-595, eff. 1-1-04.)

(310 ILCS 67/15)

Sec. 15. Definitions. As used in this Act:

"Affordable housing" means housing that has a sales price or rental amount that is within the means of a household that may occupy moderate-income or low-income housing. In the case of dwelling units for sale, housing that is affordable means housing in which mortgage, amortization, taxes, insurance, and condominium or association fees, if any, constitute no more than 30% of the gross annual household income for a household of the size that may occupy the unit. In the case of dwelling units for rent, housing that is affordable means housing for which the rent and utilities constitute no more than 30% of the gross annual household income for a household of the size that may occupy the unit.

"Affordable housing developer" means a nonprofit entity, limited equity cooperative or public agency, or private individual, firm, corporation, or other entity seeking to build an affordable housing development.

"Affordable housing development" means (i) any housing that is subsidized by the federal or State government or (ii) any housing in which at least 20% of the dwelling units are subject to covenants or restrictions that require that the dwelling units be sold or rented at prices that preserve them as affordable housing for a period of at least 15 years, in the case of for-sale housing, and at least 30 years, in the case of rental housing.

"Approving authority" means the governing body of the county or municipality.

"Area median household income" means the median household income adjusted for family size for applicable income limit areas as determined annually by the federal Department of Housing and Urban Development under Section 8 of the United States Housing Act of 1937.

"Development" means any building, construction, renovation, or excavation or any material change in the use or appearance of any structure or in the land itself; the division of land into parcels; or any change in the intensity or use of land, such as an increase in the number of dwelling units in a structure or a change to a commercial use.

"Exempt local government" means any local government in which at least 10% of its total year-round housing units are affordable, as determined by the Illinois Housing Development Authority pursuant to Section 20 of this Act; or any municipality under 1,000 population.

"Household" means the person or persons occupying a dwelling unit.

"Local government" means a county or municipality.

"Low-income housing" means housing that is affordable, according to the federal Department of Housing and Urban Development, for either home ownership or rental, and that is occupied, reserved, or marketed for occupancy by households with a gross household income that does not exceed 50% of the area median household income.

"Moderate-income housing" means housing that is affordable, according to the federal Department of Housing and Urban Development, for either home ownership or rental, and that is occupied, reserved, or marketed for occupancy by households with a gross household income that is greater than 50% but does not exceed 80% of the area median household income.

"Non-appealable local government requirements" means all essential requirements that protect the public health and safety, including any local building, electrical, fire, or plumbing code requirements or those requirements that are critical to the protection or preservation of the environment. (Source: P.A. 93-595, eff. 1-1-04; 93-678, eff. 6-28-04.)

(310 ILCS 67/20)

Sec. 20. Determination of exempt local governments.

(a) Beginning October 1, 2004, the Illinois Housing Development Authority shall determine which local governments are exempt and not exempt from the operation of this Act based on an identification of the total number of year-round housing units in the most recent decennial census for each local government within the State and by an inventory of for-sale and rental affordable housing units, as defined in this Act, for each local government from the decennial census and other relevant sources.

(b) The Illinois Housing Development Authority shall make this determination by:

(i) totaling the number of for-sale housing units in each local government that are affordable to households with a gross household income that is less than 80% of the median household income within the county or primary

metropolitan statistical area;

(ii) totaling the number of rental units in each local government that are affordable to households with a gross household income that is less than 60% of the median household income within the county or primary metropolitan statistical area;

(iii) adding the number of for-sale and rental units for each local government from items (i) and (ii); and

(iv) dividing the sum of (iii) above by the total number of year-round housing units in the local government as contained in the latest decennial census and multiplying the result by 100 to determine the percentage of affordable housing units within the jurisdiction of the local government.

(c) Beginning October 1, 2004, the Illinois Housing Development Authority shall publish on an annual basis a list of exempt and non-exempt local governments and the data that it used to calculate its determination. The data shall be shown for each local government in the State and for the State as a whole. Upon publishing a list of exempt and non-exempt local governments, the Illinois Housing Development Authority shall notify a local government that it is not exempt from the operation of this Act and provide to it the data used to calculate its determination.

(d) A local government or developer of affordable housing may appeal the determination of the Illinois Housing Development Authority as to whether the local government is exempt or non-exempt under this Act in connection with an appeal under Section 30 of this Act.

(Source: P.A. 93-595, eff. 1-1-04; 93-678, eff. 6-28-04.)

(310 ILCS 67/25)

Sec. 25. Affordable housing plan.

(a) Prior to April 1, 2005, all non-exempt local governments must approve an affordable housing plan.

(b) For the purposes of this Act, the affordable housing plan shall consist of at least the following:

(i) a statement of the total number of affordable housing units that are necessary to exempt the local government from the operation of this Act as defined in Section 15 and Section 20;

(ii) an identification of lands within the jurisdiction that are most appropriate for the construction of affordable housing and of existing structures most appropriate for conversion to, or rehabilitation for, affordable housing, including a consideration of lands and structures of developers who have expressed a commitment to provide affordable housing and lands and structures that are publicly or semi-publicly owned;

(iii) incentives that local governments may provide for the purpose of attracting affordable housing to their jurisdiction; and

(iv) a goal of a minimum of 15% of all new development or redevelopment within the local government that would be defined as affordable housing in this Act; or a minimum of a 3 percentage point increase in the overall percentage of affordable housing within its

jurisdiction, as described in subsection (b) of Section 20 of this Act; or a minimum of a total of 10% affordable housing within its jurisdiction as described in subsection (b) of Section 20 of this Act.

(c) Within 60 days after the adoption of an affordable housing plan or revisions to its affordable housing plan, the local government must submit a copy of that plan to the Illinois Housing Development Authority.

(Source: P.A. 93-595, eff. 1-1-04; 93-678, eff. 6-28-04.)

(310 ILCS 67/30)

Sec. 30. Appeal to State Housing Appeals Board.

(a) Beginning January 1, 2006, an affordable housing developer whose application is either denied or approved with conditions that in his or her judgment render the provision of affordable housing infeasible may, within 45 days after the decision, submit to the State Housing Appeals Board information regarding why the developer believes he or she was unfairly denied or conditions were placed upon the tentative approval of the development unless the local government that rendered the decision is exempt under Section 15 or Section 20 of this Act. The Board shall maintain all information forwarded to them by developers and shall compile and make available an annual report summarizing the information thus received.

(b) Beginning January 1, 2009, an affordable housing developer whose application is either denied or approved with conditions that in his or her judgment render the provision of affordable housing infeasible may, within 45 days after the decision, appeal to the State Housing Appeals Board challenging that decision unless the municipality or county that rendered the decision is exempt under Section 15 of this Act. The developer must submit information regarding why the developer believes he or she was unfairly denied or unreasonable conditions were placed upon the tentative approval of the development.

(c) Beginning January 1, 2009, the Board shall render a decision on the appeal within 120 days after the appeal is filed. In its determination of an appeal, the Board shall conduct a de novo review of the matter. In rendering its decision, the Board shall consider the facts and whether the developer was treated in a manner that places an undue burden on the development due to the fact that the development contains affordable housing as defined in this Act. The Board shall further consider any action taken by the unit of local government in regards to granting waivers or variances that would have the effect of creating or prohibiting the economic viability of the development. In any proceeding before the Board, the developer bears the burden of demonstrating that he or she has been unfairly denied or unreasonable conditions have been placed upon the tentative approval for the application for an affordable housing development.

(d) The Board shall dismiss any appeal if:

(i) the local government has adopted an affordable housing plan as defined in Section 25 of this Act and submitted that plan to the Illinois Housing Development Authority within the time frame required by this Act; and

(ii) the local government has implemented its

affordable housing plan and has met its goal as established in its affordable housing plan as defined in Section 25 of this Act.

(e) The Board shall dismiss any appeal if the reason for denying the application or placing conditions upon the approval is a non-appealable local government requirement under Section 15 of this Act.

(f) The Board may affirm, reverse, or modify the conditions of, or add conditions to, a decision made by the approving authority. The decision of the Board constitutes an order directed to the approving authority and is binding on the local government.

(g) The appellate court has the exclusive jurisdiction to review decisions of the Board.

(Source: P.A. 93-595, eff. 1-1-04.)

(310 ILCS 67/40)

Sec. 40. Nonresidential development as part of an affordable housing development.

(a) An affordable housing developer who applies to develop property that contains nonresidential uses in a nonresidential zoning district must designate either at least 50% of the area or at least 50% of the square footage of the development for residential use. Unless adjacent to a residential development, the nonresidential zoning district shall not include property zoned industrial. The applicant bears the burden of proof of demonstrating that the purposes of a nonresidential zoning district will not be impaired by the construction of housing in the zoning district and that the public health and safety of the residents of the affordable housing will not be adversely affected by nonresidential uses either in existence or permitted in that zoning district. The development should be completed simultaneously to the extent possible and shall be unified in design.

(b) For purposes of subsection (a), the square footage of the residential portion of the development shall be measured by the interior floor area of dwelling units, excluding that portion that is unheated. Square footage of the nonresidential portion shall be calculated according to the gross leasable area.

(Source: P.A. 93-595, eff. 1-1-04.)

(310 ILCS 67/50)

Sec. 50. Housing Appeals Board.

(a) Prior to July 1, 2006, a Housing Appeals Board shall be created consisting of 7 members appointed by the Governor as follows:

- (1) a retired circuit judge or retired appellate judge, who shall act as chairperson;
- (2) a zoning board of appeals member;
- (3) a planning board member;
- (4) a mayor or municipal council or board member;
- (5) a county board member;
- (6) an affordable housing developer; and
- (7) an affordable housing advocate.

In addition, the Chairman of the Illinois Housing Development Authority, ex officio, shall serve as a non-voting member. No more than 4 of the appointed members may be from the same political party. Appointments under items (2), (3),

and (4) shall be from local governments that are not exempt under this Act.

(b) Initial terms of 4 members designated by the Governor shall be for 2 years. Initial terms of 3 members designated by the Governor shall be for one year. Thereafter, members shall be appointed for terms of 2 years. A member shall receive no compensation for his or her services, but shall be reimbursed by the State for all reasonable expenses actually and necessarily incurred in the performance of his or her official duties. The board shall hear all petitions for review filed under this Act and shall conduct all hearings in accordance with the rules and regulations established by the chairperson. The Illinois Housing Development Authority shall provide space and clerical and other assistance that the Board may require.

(c) The Illinois Housing Development Authority may adopt such other rules and regulations as it deems necessary and appropriate to carry out the Board's responsibilities under this Act and to provide direction to local governments and affordable housing developers.

(Source: P.A. 93-595, eff. 1-1-04.)

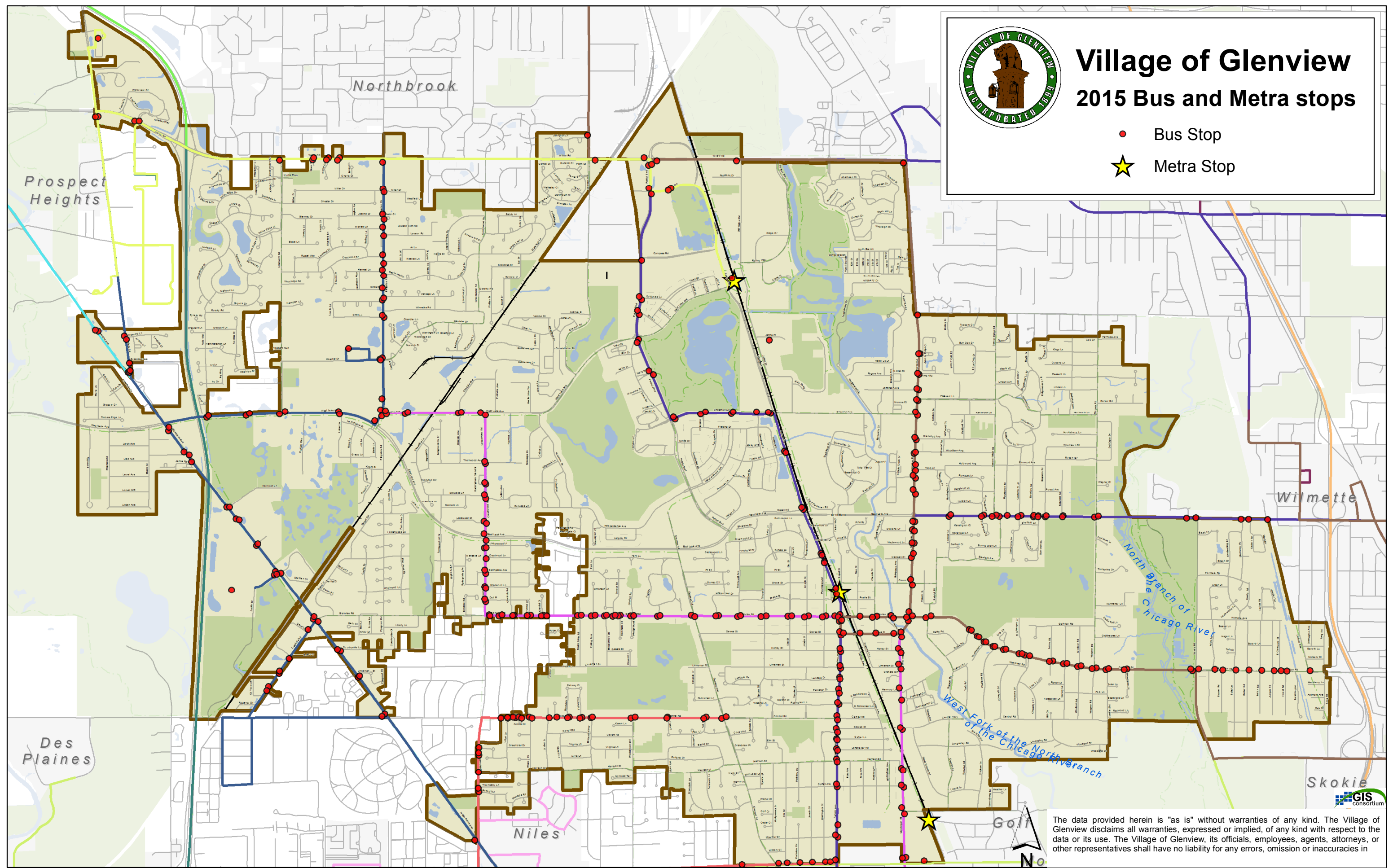
Exhibit 2:

2015 Bus and Metra Transit Stops



Village of Glenview 2015 Bus and Metra stops

- Bus Stop
- ★ Metra Stop



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