SPECIAL CITY COUNCIL MEETING

CITY OF EVANSTON, ILLINOIS
LORRAINE H. MORTON CIVIC CENTER
JAMES C. LYTLE COUNCIL CHAMBERS
Monday, October 29, 2018
6:00 p.m.

ORDER OF BUSINESS

(I) Roll Call – Begin with Alderman Braithwaite

(II) Mayor Public Announcements

(III) City Manager Public Announcements

(IV) Communications: City Clerk

(V) Public Comment
Members of the public are welcome to speak at City Council meetings. As part of the Council agenda, a period for public comments shall be offered at the commencement of each regular Council meeting. Public comments will be noted in the City Council Minutes and become part of the official record. Those wishing to speak should sign their name and the agenda item or non-agenda topic to be addressed on a designated participation sheet. If there are five or fewer speakers, fifteen minutes shall be provided for Public Comment. If there are more than five speakers, a period of forty-five minutes shall be provided for all comment, and no individual shall speak longer than three minutes. The Mayor will allocate time among the speakers to ensure that Public Comment does not exceed forty-five minutes. The business of the City Council shall commence forty-five minutes after the beginning of Public Comment. Aldermen do not respond during Public Comment. Public Comment is intended to foster dialogue in a respectful and civil manner. Public comments are requested to be made with these guidelines in mind.

(VI) Special Orders of Business

SPECIAL ORDERS OF BUSINESS

(SP1) Public Benefits for Planned Developments
Staff requests City Council direction, which could come in the form of a referral to the Plan Commission if a Text Amendment is recommended or a recommendation for no further action.
For Discussion
(SP2) Downtown Zoning Regulations
Staff requests City Council direction regarding addressing current Downtown zoning regulations.

For Discussion

(S3) Affordable Housing Work Plan Progress to Date
Staff will provide City Council with updates on the revised Inclusionary Housing Ordinance, Affordable Housing Fund, the rental of accessory dwelling units, the three-unrelated occupancy rule, landlord-tenant services, the Landlord Rehabilitation Assistance Program and a housing plan scope of work.

For Action: Accept and Place on File

(SP4) Ordinance 107-O-18 Amending Title 5, Chapter 7, “Inclusionary Housing"
The Inclusionary Housing Ordinance Subcommittee and staff recommend approval of Ordinance 107-O-18, amending Title 5, Chapter 7 of the City Code, “Inclusionary Housing,” contingent on City Council’s decision on affordability levels for homeownership in §5-7-6(B)1.

For Action

(SP5) Approval of a $200 fee for Initial Registration of an Existing Dwelling Unit and a $75 to $375 Fine for Renting an Unregistered Dwelling Unit
Staff recommends approval of a proposed fee of $200 for the initial inspection and registration of an Accessory Dwelling Unit/coach house, and a fine from $75 to $375 for renting an unregistered unit following the “amnesty period.” In addition, staff recommends this fee and fine schedule be adopted for initial rental registration of all existing dwelling units. This will be consistent with registration for other types of businesses and will recover the direct costs of the initial rental inspections and registrations.

For Action

(SP6) Resolution 100-R-18 to Approve an Intergovernmental Agreement for the 2020-2025 Assessment of Fair Housing
Staff recommends approval by City Council of Resolution 100-R-18 to Approve an Intergovernmental Agreement for the 2020-2025 Assessment of Fair Housing (AFH). The City is required to include information about barriers to fair housing and what actions it will take to affirmatively further fair housing in its 2020 – 2024 Consolidated Plan to continue to receive its federal entitlement grants. The City would contribute $13,000 of the total AFH budget of $327,000. The AFH will be funded from the City’s Community Development Block Grant (CDBG) under CDBG Administration, 215.21.5220.62490 and/or its HOME Investment Partnerships grant, 240.21.5430.62490. Payments may be from the 2018 or 2019 grants depending on timing of invoices.

For Action
(SP7) **Different Forms of Shared Housing**  
City Council members requested more information on various types of shared housing options. Different types of shared housing include: co-housing, housing co-operatives, home sharing, and rooming houses, which are identified in the corresponding memorandum. Rooming houses are the only type of shared housing currently addressed in Evanston’s City Code.  
**For Action: Accept and Place on File**

(SP8) **Evanston Development Corporation Presentation**  
Representatives from the Evanston Development Corporation will present City Council with an overview of its activities.  
**For Discussion**

(SP9) **Fiscal Year 2019 Budget Workshop**  
No formal action will be taken regarding the FY 2019 Budget. Budget documents are available here: [www.cityofevanston.org/city-budget/](http://www.cityofevanston.org/city-budget/).  
**For Discussion**

(SP10) **For Appointment to:**

**Affordable Housing Plan Steering Committee - Ellen Cushing**  
Ellen Cushing serves as chair of the City’s Housing and Homelessness Commission. Previously, she served as a two-term board member for Connections for the Homeless and as a member of the Community Partners for Affordable Housing Advisory Board. Ellen volunteers her time at Hilda’s Place and at the Interfaith Action overnight homeless shelter.

**Affordable Housing Plan Steering Committee - Sarah Delgado**  
Sarah Delgado is the community engagement and education manager for the Chicago Area Fair Housing Alliance, where she analyzes municipal housing policies and provides technical assistance to municipal governments concerning fair housing policies and procedures. Sarah is a member of the Steering Committee of Joining Forces for Affordable Housing.

**Affordable Housing Plan Steering Committee - Aum Harvey**  
Aum Harvey is an ETHS alumna and a former 20-year resident of Evanston seeking affordable housing solutions for her hometown. Aum holds a Master of Business Administration and currently works for the U.S. Department of Veterans Affairs.
**Affordable Housing Plan Steering Committee - Stephanie Murray**
Stephanie Murray is a 25-year resident of Evanston and has worked in the community for the past 17 years at First Bank & Trust, where she serves as assistant vice president of consumer lending and specializes in home equity lending. Stephanie holds a Master of Public Administration with a concentration in financial management.

**Affordable Housing Plan Steering Committee - Jennifer O’Neil**
Jennifer O’Neil has 45 years of experience in the management and development of residential real estate and the administration of subsidy programs. During her career, she has designed and implemented housing mobility, self-sufficiency and homeownership programs serving more than 7,000 low-income families. Jennifer is president of the North Shore Village Board of Directors and serves as a member of the Steering Committee for Joining Forces for Affordable Housing.

**Affordable Housing Plan Steering Committee - Rodney Orr**
Rodney Orr is a recent graduate of Northwestern University and currently works as a medical assistant at Howard Brown Health. Rodney serves on the Board of Directors for Project Fierce Chicago, which provides transitional housing to homeless LGBTQ+ young adults in North Lawndale.

**Affordable Housing Plan Steering Committee - Uri Pachter**
Uri Pachter is a senior planner with Valerie S. Kretchmer Associates, where he conducts market assessments and feasibility studies for affordable and market rate residential developments in the Chicago area. Uri led an equitable transit-oriented development endorsement program (eTOD) in the Bay Area while serving as a project manager at Greenbelt Alliance. He volunteers his time as an advanced tax preparer for the Volunteer Income Tax Assistance Program at the Evanston Public Library.

**Affordable Housing Plan Steering Committee - Eleanor Revelle**
Eleanor Revelle serves as alderman of the City’s 7th Ward and has been the City Council representative on the Housing and Homelessness Commission since the spring of 2017. Alderman Revelle is also a member of the City’s Inclusionary Housing Ordinance Subcommittee.

**Affordable Housing Plan Steering Committee - Michael Roane**
Michael Roane has 15 years of experience in affordable housing and community development in the public, private and nonprofit sectors. He currently serves as vice president at Brinshore Development, where he manages complex residential and mixed-use urban development projects throughout the Midwest and serves as team leader for the development of affordable housing projects. Michael earned a master’s degree in Urban Planning at the University of Virginia.
Affordable Housing Plan Steering Committee - Christopher Rothwell
Christopher Rothwell is a member of the Community Investment group at Federal Home Loan Bank of Chicago, where he helps provide grant funds to affordable housing projects through the Affordable Housing Program. Christopher has a bachelor’s degree in Political Science from Florida State University and a J.D. from the Chicago-Kent College of Law.

Affordable Housing Plan Steering Committee - Timothy Stroh
Timothy Stroh has worked as a realtor in Evanston’s off-campus student housing market for more than 10 years, representing both landlords and renters. As a property manager and broker at Honore Properties, Timothy manages the day-to-day operations of 17 residential buildings. Previously, Timothy served as a member of the Evanston Arts Council.

For Action

(SP11) For Reappointment to:

Preservation Commission - Robert Bady

For Action

(VII) Call of the Wards
(Aldermen shall be called upon by the Mayor to announce or provide information about any Ward or City matter which an Alderman desires to bring before the Council.) {Council Rule 2.1(10)}

(VIII) Executive Session

(IX) Adjournment

MEETINGS SCHEDULED THROUGH NOVEMBER 15, 2018
Upcoming Aldermanic Committee Meetings

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<th>Date</th>
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<th>Meeting</th>
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<td>11/1/2018</td>
<td>7:00 PM</td>
<td>Housing and Homeless Commission</td>
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<tr>
<td>11/5/2018</td>
<td>6:00 PM</td>
<td>Special City Council (Closed Session)</td>
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<tr>
<td>11/5/2018</td>
<td>7:30 PM</td>
<td>Human Services</td>
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<tr>
<td>11/12/2018</td>
<td>6:00 PM</td>
<td>Administration &amp; Public Works, Planning &amp; Development and City Council</td>
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<tr>
<td>11/13/2018</td>
<td>7:00 PM</td>
<td>Housing &amp; Community Development Act Committee</td>
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Information is available about Evanston City Council meetings at: www.cityofevanston.org/citycouncil. Questions can be directed to the City Manager’s Office at 847-866-2936. The City is committed to ensuring accessibility for all citizens. If an accommodation is needed to participate in this meeting, please contact the City Manager’s Office 48 hours in advance so that arrangements can be made for the accommodation if possible.
Memorandum

To: Honorable Mayor and Members of the City Council

From: Johanna Leonard, Director of Community Development
Scott Mangum, Planning and Zoning Administrator

Subject: Public Benefits for Planned Developments

Date: August 6, 2018

Recommended Action
Staff requests City Council direction, which could come in the form of a referral to the Plan Commission if a Text Amendment is recommended or a recommendation for no further action.

Livability Benefits
Built Environment: Provide compact and complete streets and neighborhoods.

Summary
An exaction, commonly known as a public benefit, is a legal concept in which a condition for development is imposed on a piece of property that requires the developer to mitigate negative impacts of the development.

The City of Evanston Zoning Ordinance (City Code Section 6-3-6-3) lists the nine public benefits to the surrounding neighborhood and the City as a whole that are intended to be derived from the approval of planned developments, which include, but are not limited to:

(A) Preservation and enhancement of desirable site characteristics and open space.
(B) A pattern of development which preserves natural vegetation, topographic and geologic features.
(C) Preservation and enhancement of historic and natural resources that significantly contribute to the character of the City.
(D) Use of design, landscape, or architectural features to create a pleasing environment or other special development features.
(E) Provision of a variety of housing types in accordance with the City’s housing goals.
(F) Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.
(G) Business, commercial, and manufacturing development to enhance the local economy and strengthen the tax base.

(H) The efficient use of the land resulting in more economic networks of utilities, streets, schools, public grounds, buildings, and other facilities.

(I) The substantial incorporation of generally recognized sustainable design practices and/or building materials to promote energy conservation and improve environmental quality, such as level silver or higher LEED (leadership in energy and environmental design) certification.

Recent planned development ordinances have contained a range of conditions of approval relating to public benefits. An updated catalogue of recently approved planned developments and their associated benefits is attached. Many of the benefits relate to supporting transportation systems, streetscape infrastructure, public art components, sustainability elements, and affordable housing.

While a definitive list of all appropriate public benefits does not exist, the following exactions can be utilized by the City for a development (loosely ordered by relative cost):

- Dedications for Streets, Sidewalks, and Other Public Ways
- Dedication of Public Open Space
- Public Right-of-Way Infrastructure Improvements
- Historic Preservation
- Payment into a Public Fund in excess of code requirement (e.g. Inclusionary Housing Ordinance)
- Improvements to public infrastructure such as parks, transit stations or viaducts
- Public Art
- Provision of Cultural Facilities
- Facilities for Non-Profit Organizations
- Recreational Facilities open to the Public (e.g. Parks or Gardens)
- Landscaping/Creation of Open Space for the Public
- Free or Discounted Transit Passes for Employees and Renters
- Operation of a Shuttle Service
- Apprentice Program for Students
- Local hiring of a minimum number of Evanston residents
- Bird Friendly building measures
- Green Building certification exceeding LEED Silver
- Public Access to Private Facilities
- Public Access to Electric Vehicle Charging Stations
- Public Access to Car Share Programs
- Pedestrian Countdown Timers
- Crosswalk Improvements
- Public Safety Enhancements (such as blue lights)
- Divvy Station Sponsorship
- Public Bike Parking
Other Local Municipalities
Preliminary research indicates that other municipalities have enacted ordinances which vary in whether or how they address public benefits. For example, the Village of Skokie provides for the imposition of reasonable contributions, including dedications of land for public purposes, installation of streetscape infrastructure, and/or preservation of areas containing significant natural, environmental, or historic resources. The Village of Wilmette requires benefits to grant exceptions to district regulations for Planned Developments including community amenities, preservation of historic structures, adaptive reuse, preservation of environmental features, public open space, public infrastructure, affordable or accessible dwelling units, and/or sustainable design. The City of Highland Park requires public benefits, which include sustainable building and site design, streetscape improvements, and/or downtown improvements.

A number of other municipalities either do not have ordinances that require public benefits for planned developments or have requirements for impact fees relating to all residential development. Impact fees are more common in jurisdictions where considerable open land exists that requires new infrastructure in order to be developed.

Incentive Zoning
Some municipalities have implemented incentive based zoning regulations, where developers are granted development bonuses (i.e. increased height, floor area ratio, etc.) as a result of certain development criteria (i.e. green roofs, preservation, increased building setbacks, and other urban design features). This approach was included in the Form Based Zoning component of the 2009 Downtown Plan that was proposed in the plan, but never codified.

City of Chicago – Neighborhood Opportunity Fund
The City of Chicago moved away from an incentive based downtown zoning strategy in 2016 with the establishment of the Neighborhood Opportunity Bonus. The Neighborhood Opportunity Bonus essentially allows developments to voluntarily purchase additional FAR in specified areas adjacent to downtown where a map amendment is requested in the form of a planned development. Cash contributions for additional FAR are allocated toward the Neighborhood Opportunity Fund (80%) used for economic development in underserved areas of the City, Local Impact Fund (10%) to support improvements near the site, and Adopt-a-Landmark Fund (10%) to restore structures designated as official landmarks.

Attachments
Public Benefits approved per 9 recent Planned Development Ordinances
City of Chicago, Neighborhood Opportunity Bonus system
Public Benefit

Affordable Housing
- Must provide 5 on-site affordable units at 80% AMI.
- Must provide 15 on-site affordable units at 50% AMI, 5 units at 60% AMI, 8 units at 80% AMI.
- Must provide 1,240,000 contribution to the affordable housing fund.
- Must install CTA Transit Tracker.
- Must have 2 on-site affordable units at 60% AMI.
- Applicant agrees to provide two on-site affordable housing one-bedroom units to households earning at or below 100%AMI. The applicant must submit a compliance report by Jan. 31 of each year to the Housing Division of the Com. Dev. Dept. showing the unit number, number of bedrooms, tenant name, number of persons in each affordable household unit, annual gross income of each affordable housing unit, date of income certification and monthly utility expenditures. The report must include the list of any utilities included in the rent.
- Applicant must provide a $2,400,000 contribution to the affordable housing units.
- Applicant must provide a $50,000 in-lieu payment to the City's Affordable Housing fund if the project is converted into condos, the applicant must pay $440,000 to the City's Affordable Housing fund.

Divvy
- Applicant shall provide one car-share membership per unit.
- Must provide a one-time Divvy sponsorship of $9,000.
- Must provide a $2,400,000 contribution to the Divvy bike share program prior to issuance of FCO.
- Must provide one Divvy bike share membership for every unit for 3 years.
- Must provide one free Divvy bike share membership per unit.
- Must install CTA Transit Tracker.

Public Art
- Must provide a $50,000 contribution to the Public Art fund for the Divvy bike share program.
- Must install and maintain street signs in the building lobby in perpetuity.
- Must implement a maintenance plan for the Divvy bike share program.

CTA/Metra
- Must install streetscape elements.
- Must install CTA Transit Tracker Display Board or like system as information/technology changes within building lobby in perpetuity.
- Must install CTA Transit Tracker Display Board or like system as information/technology changes within building lobby in perpetuity.

Car-Share
- Applicant shall provide one car-share membership for each unit.
- Must provide two car-share membership per unit.
- Must install CTA Transit Tracker.

Streetscape Infrastructure
- Must replace all sidewalks adjacent to the full length of the subject property on Howard St and Chicago Ave.
- Must provide a one-time Divvy sponsorship of $9,000.
- Must have 2 on-site affordable units at 60% AMI.
- Applicant must provide a one-time contribution of $50,000 to the City's Public Art fund.
- Must install CTA Transit Tracker.
- Must include public art visible to pedestrians. This may be stamped concrete, special brick work, glass blocks, or landscaping art. The applicant is responsible for installation and continued maintenance.

Housing
- 3 units at 50% AMI, 6 units at 80% AMI.
- 3 units at 50% AMI, 6 units at 80% AMI.
- Must provide 17 on-site affordable housing units at 80% AMI.
- Must provide 17 on-site affordable housing units at 80% AMI.
- Must resurface alley adjacent to the subject property per engineering standards and install a sidewalk to the west of the alley.
- Must include public art visible to pedestrians. This may be stamped concrete, special brick work, glass blocks, or landscaping art. The applicant is responsible for installation and continued maintenance.
- Must resurface alley adjacent to the subject property per engineering standards and install a sidewalk to the west of the alley.

Divvy
- Applicant shall provide one free Divvy or similar car-share membership for each unit who is not on record as having paid the Evanston wheel tax.
- Must provide a one-time Divvy sponsorship of $9,000.
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- Must install CTA Transit Tracker.

Public Art
- Must provide a $50,000 contribution to the Public Art fund for the Divvy bike share program.
- Must install and maintain street signs in the building lobby in perpetuity.
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- Must install CTA Transit Tracker Display Board or like system as information/technology changes within building lobby in perpetuity.
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- Must provide a one-time Divvy sponsorship of $9,000.
- Must provide two car-share memberships for each unit.
- Must resurface alley adjacent to the subject property per engineering standards and install a sidewalk to the west of the alley.
- Must include public art visible to pedestrians. This may be stamped concrete, special brick work, glass blocks, or landscaping art. The applicant is responsible for installation and continued maintenance.
### Public Benefit

- **128-130 Chicago Ave.**
  - Must install all improvements to the streets, including grading of existing pavement parking, restriping, and asphalt patching at new water/sewer services within the Howard St and Chicago Ave "ROWs."
- **1727 Oak Ave.**
  - Install and maintain landscaping improvements as depicted in Exhibit E
- **1450 Sherman Ave.**
  - Must install and maintain landscaping improvements as depicted in Exhibit E
- **831 Emerson St.**
  - Applicant will implement following strategies to improve and incorporate bird friendly measures: install low reflective glass windows; install metal balcony railing rather than glass doors and balconies; minimize external lighting from 12:30 am to dawn during spring and Fall migration; and avoid guy wires and roof lighting that pose a bird hazard
- **824 Noyes St.**
  - Applicant agrees to be in full compliance with LEED 55 standards for Zone 1 of the building (36 feet above grade) and 12 feet above any green roof
- **1815 Ridge/Oak Ave.**
  - Must install landscaping and maintain the site for the benefit of two properties to the west
- **1620 Central St.**
  - Applicant must hold valid parking lease with the City of Evanston for 7 years initially. After the first 7 years, the parking lease agreement can be modified every five years.
- **1571 Maple Ave.**
  - Applicant agrees to hire a minimum of 5 Evanston residents during construction
- **835 Chicago Ave.**
  - Applicant agrees to apply for City's Special Assessment Process to have the north-south alley repaved. If the Special Assessment Process is not approved, the applicant must reconstruct the alley at its sole cost along its property.

### Green Building

- **LEED Silver, Seeking LEED Gold or higher**
  - Applicant agrees to create publicly accessible amenity deck railing.
- **Applicant to create publicly accessible dog park to be maintained by on-site building management**
  - Applicant will create a publicly accessible dog park on the south end of the subject property as depicted in Exhibit B
- **Applicant agrees to hire a minimum of 5 Evanston residents during construction**
  - Must install multiple green roofs as shown on Landscape Plans

### Other

- **Applicant to create publicly accessible dog park to be maintained by on-site building management**
  - Applicant will create a publicly accessible dog park on the south end of the subject property as depicted in Exhibit B
- **Must pay a one-time contribution in the amount of $65,000 for the purchase of a shipping container for self-contained vegetable growth near subject property**
  - Applicant agrees to hire a minimum of 5 Evanston residents during construction
- **Applicant agrees to keep a minimum of 5 Evanston residents during construction**
  - Applicant must sign a lease for 101 parking spaces at Maple Ave garage for 7 years initially. After the first 7 years, the parking lease agreement can be modified every five years. The applicant must hold valid parking lease with the City of Evanston for the lifetime of the project.
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<tr>
<th>Public Benefit</th>
<th>128-130 Chicago Ave.</th>
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<th>1571 Maple Ave.</th>
<th>835 Chicago Ave.</th>
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<td>Applicant will contribute $50,000 to ETHS Entrepreneurship/Apprentice Program for on-site teaching of students. Will create 18 month training workshop</td>
<td>Must replace existing wood fence along the west property line belonging to the townhouse association adjacent to the west</td>
<td>Must install two landscape seating areas on private property along Maple Ave.</td>
<td>Must pay $72,281 for permanent loss of 4 on-street metered parking spaces to the City’s Parking Fund prior to issuance of temp CO.</td>
<td>Must waived any tenant leasing application, move-in, or similar rental fees to be paid in advance of leasing space for employees of Evanston’s 10 largest employers.</td>
<td>Must include commercial space along Davis St.</td>
<td>Must provide on-site parking for public with two-hour limits between 11am and 5 pm. Management company must manage and arrange for violators to be towed.</td>
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Memorandum

To: Honorable Mayor and Members of the City Council

From: Johanna Leonard, Director of Community Development
Scott Mangum, Planning and Zoning Administrator

Subject: Downtown Zoning Regulations

Date: August 6, 2018

Recommended Action
Staff requests City Council direction regarding addressing current Downtown zoning regulations.

Livability Benefits
Built Environment: Provide compact and complete streets and neighborhoods

Summary
At the request of Ald. Fiske, Revelle, and Wynne staff has prepared options for discussion of Downtown Zoning regulations. The City Council previously reviewed the 2009 Downtown Plan in October 2017. There was no direction provided to update the plan at that time.

The existing Zoning Ordinance was adopted in 1993, and although there have been Text Amendments to the Ordinance over time, many of the provisions for the Downtown (D) Districts have not been amended. The 2000 city-wide Comprehensive General Plan provided the goal for downtown to promote a mixed-use central business district that is attractive, convenient, and economically vibrant. Downtown visioning sessions conducted in 2004, resulted in a Downtown Visioning report and the 2009 Downtown Plan was adopted, however, the Form Based Code provisions to implement the plan were never codified.

Staff has identified the following options:
- No further action at this time. Proceed with current regulations in the Zoning Ordinance which establish bulk requirements and allowable site development allowances for Planned Developments. Through the Planned Development process, Individual development applications are reviewed by City Staff, DAPR,
the Plan Commission, and City Council.

- Examine modest changes to the bulk regulations (height, floor area ratio, ziggurat setbacks, lot area per unit) and associated site development allowances within existing Downtown zoning Districts. This could occur through a special committee or via the Zoning Committee of the Plan Commission.

- Update and Implement the Form Based Code created in the 2009 Downtown Plan. This option should be weighed against the changes in the market and Planned Development projects approved since the adoption of the plan.

- Create a new Downtown Plan and implement corresponding zoning changes. This would likely be a multi-year effort involving a significant amount of staff and consultant time and funding.

Attachments

Title 6, Chapter 11, Downtown Districts (Existing Zoning Ordinance Regulations)
2009 Downtown Plan
Memorandum

To: Honorable Mayor and Members of the City Council

From: Johanna Leonard, Community Development Director
Sarah Flax, Housing and Grants Administrator
Savannah Clement, Housing Policy and Planning Analyst
Ashley Wiley, VISTA Housing Planner

Subject: Affordable Housing Work Plan Progress to Date

Date: October 25, 2018

Recommended Action:
Included in this memorandum are updates on the revised Inclusionary Housing Ordinance (IHO), Affordable Housing Fund, the rental of accessory dwelling units, the three-unrelated occupancy rule, landlord-tenant services, the Landlord Rehabilitation Assistance Program and a housing plan scope of work.

Funding Source: N/A

Livability Benefits:
Built Environment: Support housing affordability; provide compact and complete streets and neighborhoods; and

Equity & Empowerment: Ensure equitable access to community benefits, and support poverty prevention and alleviation.

Summary:
**Inclusionary Housing Ordinance Subcommittee**
The Subcommittee met on January 17, February 7, July 24 and September 12. The Subcommittee’s recommended changes to the IHO were presented at P&D on 10/8/18 and introduced by City Council. The IHO Subcommittee and staff recommend approval of those revisions, and a decision on the affordability limits for ownership inclusionary units by City Council.

**Affordable Housing Fund Revenue Sources**
The Housing and Homelessness Commission opened discussion on increasing the demolition tax at its meeting on October 4, and will develop a recommendation for consideration by the Planning and Development Committee and City Council in Q1 2019.
Rental of Coach Houses/Accessory Dwelling Units
City Council approved the rental of coach houses to non-family members at its meeting on May 14, 2018. Since then, a cross-departmental staff team has developed a process to identify, inspect, determine occupancy, and register existing coach houses/accessory dwelling units, including a proposed fee schedule designed to be revenue neutral. Staff recommends approval of the fee schedule by City Council.

Accessory Dwelling Units
Staff is working with the Metropolitan Mayors Caucus (MMC) to finalize the date for a “Granny Flat Academy” to provide community education and engagement about ADUs; MMC received a grant from AARP for three workshops in the Chicago suburbs. Eli Spevak, a subject matter expert from Portland, OR, will be presenting. The Evanston event will be part of the public engagement around new housing strategies as part of the development of the Affordable Housing Plan. It will be on January 16, 2019 at Northwestern University; details will be provided in the near future.

The Evanston Development Cooperative (EDC), an innovative project concept that the City of Evanston submitted to Housing Action Illinois’ Community Revitalization Challenge (CRC), was presented to financial institutions on October 27. CRC is a new initiative to connect community-based organizations with financial institutions to design and launch projects that expand access to affordable housing and promote economic development opportunities for low- and moderate-income residents. Our goal is to establish a partnership with a bank seeking an investment-ready project that could qualify for Community Reinvestment Act credit.

EDC is an employee-owned company that will recruit and train local members to design, construct and purchase high-performing housing, develop resilient neighborhoods, and realize opportunities for education, ownership and economic stability for all. EDC will use new construction materials and techniques, including manufactured panels assembled on-site that were used in the NU Solar House project, to construct coach houses/accessory dwelling units, and will eventually scale up to single-family and multi-family projects. EDC is led by Dick Co, NU Chemistry Professor who led the Solar House project, and will be leaving the university to work on EDC full time.

Occupancy 3-Unrelated
Staff seeks direction on next steps to address the occupancy limit for residential dwelling units of no more than three unrelated persons. At its meeting on October 30, 2017, City Council referred this to the Planning and Development Committee. At its meeting on January 8, 2018, the Planning and Development Committee requested a white paper on rooming houses. At the January 29 and April 30 City Council meetings, the need to address occupancy standards was discussed. The item was referred to the Planning and Development Committee for discussion on May 14, and was held in Committee.

Landlord-Tenant Services
On September 17, City Council approved a 12-month contract that began on October 1, 2018 with the Metropolitan Tenants Organization and Lawyers Committee for Better Housing. MTO is assisting residents with landlord-tenant inquiries through its hotline.
and Evanston’s 311 system. It will also provide information to landlords and tenants through trainings and postings on its website about their rights and responsibilities. In addition, MTO will offer mediation services and conduct tenant organizing in problem buildings, as necessary. What’s more, MTO is partnering with LCBH for legal consultation services. This collaboration with LCBH will more effectively help low-income tenants avoid displacement through free legal representation in eviction cases and illegal lockouts. Finally, MTO will be holding office hours at the Evanston Public Library (1703 Orrington Ave) to assist residents with landlord-tenant inquiries on the following dates and times for the remainder of 2018 (2019 dates/times will be added at a later date):

- Friday, November 2, 2-6pm
- Friday, November 9, 2-6pm
- Saturday, November 10, 2-6pm
- Friday, November 16, 2-6pm
- Saturday, November 17, 2-6pm
- Friday, November 30, 2-6pm
- Friday, November 7, 2-6pm
- Saturday, December 8, 2-6pm
- Friday, December 14, 2-6pm
- Friday, December 21, 2-6pm
- Friday, December 28, 2-6pm

Assessment of Fair Housing
Staff requests approval to enter into an intergovernmental agreement for the Cook County AFH. This is virtually identical to the collaborative AFH agreement that City Council approved on October 23, 2017. That was put on hold when HUD issued a Notification on January 5, 2018 delaying the submission of AFHs until October 31, 2020. While Evanston may not be required to submit an AFH to HUD before the submission of its 2020-2024 Consolidated Plan, it still has a responsibility to identify barriers to, and affirmatively further, fair housing. This Cook County wide collaboration will assess the current state of fair housing issues and develop community-informed and evidence-based goals and strategies to address the identified issues more effectively than if the City were to undertake such an assessment independently. In addition, it is more cost effective. The City’s share is $13,000, significantly less than the $24,990 spent on the 2014 Analysis of Impediments to Fair Housing Choice.

Landlord Rehabilitation Assistance Program
City Council approved funding and guidelines for a pilot Landlord Rehabilitation Assistance Program (LRAP) on March 12, 2018. Staff is working to finalize the program agreement, and has had initial conversations with landlords interested in the program.

Shared Housing Memo
City Council members requested more information on different types of shared housing. Staff is providing a memo explaining co-housing, housing co-operatives, home sharing, and rooming houses.
Comprehensive Affordable Housing Plan (AHP)
Mayor Hagerty’s appointments to the Affordable Housing Plan Steering Committee are on the agenda for approval. Mayor Hagerty and staff met with representatives from CMAP, MPC and MMC on September 24 to discuss the City’s request for technical assistance with the development of the City’s AHP from Homes for a Changing Region. A decision is expected by mid-November. An updated scope of work for the AHP will be developed by staff for review by the Steering Committee and City Council following receipt of Homes for a Changing Region’s decision.

Attachments:
Affordable Housing Activities chart
<table>
<thead>
<tr>
<th>Goal</th>
<th>Activity</th>
<th>10/30/17 Meeting</th>
<th>01/29/18 Meeting</th>
<th>04/30/16 Meeting</th>
<th>07/30/18 Meeting</th>
<th>10/29/18 Meeting</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Create new housing opportunities</td>
<td>Allow rental of existing coach houses to non-family members</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>Fee and fine schedule for the inspection and registration of existing coach houses/ADUs on 10/28/18 agenda for approval.</td>
</tr>
<tr>
<td></td>
<td>Comprehensive review of zoning code to allow for the creation and rental of new accessory dwelling units</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>Community education and engagement with Metropolitan Mayors Caucus and AARP grant; develop ADU ordinance draft for joint review by Plan Commission and Housing and Homelessness Commission.</td>
</tr>
<tr>
<td></td>
<td>Revise zoning code to allow for construction of small lot housing</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>RFP for development of 2122 Darrow Avenue property as test. Property ownership to be transferred to City on 11/12/18 for NSP2 grant closeout by 12/31/18.</td>
</tr>
<tr>
<td></td>
<td>Amend occupancy standards (3-Unrelated)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>Discussed at P&amp;D on 5/14/18. Staff seeks direction from Council on next steps</td>
</tr>
<tr>
<td></td>
<td>Support new initiatives in housing construction and funding</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>Presentation by Evanston Development Cooperative on 10/29/18 City Council agenda.</td>
</tr>
<tr>
<td></td>
<td>Explore expansion of alternate housing forms including rooming houses and co-housing</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>Memo on different types of shared housing included in 10/29/18 City Council packet. Staff seeks direction from Council on next steps</td>
</tr>
<tr>
<td>Increase affordable units in market rate developments</td>
<td>Amend the Inclusionary Housing Ordinance to incentivize onsite units more effectively</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>IHO Subcommittee met 01/17/18, 02/07/18, 07/24/18 and 9/12/18; Housing Finance Workshop held 5/30/18. Subcommittee proposed ordinance revisions introduced on 10/8/18. On 10/29/18 agenda for adoption, with effective date of 1/1/19.</td>
</tr>
<tr>
<td>Expand revenues for affordable housing</td>
<td>Increase the IHO fee-in-lieu</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>Included in proposed ordinance revisions.</td>
</tr>
<tr>
<td></td>
<td>Increase the demolition tax</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>HHC discussed at its meeting on 10/4/18; will bring recommendation to P&amp;D in Q1 2019.</td>
</tr>
<tr>
<td></td>
<td>Explore additional revenue sources: fee based on building permit value on non-IHO covered development, portion of RETT for affordable housing</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>Staff seeks direction from Council on next steps</td>
</tr>
<tr>
<td>Create pathways to homeownership</td>
<td>ETHS Geometry in Construction</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>IGA with ETHS approved on 4/30/18. 1729 Dodge Ave acquired as site for 2018-19 GIC home site; 1824 Emerson to be acquired by 3/1/19 for 2019-20.</td>
</tr>
<tr>
<td></td>
<td>Leverage external resources for homebuyer assistance</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>Schedule Illinois Housing Development Authority presentation on home buyer programs in Q4 2018 or Q1 2019.</td>
</tr>
<tr>
<td>Expand development of income-restricted rental units</td>
<td>Leverage external resources to develop housing for low income and special needs residents</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>Perlman expansion project proposed by the Housing Authority of Cook County; 80 units of mixed income housing for seniors and persons with disabilities</td>
</tr>
<tr>
<td></td>
<td>Leverage City-owned land for affordable housing development</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>Assess potential for affordable and/or mixed income housing development on City-owned property such as underused parking lots</td>
</tr>
<tr>
<td>Preserve affordable housing</td>
<td>Landlord Rehabilitation Assistance Program</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>Finalize project agreement and launch program. Schedule workshop for property owners to explain Landlord Assistance and CDBG Housing Rehab programs in Q4 2018</td>
</tr>
<tr>
<td></td>
<td>Handyman Program</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>Renewed funding from AHF in the amount of $35,000 approved on 6/25/18</td>
</tr>
<tr>
<td>Maintain and expand rent subsidies for low-income households</td>
<td>Evanston Rental Assistance Program</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>Next steps pending based on generating ongoing source of revenues for Affordable Housing Fund</td>
</tr>
<tr>
<td></td>
<td>HOME Tenant-Based Rental Assistance</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>Renewal funding of $300,000 approved by City Council on 8/13/18.</td>
</tr>
<tr>
<td></td>
<td>Review changes to General and Emergency Assistance Programs</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expand programs to overcome barriers to rental for low income households</td>
<td>Landlord-Tenant education and assistance</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>City Council approved 12-month contract with Metropolitan Tenants Organization and Lawyers Committee for Better Housing at its meeting on September 17, 2018; contract runs 10/1/18 - 9/30/2019.</td>
</tr>
<tr>
<td></td>
<td>Pilot Landlord Mitigation Fund</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>Approval of an intergovernmental agreement for a Cook County collaborative AFH with Enterprise providing staff support on City Council agenda for 10/28/18.</td>
</tr>
<tr>
<td></td>
<td>Explore rehab program for landlords that rent to low-income Households, households receiving subsidies, or other barriers</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>See Landlord Assistance Program above</td>
</tr>
<tr>
<td></td>
<td>Assessment of Fair Housing</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comprehensive Housing Plan</td>
<td>Scope of work for Housing and Homelessness Commission</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>Draft scope of work proposed on 7/30/18. Next steps pending information from CMAP/NMC/MPC and appointment of Steering Committee</td>
</tr>
<tr>
<td></td>
<td>Steering Committee to oversee development of the plan</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>Mayoral appointments for Steering Committee members are on the City Council agenda for 10/29/18</td>
</tr>
</tbody>
</table>
Memorandum

To: Honorable Mayor and Members of the City Council
   Members of the Planning and Development Committee

From: Johanna Leonard, Community Development Director
       Sarah Flax, Housing and Grants Administrator
       Savannah Clement, Housing Policy and Planning Analyst

Subject: Ordinance 107-O-18 Amending Title 5, Chapter 7, “Inclusionary Housing”

Date: October 19, 2018

Recommended Action:
The Inclusionary Housing Ordinance Subcommittee and staff recommend approval of
Ordinance 107-O-18, amending Title 5, Chapter 7 of the City Code, “Inclusionary
Housing,” contingent on City Council’s decision on affordability levels for
homeownership in §5-7-6(B)1, based on the two options provided below.

Livability Benefits:
Built Environment: Support housing affordability;

Equity & Empowerment: Ensure equitable access to community benefits, and support
poverty prevention and alleviation.

Summary:
At its meeting on October 8, 2018, City Council approved the introduction of Ordinance
107-O-18, revising the City’s Inclusionary Housing Ordinance. The Inclusionary Housing
Ordinance Subcommittee proposed two options for homeownership affordability levels
in the revised ordinance. City Council agreed to discuss the two options at its meeting
on October 29, 2018.

The IHO Subcommittee discussed revisions to the ordinance that would strengthen the
requirements for affordable units on-site, provide bonuses that more effectively
incentivize on-site units, and offer some flexibility to developers in order to take
differences in projects into account. Other proposed changes reduce the financial
incentives of paying fees in lieu of on-site affordable units to further support the goal of
on-site units. Proposed changes are summarized below:

1. Require that any development requesting zoning variances or site allowances
must have a minimum of 5% Inclusionary Dwelling Units (IDUs) on-site, and pay
a fee-in-lieu for the remaining units.
2. Strengthen developer incentives for on-site units; the current bonus structure does not provide developers the additional market rate units needed to offset the costs of inclusionary units:
   a. Differentiate bonus structure by zoning districts (e.g., in Residential districts, bonuses are additional building lot coverage and impervious surface coverage, while Downtown district bonuses are increases in density and FAR.) Provide some bonuses with 5% IDUs and increase bonuses with 10% IDUs
   b. Clarify benefits for on-site units, including waiver and deferral of building permit fees for IDUs and market rate units respectively, and pro rata share of common elements; wait list for IDUs and income certifications of prospective tenants handled by City-contracted agency

3. Reduce the financial incentive to pay the fee in lieu by:
   a. Increasing the fees in lieu of on-site affordable units
   b. Moving the payment of any fee-in-lieu from receipt of first temporary certificate of occupancy to issuance of building permits

4. Simplify the requirements for on-site units and make consistent between TOD and non-TOD areas.
   a. All IDUs in rental projects must be rented to households earning at or below 60% of the area median income (AMI)
   b. The Subcommittee requests City Council direction on the affordability levels for homeownership. The attached ordinance states that “All affordable units must be sold to households whose incomes do not exceed 100% AMI adjusted for household size.” However, Council may choose to use one of the two options shown below:
      i. All of the IDUs must be sold to households earning at below 100% AMI
         – OR –
      ii. Half of the IDUs must be sold to households earning at below 80% AMI, and half of the IDUs must be sold to households earning at or below 100% AMI

5. Maintained flexibility for developers to submit an alternative equivalent proposal; deleted reduction of requirements

Additional details on the proposed revisions to the Inclusionary Housing Ordinance, and their corresponding sections, are listed in order below:

§ 5-7-3. DEFINITIONS.
- Rental affordability period changed from 25 to 30 years
- “COVERED DEVELOPMENT” definition changes:
  o The distinction between TOD and non-TOD areas was removed; all developments with five or more units are covered.
  o Clarified that affordable housing developments are eligible for development bonuses, fee waivers/deferrals and parking reductions for up to 10% of the affordable units
  o In (B), added: “or changes the number of bedrooms in dwelling units without a change tenure.”
• Added definition for “PRIMARILY AFFORDABLE HOUSING DEVELOPMENT”

§ 5-7-4. REQUIREMENTS.
• (B) Calculation changes: For all fractional units less one half, a payment of one half the fee-in-lieu will be required.

§ 5-7-6. ELIGIBILITY AND PREFERENCE OF HOUSEHOLDS FOR AFFORDABLE DWELLING UNITS.
• (B) Eligibility:
  o For-sale considerations: All for-sale units shall be sold to households earning at or below 100% AMI – OR – Half of the affordable units must be sold to households whose incomes do not exceed 80% AMI and half must be sold to households whose incomes do not exceed 100% AMI
    ▪ The Subcommittee requested that City Council choose which option to use in the ordinance
  o Rental considerations: Eliminate TOD and non-TOD distinctions and require that all rental affordable units be at 60% AMI or below.

§ 5-7-7. DISTRIBUTION AND ATTRIBUTES OF ON SITE AFFORDABLE DWELLING UNITS.
• (D) Interior Appearance and Finishes changed to say, “Affordable dwelling units may have different interior finishes than market rate units, but shall be Contractor Grade or higher quality.”
• (G) Unit Size changed to “Unit Characteristics,” and now says, “Affordable dwelling units shall be indiscernible from market rate units from the exterior or common areas and shall be equal to or larger than the minimum size requirements in the building code in effect at the time of project approval.” The chart with minimum square feet per unit was removed.

§ 5-7-8. CASH PAYMENT IN LIEU OF PROVIDING AFFORDABLE DWELLING UNITS.
• First paragraph changed to add: “Developments that receive variances or allowances above the base zoning must have a minimum of 5% affordable units onsite and may pay a fee in lieu of the remaining 5% of affordable units, with the exception of condominium developments. Condominium developments may choose to pay a fee in lieu of building each affordable dwelling unit required by Section 4 of this chapter at the per-unit rate shown below.”
• (A) Fee-in-lieu increases: “The fee in lieu amount per affordable dwelling unit shall be one hundred seventy-five thousand dollars ($175,000) for units in all Downtown and Research Park zoning districts or one hundred and fifty thousand dollars ($150,000) per affordable dwelling unit in all other zoning districts. For condominium developments that elect to pay fees in lieu of any onsite affordable units, the fee in lieu per affordable dwelling unit shall be 1.5 times the basic fee in lieu shown above for either Downtown or non-Downtown zoning districts. The fee in lieu rates will be adjusted annually based on the Consumer Price Index.”
• (C) Timing of fee-in-lieu payment changed to: “Unless otherwise preempted by law, any fee in lieu shall be paid at the same time as building permits.”

§ 5-7-10. REDUCTION OF REQUIREMENTS.
• Section deleted, changed to new titled “RESERVED.”

§ 5-7-13. INCENTIVES FOR APPLICANTS.
• (D) Bonuses: See charts in amended ordinance; removed TOD and non-TOD distinctions, and changed to downtown and non-downtown zoning districts.
• (E) Parking: See chart in amended ordinance; only place where TOD and non-TOD distinctions maintained. Parking requirements now match parking study revisions.

SECTION 6: Ordinance 107-O-18 will go into effect on January 1, 2019. However, developers that submit applications prior to January 1, 2019 may choose to comply with Ordinance 60-O-15 or 107-O-18.

Legislative History:
The Inclusionary Housing Ordinance Subcommittee approved the revised ordinance, 107-O-18, at its meeting on September 12, 2018. The Planning and Development Committee approved introduction of the ordinance at its meeting on October 8, 2018.

Attachment:
107-O-18 Inclusionary Housing Ordinance
107-O-18

AN ORDINANCE

Amending Portions of City Code Title 5, Chapter 7 to Expand the Application of the Inclusionary Housing Ordinance

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS THAT:

SECTION 1: Title 5, Chapter 7, “Inclusionary Housing,” of the Evanston City Code, 2012, as amended, is hereby further amended to read as follows:

5-7-1. TITLE.

This chapter shall be titled and referred to as the INCLUSIONARY HOUSING ORDINANCE.

5-7-2. PURPOSE AND INTENT.

The purpose of this Chapter is to promote the public health, safety, and welfare of the residents of Evanston by requiring residential developments or developments which contain a residential component to include a certain percentage of dwelling units in a proposed development to be priced affordably for low-income, moderate-income, and middle-income and moderate-income households or to make a payment in accordance with the terms of this Chapter. Based upon the review and consideration of reports and analyses of the housing situation in the City, it is apparent that the diversity of the City’s housing stock has declined as a result of increasing property values and housing costs, and a reduction in the availability of affordable housing; and that, with the exception of housing subsidized by the City, the privately developed new residential housing that is being built in the City generally is not affordable to low and moderate income households. The City recognizes the need to provide affordable owner occupied and rental housing to low-income, moderate-income, and middle-income and middle-income households in order to maintain a diverse population, and to provide owner occupied and rental housing for those who live or work in the City. Without intervention, the trend toward increasing housing prices and rental rates will result in an inadequate supply of owner occupied and rental affordable housing units for City residents and local employees, which will have a negative impact upon the ability of local employers to maintain an adequate local work force, and will otherwise be detrimental to the public health, safety, and welfare of the City and its residents. Since the remaining land appropriate for new residential development within the City is limited, it is essential that a reasonable proportion of such land be developed into owner occupied dwelling units
and rental units that are affordable to low-income, moderate-income, and middle-income and moderate-income households, including and working families.

5-7-3. DEFINITIONS.

For the purposes of administering this Chapter, these definitions shall apply:

<p>| <strong>AFFORDABILITY PERIOD, OWNER OCCUPIED.</strong> | The time during which the affordability restrictions imposed by this Chapter shall apply to owner occupied affordable dwelling units. Owner occupied affordable dwelling units covered by this Chapter shall remain affordable in perpetuity or as long as allowable by law. The affordability period begins at the time of first occupancy of the affected unit. |
| <strong>AFFORDABILITY PERIOD, RENTAL.</strong> | The time during which the affordability restrictions imposed by this Chapter shall apply to leased affordable dwelling units. Leased affordable dwelling units covered by this Chapter shall remain affordable for a period of thirty (30) twenty-five (25) years, after which the requirements of this Chapter cease to be controlling. The affordability period begins at the time of first occupancy of the affected Affordable Dwelling Unit. |
| <strong>AFFORDABLE DWELLING UNIT.</strong> | All owner occupied or leased dwelling units in a covered development as defined herein. |
| <strong>AFFORDABLE HOUSING AGREEMENT.</strong> | The document signed by the purchaser or lessee of an affordable dwelling unit at the time of sale or lease, along with such other legal documents as may be required, detailing the affordability requirements of the affordable dwelling unit. |
| <strong>AFFORDABLE HOUSING, OWNER OCCUPIED.</strong> | Decent, safe, sanitary housing that is: a) affordable to &quot;households that meet AMI parameters&quot; as set forth in this chapter; and b) to be sold only to &quot;qualified households&quot; as defined herein. The cost of the mortgage payment and relevant expenses (a calculation of property taxes, homeowner's insurance, and, when applicable, condominium or homeowner association fees) of owner occupied dwelling units shall not exceed thirty one percent (31%) thirty three percent (33%) of the household's gross annual household income (the total income of all adults over eighteen (18) years of age in the household). |
| <strong>AFFORDABLE HOUSING, RENTAL.</strong> | Decent, safe, sanitary housing that is: a) affordable to households with AMI parameters set forth in this chapter; and b) to be leased only to &quot;qualified households&quot; as defined herein. |</p>
<table>
<thead>
<tr>
<th><strong>APPLICANT.</strong></th>
<th>Any developer who applies to the department to receive approval of a covered development pursuant to this Chapter.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AREA MEDIAN INCOME (AMI).</strong></td>
<td>The median income level for the Chicago primary metropolitan statistical area, as established and defined in the annual schedule published by the secretary of the United States Department of Housing and Urban Development and adjusted for household size.</td>
</tr>
<tr>
<td><strong>CERTIFICATE OF QUALIFICATION.</strong></td>
<td>A certificate establishing a qualified household's eligibility to purchase or lease an affordable dwelling unit based on income eligibility using the HUD Part 5 verification process and asset limits, per the City’s wait list policies and procedures. Certificates of qualification shall be valid for six (6) months.</td>
</tr>
<tr>
<td><strong>COMMUNITY LAND TRUST.</strong></td>
<td>A private, not for profit corporation which the city may create or authorize organized exclusively for charitable, cultural, or other purposes to acquire and own land for the benefit of the city and low to middle income persons, including the creation and preservation of affordable housing.</td>
</tr>
<tr>
<td><strong>CONSUMER PRICE INDEX.</strong></td>
<td>Consumer price index for all urban consumers as published annually by the United States department of labor, bureau of labor statistics.</td>
</tr>
<tr>
<td><strong>CONTRACTED AGENCY</strong></td>
<td>An organization with which the City contracts and has a written agreement to manage the centralized wait list for affordable dwelling units and to income certify households for those units.</td>
</tr>
<tr>
<td><strong>COVERED DEVELOPMENT.</strong></td>
<td>A development containing five (5) or more dwelling units in a TOD area or a development containing ten (10) or more dwelling units outside a TOD area, on contiguous land under common ownership or control by an applicant at one location within the city, when such dwelling units are to be sold or leased to owner-occupants or leased to tenants. The term “covered development” and the regulations contained in this chapter shall not apply to a development that is designed to provide primarily affordable dwelling units. Developments that provide primarily affordable units are eligible for the development bonuses and fee waivers/deferrals for up to ten percent (10%) of the on-site affordable units, but are not eligible for bonuses on affordable units beyond the ten percent (10%). However, primarily affordable housing developments are eligible for the same parking reductions as covered developments. The term &quot;covered development&quot; includes, without limitation, the following:</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>(A)</td>
<td>A development that is new residential construction or new mixed use</td>
</tr>
<tr>
<td></td>
<td>construction with a residential component.</td>
</tr>
<tr>
<td>(B)</td>
<td>A development that is the renovation, repurposing or reconstruction of</td>
</tr>
<tr>
<td></td>
<td>an existing multiple-family residential structure that changes the use</td>
</tr>
<tr>
<td></td>
<td>from rental to owner occupied units or vice versa, or that changes the</td>
</tr>
<tr>
<td></td>
<td>number of bedrooms in dwelling units without a change in tenure.</td>
</tr>
<tr>
<td>(C)</td>
<td>A development that will change the use of an existing building from</td>
</tr>
<tr>
<td></td>
<td>nonresidential to residential.</td>
</tr>
<tr>
<td>(D)</td>
<td>A development built in phases.</td>
</tr>
<tr>
<td>DEPARTMENT.</td>
<td>The Evanston Community Development Department or any successor agency,</td>
</tr>
<tr>
<td></td>
<td>unless otherwise indicated.</td>
</tr>
<tr>
<td>DEVELOPER.</td>
<td>Any person, firm, corporation, partnership, limited liability company,</td>
</tr>
<tr>
<td></td>
<td>association, joint venture, or any entity or combination of entities that</td>
</tr>
<tr>
<td></td>
<td>develops dwelling units, but does not include any governmental entity.</td>
</tr>
<tr>
<td>DIRECTOR.</td>
<td>The director of the City of Evanston Community Development department or</td>
</tr>
<tr>
<td></td>
<td>his/her designee.</td>
</tr>
<tr>
<td>HOUSING PROVIDER.</td>
<td>A nonprofit entity designated by the city to own affordable dwelling</td>
</tr>
<tr>
<td></td>
<td>units.</td>
</tr>
<tr>
<td>INCLUSIONARY HOUSING PLAN.</td>
<td>The plan submitted as part of a development application which details</td>
</tr>
<tr>
<td></td>
<td>the development's compliance with the affordable housing requirements of</td>
</tr>
<tr>
<td></td>
<td>this chapter.</td>
</tr>
<tr>
<td>LOW INCOME HOUSEHOLD.</td>
<td>For homebuyers: a household with a total income equal to or below</td>
</tr>
<tr>
<td></td>
<td>eighty percent (80%) of the AMI. For renters: a household with a total</td>
</tr>
<tr>
<td></td>
<td>income equal to or below 50% of the AMI in TOD areas, and equal to or</td>
</tr>
<tr>
<td></td>
<td>below 60% of the AMI in all other areas.</td>
</tr>
<tr>
<td>MARKET RATE DWELLING UNITS.</td>
<td>All owner occupied or rental dwelling units in a covered development that</td>
</tr>
<tr>
<td></td>
<td>are not affordable dwelling units as defined herein.</td>
</tr>
<tr>
<td>MIDDLE INCOME HOUSEHOLD.</td>
<td>For homebuyers: a household with a total income between above eighty</td>
</tr>
<tr>
<td></td>
<td>percent (80%) of the AMI and but not exceeding one hundred twenty</td>
</tr>
<tr>
<td></td>
<td>percent (120%) of the AMI in TOD areas, and between 80% and 120% of the</td>
</tr>
<tr>
<td></td>
<td>AMI in all other areas. For renters: a household with a total income</td>
</tr>
<tr>
<td></td>
<td>between 50% and 60% of the AMI in TOD areas, and between 60% and 80% of</td>
</tr>
<tr>
<td></td>
<td>the AMI in all other areas.</td>
</tr>
<tr>
<td>MODERATE INCOME HOUSEHOLD</td>
<td>A household with a total income above fifty percent (50%) of the AMI but</td>
</tr>
<tr>
<td></td>
<td>not exceeding eighty percent (80%) of the AMI.</td>
</tr>
<tr>
<td><strong>PRIMARILY AFFORDABLE HOUSING DEVELOPMENT</strong></td>
<td>A residential multi-family building that may have the physical characteristics of a covered development, but will have affordability restrictions that exceed the requirements of this ordinance. This may include a development in which all of the units are restricted to households earning at or below the median income.</td>
</tr>
<tr>
<td><strong>PROPERTY, RECEIVING PUBLIC FUNDING</strong></td>
<td>Any residential development or development containing a residential component, existing or new, that receives or has received any public funds. Public funding is any grant, loan, or subsidy from any Federal, State or local agency or instrumentality, including, but not limited to, the disposition of real property for less than market value, purchase money financing, construction financing, permanent financing, the utilization of bond proceeds and allocations of low income housing tax credits. Public funding shall not include the receipt of rent subsidies pursuant to Section 8 of the United States Housing Act of 1937, as amended, or an exemption or abatement of real property taxes or other such other programs of full or partial exemption from or abatement of real property taxation.</td>
</tr>
<tr>
<td><strong>PROPERTY, PRIVATELY FUNDED.</strong></td>
<td>Any residential development or development containing a residential component, current or new, that does not and has not received any public funds.</td>
</tr>
<tr>
<td><strong>QUALIFIED HOUSEHOLD.</strong></td>
<td>A household whose income has been verified as meeting the AMI parameters for a household as detailed in this Chapter and has received a certificate of qualification from the developer, City’s contracted agency or its designee per section 5-7-6 of this chapter.</td>
</tr>
<tr>
<td><strong>TRANSIT ORIENTED DEVELOPMENT or TOD</strong></td>
<td>A development pattern created around a transit station that is characterized by higher density, mixed uses, pedestrian environment, reduced parking, and a direct and convenient access to the transit station.</td>
</tr>
<tr>
<td><strong>TOD AREA</strong></td>
<td>The area that has the designation for an identified transit station and the area around it. The area provides for development that is compatible with and supportive of public transit and a pedestrian-oriented environment.</td>
</tr>
<tr>
<td><strong>TRANSIT STATION</strong></td>
<td>The area including the platform which supports transit usage and that is owned and/or operated by the transit agency.</td>
</tr>
</tbody>
</table>

5-7-4. REQUIREMENTS.
(A) **General Requirement:** For privately funded developments, ten percent (10%) of the total number of dwelling units in a covered development shall be affordable dwelling units. For properties receiving public funds, twenty percent (20%) of the total number of dwelling units in a covered development shall be affordable dwelling units.

(B) **Calculation:** To calculate the number of affordable dwelling units required in a covered development, the total number of proposed dwelling units shall be multiplied by ten or if applicable, twenty percent (10% / 20%). When a requirement of this Ordinance results in a fraction, the following rules apply:

1. Fractions of one-half and more are counted as a whole.
2. Fractions less than one-half are disregarded in the onsite unit calculation but apply to the fee-in-lieu calculation.
3. The above two rules are also applied in the computation of numbers of dwelling units--fees-in-lieu with any fraction of a unit less than one half calculated at half the per unit fee in lieu.

(C) **TOD Areas:** A TOD area may or may not be divided into zones of varying development intensity, as described in this section. Central Street, downtown, Chicago Avenue, etc. The initial boundaries and zones of each TOD area are described in Appendix A.

5-7-5. COMPLIANCE PROCEDURES.

(A) **Application.** The applicant for approval of a covered development shall file an application for approval of the affordable dwelling unit component of—the development on a form provided by the Community Development Department and submit it with the application for approval of the development. The application for development shall not be considered complete without the information required by this chapter for the affordable dwelling unit component. The application shall require, and the applicant shall provide, among other things, general information about the nature and scope of the covered development, as well as other documents and information as this chapter and the department may require. The application shall include the inclusionary housing plan referred to under subsection (B) of this section.

(B) **Inclusionary Housing Plan.** The applicant shall submit an inclusionary housing plan on or before time of submission of a building permit that outlines and specifies the covered development’s compliance with each of the applicable requirements of this chapter. The inclusionary housing plan shall specifically contain, as a minimum, the following information regarding the covered development:

1. A general description of the covered development.
2. The total number of market rate dwelling units and affordable dwelling
107-O-18

units in the covered development.

3. The number of bedrooms in each market rate dwelling unit and each affordable dwelling unit.

4. The square footage of each market rate dwelling unit and each affordable dwelling unit.

5. The general location of each affordable dwelling unit within the covered development.

6. The pricing schedule for each affordable dwelling unit and each market rate dwelling unit.

7. The phasing and construction schedule for each market rate dwelling unit and each affordable dwelling unit.

8. Documentation and plans regarding the exterior and interior appearances, materials, and finishes of the covered development and each of its dwelling units.

9. A description of the marketing plan that the applicant proposes to utilize and implement to promote the sale of the affordable dwelling units within the covered development.

10. Any proposal to make a cash payment, per section 5-7-8 of this chapter, or alternative equivalent action, per section 5-7-9 of this chapter, in lieu of providing affordable dwelling units.

5-7-6. ELIGIBILITY AND PREFERENCE OF HOUSEHOLDS FOR AFFORDABLE DWELLING UNITS.

(A) Certificate Of Qualification. The developer, or its designee, contracted agency shall issue a certificate of qualification to any household whose income has been verified meets as meeting the AMI threshold requirements for a “relevant household” as set forth in this chapter.

(B) Eligibility.

1. The affordable dwelling units within a covered development which are for sale shall be sold only to owner-occupant qualified households whose primary residence shall be said affordable dwelling unit.

a. TOD Area: For covered developments in a TOD Area, 50% of All affordable units must be sold to households earning up to 100% AMI and 50% of the units sold to households at 80% AMI, both adjusted for
household size whose incomes do not exceed 10% AMI adjusted for household size.

b. Outside of TOD Area: For covered developments outside TOD area, 50% of units must be sold to households earning up to 120% AMI and 50% of the units sold to households at eighty percent (80%) AMI, both adjusted for household size.

2. The affordable dwelling units within a covered development for rent shall be leased only to tenants with qualified households whose primary residence shall be said affordable dwelling unit.

a. TOD Area: For covered developments in a TOD Area, 50% of all affordable units must be leased to households earning up to whose incomes do not exceed 60% AMI adjusted for household size, and 50% of the units leased to households at 50% AMI, both adjusted for household size.

b. Outside of TOD Area: For covered developments outside a TOD Area, 50% of units must be leased to households earning up to 80% AMI and 50% of the units leased to households at 60% AMI, both adjusted for household size.

(C) Preference. Priority for affordable dwelling units will be given first to qualified households who currently live in Evanston, or who have lived in Evanston with a member of a household currently living in Evanston, or to households in which the head of the household or the spouse or domestic partner works in Evanston.

(D) Waiting List. The City may create, or authorize the creation, of waiting lists of households for affordable housing units in developed and managed by the contracted agency in advance of the construction of those units in order to prioritize households pursuant to Section 5-7-6 (C). After the affordable units within the covered development are fully occupied, households may complete a preliminary income screening based on self-reported income and request to be placed on a waiting list for rental and ownership units. The waiting list will be prioritized with current Evanston residents or with individuals who have lived in Evanston with a member of a household currently living in Evanston, or to households in which the head of the household or the spouse or domestic partner works in Evanston. The contracted agency shall refer certified households drawn from the waiting list to developers of covered developments for rental or ownership units throughout the affordability period of the development according to the “Inclusionary Housing Policies and Procedures for Rental and Ownership Affordable Dwelling Units.”

5-7-7. DISTRIBUTION AND ATTRIBUTES OF ON SITE AFFORDABLE DWELLING UNITS.
(A) Location Of Affordable Dwelling Units. Affordable dwelling units shall be dispersed among the market rate dwelling units throughout the covered development.

(B) Phasing Of Construction. In a multiphase development, all phases shall include a proportion of affordable dwelling units throughout the covered development. The affordable dwelling units shall never be the last units to be built in any covered development.

(C) Exterior Appearance. The exterior appearance of the affordable dwelling units in any covered development shall be visually compatible with the market rate dwelling units in the covered development. External building materials and finishes shall be substantially the same in type and quality for affordable dwelling units as for market rate dwelling units.

(D) Interior Appearance and Finishes. Affordable dwelling units shall may have the same different interior appearance and finishes as basic market rate dwelling units than market rate units, but the interior finish materials shall be Contractor Grade or higher.

(E) Mix of Bedroom Types of Affordable Units. The bedroom mix of affordable dwelling units shall be in equal proportion to the bedroom mix of the market rate dwelling units within the covered development. If the bedroom mix creates more options than the number of affordable dwelling units to be built, the affordable dwelling units shall be built with the greater number of bedrooms; e.g., if the bedroom mix provides for four (4) options: efficiency, one bedroom, two (2) bedroom, or three (3) bedroom; but only three (3) affordable dwelling units are to be built, then a one bedroom, a two (2) bedroom, and a three (3) bedroom unit shall be built.

(G) Unit Size Characteristics. Affordable dwelling units shall be similar to indiscernible from market rate dwelling units from the exterior and common areas and shall be equal to or larger in size than the minimum requirements in the building code in effect at the time of project approval, with a comparable number of bedrooms and subject to the following minimum standards for square footage size of the affordable dwelling unit:

<table>
<thead>
<tr>
<th>Bedroom Type</th>
<th>Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>500</td>
</tr>
<tr>
<td>1 Bedroom</td>
<td>750</td>
</tr>
<tr>
<td>2 Bedroom</td>
<td>900</td>
</tr>
<tr>
<td>3 Bedroom</td>
<td>1,200</td>
</tr>
</tbody>
</table>

(H) Energy Efficiency. Standard components related to energy efficiency, including, but not limited to, mechanical equipment and plumbing, insulation, windows, and heating and cooling systems, shall be the same in market rate dwelling units and affordable dwelling units.
5-7-8. CASH PAYMENT IN LIEU OF PROVIDING AFFORDABLE DWELLING UNITS.

In a covered development that is as of right, an applicant may pay a fee in lieu of building each affordable dwelling unit required by Section 4 of this chapter for the covered development. Developments that receive variances or allowances above the base zoning must have a minimum of 5% affordable units onsite and may pay a fee in lieu of the remaining 5% of affordable units at the per unit rate below. Condominium developments only may choose to pay a fee in lieu of building each affordable dwelling unit required by Section 4 of this chapter at the per-unit rate shown below:

(A) The fee in lieu amount per affordable dwelling unit shall be either one hundred seventy five thousand dollars ($100,175,000) for units in all TOD Downtown and Research Park area zoning districts or seventy-five one hundred fifty thousand ($75150,000) per affordable dwelling unit in a non-TOD area all other zoning districts. For condominium developments only that elect to pay the fee in lieu of all onsite units, the fee in lieu per affordable dwelling unit shall be 1.5 times the fee in lieu shown above for either Downtown or non-Downtown zoning districts. The fee in lieu is subject to annual review and revision by the city council.

(B) All cash payments received pursuant to this chapter shall be deposited directly into the affordable housing fund.

(C) Unless otherwise preempted by law, any fee in lieu shall be paid at the same time as building permits, prior to the issuance of a temporary certificate of occupancy for any dwelling unit in the covered development.

(D) The in-lieu fee will be calculated at the time the applicant submits an application for a building permit to the Community Development department. The fee, as calculated, will be valid for two years following the date it is calculated by the Community Development department and cannot be reduced within the two-year period for reduction in number of units.

5-7-9. ALTERNATIVE EQUIVALENT PROPOSAL.

An applicant may propose to meet the requirements of Section 4 of this chapter by an alternative equivalent action, subject to the review and approval by the City Council. A proposal for an alternative equivalent action may include, but is not limited to, the construction of affordable dwelling units on another site in the same neighborhood or a comparably zoned neighborhood, or acquisition and enforcement of affordability restrictions on existing market rate dwelling units so as to render them affordable.
dwelling units, or fewer on-site affordable units at prices affordable to households at lower income levels, such as 30% AMI, or more affordable units at higher income levels such as 80% AMI. The income levels for affordable units must be a level for which the Illinois Housing Development Authority publishes annual rent and income limits. To qualify as affordable units, rental units shall not exceed 80% AMI and ownership units shall not exceed 120% AMI, both adjusted for household size. Any proposal shall show how the alternative proposed will increase affordable housing opportunities in the city to an equal or greater extent than compliance with the express requirements of this chapter. Such proposals for alternatives shall be considered on a case by case basis by the City Council and may be approved at the City Council’s sole discretion, if the City Council determines that such alternative will increase affordable housing opportunities in the city to an equal or greater extent than compliance with the express requirements of this chapter.

5-7-10. RESERVED REDUCTION OF REQUIREMENTS.

Reduction. If the applicant presents clear and convincing financial evidence to the City Council that full compliance with Section 4 of this chapter, payment in lieu as per Section 8 of this chapter, or alternative equivalent action as per Section 9 of this chapter, or any combination thereof would render the development financially infeasible, the applicant may seek a reduction in the required number of affordable dwelling units and/or payment in lieu as to render the project financially feasible. If such a reduction is requested, a detailed explanation shall be provided which demonstrates the financial infeasibility of full compliance with the requirements of this chapter.

5-7-11. AFFORDABILITY CONTROLS.

(A) Initial Sale Prices For Affordable Owner Occupied Dwelling Units.

1. Every affordable owner occupied dwelling unit required to be established under this chapter shall be offered for sale or to a good faith purchaser to be used for his or her own primary residence.

2. The affordability period with affordable owner occupied dwelling units shall be for ninety-nine (99) years, renewable at each subsequent sale.

3. In calculating the sales prices of affordable dwelling units, the following relationship between unit size and household size shall be used to determine the income figure at which affordable housing payments are calculated:

<table>
<thead>
<tr>
<th>Unit Size</th>
<th>Income Level for Household Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Efficiency</td>
<td>1 Person</td>
</tr>
<tr>
<td>1 Bedroom</td>
<td>2 Persons</td>
</tr>
</tbody>
</table>
4. Prices for the sale units shall be calculated on the basis of:
   a. Housing payments at or below thirty one percent (31%) of the household income for a household at the designated income eligibility level (80%, 100% or 120% of AMI) at the household size corresponding to the size of the unit;
   b. An available fixed rate thirty (30) year mortgage, consistent with the average rate published from time to time by Freddie Mac;
   c. A down payment of no more than five percent (5%) of the purchase price;
   d. A calculation of property taxes;
   e. A calculation of homeowner’s insurance;
   f. A calculation of condominium or homeowner association fees; and
   g. A calculation of private mortgage insurance, if applicable.

(B) Rental Rates for Affordable Dwelling Units
1. Fifty percent (50%) One hundred percent (100%) of the affordable dwelling units within covered developments in TOD shall have affordable rental rates at 50% AMI and the remaining fifty percent (50%) of affordable dwelling units shall have affordable rental rates at sixty (60%) AMI according to their Affordable Housing Agreement, pursuant to the annual gross rental rate schedule published by the Illinois Housing Development Authority, less any tenant-paid utilities based on the City’s wait list policies and procedures. If an uneven number of total affordable units are in the development, the additional affordable unit shall be at 50% of the AMI.

2. Fifty percent (50%) of the affordable dwelling units within a covered development that is not in a TOD area shall have affordable rental rates at 60% AMI and the remaining 50% of affordable dwelling units shall have affordable rental rates at 80% AMI, pursuant to the annual rental rate schedule published by the Illinois Housing Development authority. If an uneven number of total affordable units are in the development, the additional affordable unit shall be at 60% of the AMI.

3. If the most recent edition of the Illinois Housing Development Authority report indicates a lower AMI than the previous edition, the maximum allowable rent shall be adjusted accordingly.
4. The affordability period of an affected leased unit begins at the time of the first occupancy of an affordable unit in the covered development and continues for thirty (30) twenty-five (25) years, after which the affordability requirements of this chapter cease to control the unit.

5. A written twelve (12) month lease is required for all leased affordable dwelling units, except for units in an assisted living residence. Renewal leases may be less than 12 months based on mutual agreement between the landlord and tenant. Final lease agreements are the responsibility of the landlord and the prospective tenant. Tenants are responsible for application fees, security deposits and the full amount of the rent as stated on the lease. All lease provisions shall comply with applicable laws and regulations. The landlord shall maintain copies of all leases entered into with a certified household (including an income certification) and distribute a copy to the City upon request.

(C) Procedure For Initial Sale Or Lease To The General Public.

1. Sixty (60) days prior to offering any affordable dwelling unit for sale or rent, the applicant shall notify the department in writing of such offering. The notice shall set forth the number, size, price, and location of affordable dwelling units offered, and shall provide a description of each dwelling unit's finishes and availability. The notice shall also include a copy of the inclusionary housing plan, and any such additional information the Director may reasonably require in order to establish compliance with this chapter.

2. The prospective purchaser or lessee from the centralized wait list shall make application for a "certificate of qualification" on a form provided by the Director contracted agency. If the developer, or its designee contracted agency determines an applicant is qualified pursuant to the requirements of this chapter to purchase or lease an affordable dwelling unit, he/she shall issue a "certificate of qualification" to that applicant. An applicant must provide documents to verify that he/she or their household satisfies these requirements, including an affidavit that the affordable dwelling unit will be his or her primary residence and evidence of income, household size, and residency or employment in Evanston. The developer, or its designee contractor agency shall determine whether or not the prospective purchaser or lessee satisfies the requirements of this chapter within ten (10) business days after receiving the completed application.
The developer shall, upon request by the Director, furnish documentation to the City to demonstrate compliance with this section (C).

3. The developer shall not sell or lease any affordable dwelling units without a valid certificate of qualification from the contracted agency for the prospective purchaser/lessee.

(D) **Agreement To Ensure Compliance During The Affordability Period.** Prior to issuance of a building permit for any covered development or conveyance of title of any dwelling unit in any covered development, the applicant shall have entered into an agreement with the city regarding the specific requirements and restrictions imposed by the city council upon the approved development. The applicant shall agree to execute any and all documents deemed necessary by the city, including, without limitation, deed restrictions, restrictive covenants, and other related instruments, to ensure the continued affordability of the affordable dwelling units in accordance with this chapter. The agreement shall set forth the commitments and obligations of the city and the applicant, and shall incorporate, among other documents, the inclusionary housing plan. If applicable, the agreement shall also detail the fee in lieu or alternative equivalent action of providing on site affordable dwelling units as set forth in Sections 8 and 9 of this chapter respectively.

**Rental Compliance.** The developer, or its designee, shall submit an annual compliance report describing each affordable unit in detail including but not limited to changes in tenancy, turnovers, and income certifications for all new tenants upon request of the Director. The contracted agency shall complete annual re-certifications of tenants renting affordable units according to the “Inclusionary Housing Policies and Procedures for Rental and Ownership Affordable Dwelling Units.”

(F) **Control Of Resale Prices.** The maximum sales price, with the exception of foreclosure sales, permitted on resale of an affordable dwelling unit shall be based on the following formula:

1. The original purchase price plus:
   a. An inflation adjustment of the original purchase price calculated in accordance with the CPI, using the year of the prior sale as the base year, and capped in order to maintain affordability to a buyer at the same income level;
   b. Allowances for closing costs and sales commissions paid by the seller; and
c. The fair market value of approved improvements made to the unit between the date of original sale and the date of resale, up to an average of five thousand dollars ($5,000.00) per year, capped in order to maintain affordability to a buyer at the same income level. "Approved improvements" are capital improvements which add value to the home, prolong its useful life or adapt it to new uses. Repairs to maintain the home in good condition are not allowable capital improvements. A list of general allowable capital improvements shall be included in the affordability documents signed by the purchaser.

(G) **First Sale After Affordability Period Ends.**

1. This subsection (G) shall apply in the event an affordability period in perpetuity is unlawful or becomes unlawful. Upon the first sale of an affordable dwelling unit after the affordability period ends, the seller shall pay to the city out of the sale proceeds a percentage of the difference between the actual sales price and the current affordable resale price as determined pursuant to subsection (G) of this section as shown in the table below. Such sums shall be deposited into the affordable housing fund. The percentage is based upon the number of years the seller owned and occupied the unit, as follows:

<table>
<thead>
<tr>
<th>Years of Ownership</th>
<th>Share to Affordable Housing Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 to 15 Years</td>
<td>50 Percent</td>
</tr>
<tr>
<td>6 to 10 Years</td>
<td>60 Percent</td>
</tr>
<tr>
<td>1 to 5 Years</td>
<td>70 Percent</td>
</tr>
</tbody>
</table>

2. The Director shall determine whether the price and terms of a resale covered by the preceding paragraph meet the requirements of this chapter. Upon a finding of compliance, the Director shall terminate the affordable housing controls and execute a recordable release of all applicable mortgages and restrictions.

3. If an affordable dwelling unit is sold through a foreclosure or other court ordered sale, the affordable restrictions are extinguished, but any remaining net profit shall be returned to the department and deposited into the affordable housing fund.

**5-7-12. COMMUNITY LAND TRUST.**
The City may create or authorize a community land trust to effectuate the purposes of this chapter. Any established or designated land trusts must be staffed by paid employees and be sufficiently operational, subject to the discretion of the City.

5-7-13. INCENTIVES FOR APPLICANTS.

For any covered development project that complies with the requirements of this chapter, the city shall follow the procedures described below and provide the described incentives:

(A) Expedited Application Process: All applications shall be processed by all city departments before other residential land use applications regardless of the original submittal date.

(B) Fee Deferral: All city required fees related to the covered development shall be for plan review, and building permit fees or other similar development review fees— for the non-affordable dwelling units and a proportional share of the common areas associated with those units, which are not subject to a fee waiver per subsection 5-7-13(C), shall be deferred for payment until the issuance of the first temporary certificate of occupancy for a non-affordable dwelling unit. The project applicant shall not receive a fee deferral from payment for any other City fees associated with the covered development, including but not limited to right-of-way fees, demolition fees, and fees related to the commercial portion(s) of the development.

(C) Fee Waiver: All projects with a covered development which must comply with the requirements of this Inclusionary Housing Ordinance shall be exempt from all plan review, and building permit fees or other similar development review fees for the affordable units and a proportional share of the common areas associated with those units. Whenever a project includes a combination of affordable and market rate housing units, fees shall be pro-rated appropriately as determined by the Director and no fees associated with the commercial portion shall be deferred, if applicable. The project applicant shall not receive a waiver from payment of any other fees associated with the covered development, including but not limited to right-of-way fees, demolition fees, or fees related to the commercial portion(s) of the covered development.

(D) Bonuses: Density, height, and FAR (floor area ratio) requirements provided in Title 6 are hereby amended for covered developments that provide on-site affordable units, the development is entitled to the following bonuses:

<table>
<thead>
<tr>
<th>Development Bonus</th>
<th>In TOD Area</th>
<th>Outside TOD Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density</td>
<td>20% bonus</td>
<td>10% bonus</td>
</tr>
<tr>
<td>Height</td>
<td>10% bonus</td>
<td>5% bonus</td>
</tr>
<tr>
<td>FAR</td>
<td>10% bonus</td>
<td>5% bonus</td>
</tr>
</tbody>
</table>
### 5% On-Site Affordable Housing or 10% On-Site Housing with Public Financing

<table>
<thead>
<tr>
<th></th>
<th>Downtown (D &amp; RP Districts)</th>
<th>Commercial (B, C, M, &amp; O Districts)</th>
<th>Residential (R, T, &amp; U Districts)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density</td>
<td>+2 per Inclusionary Dwelling Unit</td>
<td>+1 per Inclusionary Dwelling Unit</td>
<td>+1 per Inclusionary Dwelling Unit</td>
</tr>
<tr>
<td>FAR</td>
<td>+2.0</td>
<td>+1.0</td>
<td>--</td>
</tr>
<tr>
<td>Parking</td>
<td>No parking for Inclusionary Dwelling Unit</td>
<td>No parking for Inclusionary Dwelling Unit</td>
<td>No parking for Inclusionary Dwelling Unit</td>
</tr>
<tr>
<td>Height</td>
<td>--</td>
<td>--</td>
<td>+12’ (not eligible for Planned Developments)</td>
</tr>
<tr>
<td>Building Lot Coverage and Impervious Surface Coverage</td>
<td>--</td>
<td>--</td>
<td>+15%</td>
</tr>
</tbody>
</table>

### 10% On-Site Affordable Housing or 20% On-Site Housing with Public Financing

<table>
<thead>
<tr>
<th></th>
<th>Downtown (D &amp; RP Districts)</th>
<th>Commercial (B, C, M, &amp; O Districts)</th>
<th>Residential (R, T, &amp; U Districts)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density</td>
<td>+4 per Inclusionary Dwelling Unit</td>
<td>+2 per Inclusionary Dwelling Unit</td>
<td>+2 per Inclusionary Dwelling Unit</td>
</tr>
<tr>
<td>FAR</td>
<td>+2.0</td>
<td>+1.0</td>
<td>--</td>
</tr>
<tr>
<td>Parking</td>
<td>No parking for Inclusionary Dwelling Units</td>
<td>No parking for Inclusionary Dwelling Units</td>
<td>No parking for Inclusionary Dwelling Units</td>
</tr>
<tr>
<td>Height</td>
<td>--</td>
<td>--</td>
<td>+12’ (not eligible for Planned Developments)</td>
</tr>
<tr>
<td>Building Lot Coverage and Impervious Surface Coverage</td>
<td>--</td>
<td>--</td>
<td>+15%</td>
</tr>
<tr>
<td>Site Development Allowances for Planned Developments</td>
<td>Majority vote of City Council required to exceed maximum Site Development Allowances for Planned Developments (instead of Supermajority vote)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
(E) **Parking:** Parking requirements provided in Title 6 are hereby amended for covered developments and primarily affordable non-covered developments in non-TOD areas that provide on-site affordable units, the parking requirements for the entire development provided in Title 6, Zoning Code, shall be reduced to:

<table>
<thead>
<tr>
<th>Parking Requirements</th>
<th>In TOD Areas</th>
<th>Outside TOD Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-1 Bedroom</td>
<td>0.55 parking spaces</td>
<td>0.75 parking spaces</td>
</tr>
<tr>
<td>2 Bedrooms</td>
<td>1.1 parking spaces</td>
<td>1.25 parking spaces</td>
</tr>
<tr>
<td>3+ Bedrooms</td>
<td>1.25 parking spaces</td>
<td>1.5 parking spaces</td>
</tr>
</tbody>
</table>

5-7-14. **ENFORCEMENT.**

(A) The provisions of this chapter shall apply to all agents, successors and assignees of an applicant.

(B) The City may institute injunction, mandamus, or any other appropriate legal actions or proceedings for the enforcement of this chapter. In addition, any person, firm, or entity, whether as principal, agent, employee or otherwise, who violates, disobeys, omits, neglects, or refuses to comply with or resists the enforcement of any of the provisions of this chapter shall be fined not less than two hundred dollars ($200.00) nor more than five hundred dollars ($500.00) for each offense. Each day such violation or failure to comply is permitted to exist after notification thereof shall constitute a separate offense.

5-7-15. **ADMINISTRATION.**

In order to ensure compliance with the provisions of this chapter, the City may utilize a maximum of fifteen percent (15%) each year of funds from the affordable housing fund for administration.

5-7-16. **SEVERABILITY.**

The provisions and sections of this chapter shall be deemed separable, and the invalidity of any portion of this chapter shall not affect the validity of the remainder.

**SECTION 3:** The findings in this Ordinance, and the Legislative Record, are declared to be prima facie evidence of the law of the City of Evanston, and shall be received in evidence as provided by the Illinois Compiled Statues, and the courts of the State of Illinois.

**SECTION 4:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity
shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 5: In the event of any conflict between the terms and conditions of this Ordinance 107-O-18 and the terms of the Zoning Ordinance, Ordinance 107-O-18 shall supersede, prevail and dictate the law of the City of Evanston until such time as the Zoning Ordinance is amended to address the regulations set forth herein. All other regulations not addressed within this Ordinance 107-O-18 shall remain in full force and effect in the City Code.

SECTION 6: This ordinance shall become effective on January 1, 2019. All completed applications for building permit, for developments needing no zoning relief, and all completed applications for a variance or special use permit, received after January 1, 2019 shall be subject to all provisions contained herein. Those completed applications received prior to January 1, 2019 shall have the option to: (1) comply with the provisions contained herein; or (2) be subject to the provisions of the preceding City Code provisions and exempted from the amended and additional provisions provided herein.

Introduced: _________________, 2018
Adopted: _________________, 2018

Approved:

______________________________, 2018

Stephen H. Hagerty, Mayor

Attest:

Approved as to form:

Devon Reid, City Clerk

Michelle Masoncup, Corporation Counsel

~19~
Memorandum

To: Honorable Mayor and Members of City Council

From: Johanna Leonard, Community Development Director
Evonda Thomas-Smith, Health and Human Services Director
Sarah Flax, Housing and Grants Administrator
Ikenga Ogbo, Public Health Manager
Ashley Wiley, VISTA Housing Planner

Subject: Approval of a $200 fee for Initial Registration of an Existing Dwelling Unit, Including an ADUs/Coach House, and a $75 to $375 Fine for Renting an Unregistered Dwelling Unit

Date: October 29, 2018

Recommended Action:
Staff recommends approval of a proposed fee of $200 for the initial inspection and registration of an ADU/coach house, and a fine from $75 to $375 for renting an unregistered unit following the “amnesty period.” In addition, staff recommends this fee and fine schedule be adopted for initial rental registration of all existing dwelling units. This will be consistent with registration for other types of businesses and will recover the direct costs of the initial rental inspections and registrations.

Funding Source: N/A

Livability Benefits:
Built Environment: Support housing affordability; provide compact and complete streets and neighborhoods; and

Equity & Empowerment: Ensure equitable access to community benefits, and support poverty prevention and alleviation.

Discussion
A Community Development and Health and Human Services staff team was convened to develop the process to identify, inspect and register ADUs/coach houses following City Council approval to allow their rental to non-family members of the primary dwelling unit earlier this year. A schedule for fees and fines was developed as part of this process in order to recoup staffing costs required for the registration process. Because property rental is a revenue generating business, the proposed initial registration fee was developed based on the Business Registration fees and estimated staff time to
complete the process. The fines for renting illegally following the “amnesty period” during which property owners may submit a rental registration application for ADUs/coach houses without penalty, including ones being rented illegally, are the same as in the Rental Registration Ordinance 8-5-4. However, the fine will be assessed immediately upon identification of rental of an unregistered unit.

In order to be consistent in the initial rental registration for all existing dwelling units, staff recommends revising the Rental Registration Ordinance 8-5-4 to apply this same registration, inspection process and fee structure. Currently, a property owner does not pay any fees when registering an existing unit for rental. This is inconsistent with the registration process for other types of businesses and does not recoup staff time. Currently, a property owner receives a notice of violation if found renting an unregistered dwelling unit and is given a notice to correct the violation. The owner avoids any fine by registering the property by the required date and is counterproductive to the goal of registration and inspection to ensure that properties being rented are safe and sanitary, and that maximum occupancy has been established.

The proposed fee and fine structure is below:

- $200 with submission of ADU registration application that will cover staff time for: zoning review, initial inspection by Property Standards, review of floor plan and dimensions to establish maximum occupancy, and assignment of address, if needed
- A fine schedule from $75 to $375 for unregistered ADUs/coach houses that are found being rented after the “amnesty period” during which property owners will be able to submit a rental registration application for ADUs/coach houses, including those being rented illegally. First offense fine of $75, second offence of $200, and third or subsequent offenses of $375.

After the initial registration and inspection process, all rental units, including ADUs/coach houses being rented to non-family members of the primary unit, would pay the annual rental registration based in the current schedule shown below.

<table>
<thead>
<tr>
<th>Building</th>
<th>Annual Registration Renewal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Condominiums</td>
<td>$20</td>
</tr>
<tr>
<td>Single- family</td>
<td>$20</td>
</tr>
<tr>
<td>Properties with</td>
<td></td>
</tr>
<tr>
<td>2-4 dwelling units</td>
<td>$30</td>
</tr>
<tr>
<td>5-12 dwelling units</td>
<td>$50</td>
</tr>
<tr>
<td>13-24 dwelling units</td>
<td>$100</td>
</tr>
<tr>
<td>25-50 dwelling units</td>
<td>$150</td>
</tr>
<tr>
<td>51-100 dwelling units</td>
<td>$300</td>
</tr>
<tr>
<td>101 + dwelling units</td>
<td>$500</td>
</tr>
</tbody>
</table>

The initial rental registration fee would not be required for rental registration of new construction, as that is handled with the Certificate of Occupancy. However, it is still required that floor plans be provided and maximum occupancy load determined as part of the TCO or FCO.
Following City Council approval of the proposed fee and fine structure, the Rental Ordinance would be updated to reflect these changes.

**Process for rental registration of ADUs/Coach Houses**
The identification, inspection and registration of ADUs/coach houses would be undertaken within 30 days of approval of the fee and fine schedule. Staff recommends an “amnesty period” of at least three months. A web page will be used to provide information and a downloadable registration form.

The ADU/coach house owner will complete the registration application and submit it with the floor plan, and initial registration fee of $200. The application will be reviewed by Zoning to determine parking requirements for the ADU, based on the zoning district and the year it was built. The application will go to Property Standards and the unit will be inspected for health and safety compliance. Property Standards will also review the size and dimensions of the unit to determine the maximum occupant load. Once approved by Property Standards, and assigned an address, if needed, the unit will be approved for rental to non-family members of the primary unit. The approved occupant load will be provided with the approval to rent. The property owner is responsible for meeting requirements for mail delivery, as well as adequate garbage and recycling for the ADU/coach house.

**Attachments:**
- Rental registration Form
- Accessory Dwelling Unit FAQs-DRAFT
- How to Register your Accessory Dwelling Unit-DRAFT
RENTAL REGISTRATION

Pursuant to Ordinance 42-O-08 of Chapter 8, Title 5 of the City Code, any rental property must be registered with the City of Evanston, Health Department, Property Standards Division, 2100 Ridge Avenue, Evanston, IL 60201. Any changes to the information contained in this form shall be reported to the City of Evanston within 20 business days at no additional fee.

Properties exempt from rental registration include vacant buildings and lodging establishments already registered with the City of Evanston, buildings licensed and inspected by the State of Illinois or the Government, and buildings owned by governmental agencies or public housing authorities.

Authorized agents must be twenty-one (21) years of age or older and maintain an office in Cook County, Illinois. If an agent is between the age of eighteen (18) and twenty-one (21) years of age, he/she must possess a valid Illinois Real Estate license.

Rental registration fees are invoiced annually in the fall and due December 31st. If the property was rented any time during the year, the payment is due on December 31st. NOTE: All units are counted, regardless of occupancy or type.

<table>
<thead>
<tr>
<th>Annual Rental Registration Fees:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family/Condominium $20</td>
</tr>
<tr>
<td>2-4 Dwelling Units $30</td>
</tr>
<tr>
<td>5-12 Dwelling Units $50</td>
</tr>
<tr>
<td>13-24 Dwelling Units $100</td>
</tr>
<tr>
<td>25-50 Dwelling Units $150</td>
</tr>
<tr>
<td>51-100 Dwelling Units $300</td>
</tr>
<tr>
<td>101 or more Dwelling Units $500</td>
</tr>
</tbody>
</table>

Property Address ____________________________________________ Evanston, IL ZIP ___________

PIN ___ ___ - ___ ___ - ___ ___ ___ - ___ ___ ___ - ___ ___ ___ ___

Please check all that apply:

☐ New Rental Registration  ☐ Change of Ownership  ☐ Updated Contact Information
☐ Multi-Family Building # of Units: _______  ☐ Single Family Home  ☐ Condo – Unit # _______

If any units in a multi-family building are owner-occupied list unit numbers: ____________________

NOTE: POST OFFICE BOXES WILL NOT BE ACCEPTED. PLEASE PROVIDE A STREET ADDRESS FOR NOTIFICATIONS.

☐ Owner  ☐ Agent/Management  ☐ Other ____________   ☐ Owner  ☐ Agent/Management  ☐ Other ____________
Name ____________________________   Name ____________________________
Company Name ______________________  Company Name ______________________
Mailing Address _____________________  Mailing Address _____________________
City State ZIP _____________________  City State ZIP _____________________
Emergency Phone _____________________  Emergency Phone _____________________
Daytime Phone _______________________  Daytime Phone _______________________
Other Phone ________________________  Other Phone ________________________
Email Address ______________________  Email Address ______________________
☐ I agree to accept property notification via email  ☐ I agree to accept property notification via email

Sign/Date ___________________________  Sign/Date ___________________________
Coach House/Accessory Dwelling Unit FAQs

What is an Accessory Dwelling Unit (ADU)?
An ADU is a smaller dwelling unit that is located on the same lot as a single family home. ADUs are also commonly referred to as coach or carriage houses. An ADU is a complete dwelling unit, including kitchen facilities, bathroom facilities, and living and sleeping areas. Coach Houses are detached from the primary dwelling unit on the lot and include a garage.

How do I register my ADU for rental?
To register your ADU, you will need to submit an application with your $200 review and registration fee, as well as a floor plan with dimensions of the ADU and parking. The application will then go to the Planning and Zoning division, and be inspected by Property Standards before being accepted.

If I am currently renting my ADU, how long do I have to register it?
If you own a property with an ADU, it is to your advantage to submit an application for registration during the voluntary application period from November 1, 2018 to March 31st, 2019. Property owners that notify the City and voluntarily apply during this initial registration period will not be fined for renting illegally. Beginning in April 2019, the City will be proactively seeking out ADUs that were not voluntarily registered and owners will be fined.

Will my renters be evicted during the registration process?
No, as long as the unit is registered and has no major life safety violations, existing renters will be able to stay where they are. If code violations are found during inspection, you will have 10-45 days to bring the property into compliance depending on the severity of the violations.

Is there a minimum rental period for an ADU?
Yes, an ADU must be rented for at least a one month (30 day) period. ADUs are not allowed for short term or vacation rentals under this registration. There is a separate license needed for vacation rentals.

Is parking required for an ADU?
If your ADU was constructed prior to January 12, 2015, no additional parking is required. If your ADU was constructed after January 12, 2015, one parking space is required for the ADU in addition to the parking for the single family residence. The zoning review will confirm your parking requirement.

How soon can my ADU be registered and rent out?
Applications will be reviewed in the order submitted. Review times will vary based on the number of applications received, how long it takes for the zoning review, and property standards inspection.

If my ADU is inspected and is not up to code, how long do I have to correct it?
Notices are issued to the property owner providing 10-45 days to bring the property into compliance depending on the severity of the violation. If the violation is observed in the winter and correcting it is weather dependent we will allow an extended time to correct those exterior violations.
How to register your Coach House/Accessory Dwelling Unit

1. Download, fill out, and submit the Rental Registration Form with a copy of the current floor plan (with dimensions) of your ADU, including garage and outdoor parking spaces. (Note: Since Coach Houses/ADUs count as accessory units on a Single Family lot, the registration fee will be $30. Do not pay this fee with the registration form as we invoice at the end of the year. Please submit the one-time Zoning review and inspection fee of $200 with your registration application.)

2. Your registration application and floor plan will be reviewed by the Planning and Zoning division to determine parking requirements for the ADU, based on the year it was built, and the neighborhood it is located in, among other factors.

3. Following review by the Planning and Zoning Division, your registration application will go to the Property Standards Division, and the Coach House/ADU will be inspected for health and safety compliance. Property Standards will also review the size of the unit to determine the maximum occupant load. The approved occupant load will be provided to you when the unit is inspected. For more information on what Property Standards will be inspecting for, visit Property Standards Pre-Inspection Guide.

4. Once approved by Property Standards, and you are assigned an address, you are free to start renting! Please note that as a landlord, you are responsible for providing separate mail, and adequate garbage and recycling to your second unit.
Memorandum

To: Honorable Mayor and Members of the City Council

From: Johanna Leonard, Community Development Director
Sarah Flax, Housing and Grants Administrator
Savannah Clement, Housing Policy and Planning Analyst

Subject: Resolution 100-R-18 to Approve an Intergovernmental Agreement for the 2020-2025 Assessment of Fair Housing

Date: October 24, 2018

Recommended Action:
Staff recommends approval by City Council of Resolution 100-R-18 to Approve an Intergovernmental Agreement for the 2020-2025 Assessment of Fair Housing (AFH). The City is required to include information about barriers to fair housing and what actions it will take to affirmatively further fair housing in its 2020 – 2024 Consolidated Plan to continue to receive its federal entitlement grants. The City would contribute $13,000 of the total AFH budget of $327,000.

Funding Source:
The AFH will be funded from the City’s Community Development Block Grant (CDBG) under CDBG Administration, 215.21.5220.62490 and/or its HOME Investment Partnerships grant, 240.21.5430.62490. Payments may be from the 2018 or 2019 grants depending on timing of invoices.

Livability Benefits:
Built Environment: Support housing affordability, and provide compact and complete streets and neighborhoods;

Economy & Jobs: Expand job opportunities;

Equity & Empowerment: Ensure equitable access to community benefits, support quality human service programs, and support poverty prevention and alleviation.

Summary:
In the summer of 2015, the U.S. Department of Housing and Urban Development (HUD) published a new rule on affirmatively furthering fair housing that requires entitlements and public housing authorities (PHAs) to produce an Assessment of Fair Housing
(AFH). On January 5, 2018 HUD issued a Notification delaying the submission of AFHs until October 31, 2020. While Evanston may not be required to submit an AFH to HUD before the submission of its 2020 – 2024 Consolidated Plan, it still has a responsibility to identify barriers to, and affirmatively further, fair housing. This Cook County wide collaboration will assess the current state of fair housing issues and develop community-informed and evidence-based goals and strategies to address the identified issues more effectively than if the City were to undertake such an assessment independently. In addition, it is more cost effective. The City’s share is $13,000, significantly less than the $24,990 spent on the 2014 Analysis of Impediments to Fair Housing Choice.

The Cook County regional AFH is a collaboration of nineteen entitlement communities and public housing authorities (PHAs); the City of Chicago and the Chicago Housing Authority are participants, but are covered by a separate IGA. Cook County remains the lead agency for the AFH, with Enterprise Community Partners taking on the primary role of organizing and facilitating the Project Team to assess the current state of fair housing issues and develop community-informed and evidence-based goals and strategies to address the identified fair housing issues. Chicago Metropolitan Agency for Planning (CMAP) will provide data collection and analysis. Chicago Area Fair Housing Alliance and Metropolitan Planning Council remain as partners in this project. A detailed description of the scope of work is attached, as well as the Intergovernmental Memorandum of Understanding and Intergovernmental Agreement.

The new submission date for the regional AFH is now October 31, 2020, and is based on Cook County’s Federal grant year of October 1 – September 30, which is nine months later than the City of Evanston’s grant year. Therefore, the City may not have the final AFH before the submission date for our 2020-2024 Consolidated Plan and Action Plan. As a result, the City may have to amend its 2020-2024 Consolidated Plan within twelve months following the date of HUD acceptance of the regional AFH if there are additional strategies and proposed actions to address the fair housing goals, issues and other elements identified the final regional AFH. Because the City will not submit its Consolidated Plan until the 2020 grant allocations have been made, it is impossible to predict the timing. In recent years, grant allocations have been released between December and June, so almost six months into the City’s fiscal year.

Alternatives:
If the City of Evanston does not participate in the regional AFH, it would have to either conduct its own AFH or an Analysis of Impediments to Fair Housing Choice. The City contracted with Mullin and Lonergan Associates for an Analysis of Impediments to Fair Housing Choice completed in 2014 for a total cost of $24,990.

Legislative History:
City Council voted unanimously to approve Resolution 82-R-17 to Accept Planning Staff Assistance Services Delivered by the Chicago Metropolitan Agency for Planning for the 2020-2024 Assessment of Fair Housing at its meeting on October 23, 2017.
Attachments:

- Resolution 100-R-18 to Approve an Intergovernmental Agreement for the 2020 – 2025 Assessment of Fair Housing
- Intergovernmental Agreement for the 2020 – 2025 Assessment of Fair Housing
- Chicago-Cook County Assessment of Fair Housing Scope and Schedule
A RESOLUTION

To Approve an Intergovernmental Agreement for the 2020 – 2025 Assessment of Fair Housing

WHEREAS, in the summer of 2015, the U.S. Department of Housing and Urban Development (“HUD”) published a new rule on affirmatively furthering fair housing. The new rule requires entitlements and public housing authorities to produce an Assessment of Fair Housing (“AFH”); and

WHEREAS, as an entitlement community, the City of Evanston wishes to produce an AFH in conjunction with a number of Cook County local governments (the “Participants”) referenced in the Intergovernmental Agreement attached as Exhibit 1 (“IGA”); and

WHEREAS, the City of Evanston seeks to formally designate through this IGA, that Cook County will serve as lead entity in the establishment of the assessment and oversee the completion of the assessment on behalf of all Participants and address follow-up inquiries about the effort; and

WHEREAS, the Participants and Cook County seek to work with Enterprise Community Partners (“Enterprise”) and its partners, the Chicago Metropolitan Agency for Planning (“CMAP”), the Metropolitan Planning Council and the Chicago Area Fair Housing Alliance, to produce a joint/regional AFH; and

WHEREAS, the City of Evanston and the Participants agree on the general contents of the attached IGA and the Chicago-Cook County Assessment of Fair Housing Scope attached hereto as Exhibit 2 and incorporated herein by reference; and
WHEREAS, the City Council of the City of Evanston finds that entering into this IGA with Cook County as the lead entity and the Participants, who are subject to affirmatively furthering fair housing requirements found at 24 CFR §§5.150 through 5.180, to produce a collaborative and comprehensive AFH,

NOW BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are found as fact and made a part hereof.

SECTION 2: The City of Evanston supports this project to create a comprehensive assessment of fair housing issues and produce the 2020 – 2025 Assessment of Fair Housing required by HUD.

SECTION 3: The City of Evanston accepts the assistance services from Enterprise, CMAP, MPC, and CAFH; and recognizes that these services are provided for the purpose of producing a joint/regional AFH.

SECTION 4: The City Council authorizes the City Manager to finalize and execute the Intergovernmental Agreement with the attached Scope of Services that designates County of Cook as the lead entity and all other Entitlement and Participants in suburban Cook County.

SECTION 5: The City of Evanston agrees to the Roles/Responsibilities and Special Conditions, and, if necessary, the Withdrawal from the collaboration, that are included in the Intergovernmental Agreement.

SECTION 6: This Resolution 100-R-18 shall be in full force and effect from and after its passage and approval in the manner provided by law.
Adopted: ________________, 2018

Attest:

Devon Reid, City Clerk

Approved as to form:

Michelle L. Masoncup, Corporation Counsel

Stephen H. Hagerty, Mayor
EXHIBIT 1

INTERGOVERNMENTAL AGREEMENT
INTERGOVERNMENTAL AGREEMENT

AMONG

The Housing Authority of Cook County (PHA)
The County of Cook (Entitlement and HOME consortium lead)
The Village of Arlington Heights (Entitlement and HOME consortium member)
The City of Berwyn (Entitlement and HOME consortium member)
The Cicero Housing Authority (PHA)
The City of Des Plaines (Entitlement and HOME consortium member)
The City of Evanston (Entitlement)
The Village of Hoffman Estates (Entitlement and HOME consortium member)
The Maywood Housing Authority (PHA)
The Village of Mount Prospect (Entitlement and HOME consortium member)
The Village of Oak Lawn (Entitlement and HOME consortium member)
The Village of Oak Park (Entitlement and HOME consortium member)
The Oak Park Housing Authority (PHA)
The Village of Palatine (Entitlement and HOME consortium member)
The Park Forest Housing Authority (PHA)
The Village of Schaumburg (Entitlement and HOME consortium member)
The Village of Skokie (Entitlement)

FOR

THE 2020-2025 ASSESSMENT OF FAIR HOUSING

THIS AGREEMENT, entered this 1st day of November, 2018 by and among the following Participants.

The Housing Authority of Cook County (PHA)
The County of Cook (Entitlement and HOME consortium lead)
The Village of Arlington Heights (Entitlement and HOME consortium member)
The City of Berwyn (Entitlement and HOME consortium member)
The Cicero Housing Authority (PHA)
The City of Des Plaines (Entitlement and HOME consortium member)
The City of Evanston (Entitlement)
The Village of Hoffman Estates (Entitlement and HOME consortium member)
The Maywood Housing Authority (PHA)
The Village of Mount Prospect (Entitlement and HOME consortium member)
The Village of Oak Lawn (Entitlement and HOME consortium member)
The Village of Oak Park (Entitlement and HOME consortium member)
The Oak Park Housing Authority (PHA)
The Village of Palatine (Entitlement and HOME consortium member)
The Park Forest Housing Authority (PHA)
The Village of Schaumburg (Entitlement and HOME consortium member)
The Village of Skokie (Entitlement)
WHEREAS, the Housing Authority of Cook County is a public housing authority with a fiscal year beginning date of October 1. The Housing Authority of Cook County’s next 5-year PHA plan will begin in 2019.

WHEREAS, The County of Cook is a consolidated plan jurisdiction with a program year start date of October 1. The County of Cook’s next 5-year consolidated plan cycle will begin in 2020.

WHEREAS, The Village of Arlington Heights is a consolidated plan jurisdiction with a program year start date of October 1. The Village of Arlington Heights’s next 5-year consolidated plan cycle will begin in 2020.

WHEREAS, The City of Berwyn is a consolidated plan jurisdiction with a program year start date of October 1. The City of Berwyn’s next 5-year consolidated plan cycle will begin in 2020.

WHEREAS, the Cicero Housing Authority is a public housing authority with a fiscal year beginning date of January 1. The Cicero Housing Authority’s next 5-year PHA plan will begin in 2020.

WHEREAS, The City of Des Plaines is a consolidated plan jurisdiction with a program year start date of October 1. The City of Des Plaines’s next 5-year consolidated plan cycle will begin in 2020.

WHEREAS, The City of Evanston is a consolidated plan jurisdiction with a program year start date of January 1. The City of Evanston’s next 5-year consolidated plan cycle will begin in 2020.

WHEREAS, The Village of Hoffman Estates is a consolidated plan jurisdiction with a program year start date of October 1. The Village of Hoffman Estates’ next 5-year consolidated plan cycle will begin in 2020.

WHEREAS, the Maywood Housing Authority is a public housing authority (PHA) with a fiscal year beginning date of January 1. The Maywood Housing Authority’s next 5-year PHA plan will begin in 2020.

WHEREAS, The Village of Mount Prospect is a consolidated plan jurisdiction with a program year start date of October 1. The Village of Mount Prospect’s next 5-year consolidated plan cycle will begin in 2020.

WHEREAS, The Village of Oak Lawn is a consolidated plan jurisdiction with a program year start date of October 1. The Village of Oak Lawn’s next 5-year consolidated plan cycle will begin in 2020.
WHEREAS, The Village of Oak Park is a consolidated plan jurisdiction with a program year start date of October 1. The Village of Oak Park’s next 5-year consolidated plan cycle will begin in 2020.

WHEREAS, the Oak Park Housing Authority is a public housing authority with a fiscal year beginning date of January 1. The Oak Park Housing Authority’s next 5-year PHA plan will begin in 2020.

WHEREAS, The Village of Palatine is a consolidated plan jurisdiction with a program year start date of October 1. The Village of Palatine’s next 5-year consolidated plan cycle will begin in 2020.

WHEREAS, the Park Forest Housing Authority is a public housing authority with a fiscal year beginning date of July 1. The Park Forest Housing Authority’s next 5-year PHA plan will begin in 2020.

WHEREAS, The Village of Schaumburg is a consolidated plan jurisdiction with a program year start date of October 1. The Village of Schaumburg’s next 5-year consolidated plan cycle will begin in 2020.

WHEREAS, The Village of Skokie is a consolidated plan jurisdiction with a program year start date of May 1. The Village of Skokie’s next 5-year consolidated plan cycle will begin in 2020.

WHEREAS, the above Participants are subject to affirmatively furthering fair housing requirements found at 24 CFR §§5.150 through 5.180.

WHEREAS, the Participants wish to collaborate to develop the Assessment of Fair Housing (AFH), in accordance with the Chicago-Cook County Assessment of Fair Housing Scope, attached hereto and incorporated herein by reference.

WHEREAS, the Participants wish to work with Enterprise Community Partners and its partners, the Chicago Metropolitan Agency for Planning, the Metropolitan Planning Council and the Chicago Area Fair Housing Alliance, to produce a joint/regional AFH.

WHEREAS, the AFH may be approached more effectively and economically through the collaborative efforts of the parties.

NOW, THEREFORE, it is agreed between the parties hereto that:
LEAD ENTITY

The County of Cook will serve as the lead entity for the suburban Cook County portion of the collaboration.

ROLES/RESPONSIBILITIES OF PARTICIPANTS

Assessment of Fair Housing

Participants will collaborate on the completion of the AFH. The responsibilities of the Participants are as follows:

1. Participants will be accountable for any applicable analysis and any applicable joint goals and priorities included in the submitted AFH. Participants will also be accountable for their individual analysis, goals and priorities to be included in the submitted AFH.

2. The County of Cook will enter into a Subrecipient Agreement with Enterprise Community Partners with respect to the suburban Cook County portion of the AFH project. Enterprise Community Partners will invoice the County of Cook. Each Participant commits to payment of their proportionate share of each invoice to the County of Cook. Participants agree to pay invoices according to their internal financial policies. Prepayment is welcome but not required. Cost of the AFH has been allocated amongst each Participant as shown in the table below. (Note: the City of Chicago and Chicago Housing Authority will enter into a separate agreement with Enterprise Community Partners for this project.)

<table>
<thead>
<tr>
<th>Assessment geography</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Chicago / Chicago Housing Authority</td>
<td>$175,000</td>
</tr>
<tr>
<td>City of Evanston</td>
<td>$13,000</td>
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SPECIAL CONDITIONS

1. The entitlements and PHAs designate the County of Cook as the lead entity (LE) for the suburban Cook County portion of the joint/regional AFH. The County of Cook’s next Consolidated Plan cycle will be October 1, 2020-September 30, 2025.

2. The entitlements and PHAs intend to commit financial resources, subject to appropriations/budget, to assist in compiling the joint/regional AFH, as specified above.

3. The entitlements and PHAs hereto shall comply with all federal and state laws regarding discrimination and shall prohibit unlawful discrimination on the basis of race, color, religion, national origin, sex, disability, familial status, ancestry, creed, marital status and/or sexual orientation. Each entitlement and PHA will comply with any additional local laws regarding discrimination.

4. This Agreement may not be assigned without prior written approval of the parties hereto.

WITHDRAWAL

Any Participant may withdraw from the collaboration with 30 days’ written notice via certified mail to the other participants.

The withdrawing Participant will be financially obligated to the County of Cook for its actual costs incurred in connection with completing the AFH up to the date of withdrawal by such Participant, not to exceed the total cost in the table allocated to the withdrawing Participant.

SEVERABILITY

If any provision of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby and all other parts of this Agreement shall nevertheless be in full force and effect.

SECTION HEADINGS AND SUBHEADINGS

The section headings and subheadings contained in this Agreement are included for convenience only and shall not limit or otherwise affect the terms of this Agreement.
ENTIRE AGREEMENT

This Agreement between the Participants for the development of the 2020-2025 AFH, supersedes all prior or contemporaneous communications and proposals, whether electronic, oral, or written between the Participants with respect to this Agreement. By way of signing this Agreement, the Program Participants are bound to perform the duties and obligations within this Agreement. No amendment or modification of this Agreement shall be valid unless the same is in writing and executed by all the parties hereto, and then only to the extent set forth in said writing.

This Agreement will remain effective until July 31, 2020 or until supplanted by a new agreement, whichever comes first.

IN WITNESS WHEREOF, the Parties have executed this contract as of the date first written above.

For County of Cook

_______________________________

Signature

Type or Print Name of Authorized Representative

Date

Attest

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Signature

Type or Print Name of Authorized Representative

Date

For Housing Authority of Cook County

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Signature

Type or Print Name of Authorized Representative

Date

Attest

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Signature

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EXHIBIT 2

CHICAGO-COOK COUNTY ASSESSMENT OF FAIR HOUSING SCOPE
Chicago-Cook County Regional Assessment of Fair Housing
Scope
October 2018

In the summer of 2015, the U.S. Department of Housing and Urban Development (HUD) published a new rule on affirmatively furthering fair housing. The new rule requires entitlements and public housing authorities (PHAs) to produce an Assessment of Fair Housing (AFH). On January 5, 2018 HUD issued a Notification delaying the submission of AFHs until October 31, 2020. The official HUD due date for Cook County’s AFH would have been January 5, 2020. This means that while Cook County may not be required to submit an AFH to HUD on January 5, 2020 it does still have a responsibility to affirmatively further fair housing and an opportunity to do so in a meaningful way that is tailored to its own context.

As such, Enterprise Community Partners proposes that Cook County continue its collaboration to assess the current state of fair housing issues and develop community-informed and evidence-based goals and strategies to address the identified fair housing issues. This scope outlines the partners, roles, process, geography, and timeframe for the development of this assessment for all of Cook County.

Timeframe
The process to assess fair housing issues in a community as large as Cook County requires approximately 18 months of engagement. Therefore, the period of performance would span from November 2018 through March 2020.

Partners and roles

- **Lead entity**- All entitlements and PHAs participating in this assessment should designate, through an MOU, a jurisdiction to serve as the lead entity. The lead entity must oversee the completion of the assessment on behalf of all participants and address follow-up inquiries about the effort. Cook County will serve as the lead entity for this project.

- **Entitlements**- Both municipal and county entitlements are partners in this project. Such participation may take many forms depending on interest and capacity. Staff members and elected officials will spend time participating in meetings, reviewing deliverables, and conducting local outreach. Moreover, entitlements will be expected to provide funding to support the project. The following entitlements are voluntarily participating in this project: Chicago, Cook County, Arlington Heights, Berwyn, Des Plaines, Evanston, Hoffman Estates, Mount Prospect, Oak Lawn, Oak Park, Palatine, Schaumburg, and Skokie. **Note: The scope of work has been developed based upon the original list of participating entitlements, final participating entitlements will need to be confirmed to finalize the budget.**
• **PHAs**—Much like with entitlements, this scope envisions that PHA staff and officials will participate in meetings, review deliverables, and conduct local outreach. PHAs will be expected to provide funding to support completion of the project. This is a new cost for PHAs, as they have not conducted such fair housing planning in the past. The following PHAs are voluntarily participating in this project: Chicago Housing Authority, Housing Authority of Cook County, Cicero Housing Authority, Maywood Housing Authority, Oak Park Housing Authority, and Park Forest Housing Authority. **Note:** The scope of work has been developed based upon the original list of participating PHA’s, final participating PHA’s will need to be confirmed to finalize the budget.

• **Enterprise Community Partners**—Enterprise Advisors, Knowledge Impact and Strategy, Chicago Market Office

• **Chicago Metropolitan Agency for Planning**—CMAP is the official regional planning organization for the northeastern Illinois counties of Cook, DuPage, Kane, Kendall, Lake, McHenry, and Will. CMAP developed and now guides implementation of the GO TO 2040 comprehensive regional plan, and also developed the region’s Fair Housing and Equity Assessment (FHEA) as part of a Sustainable Communities Regional Planning grant. CMAP will provide data collection and analysis support for the assessment, and will conduct the existing conditions analysis.

• **Civic organizations**—The following civic organizations will assist entitlements and PHAs with the development of the assessment: Chicago Area Fair Housing Alliance (CAFHA) and the Metropolitan Planning Council (MPC). These groups will provide specialized assistance on key topic areas ranging from fair housing complaints and compliance to development of new metrics and national best practices around equity issues. They will also support community engagement efforts. Additionally,
  - MPC will support key stakeholder and community engagement as well as contribute to the existing conditions analysis and the development of goals and strategies.
  - CAFHA will serve as the leading local organization for community engagement, including managing a process to provide subgrants to up to eight community groups in Cook County.

**Project Team**
The day-to-day operation and oversight of the project will be managed by a project team composed of Enterprise Advisors, CMAP, the participating civic organizations, one Cook County representative, one City of Chicago representative, one Chicago Housing Authority
representative, one Housing Authority of Cook County representative, one municipal PHA, and one municipal entitlement. The Project Team will meet regularly to discuss progress on the project, upcoming steps, and share completed work products between the parties.

**Steering Committee**
To represent the considerations of the many parties involved in development of the AFH, a steering committee will provide feedback to the Project Team throughout the planning process. This broad group will consist of one representative from each participating entitlement or PHA. The steering committee will review all draft documents in advance of public release and/or legislative review/approval.

**Tasks**

1. **Pre-kickoff work**
   Before the project formally kicks off, several steps must be completed. These activities will occur prior to the “formal” project initiation in April 2018. These tasks include the following.
   - The governing body of each participating entity will need to approve a resolution expressing support for the project and authorizing participation.
   - All participants must sign an agreement that explains expectations for the relationship between the participants, project management, access to resources, contribution of local funding to support the project, etc. The agreement will need to be signed before the project formally begins.
   - All participants must sign individual agreements with Enterprise Community Partners that explain expectations for the relationship between Enterprise Community Partners and the various the participants, project management, access to resources, contribution of local funding to support the project, etc. The agreement will need to be signed before the project formally begins.

2. **Ongoing Project Management**
   Enterprise Community Partners will organize and facilitate the Project Team and engagement with the Steering Committee. The Lead Entity will serve as the overall Project Manager. Initial meetings with the Project Team will include clarifying the objectives for the project, the primary and secondary audience/users of any projects products, and the intended use of the products.
3. Environmental Scan
During the first month of the project, Enterprise Community Partners will conduct a literature review of relevant research and other documents; review and analyze past policies, procedures, and programs related to fair housing; develop a calendar of critical events including key planning processes; conduct targeted key informant interviews; articulate key assumptions upon which the project is based.

**Deliverable(s)**
- Facilitated workshop with Project Team, Steering Committee, and other key stakeholders as needed and appropriate
- Summary report

4. Public Outreach
During the first six months of the project, the Project Team (in consultation with the Steering Committee) will develop and implement the first phase of community engagement, which will focus on public outreach and include a marketing & branding strategy. These outreach efforts will be designed to educate the public and key stakeholders on the responsibility to affirmatively further fair housing and the process their community is undertaking to do so. It will also include presenting key findings from the environmental scan and soliciting the public’s reaction to these findings to identify gaps, triangulate the data, etc. The outreach effort will be designed to empower the public and key stakeholders to engage in their community’s process of affirmatively furthering fair housing—furthering building the network of partners. Finally, during this phase, public outreach will include the development and distribution of a Request for Proposals from local community organization to receive passthrough grants to equip them to participate in and support community engagement efforts.

Initially public outreach will occur through large activities. The Project Team will partner with community organizations and key stakeholders in organizing these activities to ensure they are well-planned and attended. Enterprise will work with the Project Team and these partner organizations in preparing “meeting in a box” materials that project partners can use to conduct activities using the same materials and format. Work in this phase will include outreach trainings for entitlements, PHAs, and service organizations to ensure that each can serve as viable partners to ensure participation from a wide array of stakeholders.

CMAP will create and host a dedicated project webpage containing information on the planning process and key deliverables. Each PHA and entitlement will need to include a link from their own website to the project webpage. Materials posted on the webpage may include project announcements, upcoming meeting dates, meeting materials, draft documents for review, online surveys, etc. Enterprise Community Partners will be responsible for posting the material and keeping the page up-to-date.
All public outreach collected during the process will be summarized in a report that will be an appendix to the plan. This will include a description of outreach activities; approach to reaching various populations, including underrepresented populations; a list of people/organizations who participated during the planning process; a summary of the feedback received throughout the process; and a log of all comments received during the open houses and public comment period, including a summary of any comments, views, and recommendations not accepted by entitlements and PHAs and the reasons for non-acceptance.

**Deliverable(s)**
- Webpage
- “Meeting in a Box”
- Outreach events and activities
- Training for meeting organizers and facilitators
- Summary report

**5. Existing Conditions Analysis**
An important interim product is the “existing conditions report.” This document will discuss the existing conditions of fair housing, including patterns of integration and segregation; racially or ethnically concentrated areas of poverty; disparities in access to opportunity; and disproportionate housing needs. Based on the Environmental Scan and the Community Engagement: Phase 1, the Project team, in consultation with the Steering Committee, will develop a data collection & analysis plan to include:
- Data collection and analysis objectives
- Lines of Inquiry
- Decisions to Inform/Use and Users
- Means of Verification (Data Collection Methods)
- Data Source & Quantity
- Location of Data Collection
- Context considerations
- Geographic unit of analysis
- Means of Analysis
- Time to Collect and Analyze
- Data Management Approach
  - Including data formats
• Roles and Responsibilities

The existing conditions analysis will include one regional analysis of fair housing conditions in the region and local assessments for individual participants. The analysis will include some or all of the following:

• A demographic summary that includes an analysis on patterns of segregation and integration locally and regionally and factors that significantly impact segregation/integration.
• Identification of Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs), disparities in access to opportunity, and disproportionate housing needs, and factors that significantly impact the presence of these issues.
• An analysis of publicly supported housing in terms of location, demographics, occupancy, and access to opportunity, along with the identification of factors that significantly impact the existing conditions.
• An analysis of the presence, location, and access to opportunity of persons with disability, along with the identification of factors that significantly impact the existing conditions.
• An assessment of the current fair housing ecosystem, including the capacity of individual jurisdictions to conduct fair housing outreach or enforcement, whether themselves or through a local partner, along with the identification of factors that significantly impact the existing conditions.

During months six through 18 of the project, the Project Team will finalize and implement this plan. The community will be engaged both as a data source (e.g. topical focus groups) and as a partner in collecting, analyzing, and interpreting the data as needed and appropriate. The initial findings from the existing conditions analysis will be packaged and shared with community members and key stakeholders to triangulate, validate, and inform—ensuring that all partners in the process operate from a shared understanding of the current conditions and fair housing issues. It will be during this phase the CAFHA will manage the award passthrough grants to equip up to eight lead community based organizations from throughout the county with the resources to effectively participate in this process. Activities of lead community groups would include:

• Taking part in a CAFHA public participation training;
• Convening local stakeholders to identify key community wants/needs that can be vocalized in the AFH process, and gather local data and local knowledge for inclusion in the AFH
• Convening local stakeholders to review AFH drafts and provide input to ensure that the AFH reflects the community wants/needs

Deliverable(s)

- Data collection and analysis plan
- “Meeting in a Box”
6. Plan Development with Goals and Strategies

In the final six months of the project, the Project Team will design and implement an approach to develop the goals and strategies based on the Existing Conditions Analysis. The Project Team will ensure that key stakeholders and community members inform, review, and ultimately own the final goals and strategies. As noted above, Enterprise Community Partners will work with the Project Team to develop a “meeting in a box” to organize and facilitate these engagements.

**Deliverables**
- “Meeting in a box” materials
- Stakeholder and community engagement meetings
- Other products as determined by the Project Team and articulated in Task 2.

*Task 6a: Key recommendations memo*

Before the plan is drafted, the Project Team will prepare a memo describing the key recommendations that are expected to be contained in the plan. The memo will include both fair housing goals and priorities applicable to all participants and local fair housing goals and priorities applicable to each individual participant. The purpose of the memo is to provide each participant with a summary of key recommendations before much time is spent writing them in detail; if there are significant problems with any elements of the report, they should surface at this point. Individual memos will be prepared for each participant. At least one Steering Committee meeting is envisioned to discuss the county-wide recommendations. Each participant will be responsible for determining the preferred local process to vet the memo.

*Task 6b: Final AFH Plan*

A final version of the plan will be prepared as an easy-to-read document. The document will cover public involvement, key findings, and local and county-wide recommendations.
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Memorandum

To: Honorable Mayor and Members of the City Council
From: Johanna Leonard, Community Development Director
Sarah Flax, Housing and Grants Administrator
Ashley Wiley, VISTA Housing Planner

Subject: Different Forms of Shared Housing
Date: October 29, 2018

Recommended Action:
City Council members requested more information on various types of shared housing options. Different types of shared housing include: co-housing, housing co-operatives, home sharing, and rooming houses, that are described below. Rooming houses are the only type of shared housing currently addressed in Evanston’s City Code.

Livability Benefits:
Built Environment: Support housing affordability; provide compact and complete streets and neighborhoods; and

Equity & Empowerment: Ensure equitable access to community benefits, and support poverty prevention and alleviation.

Discussion:
Most shared housing forms started in Europe, with a large emphasis on shared equity cooperatives (there are over 500,000 housing cooperatives in Denmark), but they have been gaining popularity all over America in big cities like New York, Los Angeles, and San Francisco. All of these shared housing types offer different benefits, however the main one is increasing affordable housing stock without governmental subsidies. The growth of shared housing reflects the changing of the current economy to one more focused on asset sharing, where access is more important than ownership. Additionally many forms of shared housing help stave off loneliness, a growing epidemic in America, whose mortality risks are comparable to smoking and alcoholism. Current zoning laws, as well as the 3-unrelated occupancy rule, make it infeasible and nearly impossible to develop newer forms of shared housing in Evanston. By allowing alternative strategies that have been successful in other cities, we can open the opportunity to increase affordability and density in more residential areas of Evanston.
Co-housing is defined as a collection of roommates who choose to live together, usually in a converted single family house, and share common areas and household responsibilities, as well as the cost of utilities. Co-Housing is different from housing cooperatives because members living in co-housing typically rent, rather than owning shares of the residential building. The Qumbaya Housing Co-operative located near the University of Chicago in Hyde Park, is a good example of co-housing that benefits its residents and builds community. Qumbaya is formed from four large houses located in close proximity to each other. Each house provides private bedrooms, communal kitchen, dining and living areas, and shared bathrooms. Dinner is prepared by the members seven days a week and the kitchens are always fully stocked. All decisions about the operations of the house are made by the residents at weekly house meetings through a consensus-based process.

Another up and coming style of co-housing is by a company called Podshare, where members rent a bunk, known as a pod, in a dorm style shared living space. The pods consist of a twin bed with a small TV in a communal bunk room, some storage space as well as access to lockers. The kitchen, bathrooms, yard and other common areas are all shared, and all utilities are included in the price of rent. Studio apartments located in the same neighborhood as Podshare locations, start at nearly twice the price of monthly rent for a pod, making this an affordable alternative to living alone.

Housing Co-operatives are different from co-housing because the residents own stock in both the building and the land. Members of co-operatives jointly own and operate their communities, typically by electing a board to make decisions on behalf of the members. Co-operatives are usually composed of individual, self-contained units and function similarly to condominium associations.

However, some co-operatives are almost exactly like condominiums, but they include joint common spaces and amenities; Phoenix Commons, a shared equity co-op in Oakland, California, is an example. Members of Phoenix Commons, a 55+ community, describe themselves as, “vibrant, active people who live in a closely-knit network of mutual support and common purpose.” The sharing of spaces as well as community interaction really helps stave off loneliness for adults who would tend to feel more secluded in a typical apartment complex.

Home Sharing is typically when a homeowner takes a roommate or boarder. The owner of the single family home or condo simply rents one or more of their spare rooms to non-family members, generally for several months or more. This benefits both parties: the extra income can help the home owner pay the mortgage or offset rising property taxes, and single rooms typically rent for less than a market rate apartment, so provide affordable housing. Additionally, there are home sharing programs that address isolation for both older homeowners and young professionals looking for a reasonably priced place to live, like Nesterly in Boston. This program connects households that have extra space with individuals who are seeking a place to live for longer than one month. The home sharer can also provide help around the house for lower rent. Nesterly helps make intergenerational home sharing safe and easy by providing
screening, a customizable home sharing agreement, and on-going service throughout the rental agreement.

**Rooming Houses** are the only type of shared housing that is currently addressed in Evanston’s code (see §5-2-6. “ROOMING HOUSES; REQUIREMENTS AND STANDARDS.” attached) Rooming houses require a special use and are allowed in multi-family residential districts only, they are not allowed in any other district. As a result, it would be difficult and time consuming if someone wanted to open a rooming house in Evanston. Additionally, the requirements in the code are outdated and do not include modern shared housing benefits or amenities.

Other links:
- [Co-Housing Association of the US](#)
- [National Association of Housing Cooperatives](#)
- [National Shared Housing Resource Center](#)

Attachment:
City Code §5-2-6. “ROOMING HOUSES; REQUIREMENTS AND STANDARDS.”
5-2-6. - ROOMING HOUSES; REQUIREMENTS AND STANDARDS.

Every provision of this Chapter which applies to rooming houses shall also apply to hotels, except to the extent that any such provision may be found in conflict with the laws of the State.

(A) At least one flush water closet, lavatory basin and bathtub or shower, properly connected to a water and sewer system approved by the Director of Community Development and in good working condition, shall be supplied for each six (6) persons or fraction thereof residing within a rooming house including members of the operator’s family whenever they share the use of such facilities, provided that in a rooming house where rooms are let only to males, flush urinals may be substituted for not more than one-half (½) of the required number of water closets. All such facilities shall be so located within the dwelling as to be reasonably accessible to all persons sharing such facilities from a common hall or passageway. Every lavatory basin and bathtub or shower shall be supplied with hot water at all times. No such facilities shall be located in a basement except by written approval of the Director of Community Development.

(B) The operator of every rooming house shall change supplied bed linens and towels therein at least once each week, and prior to the letting of any room to any new occupant. The operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.

(C) Every room occupied for sleeping purposes shall contain the following floor space:

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>One person</td>
<td>70 square feet</td>
</tr>
<tr>
<td>More than one person</td>
<td>50 square feet per occupant</td>
</tr>
</tbody>
</table>

(D) Every rooming unit shall have safe, unobstructed means of egress leading to safe and open space at ground level as required by the laws of the State and the City.

(E) The operator of every rooming house shall be responsible for the safe and sanitary maintenance of all walls, floors and ceilings and for the maintenance of a sanitary condition in every other part of the rooming house. The operator shall be further responsible for the safe and sanitary maintenance of the entire premises where the entire structure or building is leased or occupied by the operator.

(Ord. No. 110-O-96; Ord. No. 8-O-12, (48-O-11(exh. B, § 5-2-6)), 1-23-2012)
Memorandum

To: Honorable Mayor and Members of the City Council

From: Erika Storlie, Assistant City Manager

Subject: Fiscal year 2019 Budget Discussion

Date: October 29, 2018

Recommended Action:

Staff does not have any documentation to include in the City Council meeting packet for October 29, 2018. Budget documents are available here: [www.cityofevanston.org/city-budget/](http://www.cityofevanston.org/city-budget/).

City Clerk Devon Reid recommends the Vital Records duties be transferred to the Clerk’s office along with an increase of the Clerk’s budget of $40,000. Further details can be found in the attached memorandum.

Attachment:
City Clerk Memorandum re. Vital Records
To: Steve Hagerty, Mayor  
City Council  

From: Devon Reid, City Clerk  

CC: Wally Bobkiewicz, City Manager  

Subject: Vital Statistics Transfer  

Date: October, 15, 2018  

Recommendation  
It is the recommendation of the City Clerk that Vital Records duties be transferred to the Clerk’s office along with an increase of the Clerk’s budget of $40,000.00. This accounts for a net savings of $60,000 when compared to FY 2017. In lieu of entirely eliminating Vital Records services, a transfer to the Clerk’s Office with no increase in staffing levels, would create a net revenue increase of $100,000 for the 2019 budget. Maintaining the service in the Clerk’s office will give the City the ability to provide an essential service to Evanston residents.

Discussion  
In 2017, Vital Records generated $137,294 in revenue, with an expenditure of $102,263. In 2018, Vital Records is expected to generate $138,000 and expend $84,520. The Vital Records office provides a valuable and necessary service to residents, and is a revenue generating service for the City. Illinois Statute (410 ILCS 535/7) (from Ch. 111 1/2, par. 73-7) allows the City of Evanston to host vital records in either the Health Department or Clerk’s Office. The Clerk’s office can absorb the service without hiring additional full time staff and increasing the City’s net revenue. In addition, the Clerk’s office would have the ability to print birth certificates mobily, at places such as the Mayor’s Summer Youth Employment Program, as well as provide free birth certificates for homeless Evanston residents, and survivors of domestic violence.