

5/15/2019
5/23/2019
5/24/2019
5/28/2019

54-O-19

AN ORDINANCE

Amending Various Parts of Title 6, "Zoning," of the Evanston City Code To Conform with the City of Evanston Inclusionary Housing Ordinance

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

SECTION 1: Subsection 6-3-6-6, "Authority to Exceed Site Development Allowances," of the Evanston City Code of 2012, as amended, is hereby amended to as follows:

6-3-6-6. - AUTHORITY TO EXCEED SITE DEVELOPMENT ALLOWANCES.

The City Council may, upon the recommendation of the Plan Commission, approve a modification to a site development allowance in excess of that established in a zoning district, provided the City Council shall first make a written finding of fact that the modification is essential to achieve one (1) or more of the public benefits described in Section 6-3-6-3 of this Chapter. Approval of the modification shall require a favorable vote of two-thirds (2/3) of the aldermen elected to the City Council, except where a majority vote is allowed per Section 5-7-13 of the City Code.

SECTION 2: Subsection 6-8-1-13, "Inclusionary Housing Bonuses," of the Evanston City Code of 2012, as amended, is hereby amended to as follows:

6-8-1-13. INCLUSIONARY HOUSING BONUSES

(A) Any covered development, as defined under City Code Section 5-7-3, providing on-site affordable units and that is otherwise compliant with the City's Inclusionary Housing Ordinance is entitled to the following development bonuses:

1. For developments providing 5% on-site affordable housing or 10% on-site housing with public financing:

	Residential (R, T, & U Districts)
Density	+1 per Inclusionary

	Dwelling Unit
FAR	--
Parking	No parking for Inclusionary Dwelling Unit
Height	+12' (not eligible for Planned Developments)
Building Coverage and Impervious Surface Coverage	+15%

2. For developments providing 10% on-site affordable housing or 20% on-site affordable housing with public financing:

	Residential (R, T, & U Districts)
Density	+2 per Inclusionary Dwelling Unit
FAR	--
Parking	No parking for Inclusionary Dwelling Units
Height	+12' (not eligible for Planned Developments)
Building Coverage & Impervious Surface Coverage	+15%
Site Development Allowances for Planned Developments	Majority vote of City Council required to exceed maximum Site Development Allowances for Planned Developments (instead of Supermajority vote)

3. 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 shall be reduced to:

Unit Size	In TOD Area	Outside TOD Area
0- 1 Bedroom	0.55 parking spaces	0.75 parking spaces
2 Bedroom	1.1 parking space	1.25 parking spaces
3+ Bedroom	1.65 parking spaces	1.5 parking spaces

- (B) Residential developments processed as planned developments, shall have bonuses and reductions set forth in this Section calculated prior to the site development allowances set forth in Section 6-8-1-10.

SECTION 3: Subsection 6-9-1-10, "Inclusionary Housing Bonuses," of the Evanston City Code of 2012, as amended, is hereby amended to as follows:

6-9-1-10. INCLUSIONARY HOUSING BONUSES

(A) Any covered development, as defined under City Code Section 5-7-3, providing on-site affordable units and that is otherwise compliant with the City's Inclusionary Housing Ordinance is entitled to the following development bonuses:

1. For developments providing 5% on-site affordable housing or 10% on-site housing with public financing:

	Commercial (B, C, M, & O Districts)
Density	+1 per Inclusionary Dwelling Unit
FAR	+1.0
Parking	No parking for Inclusionary Dwelling Unit
Height	--
Building Lot Coverage and Impervious Surface Coverage	--

2. For developments providing 10% on-site affordable housing or 20% on-site affordable housing with public financing:

	Commercial (B, C, M, & O Districts)
Density	+2 per Inclusionary Dwelling Unit
FAR	+1.0
Parking	No parking for Inclusionary Dwelling Units
Height	--
Building Lot Coverage & Impervious Surface Coverage	--
Site Development	Majority vote of City Council

Allowances for Planned Developments	required to exceed maximum Site Development Allowances for Planned Developments (instead of Supermajority vote)
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- 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 shall be reduced to::

Unit Size	In TOD Area	Outside TOD Area
0- 1 Bedroom	0.55 parking spaces	0.75 parking spaces
2 Bedroom	1.1 parking space	1.25 parking spaces
3+ Bedroom	1.65 parking spaces	1.5 parking spaces

- (B) Residential developments processed as planned developments, shall have bonuses and reductions set forth in this Section calculated prior to the site development allowances set forth in Section 6-9-1-9.

SECTION 4: Subsection 6-10-1-10, "Inclusionary Housing Bonuses," of

the Evanston City Code of 2012, as amended, is hereby amended to as follows:

6-10-1-10. INCLUSIONARY HOUSING BONUSES

- (A) Any covered development, as defined under City Code Section 5-7-3, providing on-site affordable units and that is otherwise compliant with the City's Inclusionary Housing Ordinance is entitled to the following development bonuses:

- For developments providing 5% on-site affordable housing or 10% on-site housing with public financing:

	Commercial (B, C, M, & O Districts)
Density	+1 per Inclusionary Dwelling Unit
FAR	+1.0
Parking	No parking for Inclusionary Dwelling Unit
Height	--
Building Coverage Lot and	--

Impervious Surface Coverage	
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2. For developments providing 10% on-site affordable housing or 20% on-site affordable housing with public financing:

	Commercial (B, C, M, & O Districts)
Density	+2 per Inclusionary Dwelling Unit
FAR	+1.0
Parking	No parking for Inclusionary Dwelling Units
Height	--
Building Lot Coverage & Impervious Surface Coverage	--
Site Development Allowances for Planned Developments	Majority vote of City Council required to exceed maximum Site Development Allowances for Planned Developments (instead of Supermajority vote)

3. 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 shall be reduced to:

Unit Size	In TOD Area	Outside TOD Area
0- 1 Bedroom	0.55 parking spaces	0.75 parking spaces
2 Bedroom	1.1 parking space	1.25 parking spaces
3+ Bedroom	1.65 parking spaces	1.5 parking spaces

- (B) Residential developments processed as planned developments, shall have bonuses and reductions set forth in this Section calculated prior to the site development allowances set forth in Section 6-10-1-9.

SECTION 5: Subsection 6-11-1-11, "Inclusionary Housing Bonuses," of the Evanston City Code of 2012, as amended, is hereby amended to as follows:

6-11-1-11. INCLUSIONARY HOUSING BONUSES

(A) Any covered development, as defined under City Code Section 5-7-3, providing on-site affordable units and that is otherwise compliant with the City's Inclusionary Housing Ordinance is entitled to the following development bonuses:

1. For developments providing 5% on-site affordable housing or 10% on-site housing with public financing:

	Downtown (D & RP Districts)
Density	+2 per Inclusionary Dwelling Unit
FAR	+2.0
Parking	No parking for Inclusionary Dwelling Unit
Height	--
Building Lot Coverage and Impervious Surface Coverage	--

2. For developments providing 10% on-site affordable housing or 20% on-site affordable housing with public financing:

	Downtown (D & RP Districts)
Density	+4 per Inclusionary Dwelling Unit
FAR	+2.0
Parking	No parking for Inclusionary Dwelling Units
Height	--
Building Lot Coverage & Impervious Surface Coverage	--
Site Development Allowances for Planned Developments	Majority vote of City Council required to exceed maximum Site Development Allowances for Planned Developments (instead of Supermajority vote)

3. 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 shall be reduced to:

Unit Size	In TOD Area	Outside TOD Area
0- 1 Bedroom	0.55 parking spaces	0.75 parking spaces
2 Bedroom	1.1 parking space	1.25 parking spaces
3+ Bedroom	1.65 parking spaces	1.5 parking spaces

(B) Residential developments processed as planned developments, shall have bonuses and reductions set forth in this Section calculated prior to the site development allowances set forth in Section 6-11-1-10.

SECTION 6: Subsection 6-12-1-8, "Inclusionary Housing Bonuses," of the Evanston City Code of 2012, as amended, is hereby amended to as follows:

6-12-1-8. INCLUSIONARY HOUSING BONUSSES

(A) Any covered development, as defined under City Code Section 5-7-3, providing on-site affordable units and that is otherwise compliant with the City's Inclusionary Housing Ordinance is entitled to the following development bonuses:

1. For developments providing 5% on-site affordable housing or 10% on-site housing with public financing:

	Downtown (D & RP Districts)
Density	+2 per Inclusionary Dwelling Unit
FAR	+2.0
Parking	No parking for Inclusionary Dwelling Unit
Height	--
Building Lot Coverage and Impervious Surface Coverage	--

2. For developments providing 10% on-site affordable housing or 20% on-site affordable housing with public financing:

	Downtown (D & RP Districts)
Density	+4 per Inclusionary Dwelling Unit
FAR	+2.0

Parking	No parking for Inclusionary Dwelling Units
Height	--
Building Lot Coverage & Impervious Surface Coverage	--
Site Development Allowances for Planned Developments	Majority vote of City Council required to exceed maximum Site Development Allowances for Planned Developments (instead of Supermajority vote)

- 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 shall be reduced to:

Unit Size	In TOD Area	Outside TOD Area
0- 1 Bedroom	0.55 parking spaces	0.75 parking spaces
2 Bedroom	1.1 parking space	1.25 parking spaces
3+ Bedroom	1.65 parking spaces	1.5 parking spaces

- Residential developments processed as planned developments, shall have bonuses and reductions set forth in this Section calculated prior to the site development allowances set forth in Section 6-12-1-7.

SECTION 7: Subsection 6-13-1-12, "Inclusionary Housing Bonuses," of the Evanston City Code of 2012, as amended, is hereby amended to as follows:

6-13-1-12. INCLUSIONARY HOUSING BONUSSES

- Any covered development, as defined under City Code Section 5-7-3, providing on-site affordable units and that is otherwise compliant with the City's Inclusionary Housing Ordinance is entitled to the following development bonuses:

- For developments providing 5% on-site affordable housing or 10% on-site housing with public financing:

	Commercial (B, C, M, & O Districts)
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Density	+1 per Inclusionary Dwelling Unit
FAR	+1.0
Parking	No parking for Inclusionary Dwelling Unit
Height	--
Building Coverage and Impervious Surface Coverage	Lot and Surface

1. For developments providing 10% on-site affordable housing or 20% on-site affordable housing with public financing:

	Commercial (B, C, M, & O Districts)
Density	+2 per Inclusionary Dwelling Unit
FAR	+1.0
Parking	No parking for Inclusionary Dwelling Units
Height	--
Building Coverage and Impervious Surface Coverage	Lot & Surface
Site Development Allowances for Planned Developments	Majority vote of City Council required to exceed maximum Site Development Allowances for Planned Developments (instead of Supermajority vote)

2. 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 shall be reduced to:

Unit Size	In TOD Area	Outside TOD Area
0- 1 Bedroom	0.55 parking spaces	0.75 parking spaces
2 Bedroom	1.1 parking space	1.25 parking spaces
3+ Bedroom	1.65 parking spaces	1.5 parking spaces

(C) Residential developments processed as planned developments, shall have bonuses and reductions set forth in this Section calculated prior to the site development allowances set forth in Section 6-13-1-10.

SECTION 8: That City Code Section 6-14-1 of the Evanston City Code, is hereby amended to remove Subsection 6-14-1-11 which shall read as follows:

SECTION 9: That City Code Section 6-15-1 of the Evanston City Code, is hereby amended to add Subsection 6-15-1-10 which shall read as follows:

6-15-1-10. INCLUSIONARY HOUSING BONUSES

(A) Any covered development, as defined under City Code Section 5-7-3, providing on-site affordable units and that is otherwise compliant with the City’s Inclusionary Housing Ordinance is entitled to the following development bonuses:

1. For developments providing 5% on-site affordable housing or 10% on-site housing with public financing:

	Residential (R, T, & U Districts)
Density	+1 per Inclusionary Dwelling Unit
FAR	--
Parking	No parking for Inclusionary Dwelling Unit
Height	+12' (not eligible for Planned Developments)
Building Lot Coverage and Impervious Surface Coverage	+15%

2. For developments providing 10% on-site affordable housing or 20% on-site affordable housing with public financing:

	Residential (R, T, & U Districts)
Density	+2 per Inclusionary Dwelling Unit
FAR	--
Parking	No parking for Inclusionary Dwelling Units

Height	+12' (not eligible for Planned Developments)
Building Coverage & Impervious Surface Coverage	+15%
Site Development Allowances for Planned Developments	Majority vote of City Council required to exceed maximum Site Development Allowances for Planned Developments (instead of Supermajority vote)

3. 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 shall be reduced to:

Unit Size	In TOD Area	Outside TOD Area
0- 1 Bedroom	0.55 parking spaces	0.75 parking spaces
2 Bedroom	1.1 parking space	1.25 parking spaces
3+ Bedroom	1.65 parking spaces	1.5 parking spaces

(B) Residential developments processed as planned developments, shall have bonuses and reductions set forth in this Section calculated prior to the site development allowances set forth in Section 6-15-1-9.

SECTION 10: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and must be received in evidence as provided by the Illinois Compiled Statues and the courts of the State of Illinois.

SECTION 11: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 12: This ordinance must be in full force and effect after its passage, approval, and publication in the manner provided by law.

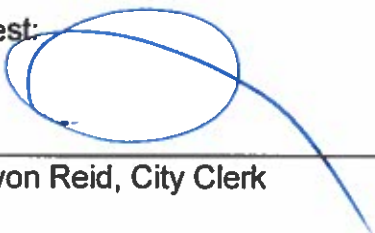
SECTION 13: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such

invalidity must 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.

Introduced: June 24th, 2019

Adopted: July 8th, 2019

Attest:



Devon Reid, City Clerk

Approved:

July 17, 2019



Stephen H. Hagerty, Mayor

Approved as to form:



Michelle L. Masoncup, Corporation Counsel