

117-O-16

AN ORDINANCE

Updating 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: That City Code Section 6-8-1 of the Evanston City Code, is hereby amended to add Subsection 6-8-1-13 which shall read 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. **Density:** The maximum increase in the number of dwelling units over that otherwise permitted in the residential district is twenty percent (20%) for developments in a TOD area and ten percent (10%) for developments not in a TOD area.
2. **Height:** The maximum increase in height over that otherwise permitted in the residential district is ten percent (10%) for developments in a TOD area and five percent (5%) for developments not in a TOD area.
3. **FAR:** The maximum increase in FAR over that otherwise permitted in the residential district is ten percent (10%) for developments in a TOD area and five percent (5%) for developments not in a TOD area.
4. **Parking:** The minimum requirements for the number of parking spaces provided below that are otherwise required in Title 6 are the following:

Unit Size	In TOD Area	Outside TOD Area
0- 1 Bedroom	0.5 parking spaces	0.75 parking spaces
2 Bedroom	1 parking space	1.25 parking spaces
3+ Bedroom	1.25 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 2: That City Code Section 6-9-1 of the Evanston City Code, is hereby amended to add Subsection 6-9-1-10 which shall read 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. Density: The maximum increase in the number of dwelling units over that otherwise permitted in the business district is twenty percent (20%) for developments in a TOD area and ten percent (10%) for developments not in a TOD area.
 2. Height: The maximum increase in height over that otherwise permitted in the business district is ten percent (10%) for developments in a TOD area and five percent (5%) for developments not in a TOD area.
 3. FAR: The maximum increase in FAR over that otherwise permitted in the business district is ten percent (10%) for developments in a TOD area and five percent (5%) for developments not in a TOD area.
 5. Parking: The minimum requirements for the number of parking spaces provided below that are otherwise required by Title 6 are the following:

Unit Size	In TOD Area	Outside TOD Area
0- 1 Bedroom	0.5 parking spaces	0.75 parking spaces
2 Bedroom	1 parking space	1.25 parking spaces
3+ Bedroom	1.25 parking spaces	1.5 parking spaces

- (B) Business 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 3: That City Code Section 6-10-1 of the Evanston City Code, is hereby amended to add Subsection 6-10-1-10 which shall read 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:
1. Density: The maximum increase in the number of dwelling units over that otherwise permitted in the commercial district is twenty percent (20%) for developments in a TOD area and ten percent (10%) for developments not in a TOD area.

- 2. Height: The maximum increase in height over that otherwise permitted in the commercial district is ten percent (10%) for developments in a TOD area and five percent (5%) for developments not in a TOD area.
- 3. FAR: The maximum increase in FAR over that otherwise permitted in the commercial district is ten percent (10%) for developments in a TOD area and five percent (5%) for developments not in a TOD area.
- 6. Parking: The minimum requirements for the number of parking spaces provided below that are otherwise required by Title 6 are the following:

Unit Size	In TOD Area	Outside TOD Area
0- 1 Bedroom	0.5 parking spaces	0.75 parking spaces
2 Bedroom	1 parking space	1.25 parking spaces
3+ Bedroom	1.25 parking spaces	1.5 parking spaces

(B) Commercial 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 4: That City Code Section 6-11-1 of the Evanston City Code,

is hereby amended to add Subsection 6-11-1-11 which shall read 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. Density: The maximum increase in the number of dwelling units over that otherwise permitted in the downtown district is twenty percent (20%) for developments in a TOD area and ten percent (10%) for developments not in a TOD area.
 - 2. Height: The maximum increase in height over that otherwise permitted in the downtown district is ten percent (10%) for developments in a TOD area and five percent (5%) for developments not in a TOD area.
 - 3. FAR: The maximum increase in FAR over that otherwise permitted in the downtown district is ten percent (10%) for developments in a TOD area and five percent (5%) for developments not in a TOD area.
 - 7. Parking: The minimum requirements for the number of parking spaces provided below that are otherwise required by Title 6 are the following:

Unit Size	In TOD Area	Outside TOD Area
0- 1 Bedroom	0.5 parking spaces	0.75 parking spaces
2 Bedroom	1 parking space	1.25 parking spaces
3+ Bedroom	1.25 parking spaces	1.5 parking spaces

- (B) Downtown 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 5: That City Code Section 6-12-1 of the Evanston City Code, is hereby amended to add Subsection 6-12-1-8 which shall read as follows:

6-12-1-8. 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. Density: The maximum increase in the number of dwelling units over that otherwise permitted in the research park district is twenty percent (20%) for developments in a TOD area and ten percent (10%) for developments not in a TOD area.
 2. Height: The maximum increase in height over that otherwise permitted in the research park district is ten percent (10%) for developments in a TOD area and five percent (5%) for developments not in a TOD area.
 3. FAR: The maximum increase in FAR over that otherwise permitted in the research park district is ten percent (10%) for developments in a TOD area and five percent (5%) for developments not in a TOD area.
 8. Parking: The minimum requirements for the number of parking spaces provided below that are otherwise required by Title 6 are the following:

Unit Size	In TOD Area	Outside TOD Area
0- 1 Bedroom	0.5 parking spaces	0.75 parking spaces
2 Bedroom	1 parking space	1.25 parking spaces
3+ Bedroom	1.25 parking spaces	1.5 parking spaces

- (B) Research park 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 6: That City Code Section 6-13-1 of the Evanston City Code, is hereby amended to add Subsection 6-13-1-12 which shall read as follows:

6-13-1-12. 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. Density: The maximum increase in the number of dwelling units over that otherwise permitted in the transitional manufacturing district is twenty

- percent (20%) for developments in a TOD area and ten percent (10%) for developments not in a TOD area.
- 2. Height: The maximum increase in height over that otherwise permitted in the transitional manufacturing district is ten percent (10%) for developments in a TOD area and five percent (5%) for developments not in a TOD area.
- 3. FAR: The maximum increase in FAR over that otherwise permitted in the transitional manufacturing district is ten percent (10%) for developments in a TOD area and five percent (5%) for developments not in a TOD area.
- 9. Parking: The minimum requirements for the number of parking spaces provided below that are otherwise required by Title 6 are the following:

Unit Size	In TOD Area	Outside TOD Area
0- 1 Bedroom	0.5 parking spaces	0.75 parking spaces
2 Bedroom	1 parking space	1.25 parking spaces
3+ Bedroom	1.25 parking spaces	1.5 parking spaces

- (B) Transitional manufacturing 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 7: That City Code Section 6-14-1 of the Evanston City Code,

is hereby amended to add Subsection 6-14-1-11 which shall read as follows:

6-14-1-11. 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. Density: The maximum increase in the number of dwelling units over that otherwise permitted in the industrial district is twenty percent (20%) for developments in a TOD area and ten percent (10%) for developments not in a TOD area.
 - 2. Height: The maximum increase in height over that otherwise permitted in the industrial district is ten percent (10%) for developments in a TOD area and five percent (5%) for developments not in a TOD area.
 - 3. FAR: The maximum increase in FAR over that otherwise permitted in the industrial district is ten percent (10%) for developments in a TOD area and five percent (5%) for developments not in a TOD area.
 - 10. Parking: The minimum requirements for the number of parking spaces provided below that are otherwise required by Title 6 are the following:

Unit Size	In TOD Area	Outside TOD Area
0- 1 Bedroom	0.5 parking spaces	0.75 parking spaces
2 Bedroom	1 parking space	1.25 parking spaces

3+ Bedroom	1.25 parking spaces	1.5 parking spaces
------------	---------------------	--------------------

- (B) Industrial 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 6-14-1-10.

SECTION 8: 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. Density: The maximum increase in the number of dwelling units over that otherwise permitted in the special purpose overlay district is twenty percent (20%) for developments in a TOD area and ten percent (10%) for developments not in a TOD area.
 2. Height: The maximum increase in height over that otherwise permitted in the special purpose overlay district is ten percent (10%) for developments in a TOD area and five percent (5%) for developments not in a TOD area.
 3. FAR: The maximum increase in FAR over that otherwise permitted in the special purpose overlay district is ten percent (10%) for developments in a TOD area and five percent (5%) for developments not in a TOD area.
 11. Parking: The minimum requirements for the number of parking spaces provided below that are otherwise required by Title 6 are the following:

Development Bonus	In TOD Area	Outside TOD Area
0- 1 Bedroom	0.5 parking spaces	0.75 parking spaces
2 Bedroom	1 parking space	1.25 parking spaces
3+ Bedroom	1.25 parking spaces	1.5 parking spaces

- (B) Special purpose overlay 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 9: “Multiple-family dwellings” of Table 16-B, “Schedule of Minimum Off Street Parking Requirements,” of Title 6, Chapter 16 of the Evanston City Code of 2012, as amended, is hereby further amended and revised in its entirety as follows:

Multiple-family dwellings	Multiple-family dwellings shall be provided according to the following schedule:
	Dwelling unit with 1 or fewer bedrooms: 1 1/4 spaces for each dwelling unit
	Dwelling unit with 2 bedrooms: 1 1/2 spaces for each dwelling unit
	Dwelling unit with 3 or more bedrooms: 2 spaces for each dwelling unit
	For purposes of this use, any room other than a kitchen, living room, dining room, living-dining room, laundry room, bathroom, or lavatory shall be deemed a bedroom
Residential developments which fall under Inclusionary Housing Ordinance requirements shall meet parking standards as specified in the corresponding zoning district's Inclusionary Housing Bonus section.	

SECTION 10: That Section 6-18-3, "Definitions," of the Evanston City Code of 2012, as amended, is hereby further amended to include the following definitions:

<i>TRANSIT ORIENTED DEVELOPMENT or TOD.</i>	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.
<i>TOD AREA.</i>	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.

TRANSIT STATION.	The area including the platform which supports transit usage and that is owned and/or operated by the transit agency.
------------------	---

SECTION 11: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 12: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 13: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

SECTION 14: 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.

Introduced: November 28, 2016

Approved:

Adopted: December 12, 2016

December 12, 2016

Elizabeth B Tisdahl
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene
Rodney Greene, City Clerk

W. Grant Farrar
W. Grant Farrar, Corporation Counsel