

# Resolution 2020-148

BE IT RESOLVED by the President and Board of Trustees of the Village of Northbrook, County of Cook and State of Illinois, THAT:

## A Resolution Adopting Amendments to the Village of Northbrook Affordable Housing Plan (2005)

is hereby adopted, as follows:

### Section 1. RECITALS.

The Village of Northbrook recognizes the need to provide affordable housing to low-to-middle income households in order to increase housing opportunities for a diverse population and to provide housing for those who live or work in the Village. Without intervention, the trend toward increased housing prices will result in an inadequate supply of affordable housing, which will have a negative impact upon the ability of local employers within the Village to maintain an adequate local work force and will otherwise be detrimental to the public health, safety, and welfare of the Village and its residents. Since the remaining land appropriate for new residential development within the Village is limited, it is essential that a reasonable proportion of such land be developed into housing units affordable for low-to-middle income households and working families.

On March 22, 2005, the Village Board of Trustees adopted Resolution 05-R-21, approving the Village of Northbrook Affordable Housing Plan ("**Affordable Housing Plan**"). Since that time, the Village has taken many steps to actively promote an increase in the supply of affordable housing in the community in accordance with the Affordable Housing Plan.

The President and the Village Board of Trustees have determined that it is in the best interest of the Village and its residents to adopt updates and amendments to its Zoning Code, Comprehensive Plan, Municipal Code, as well as the Affordable Housing Plan to actively support the development and preservation of affordable housing in the Village. Village staff has determined that amending the Affordable Housing Plan to summarize these efforts and establish goals and guidelines (collectively, "**Amendments**") would further these efforts.

The President and Board of Trustees have determined that it will be in the best interest of the Village and its residents to adopt the Amendments in the form set forth in this Resolution.

### Section 2. ADOPTION OF AMENDMENTS.

Amendments to the Affordable Housing Plan are hereby approved and adopted in the form attached to, and by this reference made a part of, this Resolution as **Exhibit A**.

### Section 3. EFFECTIVE DATE.

This Resolution shall be in full force and effect after its passage and its approval in the manner provided by law.

Adopted: 12/8/2020

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Heather Ross, Trustee
<b>SECONDER:</b>	Muriel Collison, Trustee
<b>AYES:</b>	Frum, Ciesla, Israel, Collison, Ross, Hebl, Pepoon

ATTEST:

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Village President

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Village Clerk

## **Exhibit A**

### **VILLAGE OF NORTHBROOK**

#### **AFFORDABLE HOUSING PLAN (AS AMENDED BY RESOLUTION 2020-R- )**

##### **I. AUTHORITY**

In 2003, the Illinois General Assembly adopted Public Act 93-0595, the Affordable Housing Planning and Appeals Act, which became effective January 1, 2004. Amendments to Public Act 93-0595 were approved on June 28, 2004. Public Act 93-0595 and its amendments are codified at 310 ILCS 67/1 *et seq.* ("Act"). According to the Act, its purpose is to encourage counties and municipalities to incorporate affordable housing within their housing stock sufficient to meet the needs of their county or community. In addition, the Act provides a forum for affordable housing developers who believe they have been unfairly treated to seek relief from local ordinances and regulations. 310 ILCS 67/10.

The Act contains three major provisions: (1) the Illinois Housing Development Authority ("IHDA") has been charged with determining those local governments that must prepare an affordable housing plan and those that are exempt; (2) the Act requires all non-exempt local governments to prepare affordable housing plans and adopt those plans prior to April 1, 2005; and (3) the Act provides an appeal procedure for aggrieved developers of affordable housing.

On August 10, 2004, IHDA sent a letter to the Village of Northbrook informing the Village that it was a non-exempt community pursuant to Section 20(b) of the Act. However, because the Act did not preempt home rule authority, it is our opinion that the Act does not apply to the Village, a home rule municipality, for the reasons set forth below.

The Illinois Constitution sets forth three specific methods for the State to preempt home rule powers. First, the General Assembly may expressly preempt home rule authority by a three-fifths vote (Ill. Const., Art. VII, Sec. 6(g)). The Illinois Supreme Court has held that the mere fact that the General Assembly passes a law relating to the powers of municipalities generally does not mean that the law restricts home rule power—instead, the General Assembly must include an explicit statement that it intends to restrict the powers of home rule municipalities. *See Scadron v. Village of Des Plaines*, 153 Ill. 2d 164, 187 (1992) (*quoting Rozner v. Korshak*, 55 Ill. 2d 430, 435 (1973)). The Act does not contain any explicit home rule preemption.

Second, the General Assembly may specifically provide for the State to exercise a power exclusively (Ill. Const., Art. VII, Sec. 6(h)). Under this Section, the General Assembly must make an express statement that the subject is one of purely statewide interest. *See Schillerstrom Homes, Inc. v. Village of Naperville*, 198 Ill. 2d 281, 291 (2001). The Act does not contain any express statement that affordable housing is purely a statewide interest. Moreover, the State has not exercised authority exclusively over affordable housing under the Act. Rather, the Act requires each non-exempt local government to establish its own plans and policies for achieving levels of affordable housing that will vary among communities based on decisions that communities will make locally. Such a legislative structure is not consistent with the type of exclusivity that courts have recognized as triggering a home rule preemption.

Third, Article VII, Sec. 6(i) of the Illinois Constitution provides that home rule units may exercise

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powers and perform functions concurrently with the state, "to the extent that the General Assembly by law does not specifically limit the concurrent exercise or specifically declare the State's exercise to be exclusive." The Act does not specifically limit local governments' concurrent exercise or specifically declare the State's exercise to be exclusive. To the contrary, as noted above, the Act calls for local exercise of authority and discretion in establishing plans and implementing regulations relating to affordable housing.

Based on the foregoing, the Act does not preempt the Village's home rule powers and, therefore, does not apply to the Village.

## II. INTENT

Although IHDA has identified the Village of Northbrook as a non-exempt community, as discussed in Section I of this plan, because the Village is a home rule community, the Village is neither required to comply with the Act nor adopt an affordable housing plan. However, the Village recognizes the importance of providing opportunities for additional affordable housing. Therefore, the Village has determined that it is in the best interests of the Village and its residents to adopt this plan, which will follow the requirements of the Act. However, the Village recognizes that there are areas of uncertainty regarding the interpretation of various provisions of the Act, including those dealing with local land use decisions and possible loss of local control over those decisions. The Village's intent is that adopting this Plan is in the Village's best interest and that decisions regarding its housing needs and future development continue to be made at the Village level. Thus, the Village intends this Plan to be part of the Village's total comprehensive and exclusive regulation of this subject matter by the Village in the exercise of its home rule authority, notwithstanding any provision of the Act with which this Plan may differ.

The Village has long been a leader in the area of fair and affordable housing, having adopted one of the first fair real estate practices ordinances in the northern suburbs in 1968.<sup>1</sup> In the early 1980s, the Village issued bonds to finance and establish an affordable housing complex for senior citizens in an unused public school building. Owned and operated by the Village, Crestwood Place contains 117 rental apartments that include studios, one bedroom and two bedroom units with monthly rents in the range of \$392 to \$651. The Village also two standing commissions, the Industrial and Commercial Development Commission and the Community Relations Commission that have studied the issue of affordable housing and encouraged the Village to promote affordable housing prior to the adoption of the Act.

In identifying lands and structures that are most appropriate for other affordable housing and incentives that may be available to attract affordable housing developments in the Village, the Village of Northbrook has carefully considered the character and environment of the Village, as set forth in the Village of Northbrook Comprehensive Plan, Northbrook Zoning Code, Northbrook Subdivision and Development Code, Northbrook Municipal Code, and other ordinances and regulations of the Village. The Village of Northbrook desires to establish a plan that will encourage and attract affordable housing developments in the Village of Northbrook that are consistent with the public health and safety capabilities of the Village and will protect and preserve the character and environment of the Village. Therefore, while the Village of Northbrook recognizes the importance of providing affordable housing throughout the State of Illinois, affordable housing must be provided in a way that does not compromise the public health or safety or destroy the environment and character that defines the Village of Northbrook.

It is the intention of the Village of Northbrook to adopt a plan that would comply with the Act, if the Village were not a home rule municipality and the Act applied. The challenge in doing so is significant without substantial subsidization because of the existing character and environment of the Village, as

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described in detail in the Village's Comprehensive Plan, Zoning Code, and Village Code. Specifically, the environment of Northbrook is that of a substantially landscaped community predominated by detached single-family residences. In addition, the few larger expanses of open space, parks, and recreational lands comprise a critical element of the Village whose preservation define and enhance the Village's character and environment. Beyond the single-family and open space elements of Northbrook's character and environment, there are limited areas of commercial and office development along Skokie Boulevard, Waukegan Road, and Dundee Road, as well as Northbrook Court Shopping Center on Lake-Cook Road and a modest downtown business district that is centrally located in the Village. The developed portions of the Village are relatively low-profile buildings when compared to the existing tree canopy found throughout much of the Village.

The Village's infrastructure has historically developed in a manner consistent with the character and environment of the Village in order to protect the health and safety of its residents. In particular, streets, water lines, sanitary sewers, and storm water management facilities have been designed and maintained to accommodate the relatively low-density development in the Village. Similarly, the Village's public works and public safety services and equipment have been developed, acquired, and maintained to address the public health and safety needs that have arisen from the aforementioned character and environment of Northbrook. Establishing affordable housing in a manner inconsistent with such character will be detrimental to the Village's environment and put at risk the public health and safety.

It is within this context that the Village has prepared this plan. The overall objective of the Village and this Plan is to identify locations for, and to undertake steps to promote, affordable housing in a manner that preserves the character and environment of Northbrook and protects the public health and safety.

### **III. ADOPTION OF 2005 AFFORDABLE HOUSING PLAN AND IMPLEMENTATION MEASURES**

**On March 22, 2005, the Village Board of Trustees adopted Resolution 05-R-21, approving the Village of Northbrook Affordable Housing Plan (the "2005 Affordable Housing Plan"). Since that time. The Village has taken many steps to actively promote an increase in the supply of affordable housing in the community in accordance with the 2005 Affordable Housing Plan.**

**Following the adoption of the 2005 Affordable Housing Plan, the Village took a number of actions to encourage an increase in the Village's supply of affordable housing.**

A. **2010 Northbrook Comprehensive Plan. The most noteworthy land use and policy document adopted by the Village following the adoption of the 2005 Affordable Housing Plan was the new Comprehensive Plan, adopted in December 2010. The 2010 Comprehensive Plan is intended to establish a long-term vision of the community and a series of policies and programs for achieving that vision. The Comprehensive Plan includes a series of chapters (elements) that focus on different aspects of the community. The Northbrook Comprehensive Plan includes twelve (12) overall community goals to guide the land use and planning efforts of the community. The Comprehensive Plan established twelve (12) overall goals for the community. Of those twelve goals, five pertain most directly to housing and are listed below:**

- *Maintain the Character of Our Neighborhoods.* Northbrook will continue to be a community comprised of attractive, safe and active residential neighborhoods. Recognizing that Northbrook is largely a "built-up" community, the Village will continue to monitor the effectiveness of its zoning, building and property maintenance standards.**

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- Celebrate the Community's Diversity. The Village of Northbrook will celebrate its cultural, religious and social diversity, maintain its diverse housing stock, and recognize the responsibility we have to improve the community for future generations.
- Maintain our Economic Diversity and Vitality. The Village will continue to be a major employment and retail center for the northern suburbs of the Chicago region. We will strive to maintain a strong and diverse tax base by actively working with the business community to retain existing businesses and attract new businesses that are consistent with the character of the community.
- Encourage Redevelopment of Key Areas in the Village. Northbrook will continue to grow modestly over time with changes occurring in selected redevelopment areas. This redevelopment will be in concert with the overall vision of the Comprehensive Plan, which encourages a compatible, logical and efficient land use pattern that has adequate public facilities to support new growth.
- Formulate Regional Solutions to Regional Issues. Northbrook will continue to be a leader in promoting regional solutions to problems that affect the greater Northbrook area such as air and water pollution, affordable housing, storm drainage and major transportation system components by fostering regional coordination and partnerships.

Furthermore, the Neighborhoods, Housing and Community Diversity Element of the 2010 Comprehensive Plan focuses specifically on the Village's housing needs and the desire to maintain quality neighborhoods. Most of the goals established in this Element (each having a NH preface) deal directly or indirectly with housing. Furthermore, specific strategies intended to help achieve the specific goal are also enumerated. All of the goals and strategies for this Element are listed below (with those goals most directly related to affordable housing highlighted).

**NH 1. *Provide housing that meets the needs of the entire population of Northbrook***

- a. Review and refine as needed the specific recommendations of the Village's 2005 Affordable Housing Plan.
- b. Review and amend as needed the Comprehensive Plan, land use and development regulations, Capital Improvement Plan and Annual Budget to implement the goals of the Village's Affordable Housing Plan.
- c. Work cooperatively with agencies, private developers and non-profit organizations to locate housing in Northbrook intended to serve Northbrook's special needs populations.
- d. Promote zoning regulations which allow a variety of residential densities and housing types with appropriate setbacks, height restrictions and related development standards.
- e. Consider options for development of new and innovative housing styles and other creative responses to Northbrook's housing needs for affordability, variety, and housing that is appropriate for different ages and family types.
- f. Monitor other housing "indicators" such as average sales prices of housing units, percentage of owner occupied units, homeownership rates, demographic data, foreclosure activity, and property maintenance and zoning violations in order to help monitor the quality of life in Northbrook and address emerging problems before they have a detrimental impact on any neighborhood.

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**NH 2. Support on-going property maintenance efforts to sustain neighborhood vitality, value, and overall sense of community pride.**

- a. Continue an active property maintenance inspection and code enforcement program in partnership with the community to maintain our high quality neighborhoods.
- b. Regularly review Village Zoning and Municipal Code requirements to ensure that they properly address emerging issues associated with the protection of public and private property and the health, safety and welfare of Northbrook residents, businesses and visitors.

**NH 3. Encourage an increase in the supply of housing in the vicinity of shopping and mass transit opportunities.**

- a. Encourage property owners to develop mixed-use developments with a residential component in the Downtown area.
- b. Consider the merits of encouraging Transit-Oriented Development in the vicinity of the downtown and Lake Cook Road stations.
- c. Review development standards to ensure they that allow appropriate levels of new housing units, while protecting the character of adjacent neighborhoods.

**NH 4. Examine the Village Codes to remove any unnecessary obstacles to the improvement of our existing housing stock.**

- a. Recognize that most of the future housing development that occurs in the Village will be "infill" in nature. New development should not detract from the quality and character of surrounding neighborhoods.
- b. Ensure that the Zoning Code and other land development regulations allow existing residential areas to evolve and revitalize in accordance with community needs, while maintaining the character of the community.

**NH 5. Encourage land development patterns and site/landscape designs to ensure that infill development does not detract from the quality and character of surrounding neighborhoods.**

- a. Consider amendments to the Zoning Code and other land development regulations that promote high quality site designs that also protect important natural features and are compatible with nearby established neighborhoods.
- b. Protect existing neighborhoods from the encroachment of incompatible land uses and public facilities.
- c. Maintain a mix of housing options for Northbrook residents in a manner that blends with the character of the surrounding community.
- d. Ensure that new development is consistent with Village and applicable neighborhood goals and policies, including but not limited to site standards, landscaping requirements, building design guidelines, and affordability.

**NH 6. Maintain an ongoing commitment to promoting an understanding of, and appreciation for the cultural, religious and racial diversity of Northbrook.**

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- a. Cooperate with community organizations in offering events and activities that actively involve and bring together diverse groups of residents and create a strong sense of community identity.
- b. Continue to sponsor and promote events and activities that celebrate cultural diversity within Northbrook.

Other Elements of the Northbrook Comprehensive Plan, most notably the Land Use section, build upon these goals and strategies. Although the Northbrook Comprehensive plan is an official planning document for the Village, its policies and programs are not mandates. They are intended to help guide the decision-making process for the community.

- B. Northbrook Zoning Code. In an effort to promote more affordable housing units in the Village and achieve some of the objectives of the Affordable Housing Plan and the Comprehensive Plan, the Village has adopted several specific Zoning Code amendments.
  1. Density Bonus for Senior Living in R-7 & R-8 Districts. The Zoning Code (Section 4-110H-3) was amended to include both density and Floor Area Ratio (FAR) incentives for developers to provide “affordable” independent senior living units.
  2. Inclusionary Housing and Height/Density Bonus Requirement in the RS Zoning District. The Village also created a new zoning district to deal with the unique characteristics of senior and group living facilities. The RS District includes several provisions intended to promote affordable housing (all in Section 4-110H), including increased FAR and building height, provided that not less than ten percent (10%) of all units within Independent Senior Living Facilities in the RS District shall be constructed and operated as affordable units, as defined in the special permit. These standards were used to facilitate the development of the Lodge Senior Living facility, which was developed on the Techny Property (an area identified in the Affordable Housing Plan as targeted for affordable housing). When the Lodge of Northbrook was approved, 15% of the units were required to meet a local definition of affordability.
  3. Density & FAR Bonuses in New VGRC District. The Village Green Residential and Commercial (VGRC) district was established in 2016 to accommodate the Gateway Townhome development on Shermer Road. The VGRC district allows a mix of residential uses, including single family homes, townhomes and other multi-family structures. Incentives were established in the district to promote the supply of affordable housing near the downtown area and in close proximity to the transit options available. The incentive established in the VGRC district include opportunities for an increase in the maximum residential density for structures by up to twenty-five (25) percent or an increase of up to twenty-five (25) percent in the absolute maximum floor area ratio if affordable housing units are incorporated into the proposed development.

#### IV. AFFORDABLE HOUSING PLAN

##### A. PROGRESS MADE IN ACHIEVING THE GOAL OF 10% AFFORDABLE HOUSING

According to IHDA's calculations pursuant to Section 20(b) of the Act, as of in the year 2000, the Village of Northbrook ~~has had~~<sup>2</sup> 439 affordable for-sale units housing and 205 affordable rental units for a total of 644 affordable housing units in the Village. Thus, IHDA has calculated that in the year 2000, 5.30 percent of the Village's total housing units of 12,197 are were affordable in the year 2000.

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IHDA prepared an updated analysis of housing for municipalities in the State of Illinois in the year 2007. That study estimated that Northbrook continued to have 5.30 percent of its housing affordable based on the IHDA standards.

An analysis of U.S. Census Bureau data was completed by IHDA in 2013. That analysis estimated that the percentage of housing units in Northbrook had decreased to 4.40 percent.

In the year 2018, IHDA completed another analysis of Illinois municipalities housing conditions. The 2018 analysis estimated that the percentage of housing units in Northbrook that were affordable had increased to 5.70 percent.

In order for the Village to reach exempt status under the Act, the Village must have 10 percent of its total housing stock as affordable housing units, as defined by the Act. Assuming that the total housing unit calculation of 12,197 used for the year 2000 calculations were to remain constant, does not change,<sup>3</sup> the Village needs a total of 1,220 affordable housing units to be exempt under the Act.<sup>3</sup> After deducting the 644 existing affordable housing units calculated by IHDA from the total affordable housing units required to be exempt from the Act, 576 additional affordable housing units are needed in the Village.

## **B. IDENTIFICATION OF LANDS AND STRUCTURES MOST APPROPRIATE FOR AFFORDABLE HOUSING**

In identifying properties and structures that are most appropriate for affordable housing, it is important to note that appropriate does not simply translate to those properties or structures that are vacant and undeveloped. The character and environment of the Village of Northbrook is defined by its well-established single family residential development patterns and its public and private open space with minimal amounts of developable land remaining. In light of the existing character and environment of the community, the Village of Northbrook has identified that the areas most appropriate for affordable housing developments are:<sup>4</sup>

- Downtown/Central Business District: This includes the Village Green Overlay District, which authorizes a variety of land uses.
- Shermer Road Corridor: This area includes a mixture of existing multifamily developments and industrial uses.
- Techny Road East of Shermer Road: This area includes a sizable amount of potentially developable land.
- Waukegan Road Corridor: This area includes both existing multifamily dwellings and potentially developable land.
- Crestwood Place: This existing affordable senior housing development is owned by the Village and has potential for future expansion.
- Industrial Park Perimeter: Development of multifamily dwellings at certain of these locations may provide convenient housing for a local work force and provide an appropriate transition from more intense industrial uses to single-family dwellings.
- Techny Property: This approximately 775 acre tract is partially developed under the terms of an annexation agreement approved in 1988. It includes the largest area of undeveloped land in the Village.
- Other Redevelopment Sites: Although the Village is largely built-out, it is expected that there will continue to be other properties that will present opportunities for  
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**redevelopment. Those that are deemed appropriate for residential development should also be considered as sites where new affordable housing units can be added.**

Even within those areas, any sites that are used for new construction or adaptation of existing units must:

- Provide compatibility with established land-use patterns, surrounding land uses and the Village's Comprehensive Plan;
- If possible, be in mixed-use developments (for multi-unit structures);
- Not concentrate the affordable housing units; and
- Be located where there is adequate infrastructure to support such housing developments.

### **C. AFFORDABLE HOUSING POLICIES AND INCENTIVES**

The Village of Northbrook may, after a careful review to ensure that the public safety and health and the character and environment of the Village will be protected and preserved, consider adopting and implementing, or otherwise facilitating, the following policies and incentives in the areas of zoning and finance to encourage the development of affordable housing by both for-profit and non-profit developers in the Village:

#### Zoning:

- Inclusionary zoning to require new multifamily developments and redevelopments to include a minimum required amount of affordable housing. Such ordinances may also allow a developer to provide the required affordable housing off-site (such as through other new construction or rehab) or pay a fee into an affordable housing fund, in lieu of providing the required affordable housing on-site.
- Amendments to the zoning map and comprehensive plan to allow the expansion of the number of multifamily locations for affordable housing development.
- Bonuses or other incentives regarding zoning requirements for developers who provide affordable housing, such as reduced parking, lot size, setback or lot coverage requirements, or increased density.
- Fee reductions or waivers for zoning-related costs for those providing affordable housing.
- Expedited processing of zoning applications for those proposing to provide affordable housing.
- Authorize accessory living units as permitted uses in selected zoning districts.

#### Finance:

- Reduced building permit fees for affordable units.
- Municipal property tax abatements.
- Reductions to or waivers of required impact fees or Village utility rates.<sup>5</sup>
- Coordination with an affordable housing developer attempting to use IHDA Housing Trust Funds (matching funds) or other non-for-profit grant funds.
- Adoption of a special tax or fee for demolition of residential uses to help fund affordable housing initiatives.

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- Establishment of a Community Land Trust to acquire and maintain ownership of land for affordable housing and to assist in ensuring that rental and for sale housing it holds remains affordable.<sup>6</sup>
- Cooperation with local businesses that wish to implement employer-assisted housing programs expand housing options for the employer's workforce, whether the employer is private sector or governmental. Examples of such programs may include down payment assistance, rental subsidies, or contracting with community-based housing organizations to assist employees with housing choices
- Rehabilitation or redevelopment of existing structures for conversion to affordable housing or to maintain existing affordable housing by private or public sector entities. One such conversion is the Village's own Crestwood Place, which provides senior citizen affordable housing in an unused school building.

#### D. GOALS

The Village of Northbrook has identified the following targets for the development of affordable housing in the Village:<sup>7</sup>

- 15% of all new development or redevelopment in the Village will be affordable;
- or
- 3% increase in affordable housing units in the Village over the number of affordable units calculated by IHDA pursuant to Section 20(b) of the Act.

In furtherance of reaching these targets, the Village of Northbrook establishes the following goals for its Affordable Housing Plan:

1. No later than June 1, 2005~~2022~~, the Village Board shall designate a commission the ~~Housing and Human Services Committee or another appropriate committee of the Village Board~~ to serve as the standing committee commission to study affordable housing issues and make recommendations to the Village Board.

2. Within six months after approval of the Affordable Housing Plan, the Village Board shall refer to the Plan Commission for public hearing possible amendments to the Northbrook Comprehensive Plan to encourage and attract affordable housing in the Village while protecting the public health and safety and in a manner consistent with the character and environment of Northbrook.

3. Within one year after approval of the Affordable Housing Plan, the Village Board shall refer to the Plan Commission for public hearing possible amendments to the Northbrook Zoning Code and Northbrook Zoning Map to encourage and attract affordable housing in the Village consistent with the public health, safety, character, and environment of the Village, including without limitation the following:

- a. Density bonuses for developments that provide affordable housing units.
- b. Requirements that larger new developments in the Village must include affordable housing units on-site at a rate of 15 percent of the total number units or have an alternate means of compliance approved by the Board of Trustees.
- c. ~~Text amendments to permit multiple family and senior housing developments.~~
- d. ~~Map amendments to rezone parcels identified as most appropriate for affordable housing.~~

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4. After approval of the Affordable Housing Plan, the ~~Housing and Human Services Committee or another appropriate committee of the Board~~ **commission designated by the Board of Trustees to review housing issues in the community** shall meet with non-profit affordable housing agencies and groups to discuss issues relating to affordable housing, including potential incentives.

5. ~~Within 12 months~~ **At least once a year** after approval of the Affordable Housing Plan, the Village Board shall ~~request that the Housing and Human Services Committee or another appropriate committee of the Village Board~~ **compile review** information regarding housing conditions and ~~prepare a report regarding federal and state financial programs, including grants and other sources of funding~~, available to assist the Village and affordable housing developers in developing affordable housing in the Village.

6. Not less than every three years following approval of the Affordable Housing Plan, the Village Board of Trustees shall review and update the Affordable Housing Plan. The Village Manager shall monitor increases and decreases in the number of affordable units in the Village and report to the Board thereon in connection with any such review.

Obviously, the Village cannot control market forces that affect the affordability of land and housing within Northbrook, nor the income levels of households that serve as the benchmark for determining affordability. This is particularly true given the largely developed nature of the Village vis-à-vis the larger area against which it is measured for establishing affordable housing targets. Because of these imponderables, as well as the overall uncertainty of the real estate development industry and the changing regulatory milieu in which such development occurs, it is not and cannot practically be a goal of this Plan to meet the target levels of affordable housing units stated above in any specific time frame. Rather, it is the objective of this plan that, by pursuing the goals set forth above, the Village will have created conditions amenable to ultimately achieving the stated affordable housing targets in Northbrook in a manner that will not impact the health and safety capabilities of the Village and will protect and preserve the character and environment of the Northbrook community.

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**End Notes:**

<sup>1</sup> Northbrook Municipal Code, Section 14-16 et seq.

<sup>2</sup> Under Section 15, the Act defines “affordable housing” as that housing whose sale or rental price is within the means of a household that may occupy moderate-income housing (affordable to households with income that is greater than 50% but does not exceed 80% of the area median household income) or low-income housing (affordable to households with income that does not exceed 50% of the area median household income). IHDA calculated the number of affordable units pursuant to Section 20(b) of the Act. The goal of this Plan is to provide affordable housing as defined in the Act. In the future, the Village reserves the right to review local income and housing data to determine the most appropriate affordability thresholds within the Village.

<sup>3</sup> It is unclear from the Act how a municipality determines the total housing stock in calculating the 10 percent affordable housing number. As the number of total units in the Village changes, so too would the target for affordable units. Additionally, through market forces, changes in occupancy of current affordable units could transform them to units that do not qualify as “affordable housing” without any intervention of the Village. Because it is impossible to predict how housing will be developed in the Village in the future and how market forces may affect existing affordable units, for purposes of complying with the Act the Village has (a) used the total housing unit number reported by IHDA to calculate the 10 percent affordable housing unit number, and (b) set its goal based on the assumption that existing affordable units will continue to serve as “affordable housing” as defined in the Act.

<sup>4</sup> The Village’s identification of properties or structures most appropriate for affordable housing development does not ensure that these properties will be developed with affordable housing, nor does it create any entitlement therefor. Conversely, such identification is not intended to affect the existing development rights currently vested in such properties.

<sup>5</sup> This may be impacted by any bond covenants that the Village may have in place from time to time.

<sup>6</sup> The land trust is typically held by a non-profit organization, but local governments and private companies can also hold land trusts. Public or private funds, including fee-in-lieu funds, can be used for the purchase of land.

<sup>7</sup> These targets have been established in accordance with the Act and the assumptions set forth in this Plan, and in particular in footnote 3 of this Plan.

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