

RESOLUTION

VILLAGE OF GILBERTS

A Resolution adopting the Village of Gilberts Affordable Housing Plan

Be it Resolved by the President and Board of Trustees of the Village of Gilberts, Kane County, Illinois that:

Section 1:

The Village of Gilberts hereby authorizes the Village President and Village Clerk to execute an Affordable Housing Plan as are necessary and convenient as attached hereto and made part hereof as Exhibit A as approved.

Section 2:

This resolution shall be in full force and in effect from and after its passage and approval pursuant to law.

Passed this 2nd day of June, 2015 by a roll call vote as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee David LeClercq	_____	_____	✓	_____
Trustee Dan Corbett	✓	_____	_____	_____
Trustee Nancy Farrell	✓	_____	_____	_____
Trustee Louis Hacker	_____	_____	✓	_____
Trustee Elissa Kojzarek	✓	_____	_____	_____
Trustee Guy Zambetti	_____	✓	_____	_____
President Rick Zirk	✓	_____	_____	_____

APPROVED THIS 2nd DAY OF June, 2015

*[Signature]*  
Village President, Rick Zirk



*[Signature]*

Village Clerk, Debra Meadows

Published: June 3, 2015

**VILLAGE OF GILBERTS**  
**AFFORDABLE HOUSING PLAN**  
**(Approved by Resolution No. 26-2015)**

**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, codified at 310 ILCS 67/1 *et seq.* (“**Act**”). The Act’s purpose is to encourage municipalities to incorporate affordable housing within their housing stock sufficient to meet the needs of their community. The Act also 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 and adopt affordable housing plans; and (3) the Act provides an appeal procedure for aggrieved developers of affordable housing.

Recently, IHDA sent a letter to the Village of Gilberts informing it that it was a non-exempt community pursuant to Section 20(b) of the Act. Pursuant to Section 25 of the Act, therefore, the Village must prepare an affordable housing plan and approve the plan prior to June 2, 2015.

**II. BACKGROUND AND INTENT**

Gilberts intends to comply with the IHDA’s directive that it prepare and adopt a plan. Gilberts recognizes the importance of providing affordable housing throughout the State of Illinois and believes that 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 a particular community. The challenge for Gilberts in establishing affordable housing is significant, however. The Village lacks supplemental revenue sources sufficient to provide the type of substantial financial subsidies and funding programs that would be necessary without adversely affecting the existing character and environment of the Village, as described above and as set forth in the Gilberts Unified Development Ordinance (“**UDO**”), Gilberts Village Code, Gilberts Comprehensive Plan, and other ordinances and regulations of the Village.

Gilberts is developed predominantly with single-family residences, with limited commercial development and an increasing industrial core. Preservation of existing open spaces is important to define and enhance the Village’s character and environment.

The Gilberts Comprehensive Plan identifies, among others, the following goals for future development in Gilberts:

**Housing (p. 10)**: Provide a high quality, low-density residential community, which has a diversity of housing types, supports the projected growth of the community, and creates an enjoyable, safe and healthy residential environment, while maintaining a semi-rural character.

**Parks and Recreation (p.12):** Improve the existing park system and provide adequate parks, open space and recreational facilities to accommodate the needs of existing and future residents of the Village of Gilberts.

**Old Town (p. 15):** Redevelop Old Town to serve as the focal point of the original Village of Gilberts, including areas devoted to public open space, civic structures, convenience, commercial and residential.

**Community Facilities and Services (p. 16):** To provide adequate utilities and infrastructure accommodate the needs of existing and future development on a cost effective basis.

**Environmental (p. 17):** Define and preserve significant natural resources and create an environmentally sound Village.

Gilberts' 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. The Village does not operate its own fire department; instead the Village obtains fire and emergency medical services provided by a fire protection district. Establishing affordable housing in a manner inconsistent with the overall character of the Village would 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 in accordance with the Act. The overall objective of the Village and this Plan is to identify potential locations for, and to undertake steps to promote, affordable housing in a manner that preserves the character and environment of Gilberts and protects the public health and safety.

### **III. AFFORDABLE HOUSING PLAN**

#### **A. 10% AFFORDABLE HOUSING**

The Act seeks a goal of 10% of all housing units being affordable. According to the "2013 Report of Non Exempt Local Governments Ordinal," IHDA has determined that 3.9% of owner-occupied and renter-occupied housing units in the Village are affordable as calculated under Section 20(b) of the Act. Under IHDA's calculations, of the 2062 housing units in the Village for which affordability could be determined, 81 units were determined to be affordable. To meet the 10 percent goal, a total of 206 units of affordable housing should be available.

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

In identifying lands and structures that are most appropriate for affordable housing and incentives that may be available to attract affordable housing developments in the Village, the Village of Gilberts has carefully considered the requirements and intent of the Act and the character and environment of the Village, as set forth in the UDO, Village Code, Comprehensive Plan, and other regulations of the Village, and as described in Section II of this Plan.

In light of the existing character and environment of the community, the Village has identified (1) vacant parcels and (2) existing older single-family homes as renovation and turnover occurs as the most appropriate for affordable housing development or redevelopment.

The Village's identification of areas most appropriate for affordable housing does not ensure or require that these properties be developed with affordable housing, nor does it create any entitlement for development. Conversely, such identification is not intended to affect the existing development rights currently vested in such properties. "Appropriate" does not simply translate to all properties or structures that are vacant and undeveloped. Even within the identified areas, any sites that are used for new construction or adaptation of existing units must:

- Provide compatibility with established land-use patterns and surrounding land uses;
- Avoid areas designated for retail growth, parks, open space, and sensitive environmental areas;
- If possible, be in mixed income developments;
- Not concentrate the entire goal for affordable housing units in only one site; and
- Provide adequate infrastructure to support such housing developments.

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

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, the Village should explore and examine adopting and implementing, or otherwise facilitating, the following policies and incentives to encourage the development of affordable housing by both for-profit and non-profit developers in the Village:

- Expedited permit reviews or reduced costs of permitting fees for affordable units;
- Cooperation with a developer in application for IHDA Housing Trust Funds (matching funds); and
- Flexible zoning, density bonuses, or other zoning relief to allow additional density.

### **D. GOALS**

Gilberts has identified the following target for development of affordable housing in the Village: 10% of all housing in the Village will be affordable housing.

### **E. NEXT STEPS**

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

1. Monitor existing and potential affordable housing units within the Village.
2. Monitor the renovation, rehabilitation, and reconstruction of existing single-family dwelling units to encourage such dwelling units to be made more affordable.
3. Review the Comprehensive Plan, UDO, and other regulations and policies to determine whether amendments are appropriate to further the goals of this plan while still protecting the character and environment of the Village.

4. Not less than every 10 years following approval of this Affordable Housing Plan, the Village Board shall review and update the Affordable Housing Plan.

Obviously, the Village cannot control market forces that affect the affordability of land and housing within Gilberts, nor the income levels of households that serve as the benchmark for determining affordability. This is particularly true given the size of the Village vis-à-vis the larger area against which it is measured for establishing affordable housing targets. Because of these factors, as well as the overall uncertainty of the real estate development industry and the changing regulatory field 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 Gilberts 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 Gilberts community.

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