



## The Village of Libertyville Attainable Housing Ordinance Frequently Asked Questions (FAQ)

### 1. What is attainable housing?

Attainable housing is a tool that helps create housing opportunities for people at a variety of income levels. In covered developments, it requires developers who elect to build on-site units to sell or rent a portion of newly created units at rents or sales prices that are affordable to designated income levels.

### 2. Why do communities have attainable housing?

To provide attainable housing for moderate-income households to increase housing opportunities for a diverse population. Attainable housing will also help to provide local employers within the Village to maintain an adequate local workforce.

### 3. Who lives in attainable housing?

Attainable housing units are home to healthcare workers, teachers, retail staff, government employees, nonprofit staff, seniors, artists, households experiencing a loss of income, health issue or the death of a wage earner, persons with disabilities, young families just starting out, and many others with incomes below 120% of the area median income who struggle to find housing they can afford in the community.

### 4. What developments are covered by the attainable housing ordinance?

The Ordinance will cover all new residential developments that contain ten or more units. Specifically, the following developments will be covered:

- New residential construction or new mixed-use construction with a residential component
- A development consisting of the renovation or reconstruction of over 50% of the total square footage of an existing multiple family residential structure and that increases the number of residential units from the number of units in the original structure
- A development that will change the use of an existing building in whole or in part from non-residential to residential
- The development of senior citizen homes **without** nursing care

- The Ordinance does **not** apply to nursing homes or assisted living facilities

**5. How many units are required to be affordable?**

At least 15% of the total number of units within the development must be Attainable Housing Units in the draft Ordinance.

**6. What are the income limits for tenants and homebuyers?**

*For Sale Units*

Proportion of Included Units	Eligible Income Tier
At least one and no less than 50%	<b>Tier 1-</b> Households with gross income less than 80% of AMI
Any remaining units	<b>Tier 2-</b> Households with gross income equal to or greater than 80% of AMI but less than 120% of AMI

*Rental Units*

Proportion of Included Units	Eligible Income Tier
No less than 33%	<b>Tier 1-</b> Households with gross income less than 50% of AMI
No less than 33%	<b>Tier 2-</b> Households with gross income equal to or greater than 50% of AMI but less than 80% AMI
No more than 33%	<b>Tier 3-</b> Households with gross income equal to or greater than 80% of AMI but less than 120% AMI

Area Median Income amounts are based on the Chicago-Naperville-Elgin, IL limits published annually by the U.S. Department of Housing and Urban Development. Income certifications for tenants and homebuyers will be completed, along with annual income recertifications for tenants and income certifications for new homebuyers at the time of resale. Current AMI limits will be published on the Village’s website annually.

**7. How are attainable rents and sales prices determined?**

The Village will annually publish a schedule of rents and sales prices that comply with the Illinois Housing Development Authority. A detailed explanation of the calculations will be included in the Village’s Attainable Housing Administrative Guidelines.

**8. How long do the units remain affordable?**

Attainable housing units will be resold to eligible households in perpetuity, or as long as

permissible by law. In covered development projects that contain rental units, Attainable housing units will be rented to eligible income households in perpetuity, or as long as permissible by law. The unit stays affordable in perpetuity for the designated income level, but tenants need to re-qualify annually.

**9. Do the attainable units need to be the same as the market rate units?**

The exterior appearance of the attainable units must be visually compatible with the market rate units and use substantially the same materials and finishes. Attainable units may have different interior appearances and finishes. Attainable units must be disbursed throughout the development and have similar access to common areas, facilities, and amenities.

**10. Are there incentives or cost off-sets for developers?**

Yes, developer may request a waiver of all applicable application fees, building permit fees, plan review fees, inspection fees, sewer and water tap-on fees, demolition permit fees, impact fees, and other development fees and costs for the specific attainable housing units.

For all Covered Development Projects, a density bonus will be provided equal to one Market Rate Unit for each Attainable Housing Unit that is required and is constructed on the site of the Covered Development Project however, the maximum number of dwelling units in a Covered Development Project cannot exceed 115% of the total number of dwelling units otherwise authorized

In all Covered Development Projects that are located in the C-1, C-2, or C-3 zoning districts, and in addition to the provision of Bonus Units, the maximum floor area ratio applicable to such Covered Development Projects within such zoning district may be increased an additional 0.25 in floor area ratio if all required Attainable Housing Units are constructed on the site of the Covered Development Project

**11. Are there any allowed alternative options for complying with the Ordinance?**

Yes, as an alternative to constructing Attainable Housing on the site of the Covered Development Project, an applicant may **elect** to implement one or more of the following alternatives to constructing **some or all** of the Attainable Housing Units:

Three alternate options include:

- **Cash Payment In Lieu-** A cash payment in lieu of constructing some or all of the required attainable housing units on the site of a development project. The cash payment for each unit will be established by the Village Board and set forth in the Annual Fee Ordinance. The amount will be established, reviewed, and periodically adjusted by the Village Board based on an estimate of the cost of providing an attainable housing unit.
- **Offsite Units-** An equivalent number of attainable housing units at another site within the Village.
- **Land Donation-** The dedication of land of a size and location appropriate for the development of attainable housing units and consistent with administrative guidelines approved by the Village Board, which dedication shall be made to the Village or, at the

Village's discretion, to a qualified not-for-profit housing agency.

**12. How do developers market the affordable units?**

Developers are responsible for good faith marketing efforts to members of the public who are likely to be eligible. The Village will also be utilizing a not-for-profit housing agency to assist with the attainable housing program. The agency can also aid the developer in marketing attainable units through its network of social service agencies, schools, local employers, religious organizations, civic groups, social media, website, newsletters, and other channels. There is also normally a waiting list of applicants who are pre-screened to meet eligibility requirements.

**14. What if I have additional questions?**

Additional information including the draft Attainable Housing Ordinance and other background information is available on the Village of Libertyville's website at [www.libertyville.com/housing](http://www.libertyville.com/housing). You may also contact Director of Community Development John Spoden at 847-918-2029 or Senior Planner David Smith at 847-918-2030.