Meeting Agenda

Plan Commission Meeting
Thursday, March 16, 2023 at 7:30 P.M.
Village of Skokie
Council Chambers
5127 Oakton Street
Skokie, IL 60077

I. Call to Order/Declaration of Quorum

II. Roll Call

III. Approval of Minutes of March 2, 2023 Plan Commission meeting

IV. New Business:

| 2023-03P Site Plan Approval: 3301 & 3321 Howard Street |
| ZAZ Holdings, LLC requests site plan approval for an automotive fuel station and a car wash in an M3 Industrial zoning district to allow two principal buildings on one lot, and any other relief that may be discovered during the review of this case. |
| Request to continue to May 4, 2023 |

| 2023-04P – Special Use Permit: 3301 Howard Street |
| ZAZ Holdings, LLC requests to amend an existing special use permit for an automotive fuel station in an M3 Industrial zoning district to modify the existing site plan and landscape plan, and any other relief that may be discovered during the review of this case. |
| Request to continue to May 4, 2023 |

| 2023-05P – Special Use Permit: 3321 Howard Street |
| ZAZ Holdings, LLC requests a special use permit for a car wash in an M3 Industrial zoning district, and any other relief that may be discovered during the review of this case. |
| Request to continue to May 4, 2023 |

| Discussion on Affordable Housing Policy Recommendation |
| Continued discussion regarding the formation of an affordable housing policy recommendation to the Board of Trustees. |

| Discussion of Drive-Thru Policy |
| Discussion of potential policy changes to address and mitigate impact for drive-thrus. |

V. Old Business:

VI. Public Comment (for non-agenda items)

VII. Next Meeting will be April 20, 2023 at 7:30 P.M.

VIII. Adjournment

Written comments can be submitted by email to publiccomments@skokie.org or by mail to Village of Skokie, Attn: Johanna L. Nyden, Community Development Director, 5127 Oakton Street, Skokie, Illinois, 6077; or via the Village’s drop box located by the public entry to Village Hall.
Memorandum
Community Development Department

TO: Chair Paul Luke & Members of the Plan Commission

FROM: Johann Nyden, AICP, Director of Community Development

DATE: March 9, 2023

SUBJECT: Recommendation of Village of Skokie Affordable Housing Policy

Summary:
The attached document provides a revision to the draft affordable housing policy recommendations.

This document is three-fold. It provides a summary of Skokie’s existing work and commitment to supporting affordable housing and work to build a diverse housing stock throughout the community. Second, it summarizes existing data that starts to illustrate the need for various types of affordable housing. Finally, it summarizes a series of goals and opportunities for Skokie to move forward in its next chapter of affordable housing work.
The Village of Skokie’s Commitment to Affordable Housing

The Village of Skokie, founded in 1888, has a history of supporting affordable and diverse housing options. Highlights of this work include:

- The Village was one of the first communities in the region to adopt a fair housing ordinance in 1967.

- The Village has maintained a self-imposed property tax freeze since 1990. Recognizing the relationship that property tax bills play for housing costs, this has kept the Village’s portion of the property tax as a percentage of the total tax bill low, which is currently around 6% of a typical property tax bill.

- Since 1975, the Village has administered its Community Development Block Grant (CDBG) funds to support the rehabilitation of owner-occupied housing for income eligible individuals. The Village has funded a housing rehab program since 1983. In recent years, the Village’s Consolidated Plan has consistently targeted and allocated funding housing rehabilitation.

- In addition to the Housing Chapter of the Adopted Comprehensive Plan (Housing portion approved by the Village Board in 2007), the Village adopts a five-year Consolidated Plan to guide its funding for annual allocations for its CDBG entitlement. During each new process for plan development, a Needs Assessment is conducted through which housing availability, characteristics, and affordability are reviewed and documented.

- The Illinois Department of Housing Authority (IHDA) adopted the Affordable Housing Planning and Appeals Act (AHPAA) in 2003 to support the development and inclusion of moderately-priced housing in all communities across the State. Communities that maintain less than 10% of their housing as affordable by IHDA’s metrics must adopt and submit an Affordable Housing Plan to IHDA. Skokie has maintained compliance with this act since its adoption. At IHDA’s last measure, Skokie had 19.9% of its housing considered affordable.

- The Village has long recognized the relationship between housing and transportation for households and has advocated for the investment in public transportation options. The opening of the Oakton Street Yellow Line Station in 2012 marked significant investment ($20 million from all funding partners) in both bringing workers by mass transit into Skokie’s downtown and providing area residents access to Chicago’s employment center. Further investment and partnership with Pace on its Pulse Line development connects Skokie residents and workers to eastern and western destinations via bus rapid transit options.

- Congregate Living Facilities are permitted in any residential district and are a special use in other districts. This gives flexibility to this housing type. Skokie has forty facilities and is recognized as a leader in providing this housing.
In 2014, the Village adopted the Residential Rental Unit Standards and Neighborhood Integrity Initiative which required the registration of rental units. The ordinance requires the inspection of every rental unit prior to being offered to rent and when properties are sold; landlords also are also required to complete a Village-offered landlord training program.

The Village’s Neighborhood Enhancement Program, started in 2019, was designed to increase investment in qualifying neighborhoods where the Village had made investment to public infrastructure such as road, sidewalk, or alley improvements.

Skokie’s 2020 Commitment to Affordable Housing highlighted several priorities for affordable housing that include supporting the Neighborhood Enhancement and Home Improvement Program; providing housing financial and emergency assistance to households during the initial phases of the COVID-19 pandemic; and the development and implementation of the Neighborhood Integrity Initiative, which requires inspection of units and training for landlords.

Since 2018 the Village has participated in a Regional Assessment of Fair housing, led by the Cook County Bureau of Economic Development. This collaboration among CDBG entitlement communities, public housing authorities, and not-for-profit organizations provides analysis and recommendations to further fair housing efforts in Cook County.

Impact Behavioral Health broke ground on a 16-unit apartment building in downtown Skokie. Funding for the $8 million structure was made possible from the Illinois Housing Development Authority (IHDA). The Village, Impact, and the state were able to jointly facilitate this project for Impact’s low-income program participants.

In 2020 and 2023, two new rental housing developments established Skokie as a desired location for new apartments (The Boulevard and Highpoint at 8000 North). In 2022, building on the success of recent residential development in Skokie, two projects under consideration opted to include 5% of units at levels affordable to 100% of Area Median Incomes (AMI). In total this was 15 more units of affordable housing for the Village in new developments. The Village Board in November 2022 directed the Plan Commission to engage in additional study and consideration of affordable housing policy recommendations. In January, February, and March 2023, the Plan Commission engaged in meetings to review strategies, hear from subject matter experts, and formulate recommendations for the Village Board.

The Village has a variety of housing options for residents holding vouchers from the Housing Authority of Cook County as well as other units with on-site affordable housing through partner organizations and Cook County.
Skokie Demographic & Housing Background

Skokie is an economically, racially, and ethnically diverse community. According to the 2020 Census, Skokie is slightly wealthier than the metropolitan region and Cook County. The chart below from DePaul University’s Institute for Housing highlights the breakdown of income levels for households.

Racially and ethnically, Skokie’s population is slightly different than the region, with a significant portion of the population that identifies as Asian (27.4% of the population as compared to 7.2% and 7.3% of the County and region).
Housing affordability is universally discussed in terms of different levels of income limits called "area median income". Different levels differentiate different potential levels or access points to housing assistance programs. Planetizen has an article that provides additional information on AMI. The chart below breaks down income assumptions based on the incomes for the region that Skokie is located in. Low- and moderate income households are generally those that fall between 50%-80% of AMI; affordable workforce housing is generally considered those that fall between 80% and 120% of AMI. Deeper levels of affordability below 60% and 50% of AMI are often accompanied with supportive living environments with additional wraparound services for residents to support living arrangements.

### Area Median Income (AMI) Chart

Federal, state, and local laws place restrictions on the income of households assisted through various Department of Housing (DOH) programs. The maximum income level for DOH programs varies, according to the policies and regulations that guide each program.

The income limits refer to total household income, which includes the income of all adults in the household. For different income levels or larger households, see the complete chart.

<table>
<thead>
<tr>
<th>Household Size</th>
<th>Area Median Income Limits 2022 (Effective April 18, 2022)</th>
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<tbody>
<tr>
<td></td>
<td>30%</td>
</tr>
<tr>
<td>1</td>
<td>$21,900</td>
</tr>
<tr>
<td>2</td>
<td>$25,000</td>
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<tr>
<td>3</td>
<td>$28,150</td>
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<td>6</td>
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<tr>
<td>7</td>
<td>$38,750</td>
</tr>
<tr>
<td>8</td>
<td>$41,250</td>
</tr>
</tbody>
</table>

Income limits are for the Chicago-Naperville-Joliet, IL HUD Metro FMR Area. Effective until superseded.

Income limits for 30%, 50% and 80% as published by HUD.

Income limits for all other income levels calculated per HUD methodology, based on Very Low Income (50% AMI) limit.

Income limits for 9-person household calculated at 140% of 4-person limits. Income limits for 10-person household calculated at 148% of 4-person limits.
According to the Village’s adopted Consolidated Plan for Program Year 2020-2024 (PY20-24), the data analysis highlights the households most in need of support and the types of challenges found in housing units in Skokie (i.e. units were deficient in some manner).

The data indicates that CDBG priorities should focus on households with older adults and younger children. According to the Department of Housing and Urban Development (HUD) Area Family Median Income (HAMFI), approximately 52% of Skokie’s households were low-/moderate-income. The greatest percentage of low-/moderate-income households is 59% for household with at least one person 75 years of age or older, followed by 57% of households with one or more children six years of age or younger and 39% of households with at least one person 62 to 74 years of age.

The breakdown of age, based on Census data, indicates that the share of the population under 18 years of age is similar to the Cook County and metropolitan region, but Skokie skews a bit older. Addressing housing challenges for the aging population will be an opportunity area for Skokie in the coming years and building strategies to support this work will be important.

The Consolidated Plan further highlights challenges associated with housing in Skokie. These include:

- **Housing units lack complete kitchen/plumbing facilities.** The estimated number of households lacking complete plumbing or kitchen facilities is 75 households, with 50 of these households in renter-occupied housing and 25 in owner-occupied housing. All households living in these conditions were low- and moderate-income households.
- **Housing is overcrowded.** According to the Consolidated Plan, those living in 550 households were residing in overcrowded housing units. Overcrowded was considered 1-1.5 people per room.

- **Households are cost burdened.** This was identified as the greatest problem; there are more than 3,200 renter/owner-occupied households with a housing burden greater than 30% of household income, and greater than 4,000 renter/owner-occupied households with a housing burden greater than 50% of household income.

SHARE OF ALL HOUSEHOLDS THAT ARE COST-BURDENED

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Share of All Households that are Cost-Burdened</td>
<td>37.8%</td>
</tr>
</tbody>
</table>

The previous chart is from DePaul University's Institute for Housing Studies. It highlights the nature of the regional issues of households being cost-burdened with housing. Skokie's share of all households that are cost-burdened (spending more than 30% of income on housing) is virtually the same as Cook County and the broader metropolitan region.

The goals highlighted in the next section build on Skokie's unique demographic profile and the state of housing in the community. The attention and support for older populations and their housing needs will need to be a top priority with both the existing older population and the aging Baby Boomers. A study by IHS, identified the range of housing needs for Cook County's older Adults. The following chart highlights the net change in older adult rental household income in Chicago is likely comparable to broader Cook County and considering Skokie's adjacency to Chicago is noteworthy. Significant growth in the 30 percent AMI and less income range was the most significant, but almost every other income range saw growth in a five-year span as well.
Preventing deferred maintenance and making sure homes are accessibility will be a cornerstone of work in the Village’s housing rehabilitation programs; expansion to include renter-occupied housing will further diversify the Village’s ability to help residents. Increasing the number of affordable units through an inclusionary housing ordinance, providing gap financing for developers engaged in affordable housing projects, and supporting projects seeking low-income housing tax credits also will represent opportunities to increase the number of affordable units in Skokie and reduce the portion of households that are housing-cost burdened.
Village of Skokie Housing Policy Goals - DRAFT

The Village supports providing affordable and attainable housing for all who seek to live in Skokie. Skokie’s goals for affordable housing are well-documented in the Village’s Consolidated Plan (Program Year 2020-24) for Community Development Block Grant funding, “[E]nsure housing is affordable, accessible, and sustainable.” The following updated framework builds on the goal statement from the Village’s Consolidated Plan:

Goal A: Study and assess the ongoing supply and demand for inclusive affordable housing in Skokie.
Goal B: Preserve, protect, and improve Skokie’s existing affordable housing to be accessible and sustainable;
Goal C: Reduce “jobs/housing mismatch” and ensure that housing is available to all of Skokie’s workers;
Goal D: Create new opportunities to increase Skokie’s supply of affordable housing;
Goal E: Support local and region-wide partner efforts to promote and expand fair housing efforts; and

GOAL A: STUDY, ASSESS, AND REPORT ON THE ONGOING SUPPLY AND DEMAND FOR INCLUSIVE AFFORDABLE HOUSING IN SKOKIE

To implement this goal, the following options could be considered:

• Study how Skokie’s affordable housing changes over time. Understanding Skokie’s affordable housing needs, changing demographic profile, and available housing stock is an important component of affordable housing policy.

• Update the Village’s Comprehensive Plan. The Village’s Comprehensive Plan is a key document that guides and informs the Village’s policies and work on numerous items associated with housing.

• Monitor Best Practices and Work with Regional Housing Experts. There are many resources to support new ideas and innovative practices for supporting affordable housing. Based on Skokie’s demographic profile and housing stock, Regional Housing Solutions has identified a series of strategies and recommended opportunities for enhancing and increasing the availability of affordable housing in Skokie. Several of the strategies (like municipal rehabilitation programs) identified in this document are suggested through this tool.

• Report on affordable housing work. Provide regular information on progress to reaching affordable housing goals and strategies. Utilize information to further educate the public on the importance and benefits of affordable housing in the community and regional work.

1 Previous framework for affordable housing goals presented funding as a goal. This is now a potential opportunity area for implementing the goals.
GOAL B: PRESERVE, PROTECT, AND IMPROVE SKOKIE’S EXISTING AFFORDABLE HOUSING

This goal focuses on investment in existing units with attention to make sure units are safe, sustainable, and accessible. To implement this goal, the following options could be considered:

- **Bolster Existing Repair Programs.** An emerging component of affordable housing policy is to support home repair programs that assist in keeping residents (particularly older populations) in their homes and reduce the high costs created from deferred maintenance. They also can help people “age in place” through making parts of their home safer and accessible for older adults or people with disabilities. Additionally, these maintenance and repair programs can focus on aspects of sustainability – helping weatherize homes and reduce energy costs, which often can significantly contribute to housing costs. A recent *Chicago Tribune* Op-Ed highlighted the need for housing repair/rehabilitation programs as an alternative to home ownership programs. These programs preserve the housing stock and ensure that existing housing is available for future generations.

DePaul University’s Institute for Housing Studies has collected a wealth of information from the US Census and the Cook County Assessor’s office. Based on this snapshot, trends in housing type are visible. Skokie’s housing typology has a large portion of multi-family housing that are comprised of two- and four-unit structures. These represent a unique opportunity to improve smaller-scale housing that supports the neighborhood character of Skokie.

- **Study Feasibility of Establishing a Skokie Land Trust.** According to 2020 Census data, the Village of Skokie had approximately 24,067 households with 72.4% of them being owner-occupied. The remaining 27.6% were non-owner-occupied (or rental) households. Continuing to support pathways to homeownership and ensure that moderate-income households have access to homeownership opportunities is important. Creating community land trusts in which the land and the housing structure are separated, and homebuyers are able to purchase and sell the housing structure without the extra land value is a unique opportunity. Additionally, homebuyer classes and financial literacy
counseling will also help families get on the path to homeownership. Pursuing this opportunity is in line with work neighboring communities do to support homeownership opportunities.

- **Create a residential vacant home registry.** Vacant homes are scattered throughout Skokie and have the potential to become problematic and a nuisance to the neighborhood. They generate complaints (e.g. overgrown vegetation, security issues, potential flooding, etc.). As the deferred maintenance on these homes escalates, major building components fail and homes are often prospective teardown or rendered cost prohibitive to re-occupy. The number of vacant housing units has grown slightly over the past 20 years. According to analysis by the Chicago Metropolitan Agency for Planning, the percentage of Skokie’s vacant housing units in 2000 was 2%; based on information from the 2020 Census, this has grown to 6.8%. Study the feasibility of adding a fee to buildings that qualify to be considered as vacant (not actively marketed and not occupied by people).

- **Code Enforcement of Rental Units.** While rental properties represent 27.6% of the total housing population, they are a key component of the Village’s housing landscape and are often concentrated in areas of the community. The Village has established additional monitors to support rental housing, but the Village could explore new avenues of working with rental property owners to improve the housing stock.

**GOAL C: REDUCE “JOBS/HOUSING MISMATCH” AND ENSURE THAT HOUSING IS AVAILABLE TO ALL OF SKOKIE’S WORKER**

The importance of making sure that good jobs are located near housing and housing is located near job centers has been an important cornerstone of workforce development and housing policy for decades. The spatial relationship to job seekers to where jobs are available is a function of both available job sites near residential areas, adding housing units near employment centers, and accessible transportation options. To implement this goal, the following could be considered:

- **Work with Major Employers to Understand Skokie’s Jobs/Housing Mismatch.** Understanding where workers in Skokie live is an opportunity to examine how new housing might be made more attractive for workers (e.g. size of units, affordability levels, etc.). It also is an opportunity to work with employers to help them locate more workers locally in Skokie.

**GOAL D: CREATE NEW OPPORTUNITIES TO INCREASE SKOKIE’S AFFORDABLE HOUSING SUPPLY**

Building on the work existing supply of Skokie’s affordable housing, new opportunities to create new affordable housing represent an opportunity to create mixed income communities throughout Skokie’s neighborhoods. To implement this goal, the following options could be considered:

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2 CMAP Community Data Snapshot for Skokie: [https://www.cmap.illinois.gov/documents/10180/102881/Skokie.pdf](https://www.cmap.illinois.gov/documents/10180/102881/Skokie.pdf)
• **Establish an Inclusionary Housing Ordinance.** An Inclusionary Housing Ordinance will require certain new developments to include affordable housing. It is important to strike a balance between encouraging new development, while also bringing new affordable development to Skokie. Concepts range from requiring on-site units within new developments to paying a fee in lieu of providing on-site units at a development. Two attachments are related to this strategy; the first include discussion of potential parameters for an inclusionary housing ordinance; the second includes a summary of inclusionary housing ordinances in neighboring and regional communities and concepts for Skokie’s potential ordinance. In summary, eight communities were identified that have inclusionary housing ordinances in place and were studied further to determine their impact and effectiveness. These communities include Arlington Heights, Deerfield, Evanston, Highland Park, Lake Forest, Northbrook, Oak Park and St. Charles.

• **Update Zoning Code to Allow Accessory Dwelling Units.** Accessory dwelling units are “coach houses” or smaller apartments within an existing home or part of a detached structure. They can serve as housing for caregivers, extended family members, or be leased to help bring new income to properties to keep homes affordable for property owners. Approximately one-third of the land use in Skokie is devoted to single-family housing units, the creation of new smaller housing units supports utilizing this land for new housing in a “landlocked” community.

• **Affordable Housing Demolition Fee.** The demolition of homes or significant removal of housing results in fewer homes available to households considered low- to moderate-income or “workforce.” Homes that are demolished or significantly demolished and rehabilitated are sometimes two to three times more expensive than prior to renovation.

• **Underutilized Parcels.** The Village of Skokie is an inner-ring suburban community and is mostly built out. As a result, the supply of “buildable land” for new housing is constrained. One way the Village can assist the private market is to analyze where changes in land use makes sense to spur redevelopment. Underutilized lots, particularly parking lots, especially near employment centers, transit stations, or in the downtown Skokie are opportunities to open up new space to provide housing while eliminating less-desirable uses. The adopted Environment and Sustainability Plan, Land Use and Housing Section (LH1-2) states an action item of identifying underutilized paved areas and incentivizing conversion to sustainable green space or infill development.

**GOAL E: SUPPORT LOCAL AND REGION-WIDE PARTNER EFFORTS TO PROMOTE AND EXPAND FAIR HOUSING EFFORTS**

To implement this goal, the following could be considered:

• **Promote Cook County’s Residential Tenant-Landlord Ordinance (RTLO).** Cook County adopted a RTLO that covers all property in suburban Cook County. As a result, Skokie is currently covered by this ordinance. The Cook County RTLO outlines the rights of

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3 Chicago Metropolitan Agency For Planning’s Skokie Snapshot, July 2022 (https://www.cmap.illinois.gov/documents/10180/102881/Skokie.pdf)
that both tenants and landlords have in a residential rental agreement. It creates a uniform leasing experience in most of Cook County (since the ordinance is similar to Chicago, it is nearly completely uniform). A few key highlights include: 1) Creates protections around the enforcement and activity around an eviction (i.e. no lockouts); 2) Establishes renter rights (i.e. essential services like water, gas, and electricity, compliance with local building codes, temperature settings, repair in timely manner, etc.); and 3) Identifies renter responsibilities (i.e. keep unit in safe working order, remove garbage, allow reasonable access to the unit, use dwelling unit as a dwelling unit, not abandon property, etc.).

**Attachments:**

- Draft Parameters for Inclusionary Housing
- Chart with Inclusionary Housing Ordinances
- Meeting materials from February 2, 2023
- Skokie’s Commitment to Affordable Housing
A motion to approve the minutes of the Plan Commission meeting of February 16, 2023 was made by Commissioner Burman and seconded by Commissioner Mathee.

**Case Description: Affordable Housing Policy**
Discussion regarding the formation of an affordable housing policy recommendation to the Board of Trustees.

**Discussion and Interested Parties**
Staff led the discussion focusing on a series of updated goals taken from the Consolidated Plan for Community Block Grant funding which ensures that housing is affordable, accessible, and sustainable.

The commissioners agreed that work needs to continue on improving, preserving, and protecting the existing housing stock so that Skokie can be the best community possible. This includes revising code enforcement where and when needed so that it is not over-burdening to homeowners and renters. (Goal A)

There needs to be a good mix of jobs and housing so that housing is available to all Skokie workers. Transportation costs cannot be overlooked as they effect the imbalance as well. It was suggested to get large employers involved in understanding the job/housing “mismatch”, so they can add their resources to help place more workers locally. (Goal B)

Skokie is land-locked; we need to look inward. Modifying the current housing supply so that accessory dwelling units or “ADUs” can be used as a housing option. These units can benefit caregivers or extended family or be leased to bring in income to property owners keeping homes affordable.

Other options are: looking to developers to assist in re-purposing under-utilized parcels to spur redevelopment; requiring affordable units in all new developments or paying into an outside fund when providing units at a development is not feasible. The fund is used to create units at other developments (Goal C).

To promote fair housing efforts (Goal D), Skokie is covered by the Cook County Residential Tenant-Landlord Ordinance (RTLO) which deals with tenant/landlord issues. Beyond that, Skokie has also added a crime free addendum integrity ordinance which is reviewed with residential landlords at monthly training sessions.
Suggestions made by several commissioners include engaging with community groups to describe how real estate taxes and homeowners’ insurance impair affordable housing; explain the available options to property owners for proper exemptions to help make property affordable; create a survey in various languages so that input from the whole community regarding housing concerns and opinions are brought to the forefront before any policy recommendations.

Goal E promotes updating the Comprehensive Plan, understanding how Skokie’s demographics have changed over time and enlisting the help of professional housing experts for support and ideas for best practices.

It was offered that when a new development on Touhy and Linder was discussed, the local school board stated that they could not afford the additional students that possibly would result from a 300-unit development and asked that the developer reduce the number of 2-bedroom units.

Comments from interested parties included:

- housing policies should be put in place for all types and all price points – current workers need to be able to afford to live in Skokie up to the seniors aging in place.

- consider additional subsidies to the Skokie residents who use more than ½ their earnings on rent.

- prompted by Westfield’s idea for a self-contained up-scaled rental community; Skokie needs more than luxury housing and should use their leverage to create inclusionary housing, a unified housing plan, and a Housing Commission. The last development discussed at the Plan Commission will cater to studio, 1- & 2-bedroom units.

- create a multi-language community survey to reach Skokie citizens who are most affected.

- the language of Goal D that links to the Crime Free ordinance is offensive and discriminating against low-income and elderly renters.

- commit to reforming the zoning ordinance - converting single family residences to 2-flats.

- concerned about how Skokie “vets” people - drawing Section 8 people into Skokie will add to the crime rate. There is enough affordable housing in Skokie.
- residents need to know the processes (Appearance Commission, Plan Commission) when new development is in discussion stages so there can be public input beforehand instead of after building gets underway.

- Goal C should be Goal A

- property tax increases are passed on to renters – design programs to maintain properties at a fixed rate.

- incorporate Goal E into Goal A

Many of the commissioners agreed that they do not have enough knowledge to put forth recommendations for affordable housing just yet especially when economic development gets factored in the equation. Some suggested reviewing what other communities are doing, while others thought guidance from a professional consultant would be most helpful. The consensus was that more time and information was needed.

**Recommendations and Voting**

A motion was made to continue the discussion to the March 16, 2023 meeting.

Motion: Luke  Second: Ousley  Resigned: Lakhani

Ayes: 8  
Nays: 0

1 vacancy
DRAFT PARAMETERS FOR INCLUSIONARY HOUSING ORDINANCE

The following was discussed as potential parameters for inclusion in an inclusionary housing ordinance (IHO):

Applicability:
- Any new residential units containing 11 or more units;
- For sale or rental residential new construction projects with 11 or more (10 units or less are exempt);
- Existing residential properties that are converted from condominiums to rental properties; rental properties that are converted to condominiums; other commercial properties that are renovated to include 11 or more units of residential housing.

Requirement of on-site units:
The required percentage of on-site units would be at a graduated scale based on the size of the development (inclusive of all unit types). The total percentage of on-site units that would be required to be affordable in developments (inclusive of all planned/proposed stages/phases of development) would be:
- 5 percent for developments containing 11-150 units; and
- 10 percent for developments containing 151 or more units.

Zoning Relief and Site Plan Approval:
- Consider inclusion of relief for parking, height, and other zoning requirements to incentivize additional on-site affordable units (beyond what is required).

Additional Considerations for on-site unit calculations/requirements:
- Affordability levels would be split between 60% of AMI and 80% of AMI;
- Affordable units need to be a mix of all unit types offered throughout the building (i.e. all on-site affordable units cannot be 1-bedrooms) and need to be a mix comparable to the number of market rate units.
- When percentage is not a whole number, the number is rounded up to the next whole (e.g. A building with 126 units would be subject to 5 percent on-site requirement. This is 6.3 units; the requirement would be 7 units on-site).

Consideration of Fee-in-lieu
- The goal of an inclusionary housing ordinance is to build new affordable housing units.
  A fee-in-lieu is an opportunity to generate funds that could be directed to support affordable housing and should be an option to support affordable housing when it is not feasible to provide on-site housing.
- Further study of situations that are appropriate for fee-in-lieu should be considered.
- Fee-in-lieu should not be an option for projects of 100 units or more.
Memorandum
Community Development Department

TO: Chair Paul Luke & Members of the Plan Commission

FROM: [Signature]
Johanna Nyden, AICP, Director of Community Development

DATE: February 23, 2023

SUBJECT: Recommendation of Village of Skokie Affordable Housing Policy

Summary:
The attached document provides an update to Skokie’s commitment to affordable housing, a framework for establishing future goals and policies and recommendations to implement new affordable housing policies that build on the Village’s existing work.

This document is three-fold. It provides a summary of Skokie’s existing work and commitment to supporting affordable housing and work to build a diverse housing stock throughout the community. Second, it summarizes existing data that starts to illustrate the need for various types of affordable housing. Finally, it summarizes a series of goals and opportunities for Skokie to move forward in its next chapter of affordable housing work.
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- Since 1975, the Village has administered its Community Development Block Grant (CDBG) funds to support the rehabilitation of owner-occupied housing for income eligible individuals. The Village has funded a housing rehab program since 1983. In recent years, the Village’s Consolidated Plan has consistently targeted and allocated funding housing rehabilitation.

- In addition to the Housing Chapter of the Adopted Comprehensive Plan (Housing portion approved by the Village Board in 2007), the Village adopts a five-year Consolidated Plan to guide its funding for annual allocations for its CDBG entitlement. During each new process for plan development, a Needs Assessment is conducted through which housing availability, characteristics, and affordability are reviewed and documented.

- The Illinois Department of Housing Authority (IHDA) adopted the Affordable Housing Planning and Appeals Act (AHPAA) in 2003 to support the development and inclusion of moderately-priced housing in all communities across the State. Communities that maintain less than 10% of their housing as affordable by IHDA’s metrics must adopt and submit an Affordable Housing Plan to IHDA. Skokie has maintained compliance with this act since its adoption. At IHDA’s last measure, Skokie had 19.9% of its housing considered affordable.

- The Village has long recognized the relationship between housing and transportation for households and has advocated for the investment in public transportation options. The opening of the Oakton Street Yellow Line Station in 2012 marked significant investment ($20 million from all funding partners) in both bringing workers by mass transit into Skokie’s downtown and providing area residents access to Chicago’s employment center. Further investment and partnership with Pace on its Pulse Line development connects Skokie residents and workers to eastern and western destinations via bus rapid transit options.

- Congregate Living Facilities are permitted in any residential district and are a special use in other districts. This gives flexibility to this housing type. Skokie has forty facilities and is recognized as a leader in providing this housing.
• In 2014, the Village adopted the Residential Rental Unit Standards and Neighborhood Integrity Initiative which required the registration of rental units. The ordinance requires the inspection of every rental unit prior to being offered to rent and when properties are sold; landlords also are also required to complete a Village-offered landlord training program.

• The Village’s Neighborhood Enhancement Program, started in 2019, was designed to increase investment in qualifying neighborhoods where the Village had made investment to public infrastructure such as road, sidewalk, or alley improvements.

• **Skokie’s 2020 Commitment to Affordable Housing** highlighted several priorities for affordable housing that include supporting the Neighborhood Enhancement and Home Improvement Program; providing housing financial and emergency assistance to households during the initial phases of the COVID-19 pandemic; and the development and implementation of the Neighborhood Integrity Initiative, which requires inspection of units and training for landlords.

• Since 2018 the Village has participated in a Regional Assessment of Fair housing, led by the Cook County Bureau of Economic Development. This collaboration among CDBG entitlement communities, public housing authorities, and not-for-profit organizations provides analysis and recommendations to further fair housing efforts in Cook County.

• Impact Behavioral Health broke ground on a 16-unit apartment building in downtown Skokie. Funding for the $8 million structure was made possible from the Illinois Housing Development Authority (IHDA). The Village, Impact, and the state were able to jointly facilitate this project for Impact’s low-income program participants.

• In 2020 and 2023, two new rental housing developments established Skokie as a desired location for new apartments (The Boulevard and Highpoint at 8000 North). In 2022, building on the success of recent residential development in Skokie, two projects under consideration opted to include 5% of units at levels affordable to 100% of Area Median Incomes (AMI). In total this was 15 more units of affordable housing for the Village in new developments. The Village Board in November 2022 directed the Plan Commission to engage in additional study and consideration of affordable housing policy recommendations. In January, February, and March 2023, the Plan Commission engaged in meetings to review strategies, hear from subject matter experts, and formulate recommendations for the Village Board.

• The Village has a variety of housing options for residents holding vouchers from the Housing Authority of Cook County as well as other units with on-site affordable housing through partner organizations and Cook County.
Skokie Demographic & Housing Background

Skokie is an economically, racially, and ethnically diverse community. According to the 2020 Census, Skokie is slightly wealthier than the metropolitan region and Cook County. The chart below from DePaul University’s Institute for Housing highlights the breakdown of income levels for households.

Racially and ethnically, Skokie’s population is slightly different than the region, with a significant portion of the population that identifies as Asian (27.4% of the population as compared to 7.2% and 7.3% of the County and region).
Housing affordability is universally discussed in terms of different levels of income limits called “area median income”. Different levels differentiate different potential levels or access points to housing assistance programs. Planetizen has an article that provides additional information on AMI. The chart below breaks down income assumptions based on the incomes for the region that Skokie is located in. Low- and moderate income households are generally those that fall between 50%-80% of AMI; affordable workforce housing is generally considered those that fall between 80% and 120% of AMI. Deeper levels of affordability below 60% and 50% of AMI are often accompanied with supportive living environments with additional wraparound services for residents to support living arrangements.

### Area Median Income (AMI) Chart

Federal, state, and local laws place restrictions on the income of households assisted through various Department of Housing (DOH) programs. The maximum income level for DOH programs varies, according to the policies and regulations that guide each program.

The income limits refer to total household income, which includes the income of all adults in the household. For different income levels or larger households, see the complete chart.

<table>
<thead>
<tr>
<th>Household Size</th>
<th>Area Median Income Limits 2022 (Effective April 18, 2022)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>30%</td>
</tr>
<tr>
<td>1</td>
<td>$21,900</td>
</tr>
<tr>
<td>2</td>
<td>$25,000</td>
</tr>
<tr>
<td>3</td>
<td>$28,150</td>
</tr>
<tr>
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<td>$31,250</td>
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<td>$33,750</td>
</tr>
<tr>
<td>6</td>
<td>$36,250</td>
</tr>
<tr>
<td>7</td>
<td>$38,750</td>
</tr>
<tr>
<td>8</td>
<td>$41,250</td>
</tr>
</tbody>
</table>

Income limits are for the Chicago–Naperville–Joliet, IL HUD Metro FMR Area. Effective until superseded.
Income limits for 30%, 50% and 80% as published by HUD.
Income limits for all other income levels calculated per HUD methodology, based on Very Low Income (50% AMI) limit.
Income limits for 9-person household calculated at 140% of 4-person limits. Income limits for 10-person household calculated at 148% of 4-person limits.
According to the Village’s adopted Consolidated Plan for Program Year 2020-2024 (PY20-24), the data analysis highlights the households most in need of support and the types of challenges found in housing units in Skokie (i.e. units were deficient in some manner).

The data indicates that CDBG priorities should focus on households with older adults and younger children. According to the Department of Housing and Urban Development (HUD) Area Family Median Income (HAMFI), approximately 52% of Skokie’s households were low-/moderate-income. The greatest percentage of low-/moderate-income households is 59% for household with at least one person 75 years of age or older, followed by 57% of households with one or more children six years of age or younger and 39% of households with at least one person 62 to 74 years of age.

The breakdown of age, based on Census data, indicates that the share of the population under 18 years of age is similar to the Cook County and metropolitan region, but Skokie skews a bit older. Addressing housing challenges for the aging population will be an opportunity area for Skokie in the coming years and building strategies to support this work will be important.

The Consolidated Plan further highlights challenges associated with housing in Skokie. These include:

- **Housing units lack complete kitchen/plumbing facilities.** The estimated number of households lacking complete plumbing or kitchen facilities is 75 households, with 50 of these households in renter-occupied housing and 25 in owner-occupied housing. All households living in these conditions were low- and moderate-income households.
- **Housing is overcrowded.** According to the Consolidated Plan, those living in 550 households were residing in overcrowded housing units. Overcrowded was considered 1-1.5 people per room.

- **Households are cost burdened.** This was identified as the greatest problem; there are more than 3,200 renter/owner-occupied households with a housing burden greater than 30% of household income, and greater than 4,000 renter/owner-occupied households with a housing burden greater than 50% of household income.

The previous chart is from DePaul University’s Institute for Housing Studies. It highlights the nature of the regional issues of households being cost-burdened with housing. Skokie’s share of all households that are cost-burdened (spending more than 30% of income on housing) is virtually the same as Cook County and the broader metropolitan region.

The goals highlighted in the next section build on Skokie’s unique demographic profile and the state of housing in the community. The attention and support for older populations and their housing needs will need to be a top priority with both the existing older population and the aging Baby Boomers. A study by IHS, identified the range of housing needs for Cook County’s older Adults. The following chart highlights the net change in older adult rental household income in Chicago is likely comparable to broader Cook County and considering Skokie’s adjacency to Chicago is noteworthy. Significant growth in the 30 percent AMI and less income range was the most significant, but almost every other income range saw growth in a five-year span as well.
Preventing deferred maintenance and making sure homes are accessibility will be a cornerstone of work in the Village’s housing rehabilitation programs; expansion to include renter-occupied housing will further diversify the Village’s ability to help residents. Increasing the number of affordable units through an inclusionary housing ordinance, providing gap financing for developers engaged in affordable housing projects, and supporting projects seeking low-income housing tax credits also will represent opportunities to increase the number of affordable units in Skokie and reduce the portion of households that are housing-cost burdened.
Village of Skokie Housing Policy Goals - DRAFT

The Village’s goals for affordable housing are well-documented in the Village’s Consolidated Plan (Program Year 2020-24) for Community Development Block Grant funding, “[E]nsure housing is affordable, accessible, and sustainable.” The following updated framework\(^1\) builds on the goal statement from the Village’s Consolidated Plan:

Goal A: Preserve, protect, and improve Skokie’s existing affordable housing to be accessible and sustainable;
Goal B: Reduce “jobs/housing mismatch” and ensure that housing is available to all of Skokie’s workers;
Goal C: Create new opportunities to increase Skokie’s supply of affordable housing;
Goal D: Support local and region-wide partner efforts to promote and expand fair housing efforts; and
Goal E: Study and assess the ongoing supply and demand for inclusive affordable housing in Skokie.

Opportunities and ideas to implement these goals are documented within each goal area. These have been previously discussed at the February 2, 2023 meeting. The staff memo from that meeting is attached to this memorandum.

GOAL A: PRESERVE, PROTECT, AND IMPROVE SKOKIE’S EXISTING AFFORDABLE HOUSING
This goal focuses on investment in existing units with attention to make sure units are safe, sustainable, and accessible. To implement this goal, the following options could be considered:

- **Bolster Existing Repair Programs.** An emerging component of affordable housing policy is to support home repair programs that assist in keeping residents (particularly older populations) in their homes and reduce the high costs created from deferred maintenance. They also can help people “age in place” through making parts of their home safer and accessible for older adults or people with disabilities. Additionally, these maintenance and repair programs can focus on aspects of sustainability – helping weatherize homes and reduce energy costs, which often can significantly contribute to housing costs. A recent *Chicago Tribune* Op-Ed highlighted the need for housing repair/rehabilitation programs as an alternative to home ownership programs. These programs preserve the housing stock and ensure that existing housing is available for future generations.

\(^1\) Previous framework for affordable housing goals presented funding as a goal. This is now a potential opportunity area for implementing the goals.
DePaul University’s Institute for Housing Studies has collected a wealth of information from the US Census and the Cook County Assessor’s office. Based on this snapshot, trends in housing type are visible. Skokie’s housing typology has a large portion of multi-family housing that are comprised of two- and four-unit structures. These represent a unique opportunity to improve smaller-scale housing that supports the neighborhood character of Skokie.

Create a residential vacant home registry: Vacant homes are scattered throughout Skokie and have the potential to become problematic and a nuisance to the neighborhood. They generate complaints (e.g. overgrown vegetation, security issues, potential flooding, etc.). As the deferred maintenance on these homes escalates, major building components fail and homes are often prospective teardown or rendered cost prohibitive to re-occupy. The number of vacant housing units has grown slightly over the past 20 years. According to analysis by the Chicago Metropolitan Agency for Planning, the percentage of Skokie’s vacant housing units in 2000 was 2%; based on information from the 2020 Census, this has grown to 6.8%.²

- Code Enforcement of Rental Units. While rental properties represent 27.6% of the total housing population, they are a key component of the Village’s housing landscape and are often concentrated in areas of the community. The Village has established additional monitors to support rental housing, but the Village could explore new avenues of working with rental property owners to improve the housing stock.

GOAL B: REDUCE “JOBS/HOUSING MISMATCH” AND ENSURE THAT HOUSING IS AVAILABLE TO ALL OF SKOKIE’S WORKER

The importance of making sure that good jobs are located near housing and housing is located near job centers has been an important cornerstone of workforce development and housing policy for decades. The spatial relationship to job seekers to where jobs are available is a

² CMAP Community Data Snapshot for Skokie: https://www.cmap.illinois.gov/documents/10180/102881/Skokie.pdf
function of both available job sites near residential areas, adding housing units near employment centers, and accessible transportation options. To implement this goal, the following could be considered:

- **Work with Major Employers to Understand Skokie’s Jobs/Housing Mismatch.** Understanding where workers in Skokie live is an opportunity to examine how new housing might be made more attractive for workers (e.g. size of units, affordability levels, etc.). It also is an opportunity to work with employers to help them locate more workers locally in Skokie.

**GOAL C: CREATE NEW OPPORTUNITIES TO INCREASE SKOKIE’S AFFORDABLE HOUSING SUPPLY**

Building on the work existing supply of Skokie’s affordable housing, new opportunities to create new affordable housing represent an opportunity to create mixed income communities throughout Skokie’s neighborhoods. To implement this goal, the following options could be considered:

- **Establish an Inclusionary Housing Ordinance.** An Inclusionary Housing Ordinance will require certain new developments to include affordable housing. Concepts range from requiring units within new developments to paying a fee in lieu of providing units at a development. An attachment includes a summary of inclusionary housing ordinances in neighboring and regional communities and concepts for Skokie’s potential ordinance. In summary, eight communities were identified that have inclusionary housing ordinances in place and were studied further to determine their impact and effectiveness. These communities include Arlington Heights, Deerfield, Evanston, Highland Park, Lake Forest, Northbrook, Oak Park and St. Charles.

- **Update Zoning Code to Allow Accessory Dwelling Units.** Accessory dwelling units are “coach houses” or smaller apartments within an existing home or part of a detached structure. They can serve as housing for caregivers, extended family members, or be leased to help bring new income to properties to keep homes affordable for property owners. Approximately one-third of the land use in Skokie is devoted to single-family housing units\(^3\), the creation of new smaller housing units supports utilizing this land for new housing in a “landlocked” community.

- **Affordable Housing Demolition Fee.** The demolition of homes or significant removal of housing results in fewer homes available to households considered low- to moderate-income or “workforce.” Homes that are demolished or significantly demolished and rehabilitated are sometimes two to three times more expensive than prior to renovation.

- **Underutilized Parcels.** The Village of Skokie is an inner-ring suburban community and is mostly built out. As a result, the supply of “buildable land” for new housing is constrained. One way the Village can assist the private market is to analyze where

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\(^3\) Chicago Metropolitan Agency For Planning’s Skokie Snapshot, July 2022 (https://www.cmap.illinois.gov/documents/10180/102881/Skokie.pdf)
changes in land use makes sense to spur redevelopment. Underutilized lots, particularly parking lots, especially near employment centers, transit stations, or in the downtown Skokie are opportunities to open up new space to provide housing while eliminating less-desirable uses. The adopted Environment and Sustainability Plan, Land Use and Housing Section (LH1-2) states an action item of identifying underutilized paved areas and incentivizing conversion to sustainable green space or infill development.

**GOAL D: SUPPORT LOCAL AND REGION-WIDE PARTNER EFFORTS TO PROMOTE AND EXPAND FAIR HOUSING EFFORTS**

To implement this goal, the following could be considered:

- **Promote Cook County’s Residential Tenant-Landlord Ordinance (RTLO).** Cook County adopted a RTLO that covers all property in suburban Cook County. As a result, Skokie is currently covered by this ordinance. The Cook County RTLO outlines the rights that both tenants and landlords have in a residential rental agreement. It creates a uniform leasing experience in most of Cook County (since the ordinance is similar to Chicago, it is nearly completely uniform). A few key highlights include: 1) Creates protections around the enforcement and activity around an eviction (i.e. no lockouts); 2) Establishes renter rights (i.e. essential services like water, gas, and electricity, compliance with local building codes, temperature settings, repair in timely manner, etc.); and 3) Identifies renter responsibilities (i.e. keep unit in safe working order, remove garbage, allow reasonable access to the unit, use dwelling unit as a dwelling unit, not abandon property, etc.).

**GOAL E: STUDY AND ASSESS THE ONGOING SUPPLY AND DEMAND FOR INCLUSIVE AFFORDABLE HOUSING IN SKOKIE**

To implement this goal, the following options could be considered:

- **Study how Skokie’s affordable housing changes over time.** Understanding Skokie’s affordable housing needs, changing demographic profile, and available housing stock is an important component of affordable housing policy.

- **Update the Village’s Comprehensive Plan.** The Village’s Comprehensive Plan is a key document that guides and informs the Village’s policies and work on numerous items associated with housing.

- **Monitor Best Practices and Work with Regional Housing Experts.** There are many resources to support new ideas and innovative practices for supporting affordable housing. Based on Skokie’s demographic profile and housing stock, Regional Housing Solutions has identified a series of strategies and recommended opportunities for enhancing and increasing the availability of affordable housing in Skokie. Several of the strategies (like municipal rehabilitation programs) identified in this document are suggested through this tool.

**Attachments:**
- Chart with Inclusionary Housing Ordinances
- Meeting materials from February 2, 2023
• Skokie’s Commitment to Affordable Housing
<table>
<thead>
<tr>
<th>Municipality</th>
<th>Percentage of Affordable Housing (IHDA)</th>
<th>Percentage of Affordable Units Required</th>
<th>AMI Required</th>
<th>Other Conditions</th>
<th>Compliance Procedures</th>
<th>Fee-In-Lieu (Y/N)</th>
<th>Alternatives to Providing Affordable Housing</th>
<th>Incentives for Applicants</th>
<th>Application</th>
<th>Number of Affordable Units Since Creation and Date</th>
<th>Working with Developers</th>
<th>Reference Section of Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>DeKalb</td>
<td>37%</td>
<td>10% (Private)</td>
<td>20% (Public)</td>
<td>60% AMI (units for sale)</td>
<td>60% AMI (units for rent)</td>
<td>0% (51+ units), half at 80% AMI, and no more than 30% of 80% AMI (units for sale)</td>
<td>0% (51+ units)</td>
<td>Dedication or a dedication of land for development of affordable housing, or provision of another site, providing equivalent number of affordable units at another site within the city</td>
<td>Dedication or a dedication of land for development of affordable housing, or provision of another site, providing equivalent number of affordable units at another site within the city</td>
<td>0% units built, 40 approved or &quot;promised&quot; since 2016.</td>
<td>Developer takes more of a hit on affordable units in smaller buildings than larger buildings. Currently working on ordinances to address affordable units in smaller buildings. Most developers have been choosing the bonuses over the fee-in-lieu.</td>
<td>Chapter 7</td>
</tr>
<tr>
<td>Lake Forest</td>
<td>0%</td>
<td>13% (no less than 1)</td>
<td>60% AMI (units for sale)</td>
<td>60% AMI (units for rent)</td>
<td>Deposited directly into an Affordable Housing Trust Fund</td>
<td>0% (51+ units)</td>
<td>Dedication or a dedication of land for development of affordable housing, or provision of another site, providing equivalent number of affordable units at another site within the city</td>
<td>Dedication or a dedication of land for development of affordable housing, or provision of another site, providing equivalent number of affordable units at another site within the city</td>
<td>11 apartments and 2 condos in new developments, 17 senior cottages, and 30 affordable homes in Land Trust</td>
<td>Advice: Be upfront about the policies and expectations.</td>
<td>Chapter 138</td>
<td></td>
</tr>
<tr>
<td>Highland Park</td>
<td>0%</td>
<td>20% (units for sale)</td>
<td>50% of affordable units shall be at 65% AMI; the remaining affordable units at 100% AMI (units for sale)</td>
<td>0% (51+ units)</td>
<td>Application shall include an Inclusionary Housing Plan</td>
<td>0% (51+ units)</td>
<td>Dedication or a dedication of land for development to the Highland Park Housing Commission</td>
<td>Dedication or a dedication of land for development to the Highland Park Housing Commission</td>
<td>100% (since 2002)</td>
<td>After working with the same developers time and time again, they know what is required and are used to the policies.</td>
<td>Chapter 130, Article XXI</td>
<td></td>
</tr>
<tr>
<td>Deerfield</td>
<td>73%</td>
<td>0% (51+ units), below 50 units is banned between 0% and 3 affordable units required for both attached and detached projects</td>
<td>500% of affordable units shall be at 80% AMI and half at 60% AMI.</td>
<td>0% (51+ units)</td>
<td>Marketing plan required, and at developer's request, the Village or its designee shall assist the developer in marketing</td>
<td>0% (51+ units)</td>
<td>Dedication or a dedication of land for development of affordable housing, or provision of another site, providing equivalent number of affordable units at another site within the city</td>
<td>Dedication or a dedication of land for development of affordable housing, or provision of another site, providing equivalent number of affordable units at another site within the city</td>
<td>60 units built, 40 approved or &quot;promised&quot; since 2016.</td>
<td>Not really an issue for developers yet.</td>
<td>Article 2, Sec 14</td>
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<table>
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<tr>
<th>Reference</th>
<th>Section of Code</th>
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<tr>
<td>Code</td>
<td>Article XXI</td>
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<tr>
<td>Date</td>
<td>Chapter 130</td>
</tr>
<tr>
<td>Fee-In-Lieu (Y/N)</td>
<td>Chapter 7</td>
</tr>
<tr>
<td>Application</td>
<td>Chapter 138</td>
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<tr>
<td>Number of Affordable Units Since Creation and Date</td>
<td>Chapter 130, Article XXI</td>
</tr>
<tr>
<td>Working with Developers</td>
<td>Chapter 130, Article XXI</td>
</tr>
<tr>
<td>Reference Section of Code</td>
<td>Chapter 130, Article XXI</td>
</tr>
<tr>
<td>Location</td>
<td>Total Affordable Housing Percentage</td>
</tr>
<tr>
<td>--------------</td>
<td>-------------------------------------</td>
</tr>
<tr>
<td>Arlington Heights</td>
<td>19.1%</td>
</tr>
<tr>
<td>St. Charles</td>
<td>17.1%</td>
</tr>
<tr>
<td>Northbrook</td>
<td>15.7%</td>
</tr>
<tr>
<td>Oak Park</td>
<td>22.6%</td>
</tr>
</tbody>
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Memorandum
Community Development Department

TO: Chair Paul Luke & Members of the Plan Commission
FROM: Johanna Nyden, AICP, Director of Community Development
DATE: January 26, 2023
SUBJECT: Ongoing Affordable Housing Policy Development

Summary:
The Plan Commission convened a “Listen & Learn” session at its January 19, 2023 meeting, following a motion to direct the Plan Commission to provide the Board of Trustees with recommendations on affordable housing policies for the Village. In acknowledgement of the complexity of the issue and the opportunity to learn more about what other communities and developers are doing in this discipline, the meeting attendees heard presentations from planning and affordable housing experts. These presentations can be viewed at www.skokie.org/housing.

The speakers at the “Listen & Learn” session encouraged the Village to think holistically about goals for affordable housing and what “problem” the Village is seeking to resolve in establishing an affordable housing policy. Understanding if and what housing exists at different affordability levels in Skokie; understanding if there are specific housing options that might be attractive in Skokie (e.g. more age-restricted housing, supportive housing, housing for multi-generational households, etc.); and understanding the demand for rental housing or opportunities for home ownership are just a few of the areas that could be studied. Inclusion of further study of the Village of Skokie’s affordable housing needs is in-step with the Village’s Annual Action Plan for Community Development Block Grant that has a stated goal of, “Ensure housing is affordable, accessible, and sustainable.”

Staff supports a recommendation to further opportunities for affordable housing that are specific to Skokie’s unique housing demand and needs and make housing more affordable, accessible, and sustainable. The following framework is used to organize discussion of policies:

- Affordable Housing Goal Setting & Implementation. Identify supply and condition of existing housing that will inform in long-range study and planning activities to understand all perspectives of the affordable housing issues and needs for current and prospective Village residents;
- Creation of New Housing. Consider potential zoning changes that will create more housing units in new development and expand opportunities to establish new housing units on existing and underutilized parcels;
- Investment in Existing Housing. Investigate partnerships with outside entities that can support Village goals for housing; and
- Funding Affordable Housing. Study funding opportunities for affordable housing.
The attachment to this memorandum provides additional links and information on the
dovenmentioned framework to provide examples of programs or applications of best practices for
preservation of existing affordable housing and construction of new affordable housing. Many
of these programs were cited as examples by the speakers from January 19, 2023 or are based on
research by staff. Additionally, Homes for Changing Region has a toolkit that is useful and
provides extensive examples of innovative ways communities can encourage affordable housing.

**Next Steps:**
Staff recommends that the Plan Commission provide feedback to the staff within the proposed
framework at the February 2, 2023 meeting. Based on the discussion, public comments, and
other direction, staff will prepare draft policy recommendations to the Board of Trustees for
further discussion, refinement, and public review at the Plan Commission’s March 2, 2023
meeting.

**Attachments:**
- Concepts for Plan Commission’s Affordable Housing Policy Recommendation
- CMPA Homes for a Changing Region Toolkit
PROGRAMS IN SUPPORT OF AFFORDABLE HOUSING

Undertake housing needs studies, analysis, and reporting (Affordable Housing Goal Setting and Implementation)

**Background/Summary:** The 2020 Census has provided a wealth of new data on the current state of housing, but broader opportunities exist to survey the community and understand the housing needs of Skokie residents, employees, and other stakeholders.

**Opportunity Area:** Conducting a formal study with a structured survey that captures information on the characteristics of the community and their needs as well as targeted focus groups will be integral to understanding how to frame goals for Skokie’s affordable housing work as well as the tools employed to reach the goals. It also will provide a better picture of targeted opportunities for housing – intergenerational housing, aging populations, housing with specific services for residents, among many opportunities. Within this project, partnering with a university to maintain a partner with formal survey research experience will further ensure this work is of high quality. It also offers the opportunity to study progress over time in regards to goal implementation.

Update Comprehensive Plan (Affordable Housing Goal Setting & Implementation)

**Background/Summary:** The Comprehensive Plan is a document designed to guide Village leaders in making decisions about the future development of the community. The Village Board approved an update to the Comprehensive Plan in 2005. Chapter 6 of this plan considers Housing: “Housing is not just the concept of where people live- it has many implications. For the individual (or household) it is the single largest expense; for the Village it is the single largest land use and plays a role in both the look and feel of the public realm, as well as economic development (where employees live).” The Plan puts forth four housing policies to direct future development: Accessibility- enhancing the amount and variety of housing available to people of varying means; Choice- options in housing style and type to meet all needs; Location- site more housing near public amenities; and Change in Development Patterns- allow for mixes of uses and changes where appropriate.

**Opportunity Area:** Staff can work to update the Village’s Comprehensive Plan to reflect new housing goals, particularly as it relates to affordable housing and the results of this 2023 review and initiative.

Village of Skokie Housing Rehabilitation Program (Investment in Existing Housing)

**Background/Summary:** The Village’s Home Improvement Program (HIP) provides financial assistance to eligible low- to-moderate- income homeowners for improvements. Through this program, homeowners can maintain and sustain the quality of their homes resulting in lower cost utility bills, increased property values, and the allowing residents to remain in their homes longer. If qualified, eligible households can receive up to $12,000 in funding for house improvements such as roofing, energy-efficient windows and doors, furnace and water heater replacement, electrical work, etc. Cosmetic upgrades such as painting and carpeting or projects outside of the home such as garages and fences are not eligible under the program. The Village generally receive approximately $80,000 per year in funding for this program and has helped an average of six homeowners per program year.

**Opportunity Area:** Assess existing program and identify other funding opportunities to offer more money to broader range of owners (e.g. landlords that commit to maintaining housing

Document Number: 605711
affordability for 20 years following improvements). Consider working with partner agency to increase volume of applicants.

Neighborhood Enhancement Program (Investment in Existing Housing)
Background/Summary: The Village’s Neighborhood Enhancement Pilot Program aims to provide additional investment in neighborhoods one block at a time. Through this program, income-eligible blocks or clusters can enhance their neighborhoods to retain their long-standing investments within their community. This pilot program is similar to the Home Improvement Program, but with a neighborhood focus. If qualified, homeowners can receive financial assistance for home upgrades such as energy-efficient doors and windows, tuckpointing, roof replacement or repair, and front door enhancements such as awnings, lighting, and increased visibility. The Village will receive around $80,000 per year in funding for this program.

Opportunity Area: Consider modifying the program to encourage owners of units in multi-family buildings to come together to apply for funding for projects that enhance exterior aspects of multi-family buildings that focus on energy efficiency and weatherization. In particular, the areas of the building that could benefit from this investment may be outside individual unit owner’s responsibility and not always prioritized (e.g. permeable pavement for parking areas, roof replacement, windows in common areas, etc.)

Homeownership Program (Investment in Existing Housing)
Background/Summary: According to 2020 Census data, the Village of Skokie had approximately 24,067 households with 72.4% of them being owner-occupied. The remaining 27.6% were non owner-occupied (or rental) households. Continuing to support pathways to homeownership and ensure that moderate-income households have access to homeownership opportunities is important. The market dynamic of increasing housing prices coupled with shifting economic conditions for obtaining loans make this a challenging opportunity for many. Creating community land trusts where the land and the housing structure are separated, and homebuyers are able to purchase and sell housing without the extra land value is a unique opportunity. Additionally, homebuyer classes and financial literacy counseling will also help families get on the path to homeownership.

Opportunity Area: Investigate and study existing community land trust programs and applicability to Skokie. Also look to financial partners in the community and region that provide homebuyer counseling and financial literacy services. Support programs that help first-time homebuyers invest and build equity in Skokie. Additional investigation of an inter-disciplinary program such as Evanston’s “House in Geometry” warrants further study. These homes are designed through a high school geometry/architecture course and then are constructed over the course of the school year on school property. The program offers an incubator to learn more about math, construction, and other relevant skills. The constructed homes are moved to a vacant lot provided by the City of Evanston.

Accessory Dwelling Units (Creation of New Housing)
Background/Summary: Accessory dwelling units (ADUs) (or carriage/coach houses) are smaller independent housing units located on the same lot as an existing residential unit (often referred to as the primary residential unit). They can be attached or detached from the primary residential unit and include sleeping, kitchen, and bath areas; these units usually have a separate entrance from the primary residential unit.
Opportunity Area: Study feasibility to update the zoning code to allow this particular use in
certain or all residential districts. These smaller housing units offer a smaller housing unit (and
potentially more affordable) in neighborhoods that are more characteristically completely
residential in nature.

Inclusionary Housing Ordinance (Creation of New Housing)

Background/Summary: Inclusionary housing ordinances are tools employed by communities to
require either affordable housing on-site within certain new developments or a payment in lieu of
providing units. Ordinances can determine what percentage of units must be on-site, the amount
of fee associated with payment in lieu, and other conditions that dictate inclusionary housing.

Opportunity Area: Study potential impact of an inclusionary housing ordinance to require new
residential development to include on-site units at prescribed affordability level or make a
payment in-lieu of providing on-site units. Per unit fee could be subject to location (locations in
the downtown, near transit or the expressway could seek a higher fee while those further
distances would be a lower fee).

Identify vacant underutilized parcels that would be suitable for housing (Creation of New
Housing)

Background/Summary: The Village of Skokie is an inner-ring suburban community and is
mostly built out. As a result, the supply of “buildable land” for new housing is constrained. One
way the Village can assist the private market is to assist in analyzing where changes in land use
makes sense to spur redevelopment. Underutilized lots, particularly parking lots, especially near
employment centers, transit stations, or in the Downtown are opportunities to open up new space
to provide housing while eliminating less desirable uses. The adopted Environment and
Sustainability Plan, Land Use and Housing Section (LH1-2) states an action item of identifying
underutilized paved areas and incentivize conversion to sustainable green space or infill
development. Conversion focus should take into consideration neighborhood’s green space, heat
island mitigation, affordable housing, and bike/walk mobility needs and prioritize site utilization
based on addressing the greatest needs at each site as determined through appropriate
engagement with the community, particularly people traditionally under represented.

Opportunity Area: Consider affordable housing requirements for this work and require selected
developers on Village-owned parcels to include affordable units and/or pursue developments as
an affordable housing tax credit project.

Timeframe for Implementation: Next 12 Months

Payment in Lieu of Affordable Housing Units (Funding Affordable Housing)

Opportunity Area: In lieu of providing on-site affordable units, developers of new housing in
excess of a certain number of units would pay a determined fee per unit. Per unit fee could be
subject to location (locations in the downtown, near transit or the expressway could seek a higher
fee while those further distances would be a lower fee).

Major Home Alteration Fee (Funding Affordable Housing)

Background/Summary: Homes that are substantially modified – either through complete or
partial demolition, or the construction of a large addition increase the value of the property.
Often these major rehabs occur on lots where a smaller home was in place and replaced with a
much larger home. While the benefit of the new value is captured through increased property taxes for all taxing bodies, that property’s value has irrevocably been increased and will be affordable (if resold) to fewer households.

**Opportunity Area:** In recognition of these large transformative projects, a fee could be due at permit issuance that could be placed to support affordable housing activities. Applicable projects subject to this fee could be homes adding more than 50% of habitable floor area to the residential property (exclusive of detached garages) or are demolishing 50% or more of the habitable residential property.

**Vacation Rental Fee (Funding Affordable Housing)**

**Background/Summary:** The Village does not have a codified registration requirement for housing units that are converted to vacation rentals (AirBnB or VRBO). As travel patterns have changed and people seek more homelike accommodations for travel, staff has anecdotally observed more vacation rentals in the Village. Property Standards staff receive complaints about properties being converted into vacation rentals. The Village's only recourse currently is to require the owner to register the property as a rental. Instead of a vacation rental being utilized when the owner is traveling, short term, the owner can rent to multiple guests repeatedly similar to a hotel, thus changing the environment of the residential neighborhood.

**Opportunity Area:** In addition to codifying requirements and conditions for converting homes to AirBnBs, the Village could require a one-time vacation home registration fee for the privilege of changing the use from a housing unit to a vacation home (potentially consider different conditions for types of vacation homes – some are units that are periodically vacation rentals and some are not). Code changes could also result in more specific requirements for inspection of interior spaces to ensure safety of units.

**Vacant Building Registry + Fee (Funding Affordable Housing)**

**Background/Summary:** Skokie currently only requires vacant commercial properties to be registered. (Registration involves an inspection by a property maintenance inspector and monitoring of space). Registries of vacant properties address crime and safety issues, ensures properties are maintained in a manner that reduces likelihood of future damage that could result in unit inhabitability (water damage, mold, other deterioration of major building components).

Long term vacant residential units are also potential opportunities for the creation of new affordable housing units.

**Opportunity Area:** Implement a fee for registration for any property that is not occupied or actively marketed (e.g. listed for sale/occupied). These funds would help the Village with expenses associated with monitoring these properties, but also discourage long vacancies which have the potential to diminish neighborhood character and keep residential units unavailable for occupancy.
Homes for a Changing Region Toolkit
Recommendations Guide
July 2015
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The project partners wish to thank the Office of the Illinois Attorney General for supporting this project through a grant made possible by the National Foreclosure Settlement.
Introduction

Homes for a Changing Region enables municipal leaders to understand demand and supply dynamics for housing in their communities and develop long-term housing policy plans based on sound research and input from their residents. The municipal and subregional recommendations made in these plans aim to create a balanced mix of housing, serve current and future populations, and enhance livability. This recommendations guide allows any municipality to quickly and easily consult policy-driven strategies from past Homes plans in order to address some of their most pressing housing challenges. Keeping in mind that the metropolitan region is home to a diverse set of communities, the guide pulled municipal and subregional recommendations from all completed plans to create a quick reference guide for communities that are asking important housing questions like the ones found below. The guide also includes links to relevant case studies from Home Grown that more comprehensively explain the development and implementation of specific policy strategies to address a wide range of community housing issues.
What are some sustainable, cost-effective strategies for housing rehab?

- Create structure for large-scale rehab by establishing an entity that can play a manager role, share administration, and take advantage of experienced staff.
  - Municipal Recommendations
    - East Dundee
    - Park Forest
    - Bellwood
  - Subregional Recommendations
    - West Cook County Housing Collaborative
    - Carpentersville, East Dundee, Elgin, & West Dundee

- Institute design standards or form-based code.
  - Municipal Recommendations
    - Batavia
    - Libertyville
    - Oak Park
  - Case Studies
    - Mundelein Downtown Design Guidelines
    - Glenview Downtown Development Code

- Provide reconstruction subsidies or low-interest loans.
  - Municipal Recommendations
    - Oak Park
    - Gurnee
  - Case Studies
    - Evanston Multifamily Rehabilitation Loan Program
    - Oak Park Single-Family Rehabilitation Loan Program
    - Elgin Residential Rehabilitation Grants

- Create neighborhood overlay rehab district to streamline permitting needed for rehab activities.
  - Municipal Recommendations
    - Berwyn
How do we ensure our rental stock is well-maintained and continues to be an asset in our community?

- Create or expand building code inspection, registration, and licensing programs.
  - Municipal Recommendations
    - [Carpentersville](#)
    - [Batavia](#)
    - [Geneva](#)
  - Subregional Recommendations
    - [West Cook County Housing Collaborative](#)
  - Case Studies
    - [Mount Prospect Inspection Program](#)
    - [Hanover Park Rental Licensing Program](#)
    - [Addison Residential Rental License Program](#)

- Institute landlord education programs.
  - Municipal Recommendations
    - [Berwyn](#)
    - [Maywood](#)
    - [Arlington Heights](#)

How should we approach the development of our Downtown? What policies can help to facilitate a more compact, pedestrian-friendly, and livable Downtown?

- Promote transit-oriented development.
  - Municipal Recommendations
    - [Elgin](#)
    - [West Dundee](#)
    - [Arlington Heights](#)
  - Case Studies
    - [Chicago Transit-Oriented Development Ordinance](#)

- Promote location efficient mortgages.
  - Municipal Recommendations
    - [Aurora](#)

- Explore opportunities for higher density housing.
  - Municipal Recommendations
    - [West Dundee](#)
    - [Elgin](#)
    - [Aurora](#)
• Create mixed-use development/revising zoning to allow for more mixed-use development.
  o Municipal Recommendations
    ▪ Gurnee
    ▪ St. Charles
    ▪ Palatine

• Reduce parking requirements.
  o Municipal Recommendations
    ▪ St. Charles
    ▪ West Dundee
    ▪ Libertyville
  o Case Studies
    ▪ Libertyville Payment in Lieu of Required Parking

• Reduce minimum housing unit and lot size.
  o Municipal Recommendations
    ▪ St. Charles
    ▪ Libertyville
    ▪ Lansing

How do we provide housing options for seniors and increase opportunities for multigenerational living?

• Develop accessory dwelling units (granny flats).
  o Municipal Recommendations
    ▪ Elgin
    ▪ Carpentersville
  o Subregional Recommendations
    ▪ Northwest Suburban Housing Collaborative

• Provide housing options for seniors to downsize into homes that require less upkeep and maintenance, including condos, townhomes, and apartments.
  o Municipal Recommendations
    ▪ Carpentersville
    ▪ Buffalo Grove
    ▪ Olympia Fields
  o Subregional Recommendations
    ▪ Northwest Suburban Housing Collaborative
  o Case Studies
    ▪ Senior Handyman Program
• Develop marketing plans to attract development specifically for seniors.
  o Subregional Recommendations
    ▪ Batavia, Geneva, North Aurora & St. Charles

• Think strategically about how seniors can best age in place, including locating
development in close proximity to transit, medical facilities and shopping areas.
  o Municipal Recommendations
    ▪ Mount Prospect
    ▪ Elgin
  o Subregional Recommendations
    ▪ Batavia, Geneva, North Aurora & St. Charles
    ▪ Northwest Suburban Housing Collaborative

How do we encourage and facilitate development in our community?

• Expedite permitting.
  o Municipal Recommendations
    ▪ Oak Forest
  o Case Studies
    ▪ Elgin Expedited Permitting Process

• Offer density bonuses.
  o Municipal Recommendations
    ▪ Batavia
  o Case Studies
    ▪ Plainfield Smaller Lots and Density Bonuses

• Reduce parking requirements.
  o Municipal Recommendations
    ▪ Batavia
    ▪ Libertyville
    ▪ Northlake
  o Case Studies
    ▪ Libertyville Payment in Lieu of Required Parking

How can we encourage and/or increase energy efficiency projects in our community?

• Streamline permitting processes for green building/infrastructure.
  o Municipal Recommendations
    ▪ Aurora
- Allow some flexibility in building codes to accommodate new building technologies.
  - Municipal Recommendations
    - Aurora

- Approve designs that maximize passive solar gain.
  - Municipal Recommendations
    - Montgomery

- Promote energy efficiency retrofits.
  - Municipal Recommendations
    - Maywood
    - Hazel Crest
  - Subregional Recommendations
    - Batavia, Geneva, North Aurora & St. Charles
    - Northwest Suburban Housing Collaborative

- Market programs and initiatives for retrofitting and green building to landlords and homeowners.
  - Subregional Recommendations
    - Batavia, Geneva, North Aurora & St. Charles
  - Case Studies
    - Oak Park Energy Efficiency Programs

How can we encourage affordable housing development and/or preservation?

- Adjust zoning ordinances to allow for more compact development and higher density housing.
  - Municipal Recommendations
    - Geneva
    - Plainfield
    - Libertyville

- Develop an inclusionary zoning ordinance.
  - Municipal Recommendations
    - Geneva
    - Libertyville
    - Oak Forest
  - Case Studies
    - Highland Park Inclusionary Zoning Ordinance
    - Lake Forest Inclusionary Housing Ordinance
    - St Charles Inclusionary Zoning Ordinance
• Establish a community land trust.
  o Municipal Recommendations
    • Libertyville
  o Subregional Recommendations
    • Batavia, Geneva, North Aurora & St. Charles
    • Northwest Suburban Housing Collaborative
  o Case Studies
    • Community Partners for Affordable Housing

• Establish an affordable housing trust fund.
  o Municipal Recommendations
    • Aurora
    • Arlington Heights
  o Case Studies
    • Highland Park Affordable Housing Trust Fund
    • Chicago Low-Income Housing Trust Fund

• Comply with the Affordable Housing Planning and Appeal Act (AHPAA).
  o IHDA’s Affordable Housing Planning and Appeal Act (AHPAA)
    • Municipal Recommendations
      • Geneva

How can we spur market-rate housing development in our community?

• Create mixed-use zoning in appropriate single-use areas.
  o Municipal Recommendations
    • Libertyville

• Think about context sensitive design as it relates to transportation improvements.
  o Municipal Recommendations
    • Northlake
    • Libertyville
    • Montgomery

How can our community combat crime that occurs in residential areas?

• Introduce the idea of crime prevention through environmental design (CPTED), which are design standards that emphasize transparency and “eyes on the streets.”
  o Municipal Recommendations
    • Oak Forest
• Develop a crime free housing program.
  o Municipal Recommendations
    ▪ Forest Park
  o Case Studies
    ▪ Schaumburg Crime Free Multi-housing Program

What are best practices to address the issue of foreclosure and vacant property in our community?

• Monitor vacant land/buildings through vacant building ordinance and databases.
  o Municipal Recommendations
    ▪ Oak Park
  o Case Studies
    ▪ Park Forest Vacant Building Registration Ordinance
    ▪ Mount Prospect Vacant Structure Registration Ordinance
    ▪ South Chicago Heights Vacant Property Ordinance

• Offer homeownership counseling and foreclosure prevention services.
  o Subregional Recommendations
    ▪ Northwest Suburban Housing Collaborative
    ▪ West Cook County Housing Collaborative

• Partner with financial institutions to create opportunities for homebuyers.
  o Subregional Recommendations
    ▪ West Cook County Housing Collaborative

• Make TIF funding available for neighborhood improvement expenditures.
  o Municipal Recommendations
    ▪ Maywood
    ▪ Bellwood

• Encourage the responsible rentals of single-family homes if there is a high vacancy rate.
  o Subregional Recommendations
    ▪ West Cook County Housing Collaborative

How can our community maintain and improve the management of our condominium properties?

• Reach out to condo Association and offer education programs.
  o Municipal Recommendations
    ▪ Oak Park
What strategies can our community use to prepare for a growing population?

- Targeted rehab/redevelopment of existing properties.
  - Municipal Recommendations
    - East Dundee

- Allow for changes in zoning to accommodate increased density in housing stock.
  - Municipal Recommendations
    - Carpentersville

How can our community market itself as one that is inclusive and open to all populations?

- Design website and outreach materials that are friendly to immigrants, people with disabilities, seniors, and other minority populations.
  - Municipal Recommendations
    - Batavia
    - Geneva
    - West Dundee

  - Municipal Recommendations
    - North Aurora
    - East Dundee

- Adopt a visitability ordinance.
  - Municipal Recommendations
    - West Dundee
    - Elgin
    - East Dundee
  - Case Studies
    - Bolingbrook Accessibility/Visitability Requirements
How do we engage local employers in providing workforce housing?

- Encourage local businesses to take advantage of state incentives for employer-assisted housing programs.
  - Municipal Recommendations
    - St. Charles
    - Libertyville
    - Plainfield
  - Subregional Recommendations
    - Batavia, Geneva, North Aurora & St. Charles
    - West Cook County Housing Collaborative
  - Case Studies
    - Employer-Assisted Housing
    - Loyola University-Assisted Housing Program

How can our community leverage existing transportation assets to reduce the combined cost of transportation and housing?

- Create transit-oriented development.
  - Municipal Recommendations
    - St. Charles
    - Elgin
    - Olympia Fields
  - Subregional Recommendations
    - Northwest Suburban Housing Collaborative
    - West Cook County Housing Collaborative
  - Case Studies
    - Chicago Transit-Oriented Development Ordinance

- Develop a transit-supportive overlay zone.
  - Municipal Recommendations
    - Batavia
  - Subregional Recommendations
    - Batavia, Geneva, North Aurora & St. Charles

- Coordinate land use and new transportation initiatives.
  - Subregional Recommendations
    - Batavia, Geneva, North Aurora & St. Charles
    - West Cook County Housing Collaborative

- Reducing parking requirements to encourage alternative modes of transportation.
  - Municipal Recommendations
    - Hazel Crest
- Libertyville
  - Case Studies
    - Libertyville Payment in Lieu of Required Parking

How can we work with our neighbors to address complex housing challenges?

- Explore the benefits of the formal interjurisdictional collaboration.
  - Metropolitan Mayors Caucus Interjurisdictional Collaboration Homepage
  - Case Studies
    - Housing Collaboratives
Plan Commission Summary Meeting Minutes  
Date: January 19, 2023

A motion to approve the minutes of the Plan Commission meeting of December 1, 2022 (Case 2021-30P) was made by Commissioner Franklin and seconded by Commissioner Shah.

Case Description:

Discussion: Affordable Housing

Listen and learn session featuring speakers who develop and work towards the preservation and creation of new affordable housing development.

Discussion and Interested Parties

At the December 20, 2022 Village Board meeting, the Trustees made a directive for the Plan Commission to develop affordable housing policy recommendations to the Board by the end of the 1st quarter of 2023. The process will begin with this listen and learn session to gather information and feedback from several experts in the field. The next meeting, on February 2, 2023, will refine the discussion among the Plan Commission and community members. The concluding meeting will take place on March 2, 2023 at which time recommendations will be finalized to present back to the Village Board.

Jonathan Burch of Chicago Metropolitan Agency for Planning (CMAP), David Brint & Peter Levavi of Brinshore Development, Rich Monocchio from Housing Authority of Cook County, Rob Anthony of Community Partners for Affordable Housing, and Richard Koenig of Housing Opportunity Development Corporation each shared the work they are doing to support affordable housing in the area by means of short presentations and handouts.

The Plan Commissioners asked questions regarding demographics, comparisons with our border communities, and clarification of strategy terms.

Several audience members posed questions and comments regarding income levels, how condos can stay affordable, the effects of homelessness on students, impact on existing residential property values, and how intergenerational housing promoted by smaller non-profit organizations should be added to the mix.

All commenters thanked the Village for addressing and undertaking this important topic.

Recommendations and Voting

No vote was taken.
A motion to approve the minutes of the Plan Commission meeting of January 19, 2023 was made by Commissioner Burman and seconded by all in unison.

Case Description:

Discussion: Affordable Housing

Discussion regarding the formation of recommendations to the Village Board of Trustees on affordable housing policy.

Discussion and Interested Parties

Discussion took place among the Plan Commissioners and community members. Staff organized the discussion summarizing the needs and goals of an affordable housing policy by creating a framework of topics to continue, expand, further study, or initiate to preserve existing affordable housing as well as the construction of new affordable housing.

Gail Schechter, 9033-B Keating Avenue, is involved with a residents’ group: Skokie Neighbors for Housing Justice. She submitted and recapped a presentation, “Skokie Housing Needs and Recommended Solutions” and introduced community group members, Charlie Saxe and Judy Mendel. They spoke about how diversity and mixed housing makes a community stronger by building commitment, the income/housing gap especially those earning less than $50,000; people that work in Skokie can’t live in Skokie, how the zoning & building codes suppress the remodeling process of the aging housing infrastructure, building a unified housing plan, and the creation of a Housing Commission.

A commissioner wanted further information regarding the cumbersome process Mr. Saxe referred to. Mr. Saxe cited that his house was built in 1950 and needed a variance before he could submit plans to add on a 2nd story addition. The process was too confusing, expensive, time-consuming, and the uncertainty of not being granted the variance was frustrating.

The commissioner also added that if major home alteration fees are being considered, then a differentiation should be put in place as well for the types of major home alterations. It is quite different when a home is modified to accommodate a senior or a person with a disability compared with adding a pool.

A commissioner commented that without changing anything Skokie has met the state’s guidelines with almost 20% of housing stock considered affordable.
Other community members voiced the following concerns:

- Skokie’s 19% affordability is an outdated figure from 2016.

- Skokie should be economically diverse as well as demographically. Refugee families earning hourly wages of $15-$17 have a hard time paying rent.

- Skokie’s affordable housing stock is old and not compatible for people with disabilities or the elderly; no wheelchair access or too narrow doorways. Newer developments are too expensive.

- New immigrant families are priced out – they can’t get started in Skokie.

- Units should be available in every new development.

- Codes should be changed so that people can start, re-start, and remain in Skokie.

- Housing is not the only expense; transportation needs should not be overlooked.

- Fees in lieu of – make sure the fees are high enough so that developers are discouraged from using the program.

- Make sure inclusionary plans follow state laws.

- Affordability should be on par with state recommendations and remain at 10% - crime in Skokie is going up making the community unsafe.

- Developers are not given any time restraints when presenting their plans, but residents are not given the same support by the Plan Commission when they speak of their concerns or comments.

The concluding Plan Commission meeting on this topic will take place on March 2, 2023 at which time recommendations will be finalized to present back to the Village Board at their March 20, 2023 meeting.

**Recommendations and Voting**

No vote was taken.
VILLAGE OF SKOKIE

Skokie’s Commitment to Affordable Housing

Community Development Department
October 1, 2020
SKOKIE’S COMMITMENT TO AFFORDABLE HOUSING

The Village of Skokie has a long tradition of inclusive housing policies that support affordable housing and have driven the Village to achieve 19.9% affordable housing, which is one of the top rates in the North Shore area. To supplement this approach, the Village has also developed several programs that support low income renters and homeowners with a focus on investing in their homes and neighborhoods. Lastly, Village staff is participating in regional initiatives that support affordable housing.

Housing is considered affordable when housing costs are no greater than 30% of household income, particularly for low income households, which is 80% of median household gross income. Affordable housing is out of reach in many parts of the Chicagoland area. For suburban growth areas, this is largely due to a lack of older housing stock and overall housing diversity, favoring single family homes over multi-family developments. Inner ring suburbs like Skokie are well-positioned to provide affordable housing opportunities due to the age of our existing housing stock and supply of multi-family buildings. Provided the Village continues to support inclusive land use policies and protect existing housing stock, the Village’s higher percentage of affordable housing should continue.

This document is intended to provide an overview of Skokie’s current affordable housing position and insights into policies that have enabled the Village to achieve and maintain one of the highest affordable housing rates in the North Shore area.

Affordable Housing Profile

According to data from the 2016 American Community Survey (ACS), 19.9% of the Village of Skokie’s housing stock is affordable in accordance with HUD’s definition. With over 22,446 households in the village, 4,467 units are affordable.

As shown in Table 1, Skokie outpaces all North Shore communities except Niles, which registers over 30%. Evanston is closest, just two percentage points below, while Morton Grove is over six points behind. The remaining cities are below 10% which is the threshold enacted by the Illinois’ Affordable Housing Planning and Appeals Act (AHPAA).

Another data point to consider is the level of owner-occupied properties. A greater availability of rental units typically correlates with greater affordability and ease of entry into the market. As per 2019 US Census estimates, shown in Table 2, just over 70% of homes in the Village are owner-occupied. In Evanston, 56.3% of homes are owner-occupied and has a high percentage of rental due to its university population. Morton Grove has the highest rate of owner-occupancy at 91.3%.

The type of housing is also a key indicator that correlates with affordable housing. Places that have more multi-family housing typically have a higher percentage of affordable housing. Just under 60% of housing is within single family detached or attached structures. The remaining 40% are within multi-family buildings with a shared entrance, and of that percentage, 20% is within buildings with 10 or more units. Niles is very similar to Skokie with 62% single family and 38% multi-family. The difference is the Niles has more buildings with 10 or more units. Morton Grove has nearly 82% single family and just 8%
multi-family. Home to a major university, Evanston has a much higher rate of multi-family at 63% of which over 37% are within buildings with more than 10 units.

Table 1: Percentage of Affordable Housing Units in Relation to Overall Housing Supply

<table>
<thead>
<tr>
<th>Municipality</th>
<th>2011</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Niles</td>
<td>20.2%</td>
<td>30.4%</td>
</tr>
<tr>
<td>Skokie</td>
<td>14.7%</td>
<td>19.9%</td>
</tr>
<tr>
<td>Evanston</td>
<td>15.4%</td>
<td>17.5%</td>
</tr>
<tr>
<td>Morton Grove</td>
<td>7.9%</td>
<td>13.1%</td>
</tr>
<tr>
<td>Glenview</td>
<td>7.4%</td>
<td>7.3%</td>
</tr>
<tr>
<td>Lincolnwood</td>
<td>4.6%</td>
<td>5.5%</td>
</tr>
<tr>
<td>Wilmette</td>
<td>4.1%</td>
<td>4.5%</td>
</tr>
<tr>
<td>Golf</td>
<td>0.8%</td>
<td>2.8%</td>
</tr>
<tr>
<td>Winnetka</td>
<td>2.5%</td>
<td>2.7%</td>
</tr>
<tr>
<td>Glencoe</td>
<td>1.4%</td>
<td>2.5%</td>
</tr>
<tr>
<td>Kenilworth</td>
<td>0.5%</td>
<td>2.2%</td>
</tr>
</tbody>
</table>

Table 1 Source: American Community Survey 2011 and 2016.

Table 2: Home Occupancy & Median Monthly Housing Costs

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Niles</td>
<td>73.4%</td>
<td>$1,819</td>
<td>22.7%</td>
<td>$1,117</td>
</tr>
<tr>
<td>Skokie</td>
<td>70.5%</td>
<td>$2,154</td>
<td>24.9%</td>
<td>$1,226</td>
</tr>
<tr>
<td>Evanston</td>
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Table 2 Sources: Census Quick Facts (census.gov/quickfacts) and American Community Survey 2010 to 2014

According to "Regiona Housing Solutions" website, which categorizes affordability within housing submarkets, Skokie's housing stock was primarily built in two eras - the years after World War II and in the 1960's-70's – as shown in Table 3. This housing stock has remained intact with 84% considered between moderate to lower cost and remains affordable. Only 6% of Skokie's stock is considered high cost, low density suburban which is out of reach for low to moderate income families.

Niles which has by far the most affordable housing has 94% in the lower cost range and 6% in the high cost range. Evanston also has little mid-range diversity with 24% lower cost and 76% higher cost.
Morton Grove is 71% lower cost, 29% in the middle, and 1% high cost. The farther north, housing is less affordable.

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Submarket Characteristics

Submarket 1: Higher density urban, high foreclosure and vacancy, low income.
Submarket 2: Higher density urban and suburban, large households, high foreclosure/moderate vacancy, low/moderate income.
Submarket 3: Higher density urban, high income, young, high home prices and rents.
Submarket 4: Suburban post-war housing stock, moderate- and middle-income, lower cost stock.
Submarket 5: Suburban 1960-79 housing stock, moderate but declining incomes, lower cost stock.
Submarket 6: High cost suburban housing stock, low density, high income, aging population.
Submarket 7: High population growth, newest housing stock.
Submarket 8: Suburban 1980-99 housing stock, high/middle income, suburban, aging population.

Table 3 and Submarket Characteristics Source: regionalhousingsolutions.org.

Skokie’s Affordable Housing Priorities

The Village of Skokie’s historic commitment to diversity is the main driver for its affordable housing success. This includes a diverse economy, diverse housing types, and a diverse community. The commitment is primarily demonstrated by a long history of planning and zoning decisions that allowed higher density housing developments.

Skokie is also committed to a high standard of living for affordable housing. The Village has developed the Neighborhood Enhancement and Home Improvement programs, which are funded through CDBG, to help maintain structures occupied by low income residents. The Village is also providing direct rental assistance to low income families through the Housing Financial Assistance and Emergency Financial Assistance programs. In addition, the Neighborhood Integrity Initiative, which includes the Rental Registration and Landlord Training programs, requires landlords to conduct regular maintenance to their buildings and to ensure a safe and livable environment for their tenants.
Village staff also participates in Chicago Regional Assessment of Fair Housing. This initiative is helping a partnership of Cook County municipalities coordinate affordable housing efforts through a regional approach instead of beyond their municipal boundaries.

**Housing Development Policies**

The starting point for the Village’s housing affordability involves housing development policies that were instituted during Skokie’s post-WWI growth period and have continued through today. During the postwar era through the 1970's, Village leaders elected to allow the construction of multi-family structures on smaller lots. As a result, 40% of households are within multi-family buildings, and 84% of our housing stock is within Submarket 4 and 5, which are lower cost and serves diverse household incomes. If you fast forward 70 years, these buildings have become the cornerstone of affordable housing in the Village and created development patterns and a housing stock that sets Skokie aside as one of the most affordable communities in the North Shore.

**Neighborhood Enhancement & Home Improvement Programs**

In addition, the Village has developed two direct investment programs to fund improvements to structures owned by low income residents and/or within low income areas. The Neighborhood Enhancement program was added to the CDBG Annual Action Plan this year and is currently being rolled-out. The program provides funding for improvements to low income, multi-family structures. The initial focus is on low income homeowners, but depending on the demand, assistance may be provided to rental buildings in low income areas. The list of qualified improvements includes exterior door and window replacement, accessibility improvements, tuckpointing, painting, roof replacement, landscaping and hardscaping, lighting, and safety improvement. The Neighborhood Enhancement Program is budgeted for a total of $180,976 this year.

The Home Improvement Program is also funded through CDBG and has been a long-standing program with nearly 400 units improved. The program provides up to $12,000 to cover the cost of exterior improvements that are similar to the list of improvement for the Neighborhood Enhancement program. The difference between the two program is the Neighborhood Enhancement program has a focus on multi-family buildings while the Home Improvement Program assists low income homeowners of one and two-family homes. The Home Improvement Program is typically budgeted for $70,000 each year.

**Housing Financial Assistance & Emergency Assistance Programs**

The Village also provides direct assistance to low income homeowner and renters through two programs that have arisen from the COVID-19 Pandemic. The Housing Financial Assistance program is funded through CDBG-CV supplemental funding through the CARES Act. The Village is providing $200,000 to provide rent, mortgages, and/or utility assistance to low to moderate income households. The Emergency Assistance Program, which is funded by donation from the Skokie Community Foundation, provides grants up to $500 for rent and utility assistance. According to reports from the Human Services Departments, through the end of July, 84 households benefitted from the program during the pandemic.
Neighborhood Integrity Initiative

The primary component of the Neighborhood Integrity Initiative, which was created in 2014, is the Rental Unit Registration ordinance, Chapter 22 of the Village’s Code of Ordinances. The code requires the registration and inspection of every residential rental unit prior to being offered for rent or being sold. The purpose of the program is to ensure landlords are providing safe and livable environment for their tenants. While there is added cost to the property owner, this step ensures units are well-maintained, which is a priority. Skokie’s approach to affordable housing not only provides opportunities to low income resident but also takes steps to ensure their homes are safe and livable.

The Rental Unit Registration ordinance also requires the owner or operator of a rental unit to successfully complete the Village’s Landlord Seminar within three months from the date of registration. The seminars consist of 3 four-hour information/training seminars, which are held throughout the year. The seminars are held at the Skokie Police Department on weekdays, evenings and Saturday mornings. Landlords are only required to attend one seminar; however, if a property is found to have numerous nuisance complaints or issues, the landlord maybe required to attend an additional seminar. Overall, the seminar informs landlord about the Rental Unit Registration program, building and property maintenance codes, tenant rights and responsibilities, and the duties of the Neighborhood Standards Police Officer.

The crime free provisions are another important aspect of the ordinance. Owners are required to have tenants sign a crime free addendum as part of the lease. The addendum makes it a violation of the lease for any tenant or guest of the tenant to engage in violent or drug related crimes or to use the leased premises for such purposes. In conjunction with landlord training and the crime free elements of the code, the Village also provide Landlord Certification if the owner/operator agrees to a security inspection and a neighborhood social event offered by the Police Department.

Regional Efforts

The Village is also taking part in the Regional Assessment of Fair Housing, which is a regional effort to address fair housing issues. Although the assessment is focused on fair housing, affordability is a primary component of the assessment.

The Regional Assessment of Fair Housing is led by Cook County with technical assistance initially provided by the Chicago Metropolitan Agency for Planning (CMAP) and Enterprise Community Partners as the lead consultant. The assessment is a collaboration of over 17 local communities in Cook County, which has been coined the Chicago Area Fair Housing Alliance. If not for this partnership, the Village would have had to undertake the assessment on its own to fulfill CDBG requirements. The Village’s participation in the assessment is $12,000, which is covered by CDBG funds.

The assessment is an ongoing project. To date, broader regional objectives and best practices have emerged, and the group is currently working on local recommendations.
Memorandum
Community Development Department, Planning Division

TO: Chair Paul Luke and Members of the Plan Commission

FROM: Johanna Nyden, AICP, Community Development Director
Paul Reise, AICP, Planning Manager

DATE: 3/6/2023

SUBJECT: DISCUSSION OF VILLAGE POLICY FOR NEW DRIVE-THROUGH ESTABLISHMENTS

Summary:
Staff seeks feedback from the Plan Commission on potential zoning changes and additional Village policy and development guidelines regarding the permitting and mitigation of drive-through uses. This memorandum summarizes some potential opportunities to mitigate the impact of drive-through restaurants.

Background:
Drive-through restaurants provided an easy access point for some dining establishments at the onset of COVID-19 and many quick service restaurants pivoted to this amenity at their restaurant where possible; in some cases where drive-through is not allowed, the business created curb-side pick-up options. As Dwight Merriam, FAICP, notes in the December issue of Zoning Practice, "Making Drive-Thrus a Boon, Not a Bane," (this document is included as an attachment to this memorandum) more than two years after the onset of the pandemic, drive-throughs still accounted for 75 percent of fast-food restaurant sales, and many businesses that previously operated without drive-through have incorporated them as standard practice in new store openings.

According to Intouch Insight's annual drive-through study, the average drive-through customer is spending an average of 5 minutes and 13 seconds in the drive-through lane. This is almost 10 seconds faster than last year but is still lagging behind pre-pandemic wait times. Cars idling for longer periods of time emit more carbon dioxide (CO₂) than turning off vehicles and restarting. According to a study from Argonne National laboratory (attached to this memorandum) which shows that idling for more than 10 seconds uses more fuel and emits more CO₂ than engine restarting. The study also shows that if each car in the United States idles just 6 minutes per day, about 3 billion gallons of fuel are wasted annually, costing drivers $10 billion or more.

In Skokie, since 2020, 26 new restaurants have opened and 5 have included drive-throughs as a component of the food retail operation. Of the five new establishments with drive-throughs, two were opened in new buildings (both on Touhy) and three were opened in locations with existing drive-through facilities.
The Village already regulates where drive-throughs may locate through the Village’s zoning code. The current code requires a special use permit and public hearing, limits them to appropriate zoning districts, and adds additional site requirements in ‘Retail Street’ areas. For example, the areas of the Village currently zoned where drive-through restaurants are allowed include, Touhy Ave, the commercial areas of Dempster and Oakton, and Skokie north of Church. The mixed used districts downtown allow for non-restaurant (think Walgreens or ATM) uses but where overlaid with a Retail Street the drive through must share be internal to the site and not visible from the street. Current zoning code language governing drive-throughs includes:

**Restaurant, limited service**- with drive through, requires a special use in B2, B3, and M1 districts.

**Drive-through facility, except restaurant (i.e. ATM)**- requires a special use in NX, TX, CX, B2, B3, and B4 districts.

**ARTICLE V. - SPECIFIC USE REGULATIONS**

Sec. 118-93. - Food establishments and food service requirements.

(g) Drive-through facilities are prohibited at carryout and full-service restaurants.

**ARTICLE IX. - MIXED-USE ZONING DISTRICTS**

Sec. 118-185. - Restricted uses

(g) Drive-through facilities.

(1) Within the retail street use area, only drive through facility driveways that are shared with other parking facilities are permitted.

(2) No part of the drive-through facility shall be visible from the retail street.

**Discussion:**

Staff seeks direction on the potential ways to mitigate the impact from these operations (particularly vehicular) while incorporating adopted policies for the Village.

**Manage Vehicular Impact.** This seeks to manage the number of vehicles and the presence of excessive parking on site. The more vehicles on site, the more likely vehicles will be idling and potentially contributing to emissions.

- **Reduce parking requirement at drive-through establishments.** Section 188-218 requires 1 parking space for each 100 square feet of net floor area. For example, a 2,000 square foot restaurant is required to provide 20 parking spaces. Decreasing the requirement, if supported by the traffic analysis, to 1 parking spot per 150 square feet would mean smaller parking lots and more flexibility in the site plan. Ideally this space is reclaimed for green space, outdoor dining, or even convenience parking for patrons going into and out of the restaurant for items ordered ahead of time.

- **Further restrict location of Drive-Throughs.** Adopt zoning changes that remove drive-through uses as an allowed use in mixed-use districts. Currently Sec. 118-185 of the Village’s Zoning Code allows this use but must not be visible from the street. Removing it as an allowed use could be an opportunity to further reduce this use.

- **Conditions for Drive-Throughs.** Create several standard conditions in all approvals associated with drive-through establishments:
o Require a plan on record with village that addresses how operations are managed to reduce queuing of the line in order to better understand how the restaurant will operationally handle a long line of cars and how it will mitigate this issue.

o Prohibit deliveries during peak usage times.

o Require that mobile ordering be part of the business model of approved special uses. If customers can order ahead of time through mobile apps on phones or computers, this will reduce ordering times between the order window and the pay window at businesses. It might also discourage customers from moving through a drive-through lane and getting out of the vehicle and going into the establishment.

Manage Emissions Impact. Understanding that limiting the drive-through land use is not always feasible and that the use can be accommodated in some areas of the Village, offering additional tactics to mitigate the emissions is warranted. Potential ways to mitigate emissions include:

- **Divert restaurant waste.** Requiring restaurants to offer composting and recycling in addition to waste that will go to a landfill for both kitchen waste as well as dining area waste.

- **Impact Fee/Tree Planting.** Assess ability to mitigate impact from emissions through addition of new trees. For example, the Village could require additional trees on site or a fee-in-lieu based on a formula associated with the number of cars that will be generated by the drive through as reported by the traffic impact study. For every new car generated, \( X \) new trees could be required to be planted or a fee assessed to cover planting at another location.

Many of these suggestions are in alignment with the Village’s adopted Environmental Sustainability Plan. The Land Use and Housing section discusses reductions in minimum parking requirements, identifying ways to reduce landfill waste and promoting recycling and composting at businesses, increase of tree cover, and promotion of green roofs in new construction.

**Attachments:**
- Zoning Practice, "Making Drive-Thrus a Boon, Not a Bane,"
- Argonne National Lab, “Which Is Greener: Idle, or Stop and Restart?”
ZONING PRACTICE

Making Drive-Thrus a Boon, Not a Bane

In This Issue: The Drive-Through Genome Project | The Pandemic Push Floating Zones and Mapped Overlays | A Proposed Regulatory Framework Conclusions | References
Making Drive-Thrus a Boon, Not a Bane

By Dwight Merriam, FAICP

In considering drive-through service as a planning and zoning issue, we might look back to the first zoning case to make its way to the U.S. Supreme Court, Euclid v. Ambler (1926), where the court in upholding zoning famously said: “A nuisance may be merely a right thing in the wrong place—like a pig in the parlor instead of the barnyard.” Most zoning is ultimately contextual. So too it is with drive-throughs, which are exceedingly beneficial for everyone in some locations, and utterly destructive to some objectives of planning and zoning when they are allowed in the wrong places. The challenge, sometimes a conundrum, is to decide when they are appropriate and, if so, how to best regulate them, leveraging the benefits and avoiding the burdens.

This issue of Zoning Practice explores how good planning and zoning can respond to increased demand for drive-through service since the onset of the COVID-19 pandemic. It begins with a quick look back to the days of car-hops and their effects on subsequent drive-through services. Then, recognizing how the pandemic has affected a sea change in service, it looks at how drive-through and related services have evolved and where they may go, with good planning and regulation, for the benefit of all.
The Drive-Through Genome Project

We most often think of inertia as uniform motion in a straight-line, but it is equally the resistance to change. Zoning is often like that, evidencing a resistance to change and reflecting irrelevancies of the past. If we could ever have a genome project in zoning, including drive-throughs, we doubtless would find that current regulations and the difficulties we have in deciding where and how they might be used can be found in the DNA of zoning from the 1950s, when carhops were the rage. They probably date to the early 1920s, the term reportedly derived from bellhop. The film, *American Graffiti* (1973), set in 1962, featured Mel’s Drive-In on South Van Ness in San Francisco, though the movie was set in Modesto, California. For a diversion from the seriousness of planning and zoning for drive-throughs, you may wish to watch *Bob’s Big Boy 1947 training film for carhop service*, including some views of parking layout and queuing that only a planner might appreciate.

Ryland Heights, Kentucky, for example, reflects that carhop history by defining a drive-in eating establishment to be inclusive of carhops: “A restaurant where consumption of food is encouraged in a vehicle on the premises, where food is provided by ‘car-hop’ or self-service, with or without incidental sit-down and carry-out facilities” (§7.0).

The Pandemic Push

Reference to carhops continues today and has had a rebirth in the response to the pandemic, as communities sought ways to increase flexibility in food service and retailing, generally, to provide social distancing and a contactless experience. Bellevue, Kentucky, is illustrative in recently adding a new reference to car hops with this change to its regulations:

DRIVE IN. An establishment offering food and beverages which are sold within the building, or to persons where the consumption is encouraged while in motor vehicles on the premises. Food is generally provided by “car-hop” or self-service, in an area designated for drive-in or drive thru service, and for consumption on or off the premises. Food and beverages are served in disposable containers. [emphasis added] (Ordinance No. 2021-06-05)

It is hard to overstate what the pandemic did to promote drive-through service. In March 2020, two months after the first case of COVID-19 in the U.S., Wendy’s reported that 90 percent of its sales were drive-through (Coley 2020). Restaurants across the country “pivot[ed] to an old-fashioned carhop model,” as one report on what a 93-year-old owner of a restaurant had to do to keep open during the pandemic in Cloquet, Minnesota (Hollingsworth 2021). The decision to go to other service models was often not voluntary. One restaurant, eight months into the pandemic, was ordered to shut down and defied the order, had its liquor license suspended, and incurred fines, only to switch to delivery service and a carhop model to escape being closed (Kurylandchick 2020).
The changes from inside service to carhops, drive-through, drive-up, and carry out was widespread, including chains like Steak ‘n Shake, Bob’s Big Boy, and White Castle. As one restaurant manager put it: “A lot of our regulars are older people who want to be safe... Even after COVID ends, we’re going to keep doing it...” (Kim 2021). It is this resurgence in service to cars, particularly from locations that had not previously offered drive-up or drive-through, that now impels the interest in determining how to provide those advantages to consumers, while preventing the nuisances that these services sometimes cause. Alan Hess, an architect who wrote Googie Redux: Ultramodern Roadside Architecture, believes we can use the drive-in experience from more than half a century ago to solve current problems:

It had a purpose, and still has a purpose. If out of this we can gain a new respect for the automobile, which in many ways has been a scapegoat for the demise of cities and communal living, we will have an “old” tool that we can use in a new way to solve problems we had no idea we were ever going to face (Kiniry 2020).

Floating Zones and Mapped Overlays
Walkability and drive-throughs do not mix well in many situations. Driveways in and out endanger pedestrians and cyclists and create some commercial sprawl by consuming frontage. They can coexist with careful site planning and site-specific review, review that provides the greatest discretion for the local government, the applicant, and other stakeholders (Davis 2016).

The best approach may be a floating zone just for drive-through, drive-up, and take-out service. With a floating zone, a concept plan is reviewed, and then a purely legislative, policy decision is made to allow the zone to descend and apply to the site. Courts have held that the tired “spot zoning” claim does not apply to small-area and even single-lot floating zones, in part because the standards can apply to other parcels (Vasser 2021; McCarthy 2006). The applicant’s concept site planning costs are small, making them more willing to make modifications. Courts almost always defer to legislative decisions, less so with administrative decisions like special permit or conditional uses. All around, even though it may seem complicated, which it is not, the floating zone is nearly perfect for the drive-through and related uses.

The “secret sauce,” however, that will make the floating zone a tasty addition to the regulations is found in the criteria for where the floating zone can land and what criteria are applied in making that decision. That takes a lot of hard thought. Have in mind that 1974 Burger King jingle, “hold the pickles, hold the lettuce, special orders don’t upset us.” Make each drive-through a special order, applying the locational and decisional criteria that you carefully thought out in advance. Consider testing those regulations, before you enact them, by trying to apply them to sites throughout the community. Do some role playing. It can be fun, actually, but it also will help surface problems, both procedural and substantive, with your draft regulations. Not many planning bodies do this, but it can be highly effective.

Another approach, though somewhat less desirable because it comes with less discretion, might be a fine-grained overlay zone coupled with a conditional use. With the overlay zone, the underlying zoning remains, and it enables additional regulations to be applied in subareas on top of the existing zone.
Most regulations permit drive-throughs, conditionally or otherwise, in an entire zoning district. That leaves the door open to applications for drive-throughs where they are not appropriate. It is better to take a hard look at where they can work and make that an overlay. If using the floating zone, the criteria for landing the floating zone can use an overlay to limit the areas where applications are permitted. It does not approve the floating zone in advance, but it makes a clear statement as to where they might be possible.

Two strategies might help in enabling some drive-through service along pedestrian-focused streetscapes. One is not a drive-through at all, but drive-up, where curbside service is allowed with people delivering goods to a vehicle along the curb, typically as one form of “buy online pick up in store” (BOPIS) service. Add that to your book of planners’ acronyms, and impress your friends. BOPIS, which is less expensive for retailers than drive-through service, requires short-term parking. This avoids curb cuts and is practical today with smartphone ordering. Some measure of how digital sales have increased just recently can be seen at McDonalds, where digital sales in its six biggest markets are up 60 percent in just one year, totaling over five billion dollars and 30 percent of sales (Maze 2022). The Harvard Business Review reports that, one year into the pandemic, retailers offering curbside pickup had jumped 44 percent and 40 percent of Americans want to continue curbside pickup, BOPIS, and delivery (Ketzenberg and Akturk 2021). The challenge is to provide for sufficient curbside space to meet the need and to avoid double parking during high volumes. There was widespread local experimentation during the pandemic, and much can be learned from that in fashioning local drive-up standards.

The other strategy in areas where you need to protect walkability is to plan for multiple, adjoining sites to share entrance and exit drives to reduce curb cuts. This is typically done with abutting commercial-use parking lots, as in Zebulon, North Carolina: “Parking lot connections shall join parking lots on two or more different lots… A parking lot connection shall be included on at least two sides of a lot except when conditions prevent connections …” (§5.1.8.D). For this to work, there must be pre-planning of how separately owned properties might connect through cross-easements or some form of association.

A Proposed Regulatory Framework
The same issues appear across the full range of drive-through regulations. What differentiates them are the standards to be applied, which vary greatly. Here is a rough outline of what might be in a regulation, but it is by no means a model. One size does not fit all.

Purpose
Start with a statement about the purpose. This is visioning to a degree. Think what you want to accomplish with drive-through service. Maybe something like: Drive-through service is enabled in appropriate locations to improve service to customers, permit people with disabilities to have equal access, protect the public from contagion, and promote economic development.
Salt Lake City is more specific (§21A.40.060.A):

Purpose: The regulations of this section are intended to allow for drive-through facilities by reducing the negative impacts they may create. Of special concern are noise from idling cars and voice amplification equipment, lighting, and queued traffic interfering with on-site and off-site traffic and pedestrian flow. The specific purposes of this section are to

1. reduce noise, lighting, and visual impacts on abutting uses, particularly residential uses;
2. promote safer and more efficient on-site vehicular and pedestrian circulation; [and]
3. reduce conflicts between queued vehicles and traffic on adjacent streets.

Definitions
Much of any regulation is found in the definition of what is regulated. A typical definition of drive-through service is like this one from Brunswick, Maine (§1.7):

Any structure through which a product or service is provided directly to a customer seated in a motor vehicle including, but not limited to, take-out or pick-up windows, banking terminals, automatic teller machines and other facilities commonly referred to as drive-up, drive-through, or take-out. This definition excludes gasoline service stations, car washes, drive-in theatres, and drive-in restaurants where orders are taken and food delivered to a motor vehicle that remains in a parking space.

With nearly all zoning regulation, the definition is key as to what is in and what is out. Spend a good part of your time here defining what you mean by drive-through, drive-up, walk-up, BOPIS, carhop, and so on.

Applicability
Will your regulations include only new construction, or also rebuilding or replacement of existing drive-throughs and alterations to add new drive-through service? If there is existing drive-through service, it might be prudent to require as a condition of approval that there be a review when the floor area of the building serviced is expanded, say by 25 percent or 1,000 square feet, as that will likely increase traffic at the drive-through.

Submission Requirements
What will your regulations require applicants to submit before final approval? Important elements of the site plan are a parking and circulation plan, driveway locations, and placement of audio equipment. An on- and off-site litter cleanup plan, with a schedule and map, are worth considering. Almost always a traffic study by a qualified person, usually a professional engineer, is required. The traffic study, based on the specific identified use of the property, should describe peak hours of operations, volume of customers per hour, stacking space for anticipated volume of drive-through vehicles, turning movements, roadway capacity, and the level of service of nearby streets.

Building Design
Canopies for service windows can have a substantial visual impact. Regulating color and how many colors, where it is permitted by law, might be included, as well as prohibiting corporate colors and patterns on the canopies which are ersatz signs. Drive-through facilities, including windows and other related features, should be architecturally compatible with the building and the existing and planned streetscape.

Access
The total width of access lanes in and out should be limited, something in the order of 25 feet, unless a turning lane is required.
Typical regulations provide for accessway width, often 10 feet, and minimum turning radii of 10 feet. Sometimes it is specified that the width of curved segments of the stacking lane be 12 feet.

Specify that drive-through lanes to and from drive-through windows and order boards shall not obstruct on-site vehicular traffic flow to and from required parking and loading spaces or other driveways providing ingress and egress into and within the site. Sometimes, regulations may require entrances and exits be separated by some distance, say 25 feet, from abutting properties. That may foreclose drive-throughs at some sites. Using the floating zone approach could allow more flexibility in all the dimensional standards by offering suggested, but not mandated, design requirements.

Each entrance to, and exit from, a drive-through lane should be clearly marked to show the direction of traffic flow by signs and pavement markings or raised curbs.

To limit damage to buildings in the vicinity of drive-through facilities, a minimum of 10 feet of clear height may be required for the drive-through lane with bollards located adjacent to drive-through windows to prevent damage to the building from vehicles.

As noted in the context of drive-throughs on walkable streetscapes, where possible the design should include joint-use and cross-access connections, even where a present connection is not feasible, just as would be done with a temporary cul-de-sac and stub road. There are no obvious standards for how long that unused connection might be, but some limitation is reasonable. The accessway need not be constructed with the current development if a physical connection is impossible at the time, but the approval should require construction when joint use or cross access is feasible.

**Landscaping**

Typical regulations may require a landscaped strip between the access drive and parking and screening of the of the access drives from the roadway. It is difficult to be highly specific about landscaping because site design for drive-throughs varies greatly.

**Stacking**

This is perhaps the hardest standard to settle on. Frankly, it is a crapshoot. The objective is to keep vehicles from backing up onto the street, but even with a traffic study, it is a guessing game. Some regulations measure stacking length in numbers of vehicles, but how long is a vehicle with a couple of feet front and back for spacing? A Mini Cooper is 12.9 feet, a Ford Super Duty LWB Crew Cab is almost twice as long at 22.2 feet. The best approach may be to have a single total length for the queue. Queue lengths vary by uses in some regulations.

The problems in establishing the “right” stacking length are many. There is not much data by uses. The size of the use matters in how many vehicles will be in line. How popular the destination may be is unpredictable. [I once got stuck in a line down the street with police directing traffic when my then-young son talked me into taking him to Connecticut’s first Sonic restaurant and gave up after an hour.]

In 2022, a wildly popular Chick-fil-A in Santa Barbara, California, had such a backup that the street was blocked every day for 70 to 91 minutes, causing the city to consider declaring it a public nuisance (Lee 2022). That was avoided by a traffic
management plan addressing employee parking, not allowing truck deliveries during peak hours, a widened driveway, and a new third lane for waiting customers (Hayden 2022).

The takeaway from these bad experiences is to plan for the worst: contingency plans for traffic control at the opening of the store; required expansion of the stacking, if it proves necessary, with design built into the site plan; escalating penalties for back-ups; requiring the operator to engage off-duty police officers to direct traffic if necessary; and a clear understanding that the drive-through will be lost, or at least temporarily suspended, if there are problems with back-ups.

Required queue lengths are minimums. Extra-long required queue lengths are wasteful. The operator can make the stacking longer if they think it is necessary. If they elect to do the minimum and can defend it with the traffic report, then they must bear the burden of underestimating.

Stacking lengths are often in the range of 120–160 feet for restaurants and 80 feet, more or less, for retail and banking. Elk Grove, California, bucks the trend a bit by requiring 180 feet for drive-up windows and bank tellers, while going to 60 feet for nonfood and/or nonbeverage businesses (§23.78.030.A.2).

Regulations may provide for decreasing or increasing the recommended length based on a traffic report by a professional engineer. The decision to modify requirements for queuing, and perhaps other design requirements, should be based on written findings of fact that the alternate design, given the characteristics of the site, will be equally or more effective in protecting on- and off-site pedestrian and vehicular traffic safety and minimizing traffic congestion.

One solution to the conundrum of site- and use-specific differences might be to have a preapplication meeting with the applicant or even a two-step permitting process to establish acceptable stacking and access design based on a preliminary traffic report before the full application is prepared for the development. The scale of the development and its configuration is driven in large part by the need to handle the drive-through, and bifurcating the approval may facilitate better design and ultimate approval. It is not in anyone’s interest to have to deny a fully engineered site plan over a dispute about stacking length.

Stacking necessarily requires knowing where it starts and ends. Windows and menu/order boards should be placed as far to the rear of the building as possible to increase available stacking. The starting point measurement is often an offset of some distance, say 25 feet, from the curb line or, if there is no curb line, to the edge of the sidewalk if there is one, and otherwise to the edge of the street pavement. The end point is the pick-up window.

Walk-up windows might be encouraged, not just enabled, in the regulations or even mandated, especially in areas considered most walkable and where people are more dependent on walking and cycling.

According to David Sullivan, U.S. Manager of Traffic and Transportation Planning for SLR, operators should place the order board far enough behind the pick-up window to ensure it does not constrain service. For example, if it takes 30 seconds to place an order and two minutes to fulfill an order, the order board should be about four cars from the pick-up window.

In some settings where preservation of the streetscape is of special concern, it may be advisable to mandate that the service window be at the back of the building and that no part of the accessway be used for queuing. A graphic can help.

Importantly, the queue space should not interfere with the safe use of the required parking spaces and their required drives, interior pedestrian and other circulation, and the accessway from any public street. However, Sullivan notes that it may be okay to block employee parking or trash storage areas if access to those areas is not essential during peak drive-through usage periods.
Noise
Those loudspeakers at the order windows can be a problem. To reduce the potential nuisance, regulations may include a setback of order windows from residential properties, say 40 feet. Outside speaker use might be prohibited during certain hours, but that would effectively shut down the business during those hours. Hours of operation, of course, is an important consideration as many drive-through restaurants are now open late and even 24/7. Outdoor loudspeakers for any drive-through window might be limited to a noise level below 50 dB at the closest property line, nearest building of a separate use, or a public sidewalk off-site.

Lighting
There is nothing special about lighting with drive-throughs, but generally property owners and regulators are not doing the best job possible with lighting. It is most often too much and, more recently, too harsh with LED lighting. Guidance is available in the Outdoor Lighting collection in APA’s Research KnowledgeBase and in a PAS Memo titled “the Future of Outdoor Lighting.” In developing new drive-through regulations, it might be timely to consider revamping lighting requirements.

Walk-Up and Bike-Up Service
But what about pedestrians and cyclists? The safety issues for people on foot and on bicycles using vehicular lanes would seem to preclude joint use, but Portland, Oregon, thinks otherwise ($33.224.070):

> When a drive-through facility is open and other pedestrian-oriented customer entrances to the business are unavailable or locked, the drive-through facility must serve customers using modes other than a vehicle such as pedestrians and bicyclists.

Salt Lake City enabled joint use by cyclists in 2014, only to have the state legislature enact a law the next year prohibiting local governments from requiring a business to “allow a person other than a person in a motorized vehicle to use the drive-through service” ($10-8-44.6).
What can be done? Provide for them expressly in the zoning regulations as Madison, Wisconsin, does by authorizing a walk-up service window as a conditional use when located within 10 feet of a public right-of-way (§28.151). Many ordinances permit walk-up automated teller machines, but few allow other services.

Walk-up windows might be encouraged, not just enabled, in the regulations or even mandated, especially in areas considered most walkable and where people are more dependent on walking and cycling. Incentives might be offered, such as modest increase in lot coverage or building floor area, excluding them from setbacks, or a partial tax abatement for a few years. Waiving application fees for the addition of walk-up/bike-up windows might be a good idea.

Businesses always have the right to make their own decisions on service to walk-ups and cyclists. Reach out to them. Offer some design solutions. Honor the ones who do the right thing. Promote the advantages: they deter crime with more “eyes on the street,” they are interesting and promote walkability by making the street more pedestrian friendly, and they are a great convenience for shoppers who need not walk into a store to be served with the added benefit that they preserve the opportunity for social distancing that many continue to find is essential to their being out in public (Malouff 2012).

Conclusions
We can learn much from the long history of drive-in and drive-through service, particularly in the context of the recent pandemic experience. The public wants it in all its variations, needs it, and expects to continue to use it. The challenge is to plan for these new and evolved types of service and to find ways to make sure they work on individual sites. The effort is worth it. The public’s interest will be served, economic development and redevelopment promoted, walkability protected and enhanced, and public nuisances avoided. That is what good planning is all about.

About the Author
Dwight Merriam, FAICP, a lawyer and a land-use planner, is a Fellow in the American College of Real Estate Lawyers, Past President of the American Institute of Certified Planners, and Past Chair of the ABA Section of State and Local Government Law. He has published over 200 articles and 13 books, including co-editing the treatise Rathkopf’s the Law of Zoning and Planning. UMass BA (cum laude), UNC MRP, and Yale JD. www.dwightmerriam.com
References


Which Is Greener:  
Idle, or Stop and Restart?

Comparing Fuel Use and Emissions for Short Passenger-Car Stops

L. Gaines, E. Rask, and G. Keller, Argonne National Laboratory

Overview

The argument against parking and going into a business, rather than using a drive-through window, has been that the emissions and fuel use associated with restarting your car are greater than those incurred by idling for that time. Argonne National Laboratory undertook a series of measurements to determine whether this was true, by comparing actual idling fuel use and emissions with those for restarting. This work seeks to answer the question: Considering both fuel use and emissions, how long can you idle in a queue before impacts from idling are greater than they are for restarting? Fuel use and carbon dioxide emissions are always greater for idling over 10 seconds; the crossover times are found to vary by pollutant.

Background

The bulk of idling research to date has focused on the effects of heavy- and medium-duty diesel vehicle idling. Most research has ignored passenger car idling—even at schools—as a source of emissions and wasted fuel. While idling in traffic is necessary for safety, vehicles can be turned off while waiting for passengers or for freight trains to pass. Consumers can choose to park and enter a fast-food restaurant, rather than idle in a drive-through line (Figure 1). If each car in the United States idles just 6 minutes per day, about 3 billion gallons of fuel are wasted annually, costing drivers $10 billion or more. And they haven’t gotten anywhere!

The U.S. Department of Energy Clean Cities Program uses its national network of almost 100 local coalitions to reduce transportation dependence on petroleum through the use of alternative fuels and efficiency measures, including idling reduction. The program therefore funded Argonne to measure idling fuel use by and emissions from light-duty vehicles and to compare these to start-up emissions to enable data-based decision making.

Testing

Argonne National Laboratory used a 2011 Ford Fusion mid-sized sedan with a 2.5-L, 4-cylinder engine (175 HP) and 6-speed automatic transmission (Figure 2). Its EPA fuel-efficiency label shows 23 mpg city/33 mpg highway and 26 mpg combined. We equipped the vehicle to measure numerous engine parameters and temperatures, including catalyst inlet and brick temperatures and oil and coolant temperatures. We collected data in one of Argonne’s test cells at the Advanced Powertrain Research Facility (APRF), using a SemtechD emissions analyzer for emissions and a direct fuel flow meter for fuel measurement. The vehicle was prepared and run by using approximate Federal Test Procedure (FTP) standard ambient temperature testing criteria. The emissions of interest in this study include total hydrocarbons (THC), nitrogen oxides (NOx), carbon monoxide (CO), and carbon dioxide (CO2) (Tables 1 and 2).

- Criteria pollutant emissions were low for idling following catalyst activation.

Table 1. Idling Emissions and Fuel Use per Second

<table>
<thead>
<tr>
<th>Emission</th>
<th>Tier 2-Bin 5*</th>
<th>Cold Start</th>
<th>Restart</th>
<th>Idle 30sec</th>
<th>Cold Start ÷ Restart</th>
</tr>
</thead>
<tbody>
<tr>
<td>NOx (mg)</td>
<td>0.0097</td>
<td>0.266</td>
<td>0.108</td>
<td>0.588</td>
<td>0.279</td>
</tr>
<tr>
<td>THC (mg)</td>
<td>0.0066</td>
<td>0.137</td>
<td>0.067</td>
<td>0.202</td>
<td>0.100</td>
</tr>
<tr>
<td>CO (mg)</td>
<td>31,290</td>
<td>2,970</td>
<td>1,253</td>
<td>3.2</td>
<td>2.4</td>
</tr>
<tr>
<td>CO2 (g)</td>
<td>0.008</td>
<td>0.016</td>
<td>0.057</td>
<td>0.136</td>
<td>0.075</td>
</tr>
<tr>
<td>Fuel (cc)</td>
<td>0.279</td>
<td>0.270</td>
<td>0.260</td>
<td>0.279</td>
<td>1.0</td>
</tr>
</tbody>
</table>

- Emissions from restarting were larger, but at least an order of magnitude lower than those from starting a cold engine.

- The catalyst cooled down slowly, so that restarts after times equivalent to a short transaction at a bank or restaurant are unlikely to allow the temperature to drop below light-off and incur large cold-start emissions.
Testing Limitations

Data presented here are based on one vehicle at one temperature, with a small number of runs. Therefore, although several conclusions are suggested by this work, generalizations are unwarranted without additional work to confirm the extent to which the results apply, for the following reasons:

• Hot and cold ambient conditions are likely to affect results, as are the loads required to supply passenger comfort at those temperatures.

• Older vehicles and diesels are both likely to behave differently.

• More research is required to explain differences in THC emissions between the runs, as well as to make more generalizations regarding the emissions impacts of different restart/soak times. Additional research to fill in all these gaps would enable more conclusive statements concerning the differences in emissions between idling and restarts.

Figure 3. The shaded area under the blue line (idling fuel rate) and the red line (restart) before the engine is restarted (at 10.1 s) represents the quantity of fuel that the engine would have burned if it were idling instead of being off, and the shaded area between the lines after the engine is restarted represents the excess on restart.

Acknowledgments

Argonne National Laboratory’s work was supported by the U.S. Department of Energy, Office of Vehicle Technologies, Clean Cities Program, under contract DE-AC02-06CH11357. We also wish to thank Steven McConnell, Christopher Saricks, and Michael Duoba of Argonne’s Center for Transportation Research (CTR), and Terry Levinson of Energetics (formerly of the CTR) for extremely helpful discussions and insights.

For more information, please go to www.transportation.anl.gov/engines/idling.html

Conclusions

• Idling for more than 10 seconds uses more fuel (Figure 3) and emits more CO₂ than engine restarting.

• Idling fuel usage varies from 0.2 to 0.5 gal/h for passenger vehicles across a range of sizes, and increased with idling speed.

• The vehicle warms up faster when driving than it does when idling.

• NOₓ and THC emissions from restarting are larger, but at least an order of magnitude lower than those from starting a cold engine (Table 2).

• For short stops, it makes sense to turn the vehicle off in order to minimize fuel use and CO₂ emissions. At least for the conditions evaluated in this work, the penalty in terms of criteria pollutant emissions is very small compared to cold-start emissions.