



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3096

Introduced 2/19/2021, by Rep. Sonya M. Harper

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-15.4-10
65 ILCS 5/11-15.4-13 new

Amends the Municipal Urban Agricultural Areas Division of the Illinois Municipal Code. Provides that the corporate authorities of a municipality may, by ordinance or resolution, establish an urban agricultural area committee for the purpose of transforming vacant lots in a disadvantaged community or communities within the municipality into an urban agricultural area. Provides that, before the municipality either approves or denies the creation of an urban agricultural area, the urban agricultural area committee shall: (1) review the geographic description of the proposed urban agricultural area and make recommendations as to the adequacy of the geographic area; (2) seek and compile a list of qualified farmers that would operate in the proposed urban agricultural area; (3) estimate the number of jobs to be created, maintained, or supported within the proposed urban agricultural area and the type of products to be produced; and (4) make recommendations as to how the vacant parcels shall be transformed into usable agricultural or aquaculture lots if the vacant lots are not immediately ready for a qualifying farmer. States the duration of such urban agricultural area. Allows agricultural or aquaculture use of vacant lots within the urban agricultural area, even if not zoned for such use, with reasonable setback, height, livestock, and poultry regulations.

LRB102 10680 AWJ 16009 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 11-15.4-10 and by adding Section 11-15.4-13
6 as follows:

7 (65 ILCS 5/11-15.4-10)

8 Sec. 11-15.4-10. Urban agricultural area committee.

9 (a) The corporate authorities of a municipality that seek
10 to establish an urban agricultural area shall first establish
11 an urban agricultural area committee: (i) after it receives an
12 application to establish an urban agricultural area under
13 Section 11-15.4-15; or (ii) by ordinance or resolution under
14 11-15.4-13. There shall be 5 members on the committee. One
15 member of the committee shall be a member of the
16 municipality's board and shall be appointed by the board. The
17 remaining 4 members shall be appointed by the president or
18 mayor of the municipality. The 4 members chosen by the
19 president or mayor shall all be residents of the municipality
20 in which the urban agricultural area is to be located, and at
21 least one of the 4 members shall have experience in or
22 represent an organization associated with sustainable
23 agriculture, urban farming, community gardening, or any of the

1 activities or products authorized by this Division for urban
2 agricultural areas.

3 (b) The members of the committee annually shall elect a
4 chair from among the members. The members shall serve without
5 compensation, but may be reimbursed for actual and necessary
6 expenses incurred in the performance of their official duties.

7 (c) A majority of the members shall constitute a quorum of
8 the committee for the purpose of conducting business and
9 exercising the powers of the committee and for all other
10 purposes. Action may be taken by the committee upon a vote of a
11 majority of the members present.

12 (d) The role of the committee shall be to conduct the
13 activities necessary to advise the corporate authorities of
14 the municipality on the designation, modification, and
15 termination of an urban agricultural area and any other
16 advisory duties as determined by the corporate authorities of
17 the municipality. The role of the committee after the
18 designation of an urban agricultural area shall be review and
19 assessment of an urban agricultural area's activities.

20 (Source: P.A. 100-1133, eff. 1-1-19.)

21 (65 ILCS 5/11-15.4-13 new)

22 Sec. 11-15.4-13. Urban agricultural area in disadvantaged
23 communities.

24 (a) The corporate authorities of a municipality may, by
25 ordinance or resolution, establish an urban agricultural area

1 committee for the purpose of transforming vacant lots in a
2 disadvantaged community or communities within the municipality
3 into an urban agricultural area. The ordinance or resolution
4 establishing the committee shall include the geographic
5 description of the area to be included in the urban
6 agricultural area.

7 (b) Before the municipality either approves or denies the
8 creation of an urban agricultural area established under this
9 Section, the urban agricultural area committee shall:

10 (1) review the geographic description of the proposed
11 urban agricultural area and make recommendations as to the
12 adequacy of the geographic area;

13 (2) seek and compile a list of qualified farmers that
14 would operate in the proposed urban agricultural area;

15 (3) estimate the number of jobs to be created,
16 maintained, or supported within the proposed urban
17 agricultural area and the type of products to be produced;
18 and

19 (4) make recommendations as to how the vacant parcels
20 shall be transformed into usable agricultural or
21 aquaculture lots if the vacant lots are not immediately
22 ready for a qualifying farmer.

23 (c) Approval of the urban agricultural area by a
24 municipality under 11-15.4-20 shall be reviewed every 5 years
25 after the development of the urban agricultural area. After 25
26 years, the urban agricultural area shall dissolve. If the

1 municipality finds during its review that the urban
2 agricultural area is not meeting the requirements set out in
3 this Division, the municipality may dissolve the urban
4 agricultural area by ordinance or resolution.

5 (d) Notwithstanding any other provision of law, any vacant
6 lots within an urban agricultural area that are zoned in a way
7 that would prevent agricultural or aquaculture use may be used
8 for such purposes in the urban agricultural area as provided
9 in the ordinance approving the urban agricultural area.
10 However, the municipality may provide for reasonable setback
11 and height regulations and reasonable regulations as to the
12 number of livestock or poultry on such lots.