

SB0220



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0220

Introduced 2/7/2007, by Sen. Iris Y. Martinez

SYNOPSIS AS INTRODUCED:

20 ILCS 662/25
20 ILCS 662/30
20 ILCS 662/46 new

Amends the Local Planning Technical Assistance Act. Provides for reimbursement to school districts for increased education costs associated with affordable housing that is part of an affordable housing plan.

LRB095 09711 HLH 29915 b

A BILL FOR

1 AN ACT concerning school costs.

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

4 Section 5. The Local Planning Technical Assistance Act is
5 amended by adding Section 46 and by changing Sections 25 and 30
6 as follows:

7 (20 ILCS 662/25)

8 Sec. 25. Use of technical assistance grants.

9 (a) Technical assistance grants may be used to write or
10 revise a local comprehensive plan. A comprehensive plan funded
11 under Section 15 of this Act must address, but is not limited
12 to addressing, each of the following elements:

13 (1) Issues and opportunities. The purpose of this
14 element is to state the vision of the community, identify
15 the major trends and forces affecting the local government
16 and its citizens, set goals and standards, and serve as a
17 series of guiding principles and priorities to implement
18 the vision.

19 (2) Land use and natural resources. The purpose of this
20 element is to translate the vision statement into physical
21 terms; provide a general pattern for the location,
22 distribution, and characteristics of future land uses over
23 a 20-year period; and serve as the element of the

1 comprehensive plan upon which all other elements are based.
2 The land use element must be in text and map form. It must
3 include supporting studies on population, the local
4 economy, natural resources, and an inventory of existing
5 land uses.

6 (3) Transportation. The purpose of this element is to
7 consider all relevant modes of transportation, including
8 mass transit, air, water, rail, automobile, bicycle, and
9 pedestrian modes of transportation; accommodate special
10 needs; establish the framework for the acquisition,
11 preservation, and protection of existing and future
12 rights-of-way; and incorporate transportation performance
13 measures.

14 (4) Community facilities (schools, parks, police,
15 fire, and water and sewer). The purpose of this element is
16 to provide community facilities; establish levels of
17 service; ensure that facilities are provided as needed; and
18 coordinate with other units of local government that
19 provide the needed facilities.

20 (5) Telecommunications infrastructure. The purpose of
21 this element is to coordinate telecommunications
22 initiatives; assess short-term and long-term needs,
23 especially regarding economic development; determine the
24 existing telecommunications services of telecommunications
25 providers; encourage investment in the most advanced
26 technologies; and establish a framework for providing

1 reasonable access to public rights-of-way.

2 (6) Housing. The purpose of this element is to document
3 the present and future needs for housing within the
4 jurisdiction of the local government, including affordable
5 housing and special needs housing; take into account the
6 housing needs of a larger region; identify barriers to the
7 production of housing, including affordable housing;
8 access the condition of the local housing stock; and
9 develop strategies, programs, and other actions to address
10 the needs for a range of housing options.

11 (7) Economic development. The purpose of this element
12 is to coordinate local economic development initiatives
13 with those of the State; ensure that adequate economic
14 development opportunities are available; identify the
15 strategic competitive advantages of the community and the
16 surrounding region; identify and enhance local tourism
17 opportunities; assess the community's strengths and
18 weaknesses with respect to attracting and retaining
19 business and industry; and define the municipality's and
20 county's role.

21 (8) Natural resources. The purpose of this element is
22 to identify and define the natural resources in the
23 community with respect to water, land, flora, and fauna;
24 identify the land and water areas in relation to these
25 resources; assess the relative importance of these areas to
26 the needs of the resources; and identify mitigation efforts

1 that are needed to protect these resources.

2 (9) Public participation. This element must include a
3 process for engaging the community in outreach; the
4 development of a sense of community; a consensus building
5 process; and a public education strategy.

6 (10) Comprehensive plans may also include the
7 following: natural hazards; agriculture and forest
8 preservation; human services; community design; historic
9 preservation; and the adoption of subplans, as needed. The
10 decision on whether to include these elements in the
11 comprehensive plan shall be based on the needs of the
12 particular unit of local government.

13 (b) The purpose of this Section is to provide guidance on
14 the elements of a comprehensive plan but not to mandate
15 content.

16 (Source: P.A. 92-768, eff. 8-6-02.)

17 (20 ILCS 662/30)

18 Sec. 30. Consistency of land use regulations and actions
19 with comprehensive plans.

20 (a) If a municipality or county is receiving assistance to
21 write or revise a comprehensive plan, for 5 years after the
22 effective date of the plan, land development regulations,
23 including amendments to a zoning map, and any land use actions
24 should be consistent with the new or revised comprehensive
25 plan. "Land use actions" include preliminary or final approval

1 of a subdivision plat, approval of a planned unit development,
2 approval of a conditional use, granting a variance, or a
3 decision by a unit of local government to construct a capital
4 improvement, acquire land for community facilities, or both.

5 (b) Municipalities and counties that have adopted official
6 comprehensive plans in accordance with Division 12 of Article
7 11 of the Illinois Municipal Code or Section 5-14001 of the
8 Counties Code or have adopted housing plans in accordance with
9 the Affordable Housing Planning and Appeal Act, may be eligible
10 for additional preferences in State economic development
11 programs, State transportation programs, State education
12 programs, State planning programs, State natural resources
13 programs, and State agriculture programs.

14 (Source: P.A. 92-768, eff. 8-6-02.)

15 (20 ILCS 662/46 new)

16 Sec. 46. Affordable housing school cost reimbursement.

17 (a) As used in this Section, the following terms have the
18 following meanings:

19 "Affordable multifamily housing" means the preservation or
20 creation of any homes (condominiums, apartments, townhomes,
21 etc.) serving non-age-restricted households, as part of a plan
22 under this Act, in structures that are not detached
23 single-family units and that are affordable to families whose
24 annual income is less than 80 percent of the areawide median
25 income as determined by the United States Department of Housing

1 and Urban Development. Affordability shall be assured for a
2 period of not less than 30 years.

3 "Governor's Housing Plan" means "Building for Success: The
4 Governor's Housing Plan" created as a result of Executive Order
5 #2003-18.

6 (b) For each school year, commencing with the 2006-2007
7 school year, the State shall pay to each school district an
8 affordable multifamily housing school cost reimbursement. This
9 reimbursement must be calculated separately for each school
10 district in an amount equal to \$1,123 for each affordable
11 multifamily housing unit located within the district that has
12 at least 2 bedrooms, plus \$562 per unit for each bedroom in the
13 unit in addition to the first 2 bedrooms. No school district
14 may receive a reimbursement under this Section for affordable
15 multifamily housing unless the Illinois Housing Development
16 Authority first certifies that the housing advances the
17 preservation or live-near-work goals of the Governor's Housing
18 Plan.

19 (c) All reimbursements under this Section are subject to
20 appropriation. If appropriations are insufficient, then
21 reimbursement must be prorated.