

1 AN ACT concerning local planning.

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

4 Section 1. Short title. This Act may be cited as the
5 Local Planning Technical Assistance Act.

6 Section 5. Purposes. The purposes of this Act are to:

7 (1) Provide technical assistance to Illinois local
8 governments that request it for the development of local
9 planning ordinances and regulations.

10 (2) Encourage Illinois local governments to engage
11 in planning, regulatory, and development approaches that
12 promote and encourage comprehensive planning.

13 (3) Prepare and distribute model ordinances,
14 manuals, and other technical publications that promote
15 and encourage comprehensive planning.

16 (4) Research and report upon the results and impact
17 of activities funded by the demonstration grants.

18 (5) Support local planning efforts in communities
19 with limited financial means.

20 (6) Support planning efforts that include one or
21 more units of local government or planning agencies
22 working together.

23 Section 10. Definitions. In this Act:

24 "Comprehensive plan" means a regional plan adopted under
25 Section 5-14001 of the Counties Code, an official
26 comprehensive plan adopted under Section 11-12-6 of the
27 Illinois Municipal Code, or a local land resource management
28 plan adopted under Section 4 of the Local Land Resource
29 Management Planning Act.

30 "Department" means the Department of Commerce and

1 Community Affairs.

2 "Land development regulation" means any development or
3 land use ordinance or regulation of a county or municipality
4 including zoning and subdivision ordinances.

5 "Local government" or "unit of local government" means
6 any city, village, incorporated town, or county.

7 "Subsidiary plan" means any portion of a comprehensive
8 plan that guides development, land use, or infrastructure for
9 a county or municipality or a portion of a county or
10 municipality.

11 Section 15. Technical assistance grants. The Department
12 may make grants to units of local government to develop,
13 update, administer, and implement comprehensive plans,
14 subsidiary plans, land development regulations, development
15 incentives, market feasibility studies, and environmental
16 assessments that promote and encourage the principles of
17 comprehensive planning. Comprehensive planning includes
18 appropriately and proportionally weighing the elements listed
19 in Section 25 of this Act and including them within the
20 comprehensive plan.

21 The Department may adopt rules establishing standards and
22 procedures for determining eligibility for the grants,
23 regulating the use of funds under the grants, and requiring
24 periodic reporting of the results and impact of activities
25 funded by the grants. No individual grant under this Act may
26 have duration of more than 24 months.

27 The Department, in the determination of grantees, may
28 also seek an even balance of grants within metropolitan
29 regions.

30 Section 20. Model ordinances and technical publications.
31 The Department may prepare model ordinances, manuals, and
32 other technical publications that are founded upon and

1 promote comprehensive planning. The Department may make all
2 possible use of existing model ordinances, manuals, and other
3 technical publications that promote and encourage
4 comprehensive planning and that were prepared by regional
5 planning agencies and commissions, councils of government,
6 and other organizations.

7 The Department may employ or retain private
8 not-for-profit entities, regional planning agencies and
9 commissions, councils of government, and universities to
10 advise, prepare, or conduct the preparation of the model
11 ordinances, manuals, and other technical publications.

12 The Department may distribute any model ordinances,
13 manuals, and other technical publications prepared under this
14 Section to all counties and municipalities in this State,
15 regional planning agencies and commissions in this State, the
16 Illinois State Library, all public libraries in this State,
17 and to other organizations and libraries at the Department's
18 discretion.

19 Section 25. Use of technical assistance grants.

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

24 (1) Issues and opportunities. The purpose of this
25 element is to state the vision of the community, identify
26 the major trends and forces affecting the local
27 government and its citizens, set goals and standards, and
28 serve as a series of guiding principles and priorities to
29 implement the vision.

30 (2) Land use and natural resources. The purpose of
31 this element is to translate the vision statement into
32 physical terms; provide a general pattern for the
33 location, distribution, and characteristics of future

1 land uses over a 20-year period; and serve as the element
2 of the comprehensive plan upon which all other elements
3 are based. The land use element must be in text and map
4 form. It must include supporting studies on population,
5 the local economy, natural resources, and an inventory of
6 existing land uses.

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

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

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

29 (6) Housing. The purpose of this element is to
30 document the present and future needs for housing within
31 the jurisdiction of the local government, including
32 affordable housing and special needs housing; take into
33 account the housing needs of a larger region; identify
34 barriers to the production of housing, including

1 affordable housing; assess the condition of the local
2 housing stock; and develop strategies, programs, and
3 other actions to address the needs for a range of housing
4 options.

5 (7) Economic development. The purpose of this
6 element is to coordinate local economic development
7 initiatives with those of the State; ensure that adequate
8 economic development opportunities are available;
9 identify the strategic competitive advantages of the
10 community and the surrounding region; assess the
11 community's strengths and weaknesses with respect to
12 attracting and retaining business and industry; and
13 define the municipality's and county's role.

14 (8) Natural resources. The purpose of this element
15 is to identify and define the natural resources in the
16 community with respect to water, land, flora, and fauna;
17 identify the land and water areas in relation to these
18 resources; assess the relative importance of these areas
19 to the needs of the resources; and identify mitigation
20 efforts that are needed to protect these resources.

21 (9) Public participation. This element must
22 include a process for engaging the community in outreach;
23 the development of a sense of community; a consensus
24 building process; and a public education strategy.

25 (10) Comprehensive plans may also include the
26 following: natural hazards; agriculture and forest
27 preservation; human services; community design; historic
28 preservation; and the adoption of subplans, as needed.
29 The decision on whether to include these elements in the
30 comprehensive plan shall be based on the needs of the
31 particular unit of local government.

32 (b) The purpose of this Section is to provide guidance
33 on the elements of a comprehensive plan but not to mandate
34 content.

1 Section 30. Consistency of land use regulations and
2 actions with comprehensive plans.

3 (a) If a municipality or county is receiving assistance
4 to write or revise a comprehensive plan, for 5 years after
5 the effective date of the plan, land development regulations,
6 including amendments to a zoning map, and any land use
7 actions should be consistent with the new or revised
8 comprehensive plan. "Land use actions" include preliminary or
9 final approval of a subdivision plat, approval of a planned
10 unit development, approval of a conditional use, granting a
11 variance, or a decision by a unit of local government to
12 construct a capital improvement, acquire land for community
13 facilities, or both.

14 (b) Municipalities and counties that have adopted
15 official comprehensive plans in accordance with Division 12
16 of Article 11 of the Illinois Municipal Code or Section
17 5-14001 of the Counties Code may be eligible for additional
18 preferences in State economic development programs, State
19 transportation programs, State planning programs, State
20 natural resources programs, and State agriculture programs.

21 Section 35. Educational and training programs. The
22 Department may provide educational and training programs in
23 planning, regulatory, and development practices and
24 techniques that promote and encourage comprehensive planning,
25 including, but not limited to, the use and application of any
26 model ordinances, manuals, and other technical publications
27 prepared by the Department.

28 The Department may employ or retain not-for-profit
29 entities, regional planning agencies and commissions, and
30 universities to operate or conduct, or assist in the
31 operation or conduct of, the programs.

32 Section 40. Annual report.

1 (a) The Department may, at least annually but more often
2 at its discretion, report in writing to the Governor and
3 General Assembly on:

4 (1) The results and impacts of county and municipal
5 activities funded by the grants authorized by this Act.

6 (2) The distribution of the grants.

7 (3) Model ordinances, manuals, and other technical
8 publications prepared by the Department.

9 (4) Educational and training programs provided by
10 the Department.

11 (b) The report may also be provided to all counties and
12 municipalities in this State, regional planning agencies and
13 commissions in this State, the Illinois State Library, all
14 public libraries in this State, and to other organizations
15 and libraries upon request at the Department's discretion.

16 Section 45. Local Planning Fund. The Department may use
17 moneys, subject to appropriation, in the Local Planning Fund,
18 a special fund created in the State treasury, to implement
19 and administer this Act. If funds are not appropriated, the
20 Department is not required to carry forth the requirements of
21 this Act but may, at its discretion, use funds from other
22 sources.

23 Section 900. The State Finance Act is amended by adding
24 Section 5.570 as follows:

25 (30 ILCS 105/5.570 new)

26 Sec. 5.570. The Local Planning Fund.

27 Section 999. Effective date. This Act takes effect
28 upon becoming law.