

1 AN ACT in relation to 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) Provide demonstration grants to units of local  
14 government; planning agencies; educational institutions;  
15 and other not-for-profit organizations and associations  
16 serving neighborhoods, communities, and regions of  
17 Illinois to prepare and implement comprehensive plans,  
18 zoning ordinances, subdivision controls, other land  
19 development regulations, and development incentives that  
20 promote and encourage comprehensive planning.

21 (4) Prepare and distribute model ordinances,  
22 manuals, and other technical publications that promote  
23 and encourage comprehensive planning.

24 (5) Research and report upon the results and impact  
25 of activities funded by the demonstration grants.

26 (6) Provide demonstration grants to units of local  
27 government; planning agencies; educational institutions;  
28 and other not-for-profit organizations and associations  
29 serving neighborhoods, communities, and regions of  
30 Illinois to engage in pre-development activities for  
31 projects that promote and encourage comprehensive

1 planning. The activities could include market feasibility  
2 studies, architectural renderings, and environmental  
3 assessments.

4 (7) Support local planning efforts in communities  
5 with limited financial means.

6 (8) Support planning efforts that include one or  
7 more units of local government; planning agencies;  
8 educational institutions; and other not-for-profit  
9 organizations and associations serving neighborhoods,  
10 communities, and regions of Illinois working together.

11 Section 10. Definitions. In this Act:

12 "Comprehensive plan" means a regional plan adopted under  
13 Section 5-14001 of the Counties Code, an official  
14 comprehensive plan adopted under Section 11-12-6 of the  
15 Illinois Municipal Code, or local land resource management  
16 plan adopted under Section 4 of the Local Land Resource  
17 Management Planning Act.

18 "Department" means the Department of Commerce and  
19 Community Affairs.

20 "Land development regulation" means any ordinance or  
21 regulation of a county or municipality that regulates  
22 development and land use, including, but not limited to,  
23 zoning and subdivision ordinances.

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

26 "Subsidiary plan" means any plan, other than a  
27 comprehensive plan, that guides development, land use, and  
28 infrastructure for a county or municipality, or a portion of  
29 a county or municipality.

30 Section 15. Technical assistance grants. The Department  
31 may make grants to units of local government; planning  
32 agencies; educational institutions; and other not-for-profit

1 organizations and associations serving neighborhoods,  
2 communities, and regions of Illinois to develop, update,  
3 administer, and implement comprehensive plans, subsidiary  
4 plans, land development regulations, development incentives,  
5 market feasibility studies, architectural renderings, and  
6 environmental assessments that promote and encourage the  
7 principles of comprehensive planning.

8 The Department may adopt rules establishing standards and  
9 procedures for determining eligibility for the grants,  
10 regulating the use of funds under the grants, and requiring  
11 periodic reporting of the results and impact of activities  
12 funded by the grants. No individual grant under this Act may  
13 have duration of more than 24 months.

14 The Department, in the determination of grantees, may  
15 also seek an even balance of grants within metropolitan  
16 regions.

17 Section 20. Model ordinances and technical publications.  
18 The Department may prepare model ordinances, manuals, and  
19 other technical publications that are founded upon and  
20 promote comprehensive planning. The Department may make all  
21 possible use of existing model ordinances, manuals, and other  
22 technical publications that promote and encourage  
23 comprehensive planning and that were prepared by regional  
24 planning agencies and commissions, councils of government,  
25 and other organizations.

26 The Department may employ or retain private  
27 not-for-profit entities, regional planning agencies and  
28 commissions, councils of government, and universities to  
29 advise, prepare, or conduct the preparation of the model  
30 ordinances, manuals, and other technical publications.

31 The Department may distribute any model ordinances,  
32 manuals, and other technical publications prepared under this  
33 Section to all counties and municipalities in this State,

1 regional planning agencies and commissions in this State, the  
2 Illinois State Library, all public libraries in this State,  
3 and to other organizations and libraries at the Department's  
4 discretion.

5 Section 25. Use of technical assistance grants.  
6 Technical assistance grants may be used to write or revise a  
7 local comprehensive plan. A comprehensive plan funded under  
8 Section 15 of this Act must address, but is not limited to  
9 addressing, each of the following elements.

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

16 (2) Land use and natural resources. The purpose of  
17 this element is to translate the vision statement into  
18 physical terms; provide a general pattern for the  
19 location, distribution, and characteristics of future  
20 land uses over a 20-year period; and serve as the element  
21 of the comprehensive plan upon which all other elements  
22 are based. The land use element must be in text and map  
23 form. It must include supporting studies on population,  
24 the local economy, natural resources, and an inventory of  
25 existing land uses.

26 (3) Transportation. The purpose of this element is  
27 to consider all relevant modes of transportation,  
28 including mass transit, air, water, rail, automobile,  
29 bicycle, and pedestrian modes of transportation;  
30 accommodate special needs; establish the framework for  
31 the acquisition, preservation, and protection of existing  
32 and future rights-of-way; and incorporate transportation  
33 performance measures.

1           (4) Community facilities (schools, parks, police,  
2 fire, and water and sewer). The purpose of this element  
3 is to provide community facilities; establish levels of  
4 service; ensure that facilities are provided as needed;  
5 and coordinate with other units of local government that  
6 provide the needed facilities.

7           (5) Telecommunications infrastructure. The purpose  
8 of this element is to coordinate telecommunications  
9 initiatives; assess short-term and long-term needs,  
10 especially regarding economic development; determine the  
11 location and capacity of existing infrastructure;  
12 encourage investment in the most advanced technologies;  
13 and establish a framework for providing reasonable access  
14 to public rights-of-way.

15           (6) Housing. The purpose of this element is to  
16 document the present and future needs for housing within  
17 the jurisdiction of the local government, including  
18 affordable housing and special needs housing; take into  
19 account the housing needs of a larger region; identify  
20 barriers to the production of housing, including  
21 affordable housing; assess the condition of the local  
22 housing stock; and develop strategies, programs, and  
23 other actions to address the needs for a range of housing  
24 options.

25           (7) Economic development. The purpose of this  
26 element is to coordinate local economic development  
27 initiatives with those of the State; ensure that adequate  
28 economic development opportunities are available;  
29 identify the strategic competitive advantages of the  
30 community and the surrounding region; assess the  
31 community's strengths and weaknesses with respect to  
32 attracting and retaining business and industry; and  
33 define the municipality's and county's role.

34           (8) Natural resources. The purpose of this element

1 is to identify and define the natural resources in the  
 2 community with respect to water, land, flora, and fauna;  
 3 identify the land and water areas in relation to these  
 4 resources; assess the relative importance of these areas  
 5 to the needs of the resources; and identify mitigation  
 6 efforts that are needed to protect these resources.

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

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

18 The purpose of this Section is to provide guidance on the  
 19 elements of a comprehensive plan but not to mandate content.

20 Section 30. Consistency of land use regulations and  
 21 actions with comprehensive plans.

22 (a) If a municipality or county is receiving assistance  
 23 to write or revise a comprehensive plan, no later than 5  
 24 years after the effective date of this Act, land development  
 25 regulations, including amendments to a zoning map, and any  
 26 land use actions must be consistent with the local  
 27 comprehensive plan. "Land use actions" include preliminary or  
 28 final approval of a subdivision plat, approval of a planned  
 29 unit development, approval of a conditional use, granting a  
 30 variance, or a decision by a unit of local government to  
 31 construct a capital improvement, acquire land for community  
 32 facilities, or both.

33 (b) Municipalities and counties that have adopted

1 official comprehensive plans in accordance with Division 12  
2 of Article 11 of the Illinois Municipal Code or Section  
3 5-14001 of the Counties Code may be eligible for additional  
4 preferences in State economic development programs, State  
5 transportation programs, State planning programs, State  
6 natural resources programs, and State agriculture programs.

7 Section 35. Educational and training programs. The  
8 Department may provide educational and training programs in  
9 planning, regulatory, and development practices and  
10 techniques that promote and encourage comprehensive planning,  
11 including, but not limited to, the use and application of  
12 any model ordinances, manuals, and other technical  
13 publications prepared by the Department.

14 The Department may employ or retain not-for-profit  
15 entities, regional planning agencies and commissions, and  
16 universities to operate or conduct, or assist in the  
17 operation or conduct of, the programs.

18 Section 40. Annual report.

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

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

24 (2) The distribution of the grants.

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

27 (4) Educational and training programs provided by  
28 the Department.

29 (b) The report may also be provided to all counties and  
30 municipalities in this State, regional planning agencies and  
31 commissions in this State, the Illinois State Library, all  
32 public libraries in this State, and to other organizations

1 and libraries upon request at the Department's discretion.

2 Section 45. Local Planning Fund. The Department may use  
3 moneys, subject to appropriation, in the Local Planning Fund,  
4 a special fund created in the State treasury, to implement  
5 and administer this Act. If funds are not appropriated, the  
6 Department is not required to carry forth the requirements of  
7 this Act but may, at its discretion, use funds from other  
8 sources.

9 Section 900. The State Finance Act is amended by adding  
10 Section 5.545 as follows:

11 (30 ILCS 105/5.545 new)

12 Sec. 5.545. The Local Planning Fund.

13 Section 999. Effective date. This Act takes effect upon  
14 becoming law.