

LWVIL NATURAL RESOURCES POSITION: LAND USE

Support for a state land use policy that addresses the problem of conflicting uses for the land resources of Illinois.

Position in Brief: The League supports development of a comprehensive land use policy for Illinois that provides for orderly growth while preserving the environment, conserving natural resources and providing needed open space. The State should identify, plan for and have the final authority over key and critical areas within the state. Standards and guidelines for land use should be developed by the State with local governments making purely local decisions. At every stage there should be citizen input. The State should plan for adequate supplies of low and moderate income housing with every community providing a percentage under some kind of fair share plan. The League favors regional planning agencies with mandatory and continuous funding from local, regional and state sources. The League supports state enabling legislation for development impact fees.

LAND USE POLICY (1972, 1973, 1974, revised in 1975, 1977, 1997, and 1999): The League of Women Voters supports the development of a comprehensive land use policy for Illinois that provides for orderly growth while preserving the environment, conservation of natural resources, preservation of open space and protection of prime agricultural land from lesser uses and intensive development.

The League believes the State should establish the long-range goals of a comprehensive land use policy and that the State should identify, plan for, and have the final authority over all key and critical areas in the state. The State should develop standards and broad guidelines for land use, but local governments should make purely local decisions. The State should assist local governments with professional help and should encourage and facilitate intergovernmental cooperation.

A state agency with adequate staff and funding should be responsible for forming and implementing land use decisions. Opportunities for citizen participation should be available at every stage of land use planning.

Conservation of natural resources must be the established policy of the state, and citizens should be made aware of the role they can play in conservation. Comprehensive land use planning and citizen education are the major thrusts to harmonize growth and the preservation of resources.

The League supports regional planning and continuous mandatory funding for regional planning agencies from local, state and federal resources (see also LWVUS Natural Resources position, pg. 49).

Low and Moderate Income Housing The League believes the State should plan for adequate supplies of low and moderate-income housing. Builders of large developments and planned unit developments should be required to provide a percentage of their units for low and moderate income housing. Some kind of fair-share plan should be developed so that every community will have a percentage of low and

moderate income housing, rather than having it concentrated in a few areas of the state. This kind of housing should be attractive and diversified in design and should be subsidized by both state and federal levels.

The League believes an educational program is needed to explain the need for and concept of low and moderate-income housing and that, when necessary, zoning laws should be revised to accommodate such housing.

Development Impact Fees LWVIL supports legislation at the state level regarding development impact fees. It is appropriate for such legislation to address fees for capital expenditures for schools, libraries, parks/open space, transportation, utilities and emergency services. Such legislation should be enabling only, and not directive. Only municipalities and counties should have the authority to assess development impact fees, and state guidelines should be adaptable to home rule and non-home rule communities. The test for validity of impact fees in Illinois should be “rational nexus” and not “specifically and uniquely attributable.” Enabling legislation should strive to effect some standardization of impact fee programs statewide, with flexibility for each to be designed to meet local needs.

Background The study of land use issues in Illinois began in 1971 and continued through 1974, running concurrently with a national study authorized in 1972. While the broad goals of each consensus are nearly identical, the state positions are more specific and enhance the national position.

Delegates to the 1997 LWVIL Convention adopted by concurrence a position on development impact fees, developed and presented by the League of Women Voters of the Barrington Area. This League undertook a local study of impact fees in 1990. Their study revealed that only enabling legislation for road impact fees existed at the state level. Communities enacting impact fees ordinances for other capital projects were doing so without state legislative guidelines, potentially risking legal challenges. Legislation to set standards for the use of impact fees is viewed as a benefit to local governments as they deal with development and its associated costs.

LWVIL action The land use position has been used to:

- Support passage of legislation that protects prime farmland from lesser uses.
- Educate League members and other citizens on the need to preserve farmland from erosion and over-development.
- Participate in a conflict resolution project with farm groups and other environmental organizations.
- Support legislation to identify wetlands needing protection, followed by participation in a state advisory committee to implement the law.
- Support 1991 legislation giving the state some jurisdiction over dwindling wetlands.
- Provide local League testimony in opposition to the destruction of local wetlands, most recently in Lake County.
- Promote intergovernmental cooperation and public involvement in implementing a comprehensive plan for Lake County, providing a balance for orderly growth and transportation needs while protecting the environment, conserving natural resources and preserving natural heritage.
- Support a position by the Naperville League on long-term ecological impacts and public health concerns of the Naperville Park District's trap-shooting program in an

area containing wetlands and provide comments to regulating authorities on the issuance of a permit for continuance of the trap-shooting program.

- Lobby (1999), at the request of the Cook County League, in opposition to developing land on the west bank of the Des Plaines River in the Chevalier Woods Forest Preserve, which is both forest and flood plain, as a gambling casino.
- Sponsor informational meetings and symposiums related to the economic, social and environmental problems associated with uncontrolled growth or urban sprawl and “smart growth” solutions to these problems, beginning in the late 1990s.
- Establish a task force (1998) to develop a process for local Leagues to follow in addressing transportation issues, including the active inclusion of public participation in local transportation needs and issues.
- Add a “Smart Growth” issue specialist to the LWVIL Issues Committee.
- In 1999, establish a Smart Growth committee to educate and encourage local League participation with their communities on issues related to uncontrolled growth and work on related issues at the state level.
 - ✓ Presented a “smart growth” panel at the LWVIL 2000 Issues Briefing.
 - ✓ Established a working relationship with the Northeastern Illinois Planning Commission (NIPC) to promote the regional planning process and facilitate meetings throughout the Chicago region.
 - ✓ Established a working relationship with the Center for Neighborhood Technology to improve public participation in regional planning in the 6 Chicagoland counties.
 - ✓ In 2001, worked in coalition to pass (unsuccessfully) a series of seven “smart growth” bills.
 - ✓ Testified in support of additional public transportation.
 - ✓ Participated as a public member in the General Assembly’s “Illinois Growth Task Force.”
 - ✓ Monitored and supported legislation that balances the desire for growth of communities with the need to protect farmland, green spaces and air and water quality, as well as promoting transportation options and increased housing availability.
- In 2002 and 2003, the LWVIL partnered with the Northeastern Illinois Planning Commission’s comprehensive land use planning process for the 2030 plan and was represented at planning sessions held by Metropolis 2020.
- LWVIL presented testimony at the recertification hearing regarding the Chicago Area Transportation Study’s (CATS) continuation as the Metropolitan Planning Organization for the greater Chicagoland area. It also provided testimony for the Illinois Growth Task Force and approved findings of the Committee.
- LWVIL gave testimony before a Senate committee, sent out action alerts and worked with coalition partners for Tollway reform.
- In 2008, LWVIL monitored the budget cuts of the Blagojevich Administration affecting the protection of our open spaces and natural areas and causing the closing of state parks and historic sites. The Illinois legislature’s action and support from Governor Pat Quinn in 2009 restored some funding and reopened the closed state parks. The League will continue to monitor the funding proposals for the Illinois Department of Natural Resources (IDNR) and support statewide land acquisition programs that protect Illinois’ natural heritage. A bill diverting revenue from the State and giving that money to private developers, expressly for the purpose of developing the I00 floodplain, passed both the Illinois House and Senate in 2009. The League sent a letter to Governor Pat Quinn urging him to veto the bill. An amendatory veto was issued by the Governor.