MEMORANDUM

To: **CMAP Working Committees**

From: Drew Williams-Clark, CMAP Staff

Date: February-March 2013

Re: Model Plans, Ordinances and Codes

Overview

CMAP's current work plan includes a project entitled Model Plans, Ordinances and Codes under the Local Planning Support program. It is expected that this project will also be included in next year's work plan (Fiscal Year 2014, or July 2013-June 2014). The project prepares model planning approaches on topics of interest to local communities and planners (to learn more, visit http://www.cmap.illinois.gov/local-ordinances-toolkits). These have included ordinances, other regulations, or treatments of other planning issues. Topics addressed in the past year included parking; local food; arts and culture; form-based codes; and climate change adaptation. A toolkit on immigrant integration is also underway. As these deliverables are produced, staff work with communities to implement policies locally under the Local Technical Assistance (LTA) program. For example, CMAP has already begun projects to address parking challenges in Chicago and Hinsdale, using the model parking approach developed last year.

Staff have analyzed the 2012 municipal survey and used lessons learned from the LTA and policy analysis programs to identify model approaches to be addressed in the FY14 project. This memorandum describes both the topics under consideration for next year and the process used to identify those topics. Working committee members are encouraged to provide feedback, specifically in response to the following discussion questions at committee meetings or via email by March 31:

- Are there other topics staff should consider for model plans, ordinances or codes in FY 2014? If so, how should staff gauge demand for those deliverables?
- Are there other organizations already tackling the topics identified in this memorandum?
- Depending on the specific topic, what partners should staff engage for advice and review of deliverables?
- Understanding that the agency can only take on about four topics per year, how should staff prioritize these topics?

What topics have staff identified for FY14?

Based on municipal survey analysis and lessons learned from the LTA and policy analysis programs, staff have identified the following topics for potential treatment next year. Approximately four of these topics will be prioritized. CMAP has no intention of creating traditional one-size-fits-all model ordinances. Instead, with reports completed this year, staff will develop guides that enable municipal staff to approach innovative local policies from documenting existing conditions to policy implementation.

Below, potential topics are described. They are organized in terms of the working committee likely to find them most relevant – with the exception of the Land Use committee, which is likely to find nearly all of them relevant.

Environment and natural resources:
- **Renewable Energy Ordinance:** The purpose of this report would be to provide guidance to municipalities on how to address wind, solar, geothermal, biomass, and co-generation energy production in their land use regulations, including model ordinance language, case studies and best practices. Some governments, such as Lake County, have already created model ordinances that cover some or all of these topics.
- **Energy Conservation/Efficiency Ordinance:** These ordinances provide a means for improving the energy efficiency of residential and commercial buildings. ECOs typically require property owners to implement specific measures to reduce energy and water use where a property does not meet a minimum standard.
- **Conservation Design Ordinance:** Staff work in this area would update previous NIPC work in collaboration with Chicago Wilderness that provides model ordinance language and guidelines for local plans with the objective of protecting natural resources in new and existing developments. Examples include providing buffers for wetlands and streams, minimizing the amount of impervious surfaces, and clustering home sites together to preserve more open space.
- **Sustainability Plans:** CMAP staff recently completed a sustainability plan for Park Forest and is supporting similar efforts in Oak Park / River Forest, Niles, and Lake County. Cook County has also expressed interest in receiving support from CMAP in its efforts to support municipal sustainability planning efforts. Staff would create a resource to outline the process and describe technical tasks involved in producing such a plan.

Housing:
- **Inclusionary Zoning:** Inclusionary Zoning policies mandate a portion of new residential development to be "set aside" as affordable to a certain income level. CMAP staff developed a GO TO 2040 strategy paper on Inclusionary Zoning, which could be used as background information if this topic is prioritized for treatment in FY 2014.
- **Landlord/Tenant Ordinance:** In the past, municipalities have based their rental regulations on a paradigm of multifamily structures with single landlords. This has changed in the wake of the foreclosure crisis. The report would provide a resource to municipalities looking to update their rental licensing, inspection and enforcement

policies. It would also describe best practices in terms of fair housing and education programs.

- **Fair Housing Ordinance:** CMAP recently commissioned a fair housing and equity assessment to be completed by the Chicago Area Fair Housing Alliance (CAFHA). The CAFHA report will also make specific policy recommendations for local government implementation. These policies can provide municipalities the opportunity to promote their communities as open and inclusive. Ordinances may commit personnel and, in some cases, boards or commissions to provide community education and outreach, maintain a level of accountability for members of the housing industry, and/or investigate claims of housing discrimination.
- **Housing Policy Plans:** CMAP, in partnership with the Metropolitan Mayors Caucus (MMC) and the Metropolitan Planning Council, has produced housing policy plans for 14 municipalities over the past 3 years under the *Homes for a Changing Region* project. These plans identify current and forecasted gaps between supply and demand for housing based on age, income and household size. Staff would develop manuals to help local governments and nonprofit organizations create their own such plans.

Human and community development:
- **Aging in Place:** GO TO 2040 analysis projects that the senior population will increase as a portion of total population over the next 30 years. Increasingly, seniors are interested in aging in place, or remaining in their homes and communities as they grow older. Staff would create a resource that describes best practices in municipal policies to increase senior mobility and access to housing and amenities.
- **Accessibility to People with Disabilities:** Many people face disability at some point in their lives. As the senior population increases as a share of the entire population, so too will the share of people with disabilities. Certain land use, development and infrastructure policies can make municipalities more accessible to people with disabilities. Staff would create a guide to help municipal staff increase accessibility through these policies.
- The topics listed under the Housing committee may also be of interest to this committee and can be discussed at both

Transportation:
- **Electric Vehicle Ordinance:** At a minimum this report would make recommendations as how municipalities can regulate electrical vehicle charging stations under either existing or amended zoning ordinances. Kane County's electric vehicle infrastructure (EVI) ordinance has been singled out in a recent Illinois Council report as a "national model".
- **Complete Streets Ordinance:** The Active Transportation Alliance (ATA) defines this as "a commitment by a municipality to accommodate all users of the roadways, including pedestrians, bicyclists, transit users and motorists in all new transportation projects whenever appropriate, including the design of new facilities and the improvement and maintenance of existing facilities." If CMAP prioritizes this topic, our focus would be on providing a resource to help municipal officials implement their own such policy.

How were the above topics identified?

Many of the topics described above were identified through municipal survey analysis. CMAP received 184 responses to the 2012 Municipal Plans, Programs and Operations Survey submitted by municipal staff and officials. Among other items, respondents were asked if they would like to "learn more" about a series of planning topics policies. Staff identified topics with the highest rate of this response for topical consideration in the FY14 Model Plans, Ordinances and Codes project. They excluded topics traditionally outside of the field of planning or those already being covered by other organizations in the region, such as building codes, housing finance mechanisms, and others. The table below illustrates topics identified through municipal survey analysis.

Topic	Number of "Learn More" responses from the 2012 Municipal Survey
Electric Vehicle Ordinance	45
Complete Streets Ordinance	38
Inclusionary Zoning	37
Renewable Energy Ordinance	35
Landlord/Tenant Ordinance	33
Form-Based Zoning Code (report underway)	33
Energy Conservation/Efficiency Ordinance	33
"Percent for Art" public art fees/exactions or land/cash donations (report underway)	23
Fair Housing Ordinance	22

Other topics under consideration have been suggested by CMAP's experience with LTA projects. Many of the LTA projects to which the agency committed in the summer of 2011 have been completed or at least have made significant progress. Upon reflection, staff identified several types of projects that could be completed successfully by municipal staff with sufficient documentation.

The Park Forest Sustainability Plan was well received by the Village and represents a high quality CMAP deliverable. CMAP staff had also had success compiling sustainability performance measures for Seven Generations Ahead to inform the Oak Park/River Forest Sustainability Report Card. From these successes, staff believe that we could develop a guide that would allow municipal staff to develop their own sustainability plans.

Through the Norridge comprehensive planning process, staff identified a relatively large senior population as a share of total population in the village, and made aging in place a focus of their comprehensive plan. In consultation with the Human and Community Development working committee, staff were able to craft useful recommendations to improve both mobility and livability for those seniors. GO TO 2040 forecasts estimate that the senior population will grow at a faster pace than other age groups over the next 30 years. As such, staff feels that it would be helpful to develop guides to help municipal staff implement policies and programs that allow seniors to age in place and improve accessibility for people with disabilities.

As mentioned above, CMAP has had great success creating long term housing policy plans that help municipalities both address and anticipate gaps between housing supply and demand. In the upcoming months, staff will be documenting the technical processes and analytical tools used in the *Homes for a Changing Region (Homes)* for knowledge transfer purposes. CMAP has agreed to train Kane County staff in these processes so that the County can take the lead on an upcoming *Homes* project with modest support from CMAP. If selected as one of the topics to be address by the 2014 Model Plans, Ordinances and Codes project, staff could expand upon this effort to create a full guide that would allow local governments and nonprofits to complete their own *Homes* plans. CMAP staff recently submitted a proposal to the Illinois Attorney General for funding to support this effort from the National Foreclosure Settlement Awards.

ACTION REQUESTED: Provide feedback on priorities for model plans, ordinances, and codes for inclusion in CMAP's work plan for next year.