



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB4209

Introduced 5/22/2026, by Sen. Sara Feigenholtz

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-12025 new
65 ILCS 5/11-13-30 new

Amends the Counties Code and the Illinois Municipal Code. Provides that a county or municipality may establish standards for the classification of infrastructure services as major utilities and services or minor utilities and services. Requires electrical substations to be classified as minor utilities and services if limited in scale and designed to minimize the impacts on surrounding properties. Further requires electrical substations to be classified as major utilities and services if the electrical substation has a net site area or floor area of 0.5 acres or more; is located on a site that is within 660 feet of a residential, business, commercial, park, or open space zoning district or a residential building; or includes outdoor equipment yards. Defines terms.

LRB104 21961 TRT 37912 b

1 AN ACT concerning local government.

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

4 Section 5. The Counties Code is amended by adding Section
5 5-12025 as follows:

6 (55 ILCS 5/5-12025 new)

7 Sec. 5-12025. Infrastructure services.

8 (a) As used in this Section:

9 "Infrastructure services" means physical assets or
10 functional systems that provide essential resources for public
11 health, safety, and economic activity. "Infrastructure
12 services" includes water distribution, water treatment, and
13 water storage facilities, telecommunication facilities,
14 transit facilities, and electrical facilities.

15 "Major utilities and services" means infrastructure
16 services that have substantial land use impacts on surrounding
17 areas and that may be allowed when the public interest
18 supersedes the usual limitations placed on land use and
19 transcends the usual restraints of the zoning district for
20 reasons of necessary location and community-wide interest.

21 "Major utilities and services" includes water and wastewater
22 treatment facilities, major water storage facilities, transit
23 stations, bus turnarounds, transit maintenance, and storage

1 garages. "Major utilities and services" does not include
2 waste-related uses.

3 "Minor utilities and services" means infrastructure
4 services that need to be located in an area where the service
5 is provided, that generally do not have regular employees at
6 the site, and that have few, if any, impacts on surrounding
7 areas. "Minor utilities and services" includes water and sewer
8 pump stations, electrical substations, stormwater facilities
9 and conveyance systems, and telephone exchanges.

10 (b) Notwithstanding any other provision of law or whether
11 the county has formed a zoning commission and adopted formal
12 zoning under Section 5-12007, a county may establish standards
13 for the classification of infrastructure services as either
14 minor utilities and services or major utilities and services.
15 The standards adopted under this subsection must comply with
16 the requirements of this Section. A county may also regulate
17 the classification of infrastructure services with standards
18 that comply with the requirements of this Section in
19 unincorporated areas of the county that are outside the zoning
20 jurisdiction of a municipality and that are outside the
21 1.5-mile radius surrounding the zoning jurisdiction of a
22 municipality.

23 (c) If a county has elected to establish standards under
24 subsection (b), the county board of the county where the
25 infrastructure services are located shall classify electrical
26 substations as minor utilities and services only if the

1 electrical substation is limited in scale and designed to
2 minimize the impacts on surrounding properties and shall
3 classify electrical substations as major utilities and
4 services if the electrical substation has a net site area or
5 floor area of 0.5 acres or more; is located on a site that is
6 within 660 feet of a residential, business, commercial, park,
7 or open space zoning district or a residential building; or
8 includes outdoor equipment yards. Electrical substations
9 classified under this subsection are subject to all applicable
10 zoning requirements for such uses, including approval as a
11 special use where required.

12 (d) A home rule county may not regulate the classification
13 of infrastructure services in a manner inconsistent with this
14 Section. This Section is a limitation under subsection (i) of
15 Section 6 of Article VII of the Illinois Constitution on the
16 concurrent exercise by home rule units of powers and functions
17 exercised by the State.

18 Section 10. The Illinois Municipal Code is amended by
19 adding Section 11-13-30 as follows:

20 (65 ILCS 5/11-13-30 new)

21 Sec. 11-13-30. Infrastructure services.

22 (a) As used in this Section:

23 "Infrastructure services" means physical assets or
24 functional systems that provide essential resources for public

1 health, safety, and economic activity. "Infrastructure
2 services" includes water distribution, water treatment, and
3 water storage facilities, telecommunication facilities,
4 transit facilities, and electrical facilities.

5 "Major utilities and services" means infrastructure
6 services that have substantial land use impacts on surrounding
7 areas and that may be allowed when the public interest
8 supersedes the usual limitations placed on land use and
9 transcends the usual restraints of the zoning district for
10 reasons of necessary location and community-wide interest.

11 "Major utilities and services" includes water and wastewater
12 treatment facilities, major water storage facilities, transit
13 stations, bus turnarounds, transit maintenance, and storage
14 garages. "Major utilities and services" does not include
15 waste-related uses.

16 "Minor utilities and services" means infrastructure
17 services that need to be located in an area where the service
18 is provided, that generally do not have regular employees at
19 the site, and that have few, if any, impacts on surrounding
20 areas. "Minor utilities and services" includes water and sewer
21 pump stations, electrical substations, stormwater facilities
22 and conveyance systems, and telephone exchanges.

23 (b) Notwithstanding any other provision of law or whether
24 the municipality has formed a zoning commission and adopted
25 formal zoning under Section 11-13-1, a municipality may
26 establish standards for the classification of infrastructure

1 services as either minor utilities and services or major
2 utilities and services. The standards adopted under this
3 subsection must comply with the requirements of this Section.
4 A municipality may also regulate the classification of
5 infrastructure services with standards that comply with the
6 requirements specified in this Section within its zoning
7 jurisdiction and within the 1.5-mile radius surrounding its
8 zoning jurisdiction.

9 (c) If a municipality has elected to establish standards
10 under subsection (b), the corporate authorities of the
11 municipality where the infrastructure services are located
12 shall classify electrical substations as minor utilities and
13 services only if the electrical substation is limited in scale
14 and designed to minimize the impacts on surrounding properties
15 and shall classify electrical substations as major utilities
16 and services if the electrical substation substation has a net
17 site area or floor area of 0.5 acres or more; is located on a
18 site that is within 660 feet of a residential, business,
19 commercial, park, or open space zoning district or a
20 residential building; or includes outdoor equipment yards.
21 Electrical substations classified under this subsection are
22 subject to all applicable zoning requirements for such uses,
23 including approval as a special use where required.

24 (d) A home rule municipality may not regulate the
25 classification of infrastructure services in a manner
26 inconsistent with this Section. This Section is a limitation

1 under subsection (i) of Section 6 of Article VII of the
2 Illinois Constitution on the concurrent exercise by home rule
3 units of powers and functions exercised by the State.