



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4638

Introduced 1/31/2024, by Rep. Kam Buckner

SYNOPSIS AS INTRODUCED:

New Act

Creates the Local Parking Regulation Act. Provides that, except as otherwise provided in the Act, a unit of local government may not impose or enforce any minimum automobile parking requirements on a development project if the project is located within one-half mile of a public transportation hub. In addition to other listed exceptions and limitations, allows a unit of local government to impose or enforce minimum automobile parking requirements in a development project that is located within one-half mile of a public transportation hub if the unit makes written findings that not imposing or enforcing any minimum automobile parking requirements on the development project would have a substantially negative impact, supported by a preponderance of the evidence in the record, on any of the following circumstances: (1) the region's ability to meet its housing needs for low-income households and very low-income households; (2) the region's ability to meet its needs for elderly housing or housing for persons with disabilities; or (3) problems with existing residential parking or commercial parking within one-half mile of the development project. Limits the concurrent exercise of home rule powers. Defines terms. Effective June 1, 2024.

LRB103 35474 AWJ 65543 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 1. Short title. This Act may be cited as the Local
5 Parking Regulation Act.

6 Section 5. Definitions. As used in this Act:

7 "Commercial development project" means a development
8 project that is undertaken for the development of land for
9 commercial use.

10 "Development project" means a project undertaken for the
11 purpose of development of land. "Development project" includes
12 (i) a project involving the issuance of a permit for
13 construction or reconstruction, (ii) a housing development
14 project, or (iii) a commercial development project.
15 "Development project" does not include a project where any
16 portion is designated for use as a hotel, motel, bed and
17 breakfast inn, or other transient lodging, except where a
18 portion of a housing development project is designated for use
19 as a residential hotel.

20 "Efficiency living unit" has the meaning ascribed to that
21 term in the 2018 International Building Code, Sixth Version
22 (November 2021).

23 "Elderly housing", "low-income household",

1 "moderate-income household", "multifamily housing", and "very
2 low-income household" have the meanings ascribed to those
3 terms in the Illinois Affordable Housing Act.

4 "Event center" means a building or collection of buildings
5 that is used exclusively or primarily for the holding of
6 exhibitions, conventions, meetings, spectacles, concerts, or
7 shows.

8 "Housing development project" means a development project
9 consisting of (i) residential units only, (ii) mixed-use
10 developments consisting of residential and nonresidential uses
11 with at least two-thirds of the square footage designated for
12 residential use, or (iii) transitional housing or supportive
13 housing.

14 "Public transportation hub" means a rail transit station,
15 a boat or ferry terminal served by either a bus connection stop
16 or rail transit station, or a bus connection stop of 2 or more
17 major bus routes with a frequency of bus service interval of 15
18 minutes or less during the morning and afternoon peak commute
19 periods.

20 "Residential hotel" means any building containing 6 or
21 more guest rooms or efficiency living units that is used or
22 intended or designed to be used, rented, hired out, or
23 occupied for sleeping purposes by guests and that is also the
24 primary residence of those guests. "Residential hotel" does
25 not include any building containing 6 or more guest rooms or
26 efficiency living units primarily used by transient guests who

1 do not occupy the building as their primary residence.

2 Section 10. Minimum automobile parking requirements
3 prohibited. Except as otherwise provided in Sections 15 and
4 20, a unit of local government may not impose or enforce any
5 minimum automobile parking requirements on a development
6 project if the project is located within one-half mile of a
7 public transportation hub.

8 Section 15. Allowed minimum automobile parking
9 requirements.

10 (a) A unit of local government may impose or enforce
11 minimum automobile parking requirements in a development
12 project that is located within one-half mile of a public
13 transportation hub if the unit of local government makes
14 written findings within 30 days after the receipt of a
15 completed site plan application and the written findings are
16 supported by a preponderance of the evidence in the record
17 evidencing that imposing or enforcing any minimum automobile
18 parking requirements on the development project would have a
19 substantially negative impact on any of the following
20 circumstances:

21 (1) the region's ability to meet its housing needs for
22 low-income households and very low-income households;

23 (2) the region's ability to meet its needs for elderly
24 housing or housing for persons with disabilities; or

1 (3) existing residential or commercial parking within
2 one-half mile of the development project.

3 (b) A unit of local government may impose or enforce
4 minimum automobile parking requirements for a housing
5 development project, notwithstanding the requirements of
6 subsection (a), if the housing development project satisfies
7 any one or more of the following circumstances:

8 (1) The housing development dedicates a minimum of 20%
9 of the total number of housing units to very low-income
10 households, low-income households, moderate-income
11 households, students, the elderly, or persons with
12 disabilities.

13 (2) The housing development contains fewer than 20
14 housing units.

15 (3) The housing development is subject to parking
16 reductions based on the provisions of any other applicable
17 law.

18 Section 20. Other exceptions and limitations to prohibited
19 minimum automobile parking requirements.

20 (a) An event center may be required, by local ordinance,
21 to provide minimum automobile parking for employees and other
22 workers.

23 (b) This Act does not reduce, eliminate, or preclude the
24 enforcement of any requirement imposed on a new multifamily
25 residential or nonresidential development that is located

1 within one-half mile of a public transportation hub for the
2 purpose of providing (i) parking spaces to charge electric
3 vehicles or (ii) parking spaces that are accessible to persons
4 with disabilities and that would have otherwise be required if
5 this Act did not apply.

6 (c) If a development project provides automobile parking
7 voluntarily, a unit of local government may impose on the
8 development project requirements for parking spaces to be made
9 available for car share vehicles, for parking spaces to be
10 shared with the public, or for parking spaces to be made
11 available only for a fee. A unit of local government may not
12 require voluntarily provided parking to be provided free of
13 charge.

14 (d) Section 10 does not apply to minimum automobile
15 parking requirements if it conflicts with a contractual
16 agreement or approved site plan with the unit of local
17 government that was executed or approved on or before the
18 effective date of this Act. However, Section 10 applies to an
19 amendment or extension to the contractual agreement or
20 approved site plan if the amendment or extension increases
21 automobile parking requirements.

22 (e) A development project may voluntarily build additional
23 parking that is not shared with the public.

24 Section 90. Home rule. A home rule unit may not regulate
25 minimum automobile parking requirements in a manner

1 inconsistent with this Act. This Act is a limitation under
2 subsection (i) of Section 6 of Article VII of the Illinois
3 Constitution on the concurrent exercise by home rule units of
4 powers and functions exercised by the State.

5 Section 95. Conflict with other laws. To the extent that
6 this Act conflicts with any other provision of law, this Act
7 controls.

8 Section 99. Effective date. This Act takes effect June 1,
9 2024.