

**AN ORDINANCE AMENDING AND EXTENDING  
THE TEMPORARY DEVELOPMENT MORATORIUM  
WITHIN THE KIRCHOFF ROAD CORRIDOR DISTRICT**

**WHEREAS**, the City of Rolling Meadows is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970 and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, Ordinance No. 23-72, adopted by the Corporate Authorities on November 28, 2023, enacted a temporary development moratorium ("**Moratorium**") within the "Kirchoff Road Corridor District" ("**District**") until November 28, 2024, in order to preserve the status quo while studying possible revisions to the City's Comprehensive Plan and Zoning Regulations concerning the District; and

**WHEREAS**, City Staff have recommended extending the expiration date of the Moratorium until April 30, 2025 as (1) the City has made substantial progress in its study process but will not have completed the study as of the original expiration date of the Moratorium, and (2) the same findings which justified the original imposition of the Moratorium continue to apply today; and

**WHEREAS**, in conjunction with the extension, the City also desires to amend the Moratorium in order to exclude Kimball Hill Park as well as certain residential properties that are unlikely to be redeveloped during the extension in a manner that will affect the future growth and development of the District; and

**WHEREAS**, the City's Planning and Zoning Commission ("**PZC**"), after notice was provided as required by law, conducted a public hearing on November 6, 2024 to consider amending and extending the Moratorium; and

**WHEREAS**, after taking and considering all testimony presented at the public hearing, the PZC made the findings of fact enumerated in **Exhibit B** and recommended that the City Council amend and extend the Moratorium as set forth in this Ordinance; and

**WHEREAS**, the Corporate Authorities of the City of Rolling Meadows have determined that it would be in the best interest of the City to amend and extend the Moratorium as set forth in this Ordinance.

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Rolling Meadows, Illinois, as follows:

**Section 1. Recitals.** The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2.** Amendments to Ordinance No. 23-72.

- A. Section 2 of Ordinance No. 23-72 is hereby amended to extend the Moratorium by replacing the date "November 28, 2024" with "April 30, 2025."
- B. Exhibit A to Ordinance No. 23-72 is hereby deleted in its entirety and replaced with ***Exhibit A*** to this Ordinance.

**Section 3.** Severability. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect, and shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

**Section 4.** Effective Date. This Ordinance shall be in full force and effect upon its passage and approval in accordance with law.

**PASSED AND APPROVED** by the City Council of Rolling Meadows, Cook County, Illinois this 26<sup>th</sup> day of November, 2024.

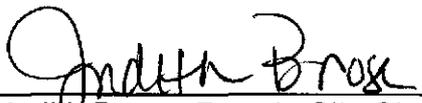
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NAYS: 0

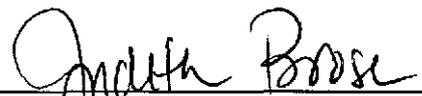
ABSENT: Reyez, Budmats, Vinezeano

  
\_\_\_\_\_  
Lara Sanoica, Mayor

ATTEST:

  
\_\_\_\_\_  
Judith Brose, Deputy City Clerk

Published this 4<sup>th</sup> day of December, 2024.

  
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Judith Brose, Deputy City Clerk

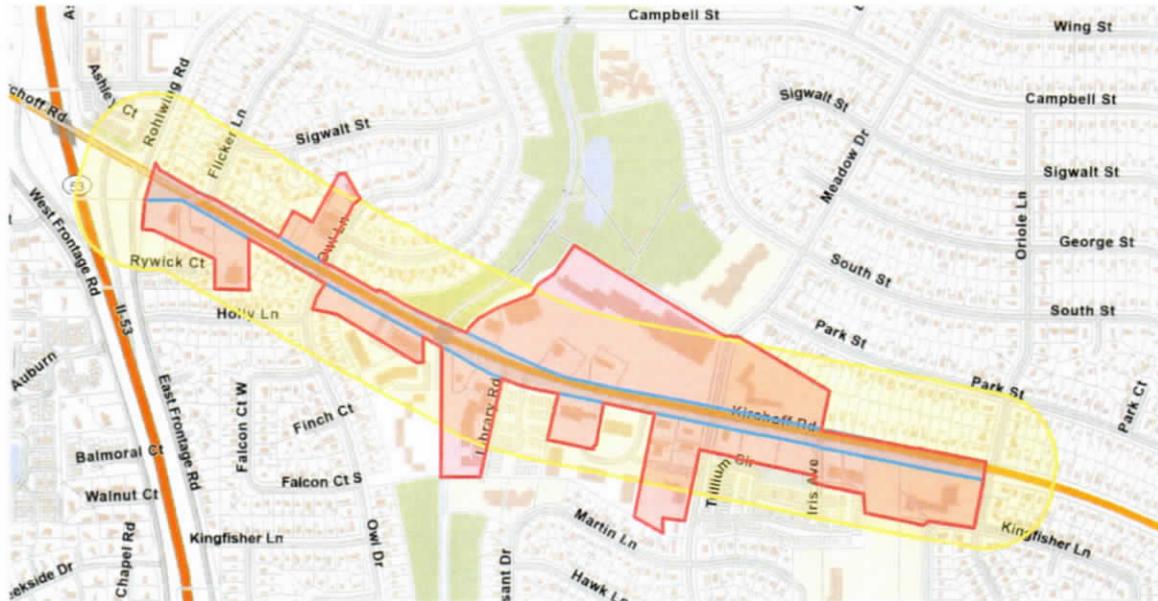
## Exhibit A

### Amended Boundary of the Kirchoff Road Corridor District

**Definition:** For the purposes of Ordinance No. 23-72, as amended, the Kirchoff Road Corridor District consists of all property between Rohlwing Road / East Frontage Road, to the west, and Oriole Lane, to the east, that lies in part or in whole within 400 feet of the right-of-way of Kirchoff Road. However, the District does not include:

1. Property used as of September 12, 2023 for “single-family dwelling,” “multi-family dwelling,” or “schools (public, non-profit or private).”
2. Kimball Hill Park.

**Illustration:** The following map depicts the boundaries of the District in **red**. The applicable right-of-way of Kirchoff Road is shown in **blue**, and a 400-foot radius from the right-of-way is shown in **yellow**. If there is a conflict between the text above and this map, the most protective interpretation (e.g. the interpretation which includes the most property within the District) shall control.



## Exhibit B

### **PZC's Adopted Findings of Fact**

#### **Amendment Standards**

**Standard 1: Potential impacts:** *The amendment shall not adversely impact existing land uses in proximity to a subject property, or, in the case of a text amendment, the overall zoning district purpose or intent of a code section proposed for amendment. The amendment should not unreasonably affect the value, use and enjoyment of nearby properties.*

**Findings:** By definition, the moratorium does not affect the continuation of existing land uses within the District and therefore would not directly affect the value, use and enjoyment of properties nearby the District by creating negative externalities. Instead, it preserves the *status quo* while the City considers the future development of the District through a planning study.

The proposed amendment and extension will continue to satisfy this Standard.

**Standard 2: Trend of development/consistency:** *Map amendments should be a logical extension of the trend of development in the area around the subject property, or consistent with the approved comprehensive plan. In the case of a text amendment, the amendment shall be consistent with the overall zoning district purpose or intent of a code section proposed for amendment.*

**Findings:** The moratorium will ensure that the City's zoning rules will logically extend the trend of development within the District or modify that trend consistent with the City's comprehensive plan as it may be amended as a consequence of the study. The moratorium does not directly alter any existing section of the City's zoning regulations, but its imposition would be consistent with the purposes set forth for the zoning regulations in Section 122-2, "Purpose and intent," including that the regulations are "intended to implement the City of Rolling Meadows Comprehensive Plan, including the land use component, and the planning policies of the City."

The proposed amendment and extension will continue to satisfy this Standard.

**Standard 3: Externalities:** *Relevant physical or market conditions that may have changed to make the existing zoning of a property inappropriate, or that make the proposed text amendment necessary for this chapter to be in keeping with the desirable development of the city shall be specified*

**Findings:** For the reasons identified in the recitals to Ordinance No. 23-72, physical and market conditions have changed to potentially make the existing zoning within the District inappropriate. These conditions may justify changes in keeping with the desired development of the City. The planning study undertaken during the moratorium will clarify these conditions and the merits of any changes. The moratorium itself recognizes that the zoning of properties within the District may have become inappropriate due to these external

factors, and would temporarily pause the pursuit of development under current rules that may ultimately hinder the District's long-term prosperity and growth due to these factors. The proposed amendment and extension will continue to satisfy this Standard.

**Standard 4: City plans:** *Amendments should be consistent with the City's Comprehensive Plan, Official Map, and all other plans and policies adopted by the city*

**Findings:** The moratorium is consistent with the realization of the City's Comprehensive Plan as to the District, as the proposed planning study may lead to amendments that will better facilitate the Plan's goals for the District. The proposed amendment and extension will continue to satisfy this Standard.

**Standard 5: Zoning appropriateness:** *The extent to which use of the subject property (or relevant properties in the case of a text amendment) is diminished by the current zoning standards or designation and is no longer suitable for the underlying zoning shall be specified*

**Findings:** See Standard 3. In particular, for vacant and underdeveloped parcels within the District, the use restrictions, setbacks, and minimum parking requirements now applicable to these parcels may be incompatible with the highest and best use of the parcels that is compatible with the City's Comprehensive Plan as well as its vision for the District. The moratorium, planning study, and resulting amendments would enable more suitable development and would prevent less suitable types of development that may be possible during the pendency of the study. The proposed amendment and extension will continue to satisfy this Standard.