

**AN ORDINANCE MODIFYING THE CITY'S ZONING REGULATIONS
TO ADOPT ENABLING REGULATIONS FOR ELECTRIC VEHICLE CHARGING**

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, Section 122-394 ("Amendments") of Chapter 122 (the "**Zoning Ordinance**") of the Code of Ordinances, City of Rolling Meadows, Illinois ("**City Code**") sets forth procedures for considering amendments to the map and text of the City's Zoning Ordinance; and

WHEREAS, the City desires to amend the Zoning Ordinance in order to establish standards for electric vehicle charging that will remove barriers to the use of electric vehicles; expedite and promote the development of safe, convenient, and cost-effective electric vehicle infrastructure to support the use of electric vehicles; and protect the environment by reducing vehicle emissions ("**Requested Amendment**"); and

WHEREAS, the City's Planning and Zoning Commission ("**PZC**"), after notice was provided as required by law, conducted a public hearing on February 4, 2025 to consider an application for the Requested Amendment; and

WHEREAS, after taking and considering all testimony presented at the public hearing, the PZC made the findings of fact enumerated in **Exhibit A** and recommended that the City Council approve the Requested Amendment; and

WHEREAS, the Corporate Authorities of the City of Rolling Meadows have determined that it would be in the best interests of the City to approve the Requested Amendment as set forth in this Ordinance.

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

Section 1: Recitals. The recitals set forth above are incorporated herein by reference as the findings of the Corporate Authorities.

Section 2: Creation of Section 122-168. Pursuant to Sections 122-394 ("Amendments") and the City's home rule authority, a new Section 122-168 ("Electric Vehicle Charging (EVSE)") of Article IV ("Off-Street Parking and Loading") of Chapter 122 ("Zoning") is hereby created as follows:

Section 122-168 Electric Vehicle Charging (EVSE).

- A. **Purpose.** The intent of this section is to remove barriers to the use of electric vehicles; expedite and promote the development of safe, convenient, and cost-effective electric vehicle infrastructure to support the use of electric vehicles; and protect the environment by reducing vehicle emissions.
- B. **Definitions.** Terms used in this Section have the meaning defined in the Electric Vehicle Charging Act (765 ILCS 1085/1 *et seq.*). In addition, whenever in this Section the following words and phrases are used, they shall, for the purposes of this section, have the meanings respectively ascribed to them in this section, except when the context otherwise clearly indicates:

Direct Current Fast Charging (DCFC). A type of EVSE that enables rapid charging by delivering direct current electricity directly to an electric vehicle's battery.

Electric Vehicle Supply Equipment (EVSE). A charging system for an electric vehicle. See the Electric Vehicle Charging Act for the complete definition.

EVSE-Capable. Having the electrical panel capacity and conduit installed to provide, at a future date, a branch circuit rated for at least 40 amps at 208 volts or 240 volts to an EVSE. Power sharing may allow two spaces to share one such circuit. See the Electric Vehicle Charging Act for the complete definition. Where this Section requires a space to be EVSE-Capable, an EVSE-Ready or EVSE-Installed space may also satisfy this requirement.

EVSE-Ready. Having a branch circuit fully installed that provides at least 40 amps at 208 or 240 volts for an EVSE to be installed at a future date. Power sharing may allow two spaces to share one such circuit. See the Electric Vehicle Charging Act for the complete definition. Where this Section requires a space to be EVSE-Ready, an EVSE-Installed space may also satisfy this requirement.

EVSE-Installed. Having EVSE fully installed from the electrical panel to the parking space.

Power sharing. The practice of dynamically limiting the charging power output of individual charging ports at the same charging station to ensure that the sum total power output to all electric vehicles concurrently charging remains below a maximum power threshold. This practice is also commonly known as automated load management.

Public use. Intended for use by the employees, visitors, and patrons of any establishment used for other than residential purposes. Parking and EVSE for residential uses, including residential visitor parking, is not parking for "public use." The term "public use" is not limited to EVSE required by this Section.

Smart charge management. The practice of controlling the amount of power dispensed by chargers to electric vehicles to meet customers' charging needs while also responding to external power demand or pricing signals to provide load management, resilience, or other benefits to the electric grid.

C. Use Restrictions.

1. **Accessory use.** EVSE are permitted as an accessory use in all zoning districts. EVSE for public use is prohibited for properties used exclusively for single-family and multi-family residential dwellings.
2. **Principal use.** As a principal use, EVSE requires approval of a special use in the districts in which they are listed according to Table 5.13 (located in section 122-331) and such request for a special use shall be processed in accordance with section 122-395 (Special Uses). If EVSE as a principal use is not identified as a permitted or special use in a particular zoning district of the city, such use shall be deemed prohibited in that zoning district.

D. Minimum Required EV Parking Spaces. Where required by Section 122-122, not less than the following number of EVSE-capable, EVSE-ready, and EVSE-installed parking spaces must be provided within an off-street parking and loading facility:

1. **Small residential uses.** For residential uses with four or fewer dwelling units, at least one EVSE-capable parking space must be provided for each residential unit that has dedicated parking.
2. **Large residential uses.** For residential uses with five or more dwelling units, all

parking spaces designated for residential use must be EVSE-capable.

3. **Gasoline stations.** A property that is used as a “gas/fueling station” that receives a new or amended special use permit after the effective date of this Ordinance must provide one DCFC EVSE-installed space per four fuel pumps.
4. **All other uses.** For all other uses, a minimum number of EVSE-installed spaces for public use must be provided according to the following table. Each public EVSE operated within 150 feet of the property line is included as an on-site EVSE-installed parking space, as well as EVSE available through a shared parking arrangement under Section 122-159. Notwithstanding the provisions of Section 122-122, this minimum requirement only applies where a new building (excluding an addition) or parking area is constructed or where an existing parking area is reconstructed to its base.

Number of parking spaces on-site	Number or percentage of EVSE-installed spaces
Less than 30	No requirement
30-99	2 spaces
100 and greater ¹	3%, rounded to the next whole number
<i>Note 1 – In this category, no more than 8 EVSE-installed spaces are required for properties used for restaurants, retail, service business, or any other use where the Zoning Administrator determines vehicles are typically parked for less than six hours.</i>	

E. Minimum Public Use EVSE Charging Performance.

1. **Level 1 EVSE** are prohibited for public use.
2. **Level 2 EVSE** provided for public use must provide at least 6 kilowatts per port simultaneously across all ports, except that Level 2 EVSE that meet the minimum per-space kilovolt-ampere requirements of the Electric Vehicle Charging Act (765 ILCS 1081/1 *et seq.*) may conduct power sharing that reduces the kilowatts delivered per port below this requirement.
3. **DCFC EVSE** provided for public use, whether or not required by this Section, must have a continuous power delivery rating of at least 50 kilowatts per charging port.
4. **Smart Charge Management.** EVSE may temporarily reduce the kilowatts per port below these requirements in order to conduct smart charge management.
5. **Grandfathering of Existing EVSE.** Any Level 2 or DCFC EVSE that existed or was issued a building permit prior to February 25, 2025 is exempt from these requirements until its replacement.

F. Availability of EVSE-Installed Spaces for Public Use.

1. The property owner or EVSE operator of an EVSE-installed parking space for public use must designate the space as reserved exclusively for electric vehicles pursuant to 625 ILCS 5/11-1308.
2. The property owner or EVSE operator may establish reasonable restrictions upon

EVSE-installed parking spaces for public use, including restrictions upon, without limitation: the time of day when the EVSE may be used by the public; the consecutive hours that an electric vehicle may occupy the EVSE space; the maximum kilowatt-hours delivered or percentage charge level that an electric vehicle may use the EVSE to reach; and the period of time, if any, that an electric vehicle may occupy the EVSE space when not actively charging.

3. For accessory use EVSE, each EVSE-installed space for public use must be available and accessible for public use at least as frequently as the business operating hours of the principal use of the site. This provision does not prohibit isolated or temporary interruptions in service or access because of maintenance or repairs.
 - i. *Exception:* EVSE-installed spaces that serve office, institutional, industrial, or other uses not frequented by patrons, as determined by the Zoning Administrator, may provide their EVSE-installed spaces in an area reserved for employee personal vehicles and unavailable to visitors and patrons.

G. Design of EVSE-Installed Spaces.

1. Setbacks and Screening.

- i. **EVSE.** Notwithstanding any contrary provision of this Chapter, EVSE: may be located within any required yard; are not subject to any setback; and do not require screening. The parking space served by an EVSE is not exempt.
- ii. **Transformers and Panelboards.** Transformers and panelboards installed to serve EVSE may not be installed on a concrete or asphalt parking surface. Transformers and panelboards serving EVSE are subject to the setback and screening requirements of this Chapter, except that the Zoning Administrator may modify or waive the setback requirement upon determining that the particular setback requirement creates an undue practical difficulty in installing an EVSE that meets the requirements of this Section.

2. Accessible Spaces.

- i. **One Accessible Charging Station Required.** Any location where electric vehicle charging stations are installed for public use must provide at least one parking space with an accessible charging station that meets the requirements of the most recent edition of the U.S Access Board *Americans with Disabilities Act (ADA) Accessibility Guidelines* and the *Architectural Barriers Act (ABA) Accessibility Guidelines*. (For more information, see the U.S. Access Board's publication, *Design Recommendations for Accessible Electric Vehicle Charging Stations*.)
- ii. **"Use Last."** The accessible charging station must either: (1) be reserved for the use of persons with disabilities or (2) must have one of the following signs indicating that the station is an accessible EVSE that should be occupied last by users without disabilities:



3. **Space Markings.** An EVSE-Installed parking space serving any non-residential use must have the entire area of the space painted in green paint to signify that it is reserved for electric vehicles.
4. **EVSE Impact Protection.** EVSE must be protected from vehicle impacts by impact-resistant bollards, curb with an exterior face at least two feet away from the EVSE, or other methods approved by the Zoning Administrator.
5. **Signage.**
 - i. Each EVSE-installed space for public use must indicate on a sign posted at each parking space that the space is reserved for the exclusive use of electric vehicles and that violators are subject to tow, as well as any other restrictions imposed by the property owner as to the use of an EVSE-installed space.
 - ii. Each EVSE-installed space for public use must indicate, on at least one physical sign or decal per EVSE pedestal: safety information regarding the use of the EVSE; and contact information for reporting when the equipment is not operating or other problems.
 - iii. Each EVSE-installed space for public use must indicate, on the EVSE's user interface or on at least one physical sign or decal per EVSE pedestal: voltage and amperage levels; hours of operation; time limits; payment methods; and usage fees.
 - iv. Off-premises signage and electronic signage, as those terms are defined in Article X of this Chapter, is prohibited as part of an EVSE.

H. **Minimum Required Off-Street Parking Bonus.** EVSE-installed and EVSE-capable parking spaces are considered to provide more than one parking space when calculating the minimum off-street parking requirements of Section 122-163. When calculating the minimum number of parking spaces required for a development, the bonuses provided by this Section apply before any rounding provided by Section 122-163. These bonuses do not apply to residential uses.

Type of EVSE space	Number of spaces credited
Level 2 EVSE-installed for public use	1.5 credited spaces per 1 physical space
DCFC EVSE-installed for public use	2 credited spaces per 1 physical space
EVSE-capable in an area suited to public use (excluding EVSE-installed)	1.2 credited space per 1 physical space

I. **Violations.** It is a violation of this Chapter for any person to:

1. Install, operate, or maintain any EVSE contrary to the provisions of this Section.
2. Allow any port of any EVSE for public use to be inoperable for a period of longer than 14 calendar days, regardless of intent to resume the EVSE's operation at a future date.
3. Prohibit or unreasonably restrict a condominium or common interest community unit owner from installing an EVSE pursuant to Section 30 of the Electric Vehicle Charging Act (765 ILCS 1085/30).
4. Prohibit or unreasonably restrict a tenant from installing an EVSE pursuant to Section 35 of the Electric Vehicle Charging Act (765 ILCS 1085/35).

Section 3: Amendment to Section 122-78. Pursuant to Sections 122-394 ("Amendments") and the City's home rule authority, Table 3-2 ("Accessory Uses and Structures") of Section 122-78 ("Accessory Uses and Structures") of Article III ("Regulations of General Applicability") of Chapter 122 ("Zoning") of the City Code is hereby amended to insert a new row in correct alphabetical order as follows [additions are **bold and double-underlined**; deletions are struck through]:

<i>Types of Accessory Uses and Structures</i>	<i>Required Yard</i>				<i>District</i>
	<i>Front</i>	<i>Corner Side</i>	<i>Interior Side</i>	<i>Rear</i>	
<u>Electric vehicle charging (EVSE), pursuant to Section 122-168</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>R, C, M</u>

Section 4: Amendment to Section 122-331. Pursuant to Sections 122-394 ("Amendments") and the City's home rule authority, Table 5.13 ("Land Use Table") of Section 122-331 ("Permitted and Special Land Uses") of Article V ("Regulations for Zoning Districts") of Chapter 122 ("Zoning") of the City Code is hereby amended to insert a new row in correct alphabetical order as follows [additions are **bold and double-underlined**; deletions are struck through]:

<i>Zoning District</i>	<i>C-1</i>	<i>C-2</i>	<i>C-3</i>	<i>M-1</i>	<i>M-2</i>
	<i>Community Commercial</i>	<i>Corridor Commercial</i>	<i>Office, Institutional, and Research</i>	<i>Business Park</i>	<i>Manufacturing</i>
<u>Electric vehicle charging (EVSE) as a principal use, pursuant to Section 122-168</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>

[This use is not listed and is therefore a prohibited use in any district not included above.]

Section 5: 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 6: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED AND APPROVED by the City Council of Rolling Meadows, Cook County, Illinois, this 25th day of February, 2025.

AYES: O'Brien, Boucher, Reyez, Koehler, McHale, Budmats

NAYS: 0

ABSENT: Vinezeano



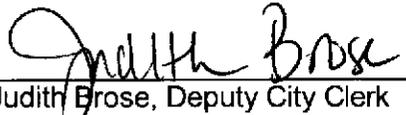
Lara Sanoica, Mayor

ATTEST:



Judith Brose, Deputy City Clerk

Published this 26th day of February, 2025.



Judith Brose, Deputy City Clerk

Exhibit A

PZC Findings of Fact

Text Amendment Standards

Potential Impact: This amendment shall not adversely impact the overall zoning district guidance or intent of a zoning district or process for an amendment.

Petitioner's Findings: The proposed amendment is not contrary to the purpose of any zoning district or the intent of any code section. The proposed amendment is consistent with the objectives of the City's Zoning Regulations, which are intended to (Sec. 122-2) "facilitate the provision of adequate public services such as transportation [...]," and "fix reasonable standards to which buildings, structures, and land shall conform," among other goals. The proposed amendment is also consistent with the goals of the City's off-street parking and loading provisions, which are to (Sec. 122-121) "provide off-street parking and loading areas to support the needs of current, proposed, and future uses of a property" including the provision of "adequate on-site vehicle parking."

Trend of Development - Consistency: This trend of development is consistent with the City's Comprehensive Plan and the City's Zoning Regulations. The amendment of a zoning district or process for an amendment.

Petitioner's Findings: Electric vehicle charging is an increasing use in the City and its surroundings, with a large public Tesla charging station existing at Meijer (1301 Meijer Drive) and visitor or employee charging stations at the Arthur J. Gallagher Headquarters, the Cook County Courthouse, Rolling Meadows High School, and Continental Towers. An awarded National Electric Vehicle Infrastructure (NEVI) grant will build additional DC Fast Charging stations at Meijer. This trend of development is positive and would be facilitated by clear rules and allowances from the City, in the form of the proposed amendment, that specify the treatment of electric vehicle charging systems.

Externalities: Relevant externalities or conditions that may have changed to make the existing zoning of a property inappropriate or less make the proposed text amendment necessary for this context to be in keeping with the desirable development of the city shall be specified:

When the City's Comprehensive Plan and Zoning Code were adopted in 2019-2020, widespread electric vehicle adoption was only just starting in the United States. Only 360,000 vehicles were electric vehicles, including plug-in hybrid electric vehicles, out of over 17 million light duty vehicles (cars, trucks, and SUVs) sold that year. The number of electric vehicles sold in 2024 has quadrupled to about 1.3 million and continues to grow. This changing condition should be taken into account by the City's Zoning Regulations.

City plans: Amendments shall be consistent with the City's Comprehensive Plan. The City's Comprehensive Plan is the guiding document for the City's development.

Petitioner's Findings: The City's Comprehensive Plan does not directly speak to electric vehicle policy. While updated recently in 2019, the Plan was still authored before the start of widespread electric vehicle adoption in the United States.

Goals M-1 and MO-1 of the City's Sustainability Plan (2023) states that "Rolling Meadows will plan for the development of electric vehicle charging infrastructure;" Goal M-3 states that "Rolling Meadows will evaluate its building and zoning codes to support the deployment of electric vehicle charging infrastructure." The proposed amendment will directly accomplish these three goals.

Zoning appropriateness: The extent to which use of the subject property for the stated purposes in the case of a text amendment is not in compliance with the current zoning standards or designation and is no longer suitable for the underlying zoning shall be satisfied.

Petitioner's Findings: The proposed amendment would support the deployment of electric vehicle charging infrastructure. For many land users, this is a desirable amenity to offer and clear rules will thereby support the use of relevant properties.