

AN ORDINANCE AMENDING THE ROLLING MEADOWS ZONING REGULATIONS TO CHANGE REFERENCES TO “PUBLIC WORKS DIRECTOR” TO REFER TO THE “COMMUNITY DEVELOPMENT DIRECTOR” AS ZONING ADMINISTRATOR

WHEREAS, the City of Rolling Meadows petitioned the Planning and Zoning Commission (“**PZC**”) to consider text amendments to the City’s Zoning Ordinance in order to modify all references to “Public Works Director” to instead refer to the “Community Development Director” as “Zoning Administrator” (“**Text Amendment**”); and

WHEREAS, the PZC, after providing notice as required by law, conducted a public hearing on April 5, 2023, to consider the Text Amendment; 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 approve the Text Amendment; 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 approve the Text Amendment.

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

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

Section 2. Pursuant to Section 122-394 (“Amendments”) and the City’s home rule authority, the following sections of Chapter 122, entitled “Zoning”, are hereby amended as set forth in **Exhibit A** attached to and, by this reference, made a part of this Ordinance:

Section 122-42	"Definitions."
Section 122-86(d)	"Video gaming cafes."
Section 122-362	"Zoning administrator and appointed bodies."
Section 122-567	"Best management practices (BMPs)."
Section 122-606(d)(3)	"Permanent signs requiring permit."

Section 3. This Ordinance shall be in full force and effect upon its passage and approval, as provided by law.

PASSED AND APPROVED by the City Council of Rolling Meadows, Cook County, Illinois, this 25th day of April, 2023.

AYES: Bisesi, Reyez, Sanoica, McHale, Budmats, O'Brien, Vinezeano

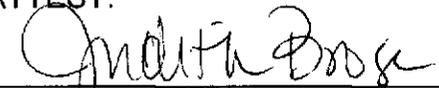
NAYS: 0

ABSENT: 0



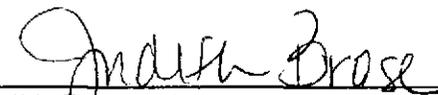
 Joe Gallo, Mayor

ATTEST:



 Judith Brose, Deputy City Clerk

Published this 28th day of April, 2023.



 Judith Brose, Deputy City Clerk

EXHIBIT A

Text Amendments

Changes shown in red underscore [additions] and ~~crossout~~ [deletions]

Section 122-42 is amended by modifying the following definition:

Zoning administrator: The city official responsible for administering the various elements of this chapter. This includes, but is not limited to, granting zoning certificates and interpreting zoning regulations. As related to this Code, the ~~director of public works~~ Director of Community Development or their designee is the zoning administrator.

Section 122-86(d) is amended to read as follows:

(d) Applicable regulations:

* * *

(3) Refuse disposal area: All video gaming cafe properties shall have or provide a refuse disposal area, which shall be screened on all sides by a solid wood, composite or masonry fence or an equivalent material to a height of not less than six feet but no more than seven feet, as approved by the ~~director of public works~~ Zoning Administrator.

* * *

(6) Off-street parking and loading: All uses shall conform to the requirements for off-street parking and loading as set forth in article IV of this chapter. Parking surfaces shall be in good repair, as determined by the ~~director of public works~~ Zoning Administrator, or shall be repaired or resurfaced pursuant to properly issued permits prior to the issuance of any special use permit.

* * *

(8) Exterior appearance: The exterior appearance of the building shall be compatible with commercial structures already constructed or under construction within the immediate neighborhood, to ensure against blight, deterioration, or substantial diminishment or impairment of property values in the vicinity. Necessary improvements shall be as determined by the ~~director of public works~~ Zoning Administrator and shall be completed prior to the issuance of any special use permit.

* * *

Section 122-362 is amended to read as follows:

(a) *The zoning administrator:*

(1) *Zoning administrator and authority:* The zoning administrator (or their designee) is charged to administer and enforce this chapter. The City of Rolling Meadows ~~Public Works~~ Community Development Director is designated as the city's zoning administrator and authorized to:

* * *

i. Make an annual report to the planning and zoning commission and the city council on the work of the ~~public-works~~ Community Development department on the enforcement of this chapter.

* * *

Section 122-567 is amended to read as follows:

Best Management Practices (BMPs) are encouraged in developments through appropriate application of landscape design, site construction and landscape maintenance practices. Use of BMPs may be used to off-set a portion of stormwater management requirements if, at the sole discretion of the ~~public-works-director~~ Zoning Administrator, the applicant provides evidence by a licensed engineer that such offsets are feasible and the applicant provides a plan for ongoing maintenance and sufficiency of such facilities. Should the applicant or subsequent owners fail to maintain BMPs as effective stormwater management elements, the ~~public-works-director~~ Zoning Administrator, at their sole discretion, may require repair of such BMPs or replacement with conventional stormwater management systems as may be needed to meet the intent and standards of the City Code.

BMP practices may include but are not limited to:

(a) *Permeable pavement and pavers.* Permeable pavement and pavers are an alternative method of hard surface that allows stormwater runoff to filter through voids material. The use of this porous material can help promote the natural cleaning and infiltration of water, instead of allowing it to wash into streets and down storm drains. Use of this material is allowed in designated drive or path areas and is subject to approval the ~~public-works-director~~ Zoning Administrator.

* * *

Section 122-606(d)(3) is amended to read as follows:

(3) Additional regulations.

* * *

c. Base:

i. Landscape. All monument signs shall provide landscape around its base. Landscape must extend a minimum of three feet from the sign base on all sides as approved by the ~~director of public works~~ Zoning Administrator or designee, who will require a mix of evergreen and deciduous small shrubs a minimum of 18 inches in height at planting, and perennials and annuals under the sign face. The remainder of the required landscape area on the sides must be planted with a mix of larger ornamental deciduous or evergreen trees or shrubs, perennials, or other live groundcover. All landscape beds must be spade edged and mulched with a minimum of 3" of hardwood ground cover material.

* * *

EXHIBIT B

PZC's Adopted Findings of Fact

Text Amendments

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.*

Finding: The text amendment will have no impact on existing land uses.

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.*

Finding: This text amendment is consistent with the intent of the code, which is (quoting Sec. 122-2) to "define the powers and duties of the administrative and enforcement officers and bodies" of the City. The purposes of the Code are advanced by designating a dedicated City official to be responsible for administration of the City's zoning matters.

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.*

Finding: This amendment will not affect any physical or market conditions.

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.*

Finding: This amendment does not substantially interact with or contradict any official City plans or policies.

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.*

Finding: The text amendment will have no impact on existing land uses.