

ORDINANCE

AN ORDINANCE AMENDING ARTICLE 2 (“DEFINITIONS AND RULES OF MEASUREMENT”), ARTICLE 8 (“USES”) AND ARTICLE 10 (“OFF-STREET PARKING & LOADING”) OF THE OAK PARK ZONING ORDINANCE REGARDING ELECTRIC VEHICLE CHARGING STATION REGULATIONS

WHEREAS, on October 5, 2023 the Village of Oak Park Plan Commission (“Plan Commission”) held a public hearing on the application of the Village of Oak Park (“Applicant”), for text amendments to Article 2 (“Definitions and Rules of Measurement”) by adding new definitions, Article 8 (“Uses”) by modifying Table 8-1 with a new land use and Article 10 (“Off-Street Parking & Loading”), Sections 10.1 (“General Requirements”), 10.3 (W) (“Electric Vehicle Charging Station”) and Section 10.4 (“Required Off-Street Vehicle and Bicycle Parking Spaces”) of the Oak Park Zoning Ordinance; and

WHEREAS, notice of the public hearing was published in the *Wednesday Journal* on September 20, 2023; and

WHEREAS, the Plan Commission recommended that the text amendments reflected in this Ordinance be approved by a vote of seven (7) in favor and zero (0) against upon the close of the public hearing held on October 5, 2023 as reflected in the minutes of the public hearing, incorporated herein by reference as though fully set forth; and

WHEREAS, the Plan Commission adopted its Findings of Fact and Recommendation on October 5, 2023, which is adopted by the President and Board of Trustees of the Village and incorporated herein as though fully set forth; and

WHEREAS, the President and Board of Trustees of the Village have considered the Plan Commission’s Findings of Fact and Recommendation and have determined that it is appropriate to adopt the text amendments as provided in this Ordinance; and

WHEREAS, the Village Board finds that the application meets the standards for a Zoning Ordinance text amendment set forth in Section 14.1(E)2 (“Approval Standards for Text Amendments”) of the Village of Oak Park Zoning Ordinance.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein by reference as though fully set forth.

Section 2. Zoning Ordinance Amended. Article 2 (“Definitions and Rules of Measurement”), Section 2.3 (“Definitions”) of the Oak Park Zoning Ordinance is amended by adding the following underlined language to read as follows:

ARTICLE 2. DEFINITIONS & RULES OF MEASUREMENT

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2.3 DEFINITIONS

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Electric Vehicle. A vehicle that operates, either partially or exclusively on electrical energy from a charging station or other electrical energy source that is stored in the vehicle's battery for propulsion purposes. "Electric vehicle" includes: a) a battery electric vehicle, b) a hybrid electric vehicle, c) a car-share electric vehicle, and d) electric scooters or motorcycles.

Electric Vehicle – Capable. Parking spaces that have listed raceway (conduit) and electric capacity (breaker space) allocated in a local subpanel to accommodate future electric vehicle supply equipment.

Electric Vehicle – Ready. Parking spaces that includes the following components: listed raceway (conduit), sufficient electrical panel service capacity, overcurrent protection devices, wire, and suitable termination points such as a junction box with a service loop or directly landed within an electric vehicle supply equipment, i.e., full circuit.

Electric Vehicle Charging Station (Retail). Equipment that has as its primary purpose, the transfer of electric energy by conductive or inductive means to a battery or other energy storage device located onboard an electric vehicle. Various types of charging stations include:

- 1. Accessible EV Charging Station.** A charging station incorporated into or immediately adjacent to a handicapped parking space as "handicapped parking space" as defined in the Illinois Vehicle Code.
- 2. Private EV Charging Station.** A charging station that is: 1) privately owned and has restricted access, e.g. single-family home, executive parking, designated employee parking, etc.; or 2) publicly owned and has restricted access (e.g., fleet parking with no access to the general public).
- 3. Public EV Charging Station.** A charging station that is: 1) publicly owned and publicly available (e.g., public parking lots, on street parking, etc.); or 2) privately owned and publicly available, e.g., commercial development parking, non-reserved parking in multiple family parking lots, etc.

Electric Vehicle Charging Station Levels. The standardized indicators of electrical force, or voltage at which an electric vehicle's battery is recharged. Typical electric vehicle charging levels and specifications are:

1. Level 1: AC slow battery charging. The charging station delivers electric power to a vehicle's charging module which converts the AV power to DC power and delivers it to the battery. Voltage is one hundred twenty (120) volts.

2. Level 2: AC medium battery charging. The charging station delivers electric power to a vehicles' s charging module which converts the AC power to DC power and delivers it to the battery. Voltage is between two hundred eight (208) volts for commercial use and two hundred forty (240) volts for residential use.

3. Level 3: DC fast or quick battery charging. Also referred to as "DC Fast". The charging station bypasses a vehicle's on-board charger to directly deliver electricity to the vehicle's high voltage battery. Voltage is equal to, or greater than, four hundred eighty (480) volts.

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Section 3. Zoning Ordinance Amended. Article 8 ("Uses"), Table 8-1: ("Use Matrix") and Section 8.4 ("Principal Use Standards") of the Oak Park Zoning Ordinance are amended by adding the following underlined language to read as follows:

ARTICLE 8. USES

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TABLE 8-1: USE MATRIX																	Use Standard § = Section
Use	R-1	R-2	R-3 -50 & -35	R-4	R-5	R-6	R-7	DT ¹	HS	GC	MS ¹	NA	NC ¹	RR ¹	OS	I	H

Retail																		
Antique Store								P	P	P	P	P	P	P				
Art Gallery								P	P	P	P	P	P	P				
Auction House								S	P	P	S	P	P	P				
Brewpub								P	P	P	P	P	P	P				
Consignment Shop								P	P	P	P	P	P	P				
Craft Brew Lounge								S	S	S	P	S	S	P				
Design Studio with Retail								P	P	P	P	P	P	P			P	
Electric Vehicle Charging Station, Primary									<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>				<u>§8.4.W</u>
Gas Station									S	S	S	S	S	S				
Greenhouse/Nursery										P		P						
Heavy Retail and Rental										S		S						
Outdoor Dining								P	P	P	P	P	P	P				
Retail Cannabis Establishment								S	S	S	S	S	S	S				
Restaurant								P	P	P	P	P	P	P			P	
Retail Goods Establishment								P	P	P	P	P	P	P			P	
Secondhand Goods Dealer												S		S				
Specialty Food Service								S	S		P	S	S	P				
Vehicle Dealership: Fully Enclosed								P		P	P	P		P				
Vehicle Dealership: Fully Enclosed-Small								P		P	P	P	P	P				
Vehicle Dealership: With Outdoor										S		S		S				

e. Contact information for reporting when equipment is not operational.

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Section 4. Zoning Ordinance Amended. Article 10 (“Off-Street Parking & Loading”), Section 10.1 (“General Requirements”), Section 10.3 (“Off-Street Parking Design Standards”) and 10.4 (“Required Off-Street Vehicle and Bicycle Parking Spaces”) of the Oak Park Zoning Ordinance are amended by adding the following underlined language and deleting the overstricken language to read as follows:

ARTICLE 10. OFF-STREET PARKING & LOADING

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10.1 GENERAL REQUIREMENTS

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G. Electric Vehicle Charging Parking Spaces

Requirements for electric vehicle charging parking spaces are set forth in the following:

1. Appendix P: Electrification for All New Buildings, Section P301: Electrification Requirements, Subsection P301.1 (9) Electrification for New Buildings of the Village Code of Oak Park, Chapter 7 (Buildings), Article 1 (Building Code), as amended;
2. Appendix X: Electrification for New Residential Buildings, Section X301: Electrification Requirements, Subsection X301.1 (7) Electrification requirements for New Residential Buildings; of the Village Code of Oak Park, Chapter 7 (Buildings), Article 6 (Residential Code), as amended; and
3. The Electric Vehicle Charging Act, 765 ILCS 1085/1 et seq., as amended.

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10.3 OFF-STREET PARKING DESIGN STANDARDS

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I. Electric Vehicle Charging Station (*accessory use*)

- 1.** ~~Commercial electric~~ Electric vehicle charging stations are permitted as an accessory use within any parking lot or parking structure in all zoning districts.
- 2.** Electric vehicle charging station equipment may not block the public right-of-way.

3. Each public electric vehicle charging station space must be posted with a sign indicating the space is only for electric vehicle charging purposes. Days and hour of operations must be included if time limits of tow away provisions are to be enforced by the owner. Information identifying voltage and amperage levels or safety information must be posted.

4. Electric vehicle Charging charging station equipment must be maintained in good condition and all equipment must be functional. Electric vehicle Charging charging stations no longer in use must be immediately removed.

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10.4 REQUIRED OFF-STREET VEHICLE AND BICYCLE PARKING SPACES

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C. The total number of required parking spaces is calculated by the principal use of the lot. When more than one use occupies the same lot, the number of required spaces is the sum of the separate requirements for each use, unless a shared parking arrangement is approved or such use is a multi-tenant retail center, which has a separate requirement. The following standards for computation apply:

1. Space allocated to any off-street loading space may not be used to satisfy the requirement for any off-street parking space or access aisle, or portion thereof. Conversely, the area allocated to any off-street parking space may not be used to satisfy the replacement for any off-street loading space or portion thereof.

2. When calculating the number of required off-street spaces results in a requirement of a fractional space, said fraction is rounded up.

3. In places of assembly in which patrons or spectators occupy benches, pews or similar seating facilities, each 24 inches of such seating facility is counted as one seat for the purpose of determining the requirement for off-street parking facilities. Floor area of a prayer hall is counted as one seat per marked prayer mat space or one seat for every five square feet in the prayer hall if prayer mat spaces are not marked.

4. Any required electric vehicle parking space(s) shall be included in the total number of required parking spaces as provided in Table 10-2: Off-Street Parking Requirements.

Section 5. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

ADOPTED this 16th day of October, 2023, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Buchanan				
Trustee Enyia				
Trustee Parakkat				
Trustee Robinson				
Trustee Straw				
Trustee Wesley				

APPROVED this 16th day of October, 2023.

Vicki Scaman, Village President

ATTEST

Christina M. Waters, Village Clerk

Published in pamphlet form this 16th day of October, 2023.

Christina M. Waters, Village Clerk