CITY OF DARIEN
M E M O

TO: **Mayor Marchese, City Council, City Clerk, and City Treasurer**

FROM: **Jordan Yanke, City Planner**

DATE: **November 17, 2023**

SUBJECT: **EV Charging Stations Agenda Item (PZC2023-07) – Revised Documents for MSC & City Council Meetings on Monday, November 20, 2023**

Attached to this communication are two (2) documents that have been revised since the Municipal Services Committee and City Council packets were posted for the November 20, 2023 meetings. The documents pertain to the Electric Vehicle (EV) zoning text amendment listed on each agenda (PZC2023-07) and are meant to replace the following that was included in each meeting packet:

- Municipal Services Committee – New Business Agenda Item A
    - Staff Memo Attachment (1): Ordinance Revisions
    - Approval Ordinance

- City Council – New Business Agenda Item A
    - Staff Memo Attachment (1): Ordinance Revisions
    - Approval Ordinance

NOTE: Correspondence from the Metropolitan Mayors Caucus has also been included with this communication. The correspondence notes the importance of being designated an "EV Ready Community" and speaks to the involvement and steps taken by the City in order to achieve the designation.

ELECTRIC VEHICLE CHARGING STATIONS
(ZONING SECTION 5A-5-17)

Electric Vehicle Charging Stations

(A) General

1. Electric vehicle charging stations and infrastructure shall be permitted as accessory uses to lawfully established principal uses in all zoning districts.
2. If the primary use of a parcel is the retail charging of electric vehicle batteries, then the use shall be considered as an "Automobile Service Station" for zoning purposes.

(B) Parking and Quantity Requirements

1. Electric vehicle charging stations ~~may~~ shall be counted toward satisfying minimum off-street parking space requirements. A parking space served by electric vehicle supply equipment shall count as at least one and a half (1.5) standard automobile parking spaces.
2. Public electric vehicle charging stations must be reserved for parking and charging electric vehicles.
3. No minimum number of charging station spaces is required.
    ~~(a) New Construction~~
    (a) Residential: All new single-family and multi-family dwellings with garages be constructed to provide 220-240 volt/40-amp outlet on a dedicated circuit in close proximity to designated vehicle parking to accommodate the potential future hardwire installation of a Level 2 charging station.
    (b) Nonresidential: All new and expanded nonresidential development parking areas provide the electrical capacity necessary to accommodate the future hardwire installation of Level 2 charging stations. It is recommended that a typical parking lot (e.g., 1,000 or less parking spaces) have a minimum ratio of two percent (2%) of the total parking spaces prepared for such stations.
4. Pavement Marking: Pavement markings are required. Any and all pavement markings shall be the color white or yellow and shall match the color used for all other parking stalls. No additional stencil will be permitted.
5. Accessible Charging Stations: Any location where electric vehicle charging stations are installed shall be required to have at least one (1) parking space equipped with an accessible charging station. Accessible charging stations should be located in close proximity to the building or facility entrance and shall be connected to a barrier free accessible route of travel to and from the building or facility. Accessible charging stations shall be maintained in compliance with the Americans with Disability Act~~s of 1990, 42 U.S.C. § 12101 and all applicable state and federal laws~~.

(C) Equipment Location and Design Criteria

1. Electric charging station equipment may not be located in a place that obstructs or interferes with a driver's view of approaching, merging, or intersecting traffic in and around the right-of-way.
2. The charging station equipment must not impede pedestrian, bicycle, or vehicular traffic, or be located within the required area of the legal parking space, vehicle overhang, or associated circulation aisles as required by this chapter.
3. Adequate protection of charging station equipment from vehicles must be provided, such as curbing, bollards, or wheel stops. All equipment shall be maintained by the

property owner where it is located and the owner shall provide warranty and services for the charging stations and infrastructure for the duration of their useful life.

4. Charging station outlets and connector devices shall be no less than thirty-six inches (36”) and no higher than forty-eight inches (48”) from the ground or pavement surface where mounted, and shall contain a retraction device and/or a place to hang permanent cords and connectors a sufficient and safe distance above the ground or pavement surface. Equipment shall be mounted on pedestals and located as to not impede pedestrian travel or create trip hazards on sidewalks.
5. Lighting: Where charging station equipment is installed, adequate site lighting shall be provided in accordance with City ordinances and regulations.
6. Data Collection: To allow for maintenance and notification, the City shall require the owners of public charging stations to provide information on the charging station’s geographic location, date of installation, equipment type and model, and owner contact information to the Building Department.

(D) Landscaping

1. Where landscaping is possible, landscaping shall be provided around electric vehicle supply equipment.

(E) Signage

1. Public electric vehicle charging stations must be posted with signage indicating that the space is reserved for electric vehicle “charging” purposes only. The signage must also have a phone number or other contact information to report when the equipment is not functioning properly, and any time limits on use, tow away, or fine provisions. Information identifying voltage, amperage levels, usage fees, or safety information must be posted.
2. On-site advertising is allowed on an electric vehicle charging station only when it is an integral part of the electric vehicle charging station. ~~All advertising is limited to the promotion of goods, services, and products of the owner and tenants on-site where the electric vehicle charging station is located. The on-site advertising may consist of static images that change no faster than once very ten (10) seconds or a continuous video on an LED screen. No advertisement shall play or emit any sound. Except as indicated in this section, the size of any on-site advertising signage shall not exceed four (4) square feet in gross surface area for each exposed face, nor exceed an aggregate gross surface area of six (6) square feet. On-site advertising signage on a video screen shall not exceed an aggregate gross surface area of one-fourth (0.25) square feet.~~

DEFINITIONS (ZONING SECTION 5A-13-1)

CHARGING: When the connector from an electric vehicle supply equipment (or standard outlet) is inserted into the electric vehicle inlet, and electrical power is being transferred for the purpose of recharging the batteries on board the electric vehicle.

CHARGING LEVEL: 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:

(A) Level 1: AC slow battery charging. The charging station delivers electric power to a vehicle's charging module which conve1is the AC power to DC power and delivers it to the battery. Voltage is one hundred twenty (120) volts.

(B) Level 2: AC medium battery charging. The charging station delivers electric power to a vehicle'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.

(C) Level 3: DC fast or quick battery charging. Sometimes 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.

CHARGING STATION: 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:

(A) Accessible Charging Station: A charging station incorporated into or immediately adjacent to a handicapped parking space as "handicapped parking space" is defined by the Illinois Vehicle Code.

(B) Private Charging Station: A charging station that is: (i) privately owned and has restricted access (e.g., single-family home, executive parking, designated employee parking, etc.); or (ii) publicly owned and has restricted access (e.g., fleet parking with no access to the general public).

(C) Public Charging Station: A charging station that is: (i) publicly owned and publicly available (e.g., park and ride, public parking lots, on street parking, etc.); or (ii) privately owned and publicly available (e.g., shopping center parking, non- reserved parking in multi-family parking lots, etc.).

ELECTRIC VEHICLE: A vehicle that stores electric energy to be used for propulsion. An electric vehicle shall be defined as a “motor vehicle,” as defined in the Illinois Vehicle Code; and (i) which displays the State of Illinois EV license tag; or (ii) any vehicle defined by the air resources board as “off-vehicle charge capable” meaning having the capability to charge a battery from an off-vehicle electric energy source that cannot be connected or coupled to the vehicle in any manner while the vehicle is being driven.

ELECTRIC VEHICLE CHARGING INFRASTRUCTURE: “Make ready” electrical equipment including panels with circuit breakers, switchboards, transformers, conduit, wiring, junction boxes, conduit hangers, and other interconnections necessary and integral to delivering electrical power from a facility for charging electric vehicles.

ELECTRIC VEHICLE CHARGING STATION: Equipment designed to safely supply power from a facility or structure to electric vehicles. Electric vehicle charging stations include hard-wired electric vehicle charging stations and electric vehicle charging stations that plug in to standard wall outlets and may also integrate communication, metering, GPS, and other features that assist electric vehicle drivers and the host facility.

ELECTRIC VEHICLE SUPPLY EQUIPMENT: Equipment designed to safely supply power from a facility or structure to electric vehicles. Electric vehicle supply equipment includes hard-wired electric vehicle charging stations, electric vehicle charging stations that plug in to standard wall outlets and portable electric vehicle chargers. Electric vehicle supply equipment may also integrate communication, metering, GPS, two-way electricity flow management, and other features that assist electric vehicle drivers and the host facility.

NON-ELECTRIC VEHICLE: Vehicle that does not meet the definition of Electric Vehicle (EV).

CITY OF DARIEN

DU PAGE COUNTY, ILLINOIS

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 5A, ZONING REGULATIONS, OF THE DARIEN CITY CODE

(PZC2023-07: ELECTRIC VEHICLE CHARGING STATIONS)

ADOPTED BY THE

MAYOR AND CITY COUNCIL

OF THE

CITY OF DARIEN

THIS ____ DAY OF _____, 2023

Published in pamphlet form by authority of the Mayor and City Council of the City of Darien, DuPage County, Illinois, this _____ day of _____, 2023.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 5A, ZONING REGULATIONS, OF THE DARIEN CITY CODE

(PZC2023-07: ELECTRIC VEHICLE CHARGING STATIONS)

WHEREAS, the City of Darien is a home rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of local government, the City may exercise any power and perform any function pertaining to its government except as limited by Article VII, Section 6; and

WHEREAS, the City of Darien has adopted Zoning Regulations set forth in the Darien City Code Title 5A; and

WHEREAS, City Council deems it reasonable to periodically review the Zoning Ordinance and make necessary changes thereto; and

WHEREAS, the City Council has studied Electric Vehicle (EV) charging stations and infrastructure; and

WHEREAS, the City Council has determined that such use is a benefit to the City and implementation of Electric Vehicle (EV) charging stations on properties throughout the City shall be regulated by zoning; and

WHEREAS, based on this determination, the City has proposed a zoning text amendment regulating such use; and

WHEREAS, pursuant to notice as required by law, the City's Planning and Zoning

Commission conducted a public hearing on October 4, 2023, and has forwarded its findings and recommendation of approval of this proposal to the City Council; and

WHEREAS, the City's Municipal Services Committee has forwarded its recommendation of approval of this proposal to the City Council; and

WHEREAS, the City Council has reviewed the findings and recommendations described above and now determines to amend the Zoning Ordinance as provided herein below;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, ILLINOIS, as follows:

SECTION 1: Title 5A of the City Code of Darien, Section 5A-5 "General Provisions and Regulations" is hereby amended by adding the following:

5A-5-17: Electric Vehicle Charging Stations
(A) General
1. Electric vehicle charging stations and infrastructure shall be permitted as accessory uses to lawfully established principal uses in all zoning districts.
2. If the primary use of a parcel is the retail charging of electric vehicle batteries, then the use shall be considered as an "Automobile Service Station" for zoning purposes.

(B) Parking and Quantity Requirements
1. Electric vehicle charging stations ~~may~~ shall be counted toward satisfying minimum off-street

parking space requirements. A parking space served by electric vehicle supply equipment shall count as at least one and a half (1.5) standard automobile parking spaces.
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~~(a) New Construction~~

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Level 2 charging stations. It is recommended that a typical parking lot (e.g., 1,000 or less parking spaces) have a minimum ratio of two percent (2%) of the total parking spaces prepared for such stations.

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2. The charging station equipment must not impede pedestrian, bicycle, or vehicular traffic, or be located within the required area of the legal parking space, vehicle overhang, or associated circulation aisles as required by this chapter.

3. Adequate protection of charging station equipment from vehicles must be provided, such as curbing, bollards, or wheel stops. All equipment shall be maintained by the property owner where it is located and the owner shall provide warranty and services for the charging stations and infrastructure for the duration of their useful life.

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SECTION 2: Title 5A of the City Code of Darien, Section 5A-13-1 "Zoning Definitions" is hereby amended by adding the following:

CHARGING: When the connector from an electric vehicle supply equipment (or standard outlet) is inserted into the electric vehicle inlet, and electrical power is being transferred for the purpose of recharging the batteries on board the electric vehicle.

CHARGING LEVEL: 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:

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NON-ELECTRIC VEHICLE: Vehicle that does not meet the definition of Electric Vehicle (EV).

SECTION 3: Home Rule. This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter no delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Darien that to the extent of the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supercede state law in that regard within its jurisdiction.

ORDINANCE NO. _____

SECTION 4: Effective Date. The Zoning Ordinance amendment provided for in this Ordinance shall be in full force and effect 60 days after the passage, approval, and publication of this Ordinance as required by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this ____ day of _____, 2023.

AYES _____

NAYS: _____

ABSENT: _____

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this ____ day of _____, 2023.

_____
JOSEPH A. MARCHESE, MAYOR

ATTEST:

_____
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY

Jordan Yanke

From: Bryon Vana
Sent: Friday, November 17, 2023 10:30 AM
To: Jordan Yanke
Subject: FW: EV Readiness Program

From: Joe Marchese <jmarchese@darienil.gov>
Sent: Thursday, November 16, 2023 1:00 PM
To: Edith Makra <emakra@mayorscaucus.org>
Cc: Bryon Vana <bvana@darienil.gov>; Cheryl Scott <cscott@mayorscaucus.org>
Subject: RE: EV Readiness Program

Edith:

Many thanks for documenting Dan's work and the importance of this designation. I always appreciate your assistance.

Joseph A. Marchese

Mayor
1702 Plainfield Road, Darien, IL 60561
Email: Email: jmarchese@darienil.gov
Office: (630) 353-8108 | **Mobile:** (630) 200-2390
Connect with the City of Darien!

From: Edith Makra <emakra@mayorscaucus.org>
Sent: Thursday, November 16, 2023 10:48 AM
To: Joe Marchese <jmarchese@darienil.gov>
Cc: Bryon Vana <bvana@darienil.gov>; Cheryl Scott <cscott@mayorscaucus.org>
Subject: RE: EV Readiness Program

Thank you, Mayor for your kind words. Likewise, would have no success with our programs if not for the talent and hard work of our member municipalities. Thank you for your leadership. You have much to be proud of in Darien.

With the adoption of the text amendments that update Darien's zoning code, the City will meet all requirements to earn the Bronze-level designation as an EV Ready Community.

I hope the City Council votes favorably for these progressive code updates. Dan Gombac has prepared a comprehensive description of these amendments which include robust definitions, location and design standards, as well as parking rules that balance constituent needs. Notably, the City of Darien is also codifying installation of EV charging stations for new construction. Dan did extensive research and worked hard to integrate these new policies into Darien's code and present appropriate documentation to our EV Readiness Team. Dan also created a new permit process for both commercial and residential EV charging installation. All of this material is now available on Darien's new EV Readiness webpage.

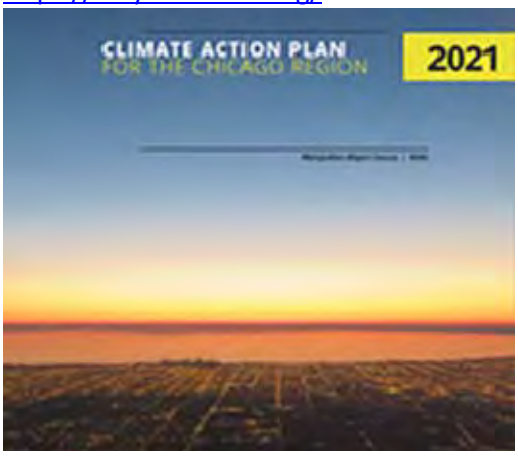
The City of Darien will be recognized as one of 12 municipalities in **the first cohort of communities** to earn EV Ready Community designation. While the EV Readiness Program serves only Metropolitan Mayors Caucus members, we know **that this program is the national pioneer in municipal preparedness for transportation electrificatio**n. In fact, just this month, a new program called EV Smart will kick off with the aim to build on our model to serve 13 states in the northeast.

Not only did Darien succeed in meeting all the requirements for Bronze**, Dan Gombac volunteered his time as an expert advisor to our EV Readiness Advisory Committee**. To create the program, the EV Readiness Advisory Committee helped us identify and prioritize what it means for a community to be EV Ready. **Dan shared his expertise in community development, zoning, and permitting to help us craft the EV Readiness Checklist – the pathway that every community follows to earn EV Ready Community designation.** We could not have crafted such a thoughtful and robust program without him.

We thank you for your tireless enthusiasm and support of EV Readiness, too. We welcome all members of the Darien team to join in the celebration on December 7th in Warrenville. The invitation is forthcoming.

Edith Makra
Director of Environmental Initiatives
Metropolitan Mayors Caucus
433 W. Van Buren St., Suite 450
Chicago, IL 60604-0434

630-327-4193
https://mayorscaucus.org/



From: Joe Marchese <jmarchese@darienil.gov>
Sent: Monday, November 13, 2023 3:30 PM
To: Edith Makra <emakra@mayorscaucus.org>
Cc: Bryon Vana <bvana@darienil.gov>
Subject: EV Readiness Program

Edith:

Again, many thanks for all you do for the MMC and for communities such as Darien. We would not be as conscious of such programs if it wasn't for you and your staff. On Monday evening (November 20) our City Council will be voting on the Zoning changes that will lead to our achieving Bronze status in the EV Readiness Program. I know the level of work that this required of Dan

Gombac, and I appreciate all the work Dan accomplished as well as the assistance provided by you and Cheryl in assisting him.

I would like to ask you for a favor; could you send me an email addressing what this achievement means to Darien and the uniqueness of this designation. I would also like you to include something regarding the amount of work Dan put in from your perspective; I would like our staff, elected officials and our public to know how important Dan's role was in achieving this designation.

Thank you again, you are truly a wonderful resource for all of us.

www.darien.il.us

Joseph A. Marchese

Mayor
1702 Plainfield Road, Darien, IL 60561
Email: Email: jmarchese@darienil.gov
Office: (630) 353-8108 | **Mobile:** (630) 200-2390

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