

January 21, 2025

**Title**

PC 25-02

**Petitioner**

Village of Lombard

**Property Location**

Village-wide

**Approval Sought**

Text amendment to add Section 155.228 to Article III. General Provisions for electric vehicle (EV) charging requirements. Update the definition of “gasoline sales” to “fuel center.”. Replace “fuel center” in conditional uses per zoning districts that have “gasoline sales” listed.

Amend Sections 153, 154 and 155 at remove “Director of Community Development” and replace with “Director of Economic Development and Planning” and/or “Director of Building” as applicable

**Prepared By**

Tami Urish  
Planner I

**DESCRIPTION – EV CHARGING STATIONS**

The Village of Lombard Plan Commission hereby provides notice that a public hearing will be conducted to consider the following petition:

1. Create a new Section 155.228: Electric Vehicle (EV) Parking/Stations to establish regulations on requirements such as location and design
2. Amend Section 155.802 to add definitions related to electric vehicle parking/stations
3. Amend Sections 153, 154 and 155 to remove “Director of Community Development” and replace with “Director of Economic Development and Planning” and/or “Director of Building” as applicable
4. Any other relevant sections for clarity and consistency

**INTER-DEPARTMENTAL REVIEW**

**Building Division:**

The Building Division offers the following comments:

All charging stations need to meet the adopted codes and state acts. The following are the current codes/acts:

- Illinois 765 ILCS 1085/Electric Vehicle Charging Act
- Current Electrical Code- Lombard currently has the 2023 National Electrical Code adopted
- Current Building Code- Lombard currently has the 2018 International Building Code adopted and plans to adopt the 2024 later in 2025

**Fire Department:**

The Fire Department requests the current and future Village adopted International Fire Code for EV charging stations be added to the proposed text amendment to the Zoning Ordinance.

**Public Works:**

The Department of Public Works has no comments regarding the proposed text amendment to the Zoning Ordinance.

**Private Engineering Services:**

Private Engineering Services has no comments regarding the proposed text amendment to the Zoning Ordinance.

**Planning Services Division:**

In the past few years, individual charging stations have been installed at Yorktown Shopping Center. In addition, Tesla obtained a conditional use for a super charger station as an accessory use at Target’s parking

existing parking spaces (PC23-26, February 2024) as gasoline/fuel sales. The Tesla charging station at Target is expected to be install later this year. Staff determined per PC23-26 review that an electric charging station is indistinguishable from a gasoline sales establishment. Staff conducted comprehensive research on the emerging use of electric vehicles and the expected need for commercial charging stations.

Staff is proposing a new Section of Code for EV charging stations; Section 155.228 (attached as exhibit A). In addition, update the definition from “gasoline sales” to “fuel center” in the definitions list in 155.802 and replace the use “gasoline sales” to “fuel center” in the list of conditional uses in the following districts:

- 155.414 - B2 General Neighborhood Shopping
- 155.415 - B3 Community Shopping
- 155.416 - B4 Corridor Commercial
- 155.417 – B4A Roosevelt Road Corridor
- 155.418 - B5 Central Business
- 155.419 - B5A Downtown Perimeter
- 155.420 - I Limited Industrial

### **STANDARDS FOR TEXT AMENDMENTS**

For any change to the Zoning Ordinance, the standards for text amendments must be affirmed.

1. *The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property;*  
The text amendment is generally applicable to all properties within the Village.
2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;*  
The proposed text amendment is consistent with the objectives of the Zoning Ordinance.
3. *The degree to which the proposed amendment would create nonconformity;*  
Nonconformities would not be created as the proposed use does not currently exist.
4. *The degree to which the proposed amendment would make this ordinance more permissive;*  
The proposed amendment will allow EV charging units in general. In the case of fuel centers, a conditional use will be required.
5. *The consistency of the proposed amendment with the Comprehensive Plan; and*  
The proposed amendments would be consistent with the Comprehensive Plan since fuel centers are considered the same as gasoline sales establishments. Availability of diversified fuels for motor vehicles is an essential use.
6. *The degree to which the proposed amendment is consistent with village policy as established in previous rulings on petitions involving similar circumstances.*  
The Village has a history of amending the Zoning Ordinance to address edits for clarity and for emerging land uses.

## **DESCRIPTION – JOB TITLE AMENDMENTS**

Amend Sections 153 - Signs, 154 – Subdivisions/Development and 155 – Zoning Code to remove “Director of Community Development” and replace with “Director of Economic Development and Planning” and/or “Director of Building” as applicable. The Village has a history of amending the Zoning Ordinance and other ordinances under the Plan Commission’s purview to address overall edits for clarity.

This change is being presented in order to address staffing and title changes that will be occurring in 2025. Simply stated, with the pending retirement of the existing Community Development Director and to reflect the desired prominence of economic development by staff, the job responsibilities of the existing position are being parsed between the existing Director of Building and the proposed Director of Economic Development and Planning positions. Such amendments are important to codify as they ensure that the code reflects the proper roles and responsibilities of various staff positions in cases of a legal challenge or interpretation is needed. Village Counsel noted that such code changes, while perfunctory, should be made in a similar manner to other amendments to Village Code.

## **FINDINGS & RECOMMENDATIONS**

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Zoning Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending approval of this petition:

Based on the submitted petition and the testimony presented, the requested text amendments **comply** with the standards required by the Village of Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 25-02.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP  
Director of Community Development

## EXHIBIT A

The proposed text amendments are as follows. Additions are denoted by **bold and underline**. Deletions are denoted by a ~~strikethrough~~.

### 155.228 Electric Vehicle Charging Station.

- (A) Purpose: The intent of this section is to 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) Permitted Locations:
- (1) Retail Charging, Accessory Use:
- (a) Level 1 and Level 2 Charging Stations: Level 1 and level 2 charging stations are permitted in every zoning district, when accessory to an approved permitted or conditional use of said district. Charging stations located for single-family and multiple-family dwellings shall be designated for private use only and shall not be designated as a home occupation. Installation of charging stations shall be subject to building permit approval per Illinois 765 ILCS 1085/Electric Vehicle Charging Act, current International Electrical Code, International Building Code and International Fire Code.
- (b) Level 3 (DC Fast) Charging Stations: Level 3 (DC fast) charging stations are permitted only in business, office and industrial zoning districts when accessory to the permitted use. Installation of charging stations shall be subject to building permit approval per Illinois 765 ILCS 1085/Electric Vehicle Charging Act, current International Electrical Code, International Building Code and International Fire Code.
- (2) Retail Charging, Principal Use: If the principal use of a property is the retail charging of electric vehicle batteries, then the use shall be considered fuel center for zoning purposes.
- (C) Station Requirements and Design Criteria:
- (1) Charging Station Parking Space Requirements:
- (a) Minimum Requirements: A charging station space may be included in the calculation for minimum parking spaces that are required pursuant to other Village and state regulations;
- (b) Number: No minimum number of charging station spaces is required.
- (2) Charging Station Space Location and Design Criteria: Where provided, spaces for charging station purposes shall include the following:
- (a) Maintenance: Charging station equipment, bollards and parking spaces shall be maintained in all respects. The property owner of the equipment shall be responsible for the maintenance of the charging station and shall provide warranty and service for the charging stations and infrastructure for the duration of their useful life. A phone number or other contact information shall be provided on the charging station equipment for reporting purposes

when the equipment is not functioning or other equipment problems are encountered.

- (b) Accessibility: Where charging station equipment is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the charging station equipment shall be located so as not to interfere with accessibility requirements of the Illinois Accessibility Code or other applicable accessibility standards.
- (c) Lighting: Where charging station equipment is installed, adequate site lighting shall be provided in accordance with Village Code.
- (d) Charging Station Equipment: 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.
- (e) Charging Station Equipment Protection: Adequate charging station equipment protection, such as barrier curbing, concrete filled steel bollards, or similar shall be used.
- (f) Usage Fees: An owner of a charging station may collect a fee for the use of a charging station, in accordance with applicable state and federal regulations. Fees shall be prominently displayed on the charging station.
- (g) Notification: Information on the charging station, identifying voltage and amperage levels and time of use, fees, or safety information shall be displayed.
- (h) Location: Electric vehicle charging station equipment may be located within landscaped areas. When located within a parking lot, electric vehicle charging station equipment shall be centrally located between parking spaces to avoid vehicle conflicts.
- (i) Pavement Marking: Pavement markings shall be in compliance with Section 155.602 of this Code. Pavement markings shall match the color used for all other parking stalls.

**(D) Quantity and Location Requirements:**

- (1) 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. It is not necessary to designate the accessible charging station exclusively for the use of disabled persons. Accessible charging stations shall be maintained in compliance with the Americans with Disability Acts of 1990, 42 U.S.C. § 12101 and all applicable state and federal laws.

§ 155.414 - B2 General Neighborhood Shopping District requirements.

(C) Conditional uses. Subject to the provisions of subsection 155.103(F) of this Chapter, the following conditional uses may be allowed:

(8) ~~Gasoline sales~~ **Fuel center** (or any expansion of a principal, secondary or ancillary use on the same lot as a ~~gasoline sales establishment~~ **fuel center**).

§ 155.415 - B3 Community Shopping District requirements.

(C) Conditional uses. Subject to the provisions of subsection 155.103(F) of this Chapter, any conditional use in the B1 District shall be a conditional use in the B3 District and in addition, the following conditional uses may be allowed:

(8) ~~Gasoline sales~~ **Fuel center** (or any expansion of a principal, secondary or ancillary use on the same lot as a ~~gasoline sales establishment~~ **fuel center**).

§ 155.416 - B4 Corridor Commercial District requirements.

(C) Conditional uses. Subject to the provisions of subsection 155.103(F) of this Chapter, the following conditional uses may be allowed:

(10) ~~Gasoline sales~~ **Fuel center** (or any expansion of a principal, secondary or ancillary use on the same lot as a ~~gasoline sales establishment~~ **fuel center**).

§ 155.417 - Roosevelt Road Corridor B4A District requirements.

(G) Use regulations. The uses within the B4A District are designed to permit a wide variety of retail sales activity required to meet the demands of a developing local market and promote attractive development, an open and pleasant street appearance and compatibility with adjacent residential areas. Related personal, professional and business services which are complimentary to the overall corridor and adjacent residences can generally be deemed appropriate, provided that such uses are integrated into the overall context of the corridor.

(2) Conditional uses. The following uses are considered conditional uses and shall be subject to the provisions set forth in subsection 155.103(F) of this Chapter.

(a) Retail uses.

(ii) ~~Gasoline sales~~ **Fuel center** (or any expansion of a principal, secondary or ancillary use on the same lot as a ~~gasoline sales establishment~~ **fuel center**).

§ 155.418 - B5 Central Business District requirements.

(C) Conditional uses. Subject to the provisions of subsection 155.103(F) of this Chapter, the following conditional uses may be allowed:

(8) ~~Gasoline sales~~ **Fuel center** (or any expansion of a principal, secondary or ancillary use on the same lot as a ~~gasoline sales establishment~~ **fuel center**).

§ 155.419 - B5A Downtown Perimeter District requirements.

(C) Conditional uses. Subject to the provisions of subsection 155.103(F) of this Chapter, the following conditional uses may be allowed:

(7) ~~Gasoline sales~~ **Fuel center** (or any expansion of a principal, secondary or ancillary use on the same lot as a ~~gasoline sales establishment~~ **fuel center**).

§ 155.420 - I Limited Industrial District requirements.

(C) Conditional uses. Subject to the provisions of subsection 155.103(F) in this Chapter, the following conditional uses may be allowed:

(14) ~~Gasoline sales~~ **Fuel center** (or any expansion of a principal, secondary or ancillary use on the same lot as a ~~gasoline sales establishment~~ **fuel center**).

§ 155.802 - Rules and definitions.

~~Gasoline sales~~ **Fuel Center** is the retail sale of motor vehicle fuel to the general public. Fuel may be dispensed by the consumer or by employees. ~~Gasoline sales~~ **Fuel Center** does not include service or repair of motor vehicles either as an accessory or primary activity.