
ORDINANCE NO. 24-25-33

*An Ordinance Amending Section 7 Accessory Structures and Uses, Adding Section 7.9
Electric Vehicle Charging and Amending Section 8 Off-Street Parking
of the Johnsbury Zoning Ordinance*

AN ORDINANCE PASSED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG
AT A REGULAR MEETING ON APRIL 3, 2025
PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG

President

Edwin P. Hettermann

Board of Trustees

Beth Foreman
Mike Fouke
Josh Hagen
Greg Klemstein
Jamie Morris
Scott Letzter

Village Administrator

Claudett Sofiakis

ORDINANCE NO. 24-25-33

An Ordinance Amending Section 7 Accessory Structures and Uses, Adding Section 7.9 Electric Vehicle Charging and Amending Section 8 Off-Street Parking of the Johnsbury Zoning Ordinance

WHEREAS, a request has been made by the corporate authorities of the Village of Johnsbury (the "Village") that the Village's Planning and Zoning Commission, sitting as a Special Zoning Commission, after conducting the necessary public hearings, make recommendations regarding proposed text amendments to the Village of Johnsbury Zoning Ordinance as set forth herein; and

WHEREAS, a public hearing on said petition was held before the Planning and Zoning Commission on March 12, 2025 in the manner prescribed by ordinance and statute. The Planning and Zoning Commission met again on March 26, 2025 to further deliberate on the proposed text amendments and as a result of said meetings, the Planning and Zoning Commission recommended to the Village Board the adoption of certain requested zoning text amendments as set forth herein; and

WHEREAS, the Planning and Zoning Commission recommended the adoption of text amendments as requested by the corporate authorities; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Johnsbury, McHenry County, Illinois, as follows:

SECTION 1: Section 7 Accessory Structures and Uses of the Johnsbury Zoning Code shall be amended to add Section 7.9 Electric Vehicle Charging, which shall read as follows:

7.9 ELECTRIC VEHICLE CHARGING

7.9-1: PURPOSE – It is the purpose of this regulation to provide for the safe, effective and efficient installation and use of electric vehicle charging stations (EVCS) in both private and public applications.

7.9-2 GENERAL PROVISIONS – The requirements set forth in this ordinance shall govern the installation of EVCS as accessory uses within any parking lot or parking structure in all zoning districts for both private and public applications. In the context of public applications, EVCS must be located in a parking lot, parking structure or garage. In the context of private single family and multi-family residential applications, said EVCS shall be restricted to being within a garage or parking structure. The requirements of this Ordinance shall apply to all EVCS proposed after the effective date of this Ordinance.

7.9-3: ABBREVIATIONS and DEFINITIONS:

7.9-3.1 EV – Electric Vehicle - vehicles that store electric energy to be used for propulsion. Commonly considered synonymous with PEV.

7.9-3.2 EVCS – Electric Vehicle Charging Station(s) - equipment designed to safely supply and manage power into Plugin Electric Vehicles. EVCS include hard-wired charging stations and charging stations that plug into standard wall outlets. They may also include communication, metering, GPS and other features that assist EVCS users and the host facility.

7.9-3.3 EVSE – Electric Vehicle Supply Equipment – The conductors and electric vehicle connectors, attachments, plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between premises wiring and the electric vehicle.

7.9-3.4 PEV – Plugin Electric Vehicle - vehicles that have a conductive plug (or inductive wireless) connection for recharging the battery.

7.9-3.5 Private EVCS – EVCS not available for public use and at which no fee is collected

7.9-3.6 Public EVCS – EVCS available for public use at which a fee may be collected

7.9-4 EVCS AS ACCESSORY USES

7.9-4.1 Private EVCS shall be allowed as an accessory use in any zoning district. The charging of fleet vehicles shall not be allowed in single family and multi-family residential applications unless such vehicle is also used as the personal vehicle by the property owner or tenant and is in compliance with Chapter 15 Traffic of the Johnsbury Municipal Code related to the parking of vehicles in private driveways. Private EVCS in single family and multi-family residential applications must be contained within a garage or parking structure.

7.9-4.2 Public EVCS shall be allowed as an accessory use in any multi-family residential, business, commercial or industrial zoning district.

7.9-5 GENERAL REQUIREMENTS FOR ELECTRIC VEHICLE CHARGING STATIONS

7.9-5.1 Permit Required: Installation of EVCS shall require a building permit as set forth in Chapter 24, Building Codes, of the Johnsbury Zoning Ordinance and shall be subject to all other applicable local, state, and Federal permitting and licensing requirements and all other applicable laws, codes, ordinances, rules and regulations. Any manner of approval for the installation of an EVCS by the village shall not constitute endorsement of accuracy, effectiveness, or calibration of such EVCS. The owner of the EVCS is responsible for failure to operate, the inaccurate operation of, or for any injury or damaged caused by and electric vehicle charging station (EVCS).

7.9-5.2 Public Property: Except for EVCS installed by the village, EVCS shall not be located in or obstruct the public right-of-way and shall not be powered by a public outlet or other public power source.

7.9-5.3 Information Required: - The Village may require the owner of a Public EVCS to provide information on the charging station's geographic location, date of installation, equipment type and model, and owner contact information to the Village Administrator or his/her designee for documentation and/or publication of such data by the village

7.9-6 EVCS INSTALLATION – The following shall govern the installation of EVCS in both public and private parking applications:

7.9-6.1 EVCS STALLS:

- A. No minimum number of EVCS stalls is required.
- B. Each EVCS must be accompanied by an appropriate stall in accordance with the minimum parking geometrics standards in Section 8 Parking, of this code. EVCS equipment shall be allowed to encroach no more than twenty-four inches by twenty-four inches (24" x 24") into the front end of such stall, and only as allowed by referenced publications in accessible EVCS stalls.
- C. EVCS stalls may count toward the number of parking spaces required by Section 8 Off Street Parking, of this code for any use; provided that such EVCS stalls may account for no more than five percent (5%) of the required parking spaces.
- D. Owners of EVCS stalls may prohibit the parking of non-EVs in EVCS stalls as provided by law.
- E. Where an EVCS is provided, EVCS stalls shall follow current Federal Americans with Disabilities Act (ADA) requirements. Illinois Accessibility Code regulations, and other applicable accessibility regulations, laws, rules and regulations. Accessible EVCS stalls shall provide an accessible route to the entrance of the primary use and/or the public right-of-way.

7.9-6.2 EVCS SAFETY:

- A. Information regarding the voltage, amperage levels and safety operations must be posted on the EVCS along with contact information for reporting when the equipment is not functioning or other equipment problems are encountered.
- B. EVCS must be maintained in good condition and all equipment must be functional. EVCS no longer in use must be immediately removed.
- C. Public EVCS should require retractable cords to prevent trip hazards and for a cleaner look.
- D. EVCS mounted on pedestals shall be located so as not to impede pedestrian travel or create trip hazards on sidewalks.

- E. EVCS ports and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted.
- F. Adequate lighting must be provided if a publicly accessible EVCS is used during nighttime hours.
- G. EVCS shall be protected by bollards when located directly in a publicly accessible parking lot. Non-mountable curbing may be used in lieu of bollards if the charging station is setback a minimum of 24 inches from the face of the curb.
- H. When determining the location of EVCS, consideration must be given to traffic patterns to insure safe and appropriate traffic flow for those traveling in and around the area as well as persons accessing the EVCS. Where applicable clear access from EVCS to building entrances shall be provided so that the EV charging events do not impede normal flows into and out of the site host facility.
- I. The location of pedestrian pathways shall be considered when siting EVCS by maintaining reasonable distances from EVCS to pedestrian walkways.
- J. In locations where plants will be susceptible to injury by pedestrian or motor traffic associated with EVCS locations, they shall be protected by appropriate curbs, tree guards or other devices.

7.9-6.3 SITE APPEARANCE

- A. EVCS structures and components, whether located on private or public property, shall consider design elements that can be integrated into the architectural concept.
- B. EVCS materials shall be compatible with buildings, their scale shall fit the style of the host site, colors shall be in harmony with buildings.
- C. Visibility of electrical conduits and other appurtenances associated with EVCS shall be minimal.
- D. Mechanical equipment or other utility hardware on a roof, ground or elevations shall, whenever possible, be located so as not to be visible from any public ways.
- E. If siting locations where EVCS are not easily made non-visible, the facilities shall be screened from public view with materials in harmony with the building or grounds, such as fences, walls, enclosures, or landscaping. Wherever possible, natural landscaping shall be used for such screening. Where landscaping is possible, all parking shall be terminated with a landscape strip a minimum width of (five) feet and equal to the length of the parking bay. Landscape areas shall include groundcover or shrubs with a maximum mature height of (30) inches. All other aesthetic requirements of EVCS parking application shall be consistent with those required of other surface parking applications.

7.9-6.4 EVCS SIGNS – All signs utilized in EVCS applications shall comply with Section 9, Signs of the Johnsbury Zoning Ordinance. Additionally, the following shall be required of signs incorporated into EVCS.

- A. Information signs shall be posted at EVCS stalls designating the stall for electric vehicle charging only and warning of potential enforcement actions against violators such as fines and towing. Such signage shall include the days and hours of operations and shall be in conformance with Section 9 Signage of this Code.
- B. No lit sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver or to otherwise interfere with the driver's operation of a motor vehicle.
- C. Advertising messaging on EVCS in single family and multi-family residential applications is prohibited.
- D. Advertising in commercial applications shall be done in conformance with Chapter 9 Signage of the Johnsbury Zoning Ordinance.
- E. Digital signs shall utilize automatic dimming technology, as certified by the manufacturer, to either blacken the screen or adjust the brightness of the sign relative to ambient light so that at no time shall a sign exceed a brightness level of 0.2 to 0.3 foot-candles above ambient light.
- F. Illuminated digital media signs shall not be permitted in residential EVCS applications.
- G. Signs incorporating audio advertising shall be limited to commercial applications. Noise level outputted from EVCS audio advertising shall not exceed 55 dB(A) at all times, however, audio advertising shall not be allowed between the hours of 9:00 PM to 7:00AM.
- H. Digital signs on EVCS which are readable to passing drivers, shall incorporate minimal graphics so as to be non-distracting

SECTION 2: The Section 8 Off-Street Parking of the Johnsbury Zoning Ordinance be amended to read as follows:

SECTION 8 OFF-STREET PARKING

8.1 GENERAL There shall be provided at the time of erection of any main building or at the time such buildings are altered, enlarged, converted or increased in capacity, minimum off-street parking space with adequate provision for ingress and egress by standard-sized vehicles in accordance with the requirements of this code.

8.2 PARKING SPACE REQUIREMENTS Parking spaces shall be in accordance with Sections 8.2.1. Through 8.2.4.

8.2.1 Required number. The off-street parking spaces required for each use permitted by this code shall not be less than that found in Table 8.2.1, provided that any fractional parking space be computed as a whole space.

Table 8.2.1

Use	Number of parking spaces required
Dwelling Unit	2 per dwelling unit
Office	1 per 300 Gross square feet
Retail	1 per 200 Gross square feet
Restaurant	1 per 100 Gross square feet
Health club	1 per 100 Gross square feet
Warehouse	1 per 500 Gross square feet
Assembly	1 per 300 Gross square feet
Medical Office	1 per 200 Gross square feet
School/Institutional	1 per 3.5 seats in assembly rooms plus 1 per faculty member
Hotel/motel	1 per guest room plus 1 per 500 square feet of common area
Industry	1 per 500 square feet or whichever is greater per employee
Airport	Subject to review

For SI: 1 square foot = 0.0929 m² .

8.2.2 Electric Vehicle Charging Station (EVCS) – When EVCS are provided for in public parking applications, the number of EVCS stalls provided shall count towards the total parking spaces provided however, the number of EVCS stalls may not exceed 5% of the required parking spaces.

8.2.3 Combination of uses. Where there is a combination of uses on a lot, the required number of parking spaces shall be the sum of that found for each use.

8.2.4 Location of lot. The parking spaces required by this code shall be provided on the same lot as the use or where the exclusive use of such is provided on another lot not more than 500 feet radially from the subject lot within the same or less-restrictive zoning district.

8.3 PARKING STALL DIMENSIONS. Parking stall dimensions shall be in accordance with Section 8.3.1 and 8.3.2.

8.3.1 Width. A minimum width of 9 feet shall be provided for each parking stall.

Exceptions:

1. Compact parking stalls shall be permitted to be 8 feet wide.
2. Parallel parking stalls shall be permitted to be 8 feet wide.
3. The width of a parking stall shall be increased 10 inches for obstructions located on either side of the stall within 14 feet of the access isle.

8.3.2 Length. A minimum length of 20 feet shall be provided for each parking stall.

Exceptions:

1. Compact parking stalls shall be permitted to be 18 feet in-length.
2. Parallel parking stalls shall be a minimum 22 feet in length.

8.4 DESIGN OF PARKING FACILITIES The design of parking facilities shall be in accordance with Sections 8.4.1 through 8.4.7.

8.4.1 Driveway width. Every parking facility shall be provided with one or more access driveways, the width of which shall be the following:

1. Private driveways at least 9 feet
2. Commercial driveways:
 - a. Twelve feet for one-way enter/exit.
 - b. Twenty-four feet for tow-way enter/exit.

8.4.2 Driveway and ramp slopes. The maximum slope of any driveway or ramp shall not exceed 20 percent. Transition slopes in driveways and ramps shall be provided in accordance with the standards set by the code official and the jurisdiction's engineer.

8.4.3 Stall accessibility. Each required parking stall shall be individually and easily accessible. No automobile shall be required to back onto any public street or sidewalk to leave any parking stall when such stall serves more than two dwelling units or other than residential uses. All portions of a public lot or garage shall be accessible to other portions thereof without requiring the use of any public street.

8.4.4 Compact-to-standard stall ratio. The maximum ratio of compact stalls to standard stalls in any parking area shall not exceed 1 to 2.

8.4.5 Screening. A 3 feet high buffer at the public way shall be provided for all parking areas of five or more parking spaces

8.4.6 Striping. All parking stalls shall be striped with the exception of a private garage or driveway such as in the case of a single-family dwelling.

8.4.7 Lighting. All lights illuminating a parking area shall be located and designed to cast light downward and not beyond the property line.

SECTION 3: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7: This Ordinance shall be in full force and effect ten days after its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Voting Aye: Trustees Foreman, Fouke, Hagen, Klemstein, Morris and Letzter

Voting Nay: None

Abstain: None

Absent: None

APPROVED:



Village President Edwin P. Hettermann



ATTEST: 
Village Clerk Claudett E. Sofiakis

Passed: April 3, 2025

Approved: April 3, 2025

Published: April 3, 2025

CERTIFICATION

I, CLAUDETT SOFIAKIS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Johnsburg, held on the 3rd day of April, 2025 the foregoing Ordinance *An Ordinance Amending Section 7 Accessory Structures and Uses adding Section 7.9 Electric Vehicle Charging and Section 8 Off-street Parking of the Johnsburg Zoning Ordinance*, was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 2024-25-33 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 3rd day of April, 2025, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Johnsburg, this 3rd day of April, 2025.



Claudett E. Sofiakis

Claudett Sofiakis, Village Clerk
Village of Johnsburg,
McHenry County, Illinois