

VILLAGE OF RIVER FOREST SUSTAINABILITY COMMISSION

Tuesday, September 10, 2024 – 7:00 PM Village Hall – 400 Park Ave., River Forest, IL

You may submit your written public comments via email in advance of the meeting to: <u>sjansen@vrf.us</u> You may listen to the meeting by participating in a Zoom conference call as follows: dial-in number: 312-626-6799 with meeting ID: 816 4491 8569 or by clicking <u>here</u>. If you would like to speak during public comment, please email <u>sjansen@vrf.us</u> by 4:00 PM on Tuesday, September 10, 2024.

AGENDA

- 1. Call to Order/Roll Call
- 2. Public Comment
- 3. Adoption of Meeting Minutes for August 13, 2024
- 4. Continued Discussion on Proposed Leaf Blower Ordinance
- 5. Continued Discussion on Community Survey
- 6. SolSmart Discussion
- 7. Continued Review of UIC Climate Action Plans
- 8. Communications and Other Business
- 9. Schedule Next Meeting October 8, 2024
- 10. Adjournment

VILLAGE OF RIVER FOREST SUSTAINABILITY COMMISSION TUESDAY, AUGUST 13, 2024

A regular meeting of the Village of River Forest Sustainability Commission was held on Tuesday, August 13, 2024, at 7:00 p.m. in the Community Room of Village Hall, 400 Park Avenue – River Forest, IL.

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 7:00 PM. Upon roll call, the following persons were:

Present: Co-Chair Lennon, Commissioners Veazie, Hayley, Mezzatesta, Kadlec, and

Avalos, Student Commissioner Stierwalt

Absent: Co-Chair Charrette

Also Present: Management Analyst Seth Jansen

2. PUBLIC COMMENT

None.

3. ADOPTION OF MEETING MINUTES

Commissioner Mezzatesta made a motion, seconded by Commissioner Veazie to approve the meeting minutes from July 9, 2024.

Roll Call:

Ayes: Co-Chair Lennon, Commissioners Veazie, Hayley, Mezzatesta, Kadlec, and

Avalos

Absent: Co-Chair Charrette

Nays: None Motion Passes.

4. PROPOSED LEAF BLOWER ORDINANCE DISCUSSION

Mr. Jansen outlined the updated draft language for the Commission. Commissioner Veazie inquired about funding for equipment replacement and about a working group of landscape contractors to provide feedback. Co-Chair Lennon indicated grant funding to replace equipment was not discussed when formulating the draft language. Co-Chair Lennon did indicated that Kelty Landscaping was putting together input and information to share with the Commission on the issue. Co-Chair Lennon indicated he wished to receive agreement from the Commission, then received feedback from the landscapers and from residents via a public survey, before finalizing language. The Commission discussed the next steps in putting a draft out and receiving feedback. Co-Chair Lennon indicated this draft will allow for further future evaluation as the ordinance is being implemented. Commissioner Hayley expressed desire for a phased in approach and not push a strong mandate, especially given the cost of

equipment and life cycle of the equipment. Co-Chair Lennon stated the phased-in, seasonal approach will allow landscapers to gain experience working with the new electric equipment, allowing them to provide further feedback in the future. Commissioner Mezzatesta discussed how this approach will allow stakeholders to provide continued feedback on issues such as battery life and how the ordinance affects operations within the community. Commissioner Hayley stated one issue for future consideration should be the best ways to handle the battery waste generated by switching to electric equipment. Commissioner Kadlec inquired about partial incentives; Mr. Jansen did indicate difficulty for enforcing such an approach. Commissioner Avalos questioned the exemptions section of the ordinance; Mr. Jansen indicated this language reflects the same exemptions established in Oak Park's ordinance. Mr. Jansen further discussed usage of gas-powered leaf blowers by Public Works staff and plans for transition to electric equipment. Co-Chair Lennon stated the language should be preserved as it would only apply to rare instances. Commissioner Veazie expressed desire to more precisely define the half speed provision and inquired if landscapers can provide more feedback on this specific option. The Commission discussed the half-speed requirement provision in the draft and enforcement of this provision. Co-Chair Lennon indicated for Commissioners to provide any further feedback to Mr. Jansen prior to next month's meeting. The Commission discussed plans for feedback and passage at the next two meetings.

5. UIC CLIMATE ACTION PLANS REVIEW

Mr. Jansen provided an overview of his memo to the Commission. Mr. Jansen first discussed the recommendations from the report that can be incorporated into Commission's communications process. Commissioner Mezzatesta inquired about developing an internal calendar of all of the regularly recurring events to create a skeleton calendar for planned communications and to fill it in with any noteworthy national days to incorporate in as well. Commissioner Avalos suggested having recurring events permanently listed on the Sustainability provision of the website. Commissioner Mezzatesta indicated partnering with the Library to have some sort of sustainability focused event or display. Commissioner Avalos indicated he had a contact with West Cook Wild Ones and suggested a potential partnership with them for an event.

Mr. Jansen briefly gave an overview of the strategies and recommendations from the reports that the Village staff recommended against pursuing at this time.

Co-Chair Lennon inquired about the Heritage Tree Ordinance recommendation from one of the reports and indicated he would be interested in learning more about what this would entail. The Commission expressed interest in better understanding Village forestry operations and further discussing how the forestry-related recommendations could potentially be implemented. The Commission discussed treatment of elm trees for Dutch elm disease; Mr. Jansen outlined the current ash tree treatment operations and indicated that staff have wished to expand treatment to elm trees as well.

Mr. Jansen outlined the recommendations made where a formal process existed or that the recommendation could easily be incorporated into an existing process. Mr. Jansen stated

this same memo would remain in future meetings and solicited feedback form any Commissioners.

Co-Chair Lennon also indicated desire to begin working on moving up in SolSmart designation. Co-Chair Lennon also requested seeing what each Department within the Village is doing with regards to sustainability improvements, such as electrification or energy efficiency. Commissioner Mezzatesta stated that such sustainability improvements and accomplishments should also be promoted in future newsletters. Commissioner Mezzatesta inquired about the use of permeable pavers anywhere beyond the Village alleys. Mr. Jansen indicated that potential grant funding through the Metropolitan Water Reclamation District to help with potential permeable lots in the future. The Commission discussed the benefits of the permeable alleys.

6. PROPOSED COMMUNITY SURVEY

Mr. Jansen outlined the draft and Commissioner Hayley indicated she would like feedback from the Commissioners on what to edit and shorten. Commissioner Mezzatesta indicated she could provide some edits and suggested making some questions conditional on previous responses. Co-Chair Lennon indicated the barriers to adopt questions were beneficial and suggested he would provide a few edits. Co-Chair Lennon further stated questions should be focused on ones that can be turned into actionable items. The Commission further discussed the survey format and when the survey will be sent out. The Commission stated the survey would plan to be made available following next month's meeting. Co-Chair Lennon proposed letting residents know in coming newsletters that a survey would be forthcoming. The Commissioners agreed to provide edits to Commissioner Hayley within the next week for final review at next month's meeting.

7. COMMUNICATIONS AND OTHER BUSINESS

Commissioner Avalos inquired about compost splitting; Mr. Jansen indicated it is now live and the first sign-ups happened last week.

Mr. Jansen outlined the planned communications for the coming month, including the articles written by Commissioner Mezzatesta.

Mr. Jansen outlined the quarterly waste memo that he had drafted. The Commission discussed some of the waste, compost, and recycling trends shown in the memo.

Commissioner Hayley stated that she emailed out the date for the LRS site visit Friday, October 11, 10 AM to 12 PM and provided further information about the requirements for the visit.

8. SCHEDULE NEXT MEETING - SEPTEMBER 10, 2024

The Commission reached a consensus to hold its next meeting Tuesday, September 10, 2024.

9. ADJOURNMENT

Commissioner Mezzatesta made a motion, seconded by Commissioner Veazie, to adjourn the meeting at $8:11\ PM$.

Roll Call:

Ayes: Co-Chair Lennon, Commissioners Veazie, Hayley, Mezzatesta, Kadlec, and

Avalos

Absent: Co-Chair Charrette

Nays: None Motion Passes.

Seth Jansen, Secretary

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE CHAPTER 3 OF TITLE 3 AND AMENDING TITLE ___ OF THE RIVER FOREST VILLAGE CODE REGARDING USE OF LEAFBLOWERS WITHIN THE VILLAGE

WHEREAS, the Village of River Forest ("Village"), is a non-home rule unit of local government as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

WHEREAS, the Village's Comprehensive Plan declares that "[e]nvironmental sustainability is a multi-faceted principle that aims to reduce negative impacts on the environment and preserve natural resources to ensure quality of life for future generations. Often sought through dedicated initiatives, sustainability informs every component of a municipality by emphasizing that we are conscious of how we affect the world around us;" and

WHEREAS, according to the U.S. Environmental Protection Agency, per the National Emissions from Lawn and Garden Equipment study conducted in 2015, use of gas-powered landscape maintenance equipment accounted for accounted for 43% of volatile organic compounds and around 50% of fine particulate matter in the air; and

WHERES, since 2004, the American Heart Association has continually published new studies linking particulate matter exposure with cardiovascular disease; and

WHEREAS, one hour of gas-powered leaf blower use was found, by the California Air Resource Board in a 2021 study on Small Off-Road Engines, to produce similar levels of pollution as a gas-powered car driving 1100 miles; and

WHEREAS, a 2011 test conducted Edmunds at the American Automobile Association's (AAA) Automotive Research Center, found that consumer grade leaf blowers emitted more pollutants than light duty pickup trucks; and

WHEREAS, a 2017 study on Characteristics of Lawn and Garden Equipment Sound published in the Journal of Environmental and Toxicological Studies found that "(r)egular exposure to GLB sound is likely to have negative effects on the auditory and non-auditory health of workers and others in close proximity"; and

WHEREAS, A 2014 study on Cardiovascular Effects of Environmental Noise Exposure, published in the European Heart Journal, found further evidence that "environmental noise is associated with an increased incidence of arterial hypertension, myocardial infarction, and stroke"; and

WHEREAS, the Village's Sustainability Commission held public hearings and considered the regulation of leaf blowers as set forth in this Ordinance at meetings held on May 14, 2024, June 11 2024, July 9, 2024, August 13, 2024, and September 10, 2024; and

WHEREAS, the Sustainability Commission sought input from Village-licensed landscape contractors potentially affected by the regulation of gas-powered leaf blowers as set forth in this Ordinance, and the business owners were invited to share their comments and attend a Sustainability Commission meeting to voice their opinions; and

WHEREAS, at its ____ meeting, the Sustainability Commission voted ____ in favor of recommending that the President and Board of Trustees adopt this Ordinance in order to better protect the public's health, safety and welfare, by reducing carbon emissions and noise pollution generated by gas-powered leaf blowers; and

WHEREAS, the Village has the authority to "prescribe by ordinance for the regulation of ... the operation or use of equipment and appliances emitting air contaminants" pursuant to 65 ILCS 5/11-19.1-11; and

WHEREAS, the Village has determined that limiting the use of gas-powered leaf blowers in the Village would reduce the amount of air contaminants emitted, thereby reducing the environmental impact from such equipment; and

WHEREAS, the President and Board of Trustees of the Village have determined that limiting the use of gas-powered leaf blowers is a reasonable and necessary regulation of the operation or use of equipment and appliances emitting air contaminants; and

WHEREAS, the President and Board of Trustees of the Village find and declare that the use of gas-powered leaf blowers to be a significant detriment to the public's health, safety and welfare; and

WHEREAS, in order to best serve the public's health, safety and welfare, the President and Board of Trustees of the Village desire to make certain amendments to the Village of River Forest Village Code ("Village Code") regarding the use of gas-powered leaf blowers, as set forth below:

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of River Forest, Cook County, Illinois, as follows:

SECTION 1: **Incorporation.** That the recitals above shall be and are hereby incorporated in this Section 1 as if restated herein.

SECTION 2: Code Amendment. That Section 5 (Lawn Maintenance/Landscaping) of Chapter 3 (Contractors) of Title 5 (Business Regulations) of the Village Code is hereby amended to read, in part, as follows, with additions underlined and deletions to existing text marked using strikethrough:

3-3-5: LAWN MAINTENANCE/LANDSCAPING:

A. <u>Definitions</u> Definition: For the purpose of this section, <u>certain words and phrases are defined as follows:</u>

<u>LAWN MAINTENANCE CONTRACTOR:</u> the term "lawn maintenance contractor" is hereby defined to mean any person who makes a business of mowing, trimming, raking or fertilizing lawns, or other landscape work, and who employs two or more persons in the business, and shall include a landscape contractor.

ELECTRIC LEAF BLOWER: A leaf blower which is powered by an electric motor.

GAS-POWERED LEAFBLOWER: A leaf blower which is powered by gasoline or propane, including an electric leaf blower powered by stand-alone fossil fuel powered generators or generators powered by vehicle engines.

B. Removal Of Wastes: Any person conducting the business of lawn maintenance shall, upon completion of each job, remove and legally dispose off site all clippings, trimmings or other yard refuse and materials or shall ensure that the materials are properly bagged, tagged, and

placed for collection by the Village's waste disposal contractor or otherwise removed and disposed of in accordance with all applicable Federal, State and local environmental laws, rules and regulations. Such yard refuse shall not be allowed to accumulate on site nor shall it be placed on vacant lots, streets or alleys.

- C. Beginning January 1, 2025, a lawn maintenance contractor who commits to using only electric leaf blowers between June 1 and October 1 of that calendar year shall receive a reimbursement of one hundred twenty-five dollars for the fees set forth in section 3-3-2. A lawn maintenance contractor who makes said commitment and is found to be using a gas-powered leaf blower between June 1 and October 1, 2025, shall be fined two hundred fifty dollars per instance.
- D. Beginning January 1, 2026, and for each subsequent year thereafter, a lawn maintenance contractor who commits to using only electric leaf blowers year-round shall receive a reimbursement of one hundred twenty-five dollars for the fees set forth in section 3-3-2. A lawn maintenance contractor who makes said commitment and is found to be using a gaspowered leaf blower shall be fined two hundred fifty dollars per instance.

SECTION 3: That Title	of the River Fore	est Village (Code is herel	oy amended	by adding
a new Chapter,	entitled "LEAF BLO\	NER USE,	" which shall	read in its	entirety as
follows:					

LEAF BLOWER USE:

- A. Definition. For the purposes of this section, the term "gas-powered leaf blower" shall mean: A leaf blower that is powered by gasoline or propane, including an electric leaf blower powered by stand-alone fossil fuel powered generators or generators powered by vehicle engines.
- B. Gas-powered leaf blower shall only be permitted to be operated at half speed in the Village between June 1, 2025, and October 1, 2025, except as provided below.
- C. Beginning in 2026 and in each subsequent year thereafter, no gas-powered leaf blower shall be permitted to be operated in the Village between the dates of June 1 and October 1, except as provided below.
- D. The use of portable generators to power electric leaf blowers or to recharge batteries used in leaf blowers is prohibited in the Village on or after June 1, 2025, except as provided below.
- E. Exceptions: Gas-powered leaf blowers shall be permitted to be operated as at the direction of Police or Fire Department sworn personnel of the Village for the purpose of:
 - a. responding to an emergency, or in order to restore, preserve, protect or save lives or property from imminent danger of loss or harm; or
 - b. clearing fallen trees for the purpose of providing emergency clearance for public safety.
- F. Conflict with State Law: If any provision of this section conflicts or is otherwise inconsistent with a provision of state law, the more stringent or restrictive provision shall prevail and shall be enforced by the Village.

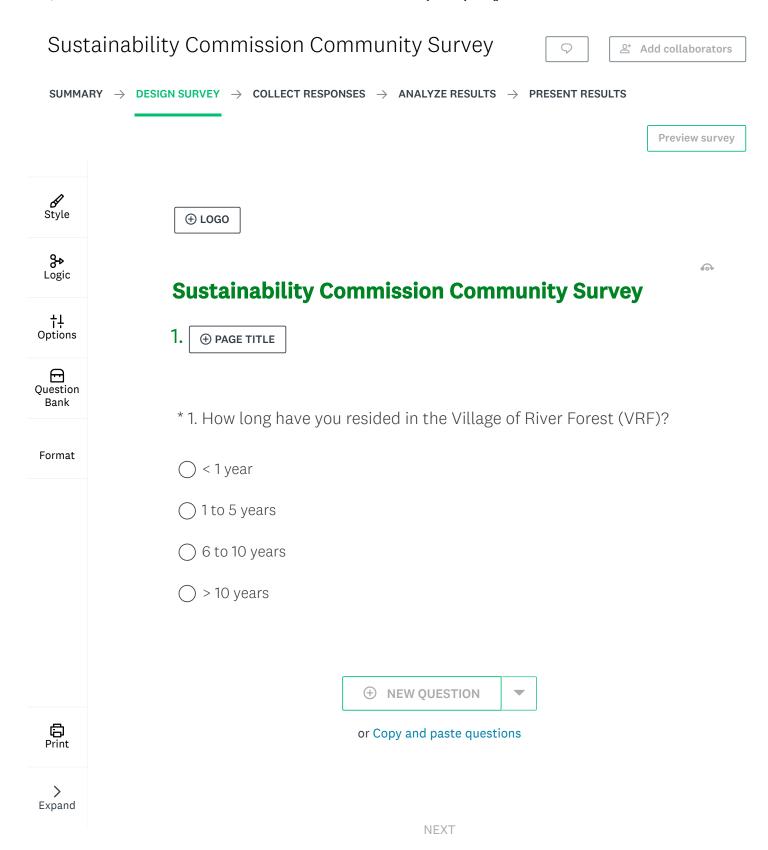
SECTION 4: Continuing Effect. That all parts of the Village Code not amended herein shall remain in effect.

<u>SECTION 5</u>: Severability. That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 6: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

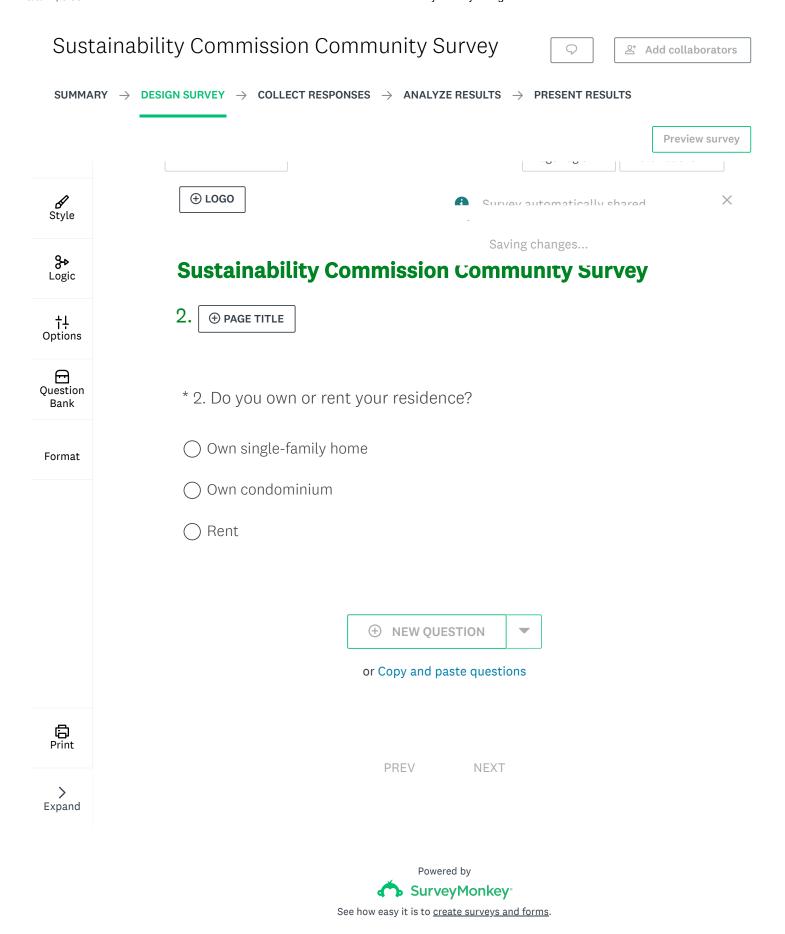
SECTION 7: **Effectiveness.** That this Ordinance shall be in full force and effect upon its passage and approval according to law.

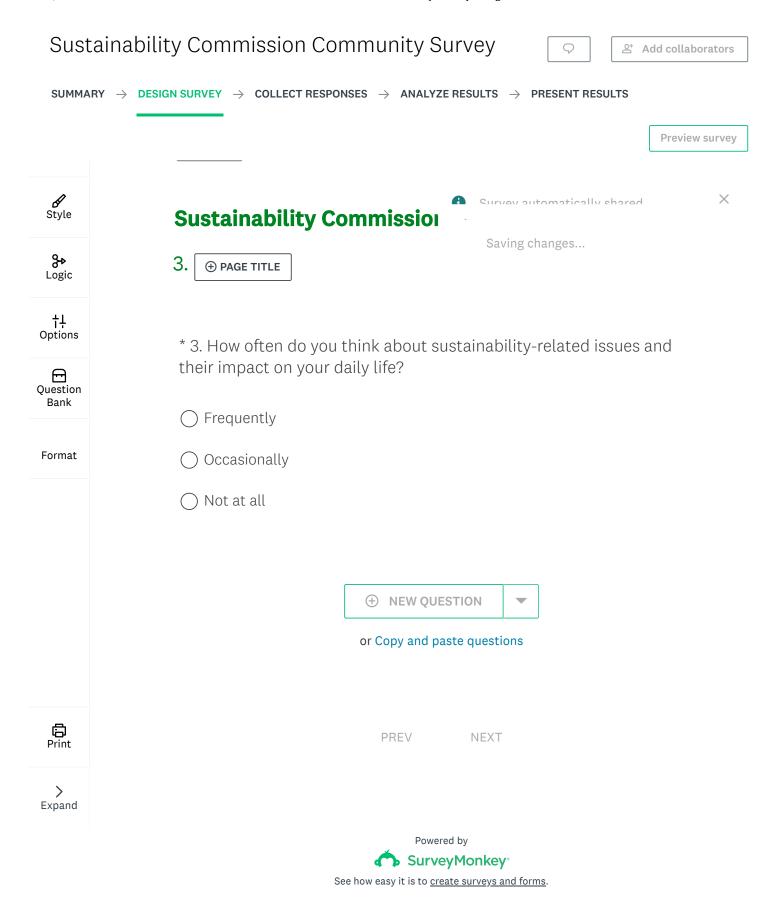




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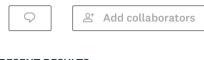
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Sustainability Commission Community Survey



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Sustainability Commission Community Survey





- * 4. How do you obtain your information about River Forest? (Select all that apply.)
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- Facebook/Instragram
- Village website
- Other (please specify)

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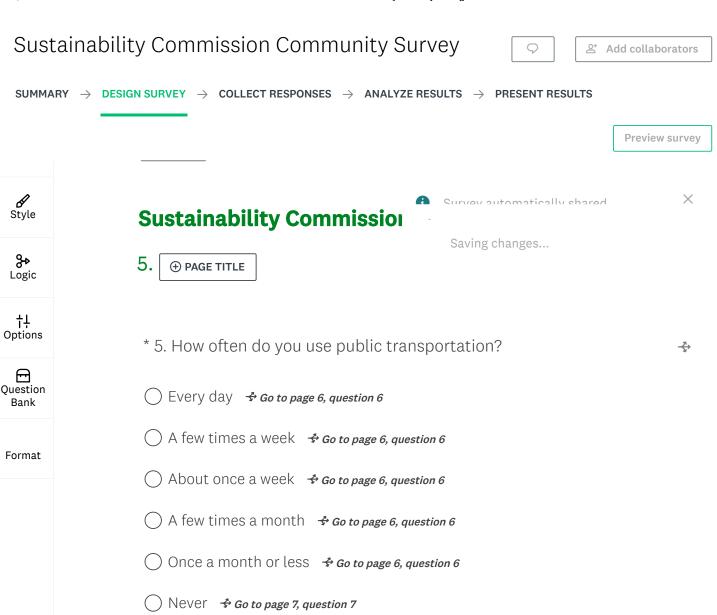
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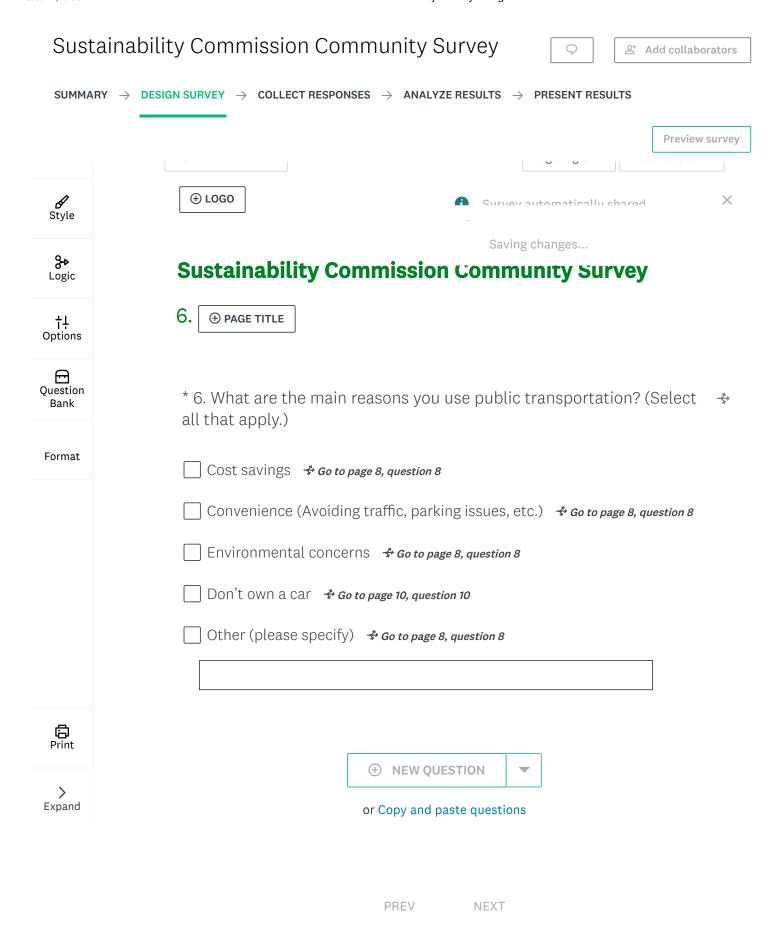
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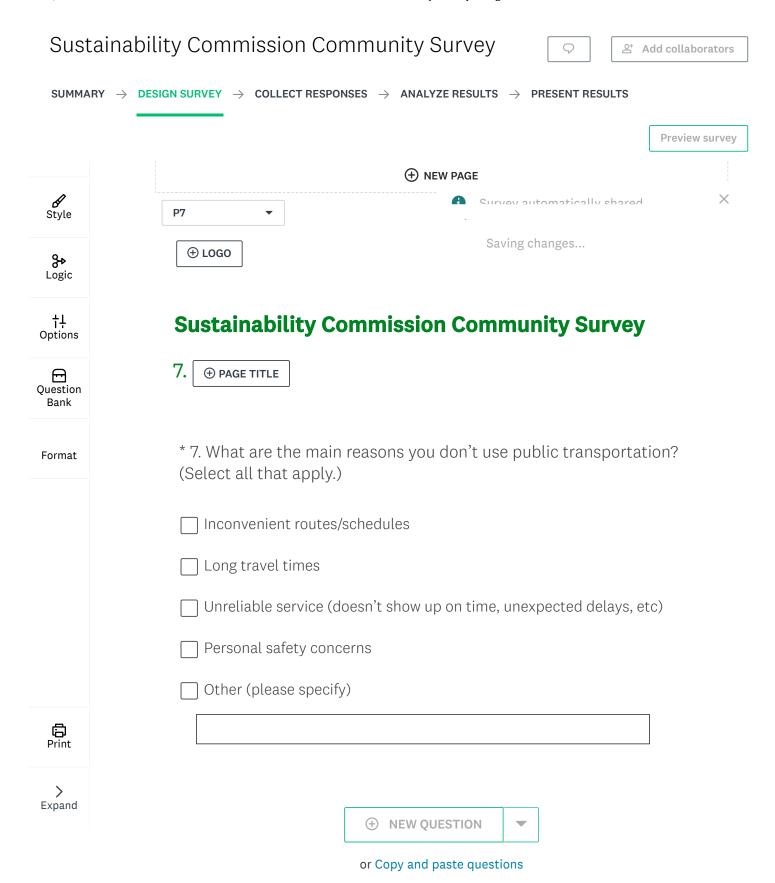
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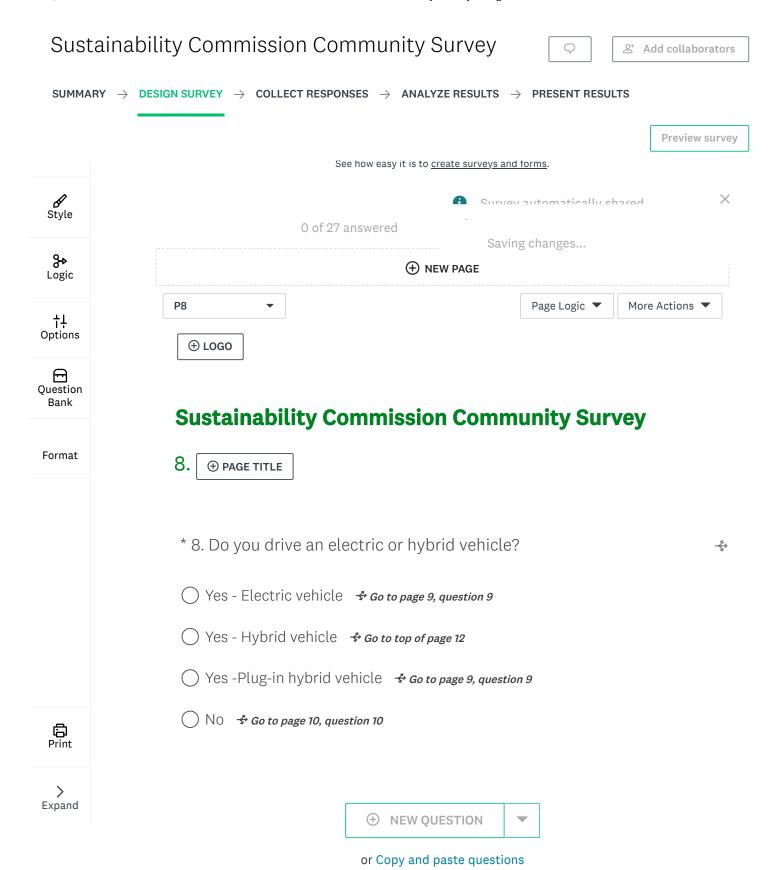
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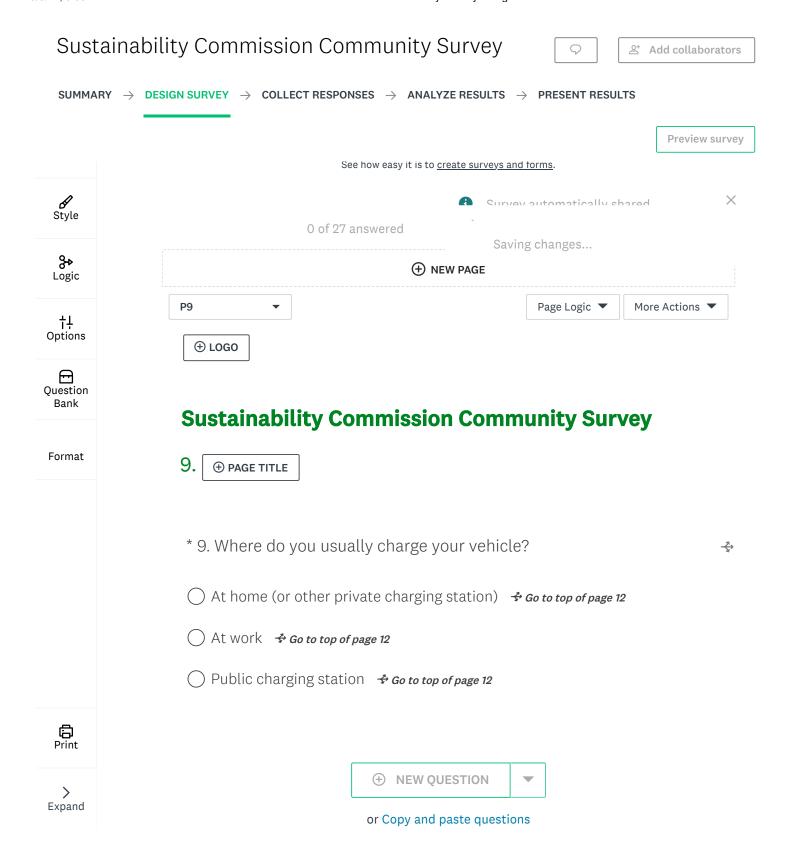
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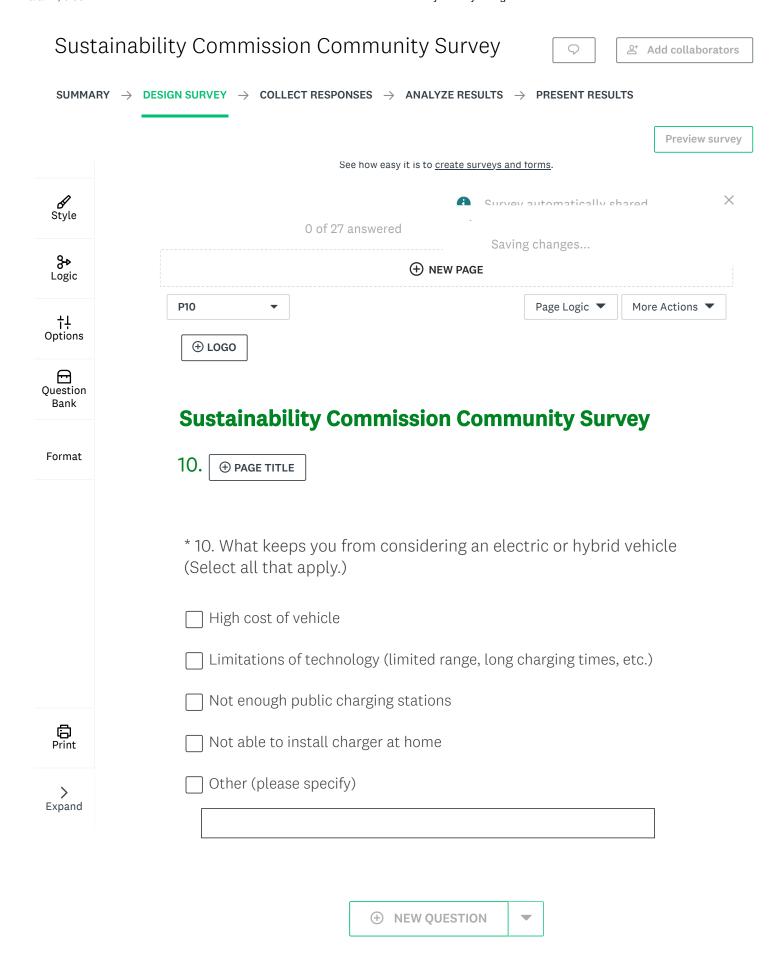
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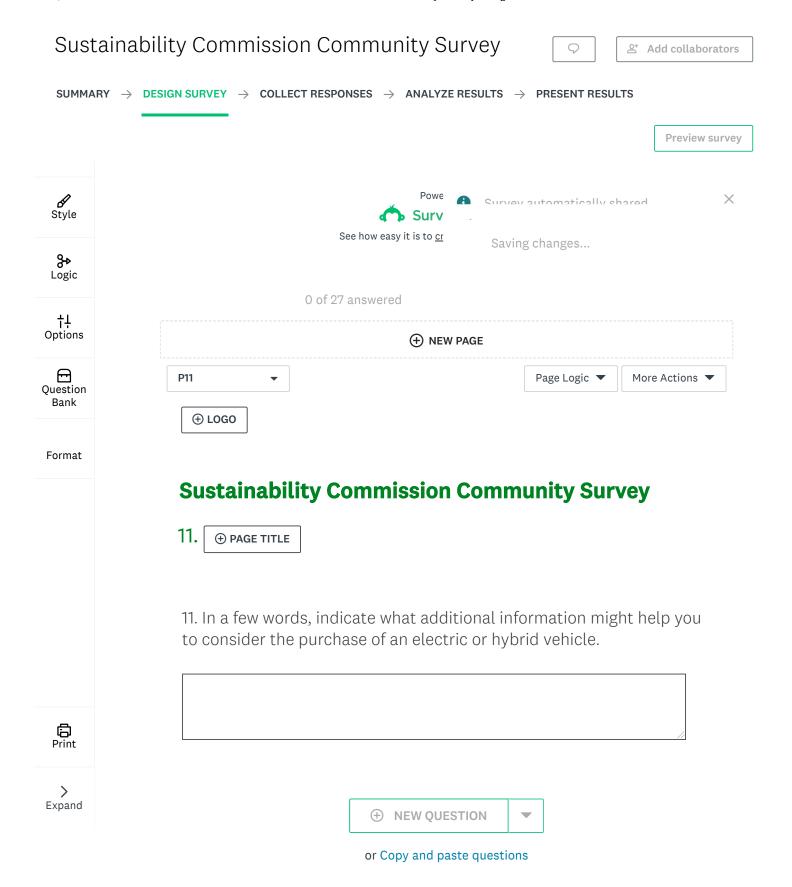




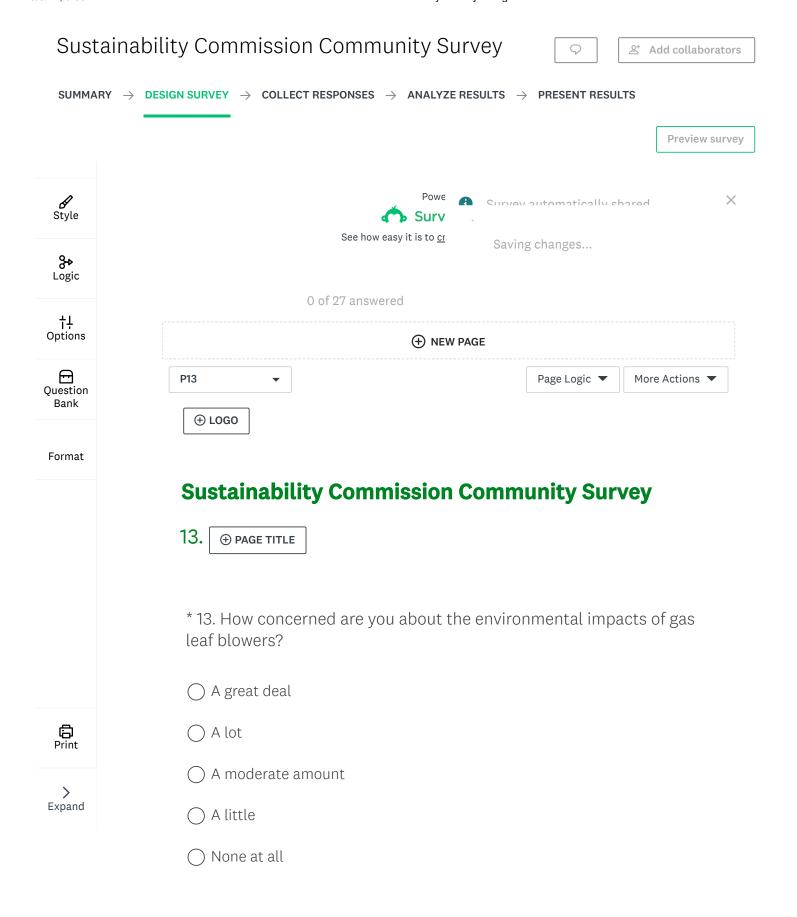




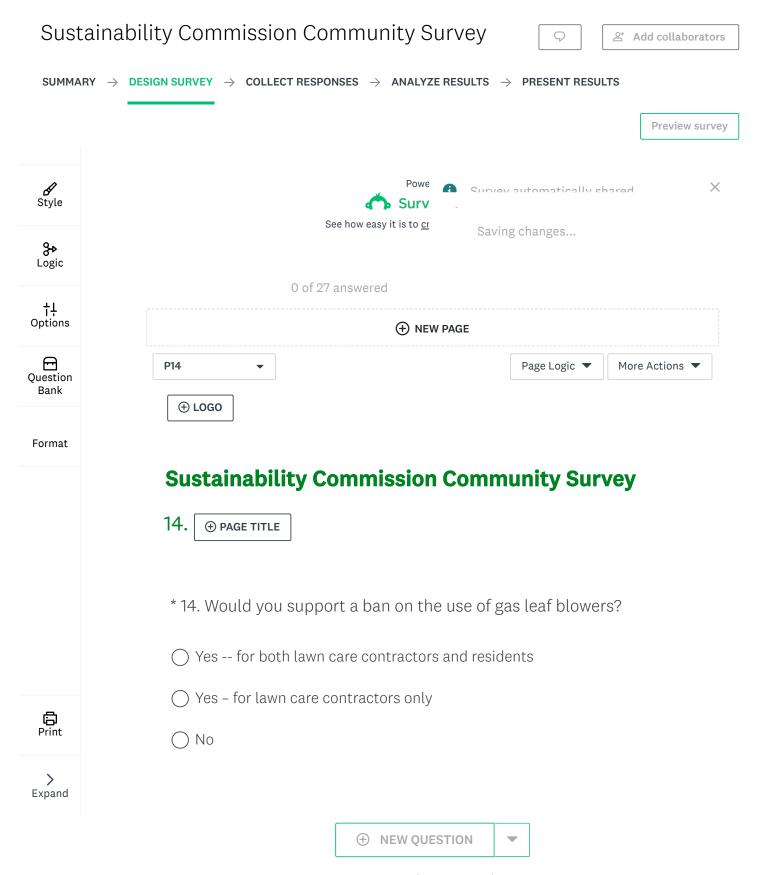




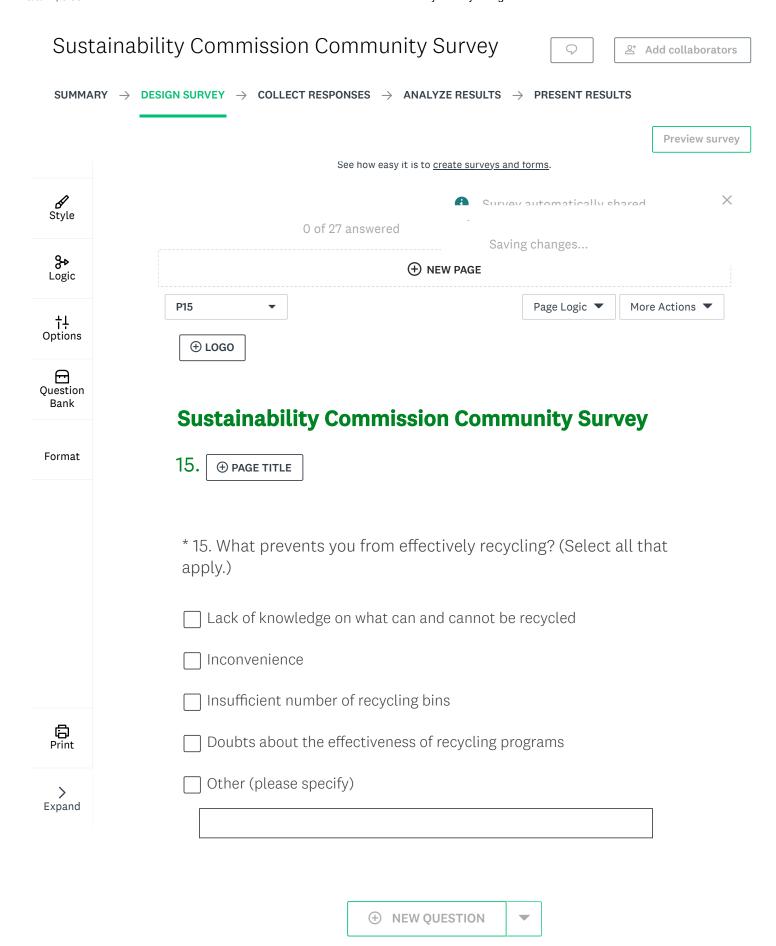
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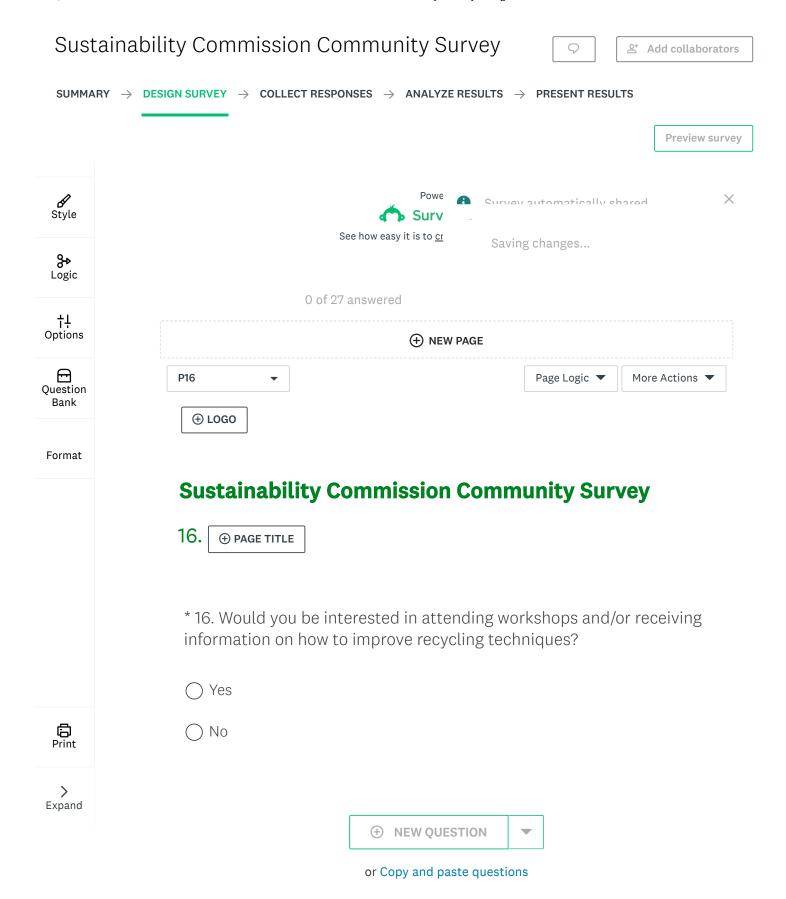


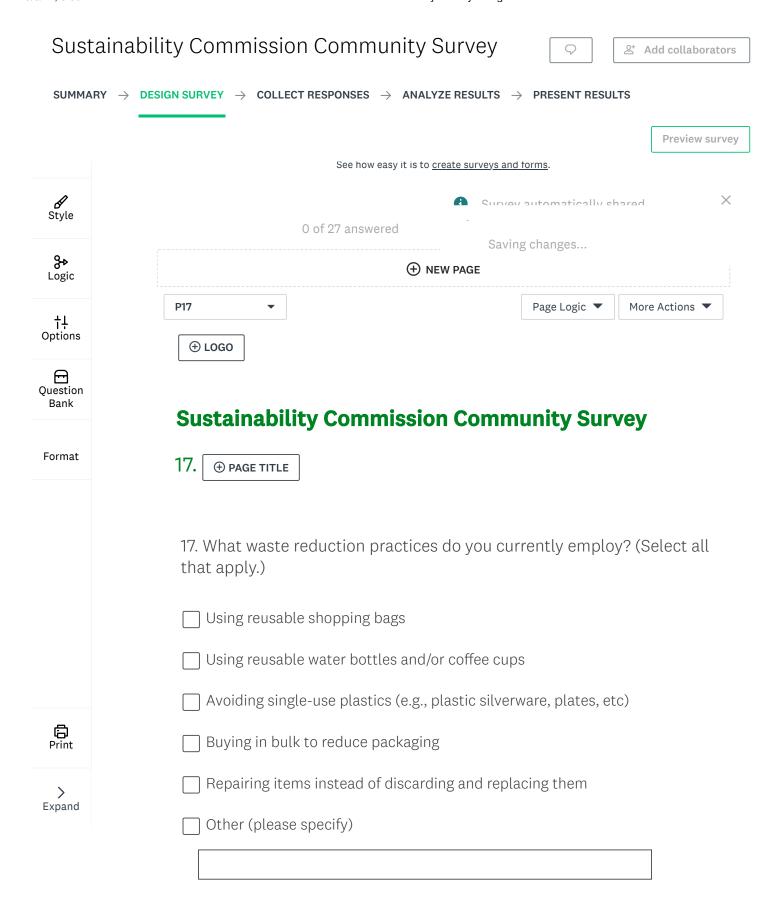
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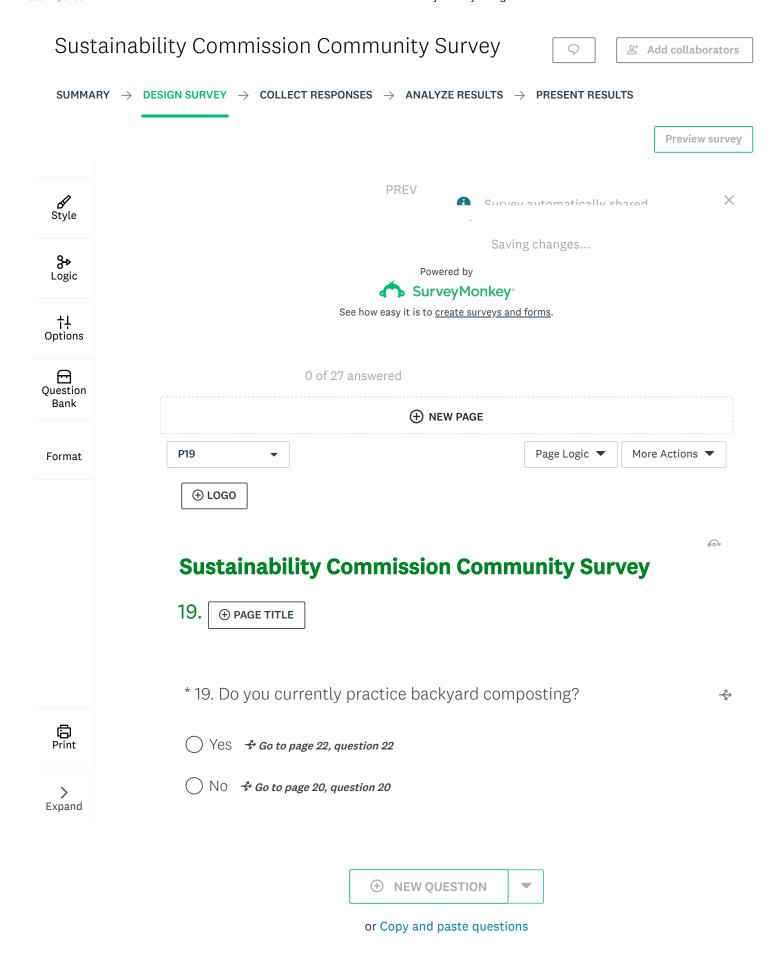


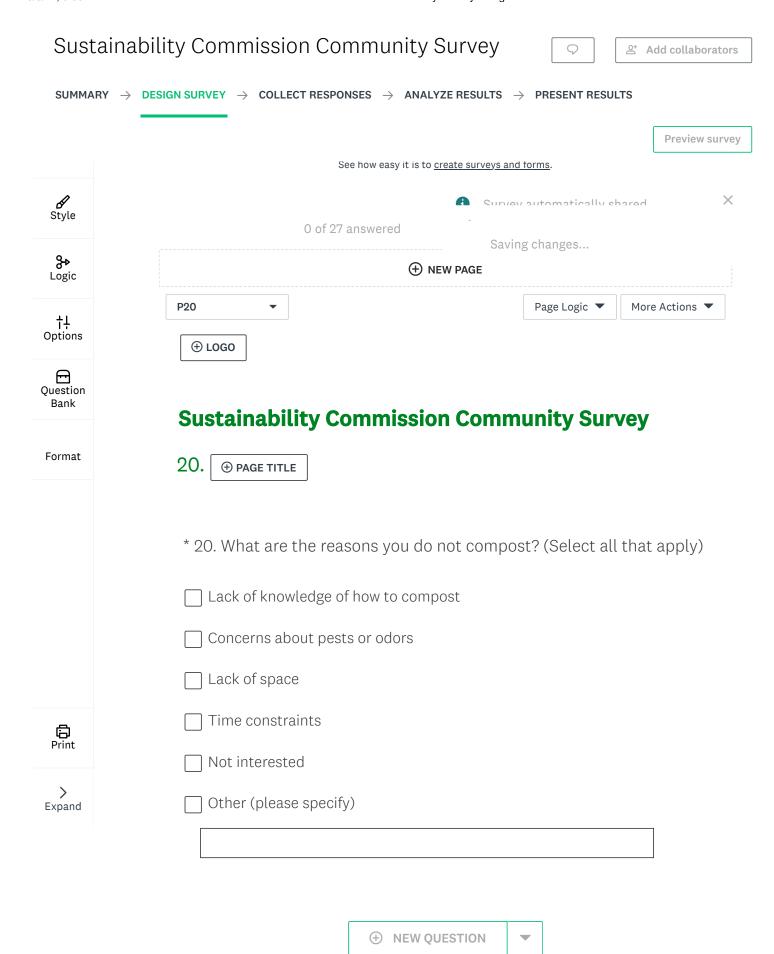


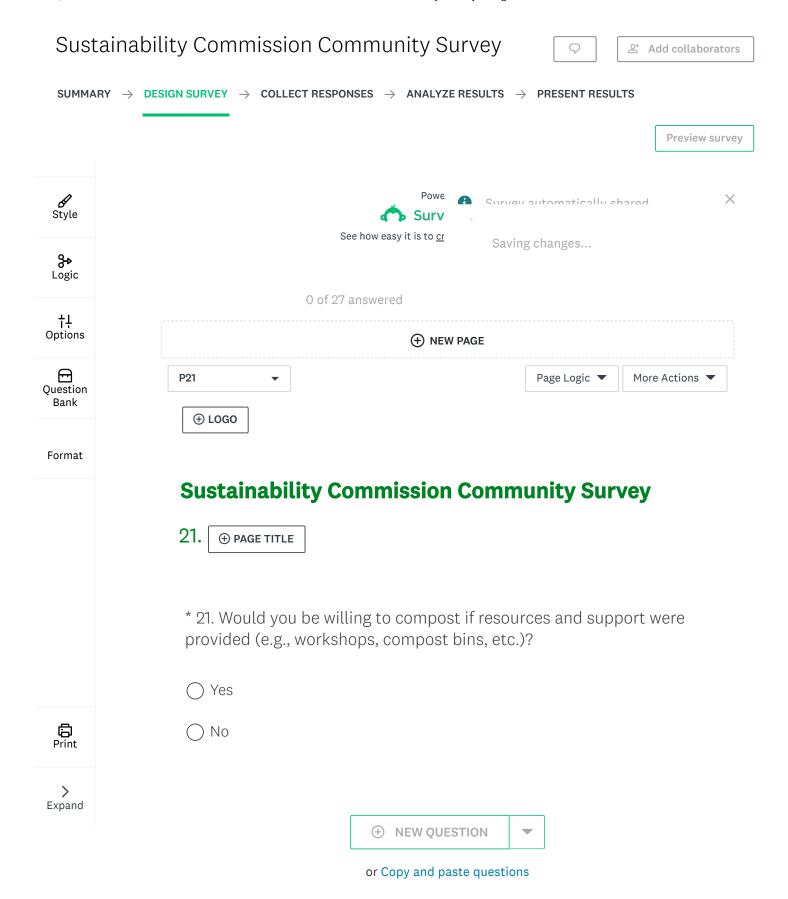


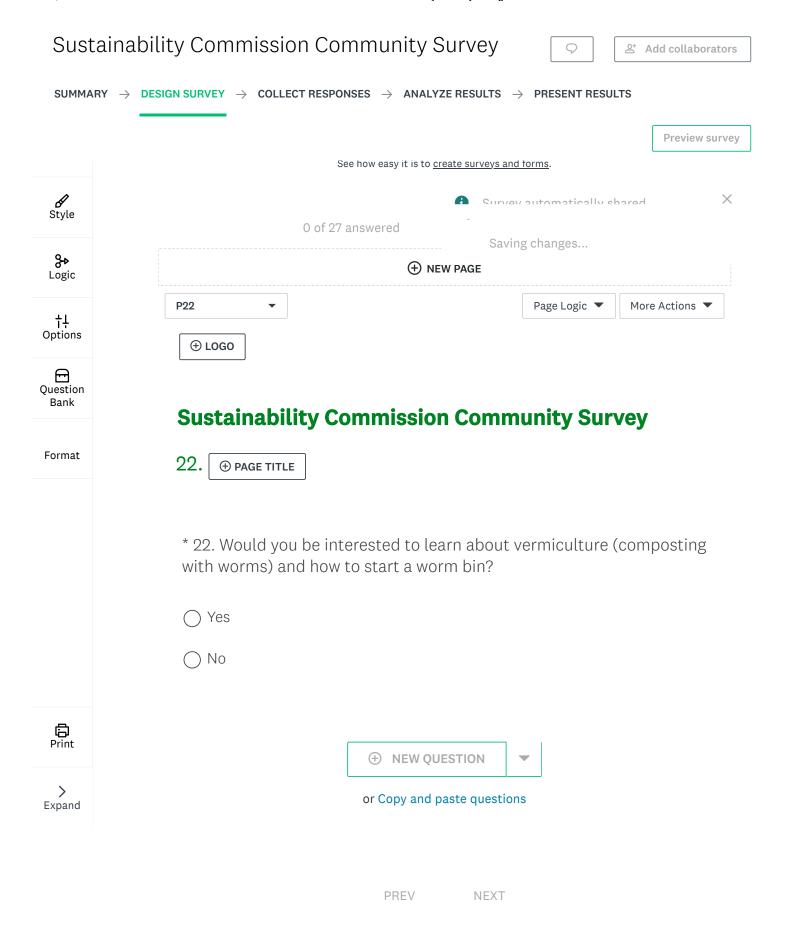
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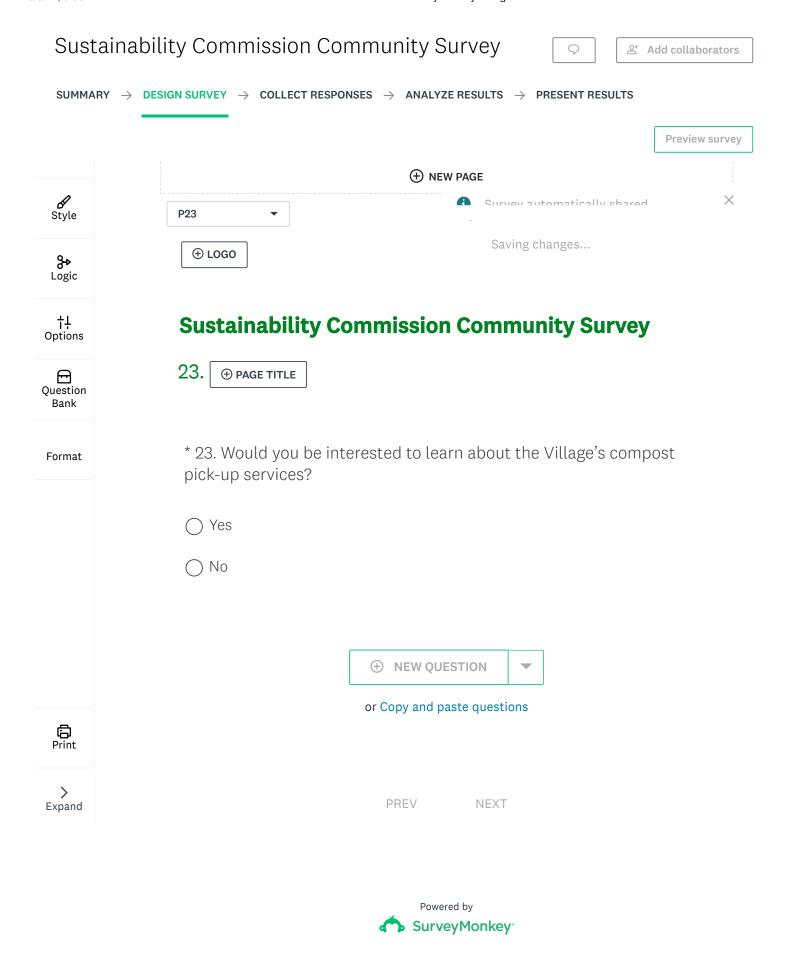
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	Upcycling/repurposing items									
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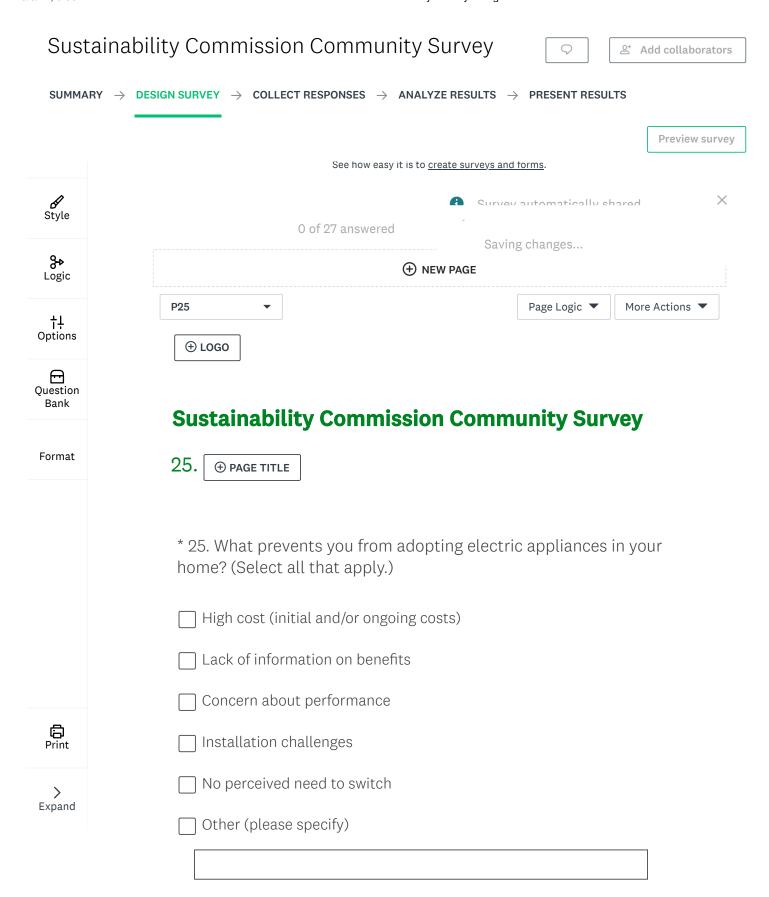




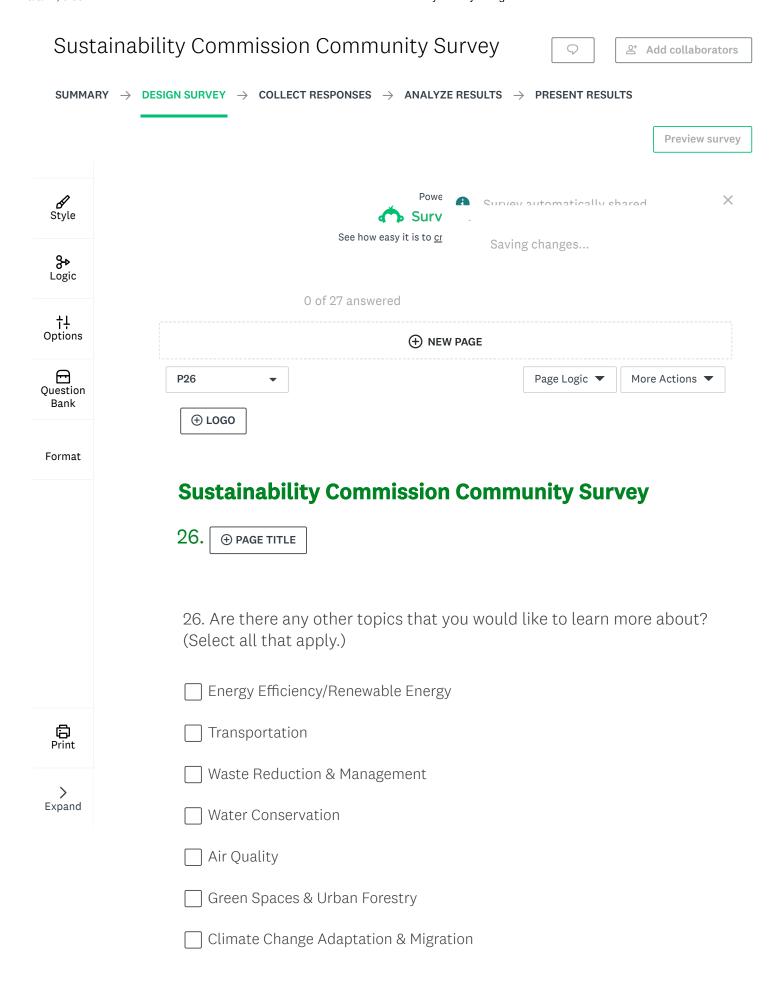


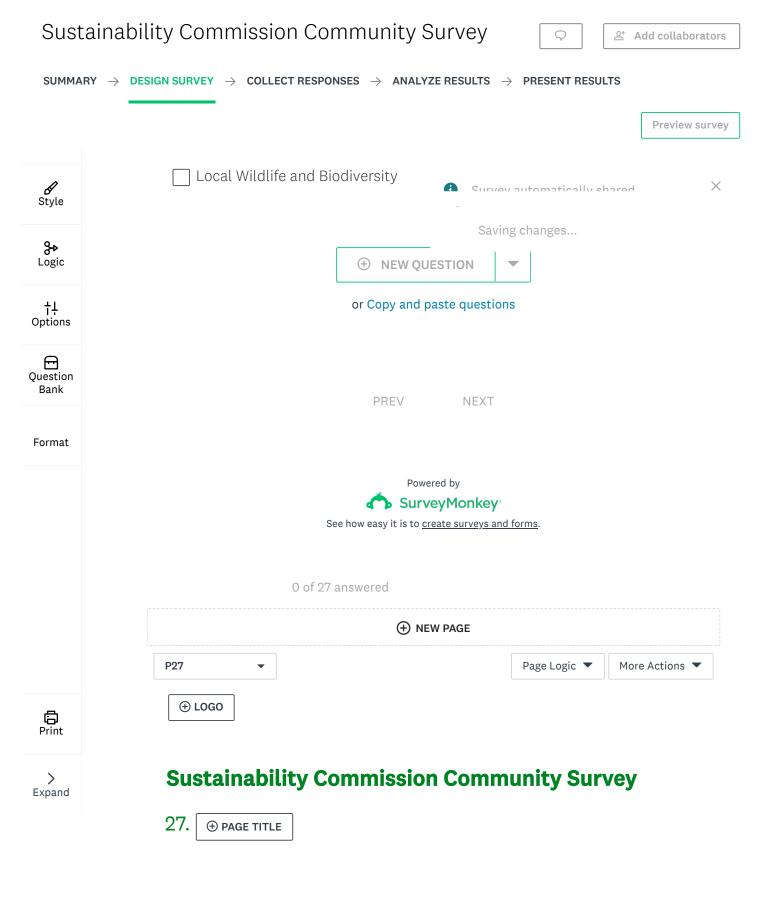
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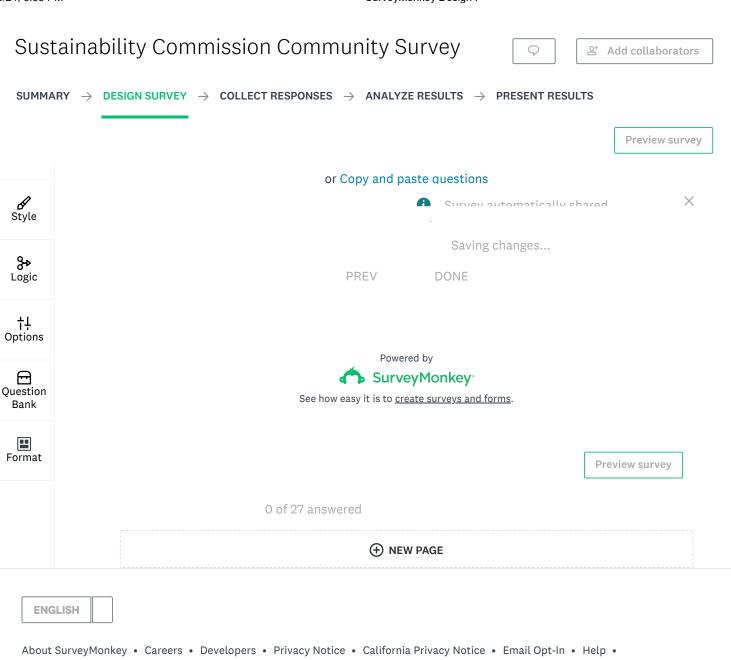


→ NEW QUESTION ▼





27. Please provide any additional suggestions or comments that you wish to share with the Sustainability Commission



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> Expand



Village of River Forest Public Works and Engineering

400 Park Avenue River Forest, IL 60305 Tel: 708-366-8500

Tel: 708-366-8500

MEMORANDUM

Date: September 10, 2024

To: Sustainability Commission

From: Seth Jansen, Management Analyst

Subj: SolSmart Gold and Platinum Designation Requirements

Currently, the Village of River Forest has a SolSmart Silver designation and has earned 160 points through the SolSmart program. To advance to SolSmart Gold, the Village must achieve a total of 200 points and must make required zoning and permitting changes. The required changes for gold designation total 40 points, equal to the total amount required for designation.

The required zoning changes is:

- Codify in the zoning ordinance that accessory use rooftop solar PV is explicitly allowed by-right in all major zones.
- Ensure the zoning ordinance language does not include intentional or unintentional barriers to accessory use rooftop solar PV, including but not limited to aesthetic or performance standards, screening requirements, limits to visibility, excessive restrictions to system size or rooftop coverage, glare or glint regulations, and subjective design reviews.

Each of these items are worth 10 points toward the necessary 40 additional points to achieve Gold. No further zoning changes would be necessary, were the Village to choose to advance to Platinum designation at a later date.

Staff conversations with a SolSmart indicate that the Village likely already meets the qualifications for the first of these items, but future zoning changes would be needed to meet the latter. Based on review of zoning codes of communities who have achieved gold designation, the Village will likely need to strike or modify 10-7-6(B)(5) of the zoning code, which reads "All materials used for racking, mounts, mounting clamps, and flashings shall be of a color consistent with the color of the roof surface to minimize visibility." Any proposed zoning changes should be confirmed with SolSmart prior to beginning the zoning change process.

The required permitting change is to

 Post an online statement confirming a three-business day turnaround time for residential rooftop solar PV. Currently, the Village Solar Permit webpage states "Building permits for a residential rooftop and ground-mounted photovoltaic (PV) array system are reviewed and issued within 10 business days after a complete permit packet is submitted to the Building Department." This would need to be changed to state 3 business days. This item is worth 20 points toward the needed 40 points. Further back-end monitored would be needed to ensure Community Development Staff and 3rd Party Reviewers are completing these reviews in the required timeframe.

Were the Village to choose to advance to Platinum, two additional requirements for permitting must be achieved:

- Demonstrate pathway for instant/automatic approval of residential rooftop solar PV systems, such as using SolarAPP+ software. (20 points)
- Post community metrics related to the number of solar PV and solar + storage permits & inspections processed by the community annually, average annual permitting & inspection timelines. (10 points)

SolarAPP+ is a free app from the National Renewable Energy Laboratory that uses standardized compliance checks to approve permit applications instantly. It is unclear if this app is compatible with the Village's LAMA permitting software. This would need to be reviewed and addressed prior to implementation.

Additionally, to achieve Platinum designation the following must be achieved:

- Install solar PV on local government facilities and/or local government-controlled land. (20 points)
- Establish partnerships with local community-based organizations or other organizations focused on serving disadvantaged communities within your community to define your community's solar equity goals, develop implementation strategies, and establish a plan for tracking and reporting on progress. (20 points)

SolSmart Platinum designation also requires a total of 350 points. Completion of all required items would total 270. Staff conversations with SolSmart indicate that 30 additional points have likely already been achieved, leaving 50 total points needed to achieve Platinum designation.

Designation Levels

The SolSmart program has developed a set of designation criteria based on established best practices that encourage the growth of solar energy at the local level. The criteria for the Standard Pathway are organized into five categories – Permitting and Inspection, Planning and Zoning, Government Operations, Community Engagement and Market Development. Within each category, SolSmart provides clear guidance and templates to help communities put these practices into action. Some of the criteria are prerequisites, while others are elective. Each criterion has a corresponding point value. Upon meeting the prerequisites and reaching a sufficient number of points in each category, a participant qualifies for SolSmart designation.

There are four levels of SolSmart designation for local governments. Below are the requirements for each level. Communities that earn 60% of the available points in a category are additionally eligible for a special recognition award.

Communities may achieve a designation and then continue to work toward higher designation levels by implementing more actions. SolSmart technical assistance is available to help communities "level up."



Bronze	60 Total Points	3 Prerequisite Criteria
	□ 20 Points in Permitting & Inspection □ 20 Points in Planning & Zoning □ 20 Points from any other category	 □ Solar Statement (PR-1) □ Solar permitting checklist (PI-1) □ Zoning review (PZ-1)
Silver	100 Total Points	4 Prerequisite Criteria
	☐ Complete bronze designation requirements*	 □ Permit staff training (PI-2) □ Inspection staff training (PI-3) □ Zoning clarification (PZ-4) □ Solar landing page (CE-1)
Gold	200 Total Points	3 Prerequisite Criteria
	□ Complete silver designation requirements*	 □ Permit turnaround time (PI-4) □ Zoning accessory use (PZ-5) □ Zoning barrier removal (PZ-6)
Platinum	350 Total Points	4 Prerequisite Criteria
	☐ Complete gold designation requirements*	 □ Instant permitting (PI-5) □ Post metrics (PI-6) □ Install solar (GO-1) □ Community partnerships (CE-2)

^{*} If you are leveling-up to the next designation level, and your previous designation was completed more than two years ago, you may be asked to confirm that prior completed actions and prerequisites are still current.

Criteria Categories

Below is a summary of each category and the types of actions that are recognized as best practices in each.

Permitting and Inspection (PI) | 28 Criteria | 275 Points

Most local governments have direct oversight of the permitting and inspection policies and procedures within their jurisdiction. Communities that implement permitting best practices provide solar developers and installers with a transparent, efficient, and cost-effective approval process. Well-trained staff and simplified permit applications can reduce staff time needed to review permits which allows them to focus on other priorities. Clear inspection procedures ensure compliance with applicable state and local codes while protecting public health and safety. Many of the criteria in the permitting and inspection category can be verified by providing information in a detailed permitting checklist made publicly available on a local government website. Verification of trainings for permitting and inspection staff and documented improvements to inspection processes are also part of ensuring a transparent and efficient permitting and inspection process.

Planning and Zoning (PZ) | 26 Criteria | 215 Points

Local government planning and zoning regulations can help facilitate the rapid expansion of solar energy and associated technologies, including energy storage and electric vehicles, within a community. Communities can utilize planning and zoning regulations to increase opportunities for rooftop and ground-mounted solar energy while also advancing other community goals including affordable housing, economic development, clean transportation and the protection of natural and cultural resources. Plans should set forth a vision for the community's clean energy future, while zoning codes should provide clear and transparent regulations on the development and use of solar energy within the jurisdiction. *Many of the criteria in the planning and zoning category can be verified by providing a link to a community's codes, ordinances, and community plans.*

Government Operations (GO) | 14 Criteria | 185 Points

Local governments can lead the way by installing solar energy on public facilities and land. Communities can engage with their local utility to discuss goals for solar energy, net metering, interconnection, and community solar. These actions are high impact and can directly lead to an increase in solar energy deployment. *Many of the criteria in the government operations category can be verified by providing documents demonstrating installed solar capacity such as news articles about solar installations, dashboards/metrics showing solar production, and contracts that demonstrate solar project construction.*

Community Engagement (CE) | 13 Criteria | 90 Points

Local governments can be an important and trusted source of information for residents, businesses, and solar installers. Providing clear, high-quality information, public education and inclusive engagement opportunities can help residents and businesses interested in solar energy make informed decisions. Local governments can support more equitable outcomes by partnering with community organizations and developing goals and strategies that meet the needs of disadvantaged communities. *Many of the criteria in the community engagement category can be verified by providing information about a community's solar energy goals, strategies and partnerships on a local government's solar webpage.*

Market Development (MD) | 10 Criteria | 155 Points

Local governments can collaborate and partner with organizations to promote solar development within their jurisdiction. Supporting a community solar program, promoting a solarize group-buy campaign, or partnering with a local financial institution can make solar energy more affordable and accessible for homes and

businesses while improving business opportunities for solar installers. Many of the criteria in the market development category can be verified by providing news articles about the local government's role in supporting solar development or by providing official documents that established policies or programs.

II. Criteria Overview

The SolSmart Standard Pathway contains 92 criteria, each of which is a specific action that local governments can implement to encourage solar energy development in their community. Each criterion has a corresponding point value of 5, 10, or 20. A detailed description with relevant templates, examples and resources to help you achieve each criterion is available in Section IV.

Criteria Identifier	Criteria Points	Program Participation Prerequisite Criteria
PR-1	Req'd	Provide a document that demonstrates your local government's commitment to pursue SolSmart designation.

Criteria Identifier	Criteria Points	Permitting and Inspection Criteria
PI-1	Req'd	Post an online checklist detailing the required permit(s), submittals, and steps of your community's permitting process for residential rooftop solar PV. (Required for Bronze)
PI-2	10	Train permitting staff on best practices for permitting solar PV and/or solar and storage systems. Training must have occurred in the past two years. (Required for Silver)
PI-3	10	Train inspection staff on best practices for inspecting solar PV and/or solar and storage systems. Training must have occurred within the past two years. (Required for Silver)
PI-4	20	Post an online statement confirming a three-business day turnaround time for residential rooftop solar PV. (Required for Gold)
PI-5	20	Demonstrate pathway for instant/automatic approval of residential rooftop solar PV systems (e.g., using SolarAPP+). (Required for Platinum)
PI-6	10	Post community metrics related to the number of solar PV and solar + storage permits & inspections processed by the community annually, average annual permitting & inspection timelines. (Required for Platinum)
PI-7	5	Adopt a standard solar PV permit application form aligned with best practices.
PI-8	5	Distinguish between solar PV systems qualifying for streamlined and standard permit review.
PI-9	5	Require no more than one permit application form for a small rooftop solar PV system.
PI-10	20	Provide an online process for solar PV permit submission and approval.
PI-11	5	Receive a demonstration of an instant or automated platform (e.g., SolarAPP+) and discuss how it might be implemented in the permitting process.
PI-12	20	Exempt or waive fees for residential solar PV permit applications.
PI-13	5	Exempt or waive fees for residential solar PV permit applications for LMI customers.
PI-14	5	Demonstrate that residential permit fees for solar PV are \$500 or less.
PI-15	10	Demonstrate that commercial permit fees for solar PV are based on cost-recovery and capped at a reasonable level so fees do not become a net revenue source. (e.g., fees cover the cost of the staff time required to review and process the permit application).

PI-16	10	Post an online checklist detailing the required permit(s), submittals, and steps of your community's solar plus (e.g., battery storage, and/or electric vehicle charging) permitting process.
PI-17	10	Post an online checklist detailing the required permit(s), submittals, and steps of your community's permitting process for primary use ground-mount solar and include any additional state required permits.
PI-18	10	Post solar PV inspection requirements online, including the inspection process and what details inspectors will review.
PI-19	10	Require no more than one inspection for small rooftop solar PV.
PI-20	10	Offer inspection appointment times in lieu of appointment windows for solar PV.
PI-21	10	Provide an online process for solar PV inspection scheduling.
PI-22	10	Show that the community has implemented virtual, photo, or another innovative inspection practice with solar and/or solar plus storage.
PI-23	10	Post solar plus (e.g., battery storage and/or electric vehicle charging) inspection requirements online, including the inspection process and what details inspectors will review.
PI-24	10	Train fire and safety staff on solar PV and/or solar and storage systems. Training must have occurred in the past two years.
PI-25	10	Train fire and safety staff on specific plans and procedures for responding to an emergency at a large-scale solar PV system within the jurisdiction. (This may include a walk-through of the site, coordinated with the project's owner/operator). Training must have occurred in the past two years.
PI-26	10	Share site specific solar PV and/or solar and storage permit data, including addresses, with first responders and their departments. (e.g., through software that allows users to view searchable, filterable data about a specific site and system).
PI-27	5	Clearly identify all local amendments to model codes where local code deviates from model code for solar and solar plus storage. Summarize those local amendments on a public webpage.
PI-28	10	Demonstrate that current model code (IRC, IBC, and NEC) cycle is implemented in the community for solar and solar plus storage (codes must be the most recent editions (or penultimate edition).

Criteria Identifier	Criteria Points	Planning and Zoning Criteria
PZ-1	Req'd	Review zoning requirements and identify restrictions that intentionally or unintentionally prohibit solar PV development. Compile findings in a memo. (Required for Bronze). Examples include: height restrictions, set-back requirements, screening requirements, visibility restrictions, etc.
PZ-2	5	Present PZ-1 memo findings to planning commission or relevant body.
PZ-3	5	Draft proposed language for changes to zoning code based on PZ-1 memo and PZ-2 dialogue. Involve planners and/or local zoning experts and/or the public (e.g., through community-based organizations) in the creation of the draft language.
PZ-4	0	Post an online document from the Planning/Zoning Department that states accessory use solar PV is allowed by-right in all major zones. (e.g., via a zoning determination letter). (Required for Silver unless Gold Requirement PZ-5 is achieved. If PZ-5 is achieved, PZ-4 is not necessary.)

PZ-5	10	Codify in the zoning ordinance that accessory use rooftop solar PV is explicitly allowed by-right in all major zones. (Required for Gold, PZ-4 is optional)
PZ-6	10	Ensure the zoning ordinance language does not include intentional or unintentional barriers to accessory use rooftop solar PV, including but not limited to aesthetic or performance standards, screening requirements, limits to visibility, excessive restrictions to system size or rooftop coverage, glare or glint regulations, and subjective design reviews. (Required for Gold, PZ-4 is optional)
PZ-7	5	Ensure the zoning ordinance permits small ground-mounted solar PV as an accessory use in at least one zoning district.
PZ-8	5	Ensure the zoning ordinance exempts small ground-mounted solar PV from certain restrictions on accessory uses (e.g., setbacks, coverage or impervious surface calculations, or other restrictions).
PZ-9	5	Ensure the zoning ordinance establishes a clear regulatory pathway for large- scale solar PV (e.g., through a special use permit or through inclusion among allowed conditional uses).
PZ-10	10	Ensure the zoning ordinance includes a native perennial vegetation and/or habitat-friendly ground cover standard for large-scale solar PV.
PZ-11	5	Ensure the zoning ordinance enables co-location of solar PV with an agricultural use such as grazing, apiaries, or crops (agrivoltaics).
PZ-12	5	Ensure the zoning ordinance requires a decommissioning plan that outlines the terms and conditions for a large-scale solar PV system's proper removal at the end of its useful life cycle or in the event of cessation of operation. (The decommissioning plan may include steps to remove the system, requirements for disposal and/or recycling of system components, and restoration as needed to allow for return to agriculture or other land use).
PZ-13	5	Ensure the zoning ordinance establishes solar energy zones and/or solar overlays for large-scale solar PV.
PZ-14	10	Require new construction to be solar ready in at least one zoning district by adopting Appendix U (International Code Council), Appendix RB (International Energy Conservation Code), or another mechanism.
PZ-15	20	Codify a solar requirement for new construction and/or retrofits meeting a specific threshold, in at least one zoning district.
PZ-16	10	Require new construction affordable housing and multifamily housing to be solar ready.
PZ-17	10	Provide clear guidance for the installation of solar PV in areas such as historic properties, flood zones or special overlay districts.
PZ-18	10	Train planning and zoning staff on best practices in planning and zoning for solar PV. Training must have occurred in the past two years.
PZ-19	5	Post an online fact sheet that provides an overview of what zoning allows for solar PV under what conditions and in which districts (e.g., types and sizes of solar systems permitted, the processes required, and other relevant information).
PZ-20	10	Include specific solar PV goals, metrics, and strategies in the most current published version of relevant local plans (e.g., energy plan, climate plan, comprehensive plan).
PZ-21	5	Draft new or updated language and provide a timeline for the inclusion of specific solar PV goals, metrics, and/or strategies into existing and/or future plans.
PZ-22	5	Share solar PV progress towards achieving targets or metrics from PZ-20 on the solar landing page.
PZ-23	10	Include specific large-scale solar PV goals, metrics, and strategies in the most current published version of relevant local plans (e.g., energy plan, climate plan, comprehensive plan).
PZ-24	20	Develop a solar PV assessment that identifies community-wide feasibility for solar PV development within a jurisdiction (differentiate between large-scale, municipal, etc.)

PZ-25	10	Enable solar rights through a local solar access ordinance.
PZ-26	20	Codify in the zoning ordinance that accessory use energy storage systems are explicitly allowed by-right in all major zones.

Criteria Identifier	Criteria Points	Government Operations Criteria
GO-1	20	Install solar PV on local government facilities and/or local government-controlled land. (Required for Platinum)
GO-2	10	Discuss community goals for solar PV, net metering, community solar, and/or interconnection processes with the local utility and explore areas for future collaboration.
GO-3	10	Coordinate with regional organizations and/or local governments to engage utilities on advancing solar policies such as utility procurement of solar PV, green tariffs, and/or interconnection process improvements.
GO-4	20	Demonstrate coordination between local government inspectors and utility staff to reduce Permission to Operate timeline for solar PV.
GO-5	10	Conduct feasibility analysis for solar PV on local government facilities and/or local government-controlled land.
GO-6	20	Install solar PV integrated with other technologies such as battery storage or electric vehicle charging on local government facilities and/or local government-controlled land.
GO-7	20	Install solar PV on local government-controlled brownfields and/or under-utilized properties.
GO-8	10	Require new local government facilities and/or facility retrofits meeting a specific threshold to be solar ready.
GO-9	20	Procure solar energy for municipal operations through an offsite physical power purchase agreement (PPA), virtual PPA, green tariff or similar structure.
GO-10	5	Obtain a Community Benefits Agreement with solar developer for solar installation.
GO-11	10	Post metrics related to the number of municipal solar PV or solar PV plus storage/EV installations and installed capacity, municipal solar PV energy procured (ownership, PPAs, community solar offtake), and percent (%) of municipal energy usage offset by renewable energy.
GO-12	10	Directly install or provide technical or financial support for the installation of solar PV on affordable housing, multifamily housing, community-based organizations, and/or resilience hubs.
GO-13	10	Train local government staff on regulatory and (where applicable) wholesale market barriers to solar deployment and potential engagement pathways to address these barriers. Training must have occurred in the past two years.
GO-14	10	Train local government staff on best practices and issues regarding solar interconnection with the local utility. Training must have occurred within the past two years.

Criteria	Criteria	Community Engagement Criteria
Identifier CE-1	Points 10	Post a solar landing page on local government's website with information that may include the community's solar goals, educational materials and tools that promote solar, and resources for solar development (e.g., permitting checklist, application forms, zoning regulations, etc.). (Required for Silver)
CE-2	20	Establish partnerships with local community-based organizations or other organizations focused on serving disadvantaged communities within your community to define your community's solar equity goals, develop implementation strategies, and establish a plan for tracking and reporting on progress. (Required for Platinum)
CE-3	5	Post online resources about residential and commercial solar PV financing options and incentives.
CE-4	5	Post online resources about consumer protection and solar PV.
CE-5	5	Post an online summary of state policies related to a property owner's solar access and solar rights, including links to state-level policy.
CE-6	5	Post an online summary of state policies related to Homeowner Associations (HOAs) ability to regulate and/or restrict solar PV, including links to state-level policy.
CE-7	5	Post online resources about solar installers and/or solar quote platforms for solar PV.
CE-8	5	Post an online solar map for your community.
CE-9	5	Post an online dashboard or summary of solar PV metrics for your community, including total installed solar PV capacity, solar PV + storage installations, and community solar and/or solarize subscribers (if applicable). Metrics should identify solar PV adoption in disadvantaged communities as well.
CE-10	5	Distribute solar job training and career opportunities in coordination with local colleges and/or workforce development organizations.
CE-11	5	Demonstrate local government support for local solar projects through speeches, press releases, opinion articles, etc.
CE-12	10	Discuss solar PV goals and/or strategies for increasing solar PV development, including large-scale solar plans, solar access, and/or solar adoption in disadvantaged communities, within an appropriate committee, commission, taskforce, and/or working group. (e.g., solar is a recurring agenda item during monthly sustainability commission meetings).
CE-13	5	Support a solar informational session and/or solar tour explaining solar PV opportunities and policies. Show that session/tour was made accessible to all members of the community including those in disadvantaged communities. Session/Tour must have occurred within the last 2 years.

Criteria Identifier	Criteria Points	Market Development Criteria
MD-1	20	Demonstrate activity in state regulatory and/or legislative proceedings regarding solar PV.
MD-2	20	Support a community-wide group purchase program (e.g., Solarize). Program must have occurred within the last 2 years.
MD-3	10	Define and implement a pathway specifically for low-to-moderate income (LMI) residents to participate in a community-wide group purchase program through program design and/or financing support options.
MD-4	20	Support a community solar program.

MD-5	10	Define and implement a pathway specifically for low-to-moderate income (LMI) residents to participate in a community solar program through program design and/or financing support options.
MD-6	20	Provide residents with Community Choice Aggregation/Energy that includes solar PV as a power generation source.
MD-7	10	Provide a PACE financing program that includes solar PV as an eligible technology.
MD-8	20	Provide local incentives or locally-enabled finance (e.g., a revolving loan fund) for solar PV and/or solar PV + technologies (e.g., battery storage and/or electric vehicle charging).
MD-9	5	Provide local incentives for solar PV to low-to-moderate income (LMI) households, disadvantaged communities, Disadvantaged Business Enterprises (DBEs), Minority and Women Owned Business Enterprises (MWBEs), and/or non-profit organizations that provide community services.
MD-10	20	Partner with financial institutions and/or foundations to offer loans, rebates, grants, or other incentives for solar PV projects. (Financial institutions could include entities such as a local or regional bank, CDFI, or credit union).

Criteria Identifier	Criteria Points	Innovative Action Criteria
IA-1	Varies	The actions identified in the categories above represent many of the most common and impactful efforts communities are taking to make going solar easier and more affordable for residents and businesses. However, we know that communities across the country are developing innovative ways to promote and deploy solar energy. If your community has taken action that was not captured in any of the criteria above, please share it with us.



Village of River Forest Public Works and Engineering

400 Park Avenue River Forest, IL 60305 Tel: 708-366-8500

MEMORANDUM

Date: August 13, 2024

To: Sustainability Commission

From: Seth Jansen, Management Analyst

Subj: UIC Climate Action Plan

At the request of the Commission, this memorandum is to provide an overview of the feasibility of the action items recommended by the two UIC Climate Action reports from an administrative perspective. The two plans will be referred to throughout this memo by the names of the professors for the two respective class sections (Lopez-Garcia and Tilahun). This memo will first outline the items which can easily be incorporated into the Commission's ongoing communications. Additional items which are viewed as not administratively feasible from the perspective of the Village staff will then be noted. Further, several recommendations are already part of the standard practice of Village operations and are noted below. Lastly, remaining items will be addressed individually or in conjunction with related recommendations.

Communications

Several recommendations from both reports involve education and outreach to the general public, providing residents with resources to take action themselves. These recommendations can all be incorporated into the existing communications: run in weekly and monthly newsletters, posted on social media, and published in the Guide to Sustainable Living on the Village website. Some recommendations also include in-person events or programs that could be led or hosted by the Commission. Recommended strategies include the following:

- Educate the general public on the benefits of planting native vegetation.
- Reimagine the "River Forest Trees" section of the website to include more educational information on trees.
- Incentivize the installation of solar panels on homes *NOTE: The Lopez-Garcia report* specifically recommends spreading awareness of Inflation Reduction Act tax credits for solar panel installation.
- Increase community solar participation and follow through.
- Inform and encourage residents to improve their home's energy efficiency and reduce their own emissions via weatherization techniques and funding.
- Encourage reuse of furniture, clothing, electronics, and other goods.

- Connect residents with the resources to install rain barrels on their properties.
- Develop in-person and online community education programs on a recurring basis to teach residents how to prepare houses for seasonal efficiency upgrades.
- Educate homeowners on the substantial cost-saving and environmental benefits of installing and using electric temperature regulating appliances.
- Create a resource hub for local best practices in battery and solar installations.
- Encourage hourly pricing plans for electric utilities. NOTE: The Tilahun Report recommended it be part of the aggregation program. While this is not feasible, the overall goal can be achieved by sharing information on ComEd Hourly Pricing program and potential benefits as part of Commission communications. Please note residents who enroll in the Hourly Pricing plan will be opting out of the community aggregation plan.
- Develop a tree planting guide for homeowners in order to educate community members on best practices for tree planting and maintenance.
- River Forest should partner with West Cook Wild Ones to host a yearly "Native Garden Walk" where neighbors can learn from one another about restoring native prairie and increasing soil biodiversity featuring garden awards to homes with healthiest soil.
- Encourage the planting of adaptive understory and multiple levels of vegetation in Village landscape planning.
- Create a central hub for community climate action programs and engagement.
- Implement innovative climate-focused community programs.
- Equitably provide accessible climate change education materials for residents.

Two recommended strategies would generally fall into this category but are notable for expanded discussion. The Tilahun report recommended conducting a Village-wide survey to collect a baseline of resident knowledge on climate change topics. This recommendation is akin to that being currently developed by the Commission. The Lopez-Garcia report recommended increasing the Village's capacity for pickup of specialized materials. In the longer term, this could be incorporated, to the furthest extent possible, in the next Village waste hauling contract. In the interim, the Commission can look to partner with or promote volunteer driven collection events (eg. Green4Good Styrofoam recycling event) and share drop off/collection locations and resources through Commission communications.

Strategies not recommended

There are several recommendations in both reports that the Village staff would recommend against pursuing at this time.

- Both reports make recommendations on promoting more mixed-use development and denser residential development near public transit. Because the Zoning Board and Village Board recently voted against a similar proposal, these recommendations are not recommended for Commission consideration.
- Several subsidy programs for residents are recommended. These include an abatement program to subsidize eco-friendly plantings, subsidies to assist residents in private tree planting in residential areas, subsidizing energy assessments for River Forest homes to determine the best customized alternative for energy use, and reducing the financial burdens for heat pump installations through subsidies. The Village does not wish to establish a precedent of creating subsidy programs for improvements to private

- property. While the Village does have existing subsidies, these are limited to private water and sewer infrastructure which directly connect to Village-owned infrastructure.
- Both reports make several recommendations centered around strategies Village staff feel would not warrant a significant amount of interest for such an investment. Therefore, staff further recommend against the following:
 - Mobilize the biking community in River Forest to hold fundraising events to purchase weatherized bike parking.
 - Locating investments at existing destinations in need of additional and improved bike parking infrastructure, especially transit stations, bus stops, public and Village-owned property (e.g. parks, libraries), and retail and commercial centers.
 - Converting spaces in Village-owned right-of-way currently over-allocated to cars (e.g. on-street parking spaces, wide travel lanes) into bike secure parking facilities.
 - Updating building codes to mandate new commercial and multi-family developments in River Forest to provide for secure bike parking facilities.
 - o Bring bike, e-bike, and scooter sharing programs to the Village.
- Lastly, the Tilahun report made several recommendations which Village staff view as either beyond the scope of Village government functions or a significant undertaking which would be difficult to implement. Therefore, Staff further recommend against the following:
 - Developing a community hub for easy access to acquire materials and borrow equipment required to implement seasonal upgrades.
 - Implementing road conversions to create streets designed for the safety of all users, increasing spaces for walking, cycling, rolling, and reducing vehicular space on selected streets.
 - o Providing guidance and technical assistance to developers, architects, and contractors to ensure compliance with EV charging requirements and creating standardized EV charging infrastructure designs to facilitate installation. NOTE: Individual technical assistance is not recommended, however a checklist information on EV Charging Station Permits is already shared on the Village website.
 - Developing a municipal soil health index based on current conditions and ensure that all municipal and privately-owned soil is improved to meet the minimum index.
 - Exploring the concept of "Street Rivers" to intentionally allow certain streets to convey and store stormwater during extreme events.
 - \circ Planting mini-forests in urban sites by allocating ~ 1000 square feet plots of land to a high density woodland, with as many as 100x the number of trees found in natural forest stands.
 - Conducting a Village-wide climate change impact survey for parks and natural spaces that can be updated in a centralized database.
 - o Encouraging biodiversity with community participation in measuring and managing a biodiversity index of River Forest.
 - Obtain local government support to expand climate change curriculum in River Forest libraries, forest preserves and school districts along with an emphasis on

local universities to lead this initiative. *NOTE do not recommend except for events* as part of Commission communications and outreach strategy.

Existing operations and easy implementation changes

Several strategies recommended are already part of existing Village operations, already have a defined process, or can easily be incorporated on an ad hoc basis.

The Lopez-Garcia report recommended improving the signage for the bicycle lanes in River Forest. The most recent Village Bike Plan has been implemented to the fullest extent possible outside of IDOT-owned roads. Much of the current biking focus is on the forthcoming Des Plaines River Trail which will go along Thatcher Ave. Beyond this, if bike lane striping or signage gaps are identified these can be addressed administratively on an ad hoc basis through requests submitted to the Village Public Works Department.

The Lopez-Garcia report further suggested working with PACE to install bus shelters and concrete pads. PACE has an existing shelter request program whereby communities and individuals can request a shelter. PACE ultimately decides if ridership levels warrant installation and would maintain the shelter, if built. No formal action is needed unless the Commission wished to submit such a request to PACE.

The Tilahun report recommended updating building codes to efficiency metrics at or above recommended standards for the IECC Climate Zone 519 and requiring permitted home improvement projects to meet these metrics. However, this is already a requirement of the Village's current building codes.

The Tilahun report recommended promoting permeable pavers and de-paving when possible, and the Lopez-Garcia report suggested utilizing permeable pavers as a replacement for trafficked impervious surfaces. Specifically, the Lopez-Garcia report recommended a focus on Village-owned lots and as a requirement through the planned development process when such proposals exceed the maximum lot coverage requirements. While the former has been performed in Village alleys and some Village-owned lots, specifically the west Thatcher commuter lot, Village staff feel this can be more formally incorporated into the Capital Improvement Planning (CIP) process. The latter recommendation can also easily be incorporated into the technical review aspects of the planned development process.

Both the Lopez-Garcia report and the Tilahun report made recommendations on the topic of increasing Electric Vehicle (EV) charging capabilities. The Tilahun report outlined several processes for public EV charging that the Village has already undertaken (e.g. conduct a comprehensive assessment of current and projected EV adoption rates and charging infrastructure needs; identify suitable locations for public EV charging stations, considering population density, transportation corridors, and proximity to amenities). The Tilahun report also made several recommendations on EV charging at homes and businesses that are either required by state law or will be addressed with the pending zoning amendment on EV charging (eg. develop building codes or ordinances to mandate the inclusion of EV charging infrastructure in new constructions and renovations; mandate new developments to install wiring and electrical panels that support EV charging stations; establish minimum

requirements for the number and type of chargers, based on building size and occupancy). The Lopez Garcia report recommended specific locations for future charging stations, specifically the Thatcher Woods parking lot and the River Forest Public Library for Level 2 chargers, Town Center for Direct Current Fast Chargers, and Lake Street for pole-mounted Level 2 chargers to serve the higher concentration of multi-family homes. Village staff view the library as a potential partner for future EV charging expansion and believe pole mounted charging along Lake St. is worth considering further before any final decision made.

Additionally, the Lopez-Garcia report recommended a coordinated strategy of electric vehicle charging across C4 communities. Continued staff participation in C4 allows for continued collaboration and sharing of best practices and potential obstacles with EV charging expansion. Continued staff participation in C4 and PlanIt Green also address to recommendations form the Tilahun report: work with the other C4 leaders to create new shared goals reflective of Bright Climate Future 2035 and re-adopt methods of community engagement used in Oak Park River Forest Sustainability Plan.

For Commission consideration

Lastly, there are several recommendations in both reports which are feasible but will require work and deliberation from the Sustainability Commission. Staff have noted that many of these recommendations can be adjusted to focus on Village facilities, which is the strong preference in some cases. These recommendations broadly fall into 3 categories: solar energy, building energy efficiency, and green ecosystems.

With regards to solar energy, the Lopez-Garcia report recommended streamlining the installation of solar panels on homes. The Tilahun report recommended reducing permitting and financing burdens for solar installations and working with commercial and non-residential building owners to identify spaces and financing options for solar installations. For the Lopez-Garcia recommendation and the former of the two Tilahun recommendations, this could be achieved through pursuit of SolSmart Gold or Platinum designation. For the latter Tilahun recommendation, staff recommend a focus instead be placed on Village-owned facilities for local solar expansion.

With regards to building energy efficiency, staff feel many of the recommendations made can be focused toward Village-owned facilities as a first priority. The Lopez-Garcia report recommended creating transparency over the ongoing energy use of buildings by making available and encouraging voluntary Energy Performance Labels (EPLs) on all non-residential buildings and real estate transactions. The Tilahun report recommended benchmarking of energy and/or water usage across Village for non-residential structures and encouraging efficient large-scale HVAC systems and natural CO2 refrigerant systems. Village staff believe that these would be a significant undertaking. The Sustainability Commission would need to dedicate time to better understand and develop recommendations which could then be incorporated into the CIP process for facility improvements.

Also relating to building energy usage, the Tilahun report recommended adopting a requirement for new buildings to use fully electric appliances. Oak Park has adopted a similar

requirement which would warrant review, and the Village would need to understand authority limitations as a non-home rule community.

Several recommendations were made with regards to green ecosystems. Should the Commission wish to explore these further, Village staff recommend consideration of these items at one time before proceeding with any recommendations to the board, either via ordinance adoption or otherwise.

The Lopez-Garcia report made three recommendations:

- Update the landscaping code to incentivize and require a percentage of total landscaping area dedicated to native plants for new land developments.
- Update Ordinances to grow the tree canopy by 25% in 10 years.
- Create a Heritage Tree designation in the landscaping ordinance.

These would all require an ordinance changing the Village code.

The Tilahun report made four recommendations:

- Amend the current tree cutting ordinance to reflect updated best practices on tree planting and maintenance.
- Maintain the tree count that the village already completes, considering which trees are most resilient for future climate projections.
- Expanding bioswales along roads and sidewalks to capture and temporarily store stormwater runoff.
- Implement a planning regulation that requires new or refurbished buildings in nonresidential zones of the Village to replace the whole footprint or floor plate coverage of a building with green space, through the addition of green roofs, green walls and green balconies.

The first two recommendations have largely been adopted through the most recent changes to the Tree and Shrub chapter of the Village code but could be further expanded upon should the Commission wish to pursue the code changes concerning trees recommended in the Lopez-Garcia report. The third recommendation can be reviewed to incorporate into the CIP process for future projects. The fourth recommendation can be undertaken along with the native planting recommendation of the other report to create a new requirement for the planned development process.



Village of River Forest **Public Works and Engineering**

400 Park Avenue River Forest, IL 60305

Tel: 708-366-8500

MEMORANDUM

Date: September 10, 2024

To: **Sustainability Commission**

From: Seth Jansen, Management Analyst

Subj: Electric Vehicle Charging Act - Analysis

At the request of a Commissioner, this memorandum outlines the legislative history and requirements of the Electric Vehicle Charging Act, which took effect on January 1, 2024. The Act contains 4 substantive sections, applying respectively to single family and small multifamily new construction, large multifamily new construction and renovations, unit owners in condominiums or common interest community associations with parking spaces, and tenants of residential properties with parking spaces.

Legislative History

The Electric Vehicle Charging Act was first introduced in the Illinois General Assembly as Senate Bill 40 on January 20, 2023, and was sponsored by Sen. Sara Feigenholtz. In March of 2023, the bill underwent a series of amendments, the last of which removed opposition from the Illinois Realtors. The Community Association Institute of Illinois had previously indicated neutrality on the bill. The bill passed the Senate on March 29, 2023, with a mostly partly-line vote of 39 voting yes, 16 voting no, and 1 voting present. The bill then passed the House on May 5, 2023, with a party line vote of 68 voting yes, 38 voting no, and 1 voting present. The bill was signed into law on June 9, 2023.

During the fall veto session of the same year, Sen. Feigenholtz filed an amendment to Senate Bill 384, initially non-substantive "shell bill" to further amend the applicability section of the Act to state that the sections concerning "right to charge" for unit owners and tenants applies to both new construction and existing buildings. The bill passed the Senate on a strictly party-line vote of 37 to 18 on October 25 and passed the House, also on a party-line vote, 73 to 40 on November 8. The bill was signed into law on December 8, 2023.

New Construction Requirements

Beginning January 1, 2024, any building permits for new construction of single family residences or multi-family residences up to 4 units must have at least one EV-capable parking space per unit that has dedicated parking. EV-capable is defined as having electrical panel capacity and conduit installed during construction to support future implementation of electric vehicle charging. This strategy ensures the reduction of up-front costs for electric vehicle charging station installation by providing the electrical elements that are difficult to install during a retrofit. This requirement is delayed until January 1, 2026, for new construction that qualifies as an affordable housing development.

For larger multifamily residential new construction, defined as having 5 or more residential units, all dedicated parking spaces must be EV-capable if the building permit is issued after April 1, 2024. Anticipating the use of dual-port EV chargers, the same circuit may be used to support charging in adjacent EV-capable spaces. For new construction that qualifies as an affordable housing development, the number of spaces required to be EV-capable is gradually phased in. As with smaller affordable housing developments, no requirement takes effect until January 1, 2026. Any affordable housing permits issued from 2026 through 2028 must have 40% EV-capable parking spaces; permits issued from 2023 through 2033 must have 50% EV-capable parking spaces; and beginning 2034, permits for large multi-family affordable housing developments must have 70% EV-capable parking spaces.

Electric vehicle charging system policy for unit owners

The Act also establishes a "right to charge" for unit owners in condominiums or common interest community associations.

The law voids any bylaws, covenants, or restrictions that "effectively prohibits or unreasonably restricts the installation or use of an electric vehicle charging system within a unit owner's unit or a designated parking space". The law states that no charging station installed by a unit owner shall be considered part of the common elements or common area. Any charging station must meet applicable health and safety standards, as well as nay state or local zoning or land use requirements. If approval is required by an association, the process must be in the same manner as other alternations or improvements, and an association cannot unreasonably delay or deny an installation. All approvals and denials must be in writing, and any application not denied within 60 days shall be deemed approved unless the delay is the result of a reasonable request for additional information.

If a charging station is being placed into a common area or exclusive use common area, a unit owner must obtain written approval from the association, comply with architectural standards, use a licensed electrician for installation, provide certification of insurance within 14 days of approval, pay for costs associated with installation and for electrical usage, and be responsible for any damages to common elements resulting from the installation. Installation for exclusive use in a common area which is not an exclusive use common area maybe be authorized by the association if installation in the under owner's designated parking space is impossible or unreasonably expensive; such instances shall require an license agreement between the unit owner and the association for use of the space within the common area.

The unit owner is responsible for any damage, maintenance, and restoration costs and for disclosing the existence of the charging station to any potential buyers. Unit owners must maintain a liability coverage policy and provide the association with a certificate of insurance

annually. Homeowner liability coverage is not required for an existing National Electrical Manufacturers Association standard alternating current power plug.

Associations may install charging stations for use by all unit owners and develop their own terms of use policy.

Electric vehicle charging system policy for renters

A "right to charge" is also established in the law for tenants of any residential properties. Tenants may, at their own expense, install level 1 or level 2 receptacles or outlets or install a level 2 charging system. Landlords shall not require any fee except for reimbursement of any necessary electrical work, actual cost of the electricity provided, a security deposit to restoration upon removal of the charging station, fee to reserve a designated parking space for the charging station. Landlords can require compliance with building code and safety requirements, that the charging station be registered with the landlord within 30 days of installation, and reasonable aesthetic provisions for the dimensions and placement of the charging station. In order to install a charging station, a tenant ensure it complies with all of the above requirements established by landlord. The tenant must agree in writing to comply with the design specifications, use a licensed electrician, and provide a certificate of insurance to the landlord within 14 days of installation.

Unless otherwise specified in a written agreement with the landlord, the tenant has the exclusive rights to the area in which the charging station is installed and is responsible for all maintenance, repair, removal, and replacement costs. Any charging station installed at the cost of a tenant is the property of the tenant and may be removed or sold by the tenant at the end of their lease. Unless the system is removed, successive tenants shall assume these responsibilities. The tenant or successive tenants are responsible for temporary removal of the charging station to allow the landlord to maintain or repair any of the landlord's property.