PROPOSED CHANGES TO DATA CENTER REQUIREMENTS

RULES, ADMINISTRATION AND PROCEDURES COMMITTEE

MARCH 18, 2026

AURORA ILLINOIS

REASONS FOR AMENDMENTS TO BUILDING CODE AND CODE OF ORDINANCES

- Staff is seeing an increased number of data center and/or warehouse development requests, while attempting to address Citizen's complaints of existing data centers and/or warehouses. Staff's research is finding that other municipalities have passed policies to address these issues pre-development.

- Citizens have expressed concerns over noise, traffic, and other environmental impacts of data centers and/or warehouses. Privacy and AI concerns have also been prevalent.

- Ultimately, we want to clarify the data center and/or warehouse development process while ensuring potential long-term community and environmental impacts are addressed prior to construction.

Listen

- Increased data center requests
- Concerns about noise, water, energy use, pollution
- No current requirements for data centers.
- No required public engagement process

Pause

- 180-day moratorium on data center & warehouse developments
- Staff researched best practices and wrote proposed language changes
- Listen and record public comments

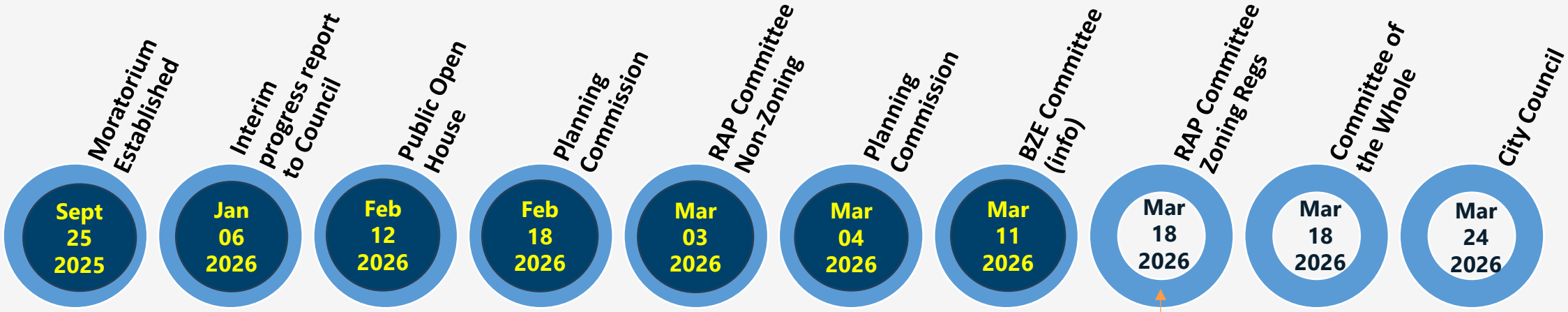
Propose

- Define data centers
- Require Council approval on new data centers
- Clarify and expand public input process and make reporting transparent
- Add new requirements for noise, vibrations, water, energy, & emissions

Vote/ Change

- Council to vote on text amendments & lift moratorium by March 24
- If not approved, new data centers will be treated as before – no requirements, no public input, no Council approval required

TIMELINE



Create a staff working group
Conduct research
Engage stakeholders, residents, & cities

Draft policy language

WE ARE HERE

AURORA DATA CENTER & WAREHOUSE ORDINANCE PACKAGE

- A coordinated regulatory framework governing siting, construction, operation, and oversight for data centers
- Designed for transparency, accountability, and legal defensibility
- Four ordinances deal with different areas of amended text in the Zoning Ordinance, Building Code, and Code of Ordinances.

THE FOUR ORDINANCES AT A GLANCE

Heard by RAP 3/3/26

26-0092
Responsible Data Center

- **New Chapters 50 & 51 in Code of Ordinances**
- Addresses Data Center ongoing operations & transparency
- References new Zoning requirements

Items for this meeting from Planning Commission 3/4/26

26-0112
Data Center Zoning Amendments

- **Zoning**
- Defines Data Centers
- Creates performance requirements & conditional use

26-0114
Warehouse Zoning Amendments

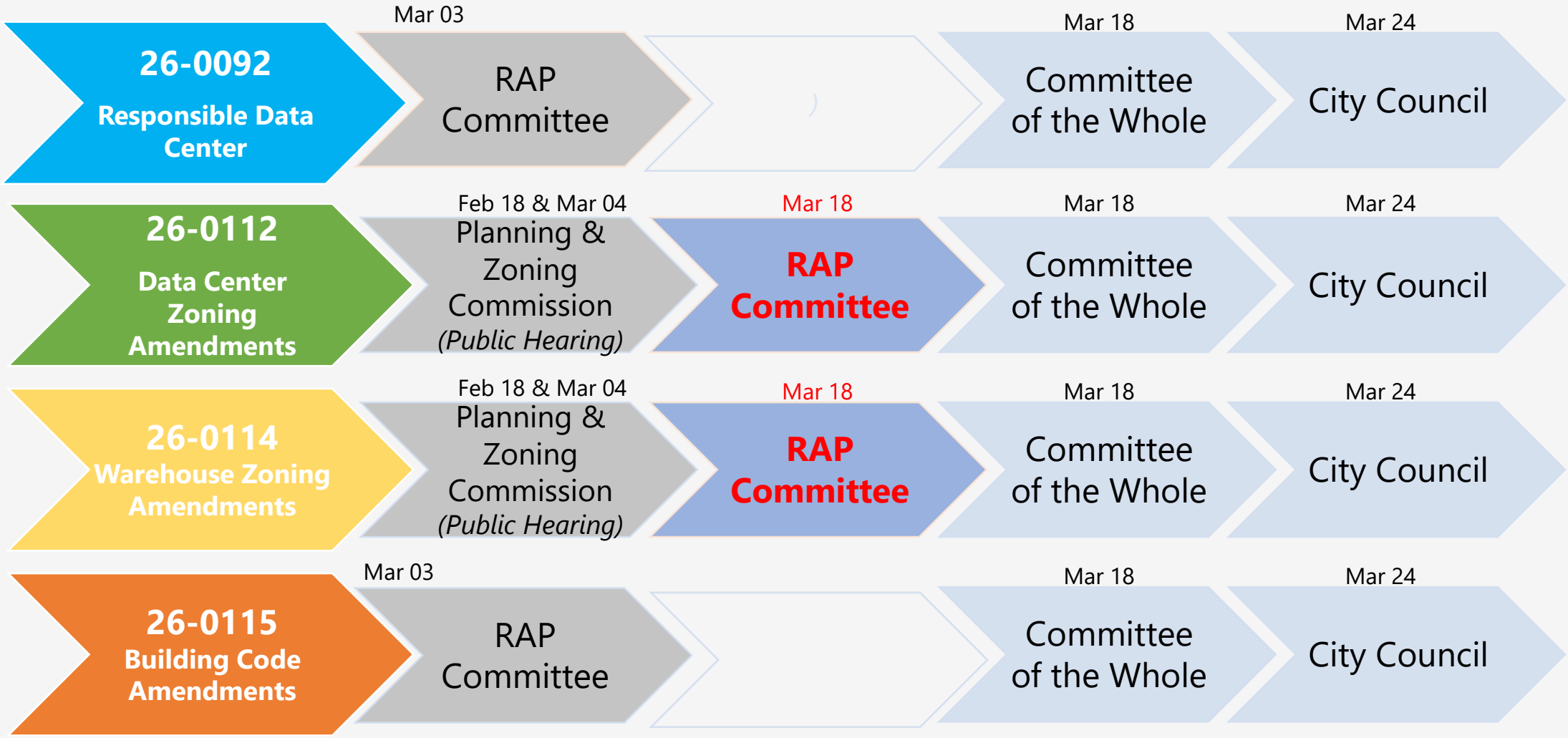
- **Zoning**
- Warehouse limitation in the ORI
- Vibration Stanards for all ORI, M-1,M-2

Heard by RAP 3/3/26

26-0115
Building Code Amendments

- **Building Code**
- Clarifies ability to require Testing & Verification for applicable standards
- References new Zoning requirements

THE FOUR ORDINANCES AT A GLANCE – APPROVAL PROCESS



EXAMPLE– DATA CENTER SOUND & VIBRATION COMPLIANCE FLOW

26-0092 Responsible Data Center Ordinance

26-0112 Data Center Zoning Amendments

26-0114 Warehouse Zoning Amendments

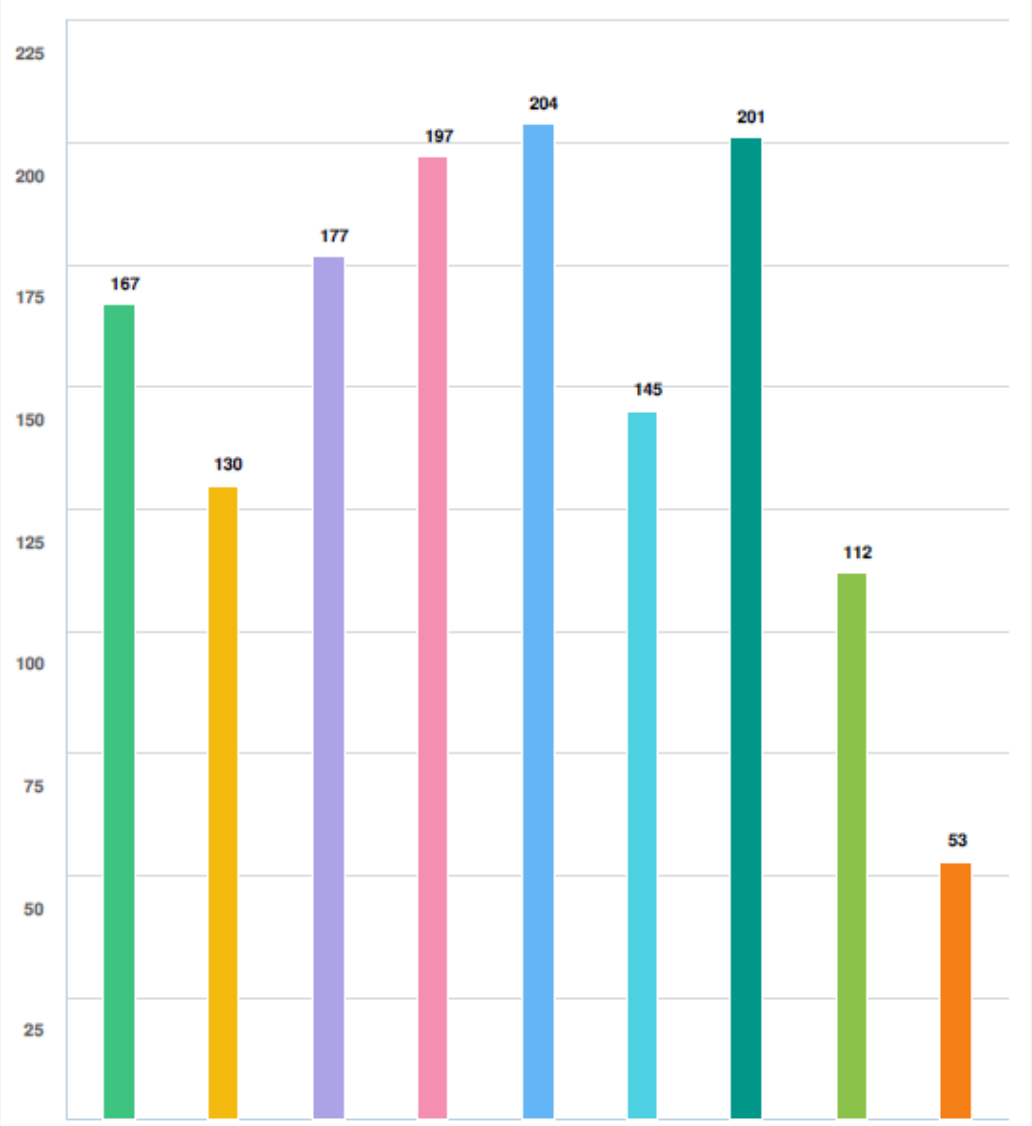
26-0115 Building Code Amendments

Modifications from prior presentations highlighted in **RED** text

1. ZONING ENTITLEMENT	2. CONSTRUCTION PHASE	3. POST-CONSTRUCTION TESTING	4. OCCUPANCY APPROVAL	5: OPERATIONAL COMPLIANCE
Engineer sound modeling submitted	Permit approval based on new modeling	City Selected Engineer conducts sound & vibration testing at developer cost	Acceptance of Testing reports required before Temporary or Full Cert. of Occupancy	Annual certification of continued sound compliance
Vibration modeling submitted	Data center built per approved plans	Attestation confirms real-world compliance	Applies when ANY sound- or vibration-generating equipment is ADDED	Replacement equipment must meet the new requirements
Demonstrates compliance with all local, State, and Federal regulations	Vibration-generating equipment installed as entitled and permitted	Reports filed with the City		Re-testing or additional reporting triggered by: • Wholesale Redevelopment • Equipment Additions • Substantiated noise or vibration complaints

MODEL → BUILD → TEST → OCCUPY → OPPERATE RESPONSBILY

DATA CENTER & WAREHOUSE MORATORIUM SURVEY RESPONSES



Based on comments & responses from February 8th – February 17th at 11A.M.

Q1: WHAT ARE YOUR BIGGEST CONCERNS ABOUT DATA CENTERS AND/OR WAREHOUSES? CHECK ALL THAT APPLY.

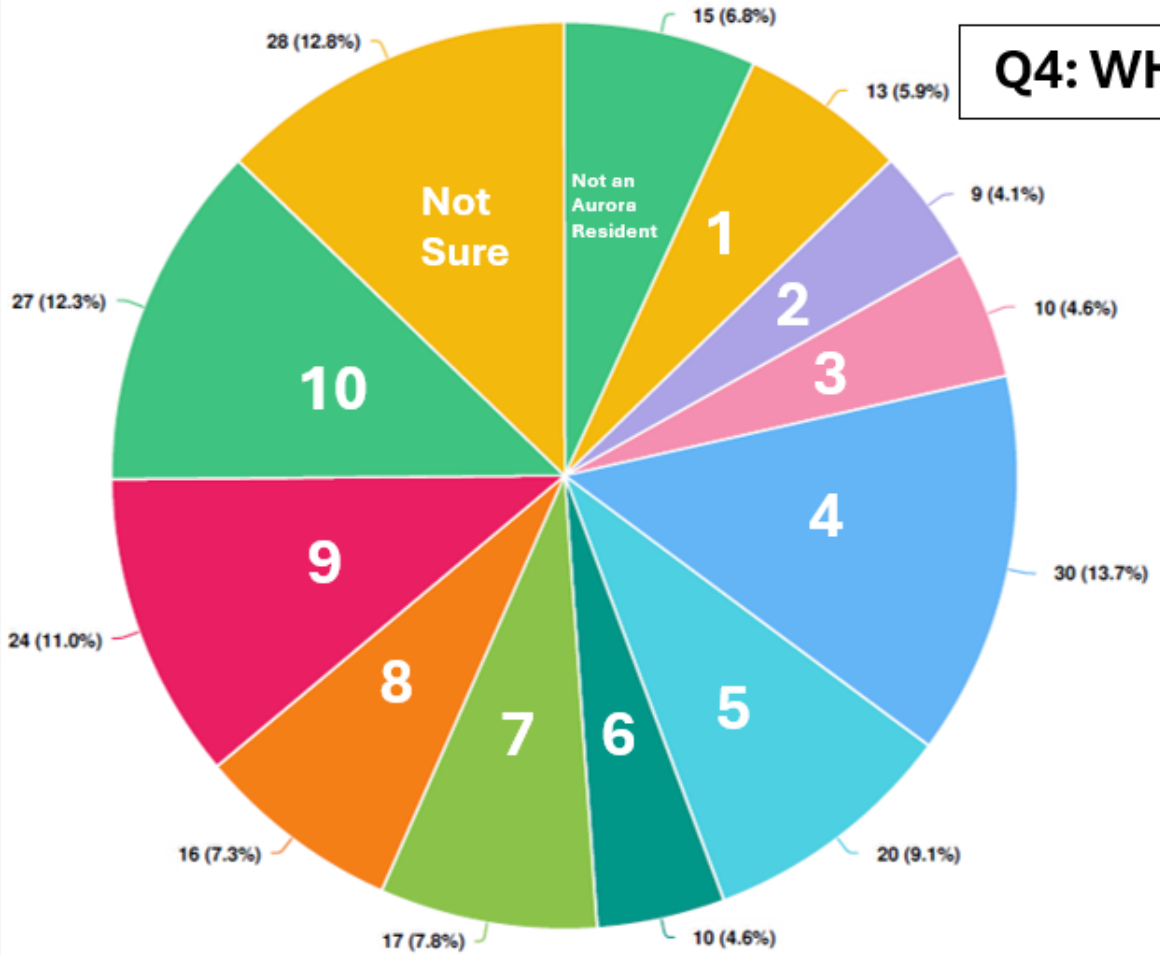
TOTAL RESPONSES: 1,386 from **226** respondents

TOP CONCERNS:

- ✓ Increased Utility Bills
- ✓ Water Consumption/Water Quality
- ✓ High Energy Use
- ✓ Air pollution/Air Quality
- ✓ Noise
- ✓ Increased Greenhouse Gas Emissions

Noise · Vibrations · Air Pollution/Air Quality · High Energy Use · Increased Greenhouse Gas Emissions · Water Consumption/Water Quality · Increased Utility Bills · Traffic/Land Use · Local Jobs

DATA CENTER & WAREHOUSE MORATORIUM SURVEY RESPONSES



Q4: WHAT WARD DO YOU CURRENTLY RESIDE IN?

TOTAL RESPONSES:

219 Responses , 7 skipped

- ✓ **All** 10 Aurora Wards are represented.
- ✓ 27 responders were unsure of which ward they reside in.
- ✓ Majority responses came from Ward 4, Ward 10 and Ward 9.

Not an Aurora Resident · Ward 1 · Ward 2 · Ward 8 · Ward 9 · Ward 10 · Not Sure · Ward 3 · Ward 4 · Ward 5 · Ward 6 · Ward 7

PUBLIC SURVEY SUMMARY TO-DATE

Overall Community Sentiment

A significant portion of respondents called for a **permanent ban** or **moratorium on all future** data centers in Aurora

Residents emphasized that the City should prioritize the **"health, environment, and finances" of its citizens over corporate profits**.

Residents expressed deep anxiety over the **rising cost of electricity and water**, fearing that data centers are straining the grid and passing infrastructure costs onto homeowners.

Skepticism regarding the effectiveness of fines, with residents worried that tech companies will simply view fines as a **"cost of doing business."**

Residents frequently cited the neighboring city of **Naperville**'s decision to reject similar projects as a model Aurora should follow.

While the city anticipates tax-revenue, many residents argue the trade-offs are **not worth** the perceived loss in **property values** and **quality of life**.

Require **Community Benefit Agreements (CBAs)** and fiscal impact analyses for every project.

> *My ComEd bill in Aug '25 (for 2 people in a townhouse) went from ~$125/month (summer) to $750/month in Sept '25. From 1 month to another! Outrageous! ComEd told me to get used to $300/month bills. As would be basically my new normal."*

> *"Will the City reimburse residents for their increased electric bills-using the 'profits' they get from the data centers?"*

> *"Please, don't sell out residents, their kids' quality of life, property values...Make a permanent moratorium!! NO more data centers.*

PROPOSED CHANGES – HIGH LEVEL

Topic	BEFORE (Current Situation)	AFTER (Proposed Changes)
NOISE	Difficult to measure and enforce Illinois pollution control board standards referenced	Clear day and nighttime noise limits (that are lower than state requirements) at property lines. Professional sound study required before approval. Require continuous monitoring of noise & vibration. Independent sound testing before the facility opens and if complaints are filed.
WATER USE	No required water impact study specific to data centers.	Detailed water study required showing source, demand, and community impact. Encourage water-efficient cooling systems and prohibit contaminated discharge & evaporative cooling. Annual reporting required. Water use limits set at approval. Penalties if approved limits are exceeded.
ENERGY USE & GRID STRAIN	No specific energy efficiency or renewable requirements.	On-site renewable energy or battery storage required. Energy efficiency standards and peak demand management plan required. Require energy efficiency standards and peak-demand management plans. Energy plan reviewed during approval. Reporting of electricity use. Modular nuclear prohibited.
EMISSIONS	Backup generators permitted under general regulations.	Cleaner engine standards required. Air quality impact review required. Must meet state and federal air quality standards. Simultaneously testing restricted to 2 generators at a time.
PRIVACY & AI PROTECTIONS	No local standards specific to data centers.	Required compliance with strict biometric data privacy safeguards. Written data governance policies required. Annual compliance certification.
TRANSPARENCY	No public comment or Council oversight required. No ongoing public reporting specific to data centers.	All new data centers will require City Council approval and public notice. Annual public reporting of water use, energy consumption, and noise. Reports posted online.

FILE 26-0092 – RESPONSIBLE DATA CENTER ORDINANCE AND DATA CENTER PRIVACY PROTECTION ORDINANCE

See 26-0092 LegiStar attachment
"Exhibit A"
Dated March 16, 2026

This Item Heard by RAP 3/3/2026
Highlighting any Staff Recommended modifications **THUS**

AURORA ILLINOIS

26-0092 - WHY THIS ORDINANCE?

- Response to the September 25, 2025 moratorium (Ordinance O25-064)
- Addresses rapid growth of data center development interest
- Responds to resident concerns about:
    - Long-term **operational transparency**
    - Noise
    - Energy and water consumption
    - Utility infrastructure strain
    - Artificial Intelligence (AI) and **privacy protections**

26-0092 - WHAT THIS ORDINANCE DOES

Creates a new Chapter 50 – Aurora Responsible Data Center Ordinance

- Establishes ongoing **performance and transparency standards**:
  - Distinguishes performance standards between Pre-2026 (before April 01, 2026) entitlements and later established entitlements.
  - Testing limitations on Emergency Generators has been moved to this ordinance.
    - 9am-5pm (non-holiday) weekdays with a maximum of two (2) generators tested simultaneously
- Required reporting on:
  - Noise
  - Energy use
  - Water use
- Ensures continued compliance after construction
- Aligns with zoning performance standards (File 26-0112)
- Protects infrastructure and long-term utility affordability
- Supports Aurora's 2019 Sustainability Plan goals

26-0092 - WHAT THIS ORDINANCE DOES

Creates a new Chapter 50 – Aurora Responsible Data Center Ordinance

Ongoing Accountability

- Applies to all Data Centers in Aurora that are constructed under this new data center ordinances
- Annual public reporting:
    - Energy & water (ENERGY STAR Portfolio Manager)
    - Third-party tested noise (day & night)
- Fines up to $1,000/day per violation

26-0092 - WHAT THIS ORDINANCE DOES

Creates a new Chapter 51 – Data Center Privacy Protection Ordinance

- Addresses emerging concerns related to AI and biometric data use
- Creates **local biometric data protections**:
  - Biometric identifier is a retina or iris scan, fingerprint, voiceprint, or scan of hand or face geometry
  - Ensures enforceable local compliance consistent with BIPA principles.
  - Safeguards remain in place even if state law changes
- Applies to data centers operating within Aurora
- Data centers in Illinois should already be meeting these requirements; this is a protective measure

26-0092 - WHAT THIS ORDINANCE DOES

Creates a new Chapter 51 – Data Center Privacy Protection Ordinance

- Written notice and written consent required
- Prohibits sale or profit from biometric data
- Retention limits and mandatory destruction schedule
- Annual Certificate of Compliance
- City enforcement and private right of action

PROPOSED TEXT AMENDMENT LANGUAGE 26-0092

ADD: CHAPTER 50: AURORA RESPONSIBLE DATA CENTER ORDINANCE

Section 50-1. Definitions.

a. Data Center: Has the same definition as in Section 49-103.3 of the Aurora Zoning Ordinance.

b. Greenhouse Gas (GHG): Any gas that contributes to atmospheric greenhouse effect, including CO_2, CH_4, N_2O, SF_6, HFCs, PFCs.

c. Power Usage Effectiveness (PUE): Has the same definition as Section 49-104.3(c)(25) of the Aurora Zoning Ordinance.

d. Water Usage Effectiveness (WUE): Has the same definition as Section 49-104.3(c)(25) of the Aurora Zoning Ordinance.

e. Noise Performance Standard: Has the same definition as Section 49-104.3(c)(25) of the Aurora Zoning Ordinance.

Section 50-2. Applicability.

This Chapter applies to all Data Centers within city limits.

Section 50-3. Performance Standards.

a. All Data Center Facilities developed after April 1, 2026, must meet the standards in Section 49-104.3(c)(25) of the Aurora Zoning Ordinance. All generators providing back-up power for Data Center Facilities developed after April 01, 2026, must meet the requirements outlined in 49-104.3(c)(25)(c) of the Aurora Zoning Ordinance.

   Unless the generators are supplying backup electrical supply during a power outage, **the testing of generators, regardless of whether installed before or after April 01, 2026** may only occur between the hours of 9:00am and 5:00pm Monday through Friday, and not on holidays. No more than two (2) generators may be tested simultaneously.

b. Any replacement equipment, including but not limited to generators, chillers, and screening, must meet the standards in Section 49-104.3(c)(25) of the Aurora Zoning Ordinance for any Data Center Facilities developed after April 1, 2026.

c. For purposes of this Section 50-3, “developed” means Data Center Facilities which do not have zoning entitlements pursuant to Chapter 49 of this Code as of April 1, 2026.

PROPOSED TEXT AMENDMENT LANGUAGE 26-0092

Section 50-4. Annual Reporting Required.

All Data Center Facilities must submit annually on or before April 1 of each year to the city's Department of Development Services the following:

a. An annual energy and water use data report via ENERGY STAR® Portfolio Manager for the previously calendar year; and

b. Third party tested noise level reports for the previous calendar year during both daytime hours and nighttime hours at the property line.

If the Data Center has not been operating for a full year, the data center must submit data for the months it has been in operation. The Director of Development Services ensure that the annually reported data is made publicly available by June 1 of each year.

Section 50-5. Enforcement.

Violations of this Chapter are municipal offenses subject to fines up to and including $1,000 per day per occurrence and any other corrective action the administrative court or circuit court deems appropriate.

PROPOSED TEXT AMENDMENT LANGUAGE 26-0092

ADD: CHAPTER 51: DATA CENTER PRIVACY PROTECTION ORDINANCE

Sec. 51-1. Purpose.

To protect Aurora resident privacy and establish rules modeled on the Illinois Biometric Information Privacy Act ("BIPA") regardless of its status under state law.

Sec. 51-2. Short title. This Section may be cited as the Data Center Privacy Protection Ordinance.

Sec. 51-3. Legislative findings; intent.

In 2008, the Illinois General Assembly, when passing BIPA, stated that they found all of the following, all of which continue to be true:

"(a) The use of biometrics is growing in the business and security screening sectors and appears to promise streamlined financial transactions and security screenings.

(b) Major national corporations have selected the City of Chicago and other locations in this State as pilot testing sites for new applications of biometric-facilitated financial transactions, including finger-scan technologies at grocery stores, gas stations, and school cafeterias.

(c) Biometrics are unlike other unique identifiers that are used to access finances or other sensitive information. For example, social security numbers, when compromised, can be changed. Biometrics, however, are biologically unique to the individual; therefore, once compromised, the individual has no recourse, is at heightened risk for identity theft, and is likely to withdraw from biometric-facilitated transactions.

(d) An overwhelming majority of members of the public are weary of the use of biometrics when such information is tied to finances and other personal information.

(e) Despite limited State law regulating the collection, use, safeguarding, and storage of biometrics, many members of the public are deterred from partaking in biometric identifier-facilitated transactions.

(f) The full ramifications of biometric technology are not fully known.

(g) The public welfare, security, and safety will be served by regulating the collection, use, safeguarding, handling, storage, retention, and destruction of biometric identifiers and information."

PROPOSED TEXT AMENDMENT LANGUAGE 26-0092

Sec. 51-4. Definitions. For the purposes of this Ordinance, the following definitions apply:

a. “Biometric Identifier” means a retina or iris scan, fingerprint, voiceprint, or scan of hand or face geometry. Biometric identifiers do not include writing samples, written signatures, photographs, human biological samples used for valid scientific testing or screening, demographic data, tattoo descriptions, or physical descriptions such as height, weight, hair color, or eye color. Biometric identifiers do not include donated organs, tissues, or parts as defined in the Illinois Anatomical Gift Act or blood or serum stored on behalf of recipients or potential recipients of living or cadaveric transplants and obtained or stored by a federally designated organ procurement agency. Biometric identifiers do not include biological materials regulated under the Genetic Information Privacy Act. Biometric identifiers do not include information captured from a patient in a health care setting or information collected, used, or stored for health care treatment, payment, or operations under the federal Health Insurance Portability and Accountability Act of 1996. Biometric identifiers do not include an X-ray, roentgen process, computed tomography, MRI, PET scan, mammography, or other image or film of the human anatomy used to diagnose, prognose, or treat an illness or other medical condition or to further validate scientific testing or screening.

b. "Biometric information" means any information, regardless of how it is captured, converted, stored, or shared, based on an individual's biometric identifier used to identify an individual. Biometric information does not include information derived from items or procedures excluded under the definition of biometric identifiers.

c. "Confidential and sensitive information" means personal information that can be used to uniquely identify an individual or an individual's account or property. Examples of confidential and sensitive information include, but are not limited to, a genetic marker, genetic testing information, a unique identifier number to locate an account or property, an account number, a PIN number, a pass code, a driver's license number, or a social security number.

d. "Written release" means informed written consent or, in the context of employment, a release executed by an employee as a condition of employment.

e. “Data Center” means a facility, whether a single building, or a series of buildings rehabilitated or constructed, which house working servers that primarily provide the storage, management, distribution, and processing of digital data. These facilities include essential infrastructure like networked computers, data storage systems, environmental controls, and security systems. These uses include but are not limited to electronic storage data center facilities and cryptocurrency center facilities.

PROPOSED TEXT AMENDMENT LANGUAGE 26-0092

Sec. 51-4. Definitions. For the purposes of this Ordinance, the following definitions apply: *(continued)*

f. “Data Center Business” means any company, entity, or organization that provides the storage, management, and/or processing of digital data, or that is doing business as or within a data center.

Sec. 51-5. Application.

No Data Center or Data Center Business located within Aurora City boundaries can violate the provisions within this Ordinance.

Sec. 51-6. Retention; collection; disclosure; destruction.

a. Any Data Center or Data Center Business in possession of biometric identifiers or biometric information must develop a written policy, made available to the public, establishing a retention schedule and guidelines for permanently destroying biometric identifiers and biometric information when the initial purpose for collecting or obtaining such identifiers or information has been satisfied or within 3 years of the individual's last interaction with the private entity, whichever occurs first. Absent a valid warrant or subpoena issued by a court of competent jurisdiction, a private entity in possession of biometric identifiers or biometric information must comply with its established retention schedule and destruction guidelines.

b. No Data Center or Data Center Business may collect, capture, purchase, receive through trade, or otherwise obtain a person's or a customer's biometric identifier or biometric information, unless it first:

1. informs the subject or the subject's legally authorized representative in writing that a biometric identifier or biometric information is being collected or stored;

2. informs the subject or the subject's legally authorized representative in writing of the specific purpose and length of term for which a biometric identifier or biometric information is being collected, stored, and used; and

3. receives a written release executed by the subject of the biometric identifier or biometric information or the subject’s legally authorized representative.

c. No Data Center or Data Center Business in possession of a biometric identifier or biometric information may sell, lease, trade, or otherwise profit from a person's or a customer's biometric identifier or biometric information.

PROPOSED TEXT AMENDMENT LANGUAGE 26-0092

Sec. 51-6. Retention; collection; disclosure; destruction. ***(continued)***

d. No Data Center or Data Center Business in possession of a biometric identifier or biometric information may disclose, redisclose, or otherwise disseminate a person's or a customer's biometric identifier or biometric information unless:

1. the subject of the biometric identifier or biometric information or the subject's legally authorized representative consents to the disclosure or redisclosure;

2. the disclosure or redisclosure completes a financial transaction requested or authorized by the subject of the biometric identifier or the biometric information or the subject's legally authorized representative;

3. the disclosure or redisclosure is required by State or federal law or municipal ordinance; or

4. the disclosure is required pursuant to a valid warrant or subpoena issued by a court of competent jurisdiction.

e. A Data Center or Data Center Business in possession of a biometric identifier or biometric information shall:

1. store, transmit, and protect from disclosure all biometric identifiers and biometric information using the reasonable standard of care within the private entity's industry; and

2. store, transmit, and protect from disclosure all biometric identifiers and biometric information in a manner that is the same as or more protective than the manner in which the private entity stores, transmits, and protects other confidential and sensitive information.

Sec. 51-7. Enforcement.

a. Applicability. This Section applies to all Data Centers and Data Center Businesses operating within the City of Aurora that collect, store, process, transmit, or otherwise handle Biometric Identifiers or Biometric Information, as defined under applicable law.

PROPOSED TEXT AMENDMENT LANGUAGE 26-0092

Sec. 51-7. Enforcement. ***(continued)***

b. Enforcement Authority.

1. The City shall have authority to enforce this Ordinance through its Corporation Counsel or designated enforcement officer.

2. The City may investigate suspected violations, require production of relevant records (subject to lawful confidentiality protections), and conduct compliance reviews.

3. The City may issue notices of violation and impose administrative penalties as provided herein.

4. The City may recover costs associated with enforcement if entity is found in violation of this Ordinance.

c. Violations. It shall constitute a violation of this Ordinance to:

1. Violate any provision of the Aurora Data Center Privacy Protection Ordinance;

2. Fail to maintain required biometric data policies, retention schedules, or security safeguards;

3. Fail to timely file the Annual Certificate of Compliance required herein; or

4. Submit false, misleading, or incomplete information to the City. Each day a violation continues shall constitute a separate offense.

d. Annual Certificate of Compliance.

1. Annual Filing Required. On or before April 1 of each calendar year, each Data Center and Data Center Business subject to this Ordinance shall file with the City Clerk an Annual Certificate of Compliance.

2. Contents of Certification. The Certificate shall be signed under penalty of perjury by a duly authorized corporate officer and shall attest that:

   i. The Data Center or Data Center Business is in full compliance with BIPA and this Ordinance;

   ii. The Data Center or Data Center Business has not been found liable for any violation of BIPA during the preceding calendar year, or if such finding occurred, it has disclosed the nature of the violation and corrective actions taken;

PROPOSED TEXT AMENDMENT LANGUAGE 26-0092

Sec. 51-7. Enforcement. ***(continued)***

iii. All required written biometric data policies, consent procedures, and retention/destruction schedules are in effect and actively implemented;

iv. Reasonable industry-standard administrative, technical, and physical safeguards are maintained.

3. Disclosure of Claims. The Certificate shall disclose any pending BIPA-related litigation, settlement, administrative action, or regulatory investigation involving operations within the City.

4. Independent Review. The City may require, upon reasonable cause, submission of a third-party compliance audit summary prepared by an independent privacy professional.

e. Penalties

1. Administrative fines of not less than $1,000 and not more than $5,000 per violation.
2. Suspension or revocation of local operating permits for repeated or willful violations.
3. Ineligibility for local tax incentives or development agreements during periods of non-compliance.
4. The City may seek injunctive relief in a court of competent jurisdiction.

f. Cumulative Remedies. The remedies provided herein are cumulative and shall not preclude enforcement under state law, including BIPA.

Sec. 51-8. Right of action.

Any person aggrieved by a violation of this Ordinance shall have a right of action in the 18th Judicial Circuit Court of Kane County or as a supplemental claim in a state or federal district court against an offending party. A prevailing party may recover for each violation:

a. against a private entity that negligently violates a provision of this Ordinance, liquidated damages of $1,000 or actual damages, whichever is greater;

b. against a private entity that intentionally or recklessly violates a provision of this Ordinance, liquidated damages of $5,000 or actual damages, whichever is greater;

c. reasonable attorneys' fees and costs, including expert witness fees and other litigation expenses; and

d. d. other relief, including an injunction, as the State or federal court may deem appropriate.

PROPOSED TEXT AMENDMENT LANGUAGE 26-0092

Sec. 51-9. Construction.

a. Nothing in this Ordinance shall be construed to impact the admission or discovery of biometric identifiers and biometric information in any action of any kind in any court, or before any tribunal, board, agency, or person.

b. Nothing in this Ordinance shall be construed to conflict with the X-Ray Retention Act, the federal Health Insurance Portability and Accountability Act of 1996 and the rules promulgated under either Act.

c. Nothing in this Ordinance shall be deemed to apply in any manner to a financial institution or an affiliate of a financial institution that is subject to Title V of the federal Gramm-Leach-Bliley Act of 1999 and the rules promulgated thereunder.

d. Nothing in this Ordinance shall be construed to conflict with the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 and the rules promulgated thereunder.

e. Nothing in this Ordinance shall be construed to apply to a contractor, subcontractor, or agent of a State agency or local unit of government when working for that State agency or local unit of government.

SECTION 3. Effective Date

This Ordinance shall take effect **April 01, 2026**.

26-0092 - WHAT THIS ORDINANCE DOES

Process Followed

- Research of national and regional best practices
- Stakeholder and community engagement
- Development of clear definitions and standards

Legal Authority

- **Home Rule authority** under the Illinois Constitution to regulate for public health, safety, and welfare
- **Established precedent** for local standards that mirror or exceed higher-level law (e.g., Labor and employment standards, local business licensing, building & safety codes")

Intended Impact

- Clear, enforceable standards
- Operational **transparency**
- Infrastructure protection
- Privacy safeguards
- Responsible economic development

FILE 26-0112 ZONING ORDINANCE TEXT AMENDMENT

PROPOSED DATA CENTER REGULATIONS

See 26-0112 LegiStar attachment
"Exhibit A – Revised Staff Recommended Language"
Dated March 13, 2026

This Item Heard by P&Z Commission 3/4/2026
Highlighting any Staff Recommended modifications **THUS**

AURORA ILLINOIS

26-0112 - PROPOSED ZONING PROCESS CHANGES

- Currently Data Centers are a **PERMITTED** use under warehousing without use specific regulations which limit public participation in the process and impede our ability to enforce violation standards expeditiously.

Proposed Definition

Section 49-103.3:

3305 Data Center Facility: This 3300 Use Category is comprised of facilities, whether a single building, or a series of buildings rehabilitated or constructed, which house working servers that primarily provide the storage, management, distribution, and processing of digital data. These facilities include essential infrastructure like networked computers, data storage systems, environmental controls, and security systems. These uses include but are not limited to electronic storage data center facilities and cryptocurrency center facilities.

26-0112 - PROPOSED ZONING PROCESS CHANGES - EXISTING ENTITLEMENTS

49-104.3 Conditional Uses And Structures
(c) *Specific Regulations*.

(26) **Pre-2026 Data Center Facility** which were allowed to be built as Warehouse, Distribution and storage services under the then-existing Zoning Ordinance, before April 1, 2026, are allowed to continue to operate as Warehouse, Distribution and storage services until and unless the Data Center Facility undergoes wholesale re-development of the property, a building, or a facility on the property.

For purposes of this section, "wholesale re- development" means that a total of 50% or more of the footprint square footage of a single building structure is demolished and rebuilt as part of a planned improvement to the property, whether the demolition and rebuilding is done at once or over time.

Wholesale re-development does not include rebuilding after natural disasters or fire even if 100% of the building structure is demolished. Any wholesale re-development of a Pre-2026 Data Center Facility must comply with all Post-2026 Data Center Facility Standards.

26-0112 - PROPOSED ZONING PROCESS CHANGES

- **NEW REQUIREMENTS**
  - We are proposing requiring a **CONDITIONAL USE** process for Data Centers which will provide public notice, public hearing and full city council participation in decisions.
    - Public notice in local newspaper and public notice letters sent to neighboring properties within 250 feet 15 days in advance of the public hearing. Additionally, site signage is posted 10 days prior to public hearing.
  - **DEVELOPMENT AGREEMENTS** will additionally be required for Data Centers creating a contractual requirement to monitor and report compliance with penalties and remedies

26-0112 - PROPOSED TEXT AMENDMENT LANGUAGE

Table One: Use Categories

Commission Recommendation was to prohibit this use in ORI & M-1.
Staff is advised that this is a litigation risk, and suggests we allow as a conditional use in ORI & M-1 districts as presented to commission. See Maps to follow…

3305 Data Center Facility

E	R-1	R-2	R-3	R-4	R-4A	R-5	R-5A	B-1	B-2	B-3	O	DC	ORI	M-1	M-2	Additional Regulations
													C	C	C	Section 49-104-3(c)(25)

Development agreement language

Section 49-104.3(a)(4): Development Agreement. At the Zoning Administrator's sole discretion, a conditional use is conditioned on the owner entering into an agreement with the City concerning the above required regulations and performance standards, their applicability to the facility, and other germane matters. City staff is authorized to prepare, negotiate, and have the City execute such agreements, the terms of which cannot be inconsistent with the Zoning Ordinance.

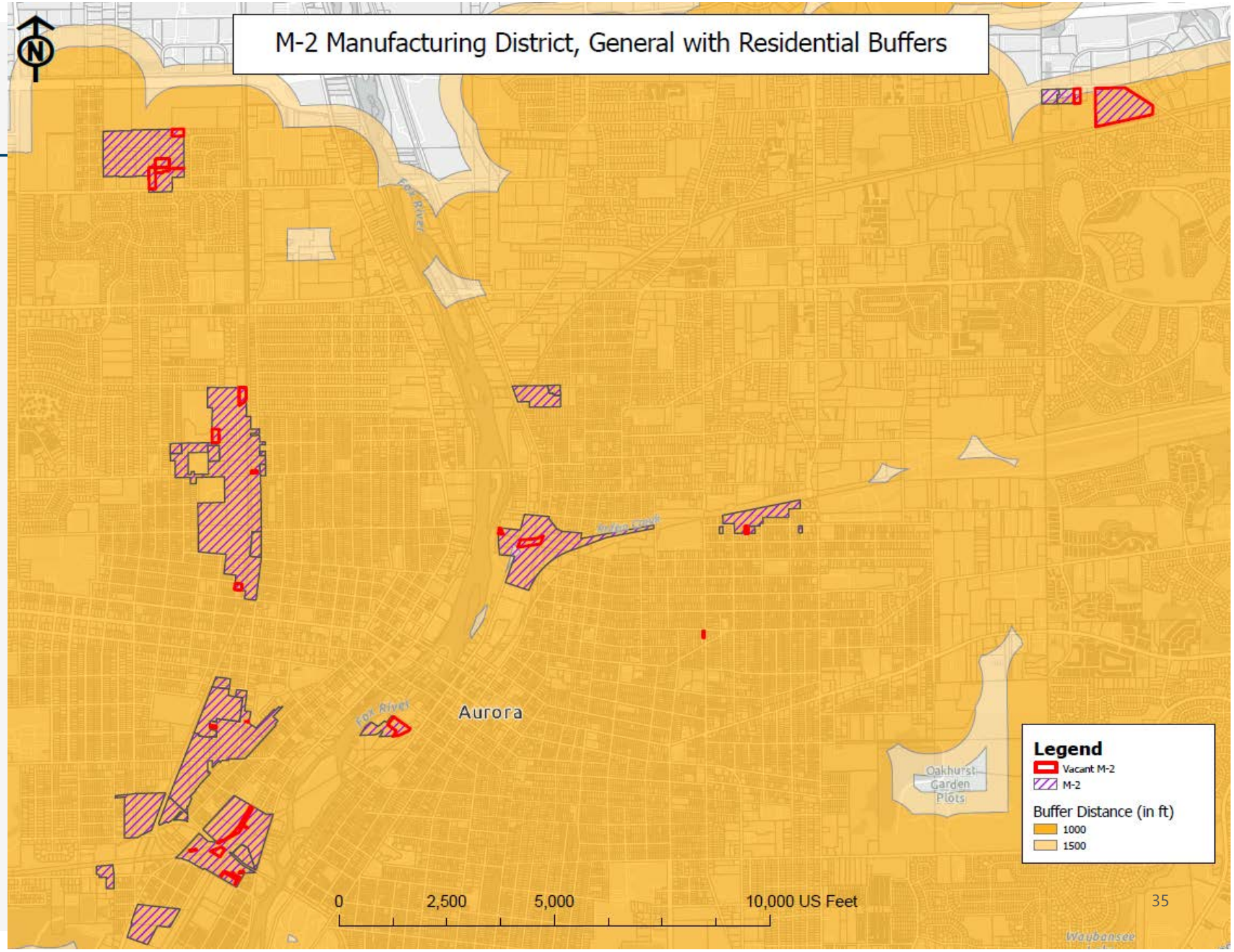
NOTE: The Development Agreement shall contain the following operational requirements:

- Continuous Testing requirements for Sound and Vibration
- Records Retention and Availability to the City
- If requested a Third Party Engineered Sound study shall demonstrate compliance and comparison to baseline pre-project sound study required within 30 Days of city request for exceeding the Aurora Constant Minimum Noise Threshold.

M-2 ZONED PARCELS

WITH PROPOSED BUFFER DISTANCES FROM INCORPORATED RESIDENTIAL LOTS*

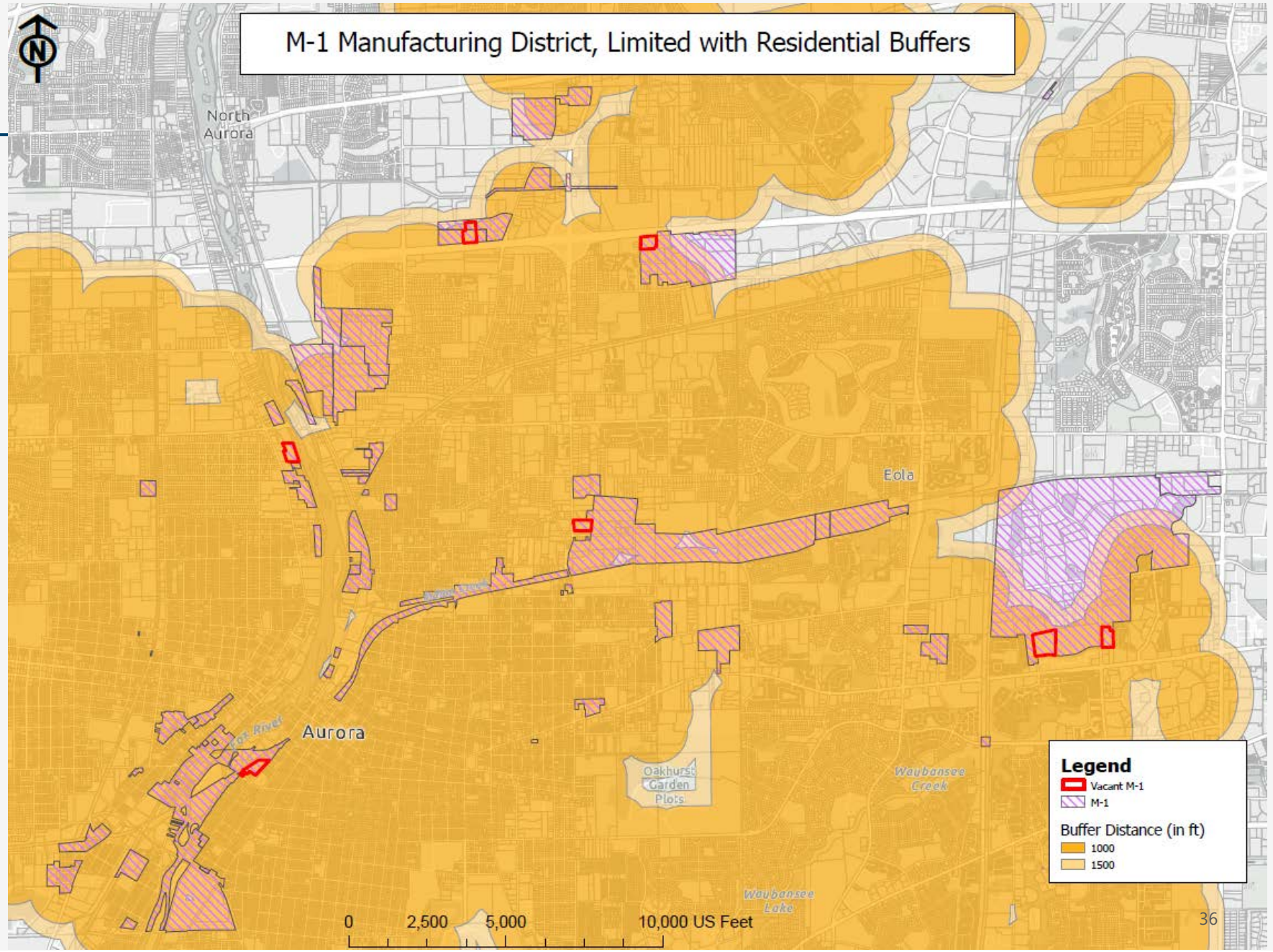
***DOES NOT INCLUDE EDUCATIONAL AND HOSPITAL BUFFERS**



M-I ZONED PARCELS

WITH PROPOSED BUFFER DISTANCES FROM INCORPORATED RESIDENTIAL LOTS*

***DOES NOT INCLUDE EDUCATIONAL AND HOSPITAL BUFFERS**

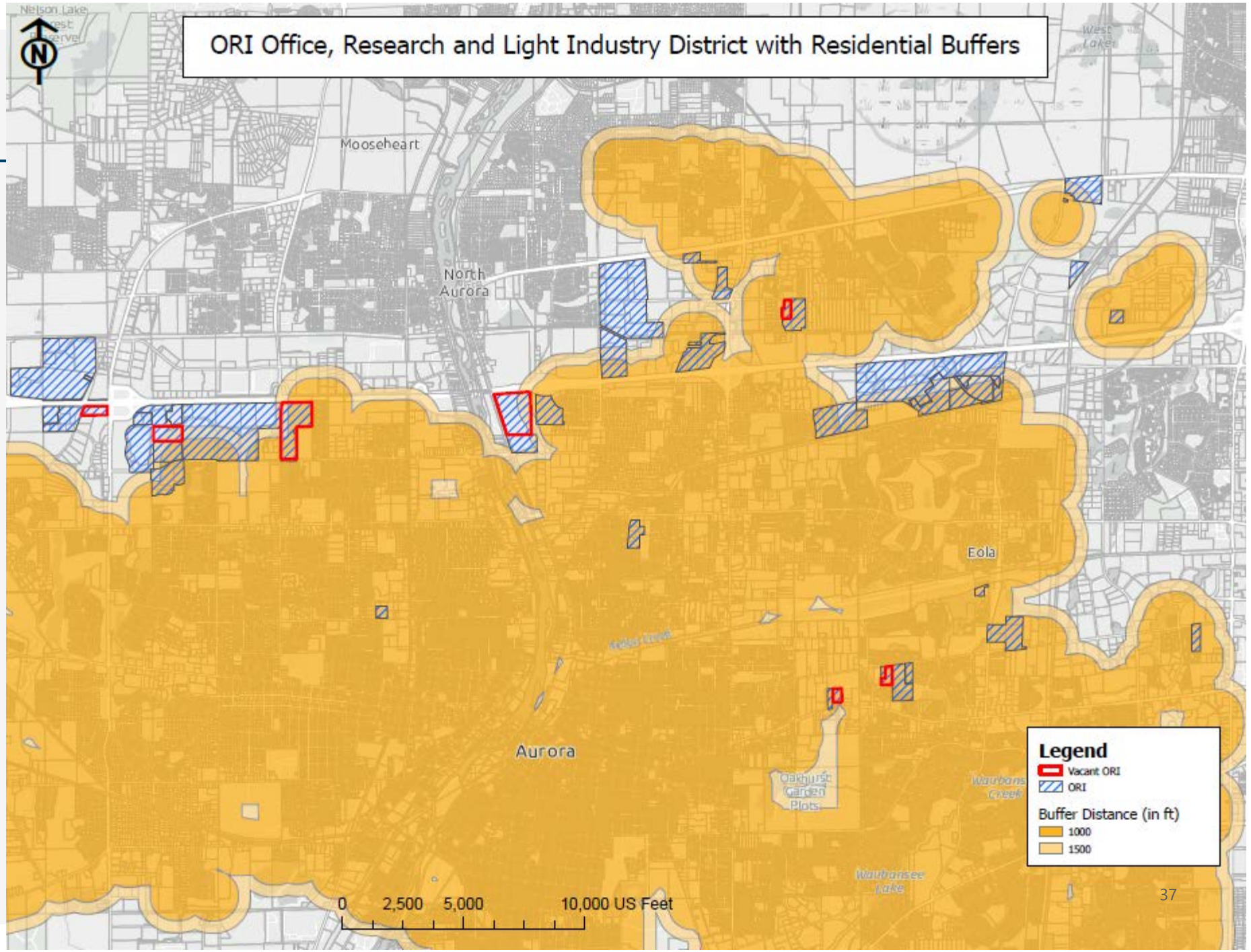


March 18, 2026

ORI (OFFICE, RESEARCH & LIGHT INDUSTRIAL) ZONED PARCELS

WITH PROPOSED BUFFER DISTANCES FROM INCORPORATED RESIDENTIAL LOTS*

*DOES NOT INCLUDE EDUCATIONAL AND HOSPITAL BUFFERS



26-0112 - PROPOSED CHANGES – HIGH LEVEL

Topic	Before (Current Situation)	After (Proposed Changes)
Noise	Difficult to measure and enforce Illinois pollution control board standards referenced	Clear day and nighttime noise limits at facility property line. Professional sound modeling study required before approval. Require continuous monitoring of noise & vibration. Independent sound testing before the facility receives a Temporary or Permanent Certificate of Occupancy.
Water Use	No required water impact study specific to data centers.	Detailed water study required showing source, demand, and community impact. Encourage water-efficient cooling systems and prohibit contaminated discharge & evaporative cooling. Annual reporting required. Water use limits set at approval. Penalties if approved limits are exceeded.
Energy Use & Grid Strain	No specific energy efficiency or renewable requirements.	On-site renewable energy, battery storage, or alt compliance required . Energy efficiency standards and peak demand management plan required. Require energy efficiency standards and peak-demand management plans. Energy plan reviewed during approval. Reporting of electricity use.
Emissions	Backup generators permitted under general regulations.	Cleaner engine standards required. Air quality impact review required. Must meet state and federal air quality standards. Simultaneously testing restricted to 2 generators at a time.

26-0112 - ENERGY, CLIMATE & GRID RELIABILITY REQUIREMENTS

- Power Use Effectiveness limits, most recent energy code standards, and performance reporting
- Backup generation standards:
  - Noise, air quality, and operational restrictions
- Prohibit nuclear and require on-site solar or battery storage

Proposed language addition:

Section 49-104.3(c)(25)

a. Applicants must submit, in addition to the application materials otherwise required by the Zoning Administrator, the following reports and studies as part of a conditional use request for a data center facility:

iv. **Energy Consumption Modeling Report** completed by a third-party engineer and submitted demonstrating compliance with the applicable standards to the underlying zoning district.

26-0112 - ENERGY, CLIMATE & GRID RELIABILITY REQUIREMENTS

Proposed language addition:

Section 49-104.3(c)(25)d. Data Center Facilities must be designed to meet the following performance standards:

iii. Energy Usage Standards.

1. Data center facilities must be designed to maintain a **Power Usage Effectiveness of no more than one and two-tenths (1.2)** . As used in this Chapter "Power Usage Effectiveness" or "PUE" is defined as the ratio of total building energy consumption divided by the total Information Technology equipment (servers, switches, storage devices, etc.).

2. Data centers must be designed to comply with the **energy code requirements specified in whichever of the following is most stringent**:

i. The latest adopted International Energy Conservation Code (IECC);

ii. The latest published ASHRAE Standard 90.4 (Sections 6 & 8); or

iii. Illinois-specific data center energy code requirements adopted by rule, which may include more detailed criteria such as Mechanical Load Component (MLC) and Electrical Load Component (ELC) measures.

3. Modular nuclear reactors, small modular reactors or any other **nuclear-based energy are prohibited**.

26-0112 - ENERGY, CLIMATE & GRID RELIABILITY REQUIREMENTS

Proposed language addition:

Section 49-104.3(c)(25)f. **On-Site Renewable Energy and Resilience Requirement**.

i. All new or expanded data centers shall install and operate, at a minimum, one of the following:

1. **On-Site Clean Energy:** On-site renewable energy generation with a nameplate capacity sufficient to supply not less than **twenty-five percent (25%) of the facility's peak electrical demand**, as demonstrated in the approved electrical load study; or

2**. On-Site Resilience Storage**: On-site energy storage capable of supplying not less than fifty percent (50%) of the facility's peak electrical demand for a minimum duration of fifteen (15) minutes, for purposes including grid stabilization, brownout mitigation, and peak-load support. Energy storage systems shall be configured to prioritize discharge during utility-declared peak events and grid emergencies to reduce localized voltage sag, transformer overload, and outage risk in surrounding neighborhoods. or

Section 49-104.3(c)(25)f. **On-Site Renewable Energy and Resilience Requirement. (*continued*)**

ii. **Feasibility Alternative Compliance.** Where the applicant demonstrates, through a third-party feasibility analysis approved by the City, that on-site installation is infeasible due to site constraints, safety limitations, or grid interconnection restrictions, the applicant shall comply through one or more of the following off-site measures, subject to approval by the City:

1. **Procurement of new renewable energy generation located within the regional grid** serving the municipality, under long-term contract, in an amount equal to the on-site requirement; or

2. **Investment in distributed energy resources or community-scale battery storage projects** located within the municipality or its utility service area.

26-0112 - WATER USE AND QUALITY PROTECTIONS

- Evaporative cooling prohibited
- Water Use Effectiveness limits
- Water Consumption and Quality Modeling Report conducted by a third-party required at application, including:
  - Source of water supply
  - Impacts to municipal and regional water systems
  - Closed-loop cooling details and discharge quality

Proposed language added:

Section 49-103.3(c)(25)d. Data Center Facilities must be designed to meet the following performance standards:

iv. **Water Usage Standards**. Data center facilities must maintain a **Water Usage Effectiveness of no more than two tenths (0.2)**. As used in this Chapter, "Water Usage Effectiveness" or "WUE" is defined as the ratio of total potable building water consumption (liters) per Information Technology equipment (kilowatt hour).

26-0112 - WATER USE AND QUALITY PROTECTIONS

Proposed language added:

Section 49-103.3(c)(25)a. Applicants must submit, in addition to the application materials otherwise required by the Zoning Administrator, the following reports and studies as part of a conditional use request for a data center facility:

iii. A **Water Consumption and Quality Modeling Report** completed by a third-party engineer and submitted demonstrating compliance with Illinois Environmental Protection Agency requirements, the applicable standards to the underlying zoning district, and to this Section (25). The study should include the following: proposed water **source identification**, including but not limited to Municipal potable water supply, surface water withdrawals, reclaimed or recycled water, and any supplement or emergency water sources; **estimated average daily water demand** (gallons per day); **estimated peak daily water demand**; **estimated annual water consumption**; seasonal variability in water use; and projected Water Use Effectiveness as defined in this Section (25). This study must also **describe water efficiency strategies**, including but not limited to, cooling system type (e.g., closed loop, hybrid, air-cooled, liquid cooling); water reuse and recycling systems; stormwater capture and reuse, where feasible; and leak detection, monitoring, and automated controls. When closed-loop or hybrid cooling systems are proposed, the **Study shall specify the source of make-up water; blowdown volumes and frequency; chemical additives used in cooling water; temperature and quality characteristics of any discharged water; and the method and location of discharge** (e.g., sanitary sewer, on-site treatment, reuse, or permitted surface discharge). The Study shall evaluate potential impacts to water quality, including risks of chemical contamination from cooling system additives, biocides, corrosion inhibitors, and other treatment chemicals; risk of accidental releases or leaks; spill prevention and response measures; and on-site storage and handling practices for water treatment chemicals. The Study shall include a Water Quality Protection Plan outlining secondary containment for chemical storage; monitoring protocols for discharge quality; and emergency response procedures for releases or system failures. The study shall specifically address measures to prevent thermal pollution; measures to prevent discharge of contaminants that may degrade receiving waters; and whether any wastewater pretreatment or cooling is required prior to discharge.

26-0112 - NOISE INTENSITY AND COMPLIANCE MONITORING

- Data center facility shall comply with the **Illinois Pollution Control Board's (IPCB)** Environmental Regulations for Noise (Title 35 Environmental Protection Subtitle H: Noise Part, 900 and 901). This state standard has proven hard to enforce and Aurora is proposing a simpler to measure and enforce maximum constant minimum sound threshold at the data center property lines.

- **Proposed Sound Compliance modeling and testing requirements:**
  - A baseline Third Party Engineer pre-development sound study with the first petitions filed for the development.
  - Third Party Engineered Sound modeling and required as part of any zoning entitlement.
  - City Selected Third Party Engineered Sound study shall demonstrate compliance and comparison to baseline pre project sound study required prior to any temporary or permanent certificate of occupancy request. Cost reimbursed by developer. (MOVED - See LegiStar 26-0115 Building Code amendments)
  - City Selected Third Party Engineered Sound study shall demonstrate compliance and comparison to baseline pre project sound study required as part of any subsequent remodeling permit which adds sound producing equipment prior to any temporary or permanent certificate of occupancy request. Cost reimbursed by developer. (MOVED - See LegiStar 26-0115 Building Code amendments)

26-0112 - NOISE TESTING TEXT AMENDMENT

Proposed language addition:

Section 49-104.3(c)(25)a. Applicants must submit, in addition to the application materials otherwise required by the Zoning Administrator, the following reports and studies as part of a conditional use request for a data center facility:

i. A **baseline pre-development sound study** with minimum and maximum dB (A) levels measured for a continuous weeklong period be submitted with the first petitions filed for the development.

ii. A **Noise Modeling Study completed by a third-party acoustical engineer** and submitted demonstrating compliance with the applicable standards to the underlying zoning district and this Section (25).

26-0112 - NOISE MITIGATION THROUGH USE SEPARATION DISTANCES

Chiller and Cooling Equipment (chillers, fans & compressors)

Separation to residential , education and hospital uses:

- If roof mounted 1,500 feet min from screening to closest residential, education and hospital use lot lines.
- If ground mounted 1,000 feet min from screening to closest residential, education and hospital use lot lines.
- Required to be surrounded by full height attenuation screening

Emergency Generators

Separation to residential, education and hospital use lot lines:

- 1,000 feet min from screening to closest residential, education and hospital use lot lines.
- Prohibited on rooftops
- Required to be surrounded by full height attenuation screening
- Testing and Exercising activities are limited to 9am to 5pm Weekdays and not on holidays, with no more than 2 generators operating simultaneously (MOVED – see LegiStar 26-0092 – RESPONSIBLE DATA CENTER ORDINANCE).

26-0112 - NOISE MITIGATION THROUGH SEPARATION DISTANCE CHILLER TEST AMENDMENTS

Proposed language addition:

Section 49-104.3(c)(25)b. Chillers must be designed to meet the following requirements:

ii. Roof-mounted chillers cannot be located within one thousand five hundred **(1,500') feet of any residential, hospital or educational use,** measured from the nearest part of the sound attenuation screen or parapet of the building to the property line of the residential, hospital or educational use. The authorization of a conditional use for this purpose will not be affected by subsequent establishment of a residential, hospital or educational use within the restricted area established herein.

iii. Any ground-mounted chillers cannot be located within one thousand **(1,000') feet of any residential, hospital or educational use,** measured from the nearest part of the equipment yard to the property line of the residential, hospital or educational use. The authorization of a conditional use for this purpose will not be affected by subsequent establishment of a residential, hospital or educational use within the restricted area established herein.

iv. Upon data center decommissioning and use change, **obsolete roof-mounted or ground-mounted chillers and associated equipment must be removed**.

See Next Slide i.e. Banked Parking

26-0112 - NOISE MITIGATION THROUGH SEPARATION DISTANCE GENERATOR TEST AMENDMENTS

Proposed language addition:

Section 49-104.3(c)(25)c. Generators must be designed to meet with the 8 following requirements.

i. **Roof-mounted generators are prohibited**.

iv. Generators cannot be located within one thousand **(1,000') feet of any residential, hospital or educational use**, measured from the nearest part of the equipment yard to the property line of the residential, hospital or educational use. The authorization of a conditional use for this purpose will not be affected by subsequent establishment of a residential, hospital or educational use within the restricted area established herein.

v. Upon data center decommissioning and use change, **obsolete generators and associated equipment must be removed**.

Banked parking which is required for the data center can also then be improved as required parking for the next potential use.
See Table Two: schedule of Off-Street Parking Requirements.

26-0112 - NOISE INTENSITY REDUCTION TEXT AMENDMENT

Proposed language addition:

Section 49-104.3(c)(25)d. Data Center Facilities must be designed to meet the following performance standards:

i. Noise Standards.

1. Data center facilities must comply with all federal and state regulations related to noise thresholds. In additional noise levels must not exceed the following constant-minimum noise thresholds as measured **at the facility property line**:
   i. Daytime hours **59** dB (A)weighted 7am-7pm; and
   ii. Nighttime hours **49** dB (A)weighted 7pm-7am.

*Staff believes that this dB level coupled with the separation distances proposed would result in a **40dB** daytime and lower nighttime at the nearest residential lot (1,500ft with a rooftop chillers).*

Decibels dBA	Sound Example
85	Noisy Restaurant
70	Vaccum
70	Toilet
65	Quiet Café Restaurant
60	Dishwasher
60	Conversation
60	Moderate Rainfall
57	Clothes Dryer
55	Microwave
55	Bathroom Fan
50	Quiet Office
45	Quiet Dishwasher
42	Very Quite Office
40	Light Rain
40	Whisper
20	Rustling Leaves

26-0112 - NOISE SOUND ATTENUATION SCREENING TEXT AMENDMENT

Proposed language addition:

Section 49-104.3(c)(25)e. Screening. Except as expressly modified below, data center facilities must be designed to comply with the following requirements:

i. **Roof-mounted mechanical equipment** must be fully enclosed on all sides by a sound-attenuating screen or parapet equal in height to, or taller than, the tallest roof-mounted chiller or associated mechanical equipment, and must be designed to blend with the architectural style, materials, and color of the building.

ii. **Ground Mounted Mechanical Equipment** must be fully enclosed on all sides by a sound attenuating wall extension or other sound attenuating enclosure, subject to approval by the zoning administrator, equal in height to, or taller than, the tallest ground-mounted chiller and generator or associated mechanical equipment and must blend with the architectural style, materials, and color of the building.

26-0112 - VIBRATION MITIGATION THROUGH USE SEPARATION DISTANCES

Emergency Generators

- Separation to residential, education and hospital use lot lines:
- **1,000 feet min** from screening to closest residential, education and hospital use lot lines.
- Required to be surrounded by **full height** attenuation screening
- Testing and Exercising activities are limited to **9am to 5pm Weekdays** and not on holidays, with **no more than 2 generators operating simultaneously** (MOVED – see LegiStar 26-0092 – RESPONSIBLE DATA CENTER ORDINANCE).

26-0112 - VIBRATION MITIGATION THROUGH USE SEPARATION DISTANCES TEXT AMENDMENTS

Proposed language addition:

Section 49-104.3(c)(25)c. **Generators** must be designed to meet with the following requirements.

iii. All generators must be equipped with **vibration isolation systems**.

Section 49-104.3(c)(25)d. Data Center Facilities must be designed to meet the following performance standards:

ii. Vibrations Standards. Data center facilities must have **continuous vibration monitoring at spacing of no less than 500 feet along all property lines within 1,000 feet of residential, hospital or educational uses**.

26-0112 - VIBRATION MITIGATION THROUGH USE SEPARATION DISTANCES

- Data centers must adhere to the revised Aurora bulk restriction performance standards for vibration (MOVED - see LegiStar 26-00114 Warehouses). Where max permitted displacement in inches = K/frequency in cycles per second.
- **Constant vibration monitoring** shall be required every 500' of property line within 1,000 feet of residential uses.
- **Vibration Isolation mounts** are required

Table 1 K Value to be Used in Measuring Vibrations	
In any Neighboring Lot	K
Steady State	0.008
Impulsive	0.015
Less that 8 pulse per 24-hour period	0.037
In any Residential District	
Steady State	0.003
Impulsive	0.006
Less that 8 pulse per 24-hour period	0.015

- Should the data center exceed the Aurora vibration performance standards at data center site property lines within 1,000 ft of residential uses, the data center shall be required to **provide monitoring reports and a 3rd party engineer prepared scientific vibration study** which demonstrates compliance with all applicable vibration standards within 30 days of COA request.

FILE 26-0115 – BUILDING CODE CHANGES RELATED TO DATA CENTERS

See 26-0115 LegiStar attachment
"Exhibit A –Staff Recommended Language"
Dated March 16, 2026

This Item Heard by RAP 3/3/2026
Highlighting any Staff Recommended modifications **THUS**

AURORA ILLINOIS

26-0115 - PURPOSE

- Clarifies the City's authority to require sound and vibration modeling, testing reports, and professional attestations during all stages of permitting to include subsequent remodeling adding equipment.
- Ensures data center developments comply with all applicable local, State, and Federal sound and vibration standards.
- Data centers operate continuously and rely on large-scale mechanical systems.
- Proactive modeling and testing allows potential impacts to be identified and addressed before construction is permitted and occupancy is granted.
- Protects nearby residents and businesses from adverse noise and vibration impacts.

26-0115 - NECESSITY

- Data Centers building costs are 30% Shell and 70% Data Hall buildout. We have witnessed the long delays that can occur between obtaining the zoning approvals and entitlements, building the shell and then building out the Data Hall(s) for end users. See two examples below.

- These building code changes permit us to insist upon Sound and Vibration Modeling at Data Hall Remodeling Permit and Sound and Vibration Studies prior to granting the Data Hall an occupancy. This may occur long after entitlement or shell Modeling verifications had occurred.

    - We have an example in town where a data center obtained planning entitlement > **4.5** years prior to the data halls remodeling permit application and > **6.5** years prior full built out and all the equipment being installed.

- This proposed legislation will allow us to require sound and vibration modeling and testing to validate compliance for any changes or project value engineering that may have occurred in any period of project dormancy while the speculative data hall entitlement OR shell building was awaiting an ultimate user.

26-0115 – BUILDING CODE TEXT AMENDMENT

Amends 2024 International Building Code, Section 12-17.1: Additions, Insertions, Deletions, and Changes

The ordinance adds Data Center Sound & Vibration Compliance to the Building Code provisions:

1. Engineered Modeling (Permit time)

- Requires engineer-prepared modeling and attestations showing projected sound and vibration levels.
- Modeling must demonstrate compliance with local, state, and federal regulations.

2. Testing & Verification (Post-Construction)

- Requires city hired and developer reimbursed engineer testing reports and attestations confirming actual sound and vibration performance.
- Prior to obtaining a Temporary or Full Certificates of Occupancy, testing must demonstrate compliance with applicable local, state and federal regulations

26-0115 - PROPOSED TEXT AMENDMENT LANGUAGE

Sec 12-17.1 Additions, Insertions, Deletions and Changes

107.2.1.2 Data Center Engineered Modeling details is added to read:

The code official will require to be filed, engineers report(s) and attestation(s) that the proposed permit details for a data center has been modeled for sound and vibration. The accompanied reports shall demonstrate compliance with all local, State and Federal regulations.

107.3.4.2 Data Center Testing Deferred Submittals is added to read:

The code official will require the facility to perform a full operation sound and vibration test and engage city selected sound and vibration engineers to prepare report(s) and attestation(s) that the constructed data center has been tested for sound and vibration. The accompanied testing reports shall demonstrate compliance with all local, State and Federal regulations prior to the issuance of temporary or full certificates of occupancy where sound and vibration generating equipment are being added. The costs of the testing plus ten (10%) percent will be reimbursed by the facility prior to the earlier of 30 days or issuance of any certificate of occupancy.

FILE 26-0114 PROPOSED ZONING ORDINANCE TEXT AMENDMENT

WAREHOUSE & STORAGE REGULATIONS FOR 'ORI' DISTRICTS

&

VIBRATION REGULATIONS FOR 'M-1', 'M-2' & 'ORI'

See 26-0114 LegiStar attachment
"Exhibit A –Staff Recommended Language"
Dated March 13, 2026

This Item Heard by P&Z Commission 3/4/2026
Highlighting any Staff Recommended modifications **THUS**

AURORA ILLINOIS

26-0114 - WAREHOUSE MORATORIUM NECESSITY

- As Data Centers were not separately defined in the Aurora Zoning Ordinance, the **moratorium** needed to apply to warehouses in order to pause data center development and promote a new data center definition and zoning category to help regulate the unique community impacts of data centers.

- As part of the moratorium research, we additionally reviewed warehouse regulations regionally to determine if we could **encourage higher wage jobs and a reduction in truck traffic.** After public testimony and outreach we are proposing a different approach to achieve the same goal. We are now proposing a conditional use to permit a case-by-case approach with its public notice, hearing and additional council approvals as the best solution see modifications.

This Item Heard by P&Z Commission 3/4/2026
Highlighting any Staff Recommended modifications **THUS**

26-0114 – USE ISSUES AND PROPOSED CHANGES – HIGH LEVEL

Issue	Proposed Change (What We're Doing)	How It Will Be Enforced
Leveraging balance of 'ORI' zoned properties for better wage jobs	~~Limiting the amount of use dedicated to storage and warehousing to 50% of the overall use (mandating an accessory use)~~ Proposing a conditional use for warehousing in 'ORI' zoning districts with a preference for office, tech and manufacturing uses and jobs.	~~New entitlement requests will validate that less than 50% of the ORI zoned parcel proposed uses is dedicated to Storage and warehousing.~~ Conditional use for warehousing in 'ORI' zoning districts
Leveraging balance of 'ORI' zoned properties for less truck traffic	Limiting the amount of truck docks ~~to 1 dock per each 40k square feet~~. Proposing a conditional use for warehousing in 'ORI' zoning districts	~~New entitlement requests will validate that less than 1 truck dock per 40,000 square feet is permitted.~~ Conditional use for warehousing in 'ORI' zoning districts

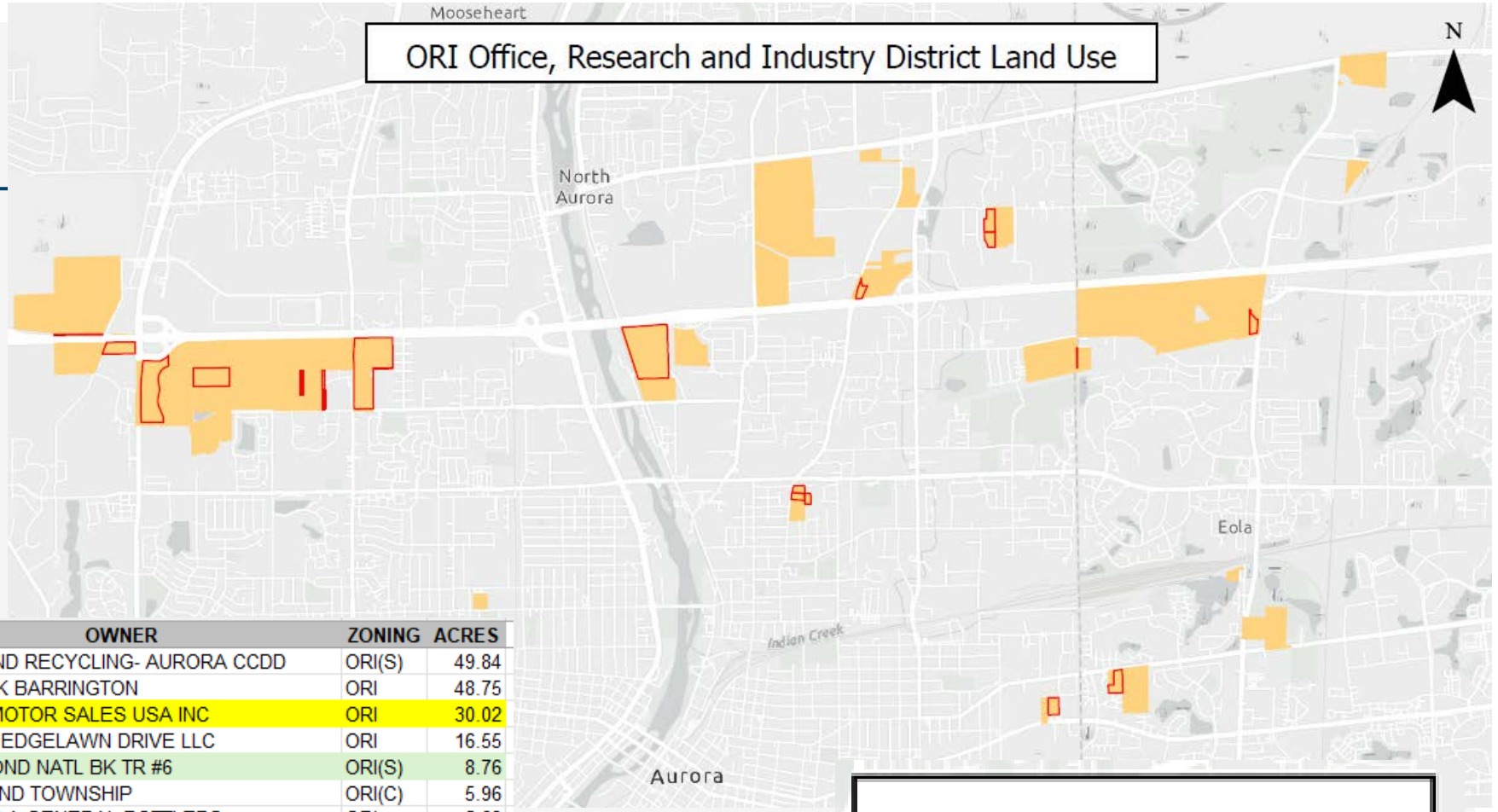
3300 Warehouse, storage or distribution facility

E	R-1	R-2	R-3	R-4	R-4A	R-5	R-5A	B-1	B-2	B-3	O	DC	ORI	M-1	M-2	Additional Regulations
													C~~P~~	P	P	Section 49-108.10(d)(4)

ORI ZONED PARCELS & VACANT ORI ZONED PARCELS

Total Number of Vacant ORI Parcels = 20

Total Acreage of Vacant ORI Parcels = 191 Acres



PIN	DESCRIPTION	OWNER	ZONING	ACRES
15-10-126-002	METTEL RD & IL-25	HEARTLAND RECYCLING- AURORA CCDD	ORI(S)	49.84
15-08-201-011	RANDALL RD & SULLIVAN RD	HARRIS BK BARRINGTON	ORI	48.75
15-07-101-002	ORCHARD RD & SEQUOIA DR	TOYOTA MOTOR SALES USA INC	ORI	30.02
15-07-201-005	BOWMAN DR & SEQUOIA DR	BREIT KM EDGELAWN DRIVE LLC	ORI	16.55
14-12-200-026	ORCHARD RD & I-88	OLD SECOND NATL BK TR #6	ORI(S)	8.76
07-19-101-015	LIBERTY ST & WOLVERINE DR	WHEATLAND TOWNSHIP	ORI(C)	5.96
15-01-177-008	BILTER RD & PREMIUM OUTLETS BLVD	PEPSI-COLA GENERAL BOTTLERS	ORI	5.63
15-24-276-034	E NEW YORK ST &	SCHMIDT-BRAHLER LLC T T TECHNOLOGIES	ORI(S)	4.67
15-01-327-017	BILTER RD & PREMIUM OUTLETS BLVD	PEPSI-COLA GENERAL BOTTLERS	ORI	3.69
07-08-100-011	EOLA RD	MOLITOR ROAD LLC	ORI	3.54
15-02-401-008	CHURCH RD & I-88	AMERICAN NATL BK & TR #48310	ORI(S)	2.73
15-14-126-015	BROUCH LN & CHURCH RD	OLD SECOND NATL BK TR#4278	ORI(S)	2.26
15-14-126-014	BROUCH LN & CHURCH RD	OLD SECOND NATL BK TR#4278	ORI(S)	2.15
15-14-126-005	BROUCH LN & CHURCH RD	OLD SECOND NATL BK TR#4278	ORI(S)	1.59
15-08-152-006	SEQUOIA DR	1785 N EDGELAWN LLC	ORI	1.37
15-08-176-002	SEQUOIA DR	PRIME AURORA BUS PARK ASSO INC	ORI	1.28
15-08-176-005	SEQUOIA DR	PRIME AURORA BUS PARK ASSO INC	ORI	1.27
14-12-100-025	I-88	PODOLSKY ORCHARD 88	ORI	0.97
15-12-276-013	COUNTY LINE RD	ABBEY PAVING & SEALCOATING CO	ORI(S)	0.39
15-08-201-008	N OF SVS TEMPLE	HARRIS BK BARRINGTON	ORI	0.32

26-0114 – VIBRATION ISSUES AND PROPOSED CHANGES – HIGH LEVEL

Issue	Proposed Change (What We're Doing)	How It Will Be Enforced
Vibration concerns	Modifying vibration regulations for better enforceability in concert with regional best practices	Objective measured limits of vibrations which mimic the most restrictive regional limits we find.
Vibration concerns	Modifying vibration regulations for consistency within the Aurora Zoning Ordinance among 'ORI' ,'M-1' & 'M-2' uses	Independent sound testing before the facility opens and if complaints are filed. Fines and required fixes if limits are exceeded.

26-0114 - VIBRATION TEXT AMENDMENT

- ORI, M-1 & M-2 uses must adhere to the revised Aurora bulk restriction performance standards for vibration. Where max permitted displacement in inches = K/frequency in cycles per second.

- This new regulation unifies the prior multifaceted approach with one vibration standard for Industrial use districts. It is the result of studying the region and national data center uses. We are proposing the most prevalent calculation method coupled with the most restrictive standards we found.

Table 1 K Value to be Used in Measuring Vibrations	
In any Neighboring Lot	K
Steady State	0.008
Impulsive	0.015
Less that 8 pulse per 24-hour period	0.037
In any Residential District	
Steady State	0.003
Impulsive	0.006
Less that 8 pulse per 24-hour period	0.015

EXAMPLE– DATA CENTER SOUND & VIBRATION COMPLIANCE FLOW

26-0092 Responsible Data Center Ordinance

26-0112 Data Center Zoning Amendments

26-0114 Warehouse Zoning Amendments

26-0115 Building Code Amendments

Modifications from prior presentations highlighted in **RED** text

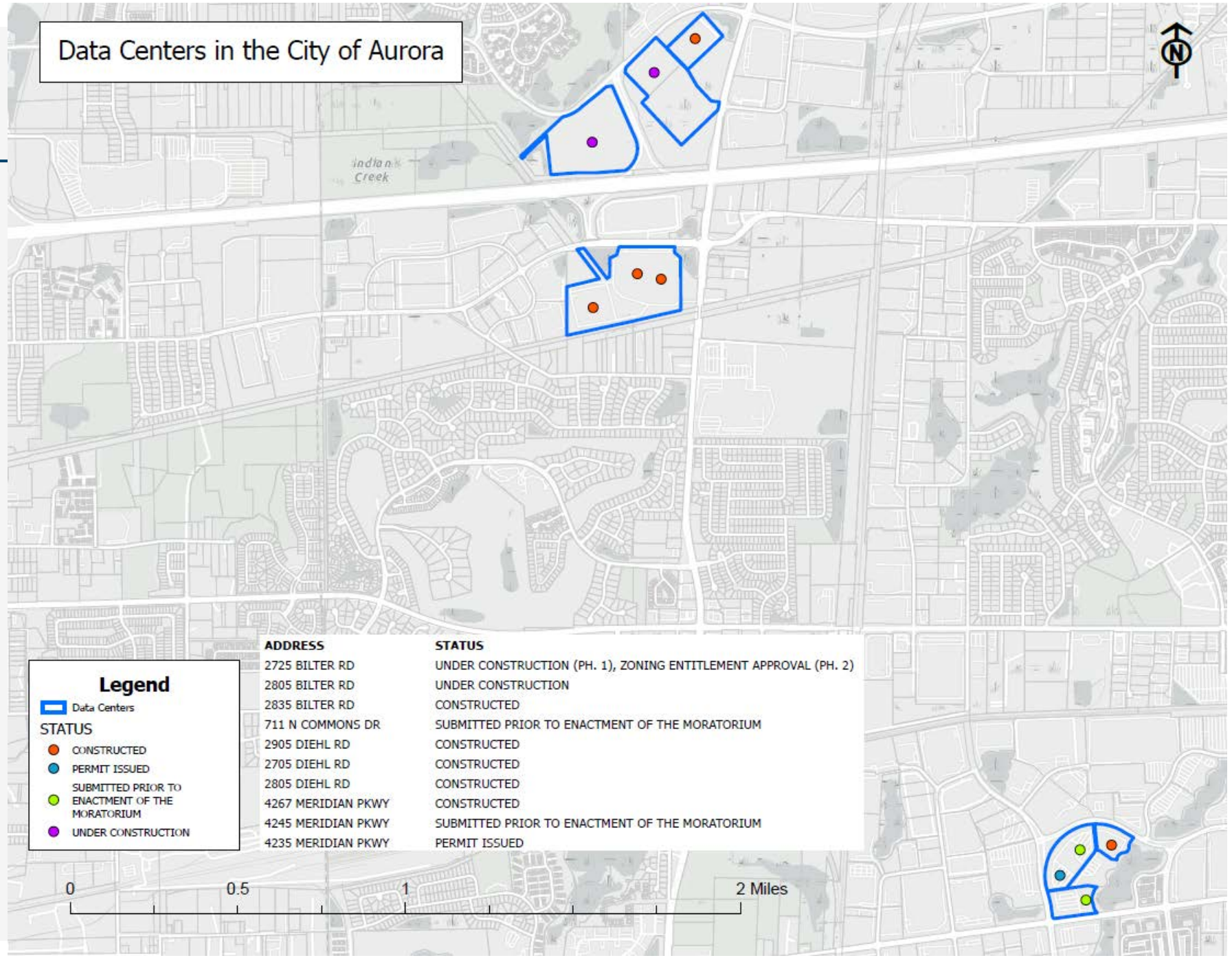
1. ZONING ENTITLEMENT	2. CONSTRUCTION PHASE	3. POST-CONSTRUCTION TESTING	4. OCCUPANCY APPROVAL	5: OPERATIONAL COMPLIANCE
Engineer sound modeling submitted	Permit approval based on new modeling	City Selected Engineer conducts sound & vibration testing at developer cost	Acceptance of Testing reports required before Temporary or Full Cert. of Occupancy	Annual certification of continued sound compliance
Vibration modeling submitted	Data center built per approved plans	Attestation confirms real-world compliance	Applies when ANY sound- or vibration-generating equipment is ADDED	Replacement equipment must meet the new requirements
Demonstrates compliance with all local, State, and Federal regulations	Vibration-generating equipment installed as entitled and permitted	Reports filed with the City		Re-testing or additional reporting triggered by: • Wholesale Redevelopment • Equipment Additions • Substantiated noise or vibration complaints

MODEL → BUILD → TEST → OCCUPY → OPPERATE RESPONSBILY

THANK YOU!

RESEARCH APPENDICES BELOW

AURORA DATA CENTERS



ADDRESS	STATUS
2725 BILTER RD	UNDER CONSTRUCTION (PH. 1), ZONING ENTITLEMENT APPROVAL (PH. 2)
2805 BILTER RD	UNDER CONSTRUCTION
2835 BILTER RD	CONSTRUCTED
711 N COMMONS DR	SUBMITTED PRIOR TO ENACTMENT OF THE MORATORIUM
2905 DIEHL RD	CONSTRUCTED
2705 DIEHL RD	CONSTRUCTED
2805 DIEHL RD	CONSTRUCTED
4267 MERIDIAN PKWY	CONSTRUCTED
4245 MERIDIAN PKWY	SUBMITTED PRIOR TO ENACTMENT OF THE MORATORIUM
4235 MERIDIAN PKWY	PERMIT ISSUED

March 18, 2026

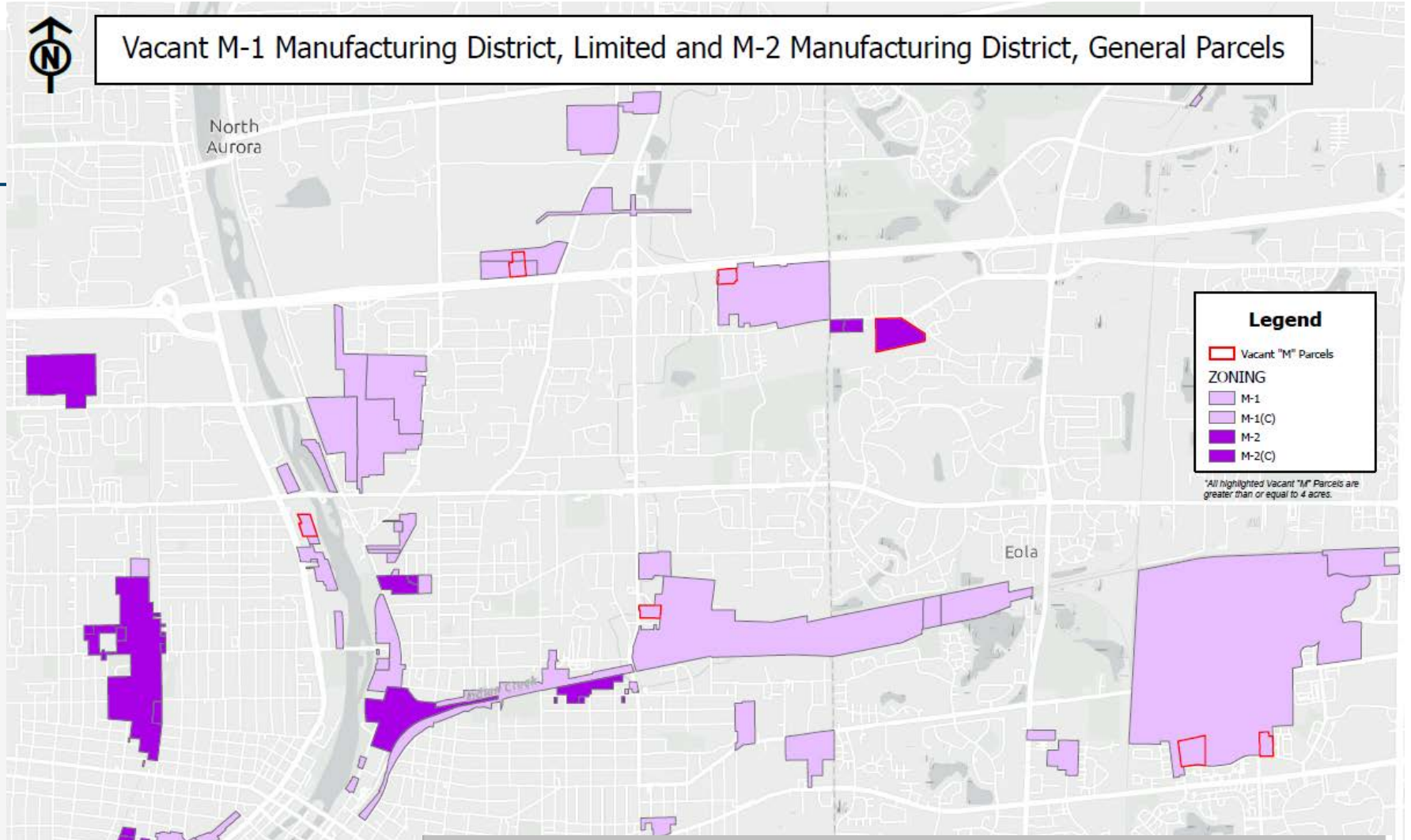
M-1 & M-2 PARCELS

Total* Number of Vacant M Parcels > 5 acres = 4

Total* Acreage of Vacant M Parcels > 5 acres = 43 acres

*Note: Government Owned and Rail Owned parcels have been removed from calculations

March 18, 2026



PIN		LOCATION	OWNERNAME	ACRES
07-07-101-024	M-2	DIEHL RD & MOLITOR RD	CERES ONE CORPORATION	20.17
07-20-203-008	M-1	GABRIELLE LN	US POST OFFICE	11.72
15-02-376-002	M-1	I-88 & CORPORATE BLVD	MTI CORPORATION	5.84
07-21-101-019	M-1	GABRIELLE LN & N COMMONS DR	CHANG, ERIC	5.11
15-15-176-058	M-1	N LAKE ST	DOVER REALTY COMPANY	4.91
15-27-111-001	M-1	NORTH AV & IL-25	TSFPC I LLC	4.67
15-01-376-002	M-1	I-88 & THOMPSON LN	DRESSLER, PHILIP-DCLRN TRUST	4.53
15-13-301-028	M-1	N FARNSWORTH AV	HERNANDEZ, RUBEN & MARIA YE	4.44

SUMMARY

This ordinance reflects a balance between economic competitiveness, infrastructure protection, and resident privacy — recognizing that data centers are long-term facilities with long-term impacts.

WHY NEW DATA CENTER STANDARDS

- Data centers bring economic activity but also **significant local impacts**
- Facilities **can strain** electric grids, water supplies, and infrastructure
- **Noise, vibration, and visual impacts** affect nearby neighborhoods
- Community concerns about **privacy, biometric data, and AI uses**
- Need for predictable rules to **protect residents** while providing **clarity for developers**
- Aligns with **Aurora's Sustainability Plan** & GHG reduction goal

PRELIMINARY RESEARCH - ACTIONS BY OTHER MUNICIPALITIES

From Prior Presentation

St, Charles, MO	One-year moratorium in response to community pushback on a proposed data center
Douglas County, GA	90-day moratorium on data centers to study their impact on the community
DeKalb County, GA	100-day moratorium on new data center developments to establish regulations
Cowetta County, GA	180-day moratorium after public concerns on data centers
Chicago, IL	Passed a data center ordinance that includes studying noise and environmental impacts by December 31, 2025
Elk Grove Village, IL	Created a district specifically zoned for data centers; requirements for higher fences, less parking
Loudoun County, VA	Dedicated data center district with clear guidance; requires public hearings for all new projects
Fredericksburg, VA	Created region-wide plan for data center development, including shared water and utility use planning

26-0092 – CHAPTERS 50 & 51 (OPERATIONS & TRANSPARENCY)

- Adds Chapter 50 – Aurora Responsible Data Center Ordinance
- Adds Chapter 51 – Data Center Privacy Protection Ordinance
- Applies after a facility is approved and operating
- Requires ongoing monitoring and reporting of water, energy, and noise
- Reinforces protections for biometric data

(More information in following slides)

26-0112 – ZONING ORDINANCE: DATA CENTERS

- Creates a new, explicit zoning definition for Data Centers
- Allows Data Centers only through Conditional Use approval
- Requires public hearings and City Council action
- Establishes performance requirements for water, energy, noise, and vibration

This is not currently at RAP today and this information is only for context. It will be heard at the Planning and Zoning Commission and then moved to RAP. Staff will only be able to answer high-level questions as this is subject to change.

26-0114 – ZONING ORDINANCE: WAREHOUSES

- Updates warehouse definitions to reflect modern logistics uses
- Modifies performance standards in ORI, M-1, and M-2 districts
- Limits incompatible or high-impact warehouse uses
- Reduces traffic, noise, and land-use conflicts

This is not currently at RAP today and this information is only for context. It will be heard at the Planning and Zoning Commission and then moved to RAP. Staff will only be able to answer high-level questions as this is subject to change.

26-0115 – BUILDING CODE AMENDMENTS

- Amends Chapter 12 – Building Code
- Requires technical testing and verification for data centers
- Validates noise and vibration performance before occupancy is granted
- Ensures applicable zoning standards are met and maintained

(More information in following slides)

MEETINGS WITH OTHER MUNICIPALITIES TO-DATE

- Naperville, IL
- Yorkville, IL
- Minooka, IL
- Chicago, IL
- Hobart, IN
- Metropolitan Mayor’s Caucus
- DuPage Mayor’s and Managers Conference (DMCC)

MEETINGS WITH DATA CENTERS TO-DATE (AND UPCOMING)

MEETINGS WITH OTHERS TO-DATE (AND UPCOMING)

Illinois Environmental Council

Sierra Club

Natural Resources Defense Council

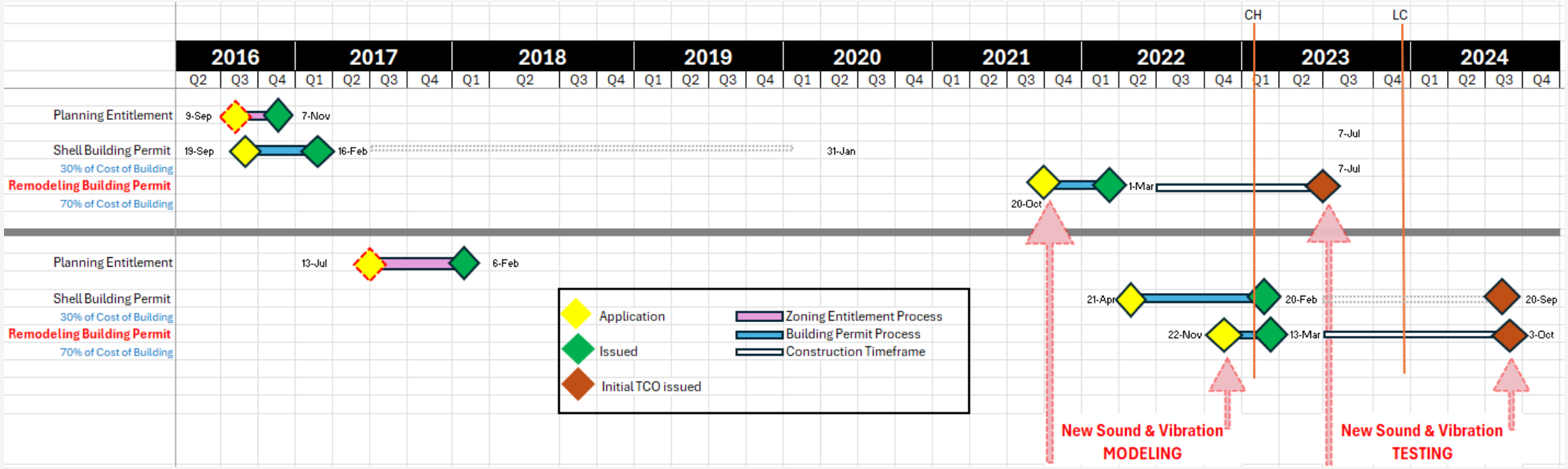
Environmental Law and Policy Center

IL American Planning Association

American Civil Liberties Union

UPCOMING COORDINATION

26-0115 - NECESSITY

- Data Centers building costs are 30% Shell and 70% Data Hall buildout. We have witnessed the long delays that can occur between obtaining the entitlement, building the shell and then building out the Data Hall(s). See two examples below.

- These building code changes permit us to insist upon Sound and Vibration Modeling at Data Hall Remodeling Permit and Sound and Vibration Studies prior to granting the Data Hall an occupancy. This may occur long after entitlement or shell Modeling verifications.