



City of Aurora

44 E. Downer Place
Aurora, IL 60505
www.aurora-il.org

Legistar History Report

File Number: 23-0925

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Type: Ordinance

Status: Agenda Ready

Version: 2

General Ledger #:

In Control: Rules, Administration, and Procedure

File Created: 11/09/2023

File Name: City of Aurora / Text Amendment / Aurora Zoning Ordinance (Chapter 49)

Final Action:

Title: An Ordinance amending Chapter 49 of the Code of Ordinances, City of Aurora, Illinois, commonly known as the "Aurora Zoning Ordinance"

Notes:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Text Amendment

Enactment Number:

Planning Case #:

Hearing Date:

Drafter: tvacek@aurora-il.org

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning and Zoning Commission	11/15/2023	Forwarded	Rules, Administration, and Procedure	11/21/2023		Pass
	<p>Action Text: A motion was made by Mr. Choudhury, seconded by Mr. Gonzales, that this agenda item be Forwarded to the Rules, Administration, and Procedure, on the agenda for 11/21/2023. The motion carried.</p> <p>Notes: <i>Mrs. Vacek said so, the purpose of this Ordinance is to really add some definitions and regulations for electric vehicle charging stations and to clean up some...certain omissions in the community residence, minor and major sections, and then clean up some regulations in the Downtown Core Section and the Downtown Fringe Section of our Aurora Zoning Ordinance. We do continue to make updates and modifications to the Zoning Ordinance as matters arise. To go back a little bit, in 2022, the Metropolitan Mayors Caucus invited municipalities in the region to participate in the EV Readiness Program to prepare to meet the growing demands of electric vehicles and charging station infrastructures. The City of Aurora did join that first cohort of communities to receive the technical assistance and training in a variety of areas as it works toward the "EV Ready Community" designation. As part of the program, it does require communities to develop electric vehicle charging station regulations within their Zoning Ordinance. Currently, our Zoning Ordinance is silent on them, so we are adding...we are adding that they are permitted as accessory uses in both residential and commercial properties. Actually, all of our zoning districts including Industrial. Staff is proposing to codify this in our Zoning Ordinance and then we also are adding in 2 definitions for Electric Vehicles and Electric Charging Stations, and then some general regulations on them. So, we are adding in that the Electric Vehicle Charging Stations shall be required a building permit approval. Parking spaces for Electric Vehicle Charging Stations shall be counted toward the minimum number of off-street parking</i></p>						

requirement. A parking space shall be clearly identified to use exclusively for parking of electric vehicles. The placement of Electric Vehicle Charging Stations is pursuant to the Section 49-104.4 (d), which is the setbacks, except that Electric Vehicle Charging Stations shall be setback a minimum of 10 feet within the front yard or exterior side yard. Letter E is Electric Vehicle Charging Station equipment must be maintained in good condition and all equipment must be functional. A phone number and other contact information shall be provided on the charging station equipment for reporting purposes when the equipment is not functioning, or other equipment problems have occurred. If that charging station is no longer in use, then it shall be immediately removed.

And then number E, that the owner of the Electronic Vehicle Charging Station is permitted to collect a fee for the use of the charging station, in accordance with the State and the Federal regulations. Fees shall be prominently displayed on the charging station. So, that is what we are adding in for Electronic Vehicle Charging Stations.

In addition, this Text Amendment also includes a few clean ups to our Zoning Ordinance as part of the 2020 update regarding the processes, there was a removal of some words within the Community Residence, Minor and Major section. Therefore, this Text Amendment adds those missing back into that section and then reformats the numbering. It also, I think, there was one part that it just said Bulk Restrictions Section, so we put Section 5 because that is the Bulk Restrictions Section. The Text Amendment also removes the 8-foot-tall clearance section for Freestanding Solar Energy System Requirements. After looking at some of the regulations, especially this regulation, we realized that it doesn't really adhere to the current industrial standards and it has become almost a barrier to allowing these types of uses, so we wanted to remove that.

Mr. Sieben said so, just to clarify, you guys granted 2 Variances: one for Marmion had a solar farm and Abbey Paving just the last couple months where, obviously, they want them lower and then they were secured with fencing. We require at least 8 feet high, which really didn't make sense, so that's the reason for that.

Mrs. Vacek said and then lastly, the proposal also updates the Limited but Permitted Uses in the Downtown Core and the Downtown Fringe to allow studios as a permitted use in the downtown. In addition, we are updating the title to Downtown Fringe to include the "DF" which is what is labeled on our Zoning map. So, that's really just a cleanup. With that, I would recommend approval of this Ordinance amending Chapter 49 of the Code, unless you have any questions for me.

Acting Chair Owusu-Safo said I have only one question, I always have questions. This question is...maybe I didn't hear you right...did you say you can charge; you are permitted to charge at these...umm...even residents? Residential?

Mrs. Vacek said well, so correct...

(Laughing)

Acting Chair Owusu-Safo said I don't want my neighbor to (unintelligible)

Mrs. Vacek said so there are State and Federal regulations when you can charge and when you can't. Obviously, a single-family residence, they're not going to charge themselves to use their own...their own equipment. But I believe in multi-family, there are some regulations where you can charge. If it's a public parking spot...parking, you can charge. If it's something in, I think a Meijer, like, if it would be in a Meijer, I believe that you could charge at that point.

Acting Chair Owusu-Safo said okay, thank you. I was thinking the residential single-family guy.

(Laughing)

Mrs. Vacek said and I believe that there is even stipulations...

Acting Chair Owusu-Safo said (laughing) have the neighbors all line up for it.

Mrs. Vacek said I believe there's stipulations and State regulations about how you can charge for multi-family and I'm not even sure it's permitted.

Acting Chair Owusu-Safo said okay, alright. Thank you, that was my only question. Anybody...does the Commission have any questions for Staff? Alright. Well, you already stated your recommendation. What is the wish of the Commission?

MOTION OF APPROVAL OF WAS MADE BY: Mr. Choudhury

MOTION SECONDED BY: Mr. Gonzalez

AYES: Mr. Chambers, Mr. Choudhury, Mr. Gonzales, Mr. Kuehl, Mr. Lee, Mrs. Martinez, and Mrs. Owusu-Safo.

NAYS: 0

Motion carried.

Acting Chair Owusu-Safo said alright, motion carries. Thank you.

Mrs. Vacek said and this will next be heard at the Rules...

Mr. Sieben said RAP...

Mrs. Vacek said at RAP Committee on November 21st, that's next Tuesday at 3 pm in this room.

Acting Chair Owusu-Safo said alright, thank you. I think that was the last item on today's agenda. Any announcements?

Aye: 7 At Large Anderson, At Large Chambers, At Large Gonzales, At Large Owusu-Safo, At Large Choudhury, At Large Martinez and At Large Kuehl

Text of Legislative File 23-0925