



## Legislation Text

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**File #:** 23-0925, **Version:** 2

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**TO:** Mayor Richard C. Irvin

**FROM:** Planning and Zoning Commission

**DATE:** November 15, 2023

**SUBJECT:**

An Ordinance amending Chapter 49 of the Code of Ordinances, City of Aurora, Illinois, commonly known as the "Aurora Zoning Ordinance" (City of Aurora - 23-0925 / KDWK-23.458-TXT/AZO - TV - All Wards)

**PURPOSE:**

The purpose of this Ordinance is to add new definitions and regulations for Electric Vehicle Charging Station and to clean up certain omissions in the community residence, minor and major sections, and to clean up certain regulations in the DC Downtown Core Section and Downtown Fringe Section in the Aurora Zoning Ordinance.

**BACKGROUND:**

The Zoning and Planning Division continues to make updates or modifications to the Zoning Ordinance as matters arise.

In 2022, the Metropolitan Mayors Caucus invited municipalities in the region to participate in the EV Readiness Program to prepare to meet the growing demand for electric vehicles and charging station infrastructure. The City of Aurora joined the first cohort of communities to receive technical assistance and training in a variety of areas as it works toward an "EV Ready Community" designation.

Part of the program requires communities to develop electric vehicle charging station regulations. The City's zoning ordinance is silent on electric vehicle charging stations; however, they have been interpreted and permitted as an accessory use for both residential and commercial properties. Staff is proposing to codify this interpretation to allow them as accessory uses in all zoning districts and to establish some general design and maintenance standards.

In addition, this Text Amendment also includes a few cleanups to the Zoning Ordinance. As part of the 2020 update regarding the processes, there was removal of some words within the Community Residence, Minor and Major section. Therefore, this Text Amendment adds the missing words back into this section and reformats the numbering.

The Text Amendment also removed the clearance section within the Freestanding Solar Energy System Requirements due to the realization that this clearance requirement does not adhere to the current industry standards which has become a barrier in allowing this type of use.

The proposal would also update the Limited but Permitted Use Sections within the DC Downtown Core and F Downtown Fringe to allow for studios within the downtown. In addition, we are updating the title to include "DF" for downtown fringe.

**DISCUSSION:**

Public Input: Due public notice was given for the public hearing on this matter. As of the date of this memo, staff has not received public inquiries regarding this petition.

**RECOMMENDATIONS:**

Planning and Zoning Commission recommended APPROVAL of the Ordinance amending Chapter 49 of the Code of Ordinances, City of Aurora, Illinois (Zoning Ordinance).

**ATTACHMENTS:**

Exhibit "A" Text Amendment

cc:

Alderman-At-Large Ron Woerman, Chairperson

Alderman Emmanuel Llamas, Vice Chairperson

Alderman Edward J. Bugg

Alderman Carl Franco

Alderwoman Patricia Smith



CITY OF AURORA, ILLINOIS

ORDINANCE NO. \_\_\_\_\_

DATE OF PASSAGE \_\_\_\_\_

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

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the City Council of the City of Aurora has determined that it is necessary and desirable to amend Chapter 49 of the Code of Ordinances, City of Aurora, being the Zoning Ordinance, in order to update and improve certain Sections of said Ordinance to better carry out the purpose and intent of said Ordinance; and

WHEREAS, on November 15, 2023 the Planning and Zoning Commission, after publication of notice,

held a public hearing on the amendments to said Ordinance and recommended approval of the amendment attached hereto and incorporated herein and hereinafter referred to as Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows:

Section One: That the City Council of the City of Aurora, Illinois finds as fact all of the preamble recitals of this Ordinance.

Section Two: That this Ordinance shall be in full force and effect, and shall be controlling, upon its passage and approval.

Section Three: That all Ordinances or part of Ordinances in conflict herewith are hereby repealed insofar as any conflict exists.

Section Four: That any section, phrase or paragraph of this Ordinance that is construed to be invalid, void or unconstitutional shall not affect the remaining sections, phrases or paragraphs of this Ordinance which shall remain in full force and effect.

Section Five: That the amendments to Chapter 49 of the Code of Ordinances, City of Aurora, being the Zoning Ordinance, are hereby adopted as set forth in said Exhibit "A".