

**UNITED CITY OF YORKVILLE
KENDALL COUNTY, ILLINOIS**

ORDINANCE NO. 2023-30

ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY,
ILLINOIS, AMENDING THE ZONING ORDINANCE IDENTIFY, DEFINE, AND
REGULATE ENERGY INDUSTRIAL USES

Passed by the City Council of the
United City of Yorkville, Kendall County, Illinois
This 26th day of September, 2023

Published in pamphlet form by the
authority of the Mayor and City Council
of the United City of Yorkville, Kendall
County, Illinois on September 27, 2023.

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AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AMENDING THE ZONING ORDINANCE IDENTIFY, DEFINE, AND REGULATE ENERGY INDUSTRIAL USES

WHEREAS, the United City of Yorkville (the “City”) is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, pursuant to Section 10-4-10 of the United City of Yorkville Zoning Ordinance (“Zoning Ordinance”) the City may initiate amendments to the Zoning Ordinance; and,

WHEREAS, the City filed a petition seeking an amendment to the Zoning Ordinance to identify Energy Industrial Uses as uses consisting of “battery uses”, “data centers” and “refrigerated warehouses (cold storage)” as their own line items in Table 10.06.04 Manufacturing Uses; and,

WHEREAS, the City filed a petition seeking an amendment to the Zoning Ordinance to define “battery uses”, “data center”, and “refrigerated warehouse (cold storage)” as permitted uses within the M-1 and M-2 zoning districts; and,

WHEREAS, the City filed a petition seeking an amendment to the Zoning Ordinance to add off-street parking regulations for Energy Industrial Uses in Section Table 10.16.03 regarding battery uses, data centers, and refrigerated warehouses (cold storage), to reflect the proposed new definitions; and,

WHEREAS, the Planning and Zoning Commission convened and held a public hearing on September 13, 2023, to consider each of these requests and made findings of fact and recommendations to the City Council to approve all of the requested text amendments.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

Section 1: That the above recitals are hereby incorporated and made a part of this Ordinance.

Section 2: That a Section 10-2-3 of the United City of Yorkville Zoning Ordinance is hereby amended to add the following definitions:

BATTERY STORAGE USES: A use that enables battery manufacturing, charging, recycling, warehousing, storage, and related uses. This may also include uses that derive energy from renewable sources, such as wind and solar power, to be collected, stored, and then released for later use to an electric grid, power plant or private user.

DATA CENTER: A facility comprised of networked computers, storage systems, and computing infrastructure which organizations use to assemble, process, store and disseminate data. Cryptocurrency centers, which use networked computers, storage systems, and computing infrastructure to manage the flow of digital or virtual currencies, shall be included in the definition.

REFRIGERATED WAREHOUSE (COLD STORAGE): A facility which is artificially or mechanically cooled in order to maintain the integrity and quality of perishable goods.

Section 3: That a Section 10-6-0, Table 10.06.04 of the United City of Yorkville Zoning Ordinance to add the land uses as follows:

	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Battery Storage Uses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Data Center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Refrigerated Warehouse (Cold Storage)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P

Section 4: That a Section 10-16-3-F, Table 10.16.03 of the United City of Yorkville Zoning Ordinance is hereby amended to add language regulating off-street parking for the land uses as follows:

Use	Minimum Spaces Required
<i>Energy Industrial Uses:</i>	
Battery Storage	
Less than 70,000 square feet	Minimum 20 parking spaces
More than 70,001 square feet	0.3 per 1,000 square feet of floor area
Data Center	
Less than 70,000 square feet	Minimum 20 parking spaces
More than 70,001 square feet	0.3 per 1,000 square feet of floor area
Refrigerated Warehouse (Cold Storage)	
Less than 150,000 square feet	0.5 per 1,000 square feet of floor area
More than 150,001 square feet	0.3 per 1,000 square feet of floor area

Section 5: This Ordinance shall be in full force and effect after its passage, publication, and approval as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this 26th day of September, A.D. 2023.

CITY CLERK

KEN KOCH	<u>ABSENT</u>	DAN TRANSIER	<u>AYE</u>
ARDEN JOE PLOCHER	<u>AYE</u>	CRAIG SOLING	<u>AYE</u>
CHRIS FUNKHOUSER	<u>AYE</u>	MATT MAREK	<u>AYE</u>
SEAVER TARULIS	<u>AYE</u>	RUSTY CORNEILS	<u>AYE</u>

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois this 28th day of September, A.D. 2023.

MAYOR