

ORDINANCE NUMBER 24 - 36

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS AMENDING SECTIONS 157.003 AND 157.065 OF THE ZONING ORDINANCE DEFINING DATA CENTERS AND CREATING DATA CENTERS AS A PERMITTED USE IN THE M-1 AND M-2 MANUFACTURING DISTRICTS

WHEREAS, the Village of East Dundee ("**Village**") is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, Village staff submitted a request for the consideration of amendments to Sections 157.003 and 157.065 of the Village of East Dundee Zoning Ordinance ("**Zoning Ordinance**") to define "data center" and allow data centers as a permitted use in the M-1 and M-2 Manufacturing Districts ("**Text Amendments**"); and

WHEREAS, public notice of a public hearing was published in the Northwest Suburbs Daily Herald and Fox Valley Daily Herald on September 26, 2024 regarding the Application before the Village's Planning and Zoning Commission was duly given, and a public hearing was held on the Application on October 16, 2024 to consider the Text Amendments; and

WHEREAS, at the conclusion of the public hearing, the Planning, Zoning and Historic Commission made findings and recommended that the Village President and Board of Trustees of the Village ("**Corporate Authorities**") approve the Text Amendments, as set forth in this Ordinance; and

WHEREAS, the Corporate Authorities have received and considered the recommendation of the Planning, Zoning, and Historic Commission and find it to be in the best interests of the health, safety and welfare of its residents to approve Text Amendments;

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, as follows:

SECTION 1: Incorporation. That each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

SECTION 2: Amendment to Section 157.003. Section 157.003, titled "Rules and Definitions," of Chapter 157, titled "Zoning" of Title XV, titled "Land Usage," of the

Village Code of the Village is hereby amended as follows, with additions in **bold** and double-underlined and deletions ~~struck through~~.

"TITLE VII: LAND USAGE

* * *

CHAPTER 157; ZONING

* * *

§ 157.003 RULES AND DEFINITIONS.

* * *

(B) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

* * *

DATA CENTER. **A facility primarily used for the storage, management, processing and transmission of digital data including related office areas through the use of support equipment such as servers, networks and other similar computer-based components.**

SECTION 3: Amendment to Section 157.065(A)(1)(h)(1). Section 157.065, titled "General Requirements," of Chapter 157, titled "Zoning" of Title XV, titled "Land Usage," of the Village Code of the Village is hereby amended as follows, with additions in **bold** and double-underlined and deletions ~~struck through~~.

§ 157.065 GENERAL REQUIREMENTS.

(A) Allowable use of land and buildings.

(1) Allowable uses table. Permitted uses, special uses, accessory uses, and temporary uses in the manufacturing districts shall be as indicated on the following table. All other provisions of this chapter to the contrary notwithstanding, the Building Inspector shall determine whether a proposed use that is not specifically listed on the table is most similar to and compatible with one or more permitted uses, special uses, accessory uses, temporary uses, or prohibited uses and classify the use accordingly. Such determinations shall be recorded in writing and maintained on file in the Village Clerk's office.

Allowable uses of land and buildings: P: Permitted by-right S: Permitted by special use permit	Limited Manufacturing District (M-1)	Limited Manufacturing District (M-2)
---	---	---

* * *		
<i>(h) Office uses.</i>		
1. Professional offices.		
Business office; goods, wares or merchandise are displayed or sold on the premise	P	
<u>Data center</u>	<u>P</u>	<u>P</u>
Engineering and architectural service	P	

SECTION 4: 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 5: Effect. That this Ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

[SIGNATURES ON FOLLOWING PAGE]

PASSED this 21st day of October 2024 pursuant to a roll call vote as follows:

AYES: Mahony, Kunze, Brittin, Saviano, Treiber and Sauder

NAYES: Ø

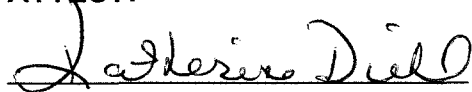
ABSENT: Ø

APPROVED by me this 21st day of October 2024.



Jeffrey Lyham Village President

ATTEST:



Katherine Diehl, Village Clerk

Published in pamphlet form this 21st day of October 2024, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on October 22, 2024.