

PROPOSED CHANGES TO DATA CENTER REQUIREMENTS

RULES, ADMINISTRATION, AND PROCEDURES COMMITTEE

MARCH 3, 2026

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

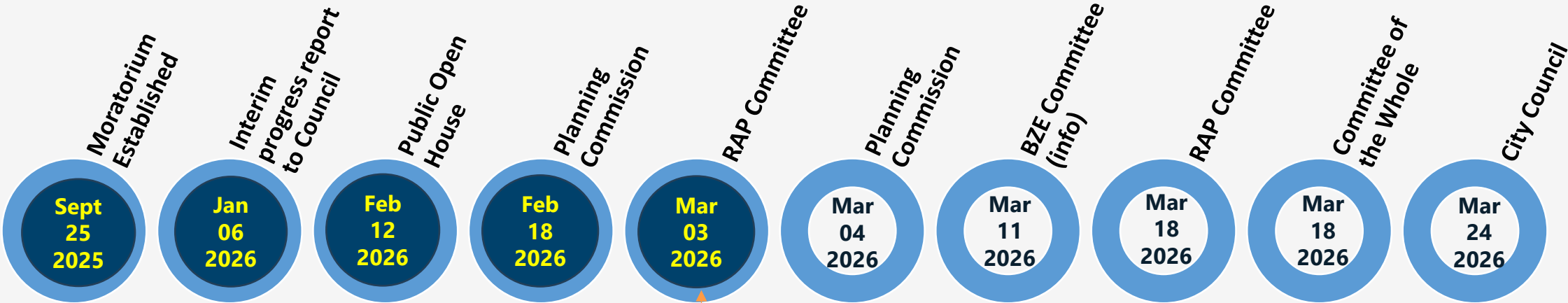


Vote/ Change

- 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.
- All with go through RAP Committee and be presented to BZE (information-only). As these Zoning/ACO & Building Code rules changes are not project-specific RAP is the forum to consider recommendation to COW on all four ordinances.

THE FOUR ORDINANCES AT A GLANCE

26-0092

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

26-0112

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

26-0114

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

26-0115

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

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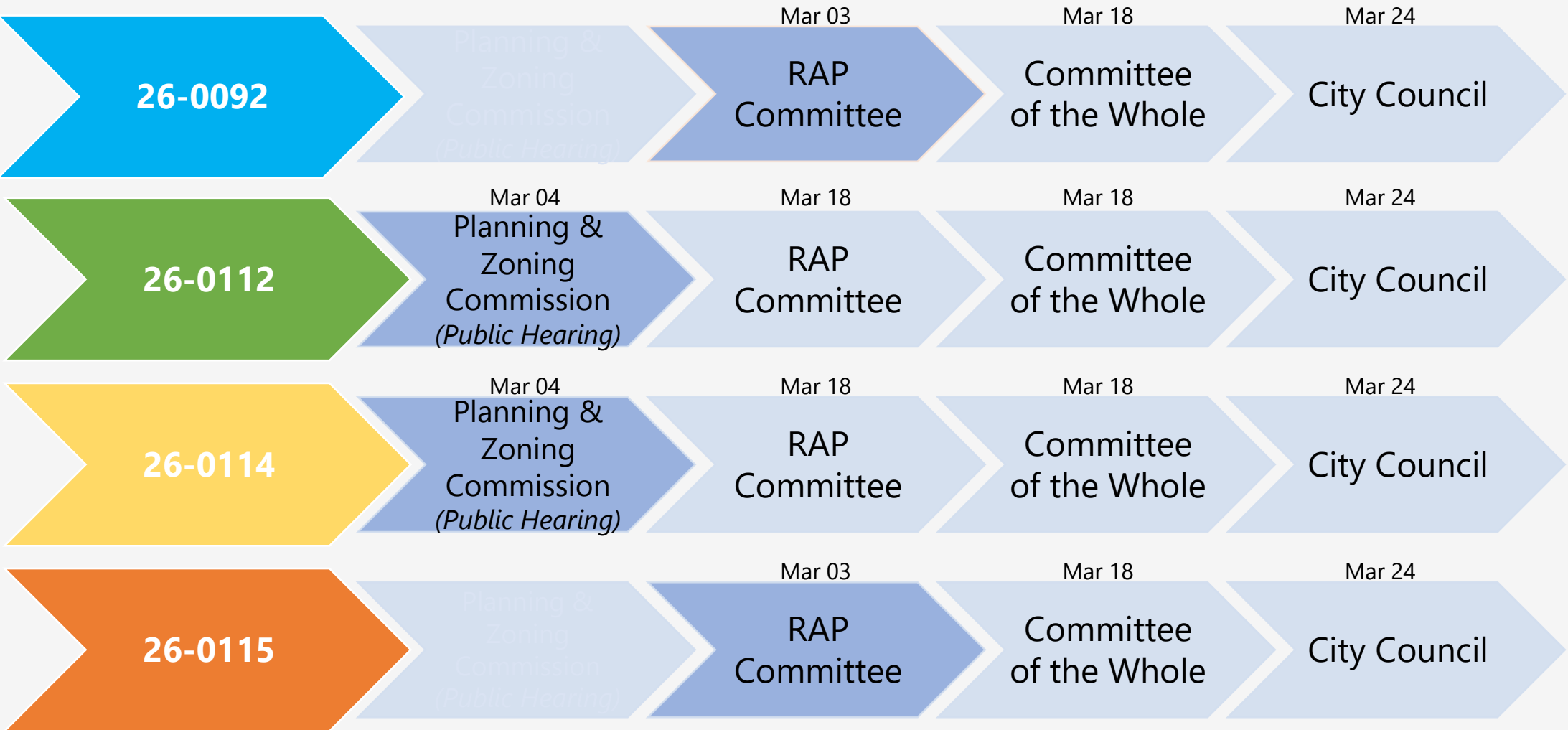
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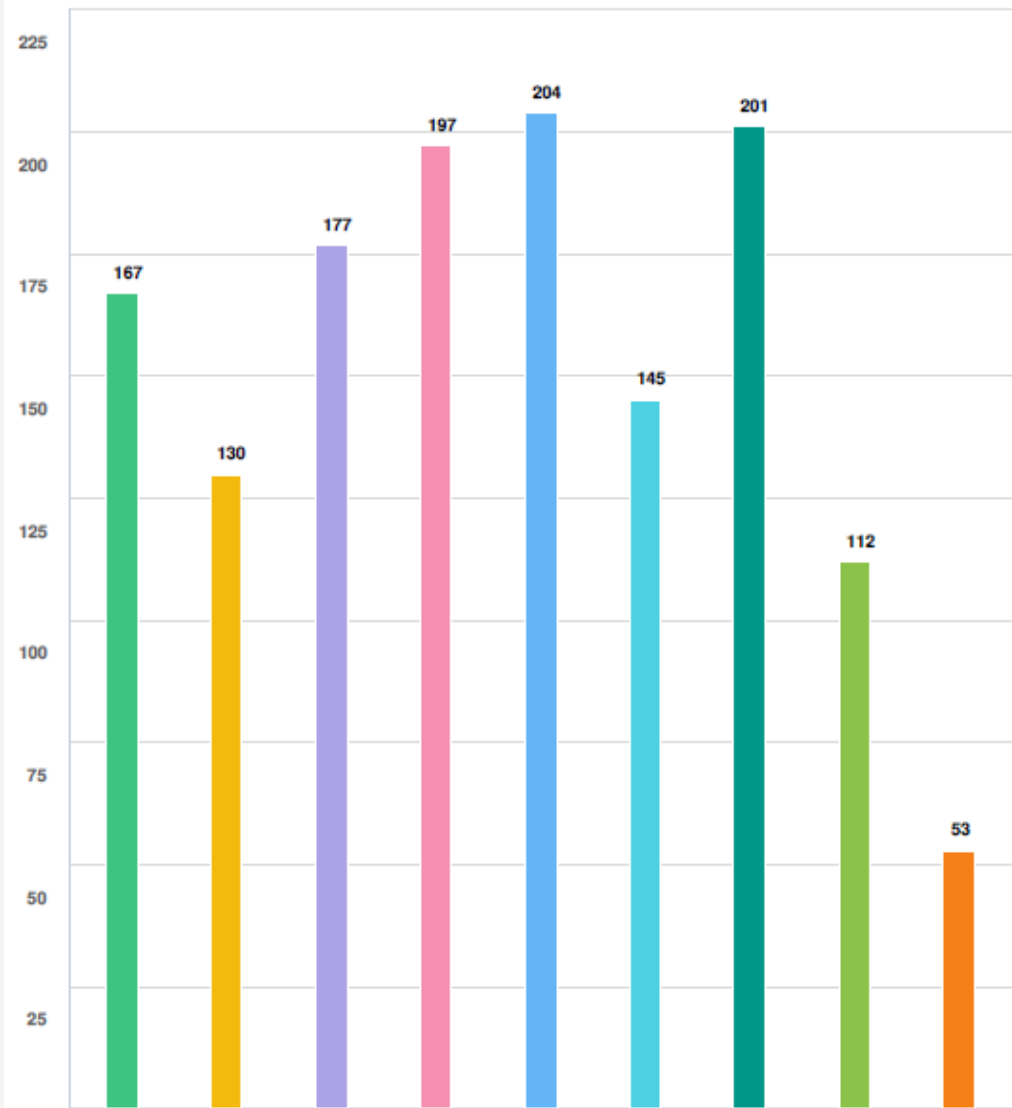
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THE FOUR ORDINANCES AT A GLANCE - APPROVAL PROCESS



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

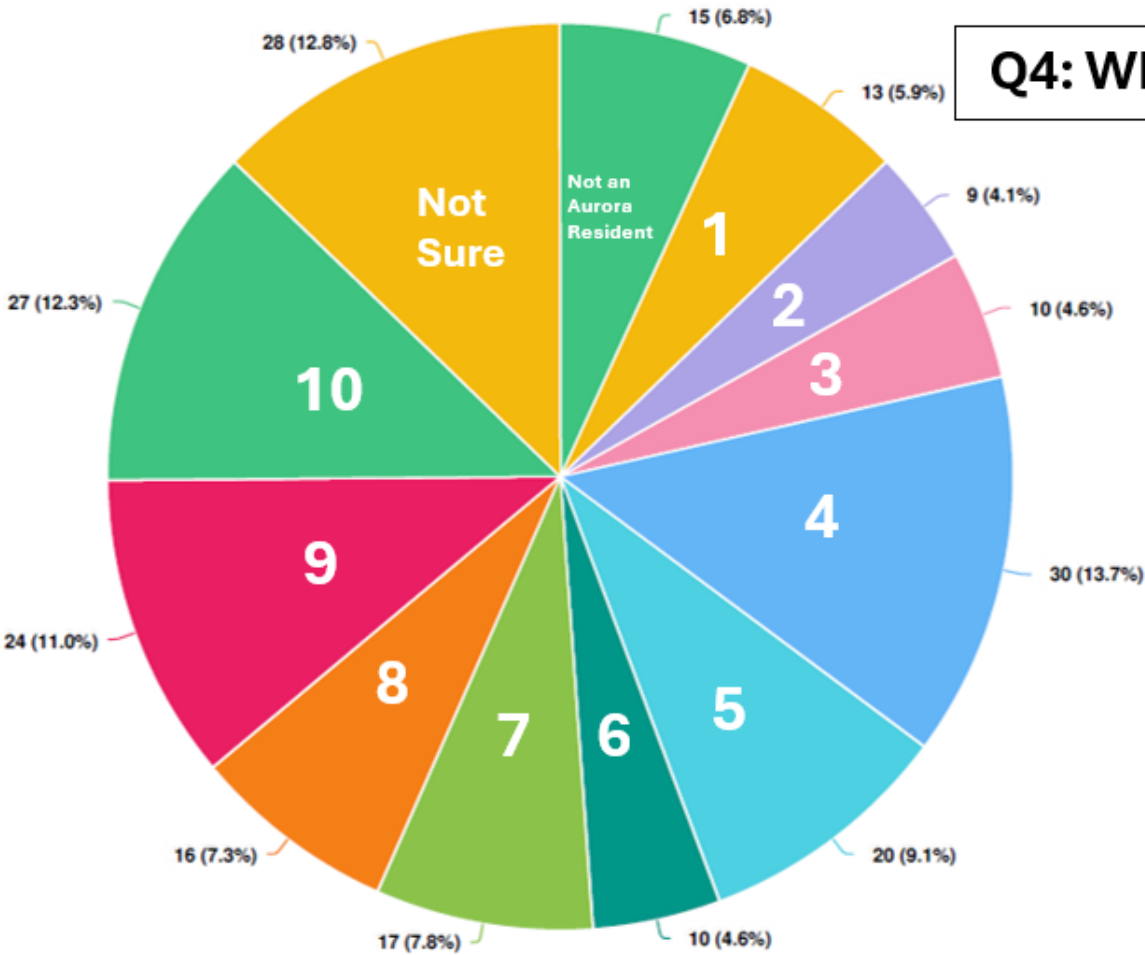
● Increased Utility Bills

● 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.



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 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.
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 data privacy safeguards. Written data governance policies required. Annual compliance certification.
TRANSPARENCY	No ongoing public reporting specific to data centers.	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

MARCH 3, 2026

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**:
- 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 CO₂, CH₄, N₂O, SF₆, 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.
- 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. 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 30 days after approval by City Council.

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., Illinois TRUST Act; Climate Mayors "Century Cities")

Intended Impact

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

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

MARCH 3, 2026

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 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 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 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 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

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 to be filed, engineers 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 requests for temporary or full certificates of occupancy where sound and vibration generating equipment are being added.

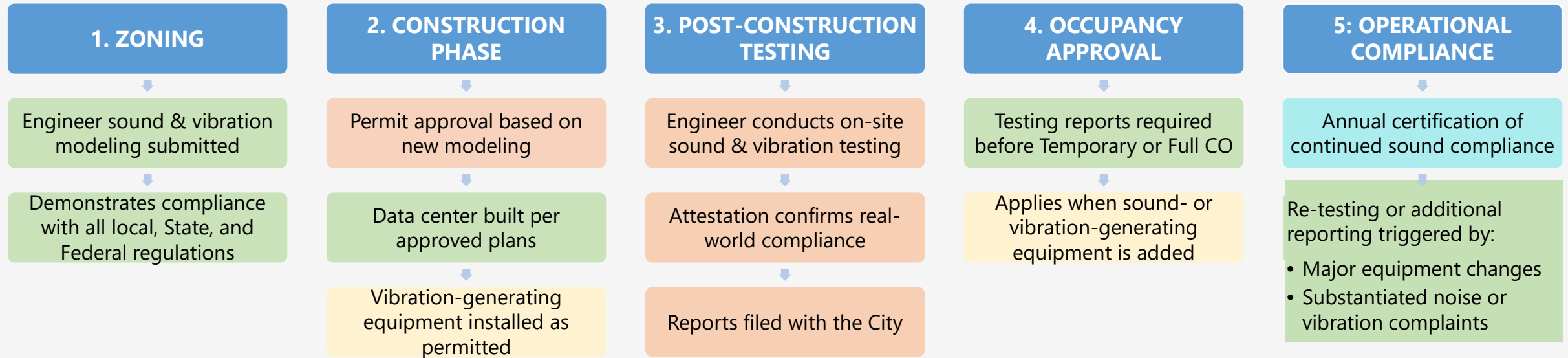
EXAMPLE– DATA CENTER SOUND & VIBRATION COMPLIANCE FLOW

26-0092

26-0112

26-0114

26-0115



MODEL → BUILD → TEST → OCCUPY → OPPERATE RESPONSIBLY

THANK YOU!

SUMMARY

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.

RESEARCH APPENDICES BELOW

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



State of Illinois Legislature

Chicago Report – anticipated next few mon.

Metropolitan Mayor's Caucus Report

IL American Planning Association Report

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.

