
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE AMENDING “ARTICLE V – DISTRICTS” AND “ARTICLE XIV –
DEFINITIONS” OF CHAPTER 110, ZONING, OF THE ROCHELLE MUNICIPAL
CODE**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

TOM McDERMOTT
BIL HAYES
KATE SHAW-DICKEY
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ROSAELIA ARTEAGA
BEN VALDIVIESO
City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
Peterson, Johnson, and Murray, LLC, City Attorneys
1301 W. 22nd Street – Ste. 500 Oak Brook, Illinois 60523

ORDINANCE NO: _____

Date Passed:

AN ORDINANCE AMENDING “ARTICLE V – DISTRICTS” AND “ARTICLE XIV – DEFINITIONS” OF CHAPTER 110, ZONING, OF THE ROCHELLE MUNICIPAL CODE

WHEREAS, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to them by law and as such the City of Rochelle, Ogle County, Illinois being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, and may exercise only the powers expressly granted by law; and

WHEREAS, the Illinois General Assembly granted non-home rule municipalities broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities.” 65 ILCS 5/1-2-1; and

WHEREAS, while “non-home rule municipalities have the authority to enact ordinances, such ordinances may in no event conflict with state law or prohibit what a state statute expressly permits . . . A local ordinance may impose more rigorous or definite regulations in addition to those enacted by the state legislature so long as they do not conflict with the statute.” (*Village of Wauconda v. Hutton*, 291 Ill. App. 3d 1058, 1060 (1997)); and

WHEREAS, the City’s Zoning Ordinance does not currently allow for data centers; and

WHEREAS, with the continued development and use of information technology there is a growing need for data centers; and

WHEREAS, data centers are beneficial to communities as they can attract other technological businesses and encourage local economic development; and

WHEREAS, amending “Article XIV – Definitions,” to include a definition of “data centers,” and “Article V – Districts,” to permit them in industrial districts, would allow for the development of local data centers in the community; and

WHEREAS, proposed amendments to “Article V – Districts,” are attached herein as Exhibit A; and

WHEREAS, proposed amendments to “Article XIV – Definitions,” are attached herein as Exhibit B; and

WHEREAS, pursuant to the public notice published in a newspaper of general circulation within the City as required by Sec. 110-32 of the Code of the City of Rochelle, the Planning and Zoning Commission held a public hearing on the proposed Zoning amendments on March 3, 2025; and

WHEREAS, after holding the public hearing and reviewing the proposed amendments, the Planning and Zoning Commission determined that the proposed amendments meet the standards as specified under Sec 110-309(e) of the Code of Rochelle and voted 7-0 to adopt the proposed amendments to Article V and Article XIV of Chapter 110; and

WHEREAS, the Mayor and the City Council find that it is in the best interest of the City and its residents to update and amend Articles V and XIV of the Zoning Ordinance to allow for “data centers,” within the City of Rochelle.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Rochelle as follows:

SECTION ONE: That the City hereby incorporates all of the recitals above into this Ordinance as if fully set forth herein.

SECTION TWO: The City Council hereby adopts the Planning and Zoning Commissions’ Findings of Fact as made on March 3, 2025. Furthermore, “Article V – Districts,” of Chapter 110, ZONING shall be amended by adding the red underlined language as reflected in the attached Exhibit A; and that “Article XIV – Definitions,” of Chapter 110, ZONING shall be amended by adding the red underlined language as reflected in the attached Exhibit B.

SECTION THREE: If any provision of this Ordinance application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION FOUR: Where the conditions imposed by any provisions of this Ordinance are more restrictive than comparable provisions imposed elsewhere in any other local law, ordinance, resolution, rule or regulation, the regulations of this Ordinance will govern.

SECTION FIVE: The City Clerk shall publish this Ordinance in pamphlet form.

SECTION SIX: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED this 10th day of March 2025.

ATTEST:

City Clerk

Mayor

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, Rose Huéramo, City Clerk of the City of Rochelle, County of Ogle and State of Illinois,
DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. _____,
“An Ordinance Amending ‘Article V – Districts’ and ‘Article XIV – Definitions’ of Chapter 110,
Zoning, of the Rochelle Municipal Code,” which was adopted by the Mayor and City Council of
the City of Rochelle on March 10, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle this 10th day of March 2025.

CITY CLERK