

8.7. DC Downtown core district.

8.7-1. Title

8.7-1.1. The Downtown Core District shall be designated as “DC” on the City of Aurora Zoning Map.

8.7-2. Intent and Purpose

8.7-2.1. Purpose. The downtown core district, bounded as described herein, is meant to preserve, enhance and promote the pedestrian character of the city's central business district. The downtown core is the center of government, culture, transportation, finance, specialized retail, and professional offices.

The downtown core offers an accessible market and diverse spaces necessary for small scale, independent businesses. It permits office, retail and service uses as well

as light industry, and has the support services necessary for these firms.

The downtown core is uniquely suited to entertainment and recreation. It encompasses numerous historic buildings. Pedestrian access to the Fox River, and the appropriate building facades, street furniture, signage and landscaping are encouraged.

The downtown core encourages both daytime and nighttime activities by permitting a mixture of uses. It permits retail and service sidewalk activities in order to attract pedestrians. It also promotes pedestrian safety, convenience and comfort by regulating ground floor land uses, certain heavy auto traffic uses, and additional parking. Nuisances are prevented through standards for downtown light industries and prohibition of inappropriate land uses.

8.7-3. District Specific Regulations

8.7-3.1. Rules

- A. All activities shall be conducted wholly within an enclosed building with the exception of the following:
 - i. Sidewalk activities.
- B. Density and intensity. There shall be no restrictions or regulations regarding a minimum lot area, minimum lot width, maximum ground coverage, minimum ground floor area per building, maximum floor area ratio, or maximum height (except as provided by the building code). Dwelling standards are provided by the applicable codes and ordinances of the city.
- C. Existing buildings. As provided by this the DC Downtown Core District and the Bulk Restrictions Section hereof, where applicable.
- D. Certain storage prohibited. Outside storage of vehicles, equipment or materials is prohibited.
- E. Large scale developments: Downtown.
 - i. Requirements.
 - a. Definition and size limitation: A development or redevelopment having gross leasable area of thirty thousand (30,000) square feet or greater, which is developed as a unit under unified or coordinated control of its planning and development.
 - b. Permitted uses: Those uses permitted in the downtown core.
 - c. Landscaping. As specified in applicable ordinance; specifications may be increased in accordance with the DC Downtown Core District hereof.
 - ii. Standards. The planning commission may recommend that the application for a large-scale development be approved if the commission finds that such development is in substantial conformance to the standards below. The commission may recommend that the application for such development be denied if any of the following standards are not met.

- a. The development is in accordance with the comprehensive plan and the physical development policies of the city.
 - b. The proposed development will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
 - c. The proposed development maximizes pedestrian and vehicular circulation ease and safety.
 - d. The proposed development will be compatible with surrounding properties and help to maintain and advance property values. The development's physical design shall take into consideration the scale, exterior materials, and rhythm of the historic buildings on the block. (The purpose of this section is not to require that buildings should recreate an earlier style, but rather that they be compatible with the existing character of the block.)
 - e. Such developments abutting the Fox River or parkland along the river, shall provide pedestrian and visual access to the river.
 - f. When a development has potential visual access to the river, the building design shall incorporate views of the river.
- iii. Procedure: The application procedure for a large-scale development, as provided by the Administration Section hereof except that the provisions of the DC Downtown Core District shall supersede the Administration Section for purposes of the downtown core.
- F. Boundaries. The downtown core shall be the area bounded by the following: That portion of Middle Avenue from West New York Street to West Benton Street; that portion of Benton Street from Middle Avenue to the Burlington Northern Main Line; that portion of the Burlington Northern Main Line from East Benton Street to East New York Street; that portion of both sides of East New York Street from the Burlington Northern Main Line to North River Street (including the Old Fire Station Complex parcels at the northeasterly corner of North Broadway and East New York Streets and the three (3) most southerly parcels commencing at the northwesterly corner of said streets); that portion of North River Street from Pinney Street (bordering the property adjoining the north side of New York Street thereat) to West New York Street; and that portion of West New York Street from North River Street to Middle Avenue, and all of Stolp Island.
- G. Uses to Preclude Nuisance. Uses visible to the public through first floor windows shall not display storage areas. The above uses shall be conducted so as to preclude any nuisance, hazard or offensive conditions including creation or emission of dust, gas, smoke, noise, fumes, odors, vibrations, particulate matter, chemical compounds, electrical disturbances, humidity, heat, cold, glare or night illumination. The uses must be compatible with the downtown core uses, including dwelling units and retail. Prior to the issuance of a building or occupancy permit, or at any other time, the building official may require evidence that adequate controls, measures, or devices have been provided to ensure and

protect the public interest, health, comfort, convenience, safety and general welfare from such nuisance, hazard or offensive condition.

8.7-3.2. Definitions

8.7-4. Use Regulations

8.7-4.1. Permitted uses. The Permitted Uses for this district as identified in Table One: Use Categories shall apply.

8.7-4.2. Special Uses. The Special Uses for this district as identified in Table One: Use Categories shall apply.

8.7-4.3. Accessory Uses. The Use Regulations Section of the Aurora Zoning Ordinance shall apply in addition to the following District specific provisions:

A. Sidewalk activities.

- i. Sidewalk activities may include the following: The use of tables, boxes, bins, racks, showcases, platforms or any other arrangement or structure for the display or sale of food, goods, wares or merchandise; push or vending carts, flower/art/craft and other exhibits; restaurant tables; shoe-shine stands; street musicians; other pedestrian services.
- ii. The following conditions shall be placed on these permitted uses:
 - a. Normal public movement in the public right-of-way shall not be impeded by any sidewalk activity, nor shall any display obstruct the vision of pedestrians or motorists near any intersection. Such uses shall be set back at least five (5) feet from the curb, or from any street tree or furniture.
 - b. Any merchandise shall be firmly secured so that it cannot be accidentally jarred loose or blown away.
- iii. Operators of such activities shall be responsible for keeping the applicable public right-of-way free from any litter generated as a result of such activity.
- iv. Sponsors of such activities shall be responsible for all liabilities resulting from the operation of said activities and shall hold the city harmless for any and all such liabilities.
- v. No such activity that is determined by the city to be detrimental to the public health, safety and welfare shall be permitted.
- vi. Permits are not required for such activities conducted by businesses directly in front of their establishments. Any applicant shall apply for a permit to operate such activity on the public sidewalk not in front of a business. The city may grant a permit for sidewalk activities in front of a business, if that business gives its written permission. Permits for sidewalk activities shall specify the permitted location, duration and type of use. Permits for food sales uses shall also specify the required health protection rules. All food shall be covered.
- vii. Procedure. Permits for sidewalk activities shall be issued by the director of finance. Fees for such permits shall be as set from time to time by the city council.

8.7-4.4. Limited but Permitted Uses

- A. Residential (above the first floor). Dwelling units shall be permitted in the downtown core when such units each contain a separate bathroom, a separate

bedroom with a door that closes, and a full service, ventilated kitchen. Inspection and licensing of all downtown core dwelling units shall be in accordance with appropriate city codes. Dwelling units shall not be mixed with other uses on a single floor unless separated from such other uses by a continuous wall. The planning and development committee of the Aurora city council may grant an exception to the above provision prohibiting dwelling units on the first floor:

- i. For a new building constructed adjacent to the Fox River; and
- ii. If the residential uses are separated entirely from street frontage by a permitted use, excluding accessways; and
- iii. If the first floor dwelling units have visual access to the river.

8.7-5. Bulk Restrictions

8.7-5.1. Building, Dwelling and Structure Standards

8.7-5.2. Floor Area Ratio

8.7-5.3. Height

8.7-5.4. Landscaping.

A. The Bulk Restrictions Section of the Aurora Zoning Ordinance shall apply.

8.7-5.5. Lot Size

8.7-5.6. Lot Coverage

8.7-5.7. Monotony Standards

8.7-5.8. Nonconformity

8.7-5.9. Obstructions

8.7-5.10. Parking and Loading

A. Off-street parking shall be in accordance with the Bulk Restrictions except that surface parking constructed after the effective date of this the DC Downtown Core District shall be allowed only in the rear yard of a zoning lot. Parking constructed after the effective date of this the DC Downtown Core District in a front or side yard or as the sole use of a property, shall be permitted only by special use permit, pursuant to sections 13.5 and the Administration Section hereof.

8.7-5.11. Performance Standards

A. The Bulk Restrictions Section of the Aurora Zoning Ordinance shall apply.

8.7-5.12. Setbacks. No exterior or interior yard setbacks shall be required except for the following:

ITEM	SETBACK (in feet)
PARKING LOTS	
Exterior Yard	5
EXTERIOR LOTS (any size)	

River Yard	15
BUILDINGS	
River Yard	15
PUBLICLY MAINTAINED RIVER WALKWAY	
Between Parking Lot and River	15
Between Building and River	15

8.7-5.13. Signs

- A. Such requirements as are specified in Article 19 of the Aurora Building Code.

8.8. F Downtown fringe district.

8.8-1. Title

- 8.8-1.1. The Downtown Fringe District shall be designated as "F" on the City of Aurora Zoning Map.

8.8-2. Intent & Purpose

- 8.8-2.1. Purpose. The purpose of the downtown fringe district is to promote economic development by allowing a maximum of uses to be permitted near the center of the city consistent with protection of residential uses, enhancement of the area's image and physical appearance, maintenance of circulation safety, and the assurance of compatibility with surroundings.

- 8.8-2.2. Intent. The downtown fringe district is intended to permit a large number of land uses, while requiring municipal review of traffic-related and large-scale uses, performance standards for industrial uses, and the maintenance of certain land use functions within enclosed buildings or otherwise totally screened from public view.

8.8-3. District Specific Regulations

8.8-3.1. Rules

- A. Density and intensity. There shall be no restrictions or regulations regarding a minimum lot area, minimum lot width, maximum ground coverage, minimum ground floor area per building, maximum floor area ratio, or maximum height (except as provided by the building code). Dwelling standards are provided by the applicable codes and ordinances of the city.
- B. Existing buildings. As provided by this the F Downtown Fringe District, and the Bulk Restrictions District hereof, where applicable.
- C. Site plan review: Downtown fringe.
- i. Applicable uses. The following uses shall be permitted in the downtown fringe only via the site plan review procedure of this the F Downtown Fringe District:
 - a. Drive-in financial uses.
 - b. Parking lots in the front or side yard of a property, or as the sole use of a property.