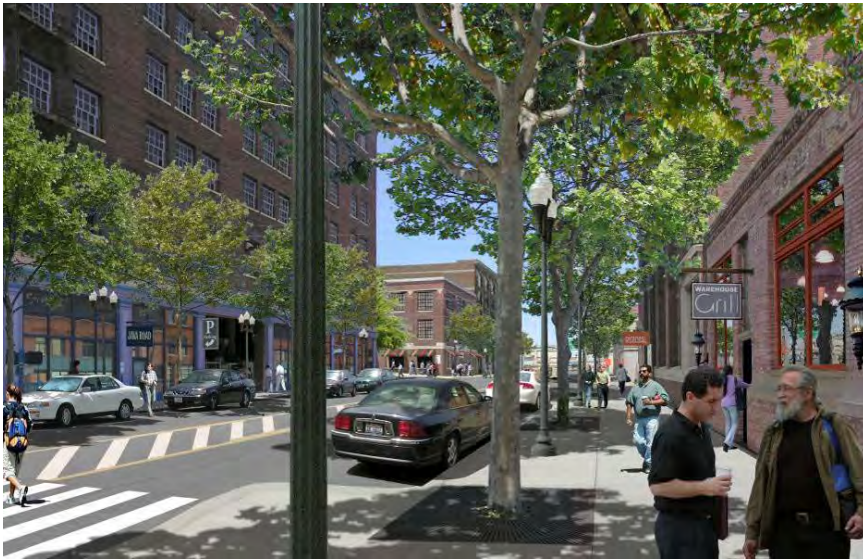


Heart of Peoria

Land Development Code



Text Amendments

Entire code adopted June 12, 2007, Ordinance No. 16,121.
Amendments adopted on December 11, 2007, Ordinance No. 16,222.
Amendments adopted on December 17, 2007, Ordinance No. 16,229.
Amendments adopted on January 22, 2008, Ordinance No. 16,238.
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Amendments adopted on April 28, 2009, Ordinance No. 16,424.
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Amendments adopted on September 22, 2009, Ordinance No. 16,475.
Amendments adopted on October 27, 2009, Ordinance No. 16,485.
Amendments adopted on October 27, 2009, Ordinance No. 16,487.
Amendments adopted on October 27, 2009, Ordinance No. 16,488.
Amendments adopted on October 27, 2009, Ordinance No. 16,491.
Amendments adopted on December 22, 2009, Ordinance No. 16,513.
Amendments adopted on January 12, 2010, Ordinance No. 16,521.
Amendments adopted on January 26, 2010, Ordinance No. 16,523.
Amendments adopted on January 26, 2010, Ordinance No. 16,527.
Amendments adopted on April 27, 2010, Ordinance No. 16,556.
Amendments adopted on June 22, 2010, Ordinance No. 16,575.
Amendments adopted on August 24, 2010, Ordinance No. 16,600.
Amendments adopted on September 14, 2010, Ordinance No. 16,606.
Amendments adopted on September 28, 2010, Ordinance No. 16,609.
Amendments adopted on October 26, 2010, Ordinance No. 16,617.
Amendments adopted on October 26, 2010, Ordinance No. 16,619.
Amendments adopted on November 23, 2010, Ordinance No. 16,626.
Amendments adopted on December 14, 2010, Ordinance No. 16,644.
Amendments adopted on January 25, 2011, Ordinance No. 16,651.
Amendments adopted on January 25, 2011, Ordinance No. 16,654.
Amendments adopted on April 12, 2011, Ordinance No. 16,690.
Amendments adopted on August 23, 2011, Ordinance No. 16,731.
Amendments adopted on September 27, 2011, Ordinance No. 16,740.
Amendments adopted on November 8, 2011, Ordinance No. 16,767.
Amendments adopted on January 10, 2012, Ordinance No. 16,784.

HOW TO USE THIS CODE

I WANT TO ESTABLISH A NEW USE IN AN EXISTING BUILDING:

- Find your zoning district and any overlay districts on the Zoning District Map.
- Determine whether the use is allowed by looking at either 5.2 Permitted Use Table for the base districts, or the building envelope standards in Form Districts for a specific form district.
- If the use is listed in 5.2 Permitted Use Table with a cross-reference in the right-hand column, see 5.3 Use Standards.
- Uses may be further restricted in Article 7.0 Overlay Districts.

I WANT TO MODIFY A BUILDING OR DEVELOP A NEW BUILDING:

Base Districts

- Determine whether the use is allowed by looking at 5.2 Permitted Use Table. If the use is listed in 5.2 Permitted Use Table with a cross-reference in the right-hand column, see 5.3 Use Standards.
- Go to Article 4.0 Base Districts for your specific zoning district to review the dimensional standards that apply to your property.

Form Districts

- Start with the regulating plan for your specific form district. The Regulating Plan will define the building envelope standards for your property (see Article 6.0 Form Districts for your specific district). Note specifically the required building line and parking setback line on the Regulating Plan.
- Go to the specific district in Article 6.0, Form Districts. Look at the appropriate building envelope standards. See also 6.6, Architectural Standards, 6.7 Street Specifications, 6.8 Streetscape Standards, and 6.9 Parking Requirements for additional standards that apply in the Form Districts.

Overlay Districts

The standards for overlay districts can be found in Article 7.0 Overlay Districts.

All Districts

All districts are also subject to Article 8.0 General Development Standards, which covers site elements such as parking, landscaping, signs, outdoor storage and outdoor lighting.

I HAVE A USE, BUILDING OR SITE THAT IS NONCONFORMING:

Existing uses, buildings and sites that met the rules when they were constructed, but do not comply with this development code are considered nonconforming. See Article 10.0 Nonconformities, for further details.

I WANT TO CHANGE MY ZONING DISTRICT:

Only the City Council may rezone property – following public notice and hearings. See 2.8 Amendments for details on the procedure.

I WANT TO SUBDIVIDE MY PROPERTY:

Property can only be subdivided in accordance with the procedures in 2.13 Subdivision.

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1.0 General Provisions

1.1 TITLE

This ordinance shall be known as “the Land Development Code for the Heart of Peoria,” and may be cited and referred to as “this development code.”

1.2 APPLICABILITY

The regulations of this development code shall apply to all development, public or private, within the Heart of Peoria as designated on the Zoning District Map, unless otherwise expressly exempted or provided in this development code.

1.3 EFFECTIVE DATE

This development code became effective on July 15, 2007.

1.4 PURPOSE AND AUTHORITY

This development code is adopted pursuant to the Home Rule Powers of the City of Peoria under the 1970 constitution of the State of Illinois. This development code is adopted for the purpose of:

- A. Promoting the public health, safety and general welfare;
- B. Preserving the overall quality of life for residents and visitors;
- C. Protecting the character of established residential neighborhoods;
- D. Maintaining economically vibrant as well as attractive business and commercial areas;
- E. Implementing the policies and goals contained within the City's adopted plans;
- F. Maintaining orderly and compatible land use and development patterns;
- G. Ensuring adequate light, air, privacy, and access to property;
- H. Encouraging environmentally responsible development practices;
- I. Promoting rehabilitation and reuse of older buildings;
- J. Maintaining a range of housing choices and options;
- K. Establishing clear and efficient development review and approval procedures;
- L. Coordination of streets within subdivisions with other existing or planned streets or with other features;
- M. Providing adequate open spaces, for traffic, schools, recreation and air;
- N. Providing for adequate storm water drainage and sewage disposal;
- O. Maintain efficient and economical maintenance of streets, and for the development of public grounds; and
- P. Accommodating growth and development that complies with the preceding stated purposes.

1.5 INTENT

- A. The overriding intent of this development code is to implement the Heart of Peoria Plan and the associated vision areas developed for: the Prospect Road Business District; the Historic Sheridan Triangle Business District; the West Main Street Corridor; and the Warehouse District.
- B. New development regulations for the Heart of Peoria are necessary because the existing zoning and subdivision ordinances include provisions that work against the realization of revitalized, pedestrian-friendly commercial areas, and the renovation and preservation of inner city neighborhoods. This development code in contrast with previous codes focuses on the creation of mixed-use, walkable neighborhoods. Implementation of the Heart of Peoria Plan is intended to:
 - 1. Change the character of the roadways—from high speed arterials and collectors to streets, avenues, and boulevards;
 - 2. Create street space—bring the buildings close to the street and plant canopy street trees;
 - 3. Narrow travel lanes to slow traffic and decrease pedestrian crossing distance;
 - 4. Provide a pedestrian-friendly environment with wider sidewalks, treelined streets, active shopfronts, short blocks, and a variety of uses;

5. Prohibit blank walls along the sidewalk;
6. Create a “park-once” environment by requiring shared parking;
7. Accommodate on-street parking;
8. Increase connectivity through small block size and the creation of new streets and alleys;
9. Promote re-use, redevelopment and infill;
10. Encourage and assist in the preservation of existing buildings and housing stock;
11. Use the scale and massing of buildings to transition between the corridors and surrounding neighborhoods;
12. Promote infill development for vacant parcels that reflects the surrounding scale and character;
13. Encourage mixed-use neighborhood main streets;
14. Control the scale and fit of new development patterns;
15. Use the commercial corridors as a seam sewing neighborhoods together rather than a wall keeping them apart;
16. Designate areas that allow a mix of uses by right;
17. Provide opportunities for housing choice and variety—attached and detached, rental and ownership;
18. Create new outdoor civic spaces; and
19. Provide new outdoor public spaces, people places, squares, and civic greens.

1.6 ADOPTED PLANS

The following plans have been adopted by the City Council and shall be considered in any decisions under this development code in the area affected by the plan.

- A. Heart of Peoria Plan, including associated vision areas developed for: the Prospect Road Business District; the Historic Sheridan Triangle Business District; the West Main Street Corridor; and the Warehouse District.
- B. Comprehensive Plan, as amended.

1.7 MINIMUM REQUIREMENTS

The provisions of this development code are the minimum requirements deemed necessary to carry out the development codes stated purpose and intent.

1.8 CONFLICTING PROVISIONS

1.8.1 Conflict with State or Federal Regulations

If the provisions of this development code are inconsistent with those of the state or federal government, the more restrictive provision will control, to the extent permitted by law. The more restrictive provision is the one that imposes greater restrictions or more stringent controls on development.

1.8.2 Conflict with Other City Regulations

If the provisions of this development code are inconsistent with one another, or if they conflict with provisions found in other adopted ordinances or regulations of the city, the more restrictive provision will control. The more restrictive provision is the one that imposes greater restrictions or more stringent controls on development.

1.8.3 Conflict with Private Agreements and Covenants

This development code is not intended to interfere with, abrogate or annul any easement, covenant, deed restriction or other agreement between private parties. If the provisions of this development code impose a greater restriction than imposed by a private agreement, the provisions of this development code will control. If the provisions of a valid, enforceable private agreement impose a greater restriction than this development code, the provisions of the private agreement will control. The City does not enforce or maintain a record of private agreements.

1.9 SEPARABILITY

If any provision, clause, sentence, paragraph, section, or part of this development code, or application thereof to any person, firm, corporation, public agency or circumstances, is, for any reason, adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment will not affect, impair or invalidate the remainder of this development code and the application of such provision to other persons, firms, corporations, public agencies, or circumstances, but will be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy that was the subject of the judgment and to the person, firm, corporation, public agency, or circumstances involved. It is the legislative intent of the City Council that this development code would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section or part not been included.