

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE TO ALLOW WITHDRAWAL OF ZONING CHANGE APPLICATIONS PRIOR TO CITY COUNCIL CONSIDERATION

WHEREAS, the City of Peoria is a home rule municipality pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, as a home rule municipality, the City of Peoria may exercise any power to perform any function pertaining to its government and affairs, including modifications to its Unified Development Code; and

WHEREAS, City Council desires to allow an application for a zoning change to be withdrawn in writing to the City Clerk prior to City Council consideration; and

WHEREAS, the opportunity for an applicant to withdraw their application by written notification to the City Clerk prior to City Council consideration allows the applicant an opportunity to modify their application before a potential denial by City Council and a one year wait period before their application is re-considered;

NOW, AND THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS AS FOLLOWS:

Section 1: The additional language added to Sub- Sections 2.8.9 and 2.9.12 of the Unified Development Code is the underlined portion of the text blocks below:

City of Peoria Municipal Code

Appendix A- Unified Development Code, 2.0 Administration

2.0 Administration

2.8- AMENDMENTS

2.8.9 Effect of Denial of a Proposed Amendment

No application for an amendment which has been denied by the City Council shall be submitted for a period of one year from the date of the order of denial, except on the grounds of new evidence or proof of change of condition found to be valid by the Zoning Administrator. Applicants may withdraw their application by written notification to the City Clerk prior to consideration by City Council.

2.9 - SPECIAL USES

2.9.12 Effect of Denial of Special Use

No application for a special use which has been denied wholly or in part by the City Council, shall be resubmitted for a period of one year from the date of said order of denial, except on the grounds of new evidence or if proof of change of conditions is found to be valid by the Zoning Administrator. Applicants may withdraw their application by written notification to the City Clerk prior to consideration by City Council.

Section 2. This Ordinance shall be in full force immediately and upon passage and approval according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS, THIS

_____ DAY OF _____, 2023

AYES:

NAYS:

ABSENT:

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel