

**AN ORDINANCE AMENDING APPENDIX A THE UNIFIED DEVELOPMENT CODE
OF THE CITY OF PEORIA RELATING TO SETBACK REGULATIONS**

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 may exercise any power and perform any function pertaining to its government and affairs including zoning regulations and uses; and

WHEREAS, the City of Peoria desires to amend Appendix A, the Unified Development Code;

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

Section 1: Appendix A of the Peoria City Code, being Ordinance No. 17,403 as adopted on October 11, 2016, is hereby amended by deleting the following stricken words and adding the following underlined words:

3.0 DISTRICTS ESTABLISHED

3.5 REQUIREMENTS APPLICABLE TO ALL DISTRICTS

3.5.6 Setback Regulations

No lot area lying between the building setback line and the corresponding street property line shall be used for storage of materials or equipment nor shall any hedge, tree or ornamental shrubbery be permitted in this area that will be an obstruction to the view at street intersections and no building, structure, sign, concrete masonry wall, no fence which cannot be viewed through, or other improvement shall be erected or structurally altered so that any part thereof is nearer to the established center line of the following roads and streets than the distances as set forth below.

State and county designated highways and thoroughfares as indicated on the official thoroughfare map of the City of Peoria: all buildings sixty (60) feet from the centerline or twenty-five (25) feet from the right-of-way, whichever may be greater. The Zoning Administrator may reduce this requirement if a lesser setback has already been established in the immediate area, but in no event can he/she reduce the setback to less than the normal yard requirements specified in the pertinent zoning district. Any such reduction must be accompanied by a written agreement wherein the owner of the property and his/her heirs or assigns agree to remove the structure at his/her expense and to hold the City of Peoria harmless from any expense or liability arising out of the removal or relocation of the structure if the full setback requirement or a portion thereof is needed for public improvement. Upon proper petition by the owner of property affected by the above requirements, the Development Review Board and appropriate state or county officials may waive the signing of the above statement. Said petition shall show that a strict application of the terms of said agreement will impose a demonstrable hardship upon the petitioner, and that it is more likely than not that the full setback requirement stated above will not be required by the city, county or state at a future date. In no event shall the Development Review Board reduce the setback to less than the normal requirements specified in the pertinent zoning district.

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 _____, 2020

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel