

**ORDINANCE 17,683**

**AN ORDINANCE AMENDING APPENDIX A THE UNIFIED DEVELOPMENT CODE OF THE CITY OF PEORIA RELATING TO SOLAR UTILITY FACILITIES**

**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:

**5.2 PERMITTED USE TABLE**

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**5.2.2 Permitted Use Table**

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Utilities (see 5.6.3.1)	All minor utilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	5.3.2. C
	All major utilities																				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Wireless Communication Facility	see 5.3.2D																						
	Solar Utility Facility	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>COMMERCIAL</b>	<b>A1</b>	<b>P1</b>	<b>RE</b>	<b>R1</b>	<b>R2</b>	<b>R3</b>	<b>R4</b>	<b>R5</b>	<b>R6</b>	<b>R7</b>	<b>R8</b>	<b>O1</b>	<b>O2</b>	<b>N1</b>	<b>CN</b>	<b>C1</b>	<b>CG</b>	<b>C2</b>	<b>B1</b>	<b>I1</b>	<b>I2</b>	<b>I3</b>		

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**5.3 USE AND PERFORMANCE STANDARDS**

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**5.3.2. Civic Use Performance Standards**

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**F. Reserved Solar Utility Facility**

- All proposed structures and equipment shall comply with the setback provisions for a principal building structure in the underlying zoning district.
- When provided to secure the facility, a fence enclosure shall comply with the following:

- a. Except in the I-2 and I-3 Industrial Zoning Districts, the fence may not exceed 6 feet in height. In the I-2 and I-3 Industrial Zoning Districts the fence may be a maximum 8 feet in height.
- b. Except in the I-2 or I-3 Industrial Zoning Districts, chain link and wire fences shall not be used in front or corner side yards. The fence may be open or solid. Type and color of fence material must be compatible with existing character of the site and neighborhood.
- 3. Equipment facilities and accessory buildings shall be designed with brick, stone, and/or block material.

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**5.4 ACCESSORY STRUCTURES AND USES**

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**5.4.2 Residential Accessory Structures and Storage Buildings**

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- B. Permitted accessory structures include, but are not limited to, solar energy devices, swimming pools, tennis and basketball courts, other outdoor residential recreational facilities, and other open type structures like gazebos.

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**5.6 USE CATEGORIES**

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**5.6.3 Civic Use Categories**

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**I. Utilities**

Public or private infrastructure serving a limited area with no on-site personnel (Minor Utility) or the general community and possibly having on-site personnel (Major Utility).

Principal Uses	Accessory Uses	Uses Not Included
Minor utilities, including on-site stormwater retention or detention facility, neighborhood-serving telephone exchange/switching center, gas or electric installation/transmission, water and wastewater pump station or lift station, gas gates  Major utilities, including aeration facility, artesian well, electrical substation, electric or gas generation plant, filter bed, railroad right-of-way (new), transmission tower, waste treatment plant, water pumping facility, water tower or tank  Wireless communication facility  <u>Solar Utility Facility</u>	Control, monitoring, data or transmission equipment Storage	Landfill (see Waste-Related Service) Utility office, radio, TV, recording studio (see Office) Reservoir, control structure, drainage well, water supply water well (see Parks an Open Area)



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**6.0 FORM DISTRICTS**

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**6.2 SHERIDAN TRIANGLE**

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**B. Sheridan Triangle – Neighborhood Center**

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**7. Permitted Uses**

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- b. Commerce uses shall be considered to encompass all of the Commercial use categories, except medical cannabis dispensaries, and all of the Civic use categories except passenger terminals, solar utility facilities, and social service institutions, as defined in Section 5.6.

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**6.3 PROSPECT ROAD**

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**B. Prospect Road – Neighborhood Center**

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**7. Permitted Uses**

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- b. Commerce uses shall be considered to encompass all of the Commercial use categories, except medical cannabis dispensaries, and all of the Civic use categories except passenger terminals, solar utility facilities, and social service institutions, as defined in Section 5.6.

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**6.4 WEST MAIN**

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**B. West Main – Neighborhood Center**

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**7. Permitted Uses**

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- b. Commerce uses shall be considered to encompass all of the Commercial use categories, except medical cannabis dispensaries, and all of the Civic use categories except passenger terminals, solar utility facilities, and social service institutions, as defined in Section 5.6.

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**D. West Main Local Commerce**

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**7. Permitted Uses**

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- b. Commerce uses shall be considered to encompass all of the Commercial use categories, except medical cannabis dispensaries, and all of the Civic use categories except passenger terminals, solar utility facilities, and social service institutions, as defined in Section 5.6.

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**6.5 WAREHOUSE DISTRICT**

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**B. Warehouse District – General**

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**7. Permitted Uses**

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- b. Commerce uses shall be considered to encompass all of the Commercial use categories, except medical cannabis dispensaries, and all of the Civic use categories except passenger terminals, solar utility facilities, and social service institutions, as defined in Section 5.6.

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**D. Warehouse District – Local**

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**7. Permitted Uses**

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- b. Commerce uses shall be considered to encompass all of the Commercial use categories, except medical cannabis dispensaries, and all of the Civic use categories except passenger terminals, solar utility facilities, and social service institutions, as defined in Section 5.6.

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**10.0 DEFINITIONS**

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**10.3 Defined Terms**

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Accessory Building or Structure: A subordinate building or structure located on the same lot with the principal structure or building, occupied by or devoted to an accessory use. Where an accessory building is attached to the principal building in a substantial manner, as by a wall or roof, such accessory building shall be considered part of the main building. Accessory structures include, but are not limited to solar energy devices, swimming pools, tennis and basketball courts, other outdoor residential recreational facilities, and other open type structures like gazebos. For Wireless Telecommunication Facilities, this includes but is not limited to, utility or transmission equipment storage sheds or cabinets.

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Solar Energy Device: Ground mounted equipment used to convert solar radiation into a useable form of energy for the purpose of reducing or meeting the energy needs of the property's principal use.

Solar Utility Facility: A commercial facility that uses ground mounted equipment to convert solar energy into electricity, with the primary purpose of distributing or selling energy for off-site use.

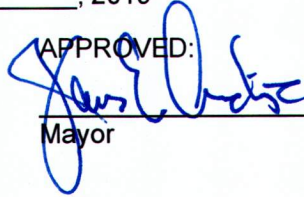
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Section 2. This Ordinance shall be in full force immediately and upon passage and approval according to law.

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

28th DAY OF May, 2019

APPROVED:



Mayor

ATTEST:



City Clerk

EXAMINED AND APPROVED:



Corporation Counsel