



PLANNING & ZONING COMMISSION

TO: City of Peoria Planning & Zoning Commission

FROM: Development Review Board, prepared by Shannon Techie

DATE: October 4, 2018

CASE NO: PZ 18-F

REQUEST: Hold a Public Hearing and forward a recommendation to City Council on the request of the City of Peoria to amend Appendix A, the Unified Development Code of the City of Peoria, related to community gardens and urban farms.

SUMMARY OF PROPOSAL

The City of Peoria has been partnering with community organizations on community garden and urban farm opportunities. As such, the City has identified the need to simplify the community garden regulations, particularly related to garden and fence placement.

Further, some community gardens involve multiple parcels, and in some instances are more than 1 acre in size, which has caused the need to develop separate ‘urban farm’ regulations for larger garden sites, and the need for a public hearing on residential properties, as an urban farm use is a significant change from single-family residential structures.

The following provides a summary of the proposed changes:

Unified Development Code Current Requirement	Unified Development Code Section	Proposed Change	Justification
1. Community gardens are currently limited to less than 2 acres.	Appendix A, Section 5.3.2.G.1.b.	Limit the size to less than 1 acre.	Community gardens of less than 1 acre in size, would continue to be allowed with adherence to performance standards and no approval required. Once the garden is 1 acre or greater, it would require approval and would require a special use in residential districts, to provide the opportunity for public input.
2. Planting area and accessory structures must meet the applicable district setback requirements.	Appendix A, Section 5.3.2.G.1.c.	No setback would be required for the planting area, associated fence, or raised garden beds less than 3 feet in height; garden and associated structures shall not obstruct visibility from a driveway to an abutting street or vice versa.	The current requirement to meet district setbacks is too restrictive, particularly on smaller lots, which in some instances makes it impossible to even have a garden.

<p>3. Accessory structures must meet district setbacks.</p>	<p>Appendix A, Section 5.3.2.G.1.d.</p>	<p>The setback requirement for an accessory structure in a rear yard (1.5 feet from side and 1.5 feet from rear), shall be applied if placed behind the principal structure on adjacent lots.</p>	<p>This provides a reduced setback and allows for additional area for planting. It also aligns with where an accessory structure could be placed if a house was on the property.</p>
<p>4. Fences shall not exceed 4' in height and may be placed on the property line, shall be 50% open in design, and shall meet the same required setbacks as the planting area.</p>	<p>Appendix A, Section 5.3.2.G.1.e.</p>	<p>Fences can be on the property line on all four sides of the site, up to 4 feet in height, and an openness requirement would no longer apply.</p>	<p>This will allow for solid fences and additional area for planting.</p>
<p>5. There are currently not separate regulations for urban farms.</p>	<p>Appendix A, Sections 5.3.2.G.2.</p>	<p>Gardens greater than 1 acre, but less than 10 acres, in size would be considered an urban farm, which would be a special use in residential districts and a permitted use in C-N, C-G, I-1, I-2 and I-3, within the Heart of Peoria area.</p>	<p>This will allow for a public process for gardens on residential parcels, 1 acre or more in size.</p>

DEVELOPMENT REVIEW BOARD RECOMMENDATION

The Development Review Board recommends approval of the request.

ATTACHMENTS

1. Proposed Ordinance

in height; garden and associated structures shall not obstruct visibility from a driveway to an abutting street or vice versa.

- d. iv. Accessory structures: Accessory structures/storage structures, including trellises, raised planting beds 3 feet or taller in height, benches, covered trash receptacles, hoop houses limited to 3' in width and 3' in height, one greenhouse (limited to 120 sq. ft.), one seasonal farm stand (limited to 120 sq. ft.), and one storage shed (limited to 120 sq. ft.) shall be permitted on the site. Accessory structures must meet the applicable district setback requirements. If placed behind the principal structure on the adjacent lot, the setback for an accessory structure in a rear yard shall be applied (1.5 feet from the rear property line and 1.5 feet from the side property line). ~~Hoophouses shall not be placed on the garden site before March 1st of each year and must be taken down by June 1st.~~ Accessory structures and storage buildings may not occupy more than 10% of the community garden site.
- e. v. Fences: Fences shall not exceed 4' in height and may be placed on the property line, ~~shall be 50% open in design, and shall meet the same required setbacks as the planting area.~~ Chain link and wire fences are prohibited. If the community garden use is abandoned, the fence must be removed.
- f. vi. Signage: One (1) non-illuminated sign not exceeding four (4) square feet in area and five (5) feet in height shall be permitted. ~~The sign face shall be located parallel to the front property line and shall not be located in the front yard area. The content of the sign shall be limited to identification of the site as a community garden, sponsorship contact information and rules/guidelines for the community garden.~~
- g. vii. Composting: Must be in an enclosed container, limited only to the materials generated on site and must be used on site.
- h. viii. Animals or livestock: The keeping of animals or livestock is prohibited.
- i. ix. Maintenance: The garden shall be properly maintained throughout the year with weekly mowing of grassy areas, weekly removal of weeds and grasses from the garden, weekly collection of rotting vegetables and fruit from the garden area, and weekly collection of all garbage and debris deposited on the site. At the end of each growing season annual vegetation shall be cut down to a height of not more than 6 inches above ground level.

2. Urban Farm:

The purposes of the Urban Farm regulations are to support the local economy and increase access to fresh local produce; strengthen the health and social fabric of communities by encouraging and supporting Urban farms; and support efforts to build more complete and sustainable local food production and distribution systems.

- a. Urban Farms require zoning approval through the special use process in a residential zoning district and through the Development Review Board in non-residential districts where the use is permitted, per Section 5.2. The following standards apply:
- i. In residential districts, mechanized equipment, similar in scale to that designed for household use, shall be permitted. Use of larger mechanized farm equipment is generally prohibited; provided, however, that during the initial preparation of the land heavy equipment may be used to prepare the land between 7:00 a.m. and 7:00 p.m.
 - ii. Structures are subject to the location, size, and height requirements of the zoning district in which the structure is located. For residentially zoned parcels, if placed behind the principal structure on the adjacent lot, the setback for an accessory structure in a rear yard shall be applied (1.5 feet from the rear property line and 1.5 feet from the side property line). Storage structures for urban farms, in residential districts, are not limited to 1,092 square feet; however, the size and location must be such as to minimize impacts on neighboring properties and is subject to special use review. Permitted Urban Farm structures to support the urban farming operation include, but are not limited to, hoop houses, farm stands, greenhouses, shipping containers for storage or growing, and sheds.
 - iii. Accessory retail sales are permitted subject to approval. Location should be such that it has minimal impact on adjacent residential properties.
 - iv. No more than two (2) vehicles shall be parked on-site, excluding those parked within an enclosed structure.
 - v. Shipment and delivery of products or supplies shall be limited to between 7:00 a.m. and 7:00 p.m. and shall regularly occur only in single rear axle straight trucks or smaller vehicles normally used to serve residential neighborhoods.
 - vi. Urban farm lighting shall not exceed ½ footcandle, as measured at the property line, and shall be down lit away from residential properties and public streets in such a way as not to create a nuisance. Lighting that unnecessarily illuminates and substantially interferes with the use or enjoyment of any other property shall be prohibited
 - vii. Any equipment or supplies needed for garden operations shall be enclosed or otherwise screened from the street and any adjacent residential uses.
 - viii. Fences: Fences shall not exceed 4' in height, if solid in design, and may be placed on the property line. A fence greater than 4 feet, but not taller than 6 feet, is permitted if setback a minimum of 10 feet from the front property line and is open in design. Chain link and wire fences are prohibited. If the Urban Farm use is abandoned, the fence must be removed.
 - ix. The farm shall be properly maintained throughout the year with weekly mowing of grassy areas, weekly removal of weeds and grasses from the garden, weekly collection of rotting vegetables and fruit from the garden area, and weekly collection of all

garbage and debris deposited on the site. At the end of each growing season annual vegetation shall be cut down to a height of not more than 6 inches above ground level.

- x. Composting: Must be in an enclosed container
- xi. Keeping of animals is prohibited.

5.6.3.E. Parks and Open Space

Uses focusing on natural areas consisting mostly of vegetation, passive or active outdoor recreation areas, or community gardens, and having few structures.

Principal Uses	Accessory Uses	Uses Not Included
Botanical garden, nature preserve, recreational trail Cemetery, mausoleum, columbarium, memorial park including pet cemetery, burial grounds Community Gardens, Game preserve, wildlife management area, refuge, animal sanctuary Park - active recreation (see Definition) Park - passive recreation (see Definition) Recreation field Reservoir, control structure, drainage well, water supply water well <u>Urban Farm</u>	Campground (public park only) Concession Dock or pier (noncommercial) Maintenance facility Play equipment Single residential unit for caretaker or security purposes Swimming pool, tennis court, ballfield (public park only)	Campground (private), golf course, country club, clubhouse, batting cage, golf driving range, mini-amusement park, miniature golf facility, water park (see Outdoor Recreation) Crematorium (see Light Industrial) Athletic field (see Outdoor Recreation)

10.3 - DEFINED TERMS

- 3. Urban Farm: A farm, located within the Heart of Peoria area, greater than 1 acre and less than 10 acres in size, in which plants, and products derived from them, are grown and sold on the same lot or off site. Examples may include flower and vegetable raising orchards and vineyards.

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 _____, 2018

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel