

**ORDINANCE NO. 17,075**

**AN ORDINANCE AMENDING CHAPTER 23 OF THE CODE OF THE CITY OF PEORIA RELATING TO THE COMBINATION OF THE PLANNING AND ZONING COMMISSIONS**

**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; and

**WHEREAS**, the City Council of the City of Peoria desires to exercise its powers to combine the planning and zoning functions into one commission and confer this combined commission the duties and powers as stated below; and

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

Section 1: Chapter 23 of the Code of the City of Peoria is hereby amended by deleting the following stricken words and adding the following underlined words:

**ARTICLE III. PLANNING AND ZONING COMMISSION**

**Sec. 23-46. Composition.**

The city planning and zoning commission shall consist of ~~nine~~ seven members, who shall be citizens of the city, representative, so far as possible, of different professions or occupations, to be appointed by the mayor, subject to the approval of the council.

**Sec. 23-47. Quorum.**

A quorum of the planning and zoning commission shall consist of ~~five~~ four members. A majority of those members voting shall be necessary to approve any motion.

**Sec. 23-48. Term of members; compensation.**

All members of the city planning and zoning commission shall serve for a term as set forth in section 2-162 of this Code. All members of the commission shall serve without pay.

**Sec. 23-49. Officers.**

The city planning and zoning commission shall elect its chairman and vice-chairman annually from among its own members. The chairman shall conduct meetings and hearings and the vice-chairman shall act in the absence of the chairman. The commission shall elect a temporary chairman in the absence of the chairman and vice-chairman.

**Sec. 23-50. Record to be kept.**

The city planning and zoning commission shall keep a public record of its resolutions, findings and determinations.

**Sec. 23-51. Appointment of planning engineer; technical assistance.**

(a) Subject to limitations of the annual budget, the city manager shall appoint a planning engineer, which position may be combined with some other position in the city service. The planning engineer shall be the technical advisor and secretary of the city planning and zoning commission.

(b) The commission shall have such staff and other technical assistance as it may provide within the limits of appropriations made available to the commission, or such staff as may be assigned from departments by the city manager.

(c) The director of public works and the director of community development services shall render such technical assistance as may be required by the commission from time to time.

**Sec. 23-52. Powers.**

(a) The city planning and zoning commission is hereby vested with all powers and duties conferred upon it by state law or ordinance. It is hereby empowered to adopt rules and regulations for its procedure provided such rules and regulations are not inconsistent with state law or ordinance.

(b) It may hold public hearings, review, and make recommendations to the city council concerning:

- (1) The comprehensive plan of the city.
- (2) Developmental needs that will be occasioned by future growth of the city.
- (3) Proposed apartment, cluster development or subdivision of property.
- (4) Proposed annexations to the city.
- (5) Policies and procedures concerning planning and development.
- (6) Other related projects as directed by the city council or raised by the commission on its own initiative.

(7) Other related duties as prescribed in the following City Code Sections:

- (i) Appendix B, Article 2.7.
- (ii) Appendix C, Article 2.1.4.

**Sec. 23-53. Procedure as to plans, plats, etc.**

(a) No plans, plats or replats of land within the corporate limits of the city or in contiguous territory outside of and distant not more than 1½ miles from such limits shall be entitled to record or shall be valid unless the subdivision shown thereon shall provide for streets, alleys and public grounds in conformity with the requirements of the official city plan or recommendation of the city planning and zoning commission in the absence of such plans.

(b) In the case of the disapproval by the commission of any such plat, the reasons for such disapproval shall be submitted to the city council which may overrule such disapproval by majority vote of its members. The approval of the commission, confirmed by the city council, shall be deemed an acceptance of the proposed plat or dedication of land. No sewers, water or gas mains or pipes or other improvements shall be voted or made, nor shall any public money be expended for such improvement, until the plat is approved in the manner prescribed. In case both bodies join in the approval of such plan or plat, or if in any case the city council shall overrule the commission's disapproval of a plan or plat, the approval of the city council shall be sufficient to entitle the plan or plat to be received for record. It shall be unlawful to receive for record such plan or plat in any public office, unless the same shall bear thereon, by endorsement, the approval of the city planning and zoning commission and the city council. The failure of the commission to disapprove any properly submitted plat within a period of 60 days from the date of its filing shall be deemed acceptance of such plat.

**Sec. 23-54. Employment of planners, engineers, etc.; expenditures.**

The city planning and zoning commission may, with the consent and approval first obtained of the city council, employ city planners, engineers, clerks or other persons, whose salaries, wages and all other necessary expenses, including those of the commission or of its members, shall be provided for at the discretion of the city council by adequate yearly appropriations from the public funds; provided, that the total sum so expended in any one year shall not exceed the appropriation for that year.

**Sec. 23-55. Contemplated action as to approving plat or replat to be submitted to commission for recommendation before approval by council.**

The city council shall take no action authorizing or approving any plat or replat of land lying within the corporate limits of the city, or in contiguous territory outside of and not more than 1½ miles distant from such limits until the contemplated action shall have first been submitted to the city planning and zoning commission for its recommendation.

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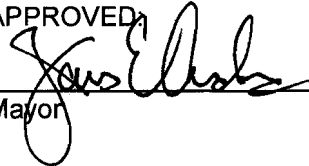
Section 2: **Article IV Zoning Commission** of Chapter 23 of the City Code shall be repealed in its entirety.

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Section 3. 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  
11th DAY OF March, 2014

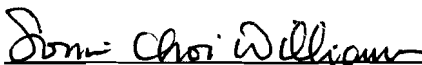
APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

EXAMINED AND APPROVED:

  
\_\_\_\_\_  
Corporation Counsel