

**AN ORDINANCE AMENDING APPENDIX A THE UNIFIED DEVELOPMENT CODE
OF THE CITY OF PEORIA RELATING TO CRYPTOCURRENCY AND DATA CENTERS**

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:

5.0 – PERMITTED LAND USES

5.2 PERMITTED USE TABLE

5.2.2 Permitted Use Table

| KEY: | | Blank cell = Not Permitted | | | | | | | | | | | | ■ = Permitted | | | | □ = Special Use | | | | | | | |
|--------------------------------|---|----------------------------|----|----|----|----|----|----|----|----|----|----|----|---------------|----|----|----|-----------------|----|----|----|----|----|--------------------------|----------------|
| USE CATEGORY | SPECIFIC USE | A1 | P1 | RE | R1 | R2 | R3 | R4 | R5 | R6 | R7 | R8 | O1 | O2 | N1 | CN | C1 | CG | C2 | B1 | I1 | I2 | I3 | Use Performance Standard | |
| INDUSTRIAL | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| Heavy Industrial (see 5.6.5.D) | All heavy industrial, except as listed below: | | | | | | | | | | | | | | | | | | | | | | | ■ | |
| | <u>Data Center</u> | | | | | | | | | | | | | | | | | | | | | □ | □ | □ | <u>5.3.4.B</u> |

5.3 – USE AND PERFORMANCE STANDARDS

5.3.4 Industrial Use Performance Standards

B. Data Center

1. The use of cargo containers, railroad cars, semi-truck trailers and other similar storage containers for any component of the operation is strictly prohibited.
2. The use shall be designed, constructed, operated, and maintained so as not to cause noise in excess of the maximum noise levels established in Section 4.5.7 Industrial Districts Performance Standards.
3. Within 30 days of commencing operations, the Building Permit applicant shall submit an affidavit containing the following:
 - a. Name and qualifications of the person who performed the noise measurements;
 - b. Measured decibel levels;
 - c. A statement affirming the measurement was done in the manner outlined in Section 4.5.7; and
 - d. A statement affirming the sound emission levels do not exceed the allowable octave band sound pressure levels of Section 4.5.7.
4. The city reserves the right to require independent verification of noise measurements.

5.6– USE CATEGORIES

5.6.5 Industrial Use Categories

D. Heavy Industrial

Firms involved in research and development activities without light fabrication and assembly operations; limited industrial/manufacturing activities. The uses emphasize industrial businesses, and sale of heavier equipment. Factory production and industrial yards are located here. Sales to the general public are limited.

| Principal Uses | Accessory Uses | Uses Not Included |
|--|--|--|
| Asbestos and radioactive materials products Any use that is potentially dangerous, noxious or offensive to neighboring uses in the district or those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception, radiation or any other likely cause Animal processing, packing, treating, and storage, livestock or poultry slaughtering, animal slaughter, stockyards, concentrate plant, processing of food and related products, production of lumber, tobacco, | Associated office Food preparation or dining area Product repair Repackaging of goods Warehouse, storage Residential Unit for Security purposes (single unit) | Animal waste processing (see Waste-Related Service) Dredging, earth extraction, clearing or grading (timber cutting), extraction of phosphate or minerals, extraction of sand or gravel, borrow pit, metal, sand stone, gravel clay, mining and other related processing, stockpiling of sand, gravel, or other aggregate materials (see Resource Extraction) Recycling facility including recyclable material storage, including construction |

| | | |
|---|--|--|
| <p>chemical, rubber, leather, clay, bone, paper, pulp, plastic, stone, or glass materials or products, production or fabrication of metals or metal products including enameling and galvanizing, batch plant Bulk storage of flammable liquids Chemical, cosmetics, drug, soap, paints, fertilizers and abrasive products Commercial feed lot Concrete batching and asphalt processing and manufacture, batch plant <u>Data Center</u> Earth moving and heavy construction equipment and transportation equipment Explosives Gypsum manufacture, linoleum manufacturing Fabricated metal products and machinery Foundry, forge plant Impound lot, wrecker service includes city wreckers, auto storage, automobile dismantlers and recyclers, wrecking, junk or salvage yard Leather and leather products includes tanning and finishing Petroleum, liquefied petroleum gas and coal products and refining Primary metal manufacturing, electroplating, graphite Pulp mills Rubber and plastic products, rubber manufacturing Scrap metal processors Sawmill, pulp mill Secondary materials dealers Tire recapping Tobacco products Transportation equipment</p> | | <p>material (see Waste-Related Service) Repair and service of motor vehicles, motorcycles, RVs, boats, and light and medium trucks (see Vehicle Sales and Service)</p> |
|---|--|--|

6.0 – FORM DISTRICTS

6.5 WAREHOUSE DISTRICT

D. Warehouse District – Local

7. Permitted Uses

c. Industrial uses shall be considered to encompass all of the Industrial use categories except data center, waste-related services and animal processing, as defined in Section 5.6.

10.0 – DEFINITIONS

10.3 Defined Terms

Data Center: A facility used primarily for the storage, management, and processing of digital data and that is used to house computer and network systems, including associated components such as servers, network equipment and appliances, and data storage systems; systems for monitoring and managing infrastructure performance; internet related equipment and services; data communications connections; environmental controls; fire protection systems; and security systems and services. Uses include but are not limited to: server farms, web hosting, cluster computing, cloud storage, colocation centers, and cryptocurrency mining. Uses that include associated components of a data center as ancillary to the principal use on the property shall not be considered a Data Center.

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 _____, 2022

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel