

**AN ORDINANCE AMENDING APPENDIX B OF THE CODE OF THE CITY OF PEORIA  
RELATING TO ROADSIDE PRODUCE STANDS**

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

Section 1: Appendix B of the Peoria City Code, being Ordinance No. 13,225 as adopted on June 4, 1991 and thereafter amended, is hereby amended by adding the deleting the following stricken words and adding the following underlined words:

**ARTICLE 3. GENERAL REGULATIONS AND USES PERMITTED WITH ADMINISTRATIVE APPROVAL**

3.2 Uses Permitted with Administrative Approval

*3.2.e. Temporary Uses.*

(3) *Permitted Temporary Uses.* Subject to the specific regulations and time limits that follow, all applicable local ordinances and codes, and to the other applicable regulations of the district in which the use is permitted, the following temporary uses, and no others, are permitted in the zoning districts herein specified- in the Permitted Temporary Use Table. Site Plan review shall ensure that the proposed use will not have any adverse impact on the surrounding property, and the site for such proposed use is adequate in terms of size, lighting, parking, and traffic access.

(a) Permitted Temporary Use Table

Permitted Temporary Use	Location	Maximum Duration of Use	Maximum Frequency	Additional Requirements	Site Plan Required?	Zoning Certificate Required
House, Apartment, Garage & Yard Sales	Residential Districts	3 days	No more than 3 times in any 12 month period	Items for sale are limited to the personal possessions of the owner or occupant of the lot	No	No
Indoor/ Outdoor Festivals, Sidewalk Sales, Art, Craft, Plant Shows / Exhibits / Sales	Business, Commercial, Office, or Industrial District	Special Sales - 3 days Plant Sales - 150 consecutive days per calendar year	Special Sales - No more than 12 times per year	See Section 3.2.e.(3)(b) below	No	No
Christmas Tree/ Pumpkin/ Easter Lily Sales	All Districts	45 days	NA	Sales are permitted in any residential area when conducted by a not-for-profit religious, philanthropic, or civic organization on property owned or leased by such organization.	No	No
Contractor's Offices & Equipment Sheds	All Districts when accessory to construction	Coincide with active construction	NA	Sleeping or cooking accommodations are prohibited	No	No
Real Estate Office, Including Model Units	All Districts when accessory to a new development	Coincide with active selling/ leasing period	NA	Sleeping or cooking accommodations are prohibited unless in a model dwelling unit. Office cannot be used as the general office or headquarters of any firm.	Yes	Yes
Carnivals & Circuses	All Districts	10 days	No limit	None	Yes	Yes
Sales of Overstocks, Seconds, Similar Goods in Districts where not a Permitted Use	I-1, I-2, & I-3 Districts when accessory to a permitted use	10 days	No more than 4 times per 12 month period with 7 days in between each sale	See Section 3.2.e.(3)(c) below	No	No
Tents	All Districts with a permitted, accessory, temporary, or special use	10 days	No more than 4 times per 12 month period with 7 days in between each tent sale	Tent must comply with the setback and height limitations of the zoning district in which it is placed. Tent cannot obstruct access to handicap parking spaces.	No	No
Civic Uses of Public Property	Business, Commercial or O-1 Office Districts	No limit	No limit	Authorization by the controlling governmental agency and the use must not impose an undue adverse effect on the neighboring streets or property	No	No
Wheelchair Ramp	Residential Districts	Length of residency plus 60 days by the individual with a disability requiring a wheelchair	NA	Minimum encroachment into required yards and safe ingress/egress from the property	Yes	Yes
Portable Storage Devices	Residential, Commercial, & Industrial districts	Residential - 14 days + 30 day extension.  Commercial - 30 days Industrial - 60 days	Residential - 3 times per calendar year.  Commercial - no limit.  Industrial - no limit.	See Section 3.2.e.(3)(d) below	No	No
Bus Benches and Shelters	Non Residential Districts	No limit	NA	See Section 3.2.e.(3)(e) below	Yes	Yes
Farmers' Markets	C-1, C-2, and I-1 Districts	Not to interfere with surrounding land uses	No limit	See Section 3.2.e.(3)(f) below	No	No
Roadside Stand	A-1 District	No limit	No limit	NA	No	No
Roadside Produce Stand	A-1 & C-1 Districts	Coincide with growing season	NA	See Section 3.2.e.(3)(g)	No	No
Home-produced fruit and vegetable sales	Residential Districts and Legal Non-Conforming Residential Dwellings in non-residential Districts.	3 days	No more than 3 times in any 12 month period	Items for sale are limited to whole, uncut, fruits and vegetables grown at the residence where the sale is occurring.	No	No

(g) Roadside Produce Stand

- (1) Roadside Produce Stand means any trailer, tent, table, operable motor vehicle, or other temporary structure, not erected on a foundation, for the sale of seasonal whole, uncut fresh produce, not customarily sold on a year-round basis.
- (2) The purpose of a roadside produce stand is to allow groups and individuals, who are actively farming, low cost entrance into direct marketing their produce. It is characterized as a direct marketing operation without a permanent structure and only offering outdoor shopping. Such an operation is seasonal in nature and features locally grown fresh produce.
- (3) Permitted accessory to any permitted use or as a primary use pursuant to the following regulations:
  - (a) Written permission of the property owner is required.
  - (b) The only items allowed for sale are seasonal fresh produce. No processed or package food or other items are permitted for sale.
  - (c) The sales area shall be located in an area that will not disrupt the flow of traffic onto and off the site or obstruct any handicap access or parking. Parking facilities will be evaluated to ensure that adequate parking is available during the approved operating hours of the event.
  - (d) If produce is sold from a motor vehicle, it must be located on a hard surface.
  - (e) The roadside produce stand shall conform to all applicable rules and regulations governing food vendors.
  - (f) The roadside produce stand shall be limited in days and hours of operation so as to not interfere with the surrounding land uses.
  - (g) All components of the roadside stand must be brought indoors daily, at the close of sales.
  - (h) No variances from these standards are permitted.

\*\*\*

**7.2. A1 Agricultural District.**

*7.2.a. Purpose Statement.* The A1 Agricultural District is designed for agricultural uses on lands primarily in the outlying areas of the City, prior to development of those areas into subdivisions. When subdividing occurs, it is expected that these areas will be rezoned to a class other than agricultural, in keeping with the general plan of that portion of the City of Peoria.

*7.2.b. Permitted Uses.* The following uses are permitted in the A1 District:

- (1) Accessory uses.
- (2) Aviaries.
- (3) Child care home.
- (4) Crop cultivation, farming.
- (5) Family care facility (that meets standards for use with administrative approval).
- (6) Farming—Cattle, horses, sheep, poultry.
- (7) Gardening, including truck farming.
- (8) Greenhouses.
- (9) [Reserved.]
- (10) Nurseries, plant materials.

(11) One family dwelling as farm.

(12) Orchards.

(13) ~~Roadside Stand~~

\*\*\*

7.2.e. *Yard Requirements.* No buildings except roadside produce stands shall be constructed within fifty (50) feet of any property line.

\*\*\*

## ARTICLE 18. DEFINITIONS

Roadside Produce Stand: Any trailer, tent, table, operable motor vehicle, or other temporary structure, not erected on a foundation, for the sale of seasonal, whole, uncut fresh produce, not customarily sold on a year-round basis.

Roadside Stand: Any trailer, tent, table, operable motor vehicle, or other temporary structure, not erected on a foundation, for the sale of various items, excluding seasonal fresh produce.

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 \_\_\_\_\_, 2014

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

EXAMINED AND APPROVED:

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