
Zoning Code Amendment

Downtown Code

TA24-04

Applicable Sections of Chapter 21 Zoning Ordinance:

- 21-200 Definitions and Land Use Classifications
- 21-600 Special Uses, Districts and Overlays
- 21-700 Sign Code

Overview of Revisions:

1. Add and update existing definitions within Section 21-200 “*Definitions*” to align with modernized land use categories identified within Section 21-600 “*Special Uses, Districts and Overlays*”;
2. Within Section 21-600 “*Special Uses, Districts and Overlays*”, rename the *Old Town Mixed Use (OTMU) District* as the *Downtown (D) District* and integrate parks and open space into the two updated mixed-use subdistricts within the *Downtown (D) District*; and
3. Within Section 21-700 “*Signs*” update sign related definitions and sign allowances within the downtown area to allow for distinct signage, encourage sidewalk canopies, to recognize existing conditions downtown.

HOW TO READ THIS DOCUMENT

Applicable Sections of the Zoning Ordinance are denoted by **highlighted bold text** for ease of readability during the drafting process.

Unless otherwise stated, provisions or regulations being deleted are shown in bold red strikethrough text or a line through the graphic, like this: ~~**Provisions that are being deleted are shown with a bold red strikethroughs text.**~~ Graphics containing bold red strikethrough are intended to remove the graphic in its entirety as well as any text that is embedded in the graphic.

Provisions or regulations that are being added are shown in double-underlined bold blue text, like this: **Provisions that are being added are shown in double-underlined blue text.** Graphics containing a bold double blue box are intended to add the graphic in its entirety as well as any text that is embedded in the graphic.

Provisions or regulations that are being relocated from one section of the code to another are in bold italic green text, like this: ***Provisions that are being added are shown in bold italic green text.***

Only those changes noted through the above methods for the specific sections and subsections of the code identified shall be made. When regulations, graphics or other text is omitted, or is shown unchanged in adjoining sections or subsections of the code, it shall remain unchanged.

Exhibit A - City Code Amendment

Amendment for Adoption to the Peoria City Code, Chapter 21

Section 1: Amend Chapter 21 - Zoning, Section 21-202, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

21-202. Definitions and Land Use Classifications.

B

Banquet and Conference Centers means Facilities that are rented for short-term events such as weddings, receptions, banquets, and conferences, as a principal business activity (not accessory to another use such as a Place of Worship or Community Center).

C

Catering Service Establishment means an establishment where food is sold for consumption off-premises with no counters or tables for consumption of food on the premises. This definition shall not refer to catering services provided as an ancillary use to a restaurant, banquet, conference centers, or similar use.

Commercial Entertainment means the provision of spectator entertainment to the general public including live and motion picture theaters and concert halls. This category excludes cabarets, nightclubs, and similar establishments providing entertainment incidental to food or beverage sales.

Commercial Recreation means the provision of participant or spectator recreation to the general public, excluding public parks and recreation facilities.

- 1) **Small-Scale, Commercial Recreation**: This classification includes small, generally indoor facilities, that occupy less than 50,000 square feet of building area, such as billiard parlors, bowling centers, card rooms, dance studios, exercise studios, health clubs, yoga studios, dance halls, small tennis club facilities, poolrooms, and amusement arcades. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.
- 2) **Large-Scale, Commercial Recreation**: This classification includes large, generally outdoor facilities such as amusement and theme parks, sports stadiums and arenas, racetracks, amphitheaters, driving ranges, golf courses (daily fee), as well as indoor facilities with more than 50,000 square feet in building area, including fitness centers, gymnasiums, handball, racquetball, or large tennis club facilities; ice or roller skating rinks; swimming or wave pools; miniature golf courses; archery or indoor shooting ranges; riding stables; campgrounds; stables, etc. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

Community Garden means an area of land managed and maintained by a group of individuals to grow and harvest food crops and/or non-food, ornamental crops, such as flowers, for personal or group use, consumption or donation. The area may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

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Community Center means any noncommercial facility established primarily for the benefit and service of the population of the community in which it is located. Examples include youth centers and senior centers. This classification excludes community facilities operated in conjunction with an approved residential or commercial use that are not generally available to the public.

Clubs and Lodges means a meeting space, or recreational or social facilities operated by a private or nonprofit organization primarily for use by members or guests. This classification includes union halls, fraternal organizations and social clubs.

D

~~**Drive-In Restaurant** means a restaurant, which provides food and beverage service directly to patrons within parked vehicles for consumption primarily on the premises.~~

E

Eating and Drinking Establishments means a business primarily engaged in serving prepared food and/or beverages for consumption on or off the premises.

K

Kiosk means a free-standing vendor space or stall located within a public space that is established with the intent to help foster small business development.

M

Microbrewery, Microwinery, or Craft Distillery means an establishment in possession of a valid state license to produce small quantities of alcohol in conjunction with a restaurant or tasting room. All on-site manufacturing and processing of alcohol associated with the microbrewery, microwinery, or craft distillery shall occur wholly within an enclosed building.

Mixed Use Development means ~~a tract of land, building, or structure developed for two or more different uses such as, but not limited to, residential, office, light manufacturing, retail, public, or entertainment.~~ the development of a parcel(s) of land, building(s) or structure(s) with more than one (1) type of land use, such as residential, office, retail, public, or entertainment, where the different land uses on the parcel or parcels form a cohesive development with shared vehicular and pedestrian access and parking areas between the parcels, different land uses or both.

- 1) **Horizontal Mixed-Use:** A project that includes two (2) or more attached or detached single-story buildings with a combination of land uses (e.g. residential and commercial).
- 2) **Vertical Mixed-Use:** A project that includes one or more attached or detached multiple-story buildings containing both non-residential and residential dwelling units which are functionally integrated by the use of shared vehicular and pedestrian access and parking areas.

O

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Open-Air Markets, commonly referred to as a *Farmers Market* or *Craft Market*, means a market held in an open area where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, locally produced arts and crafts items (excluding second-hand items). The display and sale of hand-crafted artisan items may be considered as an accessory activity, provided the principal activity remains the sale of the food- or produce-related items.

Outdoor Display means ~~display of retail merchandise and retail sales outside of an enclosed structure~~, an outdoor display or sale of goods which is conducted within an adjoining space, or in close proximity to a principally permitted business on the same parcel of property (or within the same commercial center) upon which the outdoor display is located.

R

Reception Center ~~see *Banquet and Conference Centers*~~, ~~means an indoor or outdoor facility for the purpose of hosting meetings, weddings, receptions and/or luncheons.~~

Recreation and Social Clubs ~~see *Clubs and Lodges definition*~~, ~~means buildings and grounds used for and operated by membership or fraternal organizations primarily for recreation and service of members and their guests and not primarily for profit, including but not limited to golf clubs, riding clubs, American Legion halls, Elks clubs, and similar facilities.~~

Restaurant, Full Service, means ~~any~~ restaurant providing sit-down table service to patrons who order and are served food prior to receiving a bill. Carry-Out Services may occur as an accessory use. ~~(except a drive-in establishment or a convenience food restaurant as defined in this Section), coffee shop, cafeteria, short order cafe, luncheonette, sandwich stand, drugstore, and soda fountain serving food, and all other eating or drinking establishments provided that at least forty percent (40%) of the total sales are derived from the sale of food.~~

Restaurant, Limited Service, means a Restaurant where patrons order and pay before food or drink is consumed on or off premise.

Restaurant, Walk-Up, means a restaurant with a walk-up service window. Food and drink is customarily carried off-site for consumption.

Restaurant, Drive-In or Drive-Up, means a restaurant that provides food and beverage service directly to patrons within vehicles primarily either for consumption on the premises in a parked vehicle or to take away subsequent to retrieval from a drive-through service.

S

~~*Service Clubs* means buildings and grounds used for and operated by non-profit organizations whose membership is open to any resident of the community, including YMCA, YWCA, Boy Scouts, Girl Scouts, Boys and Girls Club and any similar organization having as its primary objective the improvement of the district, neighborhood or community and its social welfare. Service Clubs shall not include Recreation and Social Clubs as herein defined.~~

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Swap Meet, commonly referred to as an *Flea Market* or *Bazaar*, means a marketplace where groups of sellers rent space to display, barter or sell goods to the public. The marketplace is composed of semi-enclosed or outdoor stalls, stands or spaces, and is distinguished from a farmer's market or craft fair in that the principal items sold, displayed or bartered are used or previously owned items, and are not fresh produce items, art items or handicrafts. This definition does not include *Outdoor Displays*, retail sidewalk sales, or garage sales.

T

Tavern, Bar, Lounge means a business ~~that sells beer or intoxicating liquor for consumption on the premises and having a Liquor License with any of the following classifications: Bar License (Series #06) or Beer and Wine Bar License (Series #07) or the equivalent of such license, and excluding restaurants and recreation and social clubs.~~ serving beverages for consumption on the premises as a primary use including on-sale service of alcohol including beer, wine, or mixed drinks, and businesses that do not meet the definition of *Full Service* or *Limited Service Restaurant*.