ARTICLE 14-5
SINGLE-FAMILY
RESIDENTIAL DISTRICTS
R1-43, R1-35, R1-18, R1-12, R1-10, R1-8, AND R1-6

(Ord. No. 93-12, 2011-13)

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14-5-1 INTENT

These districts comprise single-family residential areas and certain land areas where such development is desirable. They provide for a range of single-family lot sizes and establish minimum property development standards directly related to such lot sizes. Each district is restricted to the same principal, accessory and conditional uses and affords each residential property a uniform degree of protection from encroachment and adverse influence, regardless of its price class or lot size. Regulations are designed to stabilize and protect the single-family character of the districts, to promote and encourage creation of a favorable environment for family life where most families include children and to prohibit all incompatible activities. Certain essential and complementary uses are also permitted under conditions and standards, which assure their compatibility with the character of the district.

14-5-2 PERMITTED PRINCIPAL USES

A. One detached single-family dwelling per lot. (Ord. No. 93-12)

B. Publicly-owned and operated parks and recreation areas and centers.

C. Group Homes, in accordance with provisions of Article 14-3, General Provisions Section 14-3-12, "Group Homes, Day Care Group Homes, Group Care Facilities and Community Residential Setting Facilities," Subsection 14-3-12(A). (Ord. No. 02-85)

D. Public/Charter Schools and Private Schools, provided that the facility shall have direct vehicular access to an arterial or collector street and that facilities for repair or storage of vehicles and equipment shall be prohibited. (Ord. No. 99-89).

E. Churches, synagogues, temples, chapels, or similar places of worship, and related facilities, subject to review and approval of vehicular access by the City Engineer. (Ord. No. 02-19)

F. Public utility buildings, uses, structures, equipment and storm water retention areas; provided that repair or storage facilities in connection therewith are expressly prohibited. (Ord. No. 04-207)

14-5-3 PERMITTED CONDITIONAL USES

Any of the following uses may be permitted as principal uses subject to approval by the Commission of site development plans prepared in accordance with provisions of this Article and Article 14-24 of this Chapter.

A. Public buildings providing cultural, educational, administrative, fire and police protection services to district residents; provided that all vehicular access shall be restricted to public streets.

B. Colleges or university facilities, such facilities shall have direct vehicular access to an arterial or collector street. Facilities for the repair or storage of vehicles and equipment shall be prohibited. (Ord. No. 05-58A)

C. Non-commercial recreational uses, provided that all direct vehicular access is from an arterial or collector street. (Ord. No. 93-12)

D. Golf courses, including clubhouses, provided that:

1. All direct vehicular access shall be from abutting arterial or collector streets.

2. All principal and accessory buildings shall be located not less than fifty (50) feet from any property line adjoining any residential district,

3. Any accessory restaurant or bar shall be an integral part of a principal building, shall have no public entrance except from within the building, and shall make no exterior display or advertising of any commercial activity.

4. Golf greens and tees, swimming pools, tennis courts and similar outdoor recreation facilities shall be located not less than twenty-five (25) feet from any property line.

E. Day Care Group Homes with five (5) or more children, in accordance with provision of Article 14-3, General Provision, Section 14-3-12, "Group Homes, Day Care Group

Homes, Group Care Facilities, and Community Residential Setting Facilities," subsection 14-3-12 (B), "Day Care Group Homes" and upon a finding by the Planning and Zoning Commission, that such homes will be operated in a manner that is compatible with and not detrimental to, adjacent properties or the neighborhood in general: (Ord. No. 02-85)

F. Group Care Facility or Community Residential Setting Facility in accordance with provision of Article 14-3, General Provision, Section 14-3-12, "Group Homes, Day Care Group Homes, Group Care Facilities, and Community Residential Setting Facilities," subsection 14-3-12 (C) "Group Care Facilities and Community Residential Setting Facilities. (Ord. No. 02-85)

G. Preschool centers or day care centers in accordance with State Department of Health Care Services regulations provided that: (Ord. No. 02-19)

1. The use shall be in conjunction with a non-residential principal or conditional use within Article 14-5.

2. All vehicular access shall be from an existing arterial or collector street.

3. No on street parking or drop-off shall be permitted.

4. Playgrounds or other outdoor activity area shall be separated from adjacent residential land uses by no less than twenty-five (25) feet.

5. All playgrounds or outdoor activity areas shall be properly fenced using the following methods:

   a. Solid masonry wall no shorter than 4'–6" or

   b. Wrought-iron view fence no shorter than 4'-6" with vertical members no greater than 4" apart; or

   c. Other fencing method approved by the Planning and Zoning Commission.

6. Hours of operation shall be between 6:00 a.m. and 7:00 p.m., or as otherwise established by the Planning and Zoning Commission

7. Hours of outdoor activity shall be limited to between 8:00 a.m. and 6:00 p.m.

14-5-4 PERMITTED ACCESSORY USES

A. Any accessory use customarily incidental to a permitted principal use.

B. Off-street parking serving a permitted principal use, in accordance with Article 14-23.

C. Private garage or carport for storage or parking of vehicles.

D. Garden house, tool house, ramada, outdoor swimming pool and similar home recreational facilities; provided that such facilities are used solely by occupants of the premises and their guests.

E. Storage or parking of recreational vehicles and utility trailers, in accordance with Chapter 14 Motor Vehicles and Traffic of the Peoria City Code (1992 Edition). (Ord. No. 98-18)

F. Guest house or servant's quarters; subject to 14-5-9B.

G. Home occupation, in accordance with Article 14-3, General Provision, Section 14-3-8, “Homes Occupations,” of this Ordinance. (Ord. No. 02-85)

H. Where the keeping of horses and other livestock is otherwise lawful, structures customarily accessory to such use. The provisions contained within Article 4-9 of the City Code shall apply to the keeping of horses and livestock.

I. Day care for four (4) or less children. (Ord. No. 93-25)

14-5-5 GENERAL PROPERTY DEVELOPMENT STANDARDS (Ord. No. 03-158)

A. On any lot, no structure shall exceed three (3) feet in height above grade within the required front setback area. (Ordinance No. 95-72).

B. Side lot lines shall be substantially at right angles or radial to street lines, except where other treatment can be justified.

C. All Flag Lots, except as provided under Section 14-22A-4, shall be subject to the following standards:

1. The access portion of the flag lot (“flag pole”) must be under the same ownership as the flag portion

2. Each flag lot shall have at least twenty (20) feet of street frontage and at least twenty (20) feet of width for the entire length of the flagpole.

3. The area of the flag pole portion of the flag lot shall not be included in the calculation of minimum lot area.

4. For flag lots, the Planning Manager shall determine which property line(s) shall constitute the front and rear lot lines for the purposes of compliance with yard and setback provisions of this ordinance.

5. Flag lots shall have the street address clearly visible from the street to identify a dwelling that is set back from the street.

6. The driveway providing access to the flag lot shall be placed as close as possible to an existing driveway on adjacent property.

7. The number of flag lots shall be limited per parcel or subdivision pursuant to the following schedule. No more than two (2) flag lots may be contiguous.

Table 14-5-5, Maximum Number of Flag Lots

Size of Subdivision or Minor Land Division	Maximum Number or Percentage (%) of Flag Lots
10 or fewer lots	1 lot
11-50	10%
50+	5%

14-5-6 PROPERTY DEVELOPMENT STANDARDS FOR PERMITTED RESIDENTIAL USES (Ord. No. 89-36)

A. The following property development standards shall apply in zoning districts R1-43, R1-35, R1-18, R1-12, R1-10, R1-8, R1-7 and R1-6: (Ord. No. 03-158)

Property Development Standards	R1-43[1]	R1-35	R1-18	R1-12	R1-10	R1-8	R1-7[2]	R1-6[3]
Minimum Lot Area (acreage)	43,560	35,000	18,000	12,000	10,000	8,000	7,000	6,000
Minimum Lot Width (ft)	145	125	90	70	70	70	70	50
Minimum Lot Depth (ft)	100	100	100	100	100	100	100	100
Maximum Lot Coverage (percentage)	30%	35%	35%	40%	45%	45%	45%	45%
Maximum Building Height (ft) [4]	30	30	30	30	30	30	30	30
Front Setback (ft) – *Side-entry garage* [5]	35	30	20	10*	10*	10*	10*	10*
Front Setback (ft) – *Front-facing garage***	35	30	20	20	20	20	20	20
Interior Setback (min/total ft)	10/30	10/20	5/15	5/15	5/15	5/15	5/15	5/8/13
Rear Setback (ft)	30	20	15	15	15	15	15	15
Corner Setback (ft)	10	10	10	10	10	10	10	10

* Not more than 60% of the total front-facing elevation shall occur at the 10-foot setback.

** Where front-facing garages are present, a 10-foot front setback shall apply to the livable portion of the home provided that not more than 60% of the total front-facing elevation occurs at the 10-foot setback.

1. Ordinance 97-95
2. Residential District R1-7 shall only apply to property zoned R1-7 on or before February 13, 1991. No property shall be re-zoned to the R1-7 district after February 13, 1991. (Ord. No. 99-92)
3. Ordinance 93-42
4. Ordinance 04-187
5. Side-entry garages shall be prohibited on corner lots.

14-5-7 PROPERTY DEVELOPMENT STANDARDS FOR PERMITTED CONDITIONAL USES

A. Maximum height of principal buildings conditionally permitted. Two stories of not more than thirty (30) feet, except as provided in Section 14-3-8 of this Code. (Ord. No. 04-187)

B. Minimum setbacks. Every conditionally permitted principal and accessory building shall maintain required setbacks.

14-5-8 PROPERTY DEVELOPMENT STANDARDS FOR ACCESSORY BUILDINGS (Ord. No. 04-187)

When not part of the principal building, accessory buildings shall be subject to the limitations contained in this Section 14-5-7 and as otherwise set forth in the Peoria City Code. Accessory buildings attached to the principal building shall be subject to all applicable provisions of the Peoria City Code which would be applicable to the Principal building. Nothing herein is intended to relax the building code or other applicable City standards.

A. *Maximum Height*. The height of an accessory building shall not exceed twenty (20) feet in height except in the R1-18 and R1-35 zoning districts OR other zoning districts with minimum lot sizes 18,000 square feet or greater. Where a property is located in a zoning district with a minimum lot size of 18,000 square feet or greater, all accessory buildings shall have a maximum height of twenty-five (25) feet. (Ord. No. 04-187)

B. No accessory building shall be located in any front yard.

C. A detached accessory building, less than eight (8) feet in height and with a total floor area or projected roof area which does not exceed two hundred (200) square feet, may be located in the required side or rear yard adjacent to the property line provided the structure is not served by utilities and is screened from public view. (Ord. No. 04-187)

D. A detached accessory building between eight (8) and nine (9) feet in height or greater than two hundred (200) square feet in area, may be located a minimum of three (3) feet from the side or rear property line provided the structure is screened from public view. (Ord. No. 05-51)

E. Accessory buildings exceeding nine (9) feet in height and/or three hundred (300) square feet in area shall meet the required setbacks of the respective zoning district. Accessory buildings exceeding nine (9) feet in height and located along property lines abutting golf courses, water tanks, well sites, utility substations, water treatment plants and similar land uses as determined by the Planning Manager shall be allowed a three (3) foot side or rear setback provided that the height of the structure shall not exceed the height of the principal building. (Ord. No. 04-187)

F. Accessory buildings nine (9) feet in height or greater OR three hundred (300) square feet or greater shall conform to the City of Peoria Design Review Manual. (Ord. No. 04-187)

G. All structures shall be located in accordance with any applicable City building and/or fire code. (Ord. No. 04-187)

H. On or before June 15, 1990 owners of accessory buildings whether attached or detached, constructed prior to January 23, 1990, that conformed to the Uniform Building Code adopted by the City upon construction, that do not conform to the development standards within this Section 14-5-7 of Article 14-5 of Chapter 14 of the Peoria City Code, may submit to the City of Peoria an application supplied by the City to the City of Peoria Building Safety Department together with such plans as may be required by the Building Safety Department to register the non-conforming accessory buildings. The Building Safety Department will review the accessory buildings in which registration is sought and after the review of the application, drawings and plans, herein provided for, shall issue a special building permit if the accessory building was constructed in accordance with the then existing Uniform Building Code, recognizing such accessory building may be registered as an exception to the limitations imposed by this Section 14-5-7.

The plans which may be required by the Building Safety Department shall show the location of the accessory building in relation to other structures on the lot and the lot lines of the property and such other information as may be necessary to determine if such building conformed to the Uniform Building Code upon its construction.

14-5-9 EXCEPTIONS

A. Side yards, interior lots of record. On each lot or record, see Section 14-2-32-E, having a width of fifty (50) feet or less, the least side yard shall have a width not less than three (3) feet, and the other side yard shall have a width not less that seven (7) feet, and the aggregate width of both side yards shall be not less than ten (10) feet upon adoption of this Ordinance.

B. Detached guesthouses or servant's quarters. Detached guesthouses and servant’s quarters are permitted in any R1-35 and R1-18 districts; provided, however, that they shall conform to all yard requirements applicable to the accessory building.