

ORDINANCE NO. 17,832

AN ORDINANCE AMENDING APPENDIX A THE UNIFIED DEVELOPMENT CODE OF THE CITY OF PEORIA RELATING TO SHORT TERM RENTALS

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:

5.2.2

Permitted Use Table

COMMERCIAL		A1	P1	RE	R1	R2	R3	R4	R5	R6	R7	R8	O1	O2	N1	CN	C1	CG	C2	B1	I1	I2	I3	
Overnight Lodging (see 5.6.4.D)	Bed and Breakfast				⊖	⊖	⊖	⊖	⊖	⊖	⊖	⊖			■	■	■	■	■	■	■			5.3.3 B
	Hotel, Motel, Inn, Extended Stay Facility												■	■	□	□	□	■	■	■	■	■		
	<u>Short Term Rental</u>			■□	■□	■□	■□	■□	■	■	■	■			■	■	■	■	■	■	■			<u>5.3.3 B</u>
	Youth Hostel																	□	□	■	■	■	■	

5.3 - USE AND PERFORMANCE STANDARDS

5.3.3 Commercial Use Performance Standards

B. Bed and Breakfast Short Term Rental

~~No bed and breakfast establishment shall be granted unless the following standards are met: 1.~~

~~Signage shall not exceed twelve inches by twelve inches.~~

- ~~2. If the proposed site is located within a recognized local, state, or national historic district or if the residence has been designated a landmark structure, then the owner shall maintain the structure as required or bring the structure up to historic compliance.~~
- ~~3. Parking shall be in accordance with 8.1. The parking shall be on existing paved surfaces or inside garages, as provided prior to the application for the special use. In addition, the required parking does not have to be independently maneuverable. Parking anywhere other than the provided off-street parking from midnight to 6:00 a.m. is prohibited.~~
- ~~4. The bed and breakfast establishment must obtain all necessary permits as required by the health department, historic preservation commission, City of Peoria, and State of Illinois.~~
- ~~5. In addition to 2.9.13, the special use for a bed and breakfast establishment can be revoked if in violation of the above requirements.~~

Short Term Rental establishment shall not be permitted unless the following standards are met:

1. In Estate Residential and Single-Family Residential districts, the use is permitted by right where the property is owner occupied by a natural person or persons. Short term rental is a special use in any other property type in the Estate Residential or Single-Family Residential districts.
2. In the Form Districts R-4 Frontage and the West Main Local Frontage, the use is permitted by right where the property is owner occupied by a natural person or persons. The use is not permitted in any other property type in the R-4 Frontage or West Main Local Frontage.
3. The owner shall comply with the residential property registration code of the City of Peoria.
4. The owner shall obtain and maintain a valid Hotel Motel license from the City of Peoria and the owner shall pay Hotel or Motel Room Rental Use or Privilege tax to the City of Peoria.
5. Additional dwelling units cannot be added to the original design of the dwelling.
6. All provisions of the Unified Development Code with respect to the underlying zoning district shall apply.
7. The Unified Development Code with respect to short term rentals is not intended to interfere with, abrogate or annul any easement, covenant, deed restriction or other agreement between private parties, this includes Home Owners Association agreements. If the provisions of this development code impose a greater restriction than imposed by a private agreement, the provisions of this development code will control. If the provisions of a valid, enforceable private agreement impose a greater restriction than this development code, the provisions of the private agreement will control. The City does not enforce or maintain a record of private agreements.

5.6 - USE CATEGORIES

5.6.2 Residential Use Categories

A. Household Living

Residential occupancy of a dwelling unit by a household on a month-to-month or longer basis in structures with self-contained dwelling units, including kitchens.

Principal Uses	Accessory Uses	Uses Not Included
Single-Family Two-Family Townhouse Apartment Upper Story Residential Live-Work	Dish antenna under 1 meter Home occupation (see 5.4.8) Detached garage, barbecue pit, carport, tool or garden shed, storage unit, swimming pool Raising of pets Residential leasing office Surface Parking	<u>Short term rental</u> , hotel, motel, inn, extended-stay facility (see Overnight Lodging) Halfway house, recovery home, residential treatment facility, outpatient treatment facility (see Social Service Institutions) Boarding house, elderly housing, assisted living facility Fraternity, sorority, family care facility, group care facility, nursing home (see Group Living)

B. Group Living

Residential occupancy of a structure by a group of people that does not meet the definition of Household Living. Tenancy is usually arranged on a monthly or longer basis. Generally, Group Living structures have a common eating area for residents, and the residents may receive car or training.

Principal Uses	Accessory Uses	Uses Not Included
Boarding house, rooming house Children's home Congregate housing Elderly housing, assisted living facility Fraternity, sorority, student dormitory Family care facility Group care facility Monastery, convent Nursing home, full-time convalescent, hospice, life care center	Associated office Food preparation or dining area Recreational facility	<u>Short term rental</u> , hotel, motel, inn, extended-stay facility (see Overnight Lodging) Halfway house, recovery home, residential treatment facility, outpatient treatment facility (see Social Service Institutions) Seminary (see Educational Facility)

5.6.4 Commercial Use Categories

D. Overnight Lodging

Accommodations arranged for short term stays of less than 30 days for rent or lease.

Principal Uses	Accessory Uses	Uses Not Included
Hotel, motel, inn, extended-stay facility, youth hostel	Associated office Bar, tavern, cocktail Lounge, nightclub, restaurant with entertainment Food preparation or dining area Laundry facility Meeting facility Restaurant Swimming pool, other creational facility	Boarding house, rooming house (see Group Living) Campground (private), travel trailer park, recreational vehicle park (see Outdoor Recreation) Convention center (see Indoor Recreation)
<u>Short term rental</u>	<u>Associated office</u>	

6.2 – SHERIDAN TRIANGLE

6.2.D Sheridan Triangle – R-4

7. Permitted Uses

- a. Residential uses shall be considered to encompass all of the Residential use categories, as defined in Section 5.6.
- b. Commerce uses shall include Short Term Rental, under the Overnight Lodging use category, as defined in Section 5.6.
- ~~b.c.~~ Conversion of primary structure single-family units for multiple-family use is prohibited.
- ~~e.d.~~ Use Standards as stated in Section 5.3 shall be applicable.

6.3 – PROSPECT ROAD

6.3.D Prospect Road – R-4

7. Permitted Uses

- a. Residential uses shall be considered to encompass all of the Residential use categories, as defined in Section 5.6.
- b. Commerce uses shall include Short Term Rental, under the Overnight Lodging use category, as defined in Section 5.6.
- ~~b.c.~~ Conversion of primary structure single-family units for multiple-family use is prohibited.
- ~~e.d.~~ Use Standards as stated in Section 5.3 shall be applicable.

6.4 – WEST MAIN

6.4.F West Main – Local

9. Permitted Uses

- a. Residential uses shall be considered to encompass all of the Residential use categories, as defined in Section 5.6.
- b. Home Office: For the purposes of the Form Districts, a home office shall be considered to be a home occupation. 5.4.8.
- c. Commerce uses shall include Short Term Rental, under the Overnight Lodging use category, as defined in Section 5.6.
- ed. Use Standards as stated in Section 5.3 shall be applicable.

6.4.H West Main – R-4

7. Permitted Uses

- a. Residential uses shall be considered to encompass all of the Residential use categories, as defined in Section 5.6.
- b. Commerce uses shall include Short Term Rental, under the Overnight Lodging use category, as defined in Section 5.6.
- ~~bc.~~ Conversion of primary structure single-family units for multiple-family use is prohibited.
- ed. Use Standards as stated in Section 5.3 shall be applicable.

10.0 - DEFINITIONS

10.3 - DEFINED TERMS

~~Bed and Breakfast Establishment: An operator-occupied residence providing accommodations for a charge to the public with no more than five (5) guestrooms for rent, in operation for more than ten (10) nights in a twelve-month period. Breakfast may be provided to the guests only. Bed and breakfast establishments shall not include motels, hotels, boarding houses, rooming houses, or food service establishments.~~

~~Dwelling: A building, or portion thereof, designed or used exclusively for residential occupancy, including single-family dwellings, two-family dwellings or multiple-family dwellings, but not including hotels or motels.~~

Dwelling: A building that contains one or two dwelling units used, intended, or designed to be used, rented, leased, let or hired out to be occupied for living purposes.

~~Dwelling Unit: One or more rooms including a kitchen or kitchenette, located within a residence providing complete living facilities for one family or containing facilities and equipment for living, sleeping, cooking and eating.~~

Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Short Term Rental: All or part of a dwelling or dwelling unit that is rented with or without meals for compensation to transient guest(s) for a period less than thirty (30) consecutive days. Bed and Breakfast establishments are considered Short Term Rental units.

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
9TH DAY OF MARCH , 2021

APPROVED:

/S/ JAMES E ARDIS Mayor

ATTEST:

/S/ BETH BALL City Clerk

EXAMINED AND APPROVED:

/S/ CHRISSIE L PETERSON Corporation Counsel

ORDINANCE NO. 17,832 WAS ADOPTED BY ROLL CALL VOTE OF 11 YEAS; 0 NAYS.