



Legislation Details (With Text)

**File #:** 22-007      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Adopted

**File created:** 12/14/2021      **In control:** City Council

**On agenda:** 1/11/2022      **Final action:** 1/11/2022

**Title:** Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Planning and Zoning Commission and Staff to ADOPT an ORDINANCE Approving a SPECIAL USE in a Class R-3 (Single-Family Residential) District, for a SHORT-TERM RENTAL for the Property Located at 3114 NORTH LINNHILL COURT (Parcel Identification No. 14-28-377-052), Peoria, IL. (Council District 2)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance for 3114 N Linnhill Ct, 2. Attachment A to Ordinance for 3114 N Linnhill Ct, 3. Case Packet for PZ 599-2021, 4. Minutes and Public Comment for Case PZ 599-2021, 5. ORD NO 17926

| Date      | Ver. | Action By    | Action  | Result |
|-----------|------|--------------|---------|--------|
| 1/11/2022 | 1    | City Council | adopted | Pass   |

**ACTION REQUESTED:**

Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Planning and Zoning Commission and Staff to ADOPT an ORDINANCE Approving a SPECIAL USE in a Class R-3 (Single-Family Residential) District, for a SHORT-TERM RENTAL for the Property Located at 3114 NORTH LINNHILL COURT (Parcel Identification No. 14-28-377-052), Peoria, IL. (Council District 2)

**BACKGROUND:** The applicant and property owner, Kristin Otto requests to obtain a special use to use an existing single-family dwelling as a short term rental. Renting all or part of a dwelling to transient guest(s) for a period less than thirty (30) consecutive days is considered a short term rental.

The dwelling has four bedrooms. The proposal is to allow up to 6 guests, with no more than 6 adult guests. Off-street parking is provided in the one-stall attached garage. On-street parking is available on Linnhill Court. The property is in the North Florence Neighborhood Association. The Unified Development Code stipulates no more than 3% or 14 special use short term rentals in this neighborhood association. If approved, this would be the second special use Short Term Rental in this neighborhood association.

The Planning & Zoning Commission found that the request, in case number PZ 599-2021, met the Findings of Fact and voted 5-0 to approve the request subject to the parking plan and the following conditions:

1. Fire extinguishers shall be installed according to the 2018 International Fire Code Chapter 9, Section 906.
2. Interconnected smoke alarms shall be installed according to the 2018 International Fire Code Chapter 9, Section 907.
3. Carbon monoxide detector shall be installed according to the 2018 International Fire Code Chapter 9, Section 915.
4. Additional dwelling units cannot be added to the single family dwelling.
5. Occupancy of the short term rental shall not exceed the standards set forth in the Building and Fire Code of seven (7) total persons. Of the maximum occupancy allowed, no more than six (6) adults guests may stay in the dwelling unit at any given time.

6. The owner shall obtain and maintain a valid Short Term Rental license from the City of Peoria and the owner shall pay Room Rental Use or Privilege tax to the City of Peoria.
7. An approved Special Use is valid for the Applicant only as identified on the special use application submitted to the Planning & Zoning Commission. An approved Special Use shall become null and void upon any change in ownership of the property which results in the removal of all prior applicants. Such change in ownership of the property will require a new special use application and approval.

For detailed information, see the attached case packet and meeting minutes from the Planning & Zoning Commission meeting.

**FINANCIAL IMPACT:** NA

**NEIGHBORHOOD CONCERNS (at the Planning & Zoning Commission Meeting):** A neighbor submitted a letter of support citing the property is well maintained and brings value to the area.

**IMPACT IF APPROVED:** The Special Use would be approved subject to the conditions. The property owner would need to obtain a license before operating the short term rental.

**IMPACT IF DENIED:** The Special use would not be approved and a non owner occupied short term rental use would not be permitted.

**ALTERNATIVES:** NA

**EEO CERTIFICATION NUMBER:** NA

**WHICH OF THE GOALS IDENTIFIED IN THE COUNCIL'S 2017 - 2032 STRATEGIC PLAN DOES THIS RECOMMENDATION ADVANCE?**

1. Grow Peoria

**WHICH CRITICAL SUCCESS FACTOR(S) FROM THE COMPREHENSIVE PLAN DOES THIS RECOMMENDATION IMPLEMENT?**

1. Reinvest in neighborhoods.

**DEPARTMENT:** Community Development