



## Legislation Details (With Text)

<b>File #:</b>	22-138	<b>Version:</b>	1	<b>Name:</b>	Short Term Rental for 5620 N Western Ave
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	Adopted
<b>File created:</b>	4/8/2022	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	4/26/2022	<b>Final action:</b>		<b>Final action:</b>	4/26/2022
<b>Title:</b>	Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Planning & Zoning Commission and Staff to ADOPT an ORDINANCE Approving a SPECIAL USE in a Class R3 (Single-Family Residential) District, for a SHORT-TERM RENTAL for the Property Located at 5620 N. WESTERN AVE (Parcel Identification No. 14-17-353-009), Peoria, IL. (Council District 4)				

### Sponsors:

**Indexes:** Goal 4 - Grow Peoria, Reinvest in neighborhoods

### Code sections:

**Attachments:** 1. PZ 776-2022 - 5620 N Western Ave - Packet.pdf, 2. PZ 776-2022 - PZ Minutes.pdf, 3. PZ 776-2022 - Ordinance.pdf, 4. ORD 17,964

Date	Ver.	Action By	Action	Result
4/26/2022	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 & Zoning Commission and Staff to ADOPT an ORDINANCE Approving a SPECIAL USE in a Class R3 (Single-Family Residential) District, for a SHORT-TERM RENTAL for the Property Located at 5620 N. WESTERN AVE (Parcel Identification No. 14-17-353-009), Peoria, IL. (Council District 4)

The applicants and property owners, Seth and Ty Silzer, request to obtain a special use to use an existing single-family dwelling with five bedrooms as a short term rental. The proposal is to allow up to 10 guests. This property is not within a neighborhood association. The Unified Development Code stipulates no more than 3% or 12 special use short term rentals within a 0.25 mile radius of this property.

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. A short term rental, in the R-3 (Single Family Residential) District, that is not occupied by the property owner, must receive special use approval in addition to the following:

1. The owner shall comply with the residential property registration code of the City of Peoria.
2. The owner shall obtain and yearly maintain a valid Short Term Rental 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. The license is revocable.

The Planning & Zoning Commission found that the request, in case PZ 776-2022, met the Findings of Fact and voted 5-0 to approve the request subject to 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 detectors shall be installed according to the 2018 International Fire Code Chapter 9, Section 915.2.1.

4. Additional dwelling units cannot be added to the single family dwelling.
5. The existing basement bedrooms shall comply with the 2018 International Building & Fire Codes prior to any occupancy. Inspections shall be required to verify compliance
6. Occupancy of the short term rental shall not exceed the standards set forth in the Building and Fire Code of ten (10) guests. No more than six (6) adult guests may stay in the dwelling unit at any given time.
7. 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.
8. 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.

See the attached case packet to the Planning & Zoning Commission and meeting minutes for detailed information.

**FINANCIAL IMPACT:** NA

**NEIGHBORHOOD CONCERNS:** None presented at the public hearing.

**IMPACT IF APPROVED:** The Special Use would be approved subject to the conditions. The applicant would need to maintain a license to operate 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