



Legislation Details (With Text)

**File #:** 18-099      **Version:** 2      **Name:**

**Type:** Ordinance      **Status:** Consent Agenda

**File created:** 4/3/2018      **In control:** City Council

**On agenda:** 4/24/2018      **Final action:** 4/24/2018

**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 to ADOPT an ORDINANCE Amending Appendix A, the Unified Development Code, of the City of Peoria Relating to MULTI-FAMILY RESIDENTIAL DWELLINGS IN OFFICE, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS. (City Wide)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD NO 17,568 (Item No. 18-099), 2. Attachment A to Memo - Ordinance, 3. Exhibit A to Ordinance - UDC Amendments, 4. Attachment B to Memo - PZ Memo, 5. Attachment C to Memo - PZ Minutes

Date	Ver.	Action By	Action	Result
4/24/2018	2	City Council	adopted	Pass
4/10/2018	1	City Council	placed on the consent agenda	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 to ADOPT an ORDINANCE Amending Appendix A, the Unified Development Code, of the City of Peoria Relating to MULTI-FAMILY RESIDENTIAL DWELLINGS IN OFFICE, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS. (City Wide)

**BACKGROUND:**

Prior to the wide-spread introduction of zoning regulations in the early 20<sup>th</sup> Century, apartments were constructed in proximity to single-family, commercial, and office uses. Beyond an outright prohibition on such development schemes, the lack of private transportation prior to the middle of the 20<sup>th</sup> Century all but required residential development of all types to be built within walking, or public transit distance from employment and services. When zoning districts were first introduced, different uses (single-family, multi-family, office, commercial, industrial) were geographically separated from each other. This “traditional” approach to zoning and land use remained in place from the 1930’s until the early part of the 21<sup>st</sup> Century. As communities throughout the nation began to realize that many of the regulations found in traditional zoning were in fact detrimental to development, the concept of “mixed-use” zoning was introduced. In many ways, mixed-use zoning was simply a return to something that resembled city development prior to the introduction of zoning regulations.

Zoning regulations were first adopted by the City of Peoria in 1931. As such, almost all development south of Forrest Hill Avenue was developed without any underlying zoning districts. The area of the city north of Forrest Hill, and particularly north of War Memorial Drive was developed with the goal of separating uses from each other. The development of the Heart of Peoria Plan and the adoption of the Land Development Code began to remove some of the regulatory barriers to mixed-use development. The adoption of the Unified Development Code in 2016 removed another layer of regulations that prohibited mixed-use development.

Relative to this specific item, the 2016 amendments allowed apartments as a permitted use in all commercial and industrial districts. This change was designed to make development more business friendly, allow for expanded uses in underutilized commercial and industrial areas, and allow for the development of residential uses in close geographic proximity to employment and services.

The proposed text amendment before you will not prohibit apartments in commercial and industrial areas. However, it does require that an apartment application be processed as a special use instead of a permitted use. A special use application requires a public hearing, with the final decision on approval or denial residing with Council.

The proposed amendment was a request from the City Council, and includes the following changes related to the use of an apartment:

ITEM	DESCRIPTION	APPENDIX A SECTION
Permitted Districts	Currently an apartment is a permitted in the R-6, R-7, R-8, O-1, N-1, C-N, C-1, C-G, C-2, I-1 and I-2 districts. The proposed change keeps apartments as a permitted use in the R-6, R-7 and R-8 (Multi-Family) districts and makes them a special use in the O-1, C-N, C-1, C-G, C-2, I-1 and I-2 Districts.	5.2.2
Use Standards	Added a use standard for apartments, which includes: • Apartments developed in residential districts shall not exceed the density of the applicable zoning district. Apartments developed in non-residential zoning districts shall not exceed the density of 15.02 dwelling units per acre.	5.3.1.D

The Planning and Zoning Commission **VOTED 6 - 0 TO APPROVE** the request.

For additional background information, please refer to the Planning and Zoning Commission minutes.

**FINANCIAL IMPACT:** N/A

**NEIGHBORHOOD CONCERNS:** None expressed at the Planning and Zoning Commission meeting.

**IMPACT IF APPROVED:** The Unified Development Code will be amended as proposed.

**IMPACT IF DENIED:** The Unified Development Code will remain unchanged.

**ALTERNATIVES:** N/A

**EEO CERTIFICATION NUMBER:** N/A

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

1. Not applicable.

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

**RECOMMENDATION IMPLEMENT?**

1. Not applicable.

**DEPARTMENT:** Community Development