



TO: The Honorable Mayor and the City Council

FROM: Ty Livingston, Director of Planning & Community Development

DATE: March 9, 2021

SUBJECT: Petition of the City of East Peoria to amend Title 5, Chapter 2, Section 3 of the East Peoria City Code to provide a definition of Short-term rentals and remove language regarding Bed and breakfast establishments.

BACKGROUND:

In the petition here, the City is requesting a code change to include a definition of short-term rentals and remove language used for bed and breakfasts. This is a complementary piece to the code changes already made to permit short term rentals as a Special Use.

At their meeting, the ZBA recommended approval 5-0 with the addition of verbiage addressing the requirement for off-street parking – which appears already in 3-38-9. However, the board felt that it was prudent to include it here, as well.

RECOMMENDATION: Approval, as presented.

ORDINANCE NO. 4559

AN ORDINANCE AMENDING PROVISION OF THE EAST PEORIA ZONING CODE TO ADDRESS SHORT-TERM RENTAL PROPERTY

WHEREAS, the City of East Peoria recognizes that the use of online booking platforms for vacation and short-term rentals has become commonplace across the nation and in Illinois, and as a result, vacation and short-term rentals are occurring within the City; and

WHEREAS, the City of East Peoria has determined that regulating the renting and use of short-term rental property within the City of East Peoria is necessary for the purpose of protecting public health and safety; and

WHEREAS, the City of East Peoria has further determined that in order to protect public health and safety, the City's zoning regulations as set forth in the East Peoria Zoning Code need to be updated to address short-term rental properties; and

WHEREAS, after holding a public hearing on March 8, 2021, pursuant to duly published notice, the East Peoria Zoning Board of Appeals has recommended approval of the proposed amendments to the City's Zoning Code; and

WHEREAS, the City Council finds that adoption of the proposed amendments to the City's Zoning Code serve the best interests of the City of East Peoria and its citizens;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. The "Definitions" set forth in Title 5, Chapter 2, Section 3 of the East Peoria City Code pertaining to zoning are hereby amended to read as follows (additions are indicated by underline; deletions by ~~strikeout~~):

~~*Bed and breakfast establishment* means an owner-occupied single-family 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 hotels, motels, boarding houses or food service establishments.~~

Short-Term Rental shall mean an operator-occupied residence, property, or structure providing accommodations for a charge to the public with no more than five (5) guestrooms for rent that is offered, advertised, or held out to the public for use or is otherwise in operation for more than ten (10) nights in a twelve-month period. A short-term rental shall include a boat, house boat, or similar floating

vessel that is rented for overnight lodging and meets the other short-term rental requirements as set forth in this definition; for the purposes of this chapter, the term “structure” shall include a floating vessel. A short-term rental shall further include a bed and breakfast establishment as defined under the Bed and Breakfast Act (50 ILCS 820/1, et seq.), as amended from time to time. A short-term rental shall not include motels, hotels, boarding houses, rooming houses, or food service establishments. “Owner-occupied” shall have the meaning set forth in Chapter 38 of Title 3 of the East Peoria City Code.

Section 2. Title 5, Chapter 7, Section 6(c)(9) of the East Peoria City Code pertaining to off-street parking and loading is hereby amended to read as follows (additions are indicated by underline; deletions by ~~strikeout~~):

9. Motels, hotels and bed & breakfasts <u>short-term rentals</u>	One (1) parking space for each guestroom.
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Section 3. Title 5, Chapter 8, Section 3(b)(21) of the East Peoria City Code pertaining to R-1 One-family dwelling districts is hereby amended to read as follows (additions are indicated by underline; deletions by ~~strikeout~~):

~~(21) Bed and breakfast establishment~~ Short-term rentals but only in accordance with Chapter 38 of Title 3 of the East Peoria City Code and provided that the driveway or parking area serving the short-term rental shall be large enough to accommodate one (1) vehicle for each guestroom in addition to the parking required for operator’s vehicles.
~~under all of the following conditions:~~

- ~~a. The driveway serving the residence vacation rental shall be large enough to accommodate one (1) vehicle for each bedroom whether or not utilized as a guestroom.~~
- ~~b. There shall be no exterior display on the zoning lot which contains the establishment to indicate the existence of the establishment.~~
- ~~c. The operator must reside at the establishment while guestrooms are rented.~~
- ~~d. House rules shall be prepared and submitted to the director of planning and zoning.~~
- ~~e. No guest may stay at the establishment for a total of more than fourteen (14) days in any period of twelve (12) consecutive calendar months.~~

Section 4. This Ordinance is hereby ordered to be published in pamphlet form by the East Peoria City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

Section 5. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

Section 6. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 7. This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS _____ DAY OF _____, 2021.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel