

ARTICLE 14-6

RM-1 MULTI-FAMILY RESIDENTIAL DISTRICT

(Ord. No. 02-83)

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14-6-1 INTENT

This district is intended to fulfill the need for multi-family residences or attached single-family residences which are compatible with abutting single-family residential districts. Certain essential and complimentary uses are permitted under conditions and standards which assure protection of the character of the district.

14-6-2 PERMITTED PRINCIPAL USES

- A. Attached Single-family dwellings.
- B. Two-family dwellings.
- C. Multi-family dwellings.
- D. Group Homes, in accordance with provision of Article 14-3, General Provision, Section 14-3-12, "Group Homes, Day Care Group Homes, Group Care Facilities, and Community Residential Setting Facilities," subsection 14-3-12 (A) "Group Homes" provided that the residence is a pre-existing single family detached dwelling or attached dwelling. (Ord. No. 02-85)
- E. Public/charter schools and private schools provided that the facilities have direct vehicular access to an arterial or collector street. Facilities for repair or storage of vehicles and equipment shall be prohibited. (Ord. No. 99-89)
- F. Religious Institutions such as Churches, synagogues, temples, chapels, or mosque, subject to review and approval of vehicular access by the City Engineer. (Ord. No. 02-85)

- G. Public utility buildings, uses, structures, equipment and storm water retention areas; provided that repair or storage facilities in connection therewith are expressly prohibited. (Ord. No. 04-207)

14-6-3 PERMITTED CONDITIONAL USES

The following uses may be permitted subject to Conditional Use Permit approval by the Planning and Zoning Commission.

- A. Bed and Breakfast Inn, Subject to the following: (Ord. No 99-101)
1. Maximum building height shall be thirty feet (30') or two (2) stories, which ever is greater.
 2. Paved areas shall be reduced to the smallest area commensurate with efficient operation and function of the site. All unpaved areas shall be maintained in lawns or landscaping.
 3. Short-term lodging, for the purposes of a Bed and Breakfast Inn, shall be for a period not exceeding fourteen (14) consecutive days within one calendar year.
 4. Meals shall be restricted to registered guests.
- B. Colleges or university facilities, such facilities shall have direct vehicular access to an arterial or collector street. Facilities for the repair or storage of vehicles and equipment shall be prohibited. (Ord. No. 05-58A)
- C. Day Care Group Homes with five (5) or more children, in accordance with Article 14-3, General Provisions, Section 14-3-12, "Group Homes, Day Care Group Homes, Group Care Facilities, and Community Residential Setting Facilities," subsection 14-3-12 (B), Day Care Group Homes," provided that the residence is a single-family detached dwelling, and upon a finding by the Planning and Zoning Commission that such home will be operated in a manner that is compatible with, and not detrimental to, adjacent properties or the neighborhood in general. (Ord. No. 02-85)
- D. Group Care Facilities or Community Residential Setting Facility in accordance with Article 14-3, General Provisions, Section 14-3-12, "Group Homes, Day Care Group Homes, Group Care Facilities, and Community Residential Setting Facilities," subsection 14-3-12 (C), Group Care Facilities and Community Residential Setting Facilities." (Ord. No. 02-85)
- E. Hospitals, or similar health care facilities, provided access to the site shall be determined by a Traffic Impact Analysis (TIA) approved by the City Engineering Department and that the site contains a net land area totaling at least four (4) acres for the first one hundred beds or less, plus one additional acre for each additional twenty-five beds. (Ord. No. 05-36)
- F. Nursing or convalescent home provided that all vehicular access is from an abutting arterial or non-residential collector street, and that the site contains a net land area of at least one (1000) thousand square feet per dwelling unit. (Ord. No. 97-41)

- G. Preschool centers or day care centers in accordance with State Department of Health Care Services regulations.
- H. Rooming house, provided that the site contains a net land area of at least five hundred (500) square feet per resident.
- I. Reception Center, provided that all outdoor events between the hours of 10:00 p.m. and 12:00 a.m. have obtained a temporary use permit.

14-6-4 PERMITTED ACCESSORY USES (Ord. No. 93-25)

- A. Any accessory use customarily incidental to a permitted use.
- B. Day care for four (4) or less children.
- C. Storage or parking of recreational vehicles and utility trailers, in accordance with Chapter 14 Motor Vehicles and Traffic of the Peoria City Code (1992 Edition). (Ord. No. 98-18)

14-6-5 GENERAL REGULATIONS

- A. All multi-family residential developments in the RM-1 Districts are subject to site plan approval as set forth in the provisions of this Ordinance. All design standards, including on-site parking, traffic circulation, and landscaping, shall be in accordance with the City of Peoria Design Review Manual and the Peoria Zoning Ordinance.
- B. All off-site improvements shall be the responsibility of the developer and shall be accomplished in the same manner as is specified and required in the subdivision regulations of the City of Peoria, Chapter 24 of this Code.

14-6-6 DEVELOPMENT STANDARDS

A. Development Standard for Permitted Residential Uses shall be as follows:

DEVELOPMENT STANDARDS	ATTACHED SINGLE-FAMILY BUILDINGS	TWO, THREE, FOUR-FAMILY AND MULTI-FAMILY BUILDINGS	MULTI-FAMILY BUILDINGS (FIVE-FAMILY DWELLING & ABOVE)
Maximum Lot Coverage by all structures (%)	60	50	50
Minimum Lot Width (feet)	30	n/r	n/r
Maximum Density (du/ac – as calculated by Peoria General Plan)	8 ¹	12 ¹	18 ²
Maximum Principal Building Height (feet)	30	30	48 ³
MINIMUM BUILDING SETBACKS (feet)			
Front Setback (Ord. No. 07-22)	10	20	20
Rear Setback	15	15	15
Side Setback (Ord. No. 05-58A)	5 ⁴	20 ⁴	20 ⁴
Corner Side (Ord. No. 07-22)	10	15	15

¹ Maximum density may be increased up to two (2) additional units per acre based on finding that the project incorporates additional amount of open space, recreational amenities, enhanced landscaping, enhanced project amenities, and/or pedestrian corridors.

² Maximum density may be increased up to seven (7) additional units per acre based on a finding that the project incorporates additional amounts of open space, recreational amenities, enhanced landscaping, enhanced project amenities, and/or pedestrian corridors.

³ Building Height: Maximum thirty (30) feet high within thirty (30) feet of any Single-Family Residential District. The height may be increased by one (1) foot per each three (3) feet of additional setback to a maximum of 48-feet.

⁴ For condominium and attached housing types, only building separation applies. No minimum building separation is required along common wall. (Ord. No. 07-22)

^{n/r} No minimum requirement

B. Development Standards for Non-Residential Uses shall be as follows:

DEVELOPMENT STANDARDS	NON-RESIDENTIAL BUILDINGS
Maximum Lot Coverage (%)	50
Maximum Principal Building Height (feet) ¹	48
SETBACKS (feet)	
Front (street line)	40
Rear	25
Side	25
Corner Side (from edge of pavement)	10

¹ Provided that the minimum required side and rear setbacks shall be increased by three additional feet (3') for each one (1) foot by which the height of the structure exceeds thirty feet (30').

C. Development Standards for Accessory uses shall be as follows:

Accessory building development standards for Attached Single-Family shall conform to the regulations set forth in Section 14-5-8. (Ord. No. 04-23)

DEVELOPMENT STANDARDS	TWO, THREE, FOUR-FAMILY DWELLING AND MULTI-FAMILY	NON-RESIDENTIAL
Maximum Building Height (feet)	20 ¹	20
MINIMUM BUILDING SETBACKS (feet)		
Front	10	20
Rear	5	10
Side	8	10

¹ Thirty feet (30') maximum height for Clubhouse

14-6-7 SPECIAL REGULATIONS (Ord. No. 95-30)

The intent of this Section is to provide for the registration and vesting of the detached single-family dwelling use which existed within the RM-1 zoning district prior to April 1, 1993. This Section is also intended to provide that properties not registered and vested in accordance with this Section shall be subject to all the provisions of Chapter 14 of the Peoria City Code (1977) as amended and effective after April, 1993.

A. Notwithstanding any other provisions contained within this Chapter all undeveloped and unsubdivided parcels of property within the City containing an RM-1 zoning or Planned Unit Development (P.U.D.) zoning with RM-1 zoning designation prior April 1, 1993 shall be governed by the provisions of this Section, in addition to all other

applicable provisions of the City Code and Chapter 14 of the Peoria City Code (1977 Edition).

- B. On or before October 4, 1996, any undeveloped and unsubdivided property having an RM-1 zoning or P.U.D. zoning with RM-1 zoning designation prior to April 1, 1993 may register and vest the use of detached single-family dwelling by complying with all of the provisions contained in this Section. Compliance with the registration and vesting requirements of this Section shall result in the continuation of the principal permitted use status of detached single-family dwelling that existed prior to April 1, 1993.
- C. In order to register the principal permitted use status of detached single-family dwelling on undeveloped and unsubdivided property having an RM-1 zoning or P.U.D. zoning with RM-1 zoning designation, the following requirement must be met:
 - 1. Submission of a complete Preliminary Plat application prior to October 6, 1995. Submission of a complete Preliminary Plat application shall constitute registration of the subject property.
- D. In order to vest the principal permitted use status of detached single-family dwelling on undeveloped and unsubdivided property having an RM-1 zoning or P.U.D. zoning with RM-1 zoning designation and registered as provided in Section 14-6-9.C, all of the following requirements shall be met prior to October 4, 1996:
 - 1. Approval of the Preliminary Plat for the subject property.
 - 2. Approval and recordation of the Final Plat for the subject property.
 - 3. Completion and acceptance by the City of all off-site improvements required under the Final Plat.
 - 4. Application and issuance of a building permit for one or more detached single-family dwelling(s) within the subject property.
- E. All detached single-family dwelling uses vested and developed between April 1, 1993 and October 4, 1996 shall comply with all of the following standards: (Ord. No. 05-58A)
 - 1. Minimum lot size of four thousand five hundred (4,500) square feet.
 - 2. Minimum front setback of twenty (20) feet.
 - 3. Minimum side yard setback of five (5) feet, with at least one side yard being a minimum of eight (8) feet.
 - 4. Minimum rear setback of fifteen (15) feet.
 - 5. Maximum lot coverage not to exceed forty-five percent (45%).
 - 6. Minimum front lot footage of forty-five (45) feet.

7. Maximum building height of twenty-five (25) feet. (Ord. No. 05-36)
 8. The building setback of a principal building for a corner side yard shall be ten (10) feet.
- F. All detached single-family dwelling uses vested and developed prior to April 1, 1993 shall comply with all of the following standards: (Ord. No. 05-58A)
1. Minimum lot size of four thousand (4,000) square feet.
 2. Minimum front setback of fifteen (15) feet.
 3. Minimum side yard setback of three (3) feet.
 4. Minimum rear setback of fifteen (15) feet.
 5. Maximum lot coverage not to exceed fifty percent (50%).
 6. Minimum lot width of forty (40) feet.
 7. The setback between buildings shall be ten (10) feet.
- G. Failure by the owner of any parcel having an RM-1 zoning or P.U.D. zoning with RM-1 zoning designation prior to April 1, 1993, to comply with the provisions of this Section by registration of the property by October 6, 1995, and vesting by October 4, 1996 of the detached single-family dwelling use and compliance with all the requirements of this Section shall be deemed to subject the owners of such parcels to all the requirements of Chapter 14 of the Peoria City Code as amended and effective on April 1, 1993.
- H. Within a master planned community, which is defined as a community consisting of not less than two hundred (200) acres and which is being developed by a single developer or its successors in interest and which is characterized by the existence of enhanced recreational facilities such as lakes or golf courses which are funded by the assessments against individual residents within the master planned community, those parcels within a master planned community meeting this definition and having an RM-1 zoning designation prior to April 1, 1993 shall be deemed having vested the principal permitted use status of detached single-family dwelling that existed prior to April 1, 1993.