



Legislation Details (With Text)

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Title: Conduct the public hearing regarding a proposed amendment to Chapter 2 (General Zoning Provisions) of Title 6 (Zoning Ordinance) in regards to Bed and Breakfast Establishments - PZC 20-1-123

Sponsors:

Indexes:

Code sections:

Attachments: 1. Proposed Code Amendments

Date	Ver.	Action By	Action	Result
1/6/2021	1	Planning and Zoning Commission	approved	Pass

PLANNING AND ZONING COMMISSION AGENDA ITEM

ACTION REQUESTED:

Conduct the public hearing regarding a proposed amendment to Chapter 2 (General Zoning Provisions) of Title 6 (Zoning Ordinance) in regards to Bed and Breakfast Establishments - PZC 20-1-123

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Allison Laff, AICP, Deputy Director

BOARD/COMMISSION REVIEW:

Required notice of PZC 20-1-123 was published in the Daily Herald on December 21, 22, and 23, 2020.

BACKGROUND:

In 1991, the City Council passed an ordinance prohibiting Bed and Breakfast Establishments from operating within residential zoning districts in the City of Naperville. In 1997, this Ordinance was amended to permit the limited expansion and/or enlargement of any bed and breakfast establishments which are legal nonconforming uses established on or before November 10, 1997. In 2003, this Ordinance was again amended to permit bed and breakfast establishments as a conditional use in the Transitional Use (TU) zoning district.

DISCUSSION:

The Harrison House Bed and Breakfast, located at 26 N. Eagle Street and zoned R2, is the only legal nonconforming bed and breakfast establishment located in a residential zoning district in the City of Naperville. On December 4, 2020, Sara Tams, owner of the Harrison House Bed and Breakfast, notified the City of her intent to permanently discontinue operation of her bed and breakfast, noting

that the last guest checked out of her facility on June 29, 2020. Per Ms. Tams, the structure located at 26 N. Eagle Street will be utilized as a single-family home.

Per Section 6-10-3 (Nonconforming Uses) of the Naperville Municipal Code, if a nonconforming use is discontinued for a continuous period of six months, it shall not be renewed and any subsequent use of the structure shall conform to the requirements of the underlying zoning district. Based on these provisions, as well as the provisions of Section 6-2-24 (Bed and Breakfast Establishments Prohibited), Ms. Tams has indicated her understanding that the structure located at 26 N. Eagle cannot be utilized as a bed and breakfast again at any point in the future.

Based on the discontinuance of the only legal nonconforming bed and breakfast establishment in a residential zoning district in the City of Naperville, staff recommends that Section 6-2-24 (Bed and Breakfast Establishments Prohibited) be amended to remove all references to the continuation, expansion, and/or enlargement of legal nonconforming bed and breakfast establishments, as proposed in the attached amended code language.

Bed and Breakfast Establishments will continue to be listed as a conditional use in the TU zoning district.