

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

DEVELOPMENT COMMITTEE

**Monday, March 8, 2021
7:00 P.M. - Council Chambers**

During the COVID-19 Pandemic, those wishing to attend public meetings of the Development Committee are welcome to do so at City Hall. You may attend in person to listen to the audio of the meeting, or via teleconference from home or another location on the Zoom app. Downloading Zoom from zoom.us will provide the audio link to the meeting. Anyone wishing to provide comment on a topic or an agenda item may address the Development Committee by 4:00 p.m. the day of the meeting. You may do so either by an online form on the City's website, email to jburke@westchicago.org or voicemail message at (630) 293-2205 x141. Your comment to the Development Committee will be read during the Public Participation portion of the agenda.

**Meeting ID: 862 1572 1772
Passcode: 145316**

AGENDA

1. Call to Order, Roll Call, and Establishment of a Quorum – *Mayor Pineda has determined that in-person meetings are not practical and prudent.*
2. Approval of Minutes
 - A. February 8, 2021
3. Public Participation
4. Items for Consent
 - A. **1092 Carolina Drive** – The petitioner seeks a Special Use Permit for a Motor Vehicle Care Center in accordance with Section 11.2-4(GG) of the West Chicago Zoning Ordinance. If approved, the Permit would allow exterior and interior detailing services of motor vehicles.
 - B. **Trillium Farm Phase 2 Final Plat of Subdivision** – Pulte Home Company's development outside of the City has progressed to the point where the company is requesting adoption of its Phase 2 Final Plat of Subdivision. The City's approval is required because the subdivision lies within the City's planning area. No changes from the previously approved Preliminary Flat are proposed.
 - C. **2021 Zoning Map Adoption** – State law requires the annual publication of revised local zoning maps. While no map amendments occurred in 2020, a scrivener's error on the City's Zoning Map was found and is being corrected with this proposed publication.

A. **Zoning Text Amendment** – The City is proposing a Text Amendment to Articles IV, VI and IX of Appendix A of the City of West Chicago Municipal Code. The Amendment will define the use of Short-Term Home rentals, commonly referred to as AirBnB or VRBO homes, allowing them in certain residential districts. It would establish a registration process to help Police find the property owner and identify tenants if needed.

6. Unfinished Business
7. New Business
8. Reports from Staff
9. Adjournment

Draft

MINUTES

DEVELOPMENT COMMITTEE

February 8, 2021 7:00 P.M.

The Development Committee meeting of February 8, 2021 was held part remotely and partly in person due to the Coronavirus pandemic.

1. Call to Order, Roll Call, and Establishment of a Quorum.

Alderman Stout called the meeting to order at 7:00 p.m.

All Aldermen in attendance were present remotely unless indicated otherwise. Roll call found Aldermen James Beifuss, Melissa Birch Ferguson, Jayme Sheahan and Rebecca Stout (in person) present.

Also in attendance was Community Development Director, Tom Dabareiner.

Alderman Stout announced that Mayor Pineda has determined that in-person meetings are not practical and prudent.

2. Approval of Minutes.

A. January 11, 2021.

Alderman Beifuss moved and Alderman Birch Ferguson seconded a motion to approve the minutes. Voting Aye: Aldermen Beifuss, Birch Ferguson, Sheahan and Stout. Voting Nay: 0.

3. Public Participation. None.

4. Items for Consent.

- A. Zoning Text Amendment – Section 13.1-13(A)(14) is proposed by the City to be updated to clarify that the parking of recreational vehicles on a residentially zoned lot is allowed only if the principal use of that lot is residential.**

Alderman Birch Ferguson moved, and Alderman Sheahan seconded the motion to approve Item 4. A. Voting Aye: Aldermen Beifuss, Birch Ferguson,

Development Committee Minutes
February 8, 2021

Sheahan and Stout. Voting Nay: 0.

5. Items for Discussion.

- A. Draft West Chicago Economic Development Plan** – Staff has made a set of changes based on comments drawn from the last few months of presentations, discussions and editing of the Draft Economic Development Plan. Staff proposes recommending approval of the Plan.

Alderman Birch Ferguson pointed out a couple of typographical errors in the Draft Plan, which staff agreed to correct before presenting it to City Council.

Alderman Beifuss moved, and Alderman Sheahan seconded the motion to approve Item 5. A. Voting Aye: Aldermen Beifuss, Birch Ferguson, Sheahan and Stout. Voting Nay: 0.

6. Unfinished Business. None.

7. New Business. None.

8. Reports from Staff.

Tom Dabareiner reported that the Plan Commission/Zoning Board of Appeals (PC/ZBA) is considering a proposal from staff to regulate Vrbo/Airbnb properties, or short-term rental properties at the request of the Police Department to regulate them. There have been issues in other communities, which have resulted in damage and injuries. The registration fee proposed is \$50.00 and no inspections would be required. PC/ZBA has been considering whether condos/townhomes would also be eligible as short-term rentals. This item will most likely appear on next month's agenda.

Alderman Beifuss asked about the status of the townhome proposal for High Street discussed by the members last month. Mr. Dabareiner said the City attorney is working on a development agreement and the IGA. Draft agreements should be forthcoming shortly. Alderman Beifuss also inquired about the status of the Cascade Drive-In. Mr. Dabareiner replied that they have submitted for an extension of the non-conforming use. The applicant is looking for relief of the water requirement at this site. This issue will go straight to City Council for approval. The applicant is also looking to do a lift station, but they are trying to get a legal opinion about the possibility of extending sanitary down an easement.

9. Adjournment.

Alderman Birch Ferguson moved, and Alderman Garling seconded the motion to adjourn the Development Committee meeting at 7:12 p.m. Voting Aye: Aldermen Beifuss, Birch Ferguson, Sheahan and Stout. Voting Nay: 0.

Respectfully submitted,

Jane Burke

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Special Use Permit – Motor Vehicle Care Center
1092 Carolina Drive, Unit 3

Ordinance No. 21-O-0007

AGENDA ITEM NUMBER: 4. A.

FILE NUMBER: _____

COMMITTEE AGENDA DATE: Mar. 8, 2021

COUNCIL AGENDA DATE: _____

STAFF REVIEW: Tom Dabareiner, AICP

SIGNATURE _____

APPROVED BY CITY ADMINISTRATOR: Michael Guttman

SIGNATURE _____

ITEM SUMMARY:

The petitioner, Tony Whittenhall, is seeking a Special Use Permit to open a Motor Vehicle Care Center at 1092 Caroline Drive, Unit 3. If granted, detailing services could be provided on both the exterior and interior of vehicles.

At its March 2, 2021 meeting, the Plan Commission/Zoning Board of Appeals conducted a public hearing to consider the Special Use Permit. Members voted unanimously (7-0) in favor of recommending approval of the Special Use Permit.

ACTION PROPOSED:

Consideration of the proposed the Special Use Permit for 1092 Carolina Drive.

COMMITTEE RECOMMENDATION:

Attachments:
Draft Ordinance
PC Report

ORDINANCE NO. 21-O-0007

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A MOTOR VEHICLE CARE CENTER 1092 CAROLINA DRIVE, UNIT 3

WHEREAS, on or about February 3, 2021, Tony Whittenhall, (the “APPLICANT”), filed an application a special use permit for a Motor Vehicle Care Center with respect to the property legally described on Exhibit “A” attached hereto and incorporated herein (the “SUBJECT REALTY”); and,

WHEREAS, Notice of Public Hearing on said special use permit and zoning variance applications was published in the Daily Herald on February 15, 2021, as required by the ordinances of the City of West Chicago and the statutes of the State of Illinois; and,

WHEREAS, a Public Hearing was conducted by the Plan Commission/Zoning Board of Appeals of the City of West Chicago, commencing on March 2, 2021, pursuant to said Notice; and,

WHEREAS, at the Public Hearing, the APPLICANT provided testimony in support of its application, and all interested parties had an opportunity to be heard; and,

WHEREAS, the corporate authorities of the City of West Chicago have received the recommendation of the Plan Commission/Zoning Board of Appeals which contains specific findings of fact, pursuant to Recommendation No. 2021-RC-0004, a copy of which is attached hereto as Exhibit “B” which is, by this reference, incorporated herein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, Du Page County, Illinois, in regular session assembled, as follows:

Section 1. That a special use permit in conformance with Sections 5.5 and 11.2-4 (GG) of the West Chicago Zoning Code is hereby granted for the SUBJECT REALTY, to operate a Motor Vehicle Care Facility located at 1092 Carolina Drive, Unit 3.

Section 2. That the special use permit is hereby granted subject to compliance with the following conditions:

1. The site shall be developed in substantial compliance with the Site Plan, consisting of one (1) sheet prepared by Cencom Ltd., dated April 27, 2020, attached hereto and incorporated herein as Exhibit “C”.
2. The outside storage is permitted only as an ancillary use to the building materials sales use.

Section 3. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 4. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 15th day of March, 2021.

Alderman J. Beifuss	_____	Alderman L. Chassee	_____
Alderman J. Sheahan	_____	Alderman H. Brown	_____
Alderman A. Hallett	_____	Alderman J. Jakabcsin	_____
Alderman Birch Ferguson	_____	Alderman S. Dimas	_____
Alderman C. Swiatek	_____	Alderman M. Garling	_____
Alderman R. Stout	_____	Alderman J. Short	_____
Alderman J. Morano	_____		

APPROVED as to form: _____
City Attorney

APPROVED this 15th day of March, 2021.

Mayor Ruben Pineda

ATTEST:

City Clerk Nancy M. Smith

PUBLISHED: _____

Ordinance 21-O-0007

Page 2 of 5

EXHIBIT “A”

Subject Realty Legal Description

LOT 1 OF LORUSSO RESUBDIVISION, BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 28, 2000 AS DOCUMENT R2000-014462, IN THE CITY OF WEST CHICAGO, DUPAGE COUNTY, ILLINOIS.

Tax ID Number: 01-33-300-021

EXHIBIT “B”

RECOMMENDATION NO. 2021-RC-0004

TO: The Honorable Mayor and City Council

SUBJECT: PC 21-01
Special Use Permit
Tony Whittenhall
1092 Carolina Drive, Unit 3

DATE: March 2, 2021

DECISION: The Plan Commission/Zoning Board unanimously recommended approval of the special use permit for the SUBJECT REALTY by a vote of seven (7) “yes” and zero (0) “no”, subject to the following conditions:

1. No outside storage of vehicles, equipment, or machinery shall take place on the property; and
2. All motor vehicle care work shall occur within the building.

RECOMMENDATION

After holding a public hearing and after review of the requested special use permit, the Plan Commission/Zoning Board of Appeals recommended approval of the special use permit according to the following findings of fact:

(1) Is necessary for the public convenience at that location or, the case of existing nonconforming uses, a special use permit will make the use more compatible with its surroundings:

The use of a motor vehicle care center is best suited for an industrial or highly commercial area. The subject property is located within the City’s Manufacturing District, which is an appropriate location for this use, and is not near any residential properties. Although the site is not highly visible, the proposed operation will not allow “off-the-street” customers, rather it will be appointment only. This eliminates the need to be located on a highly traveled and highly visible location. Furthermore, the overall site and building are relatively small and due to their size have limited potential industrial uses.

(2) Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected:

The proposed use of the subject property will not adversely impact the public health, safety and welfare of the community. Similar uses are located within the building as well as on adjoining properties. No existing uses are nearby that would be incompatible with this type of use.

(3) *Will not cause substantial injury to the value of other property in the neighborhood in which it is located:*

The proposed motor vehicle repair use will not cause substantial injury to the value of other property in the neighborhood in which it is located. The use will occur inside an existing industrial building with very limited parking outside of the building. The proposed use will complement the other small, nearby industrial uses in the general area.

(4) *The proposed special use is designated by this code as a listed special use in the zoning district in which the property in question is located:*

Per Section 11.2-4(GG) of the West Chicago Zoning Code, a Motor Vehicle Care Center is listed as a Special Use.

Respectfully submitted,

Barbara Laimins
Chairperson

VOTE:

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Laimins			
Devitt			
Hale			
Dettman			
Kasprak			
Henkin			
Banasiak			

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Final Plat of Subdivision, Phase 2
Trillium Farms Subdivision
Pulte Home Company LLC

Resolution No. 21-R-0018

AGENDA ITEM NUMBER: 4. B.**FILE NUMBER:** _____**COMMITTEE AGENDA DATE:** Mar. 8, 2021**COUNCIL AGENDA DATE:** _____**STAFF REVIEW:** Tom Dabareiner, AICP**SIGNATURE** _____**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman**SIGNATURE** _____**ITEM SUMMARY:**

Pulte Home Company, LLC is the contract purchaser of the former Planter's Palette nursery, now known as Trillium Farms, an eighty-four (84) unit single-family residential subdivision in unincorporated DuPage County. The property is located within 1.5 miles of the corporate limits of the City of West Chicago and is therefore subject to review by the City as well. The City approved the Final Plat of Subdivision for Phase 1 on July 20, 2020.

The petitioner's development has progressed to the point where approval of Phase 2 of the Final Plat is required. Staff has reviewed the Phase 2 Plat and finds it to be in substantial conformance with the originally approved Plat of Subdivision.

At its March 2, 2021 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) reviewed the Final Plat of Phase 2. Members voted unanimously in favor (7-0) of recommending the Final Plat.

ACTION PROPOSED:

Consideration of the proposed Final Plat, Phase 2.

COMMITTEE RECOMMENDATION:

Attachments:
Draft Ordinance
PC Report

RESOLUTION NO. 21-R-0018

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR PHASE 2
OF TRILLIUM FARM**

BE IT RESOLVED by the City Council of the City of West Chicago, in regular session assembled as follows:

Section 1. That the Final Plat of Subdivision for Phase 2 of Trillium Farm, as prepared by Cemcon, Ltd. consisting of three (3) sheets dated June 23, 2020, attached hereto and incorporated herein as Exhibit "A", be and the same is hereby approved and that the Mayor and City Clerk and all other necessary and appropriate officers of the City are authorized to execute said plat.

Section 2. That the recommendation and findings of fact of the Plan Commission, pursuant to Recommendation No. 21-RC-0003, a copy of which is attached hereto and incorporated herein as Exhibit "B" be and the same are hereby adopted as the findings of fact of the City Council.

Section 3. That all resolutions, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflict, expressly repealed.

Section 4. That this Resolution shall be in full force and effect from and after its adoption and approval as provided by law.

APPROVED this 15th day of March, 2021.

AYES: _____

NAYES: _____

ABSTAIN: _____

ABSENT: _____

Ruben Pineda, Mayor

ATTEST:

Nancy M. Smith, City Clerk

EXHIBIT “A”

(Insert Final Plat of Subdivision)

EXHIBIT “B”

RECOMMENDATION NO. 2021-RC-0003

TO: The Honorable Mayor and City Council

SUBJECT: PC 21-02
Final Plat of Subdivision for Phase 2 of Trillium Farm
28W700 Purnell Road

DATE: March 2, 2021

DECISION: The motion to recommend approval of the request passed by a unanimous decision of seven (7) “yes” and zero (0) “no”.

RECOMMENDATION

After review of the proposed Final Plat of Subdivision for Phase 2 of Trillium Farm, the Plan Commission/Zoning Board of Appeals recommends approval.

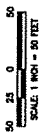
There are no specific findings of fact for subdivision consideration. Rather, the PC/ZBA verifies that the submitted plat of subdivision complies with the City’s subdivision regulations. The PC/ZBA finds that the plat does comply.

Respectfully submitted,

Barbara Laimins
Chairperson

VOTE:

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Laimins			
Devitt			
Hale			
Dettman			
Kasprak			
Henkin			
Banasiak			



LINE TABLE		
LINE	BEARING	LENGTH
L1	S 0724.35° W	90.81
L2	S 0724.35° W	77.31
L3	S 7526.92° W	10.18
L4	S 7526.92° W	78.48
L5	S 4203.11° W	90.07
L6	S 4203.11° W	28.78
L7	S 3814.38° W	74.79
L8	S 3814.38° W	51.17
L9	S 4107.53° W	41.85
L10	S 1027.53° W	41.85
L11	S 4704.31° W	41.78
L12	N 6745.79° W	55.92
L13	N 6745.79° W	18.00
L14	S 6717.29° E	38.98
L15	S 3208.23° S	113.27
L16	N 1941.50° E	77.72
L17	N 3814.38° E	92.08
L18	S 7526.92° E	113.11
L19	S 7526.92° E	51.84
L20	S 0912.35° E	51.84

PREPARED BY:

PREPARED BY
CEMCON, Ltd.

CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
22350 White Oak Circle, Suite 100 Aurora, Illinois
630302-9675 PH: 630.882.2100 FAX: 630.882.2100

Q.852.2100 FAX: 630.852.2190

DISC NO.: 402135
FILE NAME: SUBPLAT-2
FLD. BSK. / PG. NO.: 083/28-29 & 43-48
DRAWN BY: AJB

COMPLETION DATE: 02-28-20 JOB NO.: 402.133
 REMISED 04-24-20\AB ADDED STREET NAMES
 REMISED 08-23-20\AB SPLIT PLAT INTO THREE PHASES

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CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

2021 Zoning Map Approval

Resolution No. 21-R-0017

AGENDA ITEM NUMBER: _____

4.C.

FILE NUMBER: _____**COMMITTEE AGENDA DATE:** March 8, 2021**COUNCIL AGENDA DATE:** _____**STAFF REVIEW:** Tom Dabareiner, AICP**SIGNATURE** _____**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman**SIGNATURE** _____

Illinois State Statute 63 ILCS 5/11-13-19 requires municipalities to formally approve an official zoning map on an annual basis.

Although the City Council did not approve any zoning changes in 2020, staff reviews and verifies the accuracy of the zoning map each year and finds the draft 2021 Zoning Map to be complete. One scrivener's error was identified and is being corrected.

Members of the Plan Commission voted unanimously (7-0) in support of the 2021 Official City of West Chicago Zoning Map.

Attachments:

Draft Resolution Adopting 2021 Zoning Map

Draft 2021 Zoning Map

ACTIONS PROPOSED:

Staff recommends adoption of the 2021 Zoning Map dated February 22, 2021, as presented.

COMMITTEE RECOMMENDATION:

RESOLUTION NO. 21-R-0017

**A RESOLUTION AUTHORIZING THE MAYOR TO ADOPT THE 2021
OFFICIAL ZONING MAP FOR THE CITY OF WEST CHICAGO**

BE IT RESOLVED by the City Council of the City of West Chicago, in regular session assembled, that the Mayor is hereby authorized per 65 ILCD5/11-13-19 of the Illinois Compiled State Statutes to adopt the official 2021 Zoning Map for the City of West Chicago dated February 22, 2021, in substantially the form attached hereto and incorporated herein as Exhibit "A".

APPROVED this ____ day of March, 2021.

AYES: _____

NAYES: _____

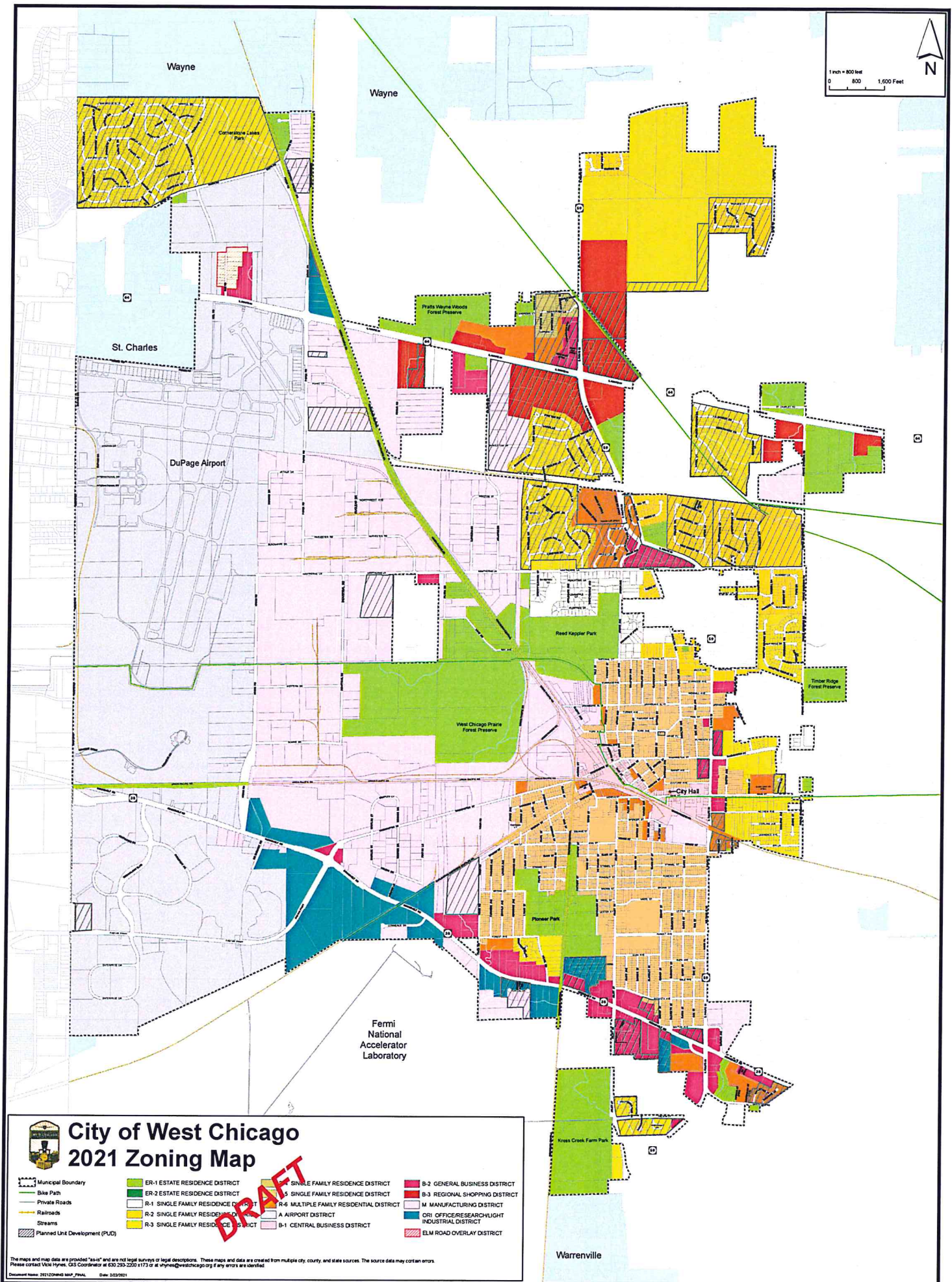
ABSTAIN: _____

ABSENT: _____

Mayor Ruben Pineda

ATTEST:

City Clerk Nancy M. Smith



CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Text Amendment, Various Sections
Short-Term Home Rentals

Ordinance No. 21-O-0002

AGENDA ITEM NUMBER: 5.A.

FILE NUMBER: _____

COMMITTEE AGENDA DATE: Mar. 8, 2021

COUNCIL AGENDA DATE: _____

STAFF REVIEW: Tom Dabareiner, AICP

SIGNATURE _____

APPROVED BY CITY ADMINISTRATOR: Michael Guttman

SIGNATURE _____

ITEM SUMMARY:

The City currently has no codes to regulate the use of a home as a short-term vacation rental, commonly known as an Airbnb or a VRBO rental. While there are very few of these in West Chicago at the moment, they are increasing in prevalence throughout the suburbs. After one suburb recently experienced a shooting during a party held at a short-term home rental, many suburbs are now passing ordinances to help reduce the risks and other concerns associated with these types of rentals. There have been other incidents in other communities, as well.

Rather than prohibiting outright all short-term home rentals, Staff modelled the attached ordinance after those being adopted in other suburbs. The key points in the proposed ordinance follow:

- Staff recommends that short-term home rentals be allowed in residential zoning districts only and *Permitted* in single-family dwellings in which the owner resides at least 183 days every year.
- Staff recommends that short-term home rentals be allowed in residential districts by *Special Use* in individually-owned duplexes and townhouses. This would require a public hearing to learn of any concerns nearby members of the public may have.
- Staff does not believe short-term rentals should be permitted in condos and apartments due to the adjacency and possible multi-tenant impacts of vibrations and noise transmitted via the walls, floors and ceilings. Also, these building types often have shared entrances, corridors, driveways and garages, which could be impacted by large groups of visitors.
- To discourage their use for one-night parties, a minimum three-night rental is included in the draft ordinance. A maximum 30 days is also set as a limit to help prevent these structures from turning into permanent rentals. Consecutive use by a renter is also prohibited.
- Annual registration with contact information and inspections, and access to renter information on demand would also be required.
- Rental for the sole purpose of conducting parties would be prohibited. No off-site parking would be allowed.

At its March 2, 2021 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) conducted a public hearing to consider the proposed text amendment. Members voted four (4) "yes" and three (3) "no" in favor of recommending the Text Amendment.

ACTION PROPOSED:

Consideration of the proposed Ordinance regulating the use of Short-Term Home Rentals.

COMMITTEE RECOMMENDATION:**Attachments:**

Draft Ordinance & PC Report

ORDINANCE NO. 21-O-0002

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST CHICAGO – APPENDIX A ARTICLES IV, VI, AND IX OF THE ZONING CODE RELATING TO SHORT-TERM HOME RENTALS

WHEREAS, the City does not currently have any codes to regulate the use of a single-family home as a Short-Term Home Rental; and

WHEREAS, this type of rental has become prevalent throughout the region; and

WHEREAS, Short-Term Home rentals provide an economic benefit to the community and should be permitted in residential districts; and

WHEREAS, when left unregulated, however, Short-Term Home Rentals pose a risk to the health, safety, morals, and well-being of the community; and

WHEREAS, the City Council believes it is in the best interest of the City to add, define and regulate the use of Short-Term Home Rentals to the Zoning Code; and

WHEREAS, Notice of Public Hearing on said text amendment was published in the Daily Herald on or about November 16, 2020 and January 18, 2021, as required by the ordinances of the City of West Chicago and the statutes of the State of Illinois; and

WHEREAS, a Public Hearing was conducted by the Plan Commission/Zoning Board of Appeals of the City of West Chicago on December 1, 2020, February 2, 2021, and March 2, 2021 pursuant to said Notice; and

WHEREAS, at the Public Hearing all interested parties had an opportunity to be heard; and

WHEREAS, the corporate authorities of the City of West Chicago have received the recommendation of the Plan Commission/Zoning Board of Appeals which contains specific findings of fact, pursuant to Recommendation No. 21-RC-0005, a copy of which is attached hereto as Exhibit “A” which is, by this reference, made a part hereof.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, Du Page County, Illinois, in regular session assembled, as follows:

Section 1. That Section 4.1 – Construction of Terms, of Article IV, Appendix A, of the Code of Ordinances of the City of West Chicago, be amended to add the following defined terms:

Short-Term Home Rental: An owner-occupied residential dwelling that is contracted for overnight stay by a Short-Term Home Rental Owner to a Short-Term Home Rental Guest, subject to the requirements set forth in Article VI, “Zoning Districts Generally”, of the West Chicago Zoning Code.

Short-Term Home Rental Contract: A written agreement between a Short-Term Home Rental Owner and a Short-Term Home Rental Guest, facilitated through a Short-Term Home Rental Hosting Platform, that contains the terms and conditions for overnight stays by the Short-Term Home Rental Guest in the Short-Term Home Rental.

Short-Term Home Rental Guest: A person who rents or occupies a Short-Term Home Rental for overnight stay through a Short-Term Home Rental Contract with a Short-Term Home Rental Owner. The singular shall include the plural.

Short-Term Home Rental Hosting Platform: A marketplace entity, in whatever form or format, which facilitates Short-Term Home Rentals through advertising, matchmaking or other means, using any medium or facilitation, or from which the operator of the housing platform derives revenue, including booking fees or advertising revenues for providing or maintaining the marketplace information.

Short-Term Home Rental License: An approval from the City of West Chicago authorizing an owner-occupied residential dwelling to be used as a Short-Term Home Rental.

Short-Term Home Rental Owner: A person or legal entity holding the deed of a residential dwelling unit, serving as their primary residence, and used as a Short-Term Home Rental in accordance with the requirements set forth in Article VI, "Zoning Districts Generally", of the West Chicago Zoning Code. The singular shall include the plural.

Section 2. That Article VI, Appendix A, of the Code of Ordinances of the City of West Chicago be amended to add the following section:

Section 6.28. - Short-Term Home Rentals.

- (A) A Short-Term Home Rental shall be the owner-occupied dwelling where the Short-Term Home Rental Owner has the deed to the property and where the Short-Term Home Rental Owner resides at least 183 days every calendar year.
- (B) A Short-Term Home Rental Owner may not have more than one (1) Short-Term Home Rental within the corporate limits of the City of West Chicago.
- (C) A Short-Term Home Rental Owner shall use a Short-Term Home Rental Hosting Platform to market and make the Short-Term Home Rental with the Short-Term Home Rental Guest.
- (D) All Short-Term Home Rentals shall comply with the applicable life safety codes of the City of West Chicago. It will be the obligation of the Short-Term Home Rental Owner to determine whether the property complies with the City's life safety codes prior to advertising the Short-Term Home Rental's availability on a Short-Term Home Rental Hosting Platform.
- (E) The minimum rental period for a Short-Term Home Rental shall be no less than three (3) consecutive days and no more than thirty (30) consecutive days. A Short-Term Home Rental shall not be used by the same Short-Term Home Rental Guest consecu-

- tively. Prima facie evidence that a rental satisfies the three-day minimum requirement shall be the per-day rental amount listed on the Short-Term Rental Hosting Platform, multiplied by three (3). Short-Term Home Rentals shall not be discounted to avoid the three-day minimum requirement.
- (F) Prior to advertising the Short-Term Home Rental on a Short-Term Home Rental Hosting Platform, the Short-Term Home Rental Owner shall obtain a Short-Term Home Rental License from the City of West Chicago. A Short-Term Home Rental Owner shall submit an application for a Short-Term Home Rental License on a form prepared by and available from the Zoning Administrator. The application shall require the identity of the Short-Term Home Rental Owner including permanent address, telephone number, a secondary emergency contact person's name, address and telephone number, and the identity of and contact information for the Short-Term Home Rental Hosting Platform to be utilized.
- (G) Prior to the issuance of a Short-Term Home Rental License, the Short-Term Home Rental shall be inspected by the City of West Chicago and found to be in compliance with the City's life safety codes.
- (H) The Short-Term Home Rental License shall remain effective for a period of twelve (12) months and be subject to twelve (12) month renewals thereafter. Short-Term Home Rental Licenses shall not run with the land and are not transferrable.
- (I) A copy of the Short-Term Home Rental License shall be posted in a conspicuous location in the Short-Term Home Rental.
- (J) Each initial Short-Term Home Rental License and renewal thereof shall be subject to the applicable fees specified in the Fee Schedule contained in Appendix G of the West Chicago Municipal Code.
- (K) Short-Term Home Rentals shall be permitted in all Residential Zoning Districts when located in a single-family detached dwelling. Short-Term Home Rentals shall require a Special Use Permit when located in a single-family attached dwelling, such as a townhome, or in a two-family dwelling unit. Short-Term Home Rentals are prohibited in condominium units and apartment units.
- (L) Each Short-Term Home Rental shall contain bedrooms, as defined by Section 7-26 of Chapter VII of the West Chicago Code of Ordinances, to accommodate the overnight stay of each Short-Term Home Rental Guest. Short-Term Home Rentals shall allow a maximum occupancy of two (2) persons per bedroom, but in no event shall there be more than ten (10) persons at any one time within the Short-Term Home Rental dwelling.

(M) Utilizing a Short-Term Home Rental solely for the purpose of hosting a party is prohibited.

(N) All Short-Term Home Rentals shall be subject to a Short-Term Home Rental Contract identifying the names, addresses, and telephone numbers of the Short-Term Home Rental Owner, the Short-Term Home Rental Guests, and the Short-Term Home Rental Hosting Platform. The Short-Term Home Rental Owner or the Short-Term Home Rental Hosting Platform shall be responsible for determining the identification information, and the accuracy of that information, of the Short-Term Home Rental Guests. The Short-Term Home Rental Contract shall require that the Short-Term Home Rental Guests include a copy of their drivers' licenses, exclusive of the drivers' license numbers, which may be redacted, or other state issued I.D.

(O) The Short-Term Home Rental Owner shall provide a copy of the Short-Term Home Rental Contract to the City of West Chicago if requested by a representative of the West Chicago Police Department, based upon a disturbance complaint or other complaint of criminal activity occurring at the Short-Term Home Rental property during the term the of Short-Term Home Rental Contract.

(P) The Short-Term Home Rental Contract shall require that all parking for the Short-Term Home Rental be contained on a paved surfaced, entirely on the property of the Short-Term Home Rental. No off-site nor on-street parking shall be permitted overnight.

Section 3. That Sections 9.1(C), 9.1-1(C), 9.2-3, 9.3-3, 9.4-3, 9.5-3, 9.6-3, and 9.7-3, of Article IX, Appendix A, of the Code of Ordinances of the City of West Chicago be amended to add the following use category to the list of permitted uses in the aforesaid sections:

Short-Term Home Rentals, when located in a Single-Family Detached Unit, subject to the requirements in Section 6.28 of this Code.

Section 4. That Section 9.7-4 – Special Uses, of Article IX, Appendix A, of the Code of Ordinances of the City of West Chicago be amended to add the following use category to the list of Special Uses:

Short-Term Home Rentals, when located in a Single-Family Attached Unit, such as a townhome, or in a Two-Family Dwelling Unit, subject to the requirements in Section 6.28 of this Code.

Section 5. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

Section 6. That this Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

PASSED this _____ day of _____, 2021.

Alderman Beifuss	_____	Alderman Chassee	_____
Alderman Sheehan	_____	Alderman Brown	_____
Alderman Hallett	_____		
Alderman Birch-Ferguson	_____	Alderman Dimas	_____
Alderman Swiatek	_____	Alderman Garling	_____
Alderman Stout	_____	Alderman Short	_____
Alderman Jakabcsin	_____	Alderman Morano	_____

APPROVED as to form: _____
City Attorney

APPROVED THIS _____ day of _____, 2021.

Mayor Ruben Pineda

ATTEST:

City Clerk Nancy M. Smith

PUBLISHED: _____

EXHIBIT “A”

RECOMMENDATION # 21-RC-0005

TO: The Honorable Mayor and City Council

SUBJECT: PC 20-17
Zoning Text Amendment for the regulations of Short-Term Home Rentals.

DATE: March 2, 2021

DECISION: The motion to approve the amendment was approved by a vote of four (4) “yes” and three (3) “no”.

RECOMMENDATION:

After a review of the proposed text amendment as presented, the Plan Commission/Zoning Board of Appeals finds that the proposed amendment does not pose a threat to the health, safety and welfare of the community. It is the Commission’s opinion that the proposed amendment will be beneficial to the City of West Chicago.

The amendment is in keeping with the purpose of the Zoning Code. The Plan Commission is of the opinion that this proposed amendment will protect, promote, and improve the public health, safety, morals, convenience, order, appearance, prosperity and the general welfare of the citizens of West Chicago community.

Respectfully submitted,

Barbara Laimins
Chairperson

VOTE:

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Hale	Laimins		
Devitt	Henkin		
Kasprak	Banasiak		
Dettman			