

## **Ordinance 2021-7**

### **An Ordinance Amending the Northbrook Zoning Code Regarding Short Term Rental of Dwelling Units**

Passed by the Board of Trustees, 2/23/2021  
Printed and Published 2/24/2021

Printed and Published in Pamphlet Form  
by Authority of the  
President and Board of Trustees  
VILLAGE OF NORTHBROOK  
COOK COUNTY, ILLINOIS

I hereby certify that this document  
was properly published on the date  
stated above.

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Village Clerk

# Ordinance 2021-7

BE IT ORDAINED by the President and Board of Trustees of the Village of Northbrook, County of Cook and State of Illinois THAT:

## An Ordinance Amending the Northbrook Zoning Code Regarding Short Term Rental of Dwelling Units

shall be, and is hereby, adopted as follows:

### Section 1. BACKGROUND.

The Village Board of Trustees initiated an application to amend various provisions of the Northbrook Zoning Code (1988), as amended, to implement regulations on short term rentals of residential dwelling units within the Village ("Amendments").

The President and Board of Trustees have determined that it is in the best interests of the Village and the public health, safety, and welfare, to amend the Zoning Code in the manner as specifically provided in this Ordinance. The Amendments is hereby adopted in accordance with the Zoning Code and pursuant to the Village's home rule powers.

### Section 2. PUBLIC HEARINGS.

A public notice for the Amendment was duly published on October 29, 2020 in *The Northbrook Star* and a public hearing was commenced at the Plan Commission's regular meeting on November 17, 2020. The public hearing was continued to the December 15, 2020, January 5, 2021, and January 19, 2021 meetings of the Plan Commission. After the close of the public hearing on January 19, 2021, the Plan Commission formally adopted Resolution No. 21-PC-01 recommending approval of the Amendments.

### Section 3. AMENDMENT TO DEFINITIONS.

Section 12-206, entitled "Definitions," of Part II., entitled "Interpretation," of Article XII "Applicability & Interpretation" of the Zoning Code shall be, and is hereby, amended to add the following definition in alphabetical order [Added text **bold and double underlined**]

**SHORT-TERM RENTAL. Part or all of a dwelling or dwelling unit that is rented for transient occupancy by guests for a period shorter than 30 consecutive days. The term "short-term rental" does not include either (i) hotels or motels as defined in this Section or (ii) a dwelling or dwelling unit rented for a limited period of time prior to transfer of possession pursuant to the terms of a rental agreement executed in conjunction with a contract to sell the dwelling or dwelling unit.**

### Section 4. AMENDMENTS TO DISTRICT REGULATIONS.

A. Section 3-103 entitled “Accessory Structures and Uses,” of Article III “Single Family Residential Districts,” of the Zoning Code shall be, and is hereby, amended as follows: [Added text **bold and double underlined**; deleted text ~~struck through~~]

#### **“3-103 ACCESSORY STRUCTURES AND USES”**

- A.** Accessory structures and uses are permitted in all Single Family Residential Districts subject to the provisions of Section 9-101 of this Code.
- B.** **Short-Term Rentals are permitted in all Single Family Residential Districts but only in compliance with the provisions of Paragraph 9-101 D(19) of this Code.”**

B. Section 4-103 entitled “Accessory Structures and Uses,” of Article IV “Multiple Family Residential Districts,” of the Zoning Code shall be, and is hereby, amended as follows: [Added text **bold and double underlined**; deleted text ~~struck through~~]

#### **“4-103 ACCESSORY STRUCTURES AND USES”**

- A.** Accessory structures and uses are permitted in all Multiple Family Residential Districts subject to the provisions of Section 9-101 of this Code.
- B.** **Short-Term Rentals are permitted in all Multiple Family Residential Districts but only in compliance with the provisions of Paragraph 9-101 D(19) of this Code.”**

C. The following provisions of Article VIII “Special Districts,” of the Zoning Code shall be, and is hereby, amended as follows:

1. Section 8-105 entitled “Accessory Uses,” of Part I, entitled “Village Green Overlay District,” shall be, and is hereby, amended as follows: [Added text **bold and double underlined**; deleted text ~~struck through~~]

#### **“8-105 ACCESSORY USES”**

- A.** The accessory use regulations applicable in the base district shall apply in the Village Green Overlay District, except that multiple level parking garages shall not be permitted in the Village Green Overlay District without approval by the Board of Trustees by resolution duly adopted, which approval shall be subject to such conditions as the Board of Trustees may, in its discretion, specify in such resolution.
- B.** **Short-Term Rentals are permitted in those portions of the Village Green Overlay District with a residential base district but only in compliance with the provisions of Paragraph 9-101 D(19) of this Code.”**

2. Section 8-703 entitled “Accessory Structures and Uses,” of Part VIII, entitled “Mixed Residential and Commercial Districts,” shall be, and is hereby, amended as follows: [Added text **bold and double underlined**; deleted text ~~struck through~~]

#### **“8-703 ACCESSORY STRUCTURES AND USES”**

- A.** Accessory structures and uses are permitted in the Mixed Residential and Commercial Districts subject to the provisions of Section 9-101 of this Code.

B. Short-Term Rentals are permitted in those portions of Mixed Residential and Commercial Districts but only in compliance with the provisions of Paragraph 9-101 D(19) of this Code.”

Section 5. AMENDMENT TO REGULATIONS OF ACCESSORY USES.

Section 9-101 D, entitled “Special Regulations Applicable to Particular Accessory Structures and Uses,” of Section 9-101, entitled “Accessory Structures and Uses,” of Part I-A., entitled “Accessory and Temporary Structures and Uses,” of Article IX “District Regulations of General Applicability,” of the Zoning Code shall be, and is hereby, amended to add a new Subsection 19 which shall be and read as follows: [Added text **bold and double underlined**]

**“9-101 ACCESSORY STRUCTURES AND USES**

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**9-101 D. Special Regulations Applicable to Particular Accessory Structures and Uses.**

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**19. Restrictions on the Use of Dwelling as a Short-Term Rental**

- a) Only residential dwelling units may be used or offered as short-term rentals. No exclusively commercial, office, industrial or institutional property or portion thereof may be used or offered as a short-term rental.
- b) No dwelling unit may be used or offered as a short-term rental as its principal use.
- c) No dwelling unit may be used or offered as a short-term rental unless the owner or long-term tenant of the dwelling unit resides on the premises for the entire duration of any short-term rental.
- d) No short-term rental may be rented for a period shorter than two consecutive nights.
- e) No more than two bedrooms within a dwelling unit may be used or offered as a short-term rental at any one time. Notwithstanding this limit, at no time may all bedrooms within a dwelling unit be offered as short-term rentals simultaneously.
- f) No bedroom used or offered as a short-term rental may be rented and occupied by more than two adults simultaneously.
- g) Accessory or secondary dwelling units on a lot may not be used or offered as short-term rentals.
- h) All overnight parking for persons renting a short-term rental must be provided on the same zoning lot as the short-term rental and must be located on an improved hard surface. Street parking may not be used by persons renting a short-term rental.

- i) No dwelling unit may be used for a short-term rental unless the owner or long-term tenant of the dwelling unit has registered with the Village their intent to offer and use the dwelling unit as a short-term rental.
- j) Prior to the first rental of a short-term rental in any calendar year, the owner or long-term tenant of the dwelling unit must deliver written notice by mail or personal delivery to the owners of all parcels that abut the property on which the short-term rental will be located of the owner's or long term tenant's intent to offer their dwelling unit as a short-term rental. The written notice must include the rental registration number of the property, as provided by the Village Manager, and contact information for the owner or long-term tenant of the short-term rental.
- k) All short-term rentals must incorporate and contain all fire protection equipment and systems required pursuant to Chapter 6 of the Village Code in an operable condition.
- l) All garbage and refuse must be stored in compliance with the requirements of the Village Code. Refuse containers may not be placed outdoors, except on the designated day for garbage and refuse collection.
- m) Advertising and Signage.
  - 1) Notwithstanding any provision of this Code to the contrary, no sign advertising or otherwise promoting a short-term rental may be installed or erected on the premises.
  - 2) All online advertisements regarding short-term rentals, including listings on short-term rental platforms, must:
    - i. List a valid short-term rental registration number issued by the Village; and
    - ii. Only advertise a short-term rental that complies with all of the short-term rental regulations and restrictions set forth in this Section.
- n) Penalty. Any person who violates any of the provisions of this Section will be fined in the amount set forth in Section 11-803 of this Code. Each day that a violation exists constitutes a separate offense.”

Section 6.        EFFECTIVE DATE.

This Ordinance shall be in full force and effect ten days after its passage, approval, and publication in pamphlet form in the manner provided by law.

<b>RESULT:</b>	<b>ADOPTED [5 TO 1]</b>
<b>MOVER:</b>	Bob Israel, Trustee
<b>SECONDER:</b>	Kathryn Ciesla, Trustee
<b>AYES:</b>	Ciesla, Israel, Ross, Hebl, Pepoon
<b>NAYS:</b>	Muriel Collison
<b>ABSTAIN:</b>	Sandra Frum

ATTEST:

/s/ Sandra E. Frum  
Village President

/s/ Debra J. Ford  
Village Clerk