



#2022-249
UDO Text Amendment – Tourist Homes
Project Review for Planning and Zoning Commission

Meeting Date: December 21, 2022

Request: Amend the Unified Development Ordinance Article 2 and Article 10 to add regulations for Tourist Homes.

Staff Contact: Elizabeth Maxwell, 815-356-3605

Background:

- Tourist Homes or short-term rentals frequently referred to Airbnbs are currently unregulated by the City.
- There are nine existing homes listed as Airbnbs in the City.
- The text amendment was prompted by a complaint the City received from a neighbor of an existing Tourist Home.
- Amending the UDO would allow Tourist Homes as a Limited Use, similar to traditional bed-and-breakfast uses.
- The existing bed-and-breakfast LUP criteria were used as a base in the creation of the proposed Tourist Home criteria.
- Limited Uses are approved by staff, provided they meet the established criteria.

Recommendation:

ARTICLE 2-300

P = Permitted Use L = Limited Use Permit S = Special Use Permit

		F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria
Overnight Lodging	Bed-and-Breakfast Inn	L	L	L	L	L	L	L	L				L				2-400C-36
	Tourist Homes	L	L	L	L	L	L	L	L				L				2-400C-78

ARTICLE 2-400 C

78. Tourist Homes. Tourist Homes shall comply with the following criteria:

- a) **General: A Tourist Home must be located more than 500 feet from any other existing Tourist Home in the E, RE, R-1 or R-2 zoning districts, unless the City Council adopts a subarea plan that permits this spacing to be reduced. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the property line of the proposed use to the property line of the existing use. A short-term rental must be located in a structure that is permitted in the zoning district in which it is located.**
- b) **Accessory structures cannot be utilized as a Tourist Home dwelling unit.**
- c) **A maximum of six guests are permitted.**
- d) **Off street parking: The site shall comply with the required number of parking spaces identified in Section 4-200, Off-street parking and loading. Parking areas less than 10 spaces are not required to meet the landscaping requirements.**

ARTICLE 10-200 E

TOURIST HOMES: The rental of a residential dwelling unit or any portion of a residential dwelling unit for a period of less than 30 consecutive days. Tourist homes shall further be described as a single-family dwelling, or a residential dwelling unit in a multi-unit structure, condominium, cooperative, timeshare, or similar joint property ownership arrangement that is rented for a fee for less than 30 consecutive days. "Tourist homes" includes vacation rentals. "Tourist homes" does not include: (a) a unit that is used for any non-residential purpose, including event center, banquet facility, wedding venue or another similar uses; or (b) a bed and breakfast establishment as defined by Section 2 of the Illinois Bed and Breakfast Act (50 ILCS 820/2).

PUBLIC NOTICE BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY
OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF City of Crystal Lake

LEGAL NOTICE

Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission for the purposes of seeking UDO Text Amendments to make changes to Article 2 and Article 10 to define and allow Tourist Homes.

A public hearing before the Planning and Zoning Commission on this request will be held at 7:00 p.m. on Wednesday, December 21, 2022, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Jeff Greenman, Chairperson
Planning and Zoning Commission
City of Crystal Lake

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SEP 02 2022

City Manager
City of Crystal Lake

September 2, 2022

Mr. Eric Helm
Deputy City Manager
City of Crystal Lake
Crystal Lake IL 60014

Per your suggestion we have outlined some but not all of our concerns surrounding the recent purchase and subsequent operation of a commercial business in our neighborhood. Most of the residents of this neighborhood have been here for 20 – 30 – 40 + years. This is a very close-knit neighborhood. Everyone knows each neighbor and we look out for one another.

Having a facility that offers nightly lodging means that none of us individually or collectively can know who is coming or going. We searched the Unified Development Ordinance Section 2-200 Article 2 Section 2-100, for any designation addressing an Airbnb but none seems to be noted. We can only surmise this property operates under the same designation as a B&B or Lodging facility (the latter being a commercial designation). In that regard: “The owner and/or operator of the B&B must reside in the B&B dwelling”. In this case the owner may be in Phoenix, AZ or Milwaukee WI. We really don't know. On the flip side, if it is considered a “Hotel” (even short term), then the R2 designation clearly does not allow this use and should be subject to restrictions set forth in this ordinance to preserve the residential nature of these districts.

Being that there are no permits required or licensing issued it seems like there is no oversight for such commercial entities.

In times like these Community is one of the most important safeguards we have. Allowing this Commercial property to function within a Totally Residential (R2) neighborhood has created many questions from concerned citizens from this neighborhood.

Concerns are:

Every night there could be a different person there. There is no way the company offering overnight lodging can know who is there. What background checks and security measures are taken to avoid potentially dangerous customers? At least at a hotel you have to show some ID when you check in. This is all done through the internet. The safety and security this neighborhood have known is now unknown. With the increase in drug traffic and crime this adds one more unknown.

There are several people who travel for business in this neighborhood. Their spouses are very uncomfortable with not knowing who lives next door, let alone who these people are.

Property values would be negatively affected if there were an incident at this commercial property.

College Street is a main artery to Husmann Elementary Grade School. Every day during the school year there are many young children (kindergarten to 5th grade) that walk to school down this street. They are not always accompanied by an adult. Not knowing who could be seeking lodging at this property could present another issue. In Crystal Lake persons convicted of a sex crime have to be registered with the city. In this case no one would ever know who is there.

With the influx of drug traffic and the Fentanyl crisis, and being so close to Central High School, this could be a perfect opportunity for increased drug traffic. We have experienced this before in our neighborhood. We dealt with it and the Crystal Lake Police Department investigated it, dealt with it and it was eliminated.

An acceptable resolution to the situation would be to require the standards defined in our ordinance be adhered to, to either rent the property for not less than 3 months or more, live at the property, or sell it to someone who is going to live there.

This is presented on behalf of the following residents of this neighborhood.

Tim & Gail Stegenga
220 College Street Cell: 815.701.8531

Vern & Bonnie Schultz
224 College Street _____

Jamie Fireng
210 College Street _____

Don & Karen Barkley
225 College Street _____

Jim & Karen Doyle
175 Rosedale Ave _____

Lee & Lisa Montgomery
240 College Street _____

Tony & Ann May
232 College Street _____

Ken & Kristen Moore
246 College Street _____

Ralph Statter
200 College Street _____

Ivan and Leann Ewert
233 College Street _____

Ally White
164 Lill Ave. _____