



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: October 7, 2025

RE: **T-5-25 Text Amendment**

DuPage County Board: October 14, 2025:

Development Committee: October 7, 2025: The DuPage County Development Committee recommended to approve the following text amendments:

T-5-25 proposed Text Amendments to the DuPage County Zoning Ordinance relative to short term rentals of a residential dwelling unit, to align the Zoning Ordinance with current initiative for housing solutions and to amend Lot Requirements (minimum size and width) in the R-3 and R-4 Residential Zoning Districts.

Development Committee VOTE (Motion to Approve): 6 Ayes, 0 Nays, 0 Absent

Zoning Board of Appeals: September 10, 2025: The Zoning Board of Appeals considered the following text amendments:

T-5-25 proposed Text Amendments to the DuPage County Zoning Ordinance relative to short term rentals of a residential dwelling unit, to align the Zoning Ordinance with current initiative for housing solutions and to amend Lot Requirements (minimum size and width) in the R-3 and R-4 Residential Zoning Districts.

ZBA VOTE (to Approve): 6 Ayes, 0 Nays, 0 Absent

FINDINGS OF FACT:

1. That the Zoning Board of Appeals finds that over the past several months, County Board members have asked staff to research various housing topics relevant to their constituents. In response, staff has completed the research and developed the proposed text amendment to the DuPage County Zoning Ordinance regarding short term rentals of a residential dwelling unit and to amend Lot Requirements for minimum lot size and width in the R-3 and R-4 Residential Zoning Districts.

2. That the Zoning Board of Appeals finds that on July 1, 2025, the Development Committee voted to direct staff to present the proposed text amendment for consideration at a public hearing before the Zoning Board of Appeals.
3. That the Zoning Board of Appeals finds that Text Amendment T-5-25 was presented during a public hearing held on September 10, 2025, before the Zoning Board of Appeals. The proposed text amendment, which pertains to short term rentals of a residential dwelling unit, and amending Lot Requirements for minimum lot size and lot width in the R-3 and R-4 Residential Zoning Districts, are vital to the County's current housing solutions initiative. These amendments are aligned with the County's broader goals of protecting and enhancing the health, welfare, and safety of its residents, while protecting and enhancing the health, welfare, and safety of its residents while addressing the evolving housing needs of the community.

D. HOME OCCUPATION FOR SHORT TERM RENTAL OF DWELLING UNIT REQUIREMENTS: A home occupation for short-term rental of a dwelling unit shall be treated as an accessory use, shall be incidental and secondary to the principal use of the residence as a dwelling unit, and shall meet all of the following requirements herein:

1. It shall be unlawful for a short-term residential rental property owner to rent, lease or allow the occupancy of a dwelling unit for a home occupation for short term rental of a dwelling unit unless the short-term residential rental property owner obtains and maintains a valid home occupation for short term rental of a dwelling unit license from DuPage County.
2. In order for a dwelling unit to be operated as a home occupation for short term rental of a dwelling unit, the short-term residential rental property owner is required to obtain an annual license from DuPage County for the home occupation for the short-term rental of a dwelling.
 - a. The burden is upon each short-term residential rental property owner applicant to demonstrate the suitability and qualifications for the license of a property or dwelling unit to establish a short-term residential dwelling unit.
 - b. Each license for a short-term rental of a dwelling unit issued by DuPage County shall expire on **(to be determined by County Board)** of each year unless sooner revoked, as provided by law, with an annual fee of **(to be determined at a later date)** per license payable in full at the time the application and renewal is filed with DuPage County.
 - c. A short-term residential rental dwelling unit application shall list all requirements for each home occupation for short-term rental of a dwelling unit and is subject to the regulations herein.
 - d. A short-term residential rental dwelling unit shall be subject to inspection by DuPage County prior to the issuance of a license to ensure compliance with the DuPage County Building Code, DuPage County Health Department Code, DuPage County Countywide Stormwater & Floodplain Ordinance, DuPage County Zoning Ordinance or any other applicable ordinance or code promulgated by DuPage County or state or federal statute.
 - e. A short-term residential rental dwelling unit shall be operated in its entirety within the principal residence and only by the short-term residential rental property owner of the dwelling therein, with the following exception:

- (1) An exception to the requirement above shall be the use of any existing outdoor recreational facilities and equipment on the property including swimming pool, playground equipment, patio, deck, and open space typically used for ordinary domestic purposes.
 - (2) The exception herein does not authorize any non-pre-existing temporary equipment to be brought on the property for outdoor recreational activity
- f. A short-term residential rental dwelling unit shall not have any sleeping areas in an attached or detached accessory building or attached garage.
- g. A short-term residential rental dwelling unit shall not contain a separate entrance from outside the building directly serving and only serving the area of the short-term rental of a dwelling unit.
- h. Shall not display outside the building any evidence of the short-term rental of a dwelling unit, (other than an identification nameplate).
 - (1) Where a short-term residential rental dwelling unit displays (1) short term rental of a dwelling unit identification nameplate: The maximum area of such nameplate shall be no greater than two (2) square feet, and such nameplate shall be affixed flat against a wall or door or may extend up to eighteen inches (18") from a wall provided safe access is available for patrons.
- i. Shall not permit the occupancy of more than five (5) people who are unrelated by blood or marriage.
- j. A short-term residential rental dwelling unit shall not utilize commercial or industrial equipment (including but not limited to mechanical or electrical equipment), other than the type ordinarily found in a residential dwelling unit.
- k. A short-term residential rental dwelling unit shall not permit delivery of goods and services other than by private passenger vehicles, parcel service, or letter carrier.
- l. A short-term residential rental dwelling unit shall not permit the outdoor parking of more than six (6) passenger vehicles simultaneously on the property for those who will occupy the short-term rental of a dwelling unit. All parking shall be located on a hard surface consisting of either asphaltic concrete, reinforced Portland cement concrete or brick paver or any combination thereof and shall otherwise fully comply with the DuPage County Code of Ordinances.
- m. A short-term residential rental dwelling unit shall not produce noise, obnoxious odors, vibrations, glare, fumes or electrical interference detectable to normal sensory perception outside the structure.
- n. A short-term residential rental dwelling unit shall allow no more than one (1) short term rental of a dwelling unit.
- o. A short-term residential rental dwelling unit shall not permit the on-site storage and/or use of dangerous substances, including but not limited to fireworks.
3. Inspection of premises.
 - a. Authorized representatives of DuPage County shall inspect the premises of a licensed or required to be licensed short-term rental of a dwelling unit herein for the purpose of determining if the premises are in compliance with the regulations herein or of this chapter, or any provision of any other DuPage County code or any applicable state or federal statute
4. Revocation/suspension of license.
 - a. DuPage County may revoke or suspend any license for a short-term rental of a dwelling unit issued by DuPage County if it is determined the licensed establishment has violated any of the provisions of this chapter, or any provision of the DuPage County Code or Ordinances or any applicable state or federal statute.

- b. Special Event. A short-term residential rental property owner is permitted to seek a Special Event permit per Section 37-408: - SPECIAL EVENTS AND TENTS of the DuPage County Code of Ordinances to allow exceptions to the regulations herein on a temporary basis.

Add to sections 37-701.1; 37-702.1; 37-703.1; 37-704.1; 37-705; 37-706.1; 37-707.1. permitted uses:

Home occupations, principal arterial office use, principal arterial conversion of a single dwelling into two (2) dwelling units, and home occupation for short-term rental of a dwelling unit per Section 37-418 herein.

Amend the tables in Sections 37-703.3 and 37-704.3: - LOT REQUIREMENTS: SIZE, WIDTH AND DEPTH.:

Single-Family Detached Dwellings served with septic and well: Minimum Lot Size: 40,000 sq. ft. 20,000 sq. ft.

Single-Family Detached Dwellings served with septic and well: Minimum Lot Width: Interior: ~~125'~~ 100', Corner: ~~150'~~ 125'

Single-Family Detached Dwellings served with ~~septic~~ sewer and water

Remove the language within the Historic Lot of record ~~containing a Single-Family Detached Dwelling.~~

37-703.4: - YARD, HEIGHT AND FLOOR AREA RATIO REQUIREMENTS

Use	Minimum Lot Size	Lot Width Interior	Lot Width Corner	Lot Depth
Single-Family Detached Dwellings served with septic and well	40,000 sq. ft. <u>20,000 sq. ft.</u>	125' <u>100'</u>	150' <u>125'</u>	100'
Single-Family Detached Dwellings served with sewer and well	20,000 sq. ft.	100'	125'	100'
Single-Family Detached Dwellings served with septic <u>sewer</u> and water	15,000 sq. ft.	100'	125'	100'
Reserve Lot exclusive of reserve strip	40,000 sq. ft.	125'	NA	100'
Reserve Strip	NA	20" wide access strip	NA	NA
Historic Lot of Record containing a Single-Family Detached Dwelling	NA	50'	NA	NA
Cemeteries	2 acres	125'	150'	100'
Planned Developments	NA	NA	NA	NA
Schools	100,000 sq. ft. for the first 100 pupils, plus 20,000 sq. ft. for each additional 50 pupils or any portion thereof	125'	150'	100'
Place of Assembly Use, Indoor Recreational facilities, libraries, museums and art galleries	100,000 sq. ft. for the first 100 occupants in the main assembly area or building based on design rated occupancy plus an additional 20,000 sq. ft. for each additional 50 occupants or any portion thereof based on design rated occupancy	125'	150'	100'
All Other Permitted or Conditional Uses	40,000 sq. ft.	125'	150'	100'

37-704.4: - YARD, HEIGHT AND FLOOR AREA RATIO REQUIREMENTS

Use	Minimum Lot Size	Lot Width Interior	Lot Width Corner	Lot Depth
Single-Family Detached Dwellings served with septic and well	40,000 sq. ft. 20,000 sq. ft.	125' 100'	150' 125'	100'
Single-Family Detached Dwellings served with sewer and well	20,000 sq. ft.	100'	125'	100'
Single-Family Detached Dwellings served with septic sewer and water	10,000 sq. ft.	75'	125'	100'
Reserve Lot exclusive of reserve strip	40,000 sq. ft.	125'	NA	100'
Reserve Strip	NA	20" wide access strip	NA	NA
Historic Lot of Record containing a Single-Family Detached Dwelling	NA	50'	NA	NA
Cemeteries	2 acres	125'	150'	100'
Planned Developments	NA	NA	NA	NA
Schools	100,000 sq. ft. for the first 100 pupils, plus 20,000 sq. ft. for each additional 50 pupils or any portion thereof	125'	150'	100'
Place of Assembly Use, Indoor Recreational facilities, libraries, museums and art galleries	100,000 sq. ft. for the first 100 occupants in the main assembly area or building based on design rated occupancy plus an additional 20,000 sq. ft. for each additional 50 occupants or any portion thereof based on design rated occupancy	125'	150'	100'
All Other Permitted or Conditional Uses	40,000 sq. ft.	125'	150'	100'



September 18, 2025

Ashlyn Kirby
DuPage County Building and Zoning Department
421 North County Farm Rd.
Wheaton, IL 60187

Via email to Ashlyn.Kirby@dupagecounty.gov

Re: T-5-25 Text Amendments

Dear Ms. Kirby,

On September 15, 2025, the Village of Burr Ridge Plan Commission/Zoning Board of Appeals performed an extraterritorial review of the consideration of Zoning Petition T-5-25, proposed text amendments to the DuPage County Zoning Ordinance Chapter 37 relative to short-term rentals of a residential dwelling unit, and to Lot Requirements (minimum size and width) in the R-3 and R-4 Residential Zoning Districts.

The Plan Commission discussed various aspects of the proposed amendment, highlighting inconsistencies between the proposed DuPage text amendments and the existing regulations in the Village of Burr Ridge. The Village of Burr Ridge passed an Ordinance on October 23, 2023, defining a short-term rental and regulating them under the Home Occupations Zoning Ordinance Section, as noted below;

SHORT-TERM RENTAL: A single-family detached dwelling, semi-detached dwelling, attached dwelling, cluster dwelling, multiple-family dwelling, two-family dwelling, accessory dwelling, accessory structure, accessory use and/or any portion thereof rented to transients or temporary guests for a period less than thirty (30) consecutive days and whether or not the permission for such occupancy or use is in exchange for a fee. This definition does not include a hotel or motel establishment duly licensed by the Village, boarding, lodging, or rooming houses, or rental of a dwelling to no more than three separate lessees per year for a 30-day minimum duration.

HOME OCCUPATIONS: In all Residence Districts and for all residential uses in non-residential districts (Amended by Ordinance A-834-13-11), any customary home occupation shall be permitted provided that it meets the regulations as detailed below. Short-term rentals are expressly prohibited as a home occupation use.

The Plan Commission raised concerns regarding the potential impact on the residential character of the neighborhood and the quiet enjoyment of existing residents. The Commission expressed concerns regarding an increase in housing density. A Commissioner noted that incidents requiring police involvement in the southeastern portion of DuPage County typically fell to either Burr Ridge or Willowbrook due to inadequate policing coverage. The Commission also noted that the proposed reduction in lot size for R-3 and R-4 zoned single-family detached dwellings, those served by septic and well systems, could strain septic capacity and increase the risk of groundwater contamination. The Commission raised concerns regarding the proposed parking regulations in conjunction with a short-term rental, specifically the allowance of up to six vehicles parked outdoors on a single property. The Commission also expressed concerns regarding a potential increase in transient activity associated with the proposed amendments.

Should you have any questions, please do not hesitate to contact me at estern@burr-ridge.gov or (630) 654-8181 x 6260.

Sincerely,

A black rectangular box redacting the signature of Ella Stern.

Ella Stern
Village of Burr Ridge Planner

END