



## CITY OF WASHINGTON, ILLINOIS

### City Council Agenda Communication

**Meeting Date:** June 15, 2020 *2PF*

**Prepared By:** Ray Forsythe, City Administrator; Derek Schryer, City Attorney

**Agenda Item:** Residential Poultry Moratorium

**Explanation:** Based on the feedback received thus far and comments made during the committee of the whole meeting on Monday, we believe there is now a clear majority of Council that supports repealing the poultry special use: Butler, Dingledine, Brownfield, Adams and Yoder and only two that favor maintaining the ordinance: Stevens and Black. No written feedback from Dingledine, Brownfield and Cobb were received however based on verbal feedback from the Committee of the Whole meeting we believe Dingledine is firm in his support of repeal and Brownfield indicated on Monday that he now favored repeal.

City staff, in consultation with the City Attorney, has determined a moratorium on the issuance of special uses is subject to legal challenge by any resident with a pending special use application until the City's zoning code is amended by following the required process. The repeal of poultry special use will take some time. Planning & Development Oliphant calendared that the earliest public hearing at a regularly scheduled PZC meeting is the August PZC meeting, a first reading at the August 17 council meeting and a second reading at the September 8 council meeting. Council could waive a second reading or elect to hold a special meeting at the August 10 committee of the whole meeting if it wanted to accelerate the effective date of the repeal.

City staff, in consultation with the City Attorney, recommends Council should proceed with the process of considering all poultry special use applications that are filed prior to the repeal of the poultry special use but recommends suspending the process (at least at the Council level) until such time as Council has agreed to proceed with the repeal. We also encourage Council to consider the pending three poultry special use applications at the same meeting. These matters would be up for a first reading at the July 20 Council meeting (the first meeting after the July committee of the whole meeting where Council will confirm the direction to pursue repeal).

If the poultry special use is repealed, any resident that has received an approved special use will be grandfathered and allow to maintain poultry.

**Fiscal Impact:** Loss of \$100/fee per applicant

#### **Recommendation/**

**Committee Discussion Summary:** City Council discussed this item at the Committee of the Whole Meeting on June 8<sup>th</sup> and additional feedback has been received. A moratorium is recommended as well as a repeal of the Ordinance allowing Poultry in Residential Zoned Areas with a Special Use Permit

#### **Action Requested:**

- Temporary Moratorium on new applications for Special Use Permits for Poultry
- Enforcement of the Ordinance prohibiting poultry in residential areas without a Special Use Permit – staff will notify all known violations and require compliance within 14 days
- Processing of the 3 applications that are already in process
- Consideration of revisions to the existing Ordinance or a repeal depending on Council direction

**Additional Documentation:** None

Date Prepared: 06/12/2020