

CITY OF WASHINGTON

PLANNING & DEVELOPMENT DEPARTMENT

301 Walnut St. · Washington, IL 61571

Ph. 309-444-1135 · Fax 309-444-9779

<http://www.washington-illinois.org>

joliphant@ci.washington.il.us

MEMORANDUM

TO: Chairman Burdette and Planning and Zoning Commission
FROM: Jon R. Oliphant, AICP, Planning & Development Director
SUBJECT: Public Hearing – Residential Chickens Zoning Code Text Amendment
DATE: April 25, 2025

Summary: The City's zoning code was amended in October 2019 to allow for chickens on residential properties following a special use process. An ordinance was approved in September 2020 to prohibit chickens from being located on residential properties in the city limits. The City Council at its March Committee of the Whole meeting indicated interest in re-establishing regulations to permit chickens on certain residential properties. As a result, staff recommends approval of the attached code amendment ordinance.

Background: Chickens are currently only allowed on properties zoned AG-1 (Agriculture). The draft code amendment utilizes many of the same regulations that previously were in effect prior to the approval of the prohibition amendment ordinance. These include the following:

- Chickens would only be allowed on owner-occupied properties.
- A building permit would be required for any enclosure housing chickens.
- No more than five chickens would be allowed on any residential lot.
- Roosters or other loud species of chicken would be prohibited.
- The slaughtering of chickens would be prohibited.
- The area of any enclosure for the purpose of housing chickens, including any outdoor runs, shall not exceed 60 square feet.
- All waste material must be disposed of to eliminate any offensive odor.
- All food sources must be protected in a container with a tightly fitted lid in order to prevent rodents from gaining access to them.
- A fee of \$25 would be required for a permit that would need to be renewed each calendar year.

The proposed changes to the City Code for the allowance of residential chickens compared to the 2019-2020 regulations are as follows:

- Chickens would be allowed as a permitted use in residential districts and not as a special use.
- Properties must be more than three-quarters (3/4) of an acre in size. There was previously no minimum lot size.
- Chickens must be kept at all times in an enclosure only in the rear yard. Two options are available for the enclosure: 1) A permanent structure constructed consistent with a plan that is approved by the Code Enforcement Officer. The prior regulations required a recommendation by the Planning and Zoning Commission and approval from the City Council; and 2) In lieu of a permanent enclosure, wire or other materials can be used for the coop if there is a six-foot high opaque fence that entirely encloses the rear yard subject to the approval by the Code Enforcement Officer. The enclosure must not be visible from the street on which the house faces.

- All enclosures housing chickens shall not be located closer than 15 feet from any side or rear property line and 25 feet from any residential structure on an adjacent lot. The prior regulations had a minimum side and rear setback of 10 feet.

Staff feels that establishing a minimum lot size would allow for a gradual allowance of residential chickens within the city limits. Approximately 9.8% of all residential-zoned lots have a lot size of more than three-quarters of an acre, which reduces the number of properties that would meet that eligibility criteria. Chickens would be allowed as a permitted use if each of the regulations were initially met and there were no subsequent code violations that could invalidate the annual permit. Urban poultry ordinances have been relatively common throughout the country and chickens can be regularly found in high-density cities. Staff feels that this would be embraced by a small minority of residents and can be a positive for the community as long as the proper regulations are established.

This zoning code text amendment is scheduled for a public hearing at the May 7 Planning and Zoning Commission meeting. It will tentatively be scheduled for a first reading ordinance at the May 21 City Council meeting.

Attachment

ORDINANCE NO. _____

(Synopsis: Adoption of this ordinance would allow no more than five chickens on any residential lot larger than 0.75 acres subject to the acquisition of a building permit. A building permit would be required to construct the coop and the chicken enclosure could be located no closer than ten feet from a side or rear lot line and at least 25 feet from an adjacent residential structure.)

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF
THE CITY OF WASHINGTON, ILLINOIS, BY AMENDING SECTION 56 ENTITLED
“ZONING CODE”**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
WASHINGTON, TAZEWELL COUNTY, ILLINOIS, as follows:**

Section 1. That §56-77 of the Washington Municipal Code of Ordinances titled “Permitted uses, generally” is hereby amended by deleting §56-77 (6) in its entirety and by substituting the following as §56-77 (6) in lieu thereof:

“§ 56-77 PERMITTED USES, GENERALLY

(6) Nurseries, truck gardening, and the raising of farm crops, but not the raising of ~~poultry or~~ livestock; and provided further that no building shall be erected or maintained on the property which is used for the purpose of selling the products grown or raised. The raising of poultry is permitted subject to the conditions as follows:

- (a) Chickens shall only be permitted on owner-occupied properties.
- (b) Not more than five (5) chickens may be kept on any lot.
- (c) Properties must be greater than three-quarters (3/4) of an acre in size.
- (d) No roosters or unreasonably loud species of chicken shall be kept on the lot.
- (e) No chickens shall be slaughtered.
- (f) Chickens shall be kept at all times within an enclosure in the rear yard constructed and consistent with a plan submitted to the Code Enforcement Officer. The enclosure shall be kept and built in such a manner as to allow for easy ingress and egress for the chickens and shall offer protection from weather elements. Wire or other materials can only be used if a permanent six-foot (6') high opaque fence entirely encloses the rear yard. In lieu of a fence, a permanent enclosure housing the chickens shall be constructed subject to the approval by the Code Enforcement Officer. The enclosures shall not be visible from the street on which the house faces.

- (g) The area of any enclosure for the purpose of housing chickens including any outdoor runs shall not exceed sixty (60) square feet.
- (h) Any enclosure housing chickens shall require a building permit.
- (i) All enclosures housing chickens shall not be located closer than fifteen (15) feet from any side or rear property line and twenty-five (25) feet from any residential structure on an adjacent lot.
- (j) No person shall allow the accumulation of any waste material resulting from the keeping of chickens which creates any offensive odor or nuisance.
- (k) All food sources and other items that are associated with the keeping of chickens that are likely to attract rats, mice, or other rodents shall be protected in a container with a tightly fitted lid so as to prevent rodents from gaining access to or coming into contact with them.
- (l) The fee for the housing of chickens shall be twenty-five dollars (\$25) for a one calendar year permit.

Section 2. That this ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Section 3. That all ordinances or parts thereof in conflict herewith are hereby expressly repealed.

PASSED AND APPROVED this _____ day of _____, 2025.

AYES: _____

NAYS: _____

Mayor

ATTEST:

City Clerk