

CASE NO. 164-AT-25

PRELIMINARY MEMORANDUM

April 10, 2025

Petitioner: **Zoning Administrator**

Prepared by: **John Hall**, Zoning Administrator
Charlie Campo, Senior Planner

Request: **Amend the Champaign County Zoning Ordinance as follows regarding the keeping of animals in Residential Districts within 1,000 feet of a home rule municipality:**

- 1. Add the following definition to Section 3.0 Definitions: “URBAN ANIMALS” that are animals that may be kept in a Residential Zoning District within 1,000 feet of a home rule municipality.**
- 2. Amend Section 5.2 as follows:**
 - a. Add a Footnote to the Table of Authorized Uses for “URBAN ANIMALS” in the R-1, R-2, R-3, R-4 and R-5 Zoning Districts.**
- 3. Add new Section 7.8 to establish regulations including but not limited to:**
 - a. Limit the number of URBAN ANIMALS that may be kept on a lot in a Residential District within 1,000 feet of a home rule municipality.**
 - b. Establish minimum requirements for the housing and care of URBAN ANIMALS on a lot in a Residential District within 1,000 feet of a home rule municipality.**
 - c. Require that the keeping of URBAN ANIMALS on a lot in a Residential District within 1,000 feet of a home rule municipality must be registered with the Department of Planning and Zoning.**

BACKGROUND

The Champaign County Board Environment and Land Use Committee reviewed a Draft version of this amendment at the November 8, 2024, meeting. At the January 9, 2025, meeting, the Committee approved the authorization for a proposed Text Amendment to regulate the keeping of animals in Residential Districts within 1,000 feet of a home rule municipality.

The Committee authorized the proposed changes to the Ordinance in response to complaints about the keeping of farm animals on the property at 2306 South Mattis Ave., Champaign.

ATTACHMENTS

- A Champaign County Environment and Land Use Committee (ELUC) Memorandum dated December 30, 2024, with attachments:
1. Champaign County ELUC Memorandum dated October 28, 2024
 2. Proposed text amendment to regulate keeping of animals within 1,000 feet of a home rule municipality
 3. City of Champaign Zoning Ordinance requirements for hens
 4. Excerpt of 510 ILCS 77 Livestock facilities Management Act

Champaign County
Department of

**PLANNING &
ZONING**

TO: **Environment and Land Use Committee**
FROM: **John Hall, Zoning Administrator**
DATE: **December 30, 2024**
RE: **Proposed Zoning Ordinance Text Amendment to regulate the keeping of animals in Residential Districts within 1,000 feet of a home rule municipality**

BACKGROUND

**Brookens Administrative
Center**
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708
zoningdept@co.champaign.il.us
www.co.champaign.il.us/zoning

The Committee reviewed the attached memorandum at the November 8, 2024, meeting.
No changes were discussed at the 11/08/2024 meeting.

TEXT AMENDMENT PUBLIC HEARING TIMELINE

The public hearing requires a legal advertisement in the newspaper and notice provided to all relevant municipalities. If the public hearing is authorized by ELUC on January 9, 2025, the anticipated timeline (*earliest possible dates) is as follows:

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- | | |
|--|-----------------------------------|
| 1. Public Hearing opens at the Champaign County Zoning Board of Appeals (CCZBA) | Thursday, March 27, 2025 |
| 2. Public Hearing closes at CCZBA and the CCZBA makes recommendations to the Environment and Land Use Committee (ELUC) of the Champaign County Board | *Thursday, May 15, 2025 |
| 3. ELUC affirms or amends CCZBA's recommendation | *Thursday, July 5, 2025 |
| 4. ELUC makes a recommendation to the Champaign County Board | *Thursday, August 7, 2025 |
| 5. Champaign County Board makes a final determination | *Thursday, August 21, 2025 |
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* earliest anticipated dates of action

ATTACHMENTS

- A ELUC Memo dated 10/28/2024 for proposed text amendment to regulate the keeping of animals within 1,000 of a home rule municipality**

TO: **Environment and Land Use Committee**

FROM: **John Hall, Zoning Administrator**

DATE: **October 28, 2024**

RE: **Proposed Zoning Ordinance Text Amendment to regulate the keeping of animals within 1,000 feet of a home rule municipality**

Champaign County
Department of

**PLANNING &
ZONING**

**Brookens Administrative
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BACKGROUND

At the August 8, 2024, meeting the Committee requested a Zoning Ordinance text amendment to regulate the keeping of livestock in residential districts within 1,000 feet of a home rule municipality and a Nuisance Ordinance amendment prohibiting roosters in all Residential Districts. As the text amendment was developed it became clear that limiting the amendment to “livestock” left a loophole for “pets” and “just animals” so the amendment restricts “urban animals”.

A proposed amendment is included as Attachment A and the City of Champaign requirements are included as Attachment B. An excerpt of the Livestock Facilities Management Act is included as Attachment C.

OVERVIEW OF THE PROPOSED AMENDMENT

The amendment was largely based on the City of Champaign hen requirements (see Attachment B) and the Kendall County requirements for farm type animals in residential districts and the Illinois Livestock Management Facilities Act. Other standards were pulled from documents reviewed over the internet such as the Humane Society of the United States’ *Adopting and caring for backyard chickens*.

In addition to the keeping of hens in Residential Districts, the amendment also allows the keeping of Guinea fowl, ducks (including drakes), geese, turkeys, pigeons, and rabbits.

The amendment limits the keeping of hens to no more than six on a lot of up to 6,500 square feet in area and allows a greater number based on a proportional increase in lot area up to a maximum of 18 hens on a lot of 20,000 square feet or larger. It is not uncommon to find lots of 30,000 square feet and larger in the Residential Districts. The amendment also has a conversion so that any combination of hens, Guinea fowl, ducks (including drakes), geese, turkeys, pigeons, and rabbits is possible so that the equivalent is not more than the limit for hens.

The limit of 18 hens is largely based on the fact that 18 hens will require a covered run of 286 square feet (8 feet by 36 feet, for example) and a coop of not less than 72 square feet in area and both the coop and run will need to be maintained weekly and more hens would require even more space and even more labor to maintain, so the proposed limit of 18 simply to minimize possible problems arising from having too many animals to provide adequate care. The limit of 18 is not a hard number and the Committee should select whatever limit they are most comfortable with.

Attachment C is an excerpt from the Livestock Facilities Management Act (510 ILCS 77). Note that the property at 2306 South Mattis was reported to have 40 chickens, 12 ducks, three turkeys, and two hogs which total about 4.3 animal units. Eighteen chickens equals .18 animal units. Note that 18 chickens is almost equivalent to two sheep or two lambs or two goats but no hooved animals are allowed by the proposed amendment.

ATTACHMENTS

- A Proposed text amendment to regulate keeping of animals within 1,000 feet of a home rule municipality
- B City of Champaign Zoning Ordinance requirements for hens
- C Excerpt of 510 ILCS 77 Livestock Facilities Management Act

1. Add the following to Section 3. Definitions:

URBAN ANIMALS: Animals that may be kept for any reason in a Residential DISTRICT within 1,000 feet of a home rule municipality on a lot on which AGRICULTURE is not the principal USE, in addition to any dogs or cats otherwise allowed under this Ordinance and/or in addition to any other animal that may be kept as a pet that resides in the DWELLING. URBAN ANIMALS may be kept as a source of food or fiber or kept simply as a hobby or an outdoor pet. URBAN ANIMALS are hens, Guinea fowl, ducks (including drakes), pigeons, geese, turkeys, and rabbits.

2. Amend Section 5.2 as follows:

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES

Principal USES	Zoning DISTRICTS														
	CR	AG-	AG-	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Resource Production and Agricultural Uses															
AGRICULTURE, including customary ACCESSORY USES				32	32	32	32	32							

Footnotes

32. The keeping of URBAN ANIMALS in a Residential DISTRICT within 1,000 feet of a home rule municipality shall conform to the requirements of Section 7.8.

3. Add new Section 7.8 Keeping of URBAN ANIMALS in a Residential DISTRICT within 1,000 feet of a Home Rule Municipality

Section 7.8 Keeping of URBAN ANIMALS in a Residential DISTRICT within 1,000 feet of a Home Rule Municipality

7.8.1 Authorized URBAN ANIMALS in a Residential DISTRICT within 1,000 feet of a home rule municipality

- A. The following number of animals may be kept on a LOT in a Residential DISTRICT within 1,000 feet of a home rule municipality.
- (1) A maximum of six hens; or
 - (2) A maximum of six Guinea fowl; or
 - (3) A maximum of three ducks (including drakes); or
 - (4) A maximum of 12 pigeons; or
 - (5) A maximum of three geese; or

- (6) A maximum of three turkeys; or
 - (7) A maximum of three rabbits; or
 - (8) Any combination of animals listed above provided that the total number of animals does not exceed the equivalent of six hens based on the following:
 - i. One Guinea fowl is equal to one hen; and
 - ii. One duck or turkey or goose or rabbit equals two hens; and
 - iii. Two pigeons equal one hen.
 - (9) The limit on URBAN ANIMALS in Section 7.8.1A.(8) may be increased proportionally based on LOT AREA for LOT AREAS greater than 6,500 square feet up to 20,000 square feet in area but no more than the equivalent of 18 hens shall be allowed on lots that are larger than 20,000 square feet in area.
- B. Roosters are prohibited in Residential DISTRICTS .
 - C. The requirements of this section shall not restrict beekeeping in Residential Districts within 1,000 feet of a home rule municipality.
 - D. Slaughtering of URBAN ANIMALS in Residential DISTRICTS within 1,000 feet of a home rule municipality shall be done indoors in appropriate sanitary conditions. No meat products shall be sold to the public unless in compliance with the rules and regulations of the Champaign County Public Health Department.
 - E. Any sales of food items must comply with the requirements of the Champaign County Public Health Department. Any lot on which there are sales shall be registered as an NHO per Section 7.1.1.

7.8.2 Care and housing of authorized URBAN ANIMALS in a Residential DISTRICT within 1,000 feet of a home rule municipality

- A. No URBAN ANIMALS shall be permitted to run at large. URBAN ANIMALS shall be kept in a designated coop or hutch (building) or covered and fenced outdoor run. URBAN ANIMALS may also be allowed to exercise in a rear yard with a 6 feet (6') or higher fence with supervision.
 - (1) If the coop (or hutch) and run are not within a fenced yard, URBAN ANIMALS must be kept within the coop (or hutch) and run at all times.
 - (2) Fences must keep the URBAN ANIMALS on the property and meet the limits established in Sec. 4.3.3G.
- B. URBAN ANIMAL feed must be stored in a fully enclosed, rodent proof container.

Attachment A. Proposed text amendment
OCTOBER 28, 2024

- C. URBAN ANIMALS shall be provided clean water daily. If ducks are provided access to a pool the pool shall be cleaned daily or have an aerator or filtration system.
- D. Housing for URBAN ANIMALS shall meet the following requirements:
 - (1) The coop (or hutch) and run shall be located in the REAR YARD.
 - (2) The coop (or hutch) and run shall be located at least five feet from the property line and at least twenty feet from any neighboring dwelling.
 - (3) The coop or hutch must be built to provide ventilation, shade, protection from precipitation, protection from cold weather and to be secure from predators, wild birds, and rodents.
 - a. Openings in windows and doors must be covered by wire mesh or screens to deter predators.
 - b. Access doors must be sized and placed for ease of cleaning.
 - c. The enclosed run must be attached to the coop or must surround the coop. The sides of the run must be made of fencing or wire mesh that keeps out predators.
 - (4) The run must be enclosed by wire on all sides, including the top or roof plane.
 - (5) Size. The coop or hutch shall provide a minimum of four square feet of floor area per animal although for pigeons there need only be four square feet per pair of breeders. The run shall provide a minimum of 16 square feet of area per animal.
 - (6) Coops or hutches must be located at least five feet from a side or rear lot line and at least 20 feet from any adjacent DWELLING on other property.
 - (7) Coops or hutches over 150 square feet will require a Zoning Use Permit.
 - (8) The coop and run or hutch and run shall be kept in a clean, dry, and sanitary condition at all times. Manure, uneaten and discarded feed, feathers and other waste must be removed at a minimum of once per week.
 - a. Odors from animals, manure or related substances shall be controlled and shall not be detectable at property lines.
 - b. Manure may be composted onsite provided that the odor is minimized by appropriate composting procedures and does not result in drainage onto adjacent property or into a

stream. Composting of manure shall not occur within 50 feet of a perennial stream.

- c. All manure not composted must be removed from the property a minimum of once per week.
- E. Any coop (or hutch) and run and all fencing located in a floodplain must be in compliance with the Champaign County Special Flood Hazard Areas Ordinance and a Floodplain Development Permit shall be required for any construction or fencing in the floodplain.
- F. No non-resident employees are authorized for the keeping of URBAN ANIMALS unless the property has also been registered as a NEIGHBORHOOD HOME OCCUPATION. If authorized as a NEIGHBORHOOD HOME OCCUPATION, any coop (or hutch) and/or covered run shall be allowed in addition to any other STRUCTURE authorized in the NEIGHBORHOOD HOME OCCUPATION.

7.8.3 Registration of URBAN ANIMALS in a Residential DISTRICT within 1,000 feet of a home rule municipality

- A. Any LOT with URBAN ANIMALS shall be registered with the Department of Planning and Zoning on forms prepared by the Zoning Administrator. A site plan shall be submitted with the registration form that shows all animal coops and/or hutches, runs, fencing, pools, and manure compost sites.
- B. Any LOT with URBAN ANIMALS that exceeds any of the standards in Sections 7.8.1 and 7.8.2 may be authorized by SPECIAL USE Permit. Any keeping of URBAN ANIMALS authorized by SPECIAL USE Permit shall be required to obtain a Zoning Use Permit in accordance with Section 9.1.2 prior to operation. The fee for the Zoning Use Permit shall be the same as the fee for a RURAL HOME OCCUPATION.

- **Sec. 7-19. - Hens.**

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(a) No person shall possess a hen unless a license has been issued as set forth in this section.

(b) The number of hens allowed shall be a maximum of six (6) hens per property.

(c) Roosters are prohibited within the City.

(d) Licenses will only be granted to persons who reside on parcels with single-family and two-family dwellings.

(e) Care for hens shall follow the following provisions:

- (1) No hen shall be permitted to run at large. Hens shall be kept in a designated coop or run. Hens may be allowed to exercise in a rear yard with a 6 foot (6') or higher fence with supervision.
 - (i) If the coop and run are not within a fenced yard, hens must be kept within the coop and run at all times.
 - (ii) Fences must meet the standards outlined in Section 9-2 - Fences.
- (2) Feed must be stored in a fully enclosed, rodent proof container.
- (3) Hens must be kept in chicken coops.

(f) Housing for hens shall follow the following provisions:

- (1) The chicken coop and run shall be located in the rear of the residential structure. The coop and run are allowed in the rear yard, but not the side or front yards.
- (2) The chicken coop and run shall be located at least five feet (5') from the property line and at least twenty feet (20') from any neighboring dwelling.
- (3) Design. The coop must be built to provide ventilation, shade, protection from precipitation, protection from cold weather and to be secure from predators, wild birds and rodents.

Attachment B. City of Champaign Zoning Requirements for Hens
OCTOBER 28, 2024

- (i) Openings in windows and doors must be covered by wire mesh or screens to deter predators.
 - (ii) Access doors must be sized and placed for ease of cleaning.
 - (iii) The enclosed run must be attached to the coop or must surround the coop. The sides of the run must be made of fencing or wire mesh that discourages predators.
 - (iv) The run must be enclosed on all sides, including the top or roof plane.
- (4) Size. The coop shall provide a minimum of four (4) square feet of floor area per hen. The run shall provide a minimum of eight (8) square feet of floor area per hen.
 - (i) Coops will be considered an 'accessory structure' as defined in Section 37-222 - Standards for Accessory Structures and must meet all standards outlined therein.
 - (ii) Coops over one-hundred and twenty (120) square feet will require a building permit.
- (5) The coop and run shall be kept in a clean, dry and sanitary condition at all times. Manure, uneaten and discarded feed, feathers and other waste must be removed regularly and at a minimum of once per week.
 - (i) Odors from hens, manure or related substances shall not be detectable from property lines.
 - (ii) Manure must be stored and disposed of. Manure may be composted. All manure not composted must be removed from property regularly and at a minimum of once per week.
- (g) No person shall maintain a coop without first obtaining a license from the City of Champaign. Licenses shall be issued when all conditions outlined in this section are met.
 - (1) The City may deny a license to any person who:
 - (i) owes money to the City; or
 - (ii) has, in the last five (5) years prior to application for a license under this section been convicted or plead guilty to any violation

Attachment B. City of Champaign Zoning Requirements for Hens
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of chapter 7 (animals), chapter 21 (noise), chapter 22 (property maintenance) or chapter 37 (zoning).

- (2) All licenses pursuant to this section shall be valid for one year from the date of issuance. Licenses may be automatically renewed if the licensee has been in compliance during the previous year. If the licensee is found to be in violation of the standards outlined in Section 7-19, the license will be allowed to expire at the end of the period. A new license will only be issued after the coop and run have been inspected and determined to meet all requirements outlined herein.
- (3) If the licensee is found to be in violation of Sections 7-4 - Cruelty to Animals Prohibited or 7-15 - Animals For Use in Entertainment, the license will be immediately and permanently revoked.
- (4) Only persons residing in one and two family dwelling units are eligible for a license.
- (5) Only one chicken coop license will be issued per zoning lot. A zoning lot consisting of multiple platted lots shall be considered one lot.
- (6) Coop licenses are non-transferrable.
- (7) Costs:
 - (i) The coop license shall cost \$25.00. This license shall renew automatically if the licensee is in compliance with all standards set forth in this section. No charge is incurred for licenses that renew automatically.
- (h) In addition to the general penalty previously set forth in Section 1-21, the owner of any coop is subject to the following additional penalties:
 - (1) A person found to be keeping hens without a coop license will have seven (7) days from notification to achieve compliance with these standards.
 - (2) A licensee found to be in violation of the standards outlined in Section 7-17 will have seven (7) days from notification to achieve compliance. If compliance is not achieved, the license will be revoked. The licensee may apply for a new license, subject to site inspection. If the licensee is found to be in compliance after inspection, a new license may be issued.

Attachment B. City of Champaign Zoning Requirements for Hens
OCTOBER 28, 2024

- (3) If the licensee is found to be in violation of these standards three or more times, the license will be immediately and permanently revoked.
 - (i) Hens, coops and runs not maintained according to this section shall be deemed a public nuisance.
- (C.B. No. 2013-230, § 1, 12-3-13)

Attachment C. Excerpt of 510 ILCS 77 Livestock Facilities Management Act
OCTOBER 28, 2024

(510 ILCS 77/10.10)

Sec. 10.10. Animal unit. "Animal unit" means a unit of measurement for any animal feeding operation calculated as follows:

- (1) Brood cows and slaughter and feeder cattle multiplied by 1.0.
 - (2) Milking dairy cows multiplied by 1.4.
 - (3) Young dairy stock multiplied by 0.6.
 - (4) Swine weighing over 55 pounds multiplied by 0.4.
 - (5) Swine weighing under 55 pounds multiplied by 0.03.
 - (6) Sheep, lambs, or goats multiplied by 0.1.
 - (7) Horses multiplied by 2.0.
 - (8) Turkeys multiplied by 0.02.
 - (9) Laying hens or broilers multiplied by 0.01 (if the facility has continuous overflow watering).
 - (10) Laying hens or broilers multiplied by 0.03 (if the facility has a liquid manure handling system).
 - (11) Ducks multiplied by 0.02.
- (Source: P.A. 89-456, eff. 5-21-96.)