

Tower Lakes Public Hearing on Backyard Chickens
December 11, 2019



Introduction - Plan Commission (PC) Members

- Jackie Aprati
- Shaun Kildare
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- Tim Moffitt
- Kathy Pattengale
- Ken Stevens

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Summary of the Public Hearing Process

- Purpose of this Public Hearing: Review ordinance changes that allow chickens with restrictions in Tower Lakes
- Role of Plan Commission in this Public Hearing (Advisory)
- The Plan Commission will endeavor to make a recommendation to the Village Board to approve or disapprove the proposed amendments to the Village's Zoning Regulations.
- The final decision on the proposed text amendments will be made by the Village Board in the form of an Ordinance after the Board receives the recommendation of the Plan Commission.

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Public Hearing

- Motion to Open Public Hearing
- Swearing in by the Village Attorney of members of the public who wish to speak and/or testify
- The Plan Commission will make a presentation on the proposed text amendments relative to the regulation of chickens.

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Our Charge from the Tower Lakes Board

- Develop amendments to current zoning ordinance(s) examining the possibility for allowing chickens in Tower Lakes with restrictions

This Presentation

- (Not So) Brief History
- Plan Commission Approach
- The Proposal
- Next Steps

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History

- 08-17-2017 Village Board (VB) directive to PC to consider chickens in TL
- 10-16-2017 PC report to Village Board
- 07-26-2018 ZBA Variance Hearing on requested chicken variance
- 08-20-2018 VB vote against changing current ordinance
- 07-17-2019 PC reconsideration of permitting chickens with restrictions
- 08-19-2019 PC presentation of proposed ordinance revisions at VB
- 10-01-2019 Planning, Building, and Zoning revision of draft ordinances
- 10-21-2019 VB vote to approve proposed draft revised ordinances
- 12-11-2019 PC Public Hearing on draft revised ordinances

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PC Approach

- Review current ordinance
- Conduct review of local ordinances
- Define the scope the issue
- Develop proposal

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Existing Ordinance

- Zone F: Farming
 - On a lot or plot of not less than twenty (20) acres in area, the growing of usual farm products, such as vegetables, fruits, trees and grain and their storage, and the raising of usual farm poultry and livestock and other customary uses of agricultural land.

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Benchmarked 300+ cities, municipalities, villages, and local communities

Locale	Status: Chickens Allowed?
Barrington	Yes; ordinance agricultural districts or special use with restrictions
Barrington Hills	Yes; code unclear
Lake Barrington	Yes; ordinance with restrictions
North Barrington	Yes; ordinance with restrictions
Port Barrington	Yes; ordinance with restrictions
South Barrington	No; ordinance
Wauconda	Yes; ordinance with restrictions
Chicago	Yes; ordinance with restrictions
Other	300+ cities across 48 states and Canada investigated; approximately 70% Yes, with restrictions, 30% No

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Define the Scope

- Goal – based on the charge from the Board
- Technical Details
- Risks/Concerns vs. Benefits
- Community/Administration Input

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Rationale – What is the proposal based on

- Address questions raised at ZBA Variance Hearing 07-26-2017 and Village Board Meeting 08-20-2018
- Respond to emerging trends (similar to garden fencing ordinance update)
- Consider related ordinances and homeowners' covenants
- Compare with other local community ordinances
- Define clear and concise ordinance language regarding backyard chickens
 - Prepare zoning for any adjacent properties annexed in the future
 - Address any future potential challenges to existing ordinance

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Options Considered by the Plan Commission

- Maintain existing ordinance prohibiting chickens based on current zoning (original Plan Commission recommendation from 11/17)
- Amend the current zoning ordinance(s) examining the possibility for allowing chickens with restrictions (as charged by the VOTL Board)

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Proposal Topic Areas

(see handout)

- Administration and Enforcement
- Animal Welfare
- Coops and Runs
- Aesthetics, Community Value, and Character
- Public Health and Environmental Concerns

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Administration and Enforcement

- Annual registration, permits, and inspections
- Limited to parcels 2 acres or more in zones A-3, A-4, and F
- Excludes Fenview and Timber Court due to existing Covenants
- Does not allow chickens on vacant parcels
- Requires building permits prior to construction of coops and runs
- Allows 180 days for existing nonconforming operations to comply

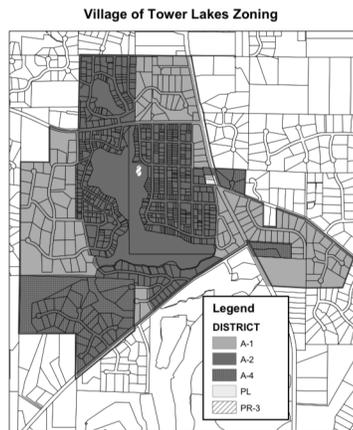
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Zoning Map

- A-1 Residential
- A-2 Residential
- A-3 Residential (5 acres)
- A-4 Residential (2 acres)
- PL Public Land
- PR-3 Private Recreational
- Farm (no less than 20 acres)



Map of Tower Lakes, Illinois, showing zoning districts. The map is a grayscale representation of the village's layout, with different areas shaded to represent various zoning districts. A legend in the bottom right corner of the map area identifies the districts: A-1 (light gray), A-2 (medium gray), A-4 (dark gray), PL (white), and PR-3 (hatched). The map also includes a scale bar and a north arrow.



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Animal Welfare

- Allows up to 12 female chickens of any age per parcel
- Requires predator aprons
- Does not allow slaughtering

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Coops and Runs

- Allows freestanding chicken coops
- Specifies dimensions and materials for coops and runs
- Requires that all coops and runs are enclosed
- Allows fences for chicken runs

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Aesthetics, Community Value, and Character

- Stipulates that coops and runs adhere to required setbacks (30 feet from any property line)
- Requires that coops and runs are located a minimum of 75 feet from adjacent neighbors' homes
- Requires screening of coops and runs from adjacent neighbors' properties
- Prohibits noise and odors from impacting neighbors

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Public Health and Environmental Concerns

- Prohibits chickens on parcels that are adjacent to TL waterways
- Requires that chickens are confined
- Mandates the use of deep litter systems and other best practices
- Requires rodent-proof storage of feed
- Prohibits the sale of eggs

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Potential Impact from Disease

- Bacteria (e.g. fecal coliforms E.coli, salmonella, listeria, campylobacteriosis)
 - Spread through chicken waste
 - Can be spread through a contaminated environment or feed
 - Can also be spread through improperly composted vegetable gardens
 - Waterborne; spread through water system and can make water unsafe for humans
- Avian influenza
 - Spread among poultry and other fowl through contact with fecal matter of infected birds
 - Can be spread to humans as a deadly form of the flu
 - More common where free-range chickens can come into contact with waterfowl
- West Nile virus
 - Can be carried by birds, even if they show no signs of infection

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Potential Environmental Impacts of Chicken Waste from High-density and/or Large-scale Chicken Populations

- Transports nitrogen and phosphorus from stormwater runoff
- Impacts surface water and groundwater
- Depletes the oxygen supply in streams, lakes, and other waterways
- Affects the aquifers and public water supply
- Impacts aquatic animals and other wildlife
- Increases the effects of flooding due to climate change

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Public Hearing

- Questions and comments from members of the Plan Commission
- Public comments: questions and/or testimony from members of the public and/or their attorney(s)
- Plan Commission discussion and deliberations
- Plan Commission motion to recommend approval or denial of the proposed chickens regulations
- Motion to close the Public Hearing

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Next Steps

- The Village Board will receive the Plan Commission's recommendation and will then consider whether or not to approve the proposed text amendment to the Village's Zoning Regulations relative to the regulation of chickens by the passage of an Ordinance
- The final action by the Village will occur at a separate Village Board meeting where the Village Board may approve such Zoning Text Amendments by Ordinance.
- Adjournment

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