



Planning & Zoning Commission Meeting Agenda
February 3, 2025 - 5:30 PM
City Council Chambers, City Hall, 3rd Floor,
1528 Third Avenue, Rock Island, IL

1. Call to Order

2. Roll Call

Michael Creger, Reshanda Johnson, Donald Mewes, Norm Moline, Samuel Odeyemi, Maureen Riggs, Bill Sowards, Tanja Whitten, Sarah Wright

3. Public Comment

4. Minutes

- a. Approval of the January 6, 2025 Meeting Minutes
Motion: Move to approve the January 6, 2025 Meeting Minutes
RC Roll Call vote is needed.

5. Old Business

6. Public Hearings

- a. 2025-03: Public hearing request from Kelli Fiegley of Fresh Films to consider a variance from the Rock Island Sign Ordinance in a B-2 downtown business district for property at 428 19th Street.
RC Roll Call vote is needed.
- b. 2025-04: Public hearing request from Stephanie Horton to consider variances from the Rock Island Zoning Ordinance in an R-2 (one-and-two unit residential) district for property at 524 18th Avenue.
RC Roll Call vote is needed.
- c. 2025-05: Public hearing request from Amir Rasheed to consider a use authorization in a B-3 (community business) district for property at 2425 11th Street
RC Roll Call vote is needed.
- d. 2025-06: Public hearing request from the City of Rock Island to consider a rezoning from PUD (Planned Unit Development) district to B-3 (community business) district for the Solomon Properties.
RC Roll Call vote is needed.
- e. 2025-07: Public hearing request from Jose Beltran to consider a special exception from the Rock Island Urban Chicken Ordinance in an R-2 (one-and-two unit residential) for property at 1517 14 1/2 Street.
RC Roll Call vote is needed.

7. Other Business/New Business

- a. Review of the Urban Agriculture Ordinance

8. Adjourn

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Rock Island Planning & Zoning Commission Minutes

Council Chambers, City Hall, 3rd Floor

1528 3rd Avenue

January 6, 2025

5:30 PM



Voting Members Present	Maureen Riggs Mike Creger Bill Sowards Sarah Wright Tanja Whitten Don Mewes Norm Moline
Voting Members Absent	Reshanda Johnson Samuel Odeyemi
Staff Present	Eunice Amissah-Mensah, Urban Planner

Call to Order and Roll Call

Chair Riggs called the meeting to order at 5:39 PM and read the roll call.

Public Comment

No members of the public wished to comment so the meeting continued.

Approval of the Previous Meeting Minutes

Creger moved to approve the minutes for December 2, 2024. Sowards seconded the motion. The motion carried unanimously on a vote of 7 to 0.

Public Hearings

2025-01 Public hearing: Request from Barry Reuther to consider a variance from the Rock Island Zoning Ordinance in an R-2 (one-and-two unit residential) district for properties at 2933, 2939, 2951 and 2963 9th Street.

Amisshah-Mensah read the staff report with the recommendation for approval of the request.

Barry Reuther, the applicant, spoke on the request. He explained that he had received a Special Use Permit from the Planning Commission and the City Council to sell produce from the garage at the property. He added that he intends to continuously clean up and improve the property and beautify the neighborhood. He added that his neighbors appreciate the work being done and he is willing to comply with the City to keep the work going.

Commissioners asked about the work being done on the garage. Mr. Reuther confirmed his plans to sell produce. Commissioners discussed the location of the fence and concurred that the fence will need to be cut back on the corner for better sight lines. Commissioners also asked about the historical designation process of the house. Mr. Reuther noted that the home was previously deemed one of Rock Island's top 100 unprotected historic homes.

As there were no other questions or members of the public wishing to speak, Chair Riggs called for a motion.

Recommendation for Case 2025-01

Moline made a motion to approve the variance with the stipulation that the fence be moved from the right-of-way and the corner connection be corrected. Mewes seconded the motion. The motion carried on a vote of 7 to 0 (Riggs, Mewes, Sowards, Wright, Whitten, Moline, and Creger)

2025-02 Public hearing: Request from Mike Shorter of Amerco Real Estate Company to consider a special exception from the Rock Island Zoning Ordinance in a B-4 (highway business) district for property 3840 46th Avenue.

Amissah-Mensah read the staff report with the recommendation for denial of the request.

Mike Shorter, Marketing Company President for U-haul of Eastern Iowa, spoke on the request. He stated that U-Haul wants to expand services to better serve the community. He added that they provide various services, including storage and truck sharing and have partnered with Augustana College to provide storage for students. He further stated that based on the demand he believes the community wants more of their storage product and in expanding the business to meet this demand, they would be able to create more job opportunities.

General Manager Emily Owens spoke on current community affairs and the local businesses and nonprofits that use their services. She stated that U-Haul is at max capacity and the outdoor units would help businesses with easier access. She added that they will ensure that the construction is up to the city's code requirements for snow loads and footing.

Commissioners asked how many storage units will be constructed. The applicant clarified that five structures with a total of 73 units will be constructed. Commissioners discussed the visibility of the proposed storage units. The applicant responded that the proposed structures would not be highly visible from Blackhawk Road and landscaping would be provided to mask the mini-storage structures.

Some Commissioners also expressed concern that the original retail development goal of the city will be stifled with this addition and added that the city needs more retail businesses.

Recommendation for Case 2025-02

Mewes made a motion to recommend approval of the request to the City Council. Mewes seconded the motion. The motion carried on a vote of 4 to 3 (Ayes - Whitten, Mewes, Wright and Riggs, Nays - Sowards, Moline and Creger)

Other Business

Code Interpretation of front yard fence height regulation

The commission reviewed a case involving a fence installed by Wayne Schadt. The fence, built at a height of 6 feet, exceeded the allowable height limit in a front yard under the current City fence regulation. It was installed in response to issues with the neighbor's dogs. At the time of installation, staff interpreted the fence as compliant with the code where staff allow houses that are setback farther from the street to extend a 6-foot fence in their front yard so long as it is along the side of their property and does not extend past the point where their neighbor could place a 6-foot fence. The neighbor with the dogs requested a hearing on the matter but failed to attend. Staff presented photographs of the fence and cited another instance of administrative approval for a similar fence.

Commissioners suggested that have staff look into amending the code to explicitly allow for houses with unique setback situations to install 6-foot fences in their front yard so long as it does not extend past the point where their neighbor could place a 6-foot tall fence.

Mewes made a motion to affirm that staff may continue to administratively approve fence height on a house to house basis or as and when unique situations are presented. Whitten seconded the motion. The motion carried on a vote of 7 to 0. (Riggs, Mewes, Moline, Sowards, Wright, Whitten, and Creger)

Adjournment

Chair Riggs adjourned the meeting at 6:50 PM.

Minutes submitted by Eunice Amissah-Mensah.

Memorandum



To: Rock Island Planning & Zoning Commission
From: Eunice Amissah-Mensah, Urban Planner, Tanner Osing, Planning & Zoning Manager
Subject: 2025-03: Public hearing request from Kelli Fiegley of Fresh Films to consider a variance from the Rock Island Sign Ordinance in a B-2 downtown business district for property at 428 19th Street.
RC Roll Call vote is needed.
Date: February 3, 2025

Introduction and Background Information:

Applicant:

Kelli Fiegley of Fresh Films

Location:

428 19th Street

Size of Property:

The property measures 4,194.4 square feet with about 71 feet of frontage along 19th Street and 61 feet of frontage along 5th Avenue

Topography:

The site is flat and sits slightly above street level.

Zoning History:

None

Existing Land Use & Zoning:

The property is zoned B-2 (downtown business) district. To the north, south, east and west of the property are properties zoned B-2 (downtown business) district.

Project Details:

The applicant spoke to staff regarding the installation of a sign on the non-street facing side of the building as the property has multiple windows on the street-facing facades. Upon review of the sign details, staff informed the applicant that a variance will be needed for the size and location of the sign.

Requested Action and Affected Requirements:

The request is for variances from the Sign Ordinance to install a 14ft by 7ft attached sign on the non-street facing facade at the property as described in Table 1.

Table 1

Variance	Requested Action	Affected Sign Ordinance
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		Requirements
(1)	• Install a 14ft by 7ft sign on the non-street facing façade of the building (west). • Install a sign that is 52 square feet larger than the maximum allowed attached sign area of 46 square feet.	Attached on premises signs may have an aggregate area of two (2) square foot for each linear foot of building frontage facing a street (Section 4-64-a-2).

Conditions to Authorize Variances & Staff Analysis:

Variances shall only be authorized if two (2) of the three (3) conditions as provided in Chapter 8, Section 6-A of the Zoning Ordinance are found. The Commission will make the final decision regarding this request. Table 2 includes the conditions to authorize variances with the corresponding staff analysis and conclusion of if the condition is met.

Table 2

Conditions to Authorize Variance (s)	Staff Analysis	Meets Condition (Yes/No)
1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone;	Staff believe that the property cannot yield a reasonable return without the variance. The building's design includes many windows on the street-facing facades, specifically the east and south sides, which limits the area available for a sign. These windows make it difficult to place a sign that would be visible from the street while still adhering to the ordinance. The proposed location on the west side of the building will allow the sign to be appropriately placed facing oncoming traffic on 5th Avenue, which is a one-way.	Yes
2. The plight of the owner is due to unique circumstances. There are exceptional or extraordinary circumstances or conditions applying to the property in question as to the intended use of the property that do not apply generally to other	The building's architectural design, with its many windows on the street-facing sides, presents a unique circumstance. This is not a common situation for other properties in the same zoning district. Due to this design feature, there is not adequate space for a sign of any size to be placed on the street-facing	Yes

properties or classes of uses in the same zoning district; and	sides of the building.	
3. The variance, if granted, will not alter the essential character of the locality. Such variance is necessary for the preservation and enjoyment of a substantial property right-of-way possessed by other properties in the same zoning district and in the vicinity.	The proposed sign will not negatively impact the character of the neighborhood. The sign's location on the west side of the building, facing the one-way 5th Avenue, is appropriate and will be visible to traffic. If the sign was placed on 19th street it would be within the allowable size, which demonstrates that the proposed placement is more a matter of function than a matter of sign size.	Yes

Previous Council Action (if any):

NA

Budget Impact:

NA

Additional Information as applicable (i.e. provide alternative options, community or staff input, staffing impact; resident impact; etc.):

NA

Council Goal (if applicable):

NA

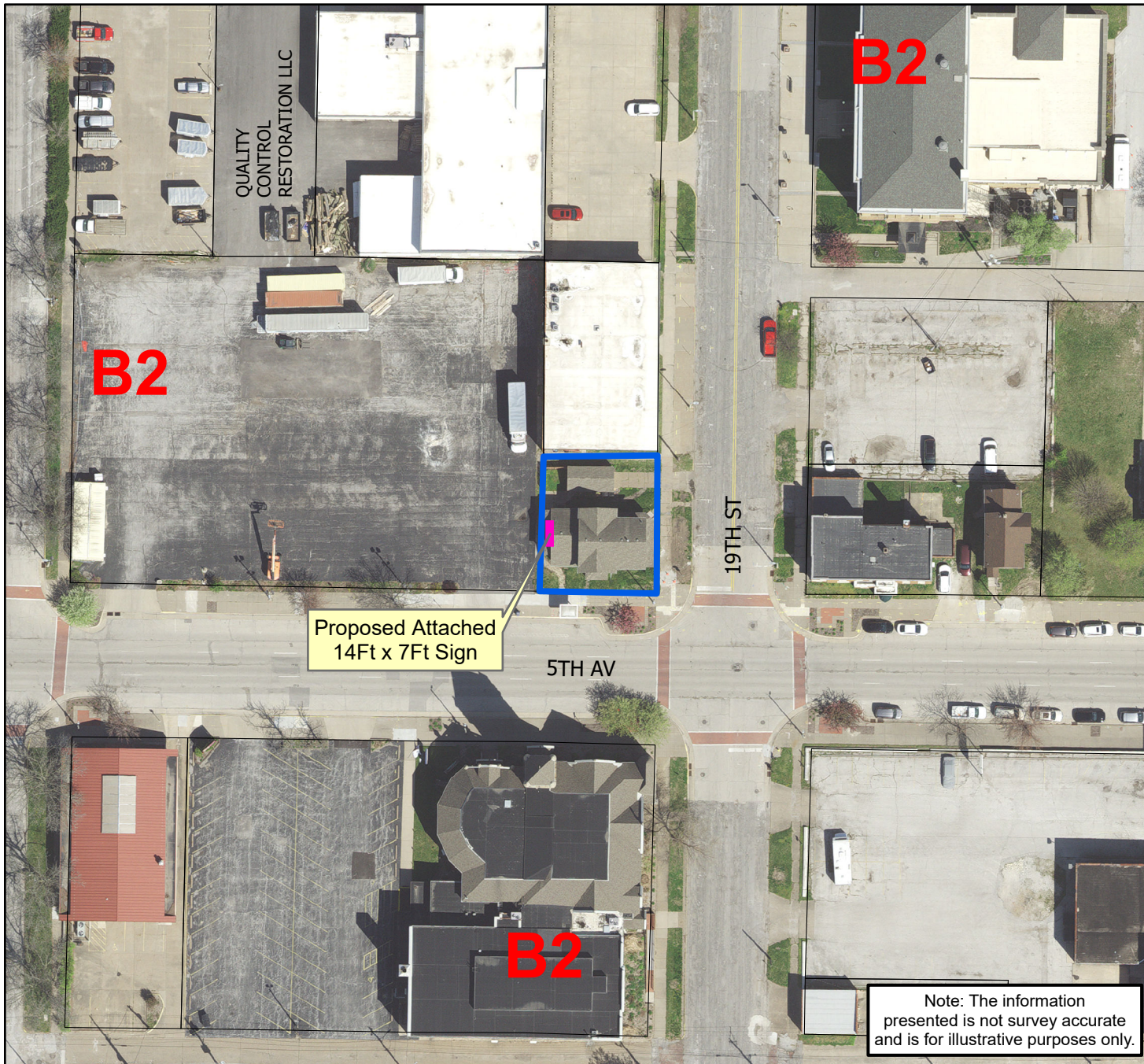
Recommendation:

The Community Development Department recommends that the Commission approve the sign variance as it is needed for the property to yield a reasonable return, there is a unique circumstance and the signage does not alter the character of the neighborhood.

Submitted by: Eunice Amissah-Mensah, Urban Planner

Approved by:

Sign Variance at 428 19th Street



PZC Case 2025-03

 Subject Property

 Parcels

B2 Zoning District



0 20 40 80 120 Feet

City of Rock Island

COMMUNITY DEVELOPMENT
DEPARTMENT



Sign Variance at 428 19th Street

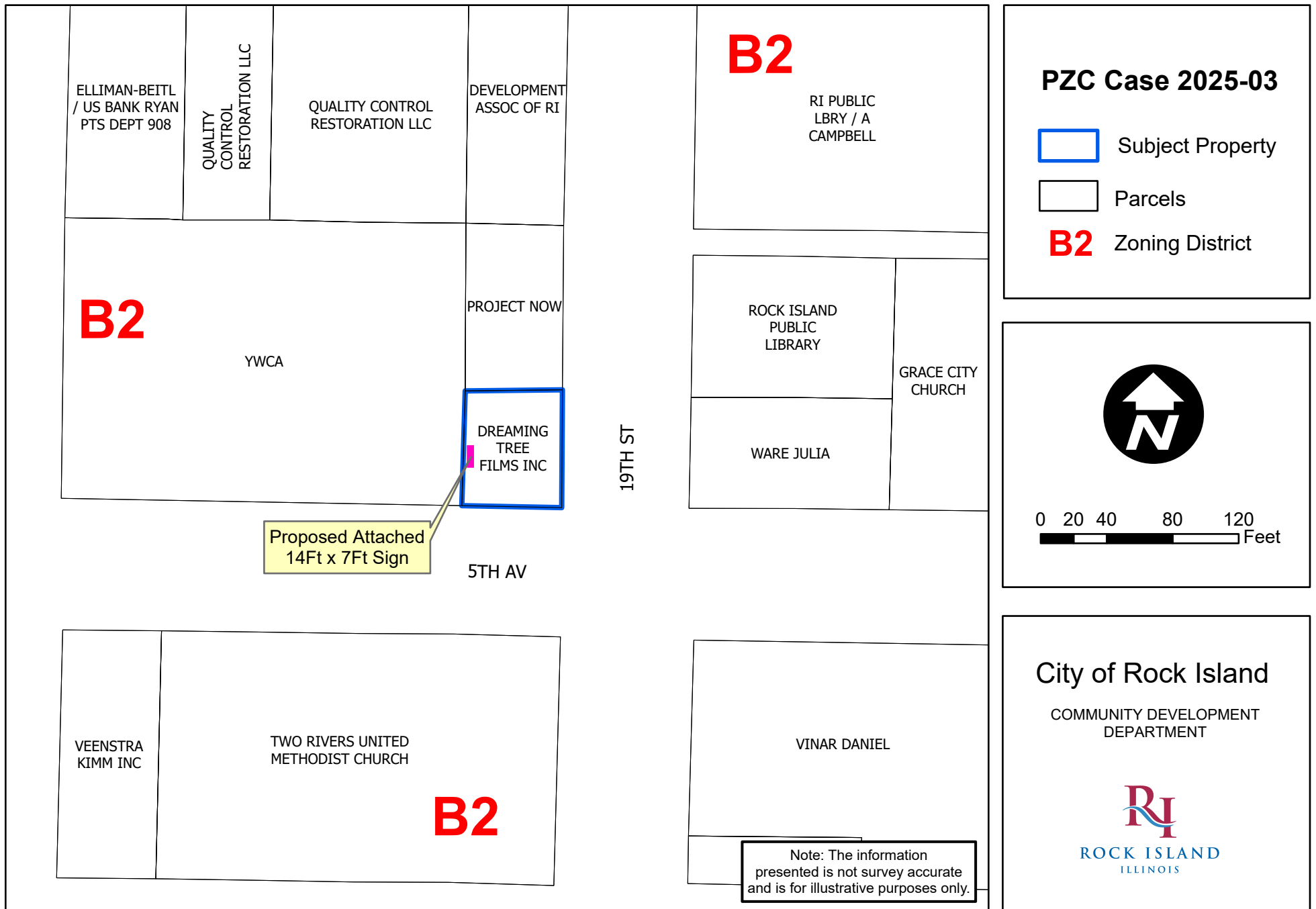




Figure 1: Photo showing the property from the corner of 19th Street or 5th Avenue



Figure 2: Photo showing proposed location of the sign from the adjacent parking lot along 5th Avenue

Memorandum



To: Rock Island Planning & Zoning Commission
From: Eunice Amissah-Mensah, Urban Planner, Tanner Osing, Planning & Zoning Manager
Subject: 2025-04: Public hearing request from Stephanie Horton to consider variances from the Rock Island Zoning Ordinance in an R-2 (one-and-two unit residential) district for property at 524 18th Avenue.
RC Roll Call vote is needed.
Date: February 3, 2025

Introduction and Background Information:

Applicant:

Stephanie Bacon Horton

Location:

524 18th Avenue

Size of Property:

The property measures approximately 4,373.4 square feet with about 43 feet of frontage along 18th Avenue.

Topography:

The property slopes up from north to south by approximately 2 feet and sits slightly above street level.

Zoning History:

None

Existing Land Use & Zoning:

The property is zoned R-2 (one-and-two unit residential) district. To the north, south, east, and west are properties zoned R-2 (one-and-two unit residential) district.

Project Details:

A permit application review process revealed that the accessory structure (carport) at the property did not meet the setback requirements for accessory structures. Staff informed the applicant that a variance will be needed to maintain the carport in the rear yard of the property.

Requested Action and Affected Requirements:

The request is for variances from the Zoning Ordinance to maintain a carport in the rear yard that will be setback approximately 6 ½ inches from the property line to the west and 3 feet from the alleyway at the property as described in Table 1.

Table 1

Variance	Requested Action	Affected Zoning Requirements
(1)	Maintain a carport in the rear yard that will be setback approximately • 6 ½ inches from the property line to the west and • 3 feet from the alleyway.	Accessory structures must be setback • 3 feet from all property lines and • 6 feet from an alleyway (Chapter 11, Section 6).

Conditions to Authorize Variances & Staff Analysis:

Variances shall only be authorized if two (2) of the three (3) conditions as provided in Chapter 8, Section 6-A of the Zoning Ordinance are found. The Commission will make the final decision regarding this request. Table 2 includes the conditions to authorize variances with the corresponding staff analysis and conclusion of if the condition is met.

Table 2

Conditions to Authorize Variance	Staff Analysis	Meets Condition (Yes/No)
1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone;	Staff believe that the property could yield a reasonable return without the 6.5 inches setback variance as a slightly smaller carport would conform to the side yard setback requirements.	No
	Staff believe that the property cannot yield a reasonable return without the 3ft alleyway setback. Requiring an alteration to the existing structure would impact the homeowner's use of the property. Additionally, other nearby properties also have garages setback a similar distance.	Yes
2. The plight of the owner is due to unique circumstances. There are exceptional or extraordinary circumstances or conditions applying to the property in question as to the intended use of the property that do	The topography, lot size, and zoning of the property are typical for the area and do not present exceptional or extraordinary circumstances that would justify setback variances.	No

not apply generally to other properties or classes of uses in the same zoning district; and		
3. The variance, if granted, will not alter the essential character of the locality. Such variance is necessary for the preservation and enjoyment of a substantial property right-of-way possessed by other properties in the same zoning district and in the vicinity.	The reduced side yard setback (6.5 inches) is inconsistent with the spatial harmony character of the neighborhood and could set a precedent for non-compliant structures on other properties in the future.	No
	The 3ft alley setback does not alter the character of the neighborhood as properties within the vicinity have accessory structures that are closer to the alleyway.	Yes

Previous Council Action (if any):

NA

Budget Impact:

NA

Additional Information as applicable (i.e. provide alternative options, community or staff input, staffing impact; resident impact; etc.):

NA

Council Goal (if applicable):

NA

Recommendation:

The Community Development Department recommends that the Commission approve the 3-foot alley setback as it is necessary to yield a reasonable return and it does not alter the character of the neighborhood.

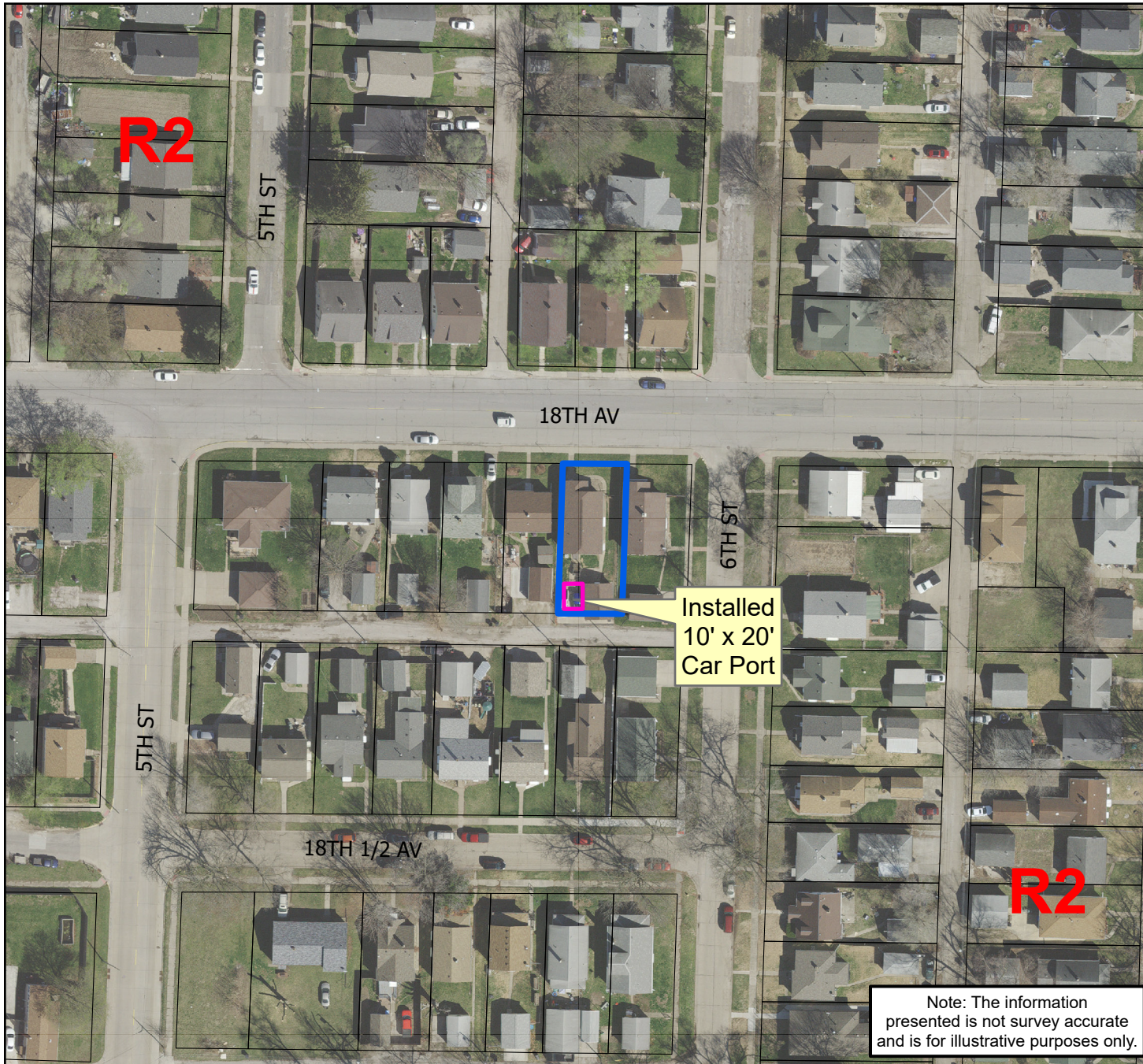
Additionally, the Department recommends that the Commission deny the 6 ½ inches setback as it is not necessary to yield a reasonable return, there is no unique circumstance and it alters the character of the neighborhood. However, if the Commission decides to approve the 6 ½ setback variance with different findings, staff recommend the following stipulation.

1. The carport shall not be enclosed on more than one (1) side.

Submitted by: Eunice Amissah-Mensah, Urban Planner

Approved by:

Setback Variance at 524 18th Avenue



PZC Case 2025-04

-  Subject Property
-  Parcels
-  Zoning District
-  10' x 20' Car Port



0 20 40 80 120 160 Feet

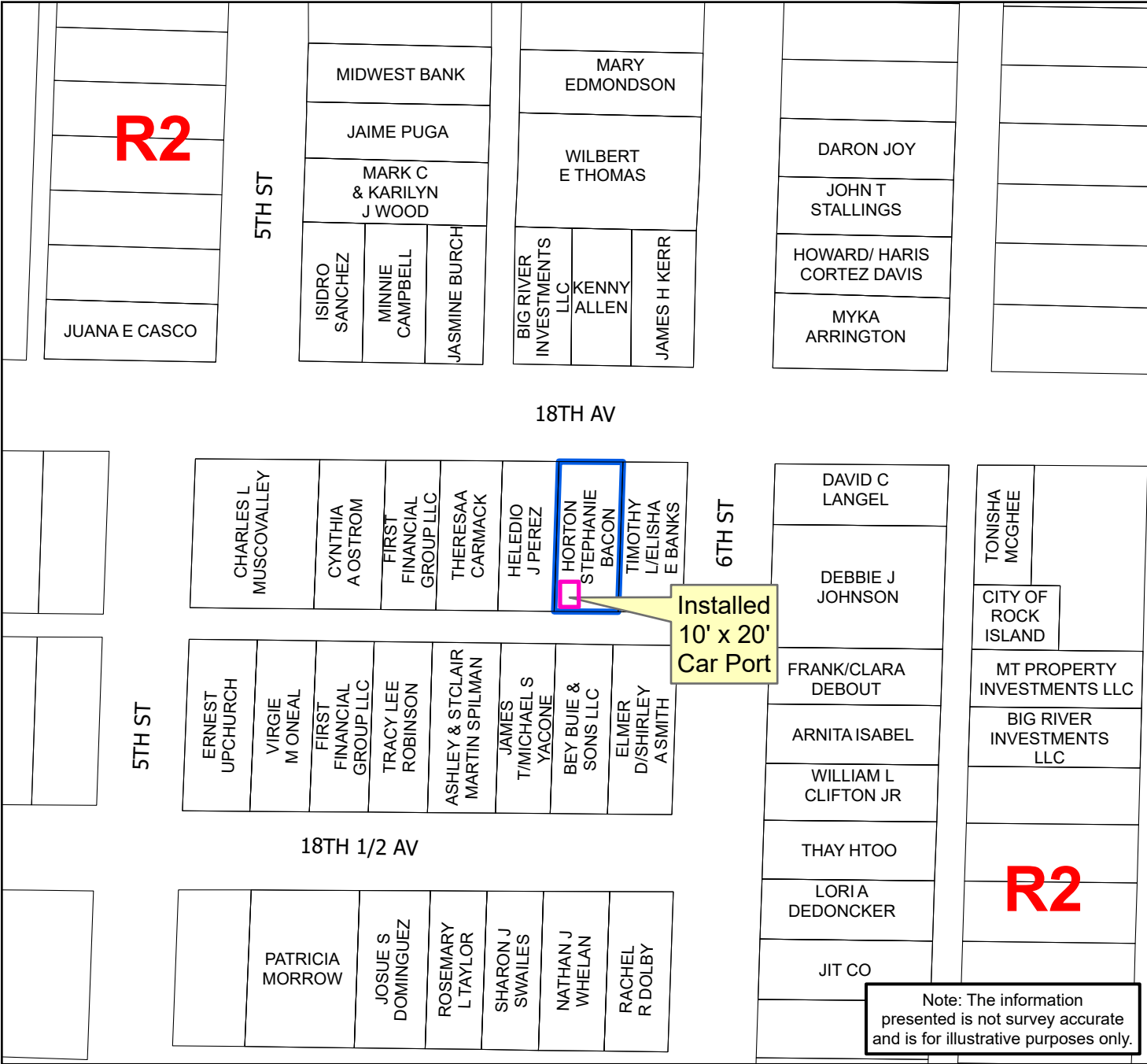
City of Rock Island

COMMUNITY DEVELOPMENT
DEPARTMENT



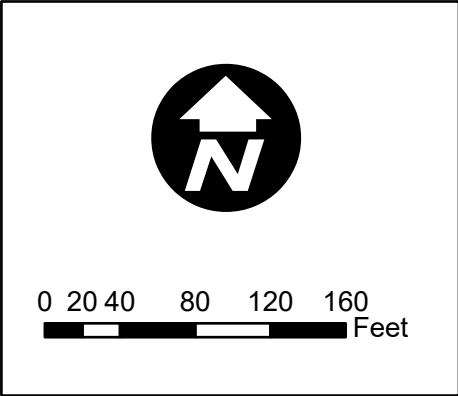
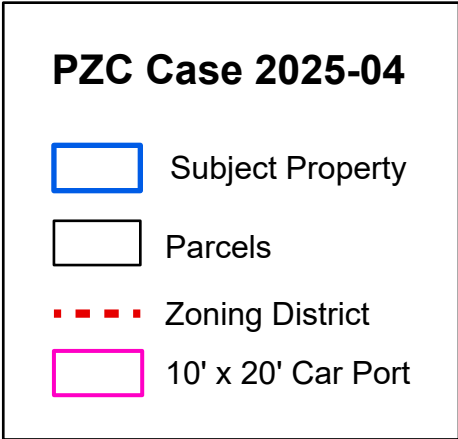
Note: The information
presented is not survey accurate
and is for illustrative purposes only.

Setback Variance at 524 18th Avenue



PZC Case 2025-04

-  Subject Property
-  Parcels
-  Zoning District
-  10' x 20' Car Port



City of Rock Island

COMMUNITY DEVELOPMENT
DEPARTMENT



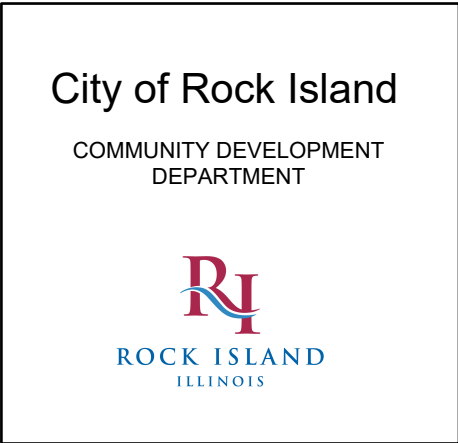
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ILLINOIS

City of Rock Island

COMMUNITY DEVELOPMENT
DEPARTMENT



ROCK ISLAND
ILLINOIS



Note: The information presented is not survey accurate and is for illustrative purposes only.



Figure 1: Overview of Carport as attached to garage



Figure 2: Photo showing 6 ½ inches setback on west side of property



Figure 3: Photo showing accessory structures that have similar setbacks (from east to west)



Figure 4: Photo showing accessory structures that have similar setbacks (from west to east)

Memorandum



To: Rock Island Planning & Zoning Commission
From: Eunice Amissah-Mensah, Urban Planner, Tanner Osing, Planning & Zoning Manager
Subject: 2025-05: Public hearing request from Amir Rasheed to consider a use authorization in a B-3 (community business) district for property at 2425 11th Street
RC Roll Call vote is needed.
Date: February 3, 2025

Introduction and Background Information:

Applicant:

Amir Rasheed

Location:

2425 11th Street

Size of Property:

The property measures 10,857.8 square feet with 64 feet of frontage along 11th Street and 169 feet of frontage along 25th Avenue.

Topography:

The property slopes up from west to east by approximately 2 feet and sits slightly above street level.

Zoning History:

- Special Use Permit 1995-03: Request to operate a major auto repair business
- Special Use Permit 2008-09: Amending a SUP to change the name of the owner/operator

Existing Land Use & Zoning:

The property is zoned B-3 (community business) district. To the north and south of the property are properties zoned B-3 (community business) district. To the west are properties zoned R-2 (one-and-two unit residential) district. To the east of the property is property zoned R-3 (one to six unit residential) district.

Project Details:

The subject property provides repair services to cars from Unique Motors dealership. Unique Motors car dealership operates on the adjacent property.

Staff received complaints about the volume and condition of vehicles found at the property, and engaged the business on the activities being conducted there. Staff noticed that many of the vehicles stored are wrecked and unregistered. Through the enforcement process, staff

informed the applicant that an authorized use from the Planning & Zoning Commission would be needed to conduct the minor automobile repair business.

Requested Action and Affected Requirements:

The request is a use authorization from the Zoning Ordinance to continue the operation of a minor automobile repair as described in Table 1.

Table 1

Use Authorization	Requested Action	Affected Requirements
(1)	To continue the operation of a minor automobile repair to primarily service vehicles for Unique Motor car dealership business.	The Zoning Ordinance requires that automobile repair uses in a B-3 zoning districts be authorized by the Planning & Zoning Commission (Article 20, Section 4).

Conditions to Authorize Use & Staff Analysis:

A use shall only be authorized if two (2) of the three (3) conditions as provided in Chapter 8, Section 6-A of the Zoning Ordinance are found. Table 2 includes the conditions for use authorization with the corresponding staff analysis and conclusion of if the condition is met. The Board will make the final decision regarding this request.

Table 2

Conditions to Authorize Use	Staff Analysis	Meets Condition (Yes/No)
1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone;	Staff believe that the property cannot yield a reasonable return without the use authorization. The property has successfully been used as an automobile repair business and continuing to do so will provide a reasonable return.	Yes
2. The plight of the owner is due to unique circumstances. There are exceptional or extraordinary circumstances or conditions applying to the property in question as to the intended use of the property that do not apply generally to	The property has been operating as a minor automobile repair shop and has been designed and retrofitted with equipment for the repair use. Staff reason that this is a unique circumstance.	Yes

other properties or classes of uses in the same zoning district; and		
3. The use, if granted, will not alter the essential character of the locality. Such variance is necessary for the preservation and enjoyment of a substantial property right-of-way possessed by other properties in the same zoning district and in the vicinity.	Given the subject property's previous history of use and its proximity to the car dealership, staff believe that with proper conditions and oversight, authorizing the minor automobile repair will not alter the character of the neighborhood.	Yes

Previous Council Action (if any):

See section on previous zoning history

Budget Impact:

NA

Additional Information as applicable (i.e. provide alternative options, community or staff input, staffing impact; resident impact; etc.):

NA

Council Goal (if applicable):

NA

Recommendation:

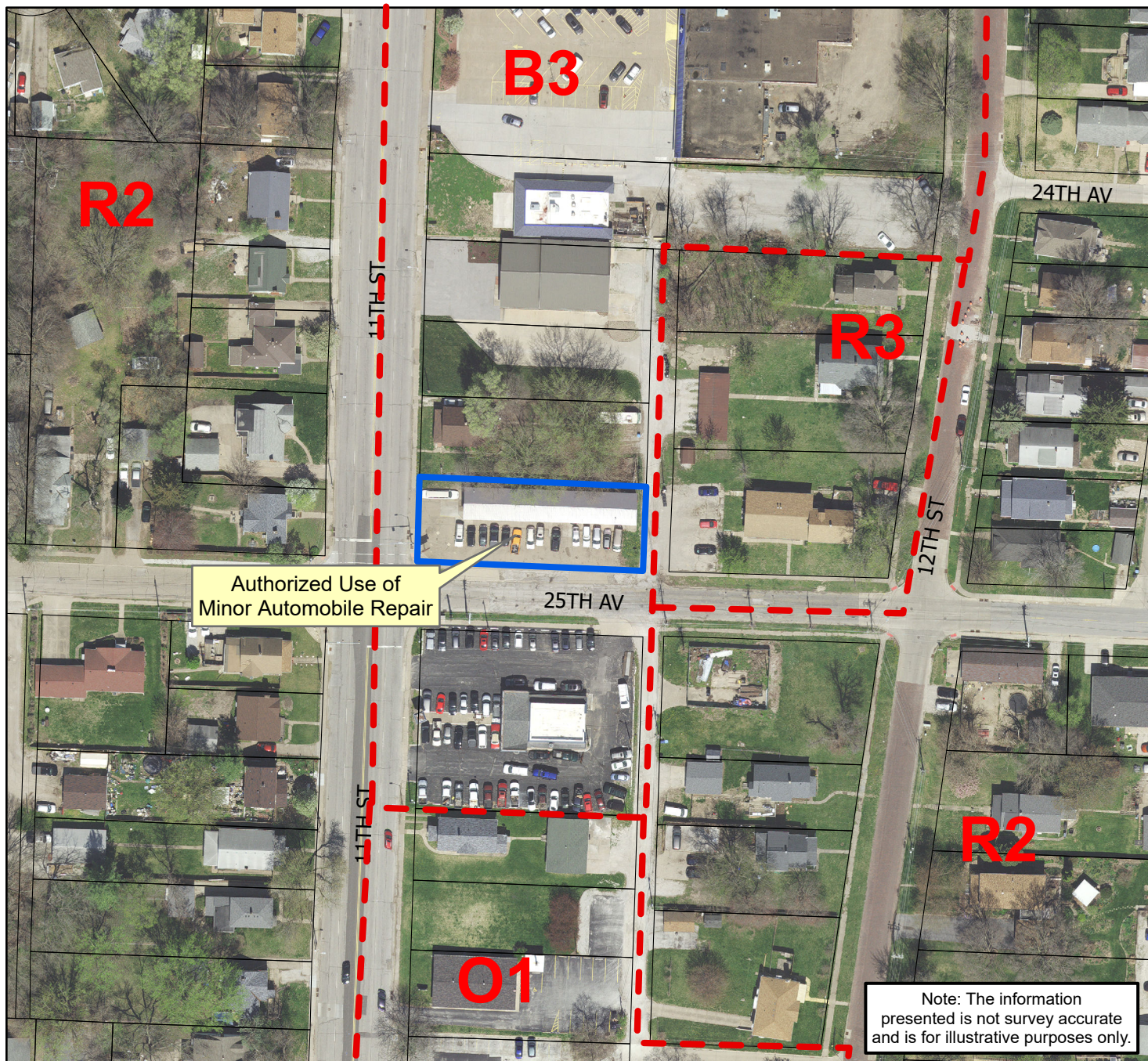
The Community Development Department recommends that the Commission approve the use authorization as it is needed for property to yield a reasonable return, there is a unique circumstance, and the use will not alter the character of the neighborhood with the following stipulations;

1. All repair work and servicing shall take place within a fully enclosed building. Bay doors are permitted to be open during hours of operation.
2. No partially dismantled, wrecked, inoperable, or unregistered vehicles shall be stored on the property.
3. Stacked parking is prohibited.
4. A minimum of twelve clearly marked parking spaces shall be provided.
5. Any outside storage besides vehicles including but not limited to vehicle parts, tires, or similar materials shall be prohibited.
6. No vehicles shall be stored and no repair work shall be conducted in the public right-of-way.
7. The use shall meet all other applicable codes and ordinances.

Submitted by: Eunice Amissah-Mensah, Urban Planner

Approved by:

Authorized Use of Minor Automobile Repair at 2425 11th Street



PZC Case 2025-05

-  Subject Property
-  Parcels
-  Zoning District



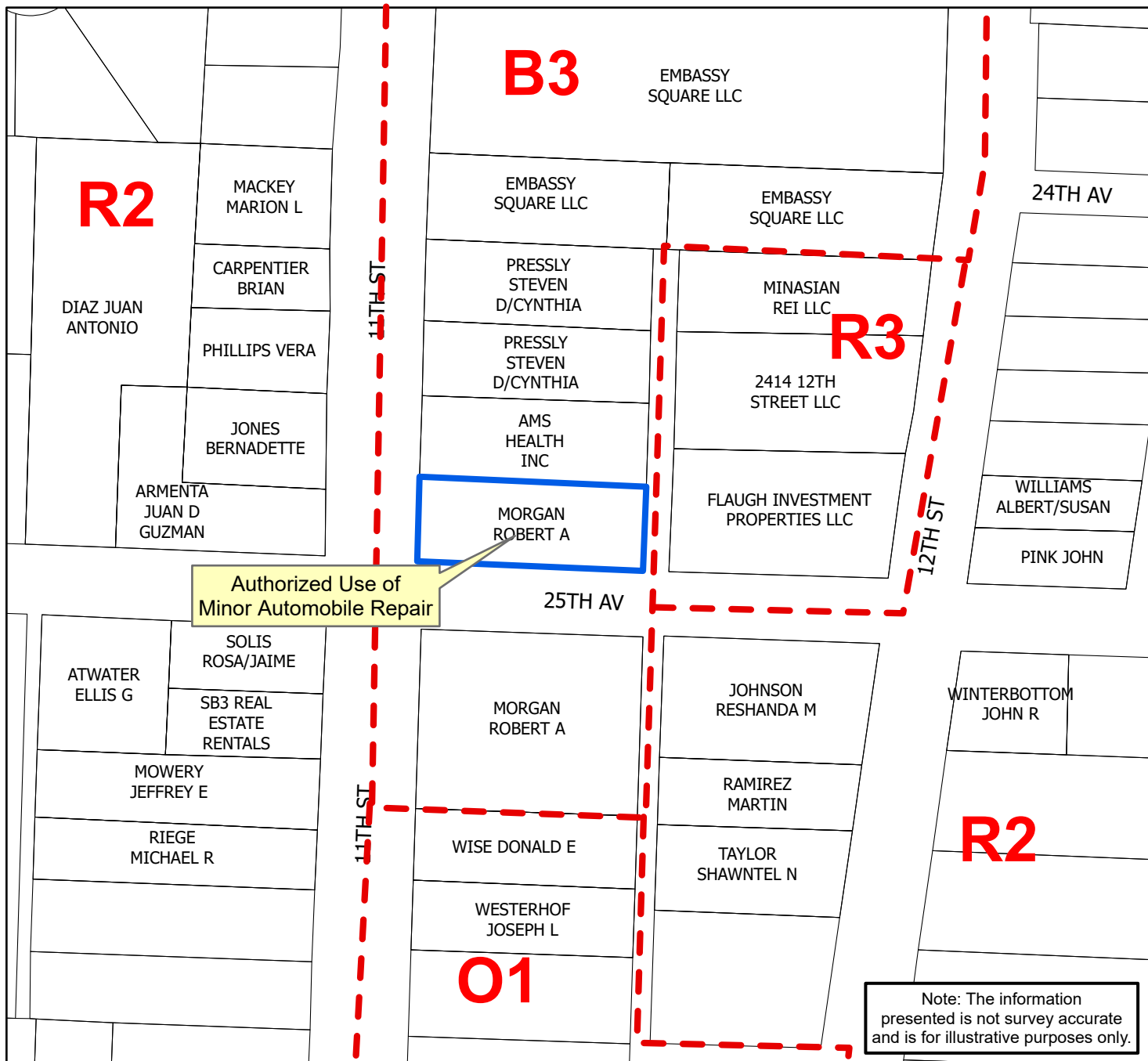
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City of Rock Island

COMMUNITY DEVELOPMENT
DEPARTMENT



Authorized Use of Minor Automobile Repair at 2425 11th Street



PZC Case 2025-05

-  Subject Property
-  Parcels
-  Zoning District



0 25 50 100 150 Feet

City of Rock Island

COMMUNITY DEVELOPMENT
DEPARTMENT



Note: The information presented is not survey accurate and is for illustrative purposes only.



Figure 1: Photo showing property from the corner of 11th Street and 25th Avenue



Figure 2: Photo showing property across 25th Avenue



Figure 3: Photo showing the setup in the building



Figure 4: Photo showing other equipment setup in the building



Figure 5: Photo showing repair space within the building

Memorandum



To: Rock Island Planning & Zoning Commission
From: Eunice Amissah-Mensah, Urban Planner, Tanner Osing, Planning & Zoning Manager
Subject: 2025-06: Public hearing request from the City of Rock Island to consider a rezoning from PUD (Planned Unit Development) district to B-3 (community business) district for the Solomon Properties.
RC Roll Call vote is needed.
Date: February 3, 2025

Introduction and Background Information:

Requested Action:

The City of Rock Island has filed an application to request a rezoning of the Solomon Site properties from PUD (Planned Unit Development) district to B-3 (community business) district.

Previous Zoning Action:

- Planning Commission 2020-2: Rezoning Request from R-3 and B-3 to PUD (Planned Unit Development) District and Site Plan Review at 11th Street and 5th Avenue and 606, 610 and 614 11th Street
- Planning Commission 2023-4: Properties (1016 6th Avenue, 602 11th Street, 618 11th Street, and 630 11th Street) rezoned from B-3 (community business) district to PUD (Planned Unit Development) district

Size of Properties:

The properties measure 130,210.5 square feet (approx. 3 acres).

Background Information:

The developer is no longer moving forward with the existing Planned Unit Development. The City now desires to rezone the land to business for future development.

Building Layout:

NA

Parking & Access:

Access to the sites could be made available from 11th Street, 5th Avenue, 6th Avenue and 7th Avenue.

Signage:

NA

Landscaping & Lighting:

NA

Staff Analysis:

The Comprehensive Plan identifies “Mixed Residential” land use for the section of properties between 5th Avenue and 6th Avenue and “Community Business” for the section of properties between 6th Avenue and 7th Avenue. The mixed residential land use category includes single-family detached housing, attached single family residences with individual entries (e.g., townhouses, rowhouses), and small public and institutional uses (such as parks, schools, churches, and stormwater facilities). The City’s R-3, R-4, R-5, and R-6 multi-family zoning districts, along with PUD zoning, are most appropriate to implement this future land use category.

The Community Business land use category includes business and office land uses, including national and regional retailers, and large-scale private recreation (e.g., indoor water parks, sports arena, etc.) which serve the entire community and visitors from nearby communities. Community Business land uses are focused on the City’s main arterial streets such as 11th Street, 18th Avenue, and Blackhawk Road. Staff believe that the rezoning fits these descriptions, and is generally consistent with the intent of the future land use categories.

Additionally, the B-3 (community business) district is intended to provide for major businesses which serve a significant segment of the population. The District may provide for a variety of retail goods and services, along with large traffic generators requiring access from major thoroughfares and a reliance on motor vehicle-oriented trade. The properties are generally surrounded by a mix of residential, office and commercial properties, so staff reason that the proposed rezoning is compatible.

Lastly, the proposed rezoning allows for a prospective and objective use of vacant land. Overall, the rezoning of the Solomon properties from PUD to B-3 presents a land use transition that aligns with the surrounding neighborhood context, the City's objectives for the properties, and the community's long-term interests.

Conclusion:

Based on the analysis, staff recommend rezoning the properties. The B-3 (community business) district is consistent with the Comprehensive Plan and compatible with the surrounding neighborhood.

Previous Council Action (if any):

see section on previous zoning history

Budget Impact:

NA

Additional Information as applicable (i.e. provide alternative options, community or staff input, staffing impact; resident impact; etc.):

NA

Council Goal (if applicable):

Recommendation:

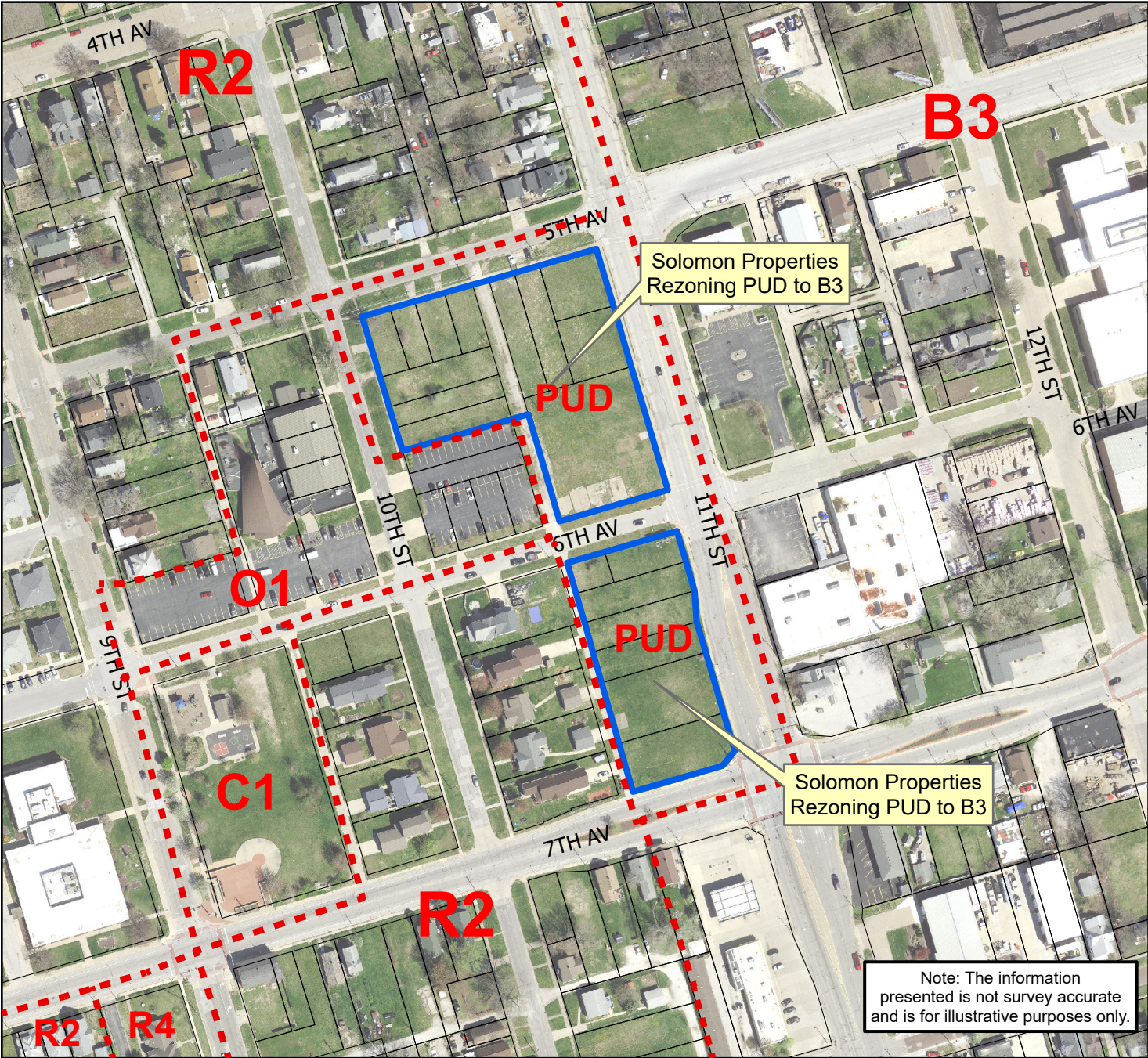
Based on the staff analysis, the Community Development Department recommends that the

Commission pass a recommendation to the City Council that the rezoning request be approved.

Submitted by: Eunice Amissah-Mensah, Urban Planner

Approved by:

Rezoning of Solomon Properties from PUD to B3



PZC Case 2025-06

-  Subject Property
-  Parcels
-  Zoning District



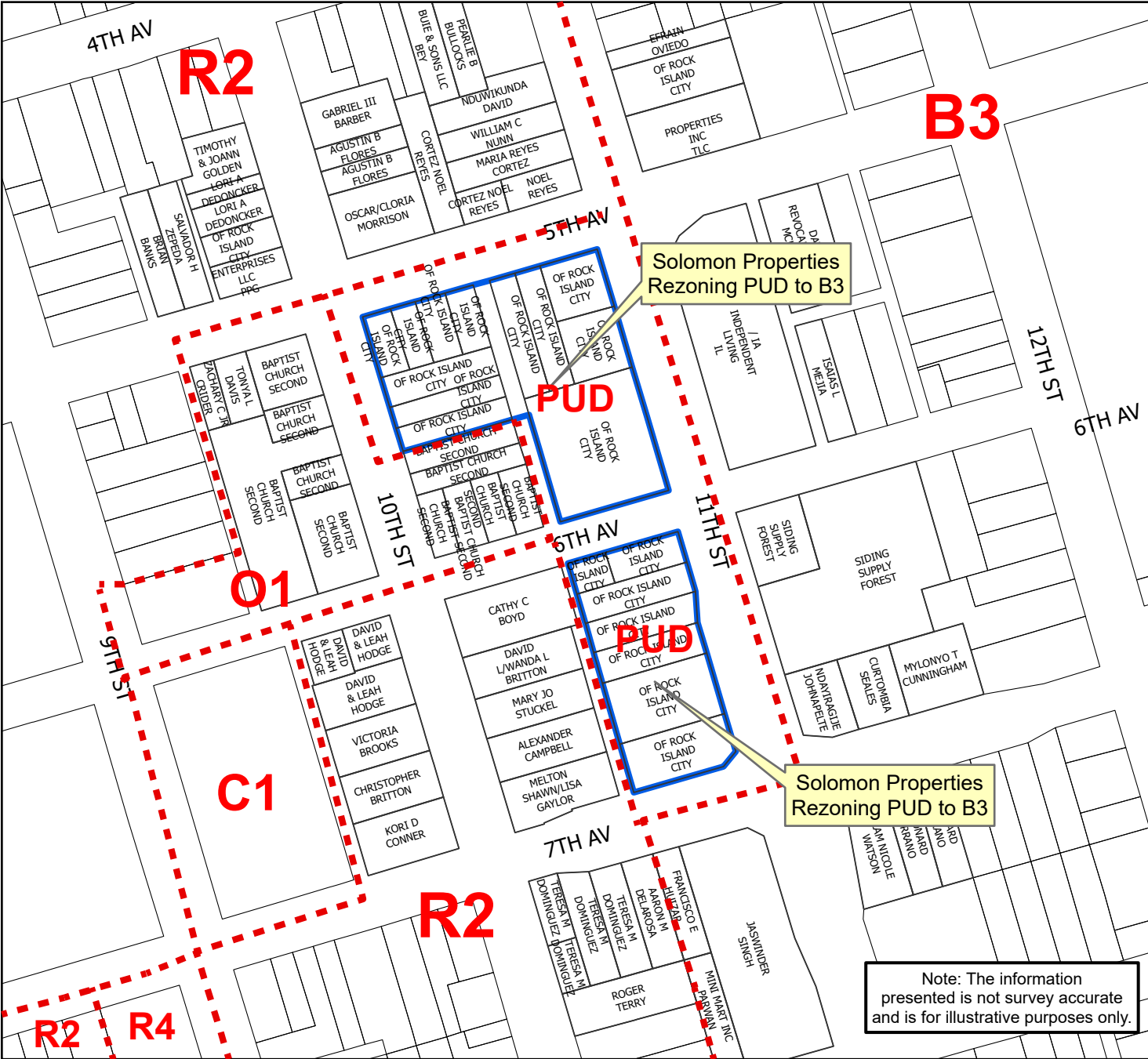
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City of Rock Island

COMMUNITY DEVELOPMENT
DEPARTMENT



Rezoning of Solomon Properties from PUD to B3



PZC Case 2025-06

-  Subject Property
 Parcels
 Zoning District



0 30 60 120 180 240 300 Feet

City of Rock Island

COMMUNITY DEVELOPMENT
DEPARTMENT



Note: The information presented is not survey accurate and is for illustrative purposes only.

Memorandum



To: Rock Island Planning & Zoning Commission
From: Eunice Amisah-Mensah, Urban Planner, Tanner Osing, Planning & Zoning Manager
Subject: 2025-07: Public hearing request from Jose Beltran to consider a special exception from the Rock Island Urban Chicken Ordinance in an R-2 (one-and-two unit residential) for property at 1517 14 1/2 Street.
RC Roll Call vote is needed.
Date: February 3, 2025

Introduction and Background Information:

Requested Action:

Jose Beltran is requesting the Commission to provide special accommodation from the Urban Chicken requirements in order to allow him maintain the chicken coop in its current location.

Previous Zoning Action:

None

Size of Property:

The property measures 39.5' by 105.7' for approx. 4,164 square feet.

Background Information & Reason(s) for the Accommodation from the Urban Chicken Ordinance:

The property at 1517 14 1/2 Street, owned by Jose Beltran, is not in compliance with the City of Rock Island's Urban Chicken Ordinance. A complaint was received regarding the location of a chicken coop on the property. Upon inspection, it was found that the chicken coop was unlicensed and improperly located. While urban chickens are allowed at the property, there are specific requirements that must be met.

According to the Urban Chicken Ordinance, chicken coops and enclosures must be located in the rear yard and must also be set back at least 10 feet from neighboring property lines. The ordinance requires the applicant to submit a scaled site plan of the coop and enclosure that demonstrates compliance with the ordinance. The applicant must also provide proof of completion of an approved urban chicken keeping class, and proof that all adjacent property owners have been notified of the proposed coop and enclosure.

The primary issue is that the chicken coop is situated in the side yard, directly on the southern property line. The applicant, Jose Beltran, has stated that he cannot meet these setback requirements and has requested a special accommodation from the ordinance to maintain a 64 square foot chicken coop in the side yard that sits on the property line to the south.

The property is regular sized with no uniqueness regarding depth, topography, lot size, zoning or frontage and is typical for the area. The location of the chicken coop will alter the character of the neighborhood as a structure that close to the property line and in the front yard does not provide a reasonable layout for the property. Allowing a chicken coop directly on the property line has the potential to impact neighboring properties negatively. These are also directly in violation of the Urban Chicken Ordinance that mandates coops be located in the rear yard with a 10-foot setback from neighboring property lines.

Previous Council Action (if any):

NA

Budget Impact:

NA

Additional Information as applicable (i.e. provide alternative options, community or staff input, staffing impact; resident impact; etc.):

NA

Council Goal (if applicable):

NA

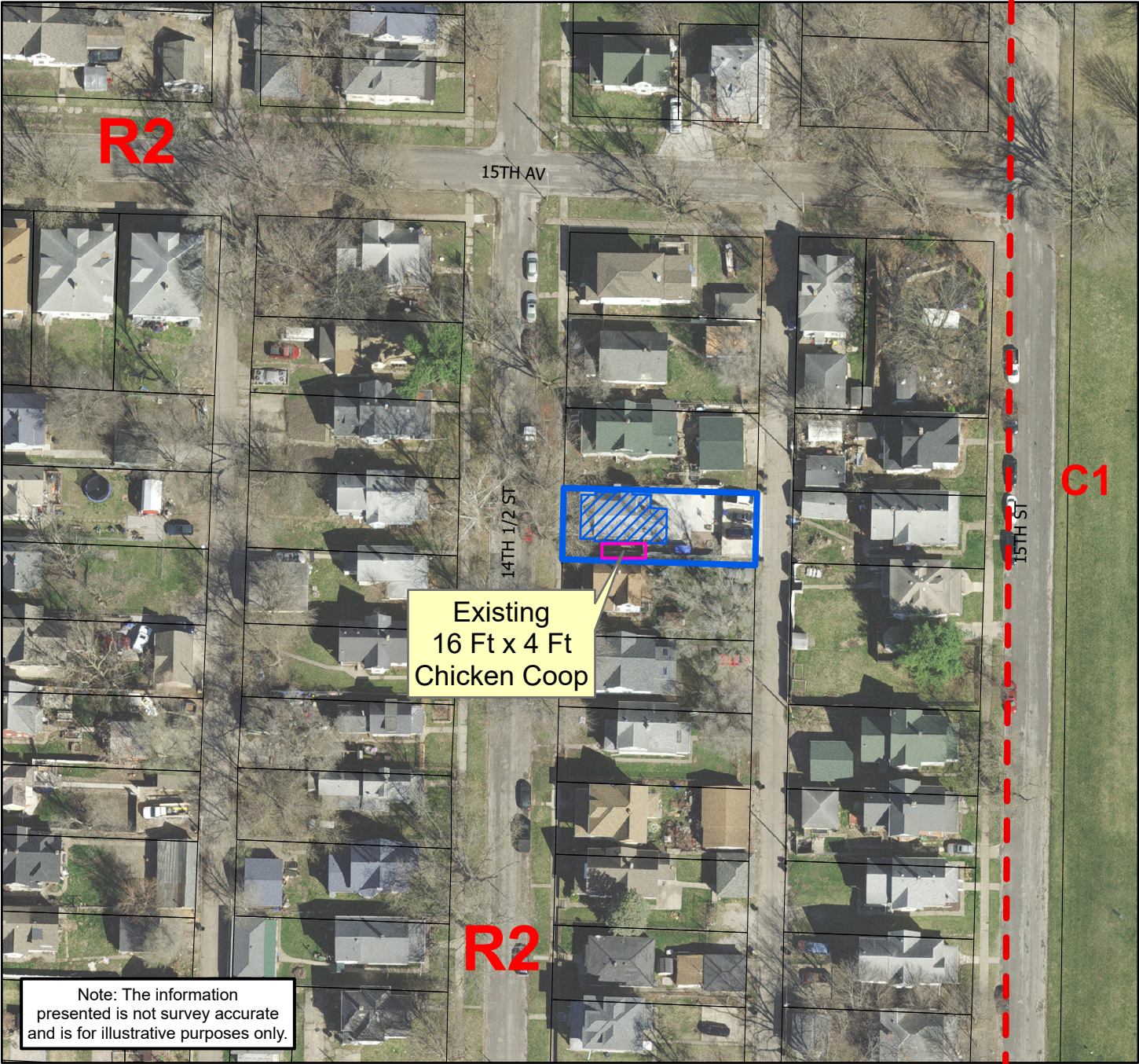
Recommendation:

Based on the analysis, the Community Development Department recommends that the Commission deny the special accommodation to uphold the Urban Chicken regulations and ensure a fair and consistent approach for all properties in the city. The applicant should be directed to either relocate the chicken coop or make the coop slightly smaller to comply with the Urban Chicken Ordinance or remove it from the property. Granting of the special accommodation could set a negative precedent and undermine the goals and intent of the Urban Chicken Ordinance.

Submitted by: Eunice Amissah-Mensah, Urban Planner

Approved by:

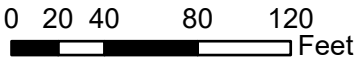
Existing Chicken Coop at 1517 14 1/2 Street



Note: The information presented is not survey accurate and is for illustrative purposes only.

PZC Case 2025-07

-  Subject Property
-  Parcels
-  Zoning District

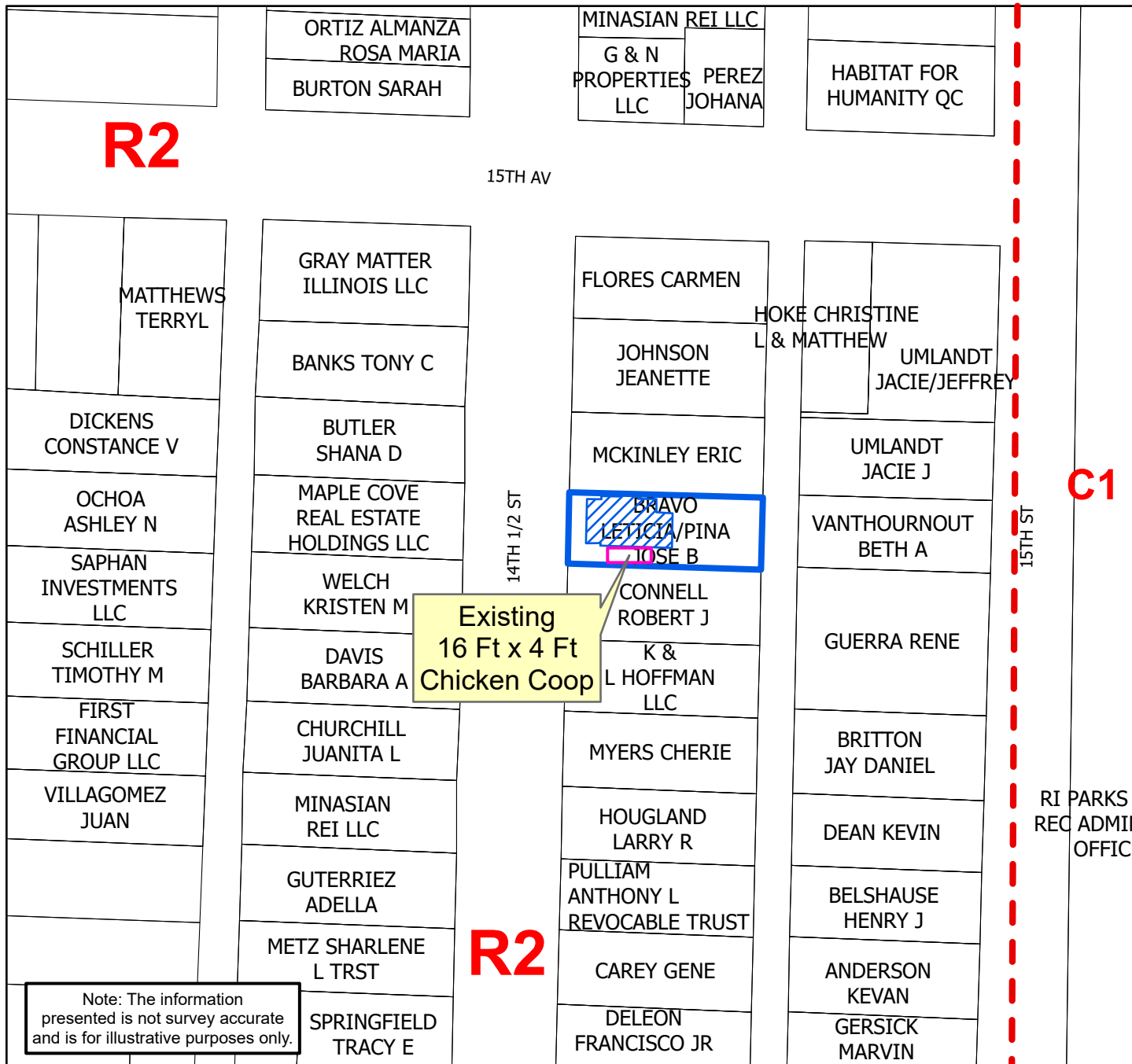


City of Rock Island

COMMUNITY DEVELOPMENT
DEPARTMENT

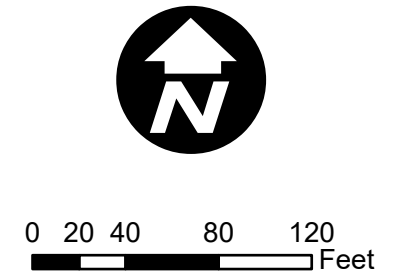


Existing Chicken Coop at 1517 14 1/2 Street



PZC Case 2025-07

- Subject Property
- Parcels
- Zoning District



City of Rock Island

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Figure 1: Photo showing location of chicken coop on the south side of the property

AN ORDINANCE ESTABLISHING AN URBAN AGRICULTURE ORDINANCE WITHIN THE CITY OF ROCK ISLAND, ILLINOIS

WHEREAS, the City of Rock Island recognizes urban agriculture as a viable use of land that promotes community health, environmental sustainability, and economic vitality; and

WHEREAS, the State of Illinois Garden Act, 505 ILCS 87, establishes the right to cultivate vegetable gardens on any property within a municipality but does not preclude a home rule unit to regulate gardens in a manner consistent with the Act; and

WHEREAS, the City of Rock Island finds it necessary to exercise its home rule authority by regulating urban agriculture activities to ensure their compatibility with adjacent properties and prevent inappropriate development; and

WHEREAS, the City of Rock Island recognizes that the Southwest Area of the City has a unique collection of natural settings and rural character that make it well suited for specialized urban agriculture practices that require different treatment than other parts of the City

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, ILLINOIS, in

Section One: The purpose of these regulations is to ensure the consistency in the operation and development of urban agriculture.

Section Two: The following section titled “Urban Agriculture” is hereby added to Chapter 11, Article XII of the Code of Ordinances of the City of Rock Island, Illinois.

Section 11-176: Urban Agriculture

1. **Purpose.** The purpose of this section is to provide for the regulation of Urban Agriculture within the City on both private and public property to ensure positive, productive, and compatible land uses.

2. **Definitions.**

For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Any term not so defined will take on its common meaning or a definition provided elsewhere in Municipal Code.

Accessory Structure shall have the same definition as found in the City’s Zoning Ordinance. In an urban agriculture context, said structures support various agriculture operations and include storage sheds, tool sheds, or greenhouses.

Accessory Use shall have the same definition as found in the City’s Zoning Ordinance.

Apiary shall mean any place where one or more colonies or nuclei of bees are kept

Aquaculture shall mean the breeding, raising, and harvesting fish, shellfish, and aquatic plants in controlled aquatic environments for any purpose, be it commercial, recreational or public purposes.

Aquaponic System shall mean the symbiotic propagation of plants and fish in an indoor, constructed and recirculating environment.

Bee shall mean any hymenopterous insect of the superfamily Apoidea, including social and solitary species of several families, such as bumblebees, honeybees, blue orchard bees and several species of leaf cutting bees or any stage of the common European honey bee, *Apis mellifera*. The term “honey bee” is synonymous.

Beekeeper shall mean a person who is responsible for the maintenance of an apiary, its constituent hives, and the colonies within as well as all associated materials, equipment, and products which meet State approved requirements.

Beekeeping, Backyard shall mean the keeping or maintenance of an apiary as an accessory use to a single-family dwelling for personal consumption of bee products or enjoyment.

Beekeeping, Commercial shall mean a commercial beekeeping operation is one that is maintained for commercial gain, or consists of the keeping or maintenance of 5 or more hives, and/or beekeeping accessory to a legitimate agricultural operation.

Beekeeping Flyaway Barrier shall mean a solid wall, fence, or dense vegetation or combination thereof that provides an obstruction or shield through which bees cannot readily fly.

Beekeeping Equipment shall mean anything used in operation of an apiary including but not limited to hive bodies, supers, frames, top and bottom boards, extractors, gloves, hoods, and smokers.

Concentrated Animal Feeding Operations (CAFOs) shall mean an animal feeding operation as defined by the United States Department of Agriculture (USDA) and regulated by the Environmental Protection Agency (EPA) under the National Pollutant Discharge Elimination System (NDPES) Permitting Program. Such operations shall not be permitted within the City of Rock Island.

Colony shall mean the bees and organic components within a hive including comb, honey, pollen, and brood.

Compost shall mean relatively stable decomposed organic matter for use in agricultural and other growing practices, usually consisting of materials such as grass, leaves, yard waste, worms, and raw and uncooked kitchen food waste. This process specifically excludes bones, meat, fat, grease, oil, raw manure, and milk products, which are difficult to break down and can cause odor and nuisance issues.

Composting shall mean the process by which organic solid waste is biologically decomposed under controlled anaerobic or aerobic conditions to yield humus-like product, which is typically used as a soil amendment.

Controlled Grazing shall mean the temporary use of goats or sheep as a landscape management technique to control the growth of undesirable vegetation, including noxious weeds and invasive plants or trees at a specific location and for a defined length of time.

Farm machinery shall mean a wide range of mechanical devices, equipment, and vehicles specifically designed and used for various agricultural tasks and operations, aiding in the cultivation, harvesting, processing, and management of crops and livestock. Farm machinery is further categorized by the following groups.

Large farm machinery shall refer to agricultural equipment or vehicles designed and used primarily for heavy-duty tasks on farms with extensive acreage. Large farm machinery typically has heavy implements such as plows, harrows, seed drills, cultivators, balers, and sprayers. These shall weigh no more than 25 tons or 50,000 pounds as they are intended for use on parcels one (1) acre or larger.

Small farm machinery shall refer to agricultural equipment or vehicles designed and used primarily for light to medium-duty tasks on smaller farms, homesteads, or niche agricultural operations. Small farm machinery is compatible with smaller implements such as lawn mowers, rotary tillers, garden carts, front-end loaders, and small hay balers. These shall weigh no more than 1.5 tons or 3,000 pounds as they are intended for use on parcels less than one (1) acre.

Farm stand shall mean a permanent structure used for the display and sale of agricultural products grown or produced on the site where the stand is located.

Front yard shall have the same definition as found in the City's Zoning Ordinance.

Greenhouse shall mean a structure with a roof and sides that are made of durable materials including glass or other transparent or translucent

material such as rigid plastic panels in which the temperature and humidity can be regulated for the cultivation of plants.

Hive shall mean a structure intended for the housing of a bee colony.

Honey Bee shall mean the common domestic honey bee, limited to the *Apis mellifera* species, specifically excluding the African honey bee, *Apis mellifera scutellata* or Africanized honey bee, or any dangerous thereof

Hydroponic System shall mean the propagation of plants using a mechanical system designed to circulate a solution of minerals in water with limited use of growing media.

Livestock shall mean domesticated animals raised in an agricultural setting for training, boarding, home use, sales, breeding, and the production of commodities and /or specialized products such as food, fiber, and labor. Livestock is further categorized by the following groups.

Large livestock: Cattle, horses, and other livestock generally weighing over 500 pounds.

Small livestock: Vietnamese or Asian potbellied pigs, rabbits, guinea fowl, ostriches, turkeys, geese, ducks, sheep, goats, miniature horses, donkeys, llamas, alpaca, and other livestock generally weighing under 500 pounds.

Market Garden shall mean an activity where food crops, plant fiber, ornamentals, or other plants are grown by an individual or a group to be sold for profit.

Niche Farms shall mean specialized agriculture operations focused on marketing limited and often high-value products that cater to specific market segments and often emphasize quality and sustainability to differentiate themselves in the marketplace. Heritage breed livestock farms, heirloom vegetable farms, specialty herb and medicinal plant farms and artisanal dairy farms are few examples of niche farms.

Principal Use shall have the same definition as found in the City's Zoning Ordinance.

Raised Bed shall mean a gardening technique where soil is contained in an elevated structure, typically framed by wood, stone, or other durable materials used for growing produce.

Seasonal Extending Structures shall mean temporary structures, such as hoop houses or high tunnels, cold frames and hot beds, cloches and hot caps, and floating row covers used primarily to prolong the growing season by shielding crops from adverse weather conditions or providing controlled environments conducive to growth.

- *Cold Frame* shall mean a temporary, unheated structure used for protecting seedlings and plants from the cold. Cold Frames are often constructed of durable materials, such as wood, glass, rigid plastic, or even old windows, but are not typically taller than 36 inches.
- *Hoop house* shall mean a structure with a roof and sides are made largely of transparent or translucent material (not glass) for the purpose of the cultivation of plants. A hoop house does not have supplemental heat. A high tunnel is very similar in construction to a hoop house, but is generally not enclosed on the ends of the structure.
- *Low Tunnel* shall mean a temporary, freestanding structure that has a supported framework, typically made with hooped PVC or metal pipe and covered with plastic. A low tunnel does not have heat or electrical power and its purpose is to house and protect produce outside the typical growing season of the region.

Southwest Rock Island shall mean an area within the City of Rock Island's municipal boundary that includes any parcel of land south of the Rock River or on any island located in said river.

Swarm shall mean a concentrated congregation of bees outside of a hive resulting from the bees lacking sufficient room for their colony. This is natural habit of bees and they are not usually aggressive when swarming.

Urban Agriculture shall mean the practice of cultivating, processing, and distributing food in and around a community by various means that reflect an urban context. Urban agriculture encompasses urban gardening and urban farming. Urban agriculture is differentiated other forms traditional agriculture in that the former typically operates within an urbanized and built up environment, rather than on generally open and undeveloped land. Common practices include, but not limited to, gardening, raising livestock, composting, urban beekeeping, and chicken keeping.

Urban Farms shall mean vacant lots five (5) acres or larger that are for the cultivation and harvesting of food and non-food crops. These farms may serve personal, group, wholesale, or retail purposes and can involve specialized agricultural practices and livestock operations. Such farms often focus on producing high-value, niche products tailored to specific market segments. Examples of urban farm activities include, but are not limited to, animal husbandry, aquaculture, agroforestry, niche farms, greenhouses and nurseries, vineyards and wineries, farm stands, dairy farms, chicken keeping, beekeeping, and horticulture. Urban farms are typically characterized by a primary focus on income-generating agricultural activities, operating as business enterprises. This definition also includes the definition for "Farm" as found in the City's Zoning Ordinance.

Urban Gardens shall mean vacant lots less than five (5) acres of land, publicly or privately owned, used for the growing of plants, fruits, vegetables, flowers or herbs. Said gardens may also include activities such as chicken keeping and beekeeping where permitted.

3. **Designation.** All urban agriculture activities on both private and public land are subject to all applicable guidelines in the City's Urban Agriculture Ordinance.

4. **Regulations for Urban Agriculture – Farms & Gardens**

a. Location & Size

- i. ***Lots with Foreclosed, Vacant, and Abandoned Structures.***
Urban Agriculture of any and all kinds shall be prohibited on any lot where a foreclosed, vacant, or abandoned structure, in any zoning district, is present. Any urban agricultural activity on such a property shall be considered a nuisance and may be abated by the City in the same manner as overgrown grass, weeds, or other nuisance vegetation.
- ii. ***Lots with occupied structures.*** Urban Gardens shall be permitted on any lot where an occupied structure, in any zoning district, is present. This may include the keeping of honeybees and chickens in compliance with this code. No other livestock shall be permitted.
- iii. ***Vacant Lots Less Than One Acre:*** Urban Gardens shall be permitted on vacant lots less than one (1) acre in size in all residential zoning districts and shall require a special use permit in all other zoning districts. Areas not under cultivation shall be maintained as a lawn.
- iv. ***Vacant Lots One to Five Acres:*** Urban Gardens shall be permitted on vacant lots less than five (5) acres in size in all residential zoning districts in Southwest Rock Island. Urban Gardens on vacant lots between one (1) to five (5) acres located elsewhere in the City shall require a special use permit in all zoning districts. Areas not under cultivation shall be maintained as a lawn.
- v. ***Vacant Lots Five Acres or Larger:*** Urban Agriculture on residentially-zoned parcels five (5) acres or larger shall be permitted only in Southwest Rock Island. This may include the keeping of livestock, honeybees, and chickens in compliance with this code.
- vi. ***Exemption in Southwest Rock Island:*** Existing farms or gardens on parcels not previously developed for non-agricultural uses may continue as a legal non-conformity. The regulations applying to all other legal non-conformities shall apply to such parcels. This section shall be understood to mean that parcels annexed into the City on which farms are located may continue to operate as they have until such time they are developed for other uses. This section shall only apply to parcels located in Southwest Rock Island.

b. Structures

- i. Storage sheds, season-extending structures and other accessory structures on vacant lots less than one (1) acre are prohibited.
- ii. Storage sheds and accessory structure(s) provided on vacant lots between one (1) to five (5) acres shall not exceed 200 square feet and shall follow all applicable requirements in the City's Zoning Ordinance.
- iii. Season-extending structures provided on vacant lots between one (1) to five (5) acres shall not exceed 200 square feet per structure and shall follow all applicable requirements for accessory structures in the City's Zoning Ordinance. Said structures are permitted for a maximum of four (4) weeks before and after the growing season which spans from May 1 to October 9. Such structures shall not be erected during the growing season.

b. General Requirements

- i. Concentrated Animal Feeding Operations (CAFOs). CAFOs shall be prohibited throughout the City. If a CAFO is present on a parcel being annexed into the City, it must cease operation by the time annexation is completed.
- ii. No animals of any kind, including but not limited to chickens, livestock, and bees, shall be kept at an urban garden located on an otherwise vacant lot.
- iii. Farm stands shall receive a special use permit to be allowed to be located on an urban farm. Said use shall be permitted to be located in the required front yard but shall be setback at least ten (10) feet from the front property line. Only produce and products grown or made on the premises may be sold at the farm stand.
- iv. Animal slaughtering is strictly prohibited on urban farms and gardens within city limits. This prohibition, however, does not apply to licensed businesses that are specifically zoned and regulated for slaughtering activities.
- v. Raised beds or raised mounds used to facilitate cultivation as well as water tanks shall be allowed on all vacant or occupied lots.
- vi. Composting, rain collection systems, hydroponic systems, or the keeping of any livestock, including honeybees and chickens on vacant lots less than five acres are prohibited unless specified in a special use permit.
- vii. Water Tanks.
 - Water tanks shall not exceed a capacity of five hundred (500) gallons.
 - For parcels 5,000 square feet in size or smaller, a maximum of one (1) water tank shall be allowed. An additional water tank shall be allowed for every additional 5,000 square feet of parcel area.
 - Water tanks shall be well-maintained on a stable and level footing free of leaks.

- Water tanks shall be vessels that are commonly accepted as appropriate for this purpose and shall not have been previously used for purposes other than storing water. Water tanks that do not meet these criteria shall be considered a nuisance and may be abated by the City in the same manner as junk, garbage, and other refuse.
- viii. Niche farming operations shall only be allowed on vacant lots five acres or larger.
 - ix. Traditional small-scale meat processing, butchery, and/or the operation of a meat locker facility shall only be allowed with a special use permit on vacant lots five acres or larger.
 - x. No crops exceeding four (4) feet in height shall be planted within the required front yard setback or within twenty (20) feet of the front yard property line, whichever is greater. Said crops shall also not be planted within five (5) feet of any side or rear yard property line.
 - xi. Vacant lots with an urban garden shall maintain a five (5) foot lawn buffer around the entirety of the parcel regardless of the height of crops.
 - xii. Crops shall not encroach onto adjacent property or public right-of-way.
 - xiii. Any plant species designated as noxious or invasive in the Illinois Administrative Code, by the Illinois Department of Natural Resources, or in the City of Rock Island Municipal Code is prohibited to be planted.
 - xiv. Any fencing and signs provided shall follow all applicable provisions in other City Ordinances.
 - xv. All pesticides and fertilizers shall be stored and applied in accordance with all applicable State and Federal regulations.
 - xvi. The use of small farm machinery shall be permitted on lots less than one (1) acre where urban agriculture activities exist. The use of large farm machinery is only permitted on lots greater than one (1) acre in Southwest Rock Island and prohibited elsewhere.
 - xvii. Tools, garden supplies, and machinery allowed on vacant lots over one acre shall be stored in an enclosed structure or removed from the property daily.
 - xviii. Uncultivated areas and areas between crops shall be maintained in compliance with the City's Weeds and Grass Ordinance.
 - xix. The property shall be maintained free of rotten fruits and vegetables as well as dead crops unless said crops are used as part of a proper or generally accepted erosion or weed control practice.
 - xx. Agriculture uses shall comply with all other applicable State, Federal and local regulations, including, but not limited to, nutrient management, building and fire codes, erosion and sedimentation control, and storm water management.

5. Regulations for Chicken Keeping

a. Location

- i. The keeping of chickens is allowed in all zoning districts as an accessory use as defined by the City's Zoning Ordinance and permitted as a principal use on Urban Farms.
- ii. All chicken enclosures shall be located in a rear yard or on a flat roof top and be at least ten feet (10') from neighboring property lines. On properties one (1) acre in size or larger, the enclosure may be located in a side or front yard provided that the enclosure is at least one hundred feet (100') from the neighboring property lines.

b. Coops and Enclosures

- i. Enclosures shall be secure fenced areas that prevents entry by predators from below, above, and the sides. It shall at a minimum consist of wire fencing or mesh with openings no larger than one inch (1"). Coops and their resident chickens shall be kept inside an enclosure at all times. They shall also be kept clean, dry, odor free, neat, and sanitary at all times.
- ii. Coops shall be designed with a minimum of four (4) square feet per chicken. They shall also be enclosed on all sides, have a roof, secured entrance, and adequate ventilation. Chickens shall be secured within a coop between dusk and dawn.
- iii. The use of scrap, waste board, sheet metal, or similar materials is prohibited in the making of coops and enclosures.
- iv. There shall be no more than one enclosure and one coop therein on any given residential property that is less than one (1) acre.
- v. Chickens outside of an enclosure shall be deemed at-large and subject to capture and removal by the Rock Island Animal Control Officer or their designee. No dog or cat that harms or kills a chicken at-large shall be considered dangerous or aggressive for that reason alone.

c. Food, Water, and Health

- i. Chicken keepers shall provide adequate feed to chickens and secure said feed in such a fashion as to avoid attracting predators or nuisance species.
- ii. Chicken keepers shall ensure that a fresh, convenient source of water is available to chickens at all times.
- iii. Any chicken manure kept on-site shall be stored in a covered container not exceed three (3) cubic feet in volume. All manure not used for composting or fertilizing on the property shall be removed.
- iv. Chickens shall be monitored for health problems common to their species and cared for using common best practice methods. Chickens found to be infested with parasites or disease that may result in unhealthy conditions may be removed by the Rock Island Animal Control Officer or their designee.

d. Maintenance and Conduct

- i. All items associated with the chickens must be kept in sound and usable condition. Chicken keepers shall ensure that no refuse or related materials are left on the ground of the enclosure.
- ii. In any instance where a chicken becomes hostile by exhibiting aggressive characteristics such as pecking or scratching, it shall be removed from the property.
- iii. It is a suggested practice that insecticides, pesticides, and similar chemicals not be used at the property on which chickens are located.
- iv. It is unlawful for any person keep chickens on any property in a manner that threatens the public health or safety, or creates a nuisance.
- v. It shall be unlawful to keep roosters except for agricultural purposes on urban farms. Areas where roosters are kept should be setback one hundred feet (100) from all property lines.
- vi. A maximum of sixteen (16) chickens may be kept on urban gardens. There shall be no maximum number chickens permitted on urban farms or urban gardens over one (1) acre located in Southwest Rock Island.
- vii. Chicken tractors or other mobile enclosures are prohibited.
- viii. Keeping chickens shall be done in accordance with this Article and any other applicable laws.

6. Regulations for Beekeeping

a. Location

- i. Beekeeping is allowed in all zoning districts as an accessory use as defined in the City's Zoning Ordinance provided that apiaries are registered with and inspected by the State in accordance with the Illinois Bees and Apiaries Act. The City reserves the right to ask for proof of registration. If apiaries are not registered with the State, they shall be declared a nuisance and reported to the State.
- ii. All apiaries shall be located in a rear yard or on a flat roof top and be at least ten feet (10') from neighboring property lines with the back of the hive facing the nearest adjoining property. On properties one (1) acre in size or larger, the apiary may be located in a side or front yard provided that the apiary is at least one hundred feet (100') from the neighboring property lines

b. Hives

- i. Beekeeping is allowed in all zoning districts as an accessory use as defined in the City's Zoning Ordinance provided that apiaries are registered with and inspected by the State in accordance with the Illinois Bees and Apiaries Act. The City reserves the right to ask for proof of registration. If apiaries are not registered with the State, they shall be declared a nuisance and reported to the State.

- ii. All apiaries shall be located in a rear yard or on a flat roof top and be at least ten feet (10') from neighboring property lines with the back of the hive facing the nearest adjoining property. On properties one (1) acre in size or larger, the apiary may be located in a side or front yard provided that the apiary is at least one hundred feet (100') from the neighboring property lines
- c. Food, Water, and Health
 - i. It is a suggested practice that beekeepers maintain to the greatest extent possible landscaping on their property which provides substantial forage for bees.
 - ii. Beekeepers shall ensure that a fresh, convenient source of water is available to bees at all times to make sure that the bees do not congregate at pet water bowls, swimming pools, birdbaths, or other water sources which may cause human or animal contact. The water shall be regularly maintained as not to become stagnant. The water source will be placed in a location that reduces the chances of bees seeking water on neighboring properties.
 - iii. Bees shall be monitored for health problems common to their species and cared for using common best practice methods. Bees found to be infested with parasites or in some manner diseased should be removed and humanely disposed of.
- d. Maintenance and Conduct
 - i. All items associated with the apiary must be kept in sound and usable condition. Beekeepers shall ensure that no honeycomb or related materials are left on the ground of the apiary. If materials are removed from the hive, they will be promptly placed in a sealed container, inside of a building, or other bee-proof area.
 - ii. In any instance where a queen bee becomes hostile by exhibiting aggressive characteristics such as stinging or attempting to sting without due provocation, the beekeeper shall requeen the colony with a European honey bee.
 - iii. Corrective measures shall be taken to control swarming. Suggested practices include: baiting hives by creating an attractive home, requeen the colony every year with a bee that is less than one year old, and keep items that move lightly in the wind, such as bushes to keep the bees accustomed to movement.
 - iv. It is a suggested practice that insecticides, pesticides, and similar chemicals not be used at the property on which an apiary is located.
 - v. It is unlawful for any person to maintain an apiary on any property in a manner that threatens the public health or safety, or creates a nuisance.

7. Regulations for Livestock Keeping

- a. Location

- i. The keeping of livestock, large or small, is allowed on urban farms as either a principal or accessory use. It shall be unlawful to maintain, keep, or harbor livestock elsewhere in the City.
 - ii. Buildings used to house livestock or any outdoor area where livestock is kept must be setback one hundred (100) feet from all property lines, including the front yard, if adjacent to residentially zoned property and setback fifty (50) feet from all property lines in all other cases.
- b. General Requirements
 - i. One (1) large livestock is permitted per ten thousand (10,000) square feet of parcel area or one (1) small livestock is permitted per five thousand (5,000) square feet of parcel area. The total number of livestock allowed on a given parcel is calculated as cumulative total of both large and small livestock meaning that each livestock, whether large or small, subtracts from the total parcel area available for other livestock.
 - ii. Outdoor areas used for keeping livestock shall be secured with a fence that provides the necessary restraints and confinement to prevent said livestock from running at large.
 - iii. Any livestock within a required setback area, outside of a confinement, or otherwise off the premise of an urban farm shall be deemed at large and subject to capture and removal by the Rock Island Animal Control Officer or their designee.
 - iv. It shall be unlawful to slaughter livestock within the City. This prohibition however does not apply to licensed businesses that are specifically zoned and regulated for slaughtering activities.
 - v. The lawful keeping of livestock, which is otherwise made unlawful by reason of the enactment of this chapter, may be continued upon property located within the City provided livestock was maintained thereon prior to the enactment of this chapter, and may be continued until such time as livestock is no longer alive or has been otherwise removed from the property.
 - vi. The burden of proving the maintenance of livestock upon a parcel of land within the City prior to the enactment of this chapter shall lie with the person claiming such prior existence.
 - vii. Nothing herein shall be deemed to exempt an owner of livestock within the City limits from the enforcement of nuisance or other laws regarding the keeping of such livestock.

8. Controlled Livestock Grazing

a. Location

- i. Controlled livestock grazing may be used to manage vegetation on specific public or private property when a permit is obtained by the contractor. All applicable sections of the City's Code of Ordinances must be complied with at all times when the animals are located on the property.

- ii. Animals used for controlled livestock grazing may not remain on the property for more than thirty (30) consecutive days.
 - iii. Controlled grazing shall only be allowed where vegetation, which may include non-native, invasive or noxious species, cannot otherwise be reasonably removed using conventional mechanical methods.
- b. General Requirements
- i. Only goats and sheep may be used for controlled grazing within city limits. Only females and castrated males may be used.
 - ii. No more than ten (10) goats per every one (1) acre of the controlled grazing area shall be on the premises at one time.
 - iii. Temporary fences for the containment of grazing animals must be at least four (4) feet in height and should be checked regularly.
 - iv. Temporary electric fences used to pen grazing animals are allowed. Warning signs, at least 2 square feet, must be posted at 15-foot intervals notifying the public of the presence of a dangerous fence and must be visible for the duration of the activity.
 - v. To ensure public safety, a warning sign, at least 2 square feet, shall be erected at 15-foot intervals and visible for the duration of the grazing activity.
 - vi. Notification of neighbors prior to controlled grazing is not required, but is encouraged.
 - vii. The controlled grazing must follow all other applicable City Ordinances.
 - viii. All controlled grazing must be carried out in accordance with best animal husbandry practices and all state and local laws related to animal care.

Section Three: Chapter 7, Article VI, Division 4 “Urban Chickens” is hereby deleted and reserved.

Section Four: All ordinances and parts of ordinances in conflict herewith are hereby repealed and replaced insofar as they do so conflict.

Section Five: This ordinance shall be in full force and effect from and after its passage and approval, as required by law.

MAYOR OF THE CITY OF ROCK ISLAND

PASSED: _____

APPROVED: _____

ATTEST: _____
CITY CLERK

DRAFT