

**PROPOSED AMENDMENT TO FILE 18-1356
(Zoning and Building Committee 7-25-2018)**

Sponsored by: TONI PRECKWINKLE, President, and PETER N. SILVESTRI, County Commissioner

BE IT ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 8 General Provisions, Section 8.7 of the Cook County Code shall be amended as follows:

- 8.7.7. PETS ANIMALS.** ~~Animals that are customarily kept for personal use or enjoyment. Pets are limited to a total of three adult animals and shall include but not be limited to domestic dogs, domestic cats, domestic tropical birds and rodents. For purposes of this ordinance, an animal shall be considered an adult when it reaches six months of age. In addition to the regulations below, the keeping of animals is subject to all applicable provisions of the Cook County Code of Ordinances, including but not limited to those contained within Chapter 10, Animals, and Chapter 38, Health and Human Services. For purposes of this ordinance, an animal shall be considered an adult when it reaches four (4) months of age. This provision shall not apply to veterinary clinics, animal hospitals or kennels.~~
- A. Pets.** ~~Pets may be kept on any lot of residential use, provided that when kept outdoors, pets shall be housed in an adequate enclosure suitable for the confinement of such animals.~~
- B. Livestock.** ~~**The keeping of livestock shall be limited to a minimum lot area of ½ acre;** livestock shall be kept in an adequate enclosure suitable for the confinement of such animals.~~
- C. Horses.** ~~**The keeping of horses shall be limited to a minimum lot area of ½ acre;** horses shall be kept in an adequate enclosure suitable for the confinement of such animals. This section does not apply to “miniature horses,” which are subject to regulation as “pets” above.~~
- D. Fowl.** ~~No more than twelve (12) fowls shall be kept when located on zoning lots of less than 1 acre; fowls shall be kept in an adequate enclosure suitable for the confinement of such animals.~~
- E. Beekeeping.** ~~Bee colonies may be kept on residential and commercial zoning lots, provided they comply with the following regulations:~~
- ~~1. Colonies must be registered with the Illinois Department of Agriculture.~~
- ~~2. **No more than four (4) colonies may be kept on any zoning lot.**~~
- ~~3.2. An adequate water source shall be provided between March and November.~~
- ~~4.3. Apiaries shall be located in the rear of a zoning lot.~~
- ~~5.4. Apiaries shall be setback no less than ten (10) feet from an abutting lot line.~~
- ~~6.5. Apiaries shall be elevated a minimum of one (1) foot above grade.~~
- ~~7.6. **When kept on zoning lots of less than ½ acre** apiaries shall be enclosed by a barrier of a minimum of six feet in height.~~
- ~~7. **When located on zoning lots of less than ½ acre the keeping of bees shall be limited to a maximum of four (4) bee colonies.**~~
- F. Animal enclosures.** ~~Enclosures must meet the following requirements:~~
- ~~1. **Enclosures shall comply with the setback requirements of the zoning district in which it is located.**~~
- ~~2. **Enclosures shall be structurally sound and kept in a state of good repair.**~~
- G. Exemptions.** ~~This section shall not apply to veterinary clinics, animal hospitals, kennels, **zoos,** or animal shelters.~~

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 13, Administration and Enforcement, Sections 13.3 and 13.6 of the Cook County Code shall be amended as follows:

13.3.3. MEETINGS AND RULES. The meetings of the Zoning Board of Appeals shall be held at the call of the Chairman at such times as the Zoning Board of Appeals may determine. Hearings conducted by the Zoning Board of Appeals shall be considered public meetings under the Illinois Open Meetings Act and shall be held in conformance with the Illinois Open Meetings Act. Ex-officio members, or their designees, may fully participate in meetings, but shall not vote on any matters before the Zoning Board of Appeals. For purposes of conducting a public meeting, a quorum of five members shall be present in person at the meeting, and two of the five members present may be ex-officio members or their designees. For purposes of conducting a vote at a public meeting, four voting members must be present in person at the meeting and the affirmative vote of ~~the majority of the four~~ voting members is necessary to adopt any motion **or decision** for approval. Any person may appear and testify at a hearing. The Chairman or Acting Chairman may administer oaths and subpoena witnesses. The Zoning Board of Appeals shall keep minutes of its proceedings showing the vote of each member upon each question. If any voting member is absent or fails to vote, that shall be reflected in the minutes. Zoning Board of Appeals voting members may not vote by proxy. Records shall be kept of all hearings and other official actions of the Zoning Board of Appeals. Applications, exhibits and all documents filed by applicants, as well as transcripts of hearings if provided, meetings, testimony and deliberations, shall constitute the record of the Zoning Board of Appeals. The Secretary of the Zoning Board of Appeals shall be the keeper of the records. The Zoning Board of Appeals shall adopt its own rules and procedures, not in conflict with this ordinance or with applicable State of Illinois Statutes, and may select or appoint such officers as it deems necessary. A copy of every rule, regulation, amendment, order, requirement, decision or determination of the Zoning Board of Appeals shall be filed immediately with the Department of Building and Zoning and shall be a public record.

13.6.6. ~~RECOMMENDING VARIANCES ACTION BY THE ZONING BOARD OF APPEALS.~~
A majority vote of three of the five voting members of the Zoning Board of Appeals is required to recommend to the Cook County Board of Commissioners to grant or deny a variance. No decision of the Cook County Board of Commissioners granting a variance shall be valid for more than one year, unless a building permit is obtained and construction of the building or the use commenced.

A. The Zoning Board of Appeals' findings of fact and ~~decision~~ **decision recommendation** for a variance shall become a final administrative decision **ten (10) days following the last scheduled public hearing**, except as provided ~~in~~ **by** Section 13.6.7(A).

~~B. An affirmative vote of four voting members of the Zoning Board of Appeals is necessary to grant a variance.~~

~~B.C.~~ No decision by the Zoning Board of Appeals, approving a variance, shall be valid for more than one (1) year unless a building permit is obtained and construction of the building commenced.

~~C.D.~~ The Zoning Board of Appeals may impose conditions and restrictions upon a variance in order to assure that the public health, safety and welfare is adequately protected.

~~D.E.~~ Final decisions of the Zoning Board of Appeals shall be subject to review as provided by law.

13.6.7. ACTION BY THE COOK COUNTY BOARD OF COMMISSIONERS.

- A. Variances shall be forwarded to the Cook County Board of Commissioner for final decision whenever requested by either the Chairman of the Zoning and Building Committee, ~~or~~ the Cook County Board Commissioner in whose district the property is located **or the applicant**. Such request must be made in writing to the Secretary of the Zoning Board of Appeals no later than ten (10) days following the last scheduled public hearing.
- ~~A.B.~~ Final action shall not be taken by the Cook County Board of Commissioners on an application for a variance until the Zoning Board of Appeals' findings of fact and recommendations have been received.
- ~~B.C.~~ Variances shall be approved by a favorable vote of three-quarters of all members of the Cook County Board of Commissioners in cases where the Zoning Board of Appeals has not recommended approval of a proposed variance or where there has been a written protest filed against a proposed variance in accordance with Section 13.13 of this ordinance.
- ~~C.D.~~ The Cook County Board of Commissioners shall take final action within 60 days of receiving the Zoning Board of Appeals' findings and recommendations.
- ~~D.E.~~ The Cook County Board of Commissioners may impose conditions and restrictions upon a variance in order to assure that the public health, safety and welfare is adequately protected.
- F. Final decisions of the Cook County Board of Commissioners shall be subject to review as provided by law.

EFFECTIVE DATE: This ordinance shall be in effect immediately upon adoption.