

**ORDINANCE NO. 19-31**

**AN ORDINANCE PROVIDING FOR A SIX (6) MONTH MORATORIUM RELATING  
TO THE CONSTRUCTION AND ZONING OF MULT-FAMILY STRUCTURES IN  
R-2 (ONE AND TWO FAMILY RESIDENTIAL DISTRICT) AND  
R-3 (MULTI FAMILY RESIDENTIAL ZONING DISTRICT)  
IN THE CITY OF COLLINSVILLE, ILLINOIS**

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WHEREAS, the City of Collinsville, Illinois (“City”), an Illinois municipal corporation, has been vested with substantial power to regulate the use and zoning of real property for the purposes of maintaining the health, morals, safety, security, peace, and general public welfare of the City and its residents, which includes the governmental purpose of implementing a moratorium for the reasons stated herein;

WHEREAS, the City considers it paramount that land use regulation continue in the most orderly and predictable fashion with the least amount of disturbance to landowners and City residents;

WHEREAS, the concept of general public welfare is broad and inclusive and it is within its home-rule powers and prerogatives of the City to determine and ensure that development be implemented in the best interests of Collinsville as whole;

WHEREAS, comparatively dense developments for multi-family housing could result in disproportionate impacts on City resources and services (including water, utility, and sewer demands, traffic impacts, schools, public safety demands, etc.) compared to other forms of residential development;

WHEREAS, the City has significant concerns regarding the potential impact of various areas in the City where vacant and other unique tracts of properties in the City are presently zoned for multi-family or other uses as would be better suited as being zoned for single family residential, until such time the properties may be developed for other more appropriate uses;

WHEREAS, the City Council has determined it to be in the best interests of the City and its residents to impose a six (6) month moratorium, as set forth in more detail below, temporarily halting both the acceptance of new applications and the processing of applications for multi-family construction and zoning; and

WHEREAS, the purpose of the temporary moratorium is to allow the City an opportunity to study, research, analyze and/or assess the likely impacts of multi-family construction and zoning in the City, including without limitation and as the City deems appropriate, development and demographic trends, aesthetic qualities, burdens upon and access to City services, resources, schools, infrastructure, utilities, parks, public areas/facilities, and emergency and police services, traffic congestion, public safety, and neighborhood characteristics.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Collinsville, State of Illinois as follows:

**Section 1.** Beginning on the effective date of this Ordinance, and for a period extending no later than six (6) months thereof, unless extended by the City for good cause after a public hearing, or ending sooner should the review process be completed ahead of six (6) months, for areas zoned R-2 (One and Two Family Residential District) and R-3 (Multi Family Residential District) the City shall not accept or process any of the following:

- A. Applications for a building permits for multi-family dwellings;
- B. Applications for subdivision approval of multi-family residential lots;
- C. Applications for zoning or rezoning of any property to a multi-family zoning district.

**Section 2.** The City Manager shall have the power to vary or modify the application of any provision of this Ordinance upon its determination, in his absolute discretion, that such variance or modification is necessary to avoid unusual hardships to the affected property owner and is consistent with the health, safety and general welfare of the City.

**Section 3.** The process for a variance or modification as provided for in Section 2 of this Ordinance shall be as follows:

- A. An application for a variance or modification shall be filed with the office of Community Development during normal business hours of the City, which shall then review the application and in forward it to the City Manager for additional consultation and consideration.
- B. Upon receiving any application for such variance or modification, within twenty-one (21) days the City Manager shall have the sole discretion to accept, deny, with or without conditions, and deliver the same to the applicant in writing;
- C. Any appeals of the City Manager's decision shall be made to the City's Hearing Officer in the same manner as provided for in the City's Code of Ordinances.

**Section 4.** That this Ordinance shall not be effective against duplexes or multi-family buildings for which building permits have already been issued or for which preliminary or final plats have already been approved by the City.

**Section 5.** In the event any section or provision of this Ordinance shall be held unconstitutional or invalid by any Court, in whole or in part, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance, other than the part held unconstitutional or invalid.

**Section 6.** All Ordinances, or parts thereof, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of their inconsistencies.

**Section 7.** Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

**Section 8.** This Ordinance is effective upon its passage by the City Council, approval by the Mayor, and publication according to law.

Passed and approved this 13<sup>th</sup> day of May, 2019.

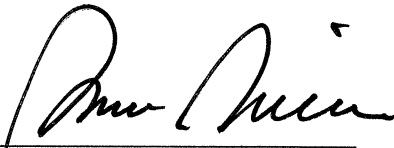
Ayes: Stehman, Green, Jerome, Hausmann, Miller

Nays: None

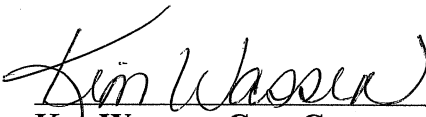
Absent: None

Approved: May 13, 2019

APPROVED: \_\_\_\_\_

  
JOHN MILLER, MAYOR

ATTEST: \_\_\_\_\_

  
KIM WASSER, CITY CLERK

RECORDED: May 13, 2019.

**CITY OF COLLINSVILLE, ILLINOIS**

**ORDINANCE NO. 19-31**

**AN ORDINANCE PROVIDING FOR A SIX (6) MONTH MORATORIUM  
RELATING TO THE CONSTRUCTION AND ZONING OF MULT-  
FAMILY STRUCTURES IN R-2 (ONE AND TWO FAMILY RESIDENTIAL  
DISTRICT) AND R-3 (MULTI FAMILY RESIDENTIAL ZONING  
DISTRICT) IN THE CITY OF COLLINSVILLE, ILLINOIS**

**ADOPTED BY THE**

**CITY COUNCIL**

**OF THE**

**CITY OF COLLINSVILLE, ILLINOIS**

**THIS 13<sup>th</sup> DAY OF MAY, 2018**

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Published in pamphlet form by authority of the City Council of the City of  
Collinsville, Madison County, Illinois, this 13<sup>th</sup> day of May, 2018.

**CERTIFICATE OF PUBLICATION**

State of Illinois        )  
                                  ) SS  
County of Madison     )

I, Kimberly Wasser, certify that I am the duly appointed and acting Municipal Clerk of the City of Collinsville, Illinois.

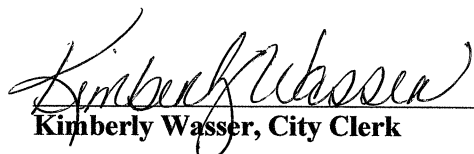
I further certify that on the 13<sup>th</sup> day of May, 2019, the Corporate Authorities of the City of Collinsville, Illinois, passed and approved Ordinance No. 19-31, entitled:

AN ORDINANCE PROVIDING FOR A SIX (6) MONTH MORATORIUM RELATING TO  
THE CONSTRUCTION AND ZONING OF MULT-FAMILY STRUCTURES IN  
R-2 (ONE AND TWO FAMILY RESIDENTIAL DISTRICT)  
AND R-3 (MULTI FAMILY RESIDENTIAL ZONING DISTRICT)  
IN THE CITY OF COLLINSVILLE, ILLINOIS

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 19-31, including the ordinance and a cover sheet thereof, was prepared and a copy of such ordinance will be posted in the Collinsville City Hall, commencing on the 13<sup>th</sup> day of May, 2019, and continuing for at least ten (10) days thereafter. Copies of such ordinance were also available for public inspection upon request at the office of the City Clerk.

Dated at Collinsville, Illinois, this 13<sup>th</sup> day of May, 2019.

  
\_\_\_\_\_  
Kimberly Wasser, City Clerk

(SEAL)

