



## STAFF REPORT

DATE: February 6, 2018

**REGULAR**

ITEM #: 6

**MOTION**

**TO:** City Council  
**FROM:** Emily Becker, Planning Director  
**AGENDA ITEM:** Review of the Chicken Ordinance  
**REVIEWED BY:** Ben Prchal, City Planner

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### **BACKGROUND:**

Staff had been asked to prepare an analysis of surrounding communities and their rules relating to the keeping of chickens. The Council reviewed the analysis at its workshop on January 9, 2018 and directed Staff to increase the number of chickens allowed on properties within the City.

### **PROPOSAL DETAILS/ANALYSIS:**

**Current Ordinance.** The current ordinance allows property owners to own more chickens based on the number of acres they have. No property owner is allowed to keep chickens on property of .49 acres or less. The table below outlines the number of chickens that are allowed on properties of 0.5-5 acres. A permit must be obtained to keep chickens on properties of 5 acres or less. The permit application requires that notices be mailed to all homes within 150 feet of the applicant's property prior to issuance of the permit, and the permit is valid for up to two years. Chickens kept on properties of 5 acres or more are restricted to 0.02 animal units per 2 grazable acres (50 chickens per 2 grazable acres).

<i>Lot Size (Acres)</i>	<i>Chickens Allowed</i>
0.00 - 0.49	0
0.50 - 0.99	4
1.00 - 1.49	6
1.50 - 1.99	8
2.00 - 2.49	10
2.50 - 2.99	12
3.00 - 3.49	14
3.50 - 3.99	16
4.00 - 4.49	18
4.50 - 4.99	22

**Amended Ordinance.** At the January 9, 2018 workshop, Council directed Staff to make the following amendments to the Chicken Ordinance. The amended ordinance is attached for reference.

- Allow up to 4 chickens on lots of 0.49 acres in size or less.
- Increase the number of chickens allowed on lots of 0.5-4.49 acres in size by 2.
- Increase the number of chickens allowed on lots of 4.50-4.99 acres in size to 30.
- Remove the requirement that notice be sent out to property owners within 150 feet of the applicant's property prior to issuance of the chicken permit that is required to keep chickens on properties of less than five acres.
- All permits are valid for up to two years.

**ATTACHMENTS:**

1. Ord. 08-196

**CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA**

**ORDINANCE NO. 08~~---~~196**

**AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY  
ADDING ADDITIONAL STANDARDS FOR SOLAR ENERGY SYSTEMS.**

**SECTION 1. The City Council of the City of Lake Elmo hereby amends Title IX: General Provisions; Chapter 95: Animals, by amending the following:**

**§ 95.108 KEEPING OF CHICKENS.**

(A) *Chickens on less than 5 acres.*

<i>Lot Size (Acres)</i>	<i>Chickens Allowed</i>
0.00 - 0.49	<del>0</del> <u>4</u>
0.50 - 0.99	<del>4</del> <u>6</u>
1.00 - 1.49	<del>6</del> <u>8</u>
1.50 - 1.99	<del>8</del> <u>10</u>
2.00 - 2.49	<del>10</del> <u>12</u>
2.50 - 2.99	<del>12</del> <u>14</u>
3.00 - 3.49	<del>14</del> <u>16</u>
3.50 - 3.99	<del>16</del> <u>18</u>
4.00 - 4.49	<del>18</del> <u>20</u>
4.50 - 4.99	<del>22</del> <u>30</u>

(B) *Chickens on 5 acres or more.* Chickens maintained on parcels of 5 acres or more are restricted to 0.02 animal units per 2 grazable acres. A permit is not required for keeping chickens on a parcel size of 5 acres or more. For reference, see “Animal Unit Equivalency” chart in § [95.090](#).

(Ord. 08-100, passed 2-18-2014)

**§ 95.109 PERMIT REQUIRED; TERM, CONSENT, FEE.**

(A) No person shall (without first obtaining a permit in writing from the City Clerk) own, keep, harbor, or have custody of any live chicken on a lot less than 5 acres.

(B) ~~The first permit~~Permits is are valid for up to 2 years beginning on the date of issuance and ending on December 31 of the following year. Subsequent permits are valid from January 1 to December 31.

~~—(C) Prior to issuance of a permit, notices must be mailed to all homes within 150 feet of the applicant’s property lines.~~

(~~D~~C) The fee for a permit may be imposed, set, established and fixed by the city council, by ordinance, from time to time.

(Ord. 08-100, passed 2-18-2014) Penalty, see § [10.99](#)

**SECTION 2. Effective Date.** This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

**SECTION 43 Adoption Date.** This Ordinance 08-~~196~~-196 was adopted on this \_\_\_\_\_ day of \_\_\_\_\_ 2018, by a vote of \_\_\_ Ayes and \_\_\_ Nays.

**LAKE ELMO CITY COUNCIL**

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Mike Pearson, Mayor

ATTEST:

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Julie Johnson, City Clerk

This Ordinance 08-\_\_\_\_ was published on the \_\_\_\_ day of \_\_\_\_\_, 2018.