



City of Blaine Anoka County, Minnesota

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Legislation Details (With Text)

File #: ORD 15-2320 **Version:** 3 **Name:** 15-32 Code Amendment - Chickens
Type: Ordinance **Status:** Passed
File created: 8/6/2015 **In control:** City Council
On agenda: 8/6/2015 **Final action:** 8/6/2015
Title: SECOND READING

GRANTING A CODE AMENDMENT TO THE RE (RESIDENTIAL ESTATE), R-1 (SINGLE FAMILY), R-1AA (SINGLE FAMILY), R-1A (SINGLE FAMILY), R-1B (SINGLE FAMILY) ZONING DISTRICTS AND SECTION 33 (PERFORMANCE STANDARDS) TO ALLOW THE KEEPING OF NOT MORE THAN SIX (6) CHICKENS AS AN ACCESSORY USE. (CASE FILE NO. 15-0032/BKS)

Sponsors: Bryan Schafer

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
8/6/2015	3	City Council	Amended	Pass
7/9/2015	2	City Council	Introduced, Read, and Placed on File for Second Reading	
6/9/2015	1	Planning Commission	Recommended for Approval	Pass

DEVELOPMENT BUSINESS - *Bryan K. Schafer, Planning and Community Development Director*

SECOND READING

GRANTING A CODE AMENDMENT TO THE RE (RESIDENTIAL ESTATE), R-1 (SINGLE FAMILY), R-1AA (SINGLE FAMILY), R-1A (SINGLE FAMILY), R-1B (SINGLE FAMILY) ZONING DISTRICTS AND SECTION 33 (PERFORMANCE STANDARDS) TO ALLOW THE KEEPING OF NOT MORE THAN SIX (6) CHICKENS AS AN ACCESSORY USE. (CASE FILE NO. 15-0032/BKS)

Planning Commission (Public Hearing) 06/09/15
City Council (1st Reading) 07/09/15
City Council (2nd Reading) 08/06/15

The Planning Commission voted unanimously to approve the code amendment. Comments at the public hearing included support for the keeping of chickens, request for increased number of allowed hens, request for reduction of setbacks for coops, and request for reduced neighbor approvals.

Note: The Planning Commission also recommended that the ordinance allow up to six (6) hens

and that the side and rear setbacks be reduced from 15-feet to 10-feet. The proposed ordinance has been amended to include those two recommendations.

The City Council discussed the proposed code amendment at the July 9, 2015 meeting and directed two changes to be made for 2nd reading. The change to reduce the side and rear setback to 5-feet and removal of the requirement to obtain sign-offs from the neighborhood have been included in the current amendment. The other City Council discussion was centered on the amount of the one-time registration fee. It is suggested that the fee, by motion, be lowered to \$45. This fee would then be included in the 2016 Fee Ordinance that will be considered by the City Council in December.

With the adoption and publication of this ordinance the City's single family residential zoning districts will allow raising and maintaining a small number of chickens. The ordinance will spell out the single family districts where chickens would be allowed and also detail what is allowed and the standards that will apply.

In summary the ordinance will allow:

- Up to six (6) hen chickens, no roosters
- A structure or coop, up to 60 square feet and meeting the setbacks of the ordinance.
- Coops must be in the rear yard, a minimum of five feet from side or rear lots lines and not within 30 feet of adjacent homes (living area).
- Chicken runs must be fenced (or entire rear yard fenced)
- Chickens must not be allowed to run free out of the fenced area
- Each chicken operation must be registered with the city prior to placement and meet all standards of the new ordinance
- The registration process involves a one-time fee (to be set by City Council)

By motion, approve the ordinance and by separate motion set the registration fee at \$45.00.

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown in brackets with overstrike.)

Section 29.23 Accessory Uses for RE (Residential Estate)

(f) Keeping of not more than six (6) hen chickens consistent with standards outlined in Section 33.23.

Section 29.33 Accessory Uses for R-1 (Single Family)

(f) Keeping of not more than six (6) hen chickens consistent with standards outlined in Section 33.23.

Section 29.3003 Accessory Uses for R-1AA (Single Family)

(f) Keeping of not more than six (6) hen chickens consistent with standards outlined in Section 33.23.

Section 29.3013 Accessory Uses for R-1A (Single Family)

(f) Keeping of not more than six (6) hen chickens consistent with standards outlined in Section 33.23.

Section 29.403 Accessory Uses for R-1B (Single Family)

(f) Keeping of not more than six (6) hen chickens consistent with standards outlined in Section 33.23.

Section 33.23 Standards for Rear Yard Chickens

- (a) All chicken operations must be registered by the property owner with the City prior to placement. The City Council will establish a fee for the one-time registration.
- (b) Registration process consists of a site and building plan with location and specifics of coop, pen or run, and coop setbacks.
- (c) Not more than six (6) hens are allowed. No roosters are allowed.
- (d) Coop (and covered run) is limited to not more than sixty (60) square feet.
- (e) Shelters or coops shall be in the rear yard only and located at least five (5) feet from side or rear lot lines.
- (f) Shelters or coops shall be at least thirty (30) feet from an adjacent home (living space).
- (g) All runs must be fenced unless the entire rear yard is fenced. Chickens are not allowed to run free.
- (h) Chicken waste must be removed from the coop so as to not cause a nuisance and be properly disposed of or composted.
- (i) Slaughtering and processing of the chickens must be done off-site.
- (j) Failure to comply with these standards will result in need for removal of birds and structure.
- (k) Structure must be removed and site restored if keeping of chickens is discontinued for more than twelve (12) months.
- (l) If the home is within a managed community and has a home ownership association the association management must also sign off on the placement of the chickens.
Note: Many neighborhood associations may prohibit the keeping of chickens or have more stringent standards.

INTRODUCED and read in full the 9th day of July, 2015.

PASSED by the City Council of the City of Blaine the 6th day of August, 2015.