

Board of County Commissioners

**Residential Backyard Chicken
Keeping Ordinance**

1st Public Hearing

May 18, 2021

Presentation Outline

- Background
- Proposed Ordinance
- Additional Items for Consideration
- Next Steps



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Background

- **March 9, 2021 Board work session**
 - Cultural move towards sustainability and healthy foods
 - Continued interest in residential community / UF/IFAS training
 - Introduced general program specifications
 - Direction to move forward with ordinance development
- **April 15, 2021 LPA/PZC Public Hearing**
 - Draft ordinance found consistent with the Comprehensive Plan
 - Recommended approval of the Residential Backyard Chicken Keeping Ordinance amending Chapter 38 of the Orange County Code



Background

- **Ordinance amends Chapter 38, Section 38-77 Use Table and Section 38-79 new subsection (37) as recommended by LPA/PZC**
- **Staff recommended changes after LPA/PZC hearing**
 - **Definitions**
 - **Setbacks**
 - **Care and maintenance**
 - **Storage of materials**
 - **Management of injured or diseased chickens**
 - **Disposal of deceased chickens**
- **Highlighted in draft**



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Intent of Ordinance

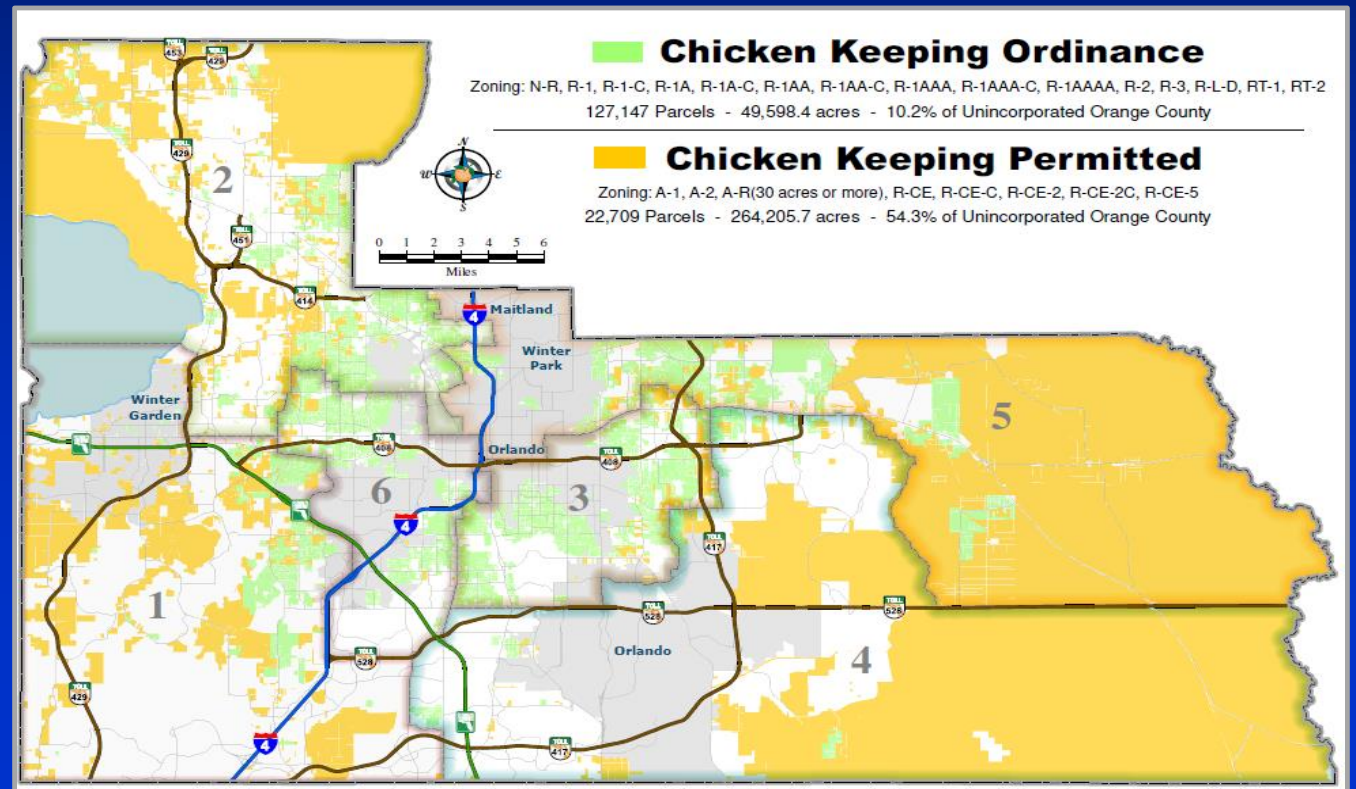
- Respond to residents interest in local, nutritious foods
- Integrate sustainability and resilience into communities
- Empower residents to lead healthier lifestyles
- Invest in the wellbeing and success of our children





Zoning Use Table Changes

- Section 38-77 (Use Table)
- Allows permit for chickens in an owner-occupied single-family detached residence and owner-occupied mobile home
 - R-1AAAA, R-1AAA, R-1AA, R-1A
 - R-1, R-2, R-3
 - RCE Cluster
 - RT-1, RT-2
 - R-L-D, NR



Overview

- **Section 38-79 (37) Conditions for permitted uses and special exceptions**
 - (a) Definitions
 - (b) Application requirements
 - (c) Number of chickens
 - (d) Care, maintenance, and disposal of chickens
 - (e) Additional terms and conditions for permits
 - (f) Prohibited poultry and fowl
 - (g) Effective period





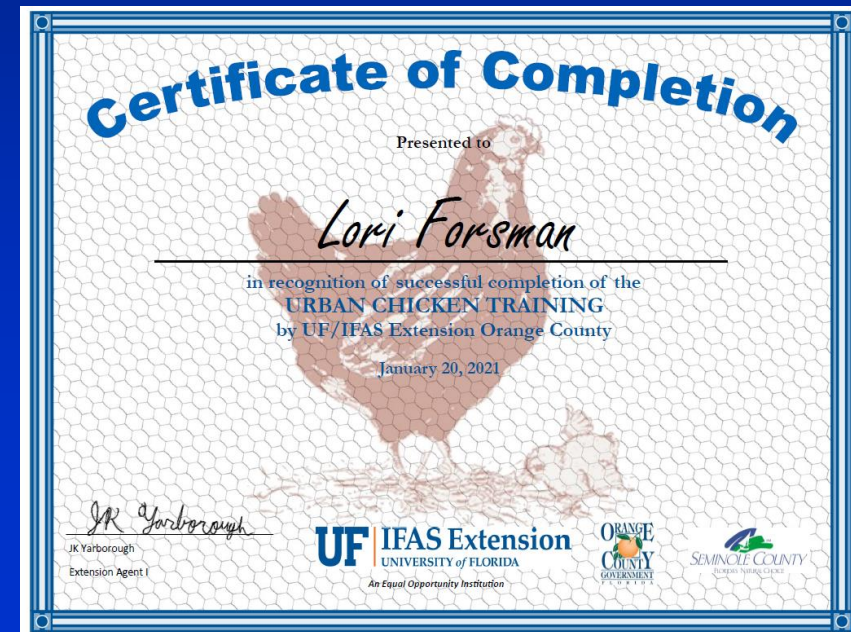
Definitions

- ***Chicken*** means the female of a type of domesticated fowl of the species *Gallus gallus domesticus*.
- ***Chicken coop*** means a covered enclosure designed for roosting of chickens that provides ventilation and protection from drafts, sunlight, the effects of weather, and predators.
- ***Pen area*** means an area around the chicken coop used by chickens for exercising and foraging.



Application Requirements

- **UF/IFAS Extension Urban Chicken Training**
 - Provide Certification of Completion
- **Site Plan for coop and pen area**
 - Location with respect to setbacks
 - Design of coop and pen area





Coop and Pen Area Standards

■ Material

- Welded wire mesh, hardware cloth, or other material of similar strength
 - Chicken wire prohibited
- Enclosure material buried at least 12 " to defeat digging predators
- Secured to the ground for wind resistance

■ Size

- Coop and pen area - 100 sq. ft. maximum
- Coop – 4 sq. ft. per chicken minimum
- Pen area - 10 sq. ft. per chicken minimum

■ Height

- Coop and pen area - 6 ft. maximum





Coop and Pen Area Standards

■ Location and setbacks

- Allowed only in rear yard (not side yard, side street yard, or front yard)
- 15 feet minimum from side or side street property boundary
- 10 feet minimum from rear property boundary, including any wetlands, upland buffers, berms, swales, conservation areas, and platted development right tracts
- 50 feet from any normal high-water elevation line

■ Care and maintenance

- Coop and pen area shall be cleaned regularly to limit insects, vermin, and odors

■ Visual barrier for neighboring properties

- Opaque fencing or vegetation
- Maximum height 6 feet
- Match the coop or pen height – whichever is higher



Chicken Keeping Standards

■ Uses/Prohibitions

- Egg production for personal use
- Sale of eggs, chickens, feathers or manure prohibited
- Breeding, slaughtering, consumption of chickens is prohibited
- Roosters, turkeys, ducks, geese, pigeons, quail, and peafowl prohibited

■ Number of Chickens

- Maximum number of four chickens is permitted

■ Transfer of chickens

- Unwanted chickens must go to a farm or agribusiness, licensed or permitted
- Or to a resident with a valid permit and in compliance with subsection (37)
- Cannot be taken to Orange County Animal Services or released into the wild



Chicken Keeping Standards

- **Care and custody**

- Access to food and water at all times
- Rodent and wildlife-proof containers and feeders
- Housed at all times within coop or pen area
- Kept under continuous custody and control of resident if outside pen area

- **Disposal**

- Waste materials must be properly discarded or composted in an enclosed bin
- Composted waste must be located 20 ft. from property boundaries
- Deceased chickens must be managed in compliance with State standards





Terms and Conditions for Permits

- **Number of permits available**
 - Established by the Board
 - Issued on first-come, first-served basis
- **Nature of permits**
 - Non-transferrable – personal to the permittee as the owner of subject property
 - Shall not override private covenants and restrictions that prohibit such use
- **Non-compliance**
 - Notice of violation/civil citation – possible revocation of permit
 - If revoked, permittee shall not be eligible to apply for a period of two years
 - Includes right of entry for authorized County employees to assess compliance



Ordinance Timeframe

- **Effective unless repealed**
 - If repealed, 10 year allowance for permittees to remove chickens, coop, and pen area
- **Effective date of ordinance**
 - ~~July 1, 2021~~ September 1, 2021

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Additional Items for Consideration

■ Number of Permits

- Reviewed program interest in partner agencies
- Reviewed UF/IFAS resident interest
- Recommending 130 available permits for unincorporated Orange County

■ Permit Fee

- Reviewed staff process time
 - Zoning
 - EPD
- Recommending a permit fee of \$60.00



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Next Steps

- **Seek Board direction on ordinance, number of permits, and permit fee**
- **Second Public Hearing – June 8, 2021 2:00 p.m.**

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