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SUMMARY

BACKYARD CHICKEN ORDINANCE

This ordinance proposes to amend the Lake County Land Development Regulations (LDR), Chapter X, entitled, "Accessory and Temporary Structures and Uses", Section 10.01.00, entitled, "Residential Accessory and Temporary Structures and Uses", to create subsection 10.01.06, entitled, "Backyard Chickens" to allow a maximum of five (5) chickens as an accessory use and placement of chicken coops as accessory structures within specific residential districts, meeting conditions.

This ordinance also proposes to amend Chapter II, entitled "Definitions" to create a definition for Chicken

Changes are shown as follows: Underline for additions to existing Code sections. Renumbering and/or relettering were added as needed.

ORDINANCE NO. 2013-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING THE FOLLOWING SECTIONS OF THE LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS; AMENDING CHAPTER II, ENTITLED "DEFINITIONS" TO CREATE A DEFINITION FOR CHICKEN COOP; AMENDING CHAPTER X, ENTITLED "ACCESSORY AND TEMPORARY STRUCTURES AND USES", SECTION 10.01.00, ENTITLED "RESIDENTIAL ACCESSORY AND TEMPORARY STRUCTURES AND USES", CREATING SUBSECTION 10.01.06, ENTITLED "BACKYARD CHICKENS" TO ALLOW CHICKENS AS AN ACCESSORY USE AND CHICKEN COOPS AS AN ACCESSORY STRUCTURE WITHIN SPECIFIC RESIDENTIAL DISTRICTS, WITH CONDITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Lake County Land Development Regulations contains regulations that allows the keeping of farm animals and poultry in agricultural and low density rural residential zoning districts, but not in other zoning districts;

WHEREAS, many communities around Lake Country have explored how to compatibly integrate chickens into the urban residential setting;

WHEREAS, chickens are social, can make good pets, and findings indicate that three (3) to four (4) chickens are sufficient to meet the needs of the average family's egg consumption;

WHEREAS, Lake County recognizes the role chickens play in developing a more viable urban environment;

WHEREAS, on the 30th day of October, 2013, the Planning & Zoning Board, in its capacity as the Local Planning Agency, considered this ordinance and recommended approval at a properly advertised public hearing;

WHEREAS, the Board of County Commissioners (the "Board") desires to amend Chapter X, Land Development Regulations, to create regulations pertaining to the keeping of chickens in specific residential districts, with conditions.

WHEREAS, on the day of , 2013, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners; and

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Lake County, Florida as follows:

1 2	Section 1. Recitals. The foregoing recitals are true and correct and incorporated herein by		
3	reference.		
4 5 6 7	Section 2. Amendment. Chapter II, Lake County Code, Appendix E, Land Development Regulations, entitled "Definitions", is hereby amended as follows (additions are indicated by underline, and the notation "***" indicates that all preceding or subsequent text remains unchanged):		
8 9	***		
10	Chicken Coop. A structure where hens are kept.		
11 12 13	***		
14 15 16 17 18	Section 3. Amendment. Section 10.01.00, Lake County Code, Appendix E, Land Development Regulations, entitled "Residential Accessory and Temporary Structures and Uses", is hereby amended to create subsection 10.01.06, entitled "Backyard Chickens" (additions are indicated by <u>underline</u> , and the notation "***" indicates that all preceding or subsequent text remains unchanged):		
19	10.01.00 Residential Accessory and Temporary Structures and Uses		
20 21	***		
22	10.01.06 Backyard Chickens.		
23 24 25	General Requirements. Chickens, other than roosters, shall be allowed for personal use as an accessory us within the Estate Residential (R-2), Medium Residential (R-3), Medium Suburban Residential (R-4), Urba Residential (R-6), Mixed Residential (R-7), and Mixed Home Residential (RM) Districts.		
26 27	A. Any person keeping, harboring, raising or maintaining chickens as an accessory to an occupie dwelling unit shall be subject to the following restrictions:		
28	1. No more than five (5) chickens may be kept;		
29	2. Slaughtering of chickens is prohibited;		
30	3. Chickens must be secured within the chicken coop or fenced enclosure at all times;		
31 32	4. All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with rodents or other pests shall be kept in a rodent and pest-proof container;		
33 34 35	5. No manure shall be allowed to accumulate on the floor of the coop or ground. A fly-tight bin fo storage of manure shall be utilized; the size shall be sufficient to contain all accumulations o manure. The fly-tight bin shall be kept at least twenty (20) feet away from all property; and		
36 37	 Composting of chicken manure shall be allowed in an enclosed bin. The composting bin shall be kept at least twenty (20) feet away from all property lines. 		
38 39			
40	1. Not be located in the front or side yards; and		
41	2. Be set back a minimum of twenty (20) feet from all property lines.		
42	***		

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1 2 3 4	-	If any section, sentence, clause or phrase or the Ordinance is held to court of competent jurisdiction, then said holding shall in no way effect of this Ordinance.	
5 6 7 8	Section 5. Inclusion in the Code. It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake County Code and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section", "article" or such other appropriate word or phrase in order to accomplish such intentions.		
9			
10 11	Section 6. Filing with the Department of State. The clerk shall be and is hereby directed forthwith to send a certified copy of this Ordinance to the Secretary of State for the State of Florida.		
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13 14	Section 7. Effective. State.	This Ordinance shall become effective upon filing with the Secretary of	
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17	Enacted this day of	, 2013.	
18	Filed with the Secretary of State _	, 2013.	
19 20 21 22 23	ATTEST:	BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA	
24			
25 26 27 28 29	Neil Kelly, Clerk of the Board of County Commissioners of Lake County, Florida	Leslie Campione, Chairman	
30	Approved as to form and legality:		
31			
32			
33			
34 35	Sanford A. Minkoff	-	
36	County Attorney		

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