

1 **Summary of Ordinance**

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3 The purpose of this ordinance is to amend Section 10.01.06, Lake County Code, Appendix E, Land  
4 Development Regulations, entitled *Backyard Chickens*, to remove restrictions on chickens when located in  
5 Agriculture (A), Agriculture Residential (AR), Ranchette District (RA) and Rural Residential (R-1) zoning  
6 districts.

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8 Changes are shown as follows: ~~Strikethrough~~ for deletions and Underline for additions to existing Code  
9 sections. The notation “\* \* \*” shall mean that all preceding or subsequent text remains unchanged  
10 (excluding any renumbering or relettering that might be needed).

11  
12 **ORDINANCE NO. 2020-\_\_\_**

13  
14 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE**  
15 **COUNTY, FLORIDA; AMENDING SECTION 10.01.06, LAKE COUNTY CODE,**  
16 **APPENDIX E, LAND DEVELOPMENT REGULATIONS, ENTITLED *BACKYARD***  
17 ***CHICKENS*; REMOVING THE AGRICULTURE (A), AGRICULTURE RESIDENTIAL**  
18 **(AR), RANCHETTE DISTRICT (RA), AND RURAL RESIDENTIAL (R-1) ZONING**  
19 **DISTRICTS FROM THE BACKYARD CHICKEN RESTRICTIONS; PROVIDING FOR**  
20 **SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR**  
21 **FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN**  
22 **EFFECTIVE DATE.**

23  
24 **WHEREAS**, on December 17, 2013, the Board adopted Ordinance No. 2013-67 which  
25 created Section 10.01.06, Land Development Regulations, for the purposes of allowing backyard  
26 chickens in the Estate Residential (R-2), Medium Residential (R-3), Medium Suburban Residential  
27 (R-4), Urban Residential (R-6), Mixed Residential (R-7), and Mixed Home Residential (RM)  
28 zoning districts; and

29  
30 **WHEREAS**, on October 24, 2017, Section 10.01.06 was amended to include the  
31 Agriculture (A), Agriculture Residential (AR), Ranchette District (RA) and Rural Residential (R-  
32 1) zoning districts; and

33  
34 **WHEREAS**, the Board now desires to move the A, AR, RA, and R-1 zoning districts from  
35 Section 10.01.06, of the Land Development Regulations, as those districts already permit non-  
36 intensive agricultural activities, which includes chickens; and

37  
38 **WHEREAS**, the amendments and modifications contained herein are in the best interest  
39 of the residents of Lake County, Florida.

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

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44 **Section 1. Recitals.** The foregoing recitals are true and correct and incorporated  
45 herein by reference.

1           **Section 2.     Amendment.** Section 10.01.06, Lake County Code, Appendix E, Land  
2 Development Regulations, entitled *Backyard Chickens*, is hereby amended to read as follows:

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4           **10.01.06 Backyard Chickens.** ~~§0; General Requirements.~~ Chickens, other than roosters,  
5 shall be allowed for personal use as an accessory use within the ~~Agriculture (A), Agriculture~~  
6 ~~Residential (AR), Ranchette District (RA), Rural Residential (R-1),~~ Estate Residential (R-2),  
7 Medium Residential (R-3), Medium Suburban Residential (R-4), Urban Residential (R-6), Mixed  
8 Residential (R-7), and Mixed Home Residential (RM) Districts subject to the following  
9 requirements.

10           A. Any person keeping, harboring, raising or maintaining chickens as an accessory to an  
11 occupied dwelling unit shall be subject to the following restrictions:

- 12           1. No more than five (5) chickens may be kept;
- 13           2. Slaughtering of chickens is prohibited;
- 14           3. Chickens must be secured within the chicken coop or fenced enclosure at all times;
- 15           4. All feed and other items associated with the keeping of chickens that are likely to  
16 attract or to become infested with rodents or other pests shall be kept in a rodent and  
17 pest-proof container;
- 18           5. No manure shall be allowed to accumulate on the floor of the coop or ground. A fly-  
19 tight bin for storage of manure shall be utilized; the size shall be sufficient to contain  
20 all accumulations of manure. The fly-tight bin shall be kept at least twenty (20) feet  
21 away from all property; and
- 22           6. Composting of chicken manure shall be allowed in an enclosed bin. The composting  
23 bin shall be kept at least twenty (20) feet away from all property lines.

24           B. Chicken coop or fenced enclosure used to house chickens. Any chicken coop or fenced  
25 enclosure used to house chickens shall:

- 26           1. Not be located in the front or side yards; and
- 27           2. Be set back a minimum of twenty (20) feet from all property lines.

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29           **Section 3.     Severability.** If any section, sentence, clause, or phrase or word of this  
30 Ordinance is for any reason held or declared to be invalid, unconstitutional, inoperative or void by  
31 any court of competent jurisdiction, then said holding shall in no way affect the validity of the  
32 remaining portion of this Ordinance; and it shall be construed to have been the Commissioners’  
33 intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and  
34 the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and held  
35 to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions  
36 thereof shall be held inapplicable to any person, groups of persons, property, kind of property,  
37 circumstances or set of circumstances, such holding shall not affect the applicability thereof to any  
38 other person, property or circumstances.

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40           **Section 4.     Inclusion in the Code.** It is the intent of the Board of County  
41 Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake  
42 County Code and that the sections of this Ordinance may be renumbered or relettered and the word

1 "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in  
2 order to accomplish such intentions.

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4 **Section 5. Filing with the Department of State.** The Clerk shall be and is  
5 hereby directed forthwith to send an electronic copy of this Ordinance to the Secretary of State for  
6 the State of Florida in accordance with Section 125.66, Florida Statutes.

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8 **Section 6. Effective.** This Ordinance shall become effective as provide for by law.

9  
10 Enacted this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

11  
12 Filed with the Secretary of State \_\_\_\_\_, 2020.

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15 **BOARD OF COUNTY COMMISSIONERS**  
16 **OF LAKE COUNTY, FLORIDA**

16 ATTEST:

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20 \_\_\_\_\_  
21 Gary J. Cooney, Clerk of the  
22 Board of County Commissioners  
23 of Lake County, Florida

\_\_\_\_\_

Leslie Campione, Chairman

24 This \_\_\_\_ day of \_\_\_\_\_, 2020.

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26  
27 Approved as to form and legality:

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30 \_\_\_\_\_  
31 Melanie Marsh  
32 County Attorney