

## **MEMORANDUM**

**DATE:** April 7, 2014

**TO:** Mayor Fultz and City Commissioners

**FROM:** The Lake Wales Chicken Council

**CONTACTS:** Catherine Price, Eileen Katz, Gail Kauffman, Chadyah Barakat

**SUBJECT:** Lake Wales Urban Chicken Pilot Program

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**Request.** Authorize a one-year pilot program which would allow the City of Lake Wales, Florida, to monitor a limited number of “urban chickens” that are kept in the backyards of single family residential units. The pilot would be limited to 8 residences within the City of Lake Wales. It is proposed that the Lake Wales Chicken Council review and approve applicants utilizing a Temporary Use Application approved by the Lake Wales City Council and on a first come first serve basis. Acceptance into the program will be determined by the participant meeting meetings the basic requirements stated below.

**Long Term Goal.** This project is designed to demonstrate (on a small scale) the benefits of allowing the citizens of Lake Wales to raise a limited number of backyard chickens (hens only) and demonstrate that the impact to the City of Lake Wales and the citizenry will be negligible and manageable with a minimum of resources and effort. The long term goal is to pave the way (at the end of one year) for the City Commission to change the existing City ordinance to allow regulate backyard chickens in the city limits of Lake Wales.

**Summary.** From time to time, the City Planning staff has received requests from citizens to allow chickens in backyard coops. These requests are part of a nationwide trend to allow chickens in urban areas for the purpose of fresh eggs. Chicken keepers are typically concerned about the amount of time and energy it takes to get eggs to the end consumer, want eggs free of certain farm chemicals and pesticides, or just simply enjoy the taste of fresh eggs and chicken keeping as part of a more active lifestyle.

Chicken keeping is also part of a larger sustainability trend to allow citizens to grow their own foods – including fruits, vegetables and honey production – by reducing barriers which restrict local food production. These sustainability trends are congruent with community sentiments towards a more Green future, such as support for community gardens and active living initiatives. Also, conventional agricultural practices that have been in place since World War II have relied on pesticides and fertilizers to produce food for the mass consumer markets. These are typically petroleum-intensive operations. With rising fuel and food prices, allowing local food production may improve the resiliency of the Lake Wales are and help mitigate future price swings or food shortages. Additionally, supporting and encouraging local food and vegetable production can have a positive impact on the health and wellbeing of the residents in the City of Lake Wales.

Specific criteria for the proposed pilot are as follows to allay the common concerns:

- Up to four (4) hens are allowed at a single family residence; **roosters are prohibited.**
- Hens must be contained within a covered chicken coop and fenced pen area. The coop and fenced pen area must be located in the rear half of the residential lot behind the principal structure. It shall be unlawful for any person to allow hens to run at large upon the streets, alleys or other public places of the City, or upon the property of any other person.
- The coop and fenced pen area shall be setback twenty (20) feet from any adjacent residential principal structure which is off the subject property, and five (5) feet from any abutting residential property line (unless the adjacent neighbor agrees in writing to a lesser setback or a waiver of these requirements).
- The coop and pen area must be kept in a clean sanitary manner, free of insects and rodents, offensive odors, excessive noise, or any other condition which could potentially cause a nuisance (i.e. the coop should be cleaned frequently). Stored feed must be secured in metal containers to prevent mice and other pests.
- The coop must provide adequate space for the hens to move about easily and have a safe roost and the pen should be at least 18 square feet.
- Annually the Polk County Florida Agricultural Extension Office will provide in Lake Wales a seminar regarding the care of chickens in an urban environment. Pilot project participants may avail themselves of this opportunity to learn more about the proper care of chickens.
- If the program is to discontinue, or households drop out, the individual participants in the program are responsible for finding new homes for their hens.
- No slaughtering of the hens is allowed on the subject site.
- At the end of the pilot program, the 8 residences will be allowed to legally retain their chickens until they sell their residence. This allowance cannot be sold with the property.

**Application and Process.** Up to 8 residents of single family dwellings within the City of Lake Wales may apply for a Lake Wales Chicken Council Determination by submitting an Application and requesting a site visit by members of the Lake Wales Chicken Council. This Application will require the following information: Name, Address, Telephone Number(s), E-mail Address. Applications will be taken on a first come, first serve basis. Upon receiving the applications, the first eight (8) applicants will be notified and accepted. This date will be noted on the Application form. Applicants will be given one month (30 calendar days) from the date of the official acknowledgement of the acceptance of the Application to be prepared for and to schedule a site visit. The applicant will be given a telephone number to call in order to schedule a site visit. If at the end of the 30 days, they are not prepared for the visit, they will be notified and if requested, allowed a two week extension (this date will be noted on the Application form). If at the end of that two week extension, the Applicant is still not prepared, the next applicant in line will be notified of acceptance into the pilot program. A Lake Wales Chicken Council volunteer will review the Application, contact the Applicant and note the various date(s) of the acknowledgement and any extension date, set a mutually convenient time for a site visit, perform the initial site visit, review the Application and notify the applicant of approval. The purpose of the site visit is to ensure that the

Applicant is in compliance with the rules established above prior to introduction of chickens onto their property. The final Application forms of all applicants (those that are accepted and those that are rejected) will be sent to the City of Lake Wales Planning department for filing.

**Recommended Actions and Conditions.** Authorize the Planning Department to issue up to 8 Lake Wales Urban Chicken Permits for a pilot program authorizing urban chickens, subject to the above conditions, and the following:

- Should complaints about the chickens come in to the City with regard to any of the properties where the Pilot Project is being conducted; a Lake Wales Chicken Council volunteer will go to the site and conduct another site visit to ascertain if the participant is still in compliance with the rules stated above. Their findings will be passed on to the City of Lake Wales Planning Department. A City Code Enforcement Officer will then conduct an independent site visit to verify the findings of the Volunteer.
- The Planning Department may revoke a Lake Wales Urban Chicken Permit for a specific site via written notice to the property owner when the City finds that any of the above conditions are not met. The participant is then responsible for finding other homes for their chickens.
- The Planning Department will work with the Lake Wales Chicken Council in the pilot program, and report those findings to the Lake Wales City Manager on an as needed basis or at the end of the one year pilot program.
- At the end of the one year period, the Lake Wales City Commission will revisit the issue of the City ordinance to see if it is appropriate to change this ordinance to allow backyard chickens in the City Limit. Regardless of the decision of the City Commission at the end of the one year project, participants in the Lake Wales Urban Chicken Pilot Project will be allowed to keep their chickens because of the investment that they have made to house these chickens. The pilot project on these sites will not be grandfathered upon future sale of these properties.

**Outcomes and Specific Criteria:** Specific criteria for evaluation of the outcomes of this pilot project are as follows:

- The vast majority of the Citizens of Lake Wales will have a positive attitude about changing the City ordinance to allow backyard chickens in the Lake Wales.
- Awareness of urban farming and Green living (i.e. use of chicken manure to fertilize gardens, value of fresh eggs) will be raised in the City of Lake Wales.
- Code Enforcement Officers in the City of Lake Wales will not be burdened with excessive complaints and problems associated with backyard chickens in Lake Wales.