

**WORK SESSION OF THE AVON LAKE
PLANNING COMMISSION
July 2, 2024**

A work session of the Avon Lake Planning Commission was called to order on July 2, 2024, at 7:00 P.M. in Council Chambers with Chairperson Ma presiding.

ROLL CALL

Present for roll call were Mrs. Fenderbosch, Mr. Haas, Dr. Ma, Mrs. Raymond, Mayor Spaetzel, Director of Law Ebert, Engineer Howard, Public Works Director Liskovec, Community Development Director Esborn, and Planning & Zoning Manager La Rosa.

DISCUSSION ITEM:

CASE NO. CTA-24-2, Code Text Amendment, 1224.01 Accessory Use and Temporary Use Regulations, Backyard Chickens, Coops, and Runs.

Councilwoman Jennifer Fenderbosch presented a proposal to amend the city's planning and zoning code to allow residents to keep backyard chickens under specific regulations. This initiative aims to provide a framework for raising chickens for personal use, aligning with community standards and public health guidelines.

Mr. Haas inquired as to the current regulations for keeping chickens in Avon Lake. Law Director Ebert clarified that keeping chickens is currently a violation. A moratorium on enforcement was previously in place but has expired, making it a violation again.

Mr. Haas inquired if current chicken owners would need to go through the permitting process if the ordinance is passed. Law Director Ebert confirmed this and noted that licensing and inspections still needed further refinement.

Mr. Haas raised concerns about the need for an implementation plan due to the number of non-compliant coops. The City needs to inspect and verify that chickens were acquired with the appropriate certification. Ms. Fenderbosch indicated that current chicken owners have certification or receipts for their chickens.

Mr. Haas inquired about other prohibited agricultural animals and asked if beekeeping or rabbits were allowed. Mr. Esborn explained that agricultural use requires a minimum of 5 acres, which most residential properties in Avon Lake do not have.

Mr. Haas discussed the need to differentiate between pets and agricultural animals like chickens. Ms. Fenderbosch shared a past situation involving goats on Jaycox Road to illustrate the distinction.

Mr. Haas asked about fencing requirements for chicken coops and runs. Mr. Esborn clarified that a fence 4 feet or higher needs a permit from the Building Department. Whereas the Community

Development Department would manage zoning permits for chicken coops. Discussion on the specifics of fencing for aesthetics or containment purposes continued.

Mr. Haas questioned the rationale for allowing 12 egg-producing chickens. Mrs. Fenderbosch explained that chickens are often sold in groups of 3 and 6, and smaller lots would not accommodate 12 chickens. Mr. Haas noted that you can have an unlimited number of chickens that are not egg-producing. Mrs. Fenderbosch advised people do become attached to their chickens and may want to keep them as pets after they stop laying eggs. Mr. Haas thought it was in the city's best interest to limit the total number of chickens to 12.

Mr. Haas asked if composting chicken waste should be a requirement. Mrs. Fenderbosch stated that Ohio State University recommends composting, but it is not currently a requirement.

Dr. Ma inquired about the history of the moratorium on chicken enforcement. Law Director Ebert explained that it was put in place while the issue was researched but has since lapsed.

Dr. Ma asked about the process for adding more chickens after obtaining a permit. Mrs. Fenderbosch acknowledged that this issue has not been addressed and should be.

Mrs. Raymond raised concerns about fencing requirements for coops and runs. Mayor Spaetzel pointed out that the ordinance does not require a fence unless you are going to let the chickens out of the run. The language needs to be added if you want to require a fence around the perimeter.

Mrs. Raymond inquired about the life expectancy of chickens and the need to notify the city of changes. Mr. James Bennington explained he purchased his chickens 6 years ago and they still lay eggs.

Mr. Esborn stated that chicken-related matters would be on the zoning permit, while the Building Department manages physical structures.

Mayor Spaetzel expressed his concerns about the implementation and management of the code, particularly the process of verifying new chickens. If it is to be regulated it should not be cumbersome.

Additionally, Mayor Spaetzel advised that existing chicken owners need to bring their coop and run up to code and apply for a permit. A decision as to the deadline to comply is yet to be determined. Mrs. Fenderbosch acknowledged that other communities provide a 6-to-12-month grace period.

Mayor Spaetzel asked if chicken owners noticed an increase in wildlife. Mr. Bennington advised he has not, and his property is located 5 lots down from the Metro Park's property.

Mr. Haas asked about the rationale for allowing chickens in a P-I District. Mrs. Fenderbosch indicated that there is interest from schools and the library in using chickens in educational programming.

Dr. Ma asked for public input.

Sue Newcomb shared that she once had two chickens, for which she designed and built a coop. The chickens were always kept within their coop and run, with the yard fenced on three sides. She purchased the chickens from Myers Hatchery in Polk, Ohio. Each chicken laid one egg daily, providing more eggs than she needed, allowing her to give the extra eggs to a family with a son who had a medical condition that restricted his diet to scrambled eggs. Sue maintained the coop by cleaning it twice a day and disposing of the waste in plastic bags, like how she manages her dogs' waste. When she could no longer care for the chickens, she found a couple on the east side willing to take them, who assured her that the chickens were doing well. She noted that her chickens were never a nuisance and went unnoticed by neighbors.

James Bennington shared that he keeps six chickens behind a three-sided, 6-foot privacy fence to maintain his yard's privacy. After thorough research, he designed his coop and subsequently discovered that city zoning codes required a minimum of 5 acres to keep chickens. While he understood this requirement for larger animals like horses, he found it unreasonable for chickens. Receiving a citation for this led to a moratorium on enforcement. Bennington explained that chickens are easy to care for, highlighting that he installed solar lights outside the coop for nighttime illumination and a 3-gallon bubbler for water. He has had no issues with rodents or wildlife and composts the chicken waste for use in his garden.

Kathryn Eyering expressed concern about the over-regulation of chicken keeping.

Christopher Berben, a member of the community garden, expressed his passion for growing his food. He envisions a sustainable cycle where garden scraps feed his chickens, which then produce eggs. After eating the egg, the eggshells then provide calcium, and along with the chicken waste return to the garden as compost, completing the nutrient cycle. While he understands the Planning Commission's need for thoroughness, he feels it is discriminatory to impose such regulations on chickens when other pets do not face similar scrutiny.

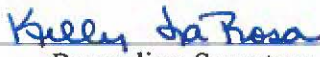
The discussion continued about whether a fence permit should be required for coops and if landscaping could be used as an alternative.

The next regular meeting of the Planning Commission is Tuesday, August 6, 2024.

Dr. Ma adjourned the meeting at 9:15 pm.



Planning Commission
Chairperson Ma



Recording Secretary
Kelly La Rosa