



REPORT TO CITY COUNCIL

Report Prepared by: Traci Pederson

Date: April 1, 2024

Subject: Letter to Council from L.Gorton
RE: Request to have Chickens on Urban Residential Property

Report: Please see the attached documents, with highlighted sections. Our Code prohibits chickens (17-7.7(3) Sanitation Standards and 17-7.8 Animal Husbandry) in the Urban Residential Zone. The request via this letter is an excluded use in our Land Use Matrix (Animals Food and Animal Husbandry).

Council Action Requested:

No action requested.

At the 4/1/24 Council Meeting – the Council asked for the Planning Commission to discuss our current Ordinance regarding this topic.

After discussion on the topic at the PC Meeting tonight, 4/22/24, if the Planning Commission is interested in moving forward with a Code Ordinance Amendment, we will need to host a Public Hearing. An amendment would change the use for everyone in the UR zone, potentially other zones, not just for the community member that sent the letter. Limits on the number of chickens allowed would also need to be put in the Code, if looking to make the change.

February 21, 2024



Dear City Council

This is Landon Gorton I am a nine year old boy who has been wanting chickens at our house. I was very upset when my mom and dad told me we were told we could not get chickens. I would really like you to think about us getting chickens please. my siblings and I would really like to get eggs in the morning and learn how to care for them, plus they would eat some of our food scraps. Thank you for taking your time to read this.

30885 S Heath St
Pequot Lakes

952-234-0837 mom cell - Simone
952-423-8478 Dad cell - Anne
TRANS Anne

3. **Abutting.** Making direct contact with or immediately bordering.
4. **Accessory Dwelling Unit (ADU):** A single unit located outside of the Shoreland Area and on the same property as a principal dwelling proving complete, independent, living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. An ADU may be detached, attached, interior (upper or lower level), above garage or a garage conversion.
5. **Accessory Structure.** A building or other structure that is supportive, secondary and subordinate in use and/or size to the principle structure on the same parcel or lot which, because of the nature of its use, can reasonably be located at or greater than minimum structure setbacks. Includes all structures not considered the principle structure including, but not limited to, T.V. towers antennas, dish antennas, outdoor swimming pools, outdoor hot-tubs, detached garages, sheds, guest quarters and boathouses.
6. **Accessory Use.** A use naturally and normally incident and subordinate to the main use of the premises.
7. **Addition.** A physical enlargement of an existing structure.
8. **Adjacent.** In close proximity to or neighboring, not necessarily abutting.
9. **Agent.** Any person acting on behalf of a landowner in dealing with activities under the jurisdiction of the Ordinance, including but not limited to realtors, contractors or attorneys.
10. **Agricultural Use.** The use of land for agricultural purposes including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture and animal and poultry husbandry and the necessary accessory uses used for packing, treating or storing the product, provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.
11. **Airport.** Any premises used or intended for use for the landing and taking off of aircraft including any structures used or intended for use for aircraft services.
12. **Alteration.** A change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by extending on a side or by increasing in height, or by moving from one location to another, of a building or a structure.
13. **Animals, Domestic.** Common household pets, such as dogs and cats, kept for amusement, companionship, decoration or interest.
14. **Animals, Food.** Fish, fowl, cattle, swine, sheep and others raised for the purposes of food consumption.

18. **Animal Husbandry.** The care or breeding of domestic animals such as cattle, hogs, sheep, horses, poultry, for the occupants of a property.
19. **Animal Unit.** A unit of measure based on the approximate production of wastes from 1000 pounds of live weight of poultry or animals.

Animal Units:

One (1) slaughter weight steer or heifer	1
One (1) mature dairy cow or horse	1.4
One (1) miniature horse	0.35
One (1) swine	0.4
One (1) sheep	0.1
One (1) goose	0.1
One (1) duck	0.05
One (1) turkey	0.18
One (1) chicken	0.1
One (1) goat	0.1

20. **Antenna.** Any structure or device used for the purpose of collecting or radiating electromagnetic waves including but not limited to directional antennas such as panels, microwave dishes, satellite dishes, and omni-directional antennas such as whip antennas. Dishes under 36 inches are excluded from the definition of antenna.
21. **Apartment.** A room or suite of rooms that is designed for, intended for, or occupied as a residence by a family or individual, and is equipped with sanitary facilities.
22. **Appeal.** An application for the review of an order, requirement, decision, determination, or interpretation of this Chapter made by an administrative officer in the application and/or enforcement of this Chapter.
23. **Architectural Projection.** A non-functional or ornamental feature on a building or other structure that does not extend to, or from, the ground.
24. **Artist's Studio.** A fine arts workshop of a painter, sculptor, potter, weaver, carver, jeweler, photographer, or other similar art that requires artistic skill, where the public is received or where the artist is engaging in retail sales. Not generally utilitarian, related to personal hygiene or adornment.
25. **Athletic Facility.** An area of land or any building in which amusement, recreation, or athletic sports are provided for public or semi-public use, whether temporary or permanent and whether provision is made for the accommodation of an assembly or not.

179. **Parking Space.** A 10 foot by 20 foot site off public right of way, maintained and sized to accommodate the parking of one automobile.
180. **Party Wall or Floor.** A common wall which divides two independent dwelling units or businesses.
181. **Permitted Use.** A land use conforming to the character of a zoning district which is permitted by ordinance requiring only a zoning permit issued by the Zoning Administrator.
182. **Pet.** An animal commonly associated with human habitation, not considered under animal units and not raised for production of income.
183. **Planned Unit Development (PUD).** A land use characterized by a unified site design for a number of dwelling units or dwelling sites on a parcel, whether for sale, rent, or lease, and also usually involving clustering of these units or sites to provide areas of common green space, density increases, and mix of structure types and land uses. Does not include a duplex where specifically allowed in a zoning district on a single parcel of land.
184. **Planned Unit Developments, Commercial.** Uses that provide transient, short-term lodging spaces, rooms, or parcels and their operation are essentially service orientated. These shall include but not be limited to hotel/motel accommodations, resorts, recreational vehicle and camping parks and other primarily service oriented activities.
185. **Planned Unit Development, Residential.** Residential Planned Unit Development means a use where the nature of residency is nontransient and the major or primary focus of the development is not service-oriented. For example, residential apartments, manufactured home parks, townhouses, cooperatives and full fee ownership residences would be considered as Residential Planned Unit Developments. Includes time share condominiums not part of a resort.
186. **Planning Commission.** The body duly appointed by the City Council to determine the development of the City and make recommendations to the City Council on comprehensive plans, zoning district boundaries, conditional use permits, subdivision of land and capital improvements.
187. **Porch.** A covered platform attached to a structure.
188. **Porch, Enclosed.** A covered platform attached to a structure with more permanent enclosures than those described in “porch”.
189. **Portable.** Capable of being transferred or moved from one place to another.
190. **Practical Difficulties.** The property owner proposes to use the property in a reasonable manner not permitted by an official control; the plight of the landowner is due to circumstances unique to the property not created by the

G. Abandoned motor vehicles shall be stored within a structure or completely screened from view from adjacent properties and right-of-way. See Chapter 3, Article 8.

3. Bulk Storage.

A. All uses associated with the bulk storage of oil, gasoline, liquid propane, liquid fertilizer, chemicals and similar liquids shall comply with the requirements of the Minnesota State Fire Marshall, the Minnesota Pollution Control Agency and Minnesota Department of Agriculture. When in excess of normal domestic allowances, the property owner shall have documents from those offices stating that the use is in compliance. No storage facility shall be constructed or placed where spillage from the facility would drain to a drainageway or public waters without providing complete containment.

Section 17-7.6 VISUAL STANDARDS – SCREENING

1. General. No use shall create, maintain or continue any activity or structure which has a strong negative visual impact or offends the morals or violates the standards of the City.

2. Standards. Screening requirements for each district are contained in Article 5.

Section 17-7.7 SANITATION STANDARDS

1. Solid Waste. All solid waste shall be disposed of in accordance with the standards of Crow Wing County.

2. Domestic Sewage. SSTS shall conform to the requirements of Chapter 15, Article 3 of the City Code.

3. Agriculture or Animal Wastes. Within the shoreland area, 1,000 feet from a lake or 300 feet from a watercourse, no waste products from agriculture or animal husbandry operations shall be deposited by man at any greater rate than the plant and soil system can absorb the nutrients; nor shall any wastes be allowed to accumulate where surface waters flow directly to public waters or watercourses. No livestock shall be allowed to water directly in a stream or public water.

4. Water Supply.

A. All potable water systems shall be connected to a municipal water supply, if made available.

B. All domestic and agricultural wells shall conform to the Minnesota Department of Health Standards for wells.

C. All water systems shall meet the requirements of the Minnesota

Department of Health Standards for water systems.

- D. All wells being abandoned shall be sealed according to Minnesota Department of Health Standards and report to Minnesota Department of Health and the City.

Section 17-7.8 ANIMAL HUSBANDRY

1. Pets. Pets shall be properly cared for, shall not be allowed to create problems for neighbors or the City, or become a nuisance, and shall have sanitary standards maintained consistent with Section 17-7.7(3).

2. Livestock.

- A. Livestock may be raised as provided in Zoning Districts with proper permits provided that the standards of each District are not compromised.
- B. Livestock shall be properly cared for, shall not create problems for neighbors or the City and shall have sanitary standards maintained consistent with Section 17-7.7(3).

3. Wild Animals.

- A. The keeping of wild animals as pets - including but not limited to primates and large carnivores - is not allowed.
- B. Wildlife rehabilitation uses shall require a Conditional Use Permit and must meet the minimum standards established by the State of Minnesota Department of Natural Resources pursuant to Minnesota Rules Chapter 6244.

4. Bees.

A. Definitions:

- i. "Apiary" means the assembly of one or more colonies of bees at any one location.
- ii. "Beekeeper" means a person who owns or has charge of one or more colonies of bees.
- iii. "Beekeeping equipment" means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards, and extractors.
- iv. "Colony" means an aggregate of bees consisting principally of workers, but having, when perfect, one queen and at times drones, brood, combs, and honey.
- v. "Hive" means the receptacle inhabited by a colony that is manufactured for that purpose.

A - allowed w/o a permit, P - permitted, C - conditional use, I - interim use, AC - accessory use, E - excluded

USE	OS	EM	AC	YR	SR	TR	AR	DMU	C	SC	A	IUR	IA	P	PD
Abandoned Building	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E
Abandoned Motor Vehicle	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E
Accessory Dwelling Unit (ADU)	E	P	P	E	E	P	P	P	P	E	E	P	E	E	E
Accessory Storage Container	E	P	P	E	E	E	P	E	E	E	E	E	E	E	E
Accessory Structure	E	AC	AC	E	AC	AC	AC	AC	AC	AC	AC	AC	AC	P	AC
Adult Use	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E
Agricultural Use	A	A	A	E	E	E	A	E	E	E	E	E	E	E	E
Airport	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E
Animals, Domestic	E	A	A	E	A	A	A	A	A	A	A	A	A	E	E
Animals, Fowl	A	A	A	E	A	A	A	E	E	E	E	E	E	E	E
Animals, Wild	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E
Animal Boarding Facility	E	C	C	E	E	E	C	E	C	E	E	E	C	E	E
Animal Grooming Establishment	E	P	P	E	C	P	P	P	P	C	E	C	P	E	C
Animal Husbandry	E	P	A	E	E	E	P	E	E	E	E	E	E	E	E
Antenna	E	A	A	E	A	A	A	P	A	A	A	P	A	A	A
Artist's Studio	E	AC	AC	E	AC	AC	AC	P	P	AC	P	AC	P	E	C
Athletic Facility (per EDC)	E	A	A	E	E	E	I	E	C	E	A	E	E	P	C
Auto Body Shop	E	E	E	E	E	E	E	C	P	E	E	E	P	E	C
Auto Repair	E	E	E	E	E	E	E	C	P	E	E	E	P	E	C
Auto Sales	E	E	E	E	E	E	E	P	P	E	E	E	E	E	E
Auto Salvage Yard	E	E	C	E	E	E	E	E	E	E	E	E	C	E	E
Bank or Financial Institution	E	E	E	E	E	E	E	P	P	E	E	E	E	E	C
Banner	E	E	AC	E	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC
Beauty Shop, Barber Shop	E	E	E	E	E	E	E	P	P	E	E	E	E	E	C
Bed and Breakfast	E	C	C	E	C	C	C	C	E	P	C	C	E	E	E
Bees	P	P	P	E	P	P	P	E	E	P	P	P	E	E	E
Boat Access	E	E	E	E	C	E	E	E	E	C	E	E	E	C	E
Boat House	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E
Bowling Lanes	E	E	E	E	E	P	P	P	P	E	E	E	E	E	C
Brewery/Taproom	E	E	E	E	E	E	E	P	P	E	E	E	E	E	C
Bursness w/ Residential Quarters	E	E	E	E	E	E	E	P	P	E	E	E	E	E	C
Campground	E	C	C	E	E	E	C	E	E	C	C	E	E	E	E
Camping	E	A/P	A/P	E	A/P	A/P	A/P	A/P	E	A(5)	A/P	A/P	A/P	E	E
Car Wash	E	E	E	E	E	E	E	P	P	E	E	E	E	E	E
Cemetery	C	C	C	E	E	E	C	E	C	E	E	C	E	C	E
Child Care, Center	E	C	C	E	E	C	C	P	P	C	C	C	AC	E	C