

SECTION 2-803.C. CONDITIONS FOR APPROVAL.

The Applicant must adequately show, by clear and convincing evidence, that the keeping of chickens will not create a nuisance in the surrounding neighborhood, that humane care will be provided, and that the premises where the chickens are kept are suitable for the keeping of chickens and is in conformity with all City zoning requirements. The criteria to be evaluated include, without being limited to, the following:

1. The chickens will be kept or maintained at all times in a safe and sanitary manner.
2. The chicken coop in which the chickens are kept or confined will be adequately lighted and ventilated and is so constructed and maintained that they can be kept in a clean and sanitary condition.
3. The health and well-being of the chickens will not in any way be endangered by the manner of keeping or confinement.
4. The keeping of the chickens will not harm the surrounding neighborhood or disturb the peace and quiet of the surrounding neighborhood.
5. The keeping of the chickens will not cause fouling of the air by offensive odors and thereby create or cause unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the chickens are kept.
6. The chickens will not unreasonably annoy humans, endanger the life, health, or safety of other animals or persons or substantially interfere with the rights of citizens to the enjoyment of life or property.
7. The chickens will not repeatedly run or be found at large, will not damage or deposit excretory matter upon the property of anyone other than their owner, and will not molest or intimidate pedestrians or passersby.
8. The chickens will not make disturbing noises, including but not limited to, continued and repeated or untimely crowing, whining, growling, cry, or other utterances causing unreasonable annoyance, disturbance or discomfort to neighbors and others in close proximity to the premises where the chickens are kept, or otherwise be offensive or dangerous to the public health, safety or welfare, by virtue of their behavior, number, type or manner of keeping.
9. The applicant, or any person who will share in the care, custody and control of the chickens, is not currently in violation of, or has not previously violated any applicable City, state or federal laws, codes, rules or regulations, including, but not limited to, those pertaining to the care and control of animals and the maintenance of their property, which would reflect adversely on their ability to fully comply with the conditions of the Chicken Permit.
10. The keeping of the chickens will adhere to the Performance Standards set forth in Section 8-104 of this Article.

SECTION 2-804. PERFORMANCE STANDARDS

A. Number and Type of Chickens.

1) Number of Chickens Allowed.

Number of Chickens Allowed		
Lot Size	Chicken Permit Required	Maximum number of Hens Allowed
0.20 - 0.49 Acres	Yes	8
0.50 - 0.99 Acres	Yes	10
1-3 Acres	Yes	12
> 3 acres	No	No Maximum

2) Type of Chickens Allowed.

- a) No roosters are allowed on any property less than 3 acres.
- b) This Article only allows chickens as defined in Section 8-101, and does not allow any other fowl, such as, but not limited to, peacocks, turkeys, guinea fowls, ducks, or waterfowl, are not permitted under this Article.

B. Locational Requirements.

1) Subject to the provisions of this Article, Chickens are allowed on:

- a) Residentially zoned properties equal to or larger than 0.20 acre and developed with a detached single-family dwelling or duplex.
- b) Agricultural property of less than 3 acres being used for residential purposes.

2) Locations. Coops, runs, and tractors may only be located in the rear yard of a parcel, as such "rear yard" (and/or "yard, rear") is defined in the Spring Hill Unified Zoning Ordinance & Subdivision Regulations set forth in Chapter XVII of the Municipal Code; provided that, fowl permitted by Section 17.336.A. of the Spring Hill Unified Zoning Ordinance & Subdivision Regulations within zoning districts AG or R-R.

3) Setbacks. Coops, runs, and tractors must be located at least ten feet from the property line of a lot, and at least 25 feet from any dwelling, church, school, or business structure located on any other parcel.

4) Chickens shall only be kept upon property which is the principal residence of the owner of the chickens. Tenants and renters of property may keep chickens with the written permission of the property owner. Proof of such permission shall be submitted with the application.

C. Chicken Coops and Enclosures.

- 1) Chickens must be provided a secure and well-ventilated chicken coop or chicken tractor. A coop must include an attached adjacent chicken run. A chicken tractor must include an enclosed coop portion and a separate attached area lacking a floor. Only one coop (with run) or one chicken tractor may be maintained on any one lot other than that permitted by Section 17.336.A. of the Spring Hill Unified Zoning Ordinance & Subdivision Regulations within zoning districts AG or R-R.
- 2) Chicken coops and runs must be inspected by the city building inspector, code enforcement, or animal control, prior to obtaining chickens and issuance of a Chicken Permit.
- 3) The floor area of the chicken coop or a combination of the floor area and attached pen area must equal at least 10 square feet of area per chicken.
- 4) For properties less than 3 acres, no chicken coop, mobile pen, chicken tractor, or run shall exceed 200 square feet.
- 5) Chickens must be housed in a chicken coop, chicken tractor, or other roofed structure, attached pen, or detached mobile pen whenever they are unattended by the keeper. During daylight hours, when attended by an adult keeper, the chickens are allowed in a completely fenced-in yard.
- 6) Chicken coops and runs must be located in a fenced-in rear yard.
- 7) No chicken coop or run shall be located in any area of the property that is considered frontage or a landscaped setback, as defined by the Spring Hill Unified Zoning Ordinance & Subdivision Regulations set forth in Chapter XVII of the Municipal Code.

D. General Requirements.

- 1) The keeping of chickens shall be done in such a manner as to continually and adequately meet these Performance Standards and the Conditions for Approval set forth in Section 8-103 of this Article. In addition, persons keeping of chickens shall at all times provide adequate care, adequate food, adequate health care, adequate shelter, and adequate water as set forth in Article 7 of this Chapter.
- 2) The keeping of chickens shall be done in such a manner as to control noxious odors and the breeding of rodents, flies, or other insects, so as not to create a nuisance of any kind. The chicken owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation may be removed by any city officer or employee charged with the enforcement of the provisions of this Article.
- 3) Odors from chickens, chicken manure, chicken waste, chicken feed, or other substances related to the keeping of chickens shall not be perceptible beyond the property lines of any lot. Noise from chickens shall not be loud enough at the property lines of any lot as to disturb persons of reasonable sensibilities.
- 4) All grain and food stored for the use of chickens shall be kept in a rodent-proof container.
- 5) Live slaughter or killing of chickens is prohibited on residential property within the city.

- 6) Chickens shall not be allowed to run at large. For the purposes of Article 3 and Article 5 of this Chapter, any dog or cat attacking a chicken running at large shall not be construed as a dangerous animal based upon the attack of the chicken.
- 7) It shall be unlawful to picket or tie any such animal in any of the streets or right-of-way of the City for the purpose of grazing or feeding.
- 8) The chicken owner must provide for the storage and removal of chicken manure. All stored manure shall be covered in a fully enclosed structure with a roof or lid over the entire structure. No more than 3 cubic feet of manure shall be stored. All other chicken manure not used for composting or fertilizing shall be regularly removed in a manner complying with all applicable federal, state, and local regulations. The chicken coop, chicken tractor and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.