

**THE REGULAR MEETING OF THE PLANNING COMMISSION BOARD HELD ON JULY 16, 2012,
AT 7:00 P.M., AT THE CITY HALL COUNCIL CHAMBERS**

The meeting was called to order at 7:00 P.M., by Dave Thompson. Members present were Jack Edmonds, Mitzi Mellott, and Tim Siercks. Township members present was Randy Atwood (Baldwin Twsp.) Staff present were Carie Fuhrman and Mary Lou DeWitt.

Absent was Dick Dobson.

APPROVAL OF MINUTES OF THE REGULAR MEETING ON JUNE 18, 2012

SIERCKS MOVED, SECOND BY EDMONDS, TO APPROVE THE MINUTES OF JUNE 18, 2012. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

PUBLIC HEARING: None

OLD BUSINESS: None

NEW BUSINESS:

A. "Chicken" Ordinance Discussion

Fuhrman informed the Planning Commission Board that a resident had asked the City Council to consider allowing chickens within the City limits. The City Council directed staff to look into it. Currently, the raising of non-domestic livestock is only allowed in the A-1 and A-2 Zoning Districts in the City. The raising of domestic animals only is allowed within Residential Districts.

The City Ordinance defines domestic and non-domestic animals as follows:

Animal, Domestic: Animals kept as pets, such as fish, dogs, cats, household birds, homing pigeons, and similar animals.

Animal, Non-domestic: Animals which are kept outside the home for purposes of food or pleasure, such as livestock (cattle, hogs, sheep, goats, chickens), bees, birds (such as falcons, and wild and scrub pigeons), and similar animals.

Fuhrman gave an excerpt from an article published by the League of Minnesota Cities in December, 2010, regarding Animal Regulation in the Cities. "Urban chickens" are becoming a more common issue in cities across the state and country. The urban chicken movement is often linked to the increased desire for people to be closer to their food sources. Urban chickens allow people to raise chickens at their homes to have access to fresh eggs on a regular basis. This is the small scale keeping of chickens and is much different than a business that raises hens for eggs and meat. Those sorts of businesses are regulated differently than residents who want to keep a few chickens in their backyards.

There are no state laws that address urban chickens or keeping of chickens in cities, so it is up to the City Council to decide if they want to regulate the keeping of chickens. The city may choose to allow, if a permit is obtained from the city, or prohibit urban chickens. The city can do this in a number of ways, including regulation under the general animal or farm animal ordinance or by passing an ordinance specific to keeping chickens.

If the city does choose to regulate the keeping of urban chickens, some common requirements are:

* Allowing only hens (no roosters)

- * Limiting the number of hens allowed
- * Maintaining coops or runs in a sanitary and humane condition
- * Keeping chickens contained or under control at all times
- * Locating coops a certain distance from the property lines and other structures like houses

Fuhrman contacted other cities to see what their regulations are for urban chickens. Those contacted were Zimmerman, Wahkon, Milaca, Rushford, and Monticello. She also provided a letter from Ashleigh Blasey who requested the Ordinance change to allow urban chickens in the city limits. Blasey's memo stated positive facts why chickens should be allowed. Police Chief Payne has invited a gentleman who works with the Humane Society to speak at the City Council August 2, 2012 Study Session. Fuhrman expects this gentleman will give a more diverse opinion regarding urban chicken regulations.

Mellott commented that the Ordinance should regulate the number of chickens. She would not like where the person wanting the chickens has to get the neighbors approval. The person could have a neighbor that just does not want them and that would be unfair. There should be rules in what the chickens are kept in and follow-up on if the area is kept clean.

Edmonds would like to see licensing required. It could be setup as a public hearing for the first review where the neighbors have a chance to voice their opinion and the following renewal it would just be reviewed by staff or Planning Commission.

Siercks would like the neighbor's approval. One of the examples provided mentioned climate control and that would be good to have in the Ordinance, but hard to regulate.

Fuhrman said this Ordinance could require a Conditional Use Permit or Interim Use Permit then a public hearing notice would be sent to neighbors where they could voice their opinion.

Thompson mentioned who determines what a neat and sanitary enclosure would be. That wording is very broad and should be more descriptive.

Mellott said a license should be required to help regulate the conditions.

Edmonds said the Ordinance should state that the license can be revoked.

Fuhrman will have that in the wording. She mentioned that after the article in the local paper there was a resident that called and was very opposed on allowing chickens within the city limits.

The Planning Commission discussed the number of chickens allowed per dwelling and what type of enclosure. They decided on four or less and they need to have leg bands on each chicken that provides the owners contact information. The Planning Commission liked the example of a coop that Fuhrman had provided.

Mellott suggested that this Ordinance just be on chickens and not include other animals.

Fuhrman asked the Planning Commission if they would rather have a licensed permit and not use a Conditional Use Permit or an Interim Use Permit.

The Planning Commission Board agreed that a license permit would work best.

Fuhrman asked what their opinion was on allowing this Ordinance in multi-family residence.

The Planning Commission was in favor of keeping this Ordinance to single family residence.

Fuhrman asked what their thought is on consent from neighbors.

Mellott said she would not like to have to go ask the neighbors, but if the neighbors complain about their chickens, then the license is taken away.

Siercks would rather the neighbors have their say on the matter.

Fuhrman said when this was discussed with the City Council that they seemed in favor of the neighbors having some kind of consent in the matter. She will put a draft Ordinance together for the August 20, 2012 meeting. She will also add suggestions from the person who will be speaking at the Study Session.

COMMUNICATION AND REPORTS:

A. Verbal Report

1) Fitzpatrick Variance Request

At the June 18, 2012, Planning Commission meeting, Pat Fitzpatrick had submitted an application for a variance to construct an accessory building over the 800 square foot maximum size requirement and excess of the height of the principal building. The public hearing was closed and the item was tabled to give the applicant time to provide staff and the City Engineer complete information on what is being proposed.

Fuhrman said that Fitzpatrick is working with an Engineer on drainage issues for the site and will be bringing this back to the Planning Commission meeting on August 20, 2012. The Minnesota Statutes requires governmental entities to approve or deny a written request for certain actions within 60 days of the request. Fuhrman sent Fitzpatrick a letter that the City of Princeton is extending the review period of his variance applications for an additional 60 days in order to gather more information.

B. City Council Minutes for June, 2012

The Planning Commission Board had no comments.

SIERCKS MOVED, SECOND BY MELLOTT, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 8:30 P.M.

ATTEST:

Dave Thompson, Chairperson

Mary Lou DeWitt, Comm. Dev. Assistant