

ORDINANCE NO. xxxx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, PERTAINING TO BACKYARD CHICKENS; AMENDING CHAPTER 18, LAND DEVELOPMENT CODE; BY AMENDING CHAPTER 18, ARTICLE 15, TO CREATE A NEW SECTION 18-1530.29. "BACKYARD CHICKENS"; PROVIDING FOR CERTAIN STANDARDS AND CONDITIONS FOR KEEPING BACKYARD CHICKENS; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF THE CITY OF PINELLAS PARK, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (LDC-0124-00006)

WHEREAS, the City of Pinellas Park seeks to create a new section within Chapter 18 of the Land Development Code of the City of Pinellas Park, Florida, to add regulations regarding Backyard Chickens; and

WHEREAS, the City of Pinellas Park desires for the Land Development Code to function effectively and equitably throughout the city; and

WHEREAS, the City of Pinellas Park has determined where the Land Development Code needs clarification and revision; and

WHEREAS, the Planning and Zoning Commission, sitting as the Local Planning Agency, and the City Council for the City of Pinellas Park, Florida have reviewed and held public hearings on said proposed ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF PINELLAS PARK, FLORIDA:

SECTION ONE: That Chapter 18 of the Land Development Code of the City of Pinellas Park, Florida is hereby amended creating a new subsection 18-1530.29, which said subsection shall read as follows:

Sec. 18-1530.29. - BACKYARD CHICKENS.

(A) Purpose. The purpose of this subsection is to allow the keeping of chickens within certain residential zoning districts while limiting the intensity and potential impact on neighboring properties.

(B) Applicability. The provisions of this subsection shall apply to the keeping of chickens as an accessory use to a detached single-family dwelling on properties located in the F, RE, RR, R-1, R-2, R-3, R-5, and B-1 Zoning Districts.

(C) Standards.

1. General conditions for the keeping of chickens in the permitted zoning districts.

a. Up to ten (10) female chickens (i.e. hens) may be kept on any property with an occupied detached dwelling located in a permitted zoning district. Chickens may not be kept on properties occupied by attached dwellings or within mobile home parks.

b. A chicken coop is required for the keeping of chickens pursuant to this subsection.

c. Ducks, geese, turkeys, peafowl, and adult male chickens (roosters) are not allowed under the provisions of this subsection of the Code.

d. Chickens shall not be slaughtered on premises.

2. Requirements for chicken coops.

a. The chicken coop shall be covered and ventilated. The chicken coop (and chicken run, if applicable) must both be completely secured from predators, including all openings, ventilation holes, doors, and gates.

b. Chicken coops (and chicken runs, if applicable) must be located in the rear yard of a property behind the primary dwelling, unless the property is a corner lot. For a corner lot, any chicken coop or chicken run must be located in the side yard behind the primary dwelling.

c. Chicken coops (and chicken runs, if applicable) shall maintain a setback of fifteen (15) feet from all abutting property lines.

d. Chicken coops (and chicken runs, if applicable) must be screened from adjacent properties and public rights-of-way using a six (6) foot high opaque fence.

e. The chicken coop shall provide a minimum area of three (3) square feet per chicken and be of sufficient size to permit free movement of the chickens. The area of the required chicken coop (and chicken run, if applicable) is included in the maximum lot coverage requirement.

f. No chicken coop or chicken run may be taller than six (6) feet measured from the natural grade, and both structures must be accessible for cleaning and maintenance.

3. Health, sanitation, and nuisance as applied to the keeping of chickens.

a. Chickens shall be allowed outside the coops or runs periodically between sunrise and sunset only, so long as they are properly confined on the property with an impenetrable fence.

b. All feed must be stored in a rodent and predator-proof container.

c. Chicken coops (and chicken runs, if applicable) shall be maintained in clean and sanitary conditions at all times. All manure not used for composting or fertilizer shall be promptly removed. Chickens shall not be permitted to create a nuisance such as odor, noise, or pests, or contribute to any other nuisance condition.

4. Enforcement.

- a. In a public health emergency declared by the Director of the Pinellas County Health Department, including but not limited to an outbreak of Avian Flu or West Nile virus, the County or City may require immediate corrective action in accordance with applicable public health regulations and procedures.
- b. No person convicted as a repeat violator of this section may continue to keep chickens on their premises.

SECTION TWO: All other provisions of Chapter 18 of the Code of the City of Pinellas Park not hereby amended shall remain in full force and effect.

SECTION THREE: The provisions of this Ordinance shall become and be made a part of the Land Development Code of the City of Pinellas Park, Florida, and the publisher of the Code of Ordinances may renumber, reclassify or otherwise insert this Ordinance in an appropriate place to accomplish such intention.

SECTION FOUR: The provisions of this ordinance shall be deemed severable, and should any court of competent jurisdiction declare any part of this ordinance unconstitutional or invalid,

the remaining parts hereof shall not, in any way, be affected by such determination as to the invalid part.

SECTION FIVE: This Ordinance shall be in full force and effect immediately after its passage and approval in the manner provided by law.

PUBLISHED THE _____ DAY OF _____, 2024.

FIRST PUBLIC HEARING THE _____ DAY OF _____, 2024.

SECOND PUBLIC HEARING THE _____ DAY OF _____, 2024.

PASSED THIS _____ DAY OF _____, 2024.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED THIS _____ DAY OF _____, 2024.

Sandra L. Bradbury
MAYOR

ATTEST:

Jennifer R. Carfagno, MMC
CITY CLERK



CITY HALL - P.O.Box 1100
PINELLAS PARK, FL 33780-1100

Please Respond To:

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February 14, 2024

Ms. Megan Montesino
Development Review Manager
City of Pinellas Park
P. O. Box 1100
Pinellas Park, Florida 33780-1100

RE: City Document #24-040
Ordinance for Case No. LDC-0124-00006

Dear Ms. Montesino:

Our office has received and review the above-referenced Ordinance pertaining to backyard chickens. Our office would recommend updating the fifth line of the title of the Ordinance to read as follows:

. . . . CHICKENS"; PROVIDING FOR CERTAIN STANDARDS AND
CONDITIONS FOR KEEPING BACKYARD CHICKENS; PROVIDING FOR
THE INCLUSION OF SUCH AMENDED ORDINANCE

Once the title has been updated, our office would approve of the proposed Land Development Ordinance as to form and correctness.

Very truly yours,

Lauren C. Rubenstein
City Attorney

cc: Bart Diebold, City Manager
Jennifer Carfagno, MMC, City Clerk
Dan Hubbard, Asst. City Manager
Nick Colonna, Community Development Administrator
Aaron Petersen, Asst. Community Development Administrator
Erica Lindquist, Planning & Development Services Director

LCR/dh