



Legislation Text

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TITLE:

Detailed Preview - Working Draft of Town Code Amendments to Modify Livestock Provisions Pertaining to Chickens and Rabbits

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to receive the draft Town Code Amendments pertaining to chicken and rabbits in preparation for the upcoming public hearing on related Land Use Ordinance amendments.

DEPARTMENT: Planning Department

CONTACT INFORMATION: Patricia McGuire - 919-918-7327; pmcguire@townofcarrboro.org <<mailto:pmcguire@townofcarrboro.org>>; Christina Moon - 919-918-7325, cmoon@townofcarrboro.org <<mailto:cmoon@townofcarrboro.org>>; MartyRoupe - 919-918-7333, mrroupe@townofcarrboro.org

INFORMATION: On January 24, 2017, the Board of Aldermen set a public hearing for February 28th to consider Land Use Ordinance amendments related to Town Code provisions that relieve certain livestock facilities from setback requirements. The LUO amendments have been prepared as part of a package of changes to update and improve the Town's regulations for keeping chickens and rabbits, especially on smaller lots in Town. The related livestock ordinance provisions are scheduled for Board action on February 28th as well. A copy of the draft ordinance amending Chapter 10 is included (*Attachment A*).

The Board of Aldermen has been exploring such changes since the fall of 2014. Agenda materials from the earliest meeting, September 9, 2014, may be located at <https://carrboro.legistar.com/LegislationDetail.aspx?ID=1901078&GUID=B12A114E-2EC6-428A-A72A-3BD0CC6B0DAE&Options=ID|Text|&Search=september>. Further information on the ongoing review may be found in the January 24th agenda item at <https://carrboro.legistar.com/MeetingDetail.aspx?ID=525877&GUID=00FE6A10-718B-4FE5-82D7-8FD5C44B5668&Options=&Search=&>.

Items 1 through 5 present the changes identified in the Board's 2014 discussion. Items 6 through 12 present changes identified by the Town of Carrboro Animal Control Board of Appeals and staff during review of the matter. Where applicable, associated provisions in the draft Town Code amendment are presented in italic text.

1. Chicken coop size requirements - four square feet per chicken. *Table in Section 10-3(d)(1) establishes this as minimum coop/hutch size.*
2. Chicken run size requirements - six square feet per chicken. *Table in Section 10-3(d) (1) establishes this as minimum run /pen size.*
3. Regulate permissibility of keeping chickens based on locational requirements related to adjoining properties rather than minimum lot size. *Minimum lot size provisions are removed in this draft. Table in Section 10-3(d) (1) establishes locational requirements based on minimum setbacks for the coop and run.*

4. Allow certain number of chickens without a permit. *Section 10-3 (d) (1) establishes a requirement for submittal of a drawing that shows that coop and run installation will meet locational requirements. Section 10-3(d)(4) requires written permission of the property owner where chickens are being kept, per recommendation of Orange County Animal Control staff that contact information and tracking capabilities are in place in the event of avian flu outbreak or some similar reason.*
5. Remove requirement that chickens can only be kept for eggs for the consumption of the owners of the lot where they are located. *Section 10-3 (d)(5) allows the sale of eggs off-site outside of residential zoning districts.*
6. Clarify linkage to Orange County Unified Animal Control Ordinance - *A preamble describing the Board of Aldermen's adoption of the County ordinance and resolution regarding County enforcement has been added at the beginning of Chapter 10.*
7. Safety and health standards for chickens and rabbits - *Section 10-3(2) establishes minimum standards for protection from adverse weather, cleanliness of facilities, security of food containers from rodent infestations, and adequacy of enclosures.*
8. Consistency with Unified Animal Ordinance - *Some terminology is revised, such as changing 'domestic' to 'domesticated,' adding turkeys, and noting the use of 'poultry' to also refer to fowl.*
9. Consistency with North Carolina state law. *Express recognition of NC General Statutes is included in Section 10-3(d)(3).*
10. Noisy roosters or other birds or fowl. *Section 10-3(d)(6) prohibits the keeping of birds or fowl that produce noise that constitutes a public nuisance.*
11. Slaughter of animals. *Section 10-3(d)(7) specifies that the slaughter of animals must occur within a fully enclosed structure and remains must be disposed of in accordance with state law.*
12. Notification and permit approval process. *Section 10-3(e) states that the applicant and immediate neighbors will be notified of a date and time when they may comment on any concerns they may have regarding the issuance of a permit.*

FISCAL & STAFF IMPACT: None associated with receiving this detailed update on the draft Town Code amendments that will modify the livestock ordinance provisions pertaining to chickens and rabbits.

RECOMMENDATION: Staff recommends that the Board of Aldermen receive this detailed update.