

**CALL TO ORDER**

Chair Buoy called the regular meeting of the City of Rockford Planning and Zoning Commission to order on **July 25, 2013** at 7:01 p.m. The meeting was held in the Council Chambers of City Hall, 6031 Main Street, Rockford, MN.

**ROLL CALL**

Roll call was taken and the following members were present: Buoy, Fuller, Sand and Werman. The following members were absent: Petersen-Biorn. Also in attendance were Council Member Martinson and Deputy Clerk Etzel.

**\*CONSENT AGENDA/SET AGENDA**

**MOTION** was made by Fuller, seconded by Buoy to approve all items on the consent agenda.

**MOTION CARRIED** – Voting In Favor – Buoy, Fuller, Sand, and Werman

**\*Approve Regular Planning and Zoning Minutes/May 9, 2013**

**MOTION** was made by Fuller, seconded by Buoy to approve the minutes of the May 9, 2013 Regular Planning and Zoning Meeting.

**MOTION CARRIED** – Voting In Favor – Buoy, Fuller, Sand, and Werman

**OPEN FORUM**

Chair Buoy called for open forum, no one from the public spoke.

**Consider Allowing Chickens in the Residential Districts**

Deputy Clerk Etzel presented the memo to consider allowing chickens in the Residential Zoning Districts. On July 2, 2013 the City Council met to continue their discussion to consider allowing chickens in the Residential Zoning Districts. Currently chickens are allowed in the AR Agricultural Resident Zoning District and not in the other Residential Districts. The following is the history:

- May 14, 2013 – Staff informed Council of complaints regarding chickens and council directed staff to bring back an ordinance amendment
- May 28, 2013 – Council adopted Ordinance #13-03 Domestic and Non-Domestic Animals. Cleaning up the language and clarifying what was not allowed in the Residential Districts
- June 11, 2013 – At open forum residents came to speak to Council to consider changing the ordinance to allow chickens in the Residential Districts. Council asked staff to do research and bring back as an agenda item on July 9, 2013.
- July 9, 2013 – Council reviewed additional information regarding chickens and after speaking to City Attorney Couri, decided this was a zoning issue and asked Planning Commission to review and make a recommendation – to not allow chickens in the Residential District(s) OR to allow chickens in the Residential District(s) with regulations (a permit/license, no roosters, a limited quantity of chickens based on square footage per chicken, so many feet away from the property line and principal structure, only on certain lot sizes, etc...)
- July 10, 2013 – Mayor Hafften put together research
- Petition from Meda Rogich

- Email from Meda Rogich from Wayne Martin
- Zoning Ordinances: AR, R1, R2, R3, R6

Chair Buoy asked if there was anyone in the audience that would like to add information not presented by staff.

Charlie Rogich of 8630 Park Street addressed the Planning Commission. He stated they have had their eleven chickens for one and one half years, and plans to get rid of two. Their coup and run are in the back yard, the bedding is straw and cedar chips. During the cold season they have lights for heat. The chickens lay some eggs. He asked his neighbors before putting up the coup and getting the chickens. The cost investment is a couple thousand dollars to start-up. The chickens are pets and it more of a hobby farm; not raised to butcher. They did have a rooster, but he was too aggressive. The chickens make little noise, some when they lay an egg or want food.

Meda Rogich of 8630 Park Street stated they received permission from the city before purchasing and setting up the coup, which is about the size of a dog kennel. She stated chickens are not wild, but domestic fowl. As a family they are trying to reduce their carbon foot print. They have people lined up to take away the chicken waste. The neighbors enjoy helping take care of the chickens. It takes a lot for the chickens to get to the egg laying phase. They buy their supplies locally. Came to Council when they heard about the ordinance update to see if Council would reconsider and allow chickens.

The Planning Commission reviewed the information presented and discussed:

- Some of the commission felt this would be a better fit in the surrounding townships on acreage lots. Leave in the AR Zoning District. Would not want in their neighborhood.
- Discussed the recent KARE 11 story about 500 chickens being abandoned and the city having to deal with the clean-up.
- Was this similar to keeping a dog?
- Like the idea of limiting the carbon foot print.
- If approved conditions would be requiring the neighbors to sign-off, similar to the fence on the property line agreement, limiting the quantity of chickens, etc...
- Concerned if approved by one family and the move and new neighbors move in.

Before moving forward with potential conditions to consider if allowed, Commissioner Buoy asked the Planning Commission if they wanted to move forward. Commissioners Fuller and Werman were in favor of considering a Public Hearing to amend the ordinance to allow chickens and Commissioners Buoy and Sand were against changing the ordinance to allow chickens in the Residential Zoning Districts; resulting in a tied vote.

The Commission would like staff to find out more information regarding surrounding cities. Staff will contact Delano, Buffalo, Loreto, St. Michael, Hanover and Maple Plain to find out why they do not allow chickens and if they do, how is the process going.

### **Conditional Use Permit Review**

Staff did Conditional Use Permit inspections and found some violations. Letters are being sent to the property owners with the violations noted. Staff will update the Commission at a future meeting.

**Swimming Pool Review**

Staff inspected all the swimming pools with Conditional Use Permits and Building Permits. All pools were found to be in compliance. Four residents were found to have pools that appear to be 5,000 gallons with no building permit on file. A letter and the ordinance will be sent to the owners to apply for a building permit.

**Deputy Clerk's Report**

The Deputy Clerk's report included: P&Z will review the additional information regarding chickens at the August 22<sup>nd</sup> meeting and make a motion to schedule a public hearing or leave the ordinance as written and Upcoming Events – July 26<sup>th</sup> is Movie in the Park “Brave” and August 9<sup>th</sup>-11<sup>th</sup> is Rockford River Days.

**Adjournment**

**MOTION TO ADJOURN** was made by Buoy, seconded by Fuller.

**MOTION CARRIED** – Voting In Favor – Buoy, Fuller, Sand, and Werman

Chair Buoy adjourned the meeting at 7:59 p.m.

Submitted by Audra Etzel, Deputy Clerk