



CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Council Chamber
4800 Town Center Drive
Leawood, KS 66211

GOVERNING BODY WORK SESSION

Monday, May 3, 2021
6:00 P.M.

(This agenda is subject to changes, additions or deletions at the discretion of the City Council)

Mayor Peggy Dunn

Councilmembers

Ward One

Debra Filla
Andrew Osman

Ward Two

Jim Rawlings
Mary Larson

Ward Three

Chuck Sipple
Lisa Harrison

Ward Four

Julie Cain
James Azeltine

Discussion to allow chickens in the City of Leawood

To reduce the likelihood of the spread of COVID-19 the Leawood Governing Body Work Session is being conducted remotely using the Zoom media format and some of the members of the Governing Body may appear remotely. Public comments will not be accepted during this meeting. City Hall is closed to public access during this meeting, however, the meeting will be livestreamed on YouTube and the public can access the livestream by clicking on www.leawood.org.

ADJOURN

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Regular meetings of the Leawood City Council are held the first and third Mondays of each month beginning at 7:30 PM. Copies of the agenda are available at the Office of the City Clerk on the Friday prior to the meeting. Leawood operates under a Council/Mayor form of government, with a separately elected mayor and 8 council persons. Council members are elected on a non-partisan basis from 4 wards. The Council develops policies and provides direction for the professional city administration.

If you require any accommodation (i.e. qualified interpreter, hearing assistance, etc.) in order to attend this meeting, please notify this office at 913.339.6700 or at CityClerk@leawood.org no later than 96 hours prior to the scheduled commencement of the meeting.

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Memo

To: Mayor and City Council
From: Mark Klein, Director of Planning
CC: Scott Lambers, City Administrator
Date of Meeting: May 3, 2021
Date of Memo: April 27, 2021
Re: Keeping of Chickens within Residential Areas

Staff has researched ordinances regarding the keeping of chickens within residential suburban areas, including the surrounding cities of: Overland Park, Lenexa, Shawnee, Olathe, Mission, Roeland Park, Prairie Village, and Kansas City, MO. The keeping of chickens was generally regulated through zoning, lot size and setbacks, or a combination thereof, along with some other restrictions to address potential impacts from the keeping of chickens. However, there is a wide variation between restrictions covered by the ordinances along with the standards required. Listed below are items that were addressed in the ordinances that were looked at. The ordinance of no one city addressed all of the items listed below.

- Requirement of a special animal permit or special use permit: Some of the cities required a special animal permit, or special use permit if the lot size was less than 3 acres. One required a special animal permit for the keeping of any chickens. Still other communities did not have a permit requirement. The duration of the permit varied widely among communities, with some requiring it to be renewed annually and others limiting the duration to 5 or 10 years.
- Required inspections: Most of the ordinances did not specifically address required inspections, but one community requires that the property owner must allow inspections.
- Limitation on which zoning districts chickens may be kept: Some communities limit the keeping of chickens to residential zoning districts with larger lot sizes, typically at least 1 acre. However, others allow chickens within most residential zoning districts but require a special use permit, or special animal permit for lots that are 3 acres or less.
- A minimum lot size requirement: Many communities require a minimum lot size for chickens to be kept. As stated previously, some communities require a special animal permit, or special use permit for any lot smaller than 3 acres. Lots 3 acres and above are not required to have a permit. Other communities have a minimum requirement of 1 acre, and still others do not appear to have a minimum lot size requirement.
- Limitations on where on the lot may be kept: Some communities limit the keeping of chickens to the side or rear yard, or just the rear yard. Others do not specify the location on the lot, but provide required setbacks that chicken coops, chicken tractors, and chicken runs must meet.
- Limitation of the number of chicken coops or chicken tractors: Most ordinances that were looked at did not address the maximum number of structures associated with the raising of chickens, however, one community placed a limit on the number of chicken coops and chicken tractors to one per lot.

- Size of chicken coops: Most ordinances required chicken coops and tractors to allow for a minimum of 2 sq.ft. per chicken (one city required a minimum of 12 sq.ft. of coop or tractor per chicken), and some also placed a limitation on the maximum size to 84 sq.ft. total without a Special Animal Permit.
- Setback of any corral, shelter, or containment area from adjacent dwellings: Most communities have a structure setback requirement from adjacent property lines, structures, or both. The setbacks varied widely among the communities looked at. Setbacks from property lines generally varied between 6 ft. to 25 ft., and setbacks from adjacent structures varied between 25 ft. to 100 ft.
- Screening of structures associated with the keeping of chickens: None of the cities looked at had regulations regarding the screening structures associated with the keeping of chickens such as chicken coops, chicken tractors, and chicken runs.
- Limitation to the number of chickens that may be kept: Most communities place a limit on the maximum number of chickens that can be kept. Some communities allow a maximum number of adult chickens (16 weeks or older), but also have a maximum number of chicks (less than 16 weeks old), which generally can be more. The limitations on the number of chickens were typically tied to either lot size, or the requirement of a special animal permit/special use permit. The limit on the number of chickens allowed generally varied between 4 to 15 adult chickens. However, some communities allowed a larger number of chickens if lots were 3 acres or more, with one community permitting a maximum of 5 chickens per acre.
- Exclusion of roosters: Some communities specifically prohibit roosters, due to potential noise created by crowing. One community had a setback requirement of 300 ft. from any residence or dwelling if a rooster was to be kept.
- Chickens permitted to be kept outside of a chicken coop, chicken tractor, or chicken run: Most of the ordinances reviewed did not address this issue, but one city requires that chickens must be kept within a coop with an attached chicken run at all times.
- Prohibition of killing/slaughtering: Most of the communities looked at did not speak to this issue, however, one did not allow the killing or slaughtering of chickens on site.
- Selling of chickens or eggs: One important issue is whether eggs or chickens are allowed to be sold for profit. The selling of chickens or eggs potentially could generate traffic within single family residential areas. One city specifically mentioned that chickens cannot be kept for profit or commercial use.
- Storage of chicken feed: Due to the potential to attract rodents, some of the cities have a requirement that the chicken feed be stored within a rat proof container, or building.
- Waste from chickens: A couple of cities provided requirements regarding the waste generated by chickens. One community requires that waste from chickens be kept in a watertight receptacle.
- Odor from the keeping of chickens: Several communities addressed odor that may come from the keeping of chickens, which typically prohibited any perceivable odor beyond the property line.
- Noise from chickens: A couple of cities addressed noise generated from chickens either by stating that it shall not be loud enough at the property line as to disturb persons of reasonable sensibilities, or a limit to the number of decibels at the property line was provided. Currently the City of Leawood has a noise limitation of 60 decibels at the property line.