

**CITY OF CHANHASSEN
CARVER AND HENNEPIN COUNTIES, MINNESOTA**

ORDINANCE NO. 639

**AN ORDINANCE AMENDING CHAPTER 4, LICENSE, PERMIT AND
ADMINISTRATIVE FEES; CHAPTER 5, ANIMALS AND FOWL; AND CHAPTER 20,
ZONING OF THE CHANHASSEN CITY CODE**

**THE CITY COUNCIL OF THE CITY OF CHANHASSEN, MINNESOTA
ORDAINS:**

Section 1. The Chanhassen City Code is amended by adding Section 4-30(b)(23) to read as follows:

23. Chicken Permit..... \$25.00

Section 2. The Chanhassen City Code is amended by adding Section 5-126 to Section 5-145 to read as follows:

Sec. 5-126 – 129. – Reserved.

ARTICLE V. – Chickens

Sec. 5-130. – Definitions.

In this article, the following terms have the stated meanings:

“Chicken or domesticated chicken” means a subspecies of the species *Gallus domesticus*.

“Coop” means the structure for the keeping or housing of chickens.

“Hen” means a female chicken.

“Rooster” means a male chicken.

“Run” means an enclosed and covered area attached to the coop where the chickens can roam unsupervised.

Sec. 5-131. - Purpose of Ordinance.

The purpose of this ordinance is to provide minimum standards for the keeping of domesticated chickens. This article enables residents to keep chickens on a non-commercial basis as an accessory use to a residence, while limiting the adverse effects of the activity on surrounding properties. Such adverse effects can include noise, odors, unsanitary conditions, attraction of predators, chickens running at large, unsightly conditions, and similar adverse conditions.

Sec. 5-132. - Permit required.

- 1) No person shall maintain or keep domesticated chickens without a permit issued by the city. Properties exceeding 10 acres where agriculture is a permitted use are exempt from the permit requirements of this article.
- 2) Application for a permit required by article shall be made to the city upon a form furnished by the city. A nonrefundable fee in the amount established by ordinance shall be paid to the city when the application is filed.
- 3) In order to be issued a permit the applicant must:
 - a. Have a lot one acre or larger.
 - b. Have as the principal use of the property a single-family residential structure.
 - c. Submit a notarized statement to the city stating that they have informed all adjoining neighbors that they intend to keep chickens.
 - d. Not have had a prior chicken permit revoked by the City of Chanhassen.
 - e. Meet the density and setback requirements listed in Sec. 5-133.

Sec. 5-133. - Density and Setbacks.

- 1) No person is permitted to keep more than the following numbers of chickens on any lot within the city, based upon the size of the parcel:
 - a. Lots one acre or larger but smaller than two and one-half acres: 8 chickens
 - b. Lots two and one-half acres or larger but smaller than ten acres: 16 chickens
 - c. Lots larger than ten acres: No limit
- 2) The coop and attached run must be located in the rear yard and must be set back a minimum of 25 feet from all adjacent residences that are not occupied by the applicant, and be set back a minimum of 10 feet from any lot line.
 - a. On corner lots, coops and runs may not be located in any yard with street frontage.
 - b. On double frontage lots, coops and runs may not be located in any required front yard.

Sec. 5-134. - Standards of Practice.

The following standards of practice apply to all properties governed by this article:

- 1) No roosters or crowing hens are allowed.
- 2) No outdoor butchering of chickens is allowed.
- 3) Chickens must be kept in a coop or run whenever they are unsupervised; however when supervised they are allowed in a fenced area.
- 4) The coop must:
 - a. Be maintained in good condition.
 - b. Be enclosed and constructed of durable materials to prevent entry by predators or the escape of chickens.
 - c. Be built to protect the chickens from extreme heat or cold.
 - d. Provide at least 4 square feet per chicken.
- 5) The run must:
 - a. Be maintained in good condition.
 - b. Be attached to the coop.
 - c. Be enclosed and constructed of durable materials to prevent entry by predators or the escape of chickens.

- d. Provide at least 4 square feet per chicken.
- 6) The chicken's living area must be maintained in a clean and sanitary condition.
- 7) Odor shall not be perceptible at the lot line.
- 8) All stored manure shall be placed within a fully enclosed container. All manure not used for composting or fertilizing shall be removed weekly. The coop and run must be kept free from trash and accumulated manure.
- 9) Feed must be stored in a rodent-proof container inside of a structure.
- 10) No person may keep any chickens inside a house.

Sec. 5-135. - Revocation of Permit.

A chicken permit issued under this article may be revoked by the Community Development Director if it is determined after an inspection by city staff that the permit holder has not maintained the standards set forth in Sec. 5-134 or that chickens are being kept in such a manner as to constitute a public nuisance.

Sec. 5-136 - 145. – Reserved.

Section 3. Section 20-652(6) of the Chanhassen City Code is amended to read as follows:

- (6) Continuing care retirement facility, subject to the requirements of Section 20-965.

Section 4. The Chanhassen City Code is amended by adding Section 20-672(6) to read as follows:

- (6) Continuing care retirement facility, subject to the requirements of Section 20-965.

Section 5. The Chanhassen City Code is amended by adding Section 20-681(6) to read as follows:

- (6) Continuing care retirement facility, subject to the requirements of Section 20-965.

Section 6. Section 20-741 to Section 20-750 of the Chanhassen City Code is amended to read as follows:

ARTICLE XVIII-A. - "CC" COMMUNITY COMMERCIAL DISTRICT

Sec. 20-741. - Intent.

- (a) The intent of the Community Commercial District is to provide for moderate to large-sized commercial development. These large-scale commercial and office users need high visibility along arterial roads. While smaller scale ancillary commercial uses may be permitted integral to the principal use, the primary use of a building shall be medium to large-type users with a minimum tenant space of 15,000 square feet. The intent of the district is to accommodate larger uses. The creation of multi-tenant, small user, strip centers is prohibited.

- (b) Location criteria for Community Commercial uses are: Access to arterial and collector streets, preferably at intersections with collector and arterial streets; moderate to large-sized sites; public water and sewer service; environmental features such as soils and topography suitable for compact development; and adequate buffering by physical features or adjacent uses to protect nearby residential development.
- (c) The total building area on a single level or floor for an individual use shall be no more than 65,000 square feet.

Sec. 20-742. - Permitted uses.

The following uses are permitted in a "CC" District:

- (1) Arts and crafts supply store.
- (2) Automotive parts and accessories.
- (3) Bookstore.
- (4) Building supply center.
- (5) Consumer electronics and appliance store.
- (6) Drugstore.
- (7) Furniture and home furnishings.
- (8) Garden center.
- (9) Grocery store.
- (10) Health and dental clinics.
- (11) Hobby, toy and game stores.
- (12) Office.
- (13) Office equipment and supply.
- (14) Personal services.
- (15) Sewing and fabric store.
- (16) Sporting goods.

Sec. 20-743. - Permitted accessory uses.

The following are permitted accessory uses in a "CC" District:

- (1) Antennas.
- (2) Automatic teller machines (ATMs).
- (3) Parking lots and ramps.

(4) Signs.

(5) Temporary outdoor sales and events (subject to the requirements of Section 20-964).

(6) Utility services.

Sec. 20-744. - Conditional use.

The following are conditional uses in a "CC" District:

(1) Drive-through facilities.

(2) Gun range, indoor (only in conjunction with and accessory to a sporting goods store).

(3) Screened outdoor storage.

Sec. 20-745. - Lot requirements and setbacks.

The following minimum requirements shall be observed in a "CC" District subject to additional requirements, exceptions and modification set forth in this chapter:

(1) Minimum lot area: One acre.

(2) Minimum lot depth: 100 feet.

(3) Minimum lot frontage: 100 feet.

(4) Maximum lot coverage: 70 percent.

(5) Maximum building height: Four stories; 50 feet.

(6) Setbacks: Building/parking:

a. Front: 25 feet.

b. Side: 10 feet.

c. Rear: 10 feet.

d. Parking setback exemptions:

i. There is no minimum setback when it abuts, without being separated by a street, another off-street parking area.

ii. Parking setbacks may be reduced to 10 feet along public streets if the applicant can demonstrate to the satisfaction of the city that 100 percent (100%) screening is provided at least five feet above the adjacent parking lot.

Secs. 20-746—20-750. - Reserved.

Section 7. Section 20-912 of the Chanhassen City Code is amended to read as follows:

Sec. 20-912. - Storage of garbage and trash.

- (a) No exterior incineration of trash or garbage is permissible.
- (b) No exterior storage of trash or garbage is permissible except in an accessory building enclosed by walls and roof, or in closed containers within a totally screened area.
- (c) Subsection (b) does not apply to covered garbage cans in agricultural and single-family districts.

Section 8. Section 20-1001 of the Chanhassen City Code is amended to read as follows:

Sec. 20-1001. - Keeping.

The following animals may be kept in the city:

- (1) Household pets are an allowed use in all zoning districts.
- (2) Horses in the A-2, RR and RSF zoning districts in accordance with Chapter 5, Article III.
- (3) Honey bees in accordance with Chapter 5, Article IV.
- (4) Chickens in accordance with Chapter 5, Article V.
- (5) Farm animals are an allowed use on all farm property zoned A2 or RR, which permit agricultural use, with a minimum parcel area of 10 acres, except as otherwise specifically provided in the City Code. Farm animals may not be confined in a pen, feed lot or building within 100 feet of any residential dwelling not owned or leased by the farmer.
- (6) Wild animals may not be kept in the city.
- (7) Animals may only be kept for commercial purposes if authorized in the zoning district where the animals are located.
- (8) Animals may not be kept if they cause a nuisance or endanger the health or safety of the community.

Section 9. Section 20-1270 of the Chanhassen City Code is amended to read as follows:

Sec. 20-1270. – Compliance with Minnesota State Building Code

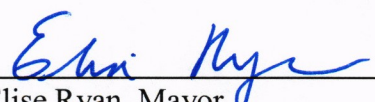
The design and construction standards as set forth in Appendix H of the International Building Code, as may be amended, are adopted.

Section 10. This ordinance shall be effective immediately upon its passage and publication.

PASSED AND ADOPTED this 11th day of March, 2019 by the City Council of the City of Chanhassen, Minnesota



Todd Gerhardt, City Manager



Elise Ryan, Mayor

(Summary Ordinance 639 published in the Chanhassen *Villager* on March 21, 2019)