

PC yes
Sec. 656.422. - Chickens allowed by permit in certain zoning districts.

- Permit required
PC yes
- Permit one-time fee
requirement class PC
yes
- PC
1 year prior
- PC
4 per lot
- PC
coop required
- PC yes
- PC
rear only
- PC
100' chicken coop only
- (a) For the purpose of this Section, a chicken (*Gallus domesticus*) refers only to a female chicken. Chickens, also referred to herein as "Backyard hens," are allowed in conjunction with a single family dwelling as defined in Part 16 of the Zoning Code, by permit and subject to the performance standards and development criteria set forth herein.
 - (b) A permit is required to ensure compliance with performance standards and development criteria. The application for permit must be submitted to the Planning and Development Department prior to placement of any chickens on the property. A one-time non-refundable permit fee as found in www.coj.net/fees, shall be required at the time of application. Prior to permit application, all residents wishing to have backyard hens must evidence the completion of a chicken keeping seminar from the Duval County Agricultural Extension Office. Upon submission of a completed application as determined by the Planning and Development Department, completion of the seminar, and payment of the permit fee as found in www.coj.net/fees, the Planning and Development Department shall issue the permit. If applicant has prior attended the chicken keeping seminar, applicant shall submit the permit application with fee, along with proof that applicant has completed the chicken keeping seminar at the Duval County Agricultural Extension Office.
 - (c) Up to five chickens may be permitted on each residential lot. If the lot is larger than one acre, five additional chickens may be permitted per each additional 21,780 square feet over one acre. The aforementioned land requirements are the gross area of the premises harboring such chickens and include areas used by the resident for residential or other purposes, in addition to the keeping of the chickens, subject to the following performance standards and development criteria:
 - (1) Chickens shall be kept within a coop or enclosure (a fenced or wired in area, or pen, required in conjunction with a coop to provide an outside exercise area for chickens free from predators and of a size that allows access to a foraging area, sunlight, etc.) at all times. A coop is herein defined as a covered house, structure or room that will provide chickens with shelter from weather and with a roosting area protected from predators.
 - (2) The coop shall be screened from the neighbors' view, using an opaque fence and/or landscape screen.
 - (3) Any chicken coop and fenced enclosure shall be located in the rear yard of the property, unless the property is deemed to have double frontage on a navigable waterway. No coop, enclosure or chickens shall be allowed in any front or side yard (corner lots and through lots shall be excluded from side setback restriction) unless as otherwise described above.
 - (4) If the coop exceeds 100 square feet in size (10 foot by 10 foot), a building permit must be obtained from the City's Planning and Development Department.

- (5) The coop shall be covered and ventilated, and a fenced enclosure/run is required that is well drained so that there is no accumulation of moisture. The coop and enclosure shall be completely secured from predators, including openings, ventilation holes, doors and gates (fencing or roofing is required over the enclosure in addition to the coop).
- (6) The coop shall provide a minimum of three square feet per chicken and be of sufficient size to afford free movement of the chickens. The coop may not be taller than six feet measured from the natural grade, and must be easily accessible for cleaning and maintenance.
- (7) All stored feed shall be kept in a rodent and predator proof container.
- (8) Chickens may not be kept on duplex, triplex or in multifamily properties. Chickens are allowed in manufactured home subdivisions but are not allowed within mobile home/manufactured home or recreational vehicle home parks or rental communities.
- (9) No male chickens/roosters, ducks, geese, turkeys, peafowl, pheasants, quail or any other poultry or fowl may be kept under this program.
- (10) The slaughtering of chickens on the premises is strictly prohibited and therefore not allowed.
- (11) Chickens shall be kept for personal use only. The selling of chickens, eggs or chicken manure, or the breeding of chickens for commercial purposes is prohibited.
- (12) Chickens shall not be permitted to trespass on neighboring properties, be released or set free and shall be kept within a coop and enclosure at all times.
- (13) Chicken coops and enclosures shall be maintained in a clean and sanitary condition at all times. Chickens shall not be permitted to create a nuisance consisting of odor, noise or pests, or contribute to any other nuisance condition.
- (14) All chicken coops or enclosures shall meet the setbacks for accessory structures pursuant to Section 656.403 of the Zoning Code.
- (d) No dog or cat that kills a chicken shall, for that reason alone, be considered a dangerous and/or aggressive animal.
- (e) Chickens that are no longer wanted by their owners shall not be taken to Animal Care and Protective Services, nor shall they be released. Said chickens shall be taken to certain pre-identified locations, such as Standard Feed that will accept and place any and all unwanted chickens. Animal Care and Protective Services shall maintain a list of approved locations for the owner surrender of chickens.
- (f) As a condition of the issuance of a permit, a permit holder consents to inspection of his or her property upon complaint to the City as related to backyard hens. Following a complaint as to a particular property and upon notice to the permit holder, the permit holder shall allow the Municipal Code Compliance Division to enter onto his or her property during a scheduled visit to ensure compliance with the regulations, performance standards and development criteria herein.

PC
yesPC
6' Height

PC yes

PC same

N/A

PC same

PC same

PC yes
in ordinance

PC yes

PC
10' rear 75' side

?

Staff
is researching
farmsPC
yes

- (g) This Section shall not change the rights granted to properties located in the Agriculture and Rural Residential-Acre zoning districts pursuant to Section 656.401(A)(3), Ordinance Code.
- (h) This Section does not supersede any legally adopted, recorded restriction within any platted neighborhood. Moreover, this Section does not authorize persons to violate applicable restrictive covenants and homeowners' association rules and regulations. Therefore, persons applying for and receiving permits under this Section are required to certify whether their property is part of a deed restricted community or subject to a homeowners, neighborhood or master association, and if they answer in the affirmative, must provide a separate consent form (which is part of the application) signed by an officer of such entity that confirms that chickens are permitted by the entity on the subject property. The City does not police or enforce private restrictive covenants and homeowners', neighborhood and master association bylaws, rules and regulations. Persons applying for and receiving permits under this Section are solely responsible for compliance with all applicable restrictive covenants and homeowners', neighborhood or master association bylaws, rules and regulations.

(Ord. 2015-337-E, § 2; Ord. 2017-665-E, § 29; Ord. 2021-222-E, § 1)

Sec. 4-9. - Keeping fowl prohibited, with the exception of chickens regulated through the Urban Chicken Program.

It shall be unlawful to keep or maintain any goose, turkey, duck, peafowl, pigeons, roosters or any other fowl not permitted under the provisions of this section within the city. Chickens shall be allowed by permit only under all of the following conditions:

- (1) *Urban Chicken Program.* The intent of this program is to permit the keeping of urban chickens on owner-occupied single-family properties, subject to the terms and conditions of this section.
- (2) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Chicken. A domesticated fowl of the gallus genus. This term shall include only the female chicken (hen), and shall exclude the male chicken (rooster).

Chicken coop. The house or cage in which a chicken lives. Inside coops are often nest boxes for egg-laying and perches on which the birds can sleep.

Chicken pen. The outside area around a coop. An enclosure that is connected to and/or surrounding a chicken coop for the purpose of allowing chickens to leave the coop while remaining in an enclosed predator-safe environment.

Chicken tractor. A movable chicken coop lacking a floor. Chicken tractors may be a lightly built A-frame which one person can drag about the yard. It may have wheels on one or both ends to make it easier.

- (3) *Urban chicken permit regulations.* It shall be unlawful to keep, harbor, raise or maintain chickens without an urban chicken permit. Urban chicken permits shall include the following conditions and restrictions:

- a. The maximum number of urban chickens allowed per household on a single-family detached residential lot shall be in accordance with Section 4-13 of the Code of Ordinances.
- b. An urban chicken permit shall only be issued for a lot with an existing single-family detached residence that is owner-occupied outside of the boundaries of the community redevelopment area.
- c. Ducks, geese, turkeys, peafowl, pigeons, roosters or any other poultry or fowl are not permitted under the provisions of this section.
- d. Chickens and associated activities shall be kept for personal use only. Selling chickens, eggs, feathers, or chicken manure, or the breeding of chickens is prohibited.

PC
SFD

PC Yes

PC Yes

- e. Chickens shall not be slaughtered on premises.
- f. The coop, pen and enclosure shall be located behind the single-family residence in the rear yard and shall be screened from all adjacent properties and rights-of-way with a six(6)-foot-tall opaque fence. Chicken tractors shall not be permitted.
Winter Park allows
- g. The coop, pen, and enclosure shall comply with the standard setbacks for a shed set forth in article 5, section 5.6 of the Land Development Code.
- h. Chicken coops shall provide a minimum of four (4) square feet per chicken to permit free movement of the chickens, shall not exceed fifty (50) square feet, and may have an attached run. The coop shall be tied down for wind resistance. The coop and enclosure shall not be taller than six (6) feet, measured from the natural grade, shall be at least six (6) inches lower than the fence to provide full screening, and shall be easily accessible for cleaning and maintenance.
- i. The coop, pen and enclosure shall be completely secured from predators, including all openings, ventilation holes, doors and gates. Fencing or roofing is required over the enclosure in addition to the coop, in order to protect the chickens from predators.
- j. All feed and other items associated with the keeping of chickens that can attract or to become infested with rodents or other pests shall be kept in a rodent and pest-proof container. Clean water must be provided.
- k. Chickens shall be secured within a covered chicken coop or fenced pen/run area at all times and shall not be permitted to run at large.
- l. Chicken coops, pens, and enclosures shall be kept clean from garbage and any substance which attracts rodents. The coop and surrounding area must be cleaned frequently enough to control odor. The floors and walls of a coop, pen or enclosure shall be kept in a clean, sanitary, and healthy condition. Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors to be detected on another property. Failure to comply with these conditions may result in removal of chickens from the premises or revocation of a chicken permit. Chickens shall not be permitted to create a nuisance consisting of odor, noise or pests, or contribute to any other nuisance condition, as defined in the Code or State Law.

(4) *Procedures for the granting of urban chicken permits.* Application for urban chicken permit shall be submitted to the police department's animal control division. Such submittal shall include the application form as provided by the city, together with all documents required under this section.

- PC No a. No more than one (1) urban chicken permit shall be active on any given street. Permits shall be issued on a first-come, first-served basis. Once the city has issued an urban chicken permit on a given street, subsequent approved applicants on that street shall be

placed on a waiting list. If a participant chooses to leave the program, he/she shall provide notice to the city. The city is then authorized to issue a permit to the next qualified applicant on the waiting list. If a participant is removed from the program due to one or more violations of this section, the city shall be authorized to issue a permit to the next qualified applicant on the waiting list.

pc not
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b. An urban chicken permit shall not be issued for a property with an outstanding code enforcement case or any city imposed liens on said property.

pc Yes

c. The urban chicken permit is personal to the permittee and shall not be assigned.

site plan
class

d. An applicant for a permit shall demonstrate compliance with the criteria in this section in order to obtain a permit. Applicants shall submit photos of the proposed site of the coop/run areas, a survey of the subject property showing the location, and proof of successful completion of a University of Florida Agricultural Extension Service class regarding the keeping of chickens or an equivalent class approved by the administrative official.

statement
revoke

e. The urban chicken permit applicant shall sign a statement acknowledging that the urban chicken permit may be revoked for any violation of this section, and may be revoked if this section is amended in the future, and the city shall not be held responsible or liable for any losses, including the costs of improvements constructed for the keeping of chickens, to the applicant if such chicken permit is revoked.

reasonable time
repeat revoke

f. If any condition or restriction of the urban chicken permit has been violated, the city may revoke the permit upon seven (7) days' written notice. If the violation is cured within the seven-day (7) notice period, the permit shall not be revoked; however, a repeat offense may result in the city's immediate revocation of the permit. The city is responsible for the determination of compliance with the requirements of this section. In matters of interpretation, the administrative official has the authority to determine compliance with this section.

inspections

g. The city may conduct site inspections of the subject property to make compliance determinations under this article prior and after issuance of a permit.

(5) Those property owners wishing to apply for a permit to own chickens shall complete the application form and submit it to the police department's animal control division for consideration. The property owner shall include with the application the following:

pc
no
as per City
Council

a. An applicant for a permit shall submit written consent from each property owner of privately or publicly owned real estate within two hundred (200) feet of the outer boundaries of the premises for which the permit is being requested, stating that they have no objection to the applicant's ownership and maintenance of chickens.

b.

If the property is governed by a home owner's association, then written approval from the home owner's association will be required.

c. The required fee for an application to cover the city expense of reviewing the application for completeness and issuance of permit shall be outlined in chapter 21 of the code of ordinances.

(6) Owner of chickens shall be responsible for correcting or abating any nuisance that may arise from keeping thereof.

(7) Violation of these regulations shall be remedied through the code enforcement process whereby the special master may levy fines to force compliance or revoke the permit.

(8) Rescuing, fostering, sitting or any other form of temporary ownership of chickens in the city of South Daytona is expressly forbidden.

(9) *Appeal*. A person aggrieved by a decision of the administrative official in the issuance, denial or revocation of an urban chicken permit may appeal to the city manager in writing within five (5) business days of the administrative official's written decision by filing an appeal with the city clerk. Said appeal shall state fully the grounds for the appeal and all facts relied upon by the appellant. A person aggrieved by a decision of the city manager may appeal to the city council within five (5) business days of the city manager's written decision by filing an appeal with the city clerk. Said appeal shall state fully the grounds for the appeal and all facts relied upon by the appellant. The decision of city council shall be final.

(Ord. No. 77-17, § 10, 9-27-77; Ord. No. 18-03, § 1, 4-10-18; Ord. No. 2021-10, § 2, 8-10-21; Ord. No. 2022-09, § 2, 8-9-22; Ord. 2023-11, § 2, 8-8-23)

Editor's note— Ord. No. 2021-10, § 2, adopted Aug. 10, 2021, amended § 4-9 and in doing so changed the title of said section from "Keeping fowl prohibited" to "Keeping fowl prohibited, with the exception of chickens regulated through the Urban Chicken Pilot Program," as set out herein.

Note— See editor's note at § 4-8.

Sec. 72-307. - Backyard chickens.

(a) Backyard chickens may be permitted in the R-1 through R-4, R-6, or MH-6 zoning classifications, by conditional use permit, pursuant to subsection 72-341(j). All backyard chicken conditional use permits shall be subject to the following restrictions:

- PC 4
- (1) The number of chickens shall be limited to no more than five (5), and no ducks, geese, pigeons, turkeys, peafowl, roosters, or any other poultry or fowl are allowed. For the purpose of this section, the term "chicken" refers to hens only.
- PC - yes
- (2) Chickens shall be kept in an enclosed area with a coop that provides for the free movement of chickens, and are not permitted to be free range. The coop must have a roof, and be completely secured from predators, including all openings, ventilation holes, doors and gates. No more than one coop shall be allowed per permitted parcel. Chickens shall at all times be provided receptacles kept constantly filled with clean water.
- PC Yes
- (3) No manure may be allowed to accumulate on the floor of the coop or ground. Conditional use permit holders must implement a manure management program, whereby the coop and enclosure are cleaned regularly. A fly-tight bin for storage of manure must be utilized; the size of which must be sufficient to contain all accumulations of manure. The fly-tight bin must be kept at least 20 feet away from all property lines. Composting of chicken manure may be allowed in the enclosed fly-tight bin. There shall be no perceptible odor emanating from the manure storage/composting bin.
- PC All lot sizes
- (4) The minimum lot size shall be one-third of an acre.
- PC 10' Rear 7'5 Side
- (5) The chicken coop and enclosure shall be considered an accessory structure which shall be located between the rear lot line and the rear-most point of the principal structure and shall comply with the requisite accessory use setback requirements of the property's zoning classification, unless otherwise required per section 72-277.
- PC 60' 100 square feet
- (6) The coop may not be taller than eight feet, measured from the natural grade, and must be easily accessible for cleaning and maintenance. Coops may not exceed a maximum of 150 square feet.
- PC No
- (7) If the coop structure exceeds 120 square feet in size, a building permit is required under the Florida Building Code.
- PC Yes
- (8) The coop and enclosure shall be screened from view from adjoining properties or the street.
- PC Yes
- (9) Chickens shall be kept for personal use only. Selling chickens, eggs, or chicken manure, or the breeding of chickens for commercial purposes is prohibited.
- PC Does not allow
- (10) The chickens must be sheltered or confined in such fashion as to prevent them from coming into contact with wild ducks or geese or their excrement.
- (11)

PC No
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 The chickens may not be slaughtered by or at the direction of the owner or keeper thereof except pursuant to the lawful order of state or county health officials, or for the purpose of euthanasia when surrendered to a licensed veterinarian or the Humane Society for such purpose, or as otherwise expressly permitted by law. Deceased chickens must be properly disposed of within 24 hours of expiring and in accordance with Florida law. Conditional use permit holders may contact a University of Florida Agricultural Extension Service Office for requirements regarding proper disposal methods.

(b) In a public health emergency declared by the state or county health department, including, but not limited, to an outbreak of Avian Flu or West Nile virus, immediate corrective action may be required in accordance with applicable public health regulations and procedures. Conditional use permit holders consent to compliance with such required corrective action.

PC \$50 permit fee
 (c) An application for conditional use permit, as well as applications for renewal of conditional use permit, shall be on a form supplied by the department, together with any applicable fees. In addition to those requirements of subsection 72-341(j), the application shall include, the following:

PC setbacks
 (1) A site plan depicting the location and size of the coop and enclosure and the distance of these accessory structures from the property lines;

PC Fence/Shrub
 (2) The method of screening of the coop and enclosure from adjacent properties;

PC yes
 (3) Proof of successful completion of a University of Florida Agricultural Extension Service (UF IFAS) class on the care and raising of chickens (initial proof of successful completion is sufficient for renewal applications); and

PC No
 only owner
 no rentals
 (4) Notarized authorization of the owner, if the applicant is other than the owner.

(Ord. No. 2018-13, § II, 7-24-18)

ORDINANCE 3259-23

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AMENDING ORDINANCE 3182-20 TO KEEP AS PERMANENT THE REGULATIONS FOR THE ISSUANCE OF BACKYARD CHICKEN PERMITS AND THE KEEPING OF BACKYARD CHICKENS ADOPTED BY ORDINANCE 3182-20; AMENDING SECTION 18-18 OF THE CITY CODE CONCERNING GENERAL CONDITIONS FOR THE KEEPING OF BACKYARD CHICKENS; AMENDING SECTION 58-71(i)(11) OF THE CITY CODE CONCERNING BACKYARD CHICKEN ACCESSORY STRUCTURES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the City of Winter Park established a backyard chicken pilot program pursuant to Ordinance 3182-20 adopted on September 9, 2020; and

WHEREAS, Section 3 of Ordinance 3182-20 provided for a 24-month expiration of the backyard chicken pilot program after the September 9, 2020 adoption of Ordinance 3182-20; and

WHEREAS, the City has determined that the backyard chicken pilot program has been successful and now desires to incorporate the backyard chicken program permanently into the City Code;

WHEREAS, the City desires to keep in place and codified into the City Code the backyard chicken program regulations adopted by Ordinance 3182-20; and

WHEREAS, the Winter Park City Commission hereby finds and declares that this Ordinance is in the best interest of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS:

SECTION 1. Recitals. The above recitals are incorporated herein by reference and form an integral part of this Ordinance.

Pilot program over Admin + then ordinance
SECTION 2. Expiration of Backyard Chicken Program Deleted. Section 3 of Ordinance 3182-20 is hereby amended to delete the 24 month expiration of the backyard chicken program so that the provisions of the City Code adopted by Ordinance 3182-20 into Section 1-24, Section 18-16, Section 18-18 and Section 58-71(i)(11) remain codified in the City Code, valid, effective and unexpired. The allowance of chickens in single-family residential zoning designations (R-1A, R-1AA, and R-1AAA) pursuant to the regulations of the backyard chicken program and other applicable code provisions remain in place. Except as amended by this Ordinance, Ordinance 3182-20 is hereby ratified and remains valid and effective.

SECTION 3. CODE AMENDMENT. Chapter 18, Animals, Article I, Section 18-18 "General Conditions for the keeping of backyard chickens" is hereby amended as shown below (underlined language are additions; ~~stricken through~~ language are deletions):

Sec. 18-18. – General Conditions for the keeping of backyard chickens ~~pilot~~ program.

Any person keeping chickens as an accessory to an occupied dwelling shall be subject to the following restrictions:

PC
fee simple
no rentals

- 1) Permit Required. A Backyard Chicken permit (hereinafter "permit"), is required for the keeping of chickens. The permit is personal to the permittee and may not be assigned. If the person applying for the permit is not the fee simple owner of the subject property, the fee simple owner must provide owner authorization and written consent to the application. The fee for the permit will be set by Resolution of the Winter Park City Commission.

PC no

- 2) The applicant shall include written consents/approval of the keeping of chickens on their premises from all abutting residential property owner(s). Upon receipt of a permit application, the Building Official shall determine if the application is complete and contains the required consents/approvals. For the purposes of this subsection, "abutting property owner(s)" means those private property owner(s) owning fee simple interest in property sharing a boundary line with the applicant's property that is the subject of the application. The requirements of this subsection shall be reviewed and evaluated for potential amendment on or about February 2025.

PC yes

- 3) During the pilot program, The City of Winter Park staff shall be permitted to perform follow-up inspections on the premises where permits have been issued for the keeping of chickens. Inspections shall be to ensure that all of the program criteria are being met. Staff will keep a record of the progress and conditions for evaluation at the end of the 24-month program. In the event the City Commission does not act to continue the program prior to said termination date, all persons with backyard chickens shall be grandfathered and be able to keep their chickens so long as no new ones are added and the guidelines and regulations of the pilot as set forth herein are maintained.

PC Yes

- 4) Up to four chickens may be kept at an occupied single family residence upon receiving a permit from the City.

PC Yes

- 5) Ducks, geese, turkeys, peafowl, male chickens/roosters, pigeons, or any other poultry or fowl are not allowed.

PC Yes

- 6) Chickens are not allowed on duplex, triplex, townhomes, multifamily properties, community gardens, or any other uses.

PC Yes

- 7) Chickens must be secured within a covered chicken coop, chicken tractor, or fenced pen/run area at all times and are not allowed to run at large upon any

public properties or off the premises of the owner. Chickens must have access to food and water at all times. The coop and pen/run area must be completely secured from predators with hardware cloth or similar material. Chicken wire shall not be used.

- 8) The coop and pen/run area must be cleaned regularly and kept free of insects and rodents. Odors from chickens, chicken manure, or other items associated with the keeping of chickens must not be perceptible at the property boundaries. Chickens must not be permitted to create a nuisance consisting of noise or pests, or contribute to any other nuisance condition.
- 9) No manure may be allowed to accumulate on the floor of the coop or ground. All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with rodents or other pests shall be kept in a rodent and pest-proof container.

PC
Fly tight bin

- 10) Composting of chicken manure is allowed in an enclosed bin. The composting bin shall be kept at least 20 feet away from all property lines. Waste materials (feed, manure and litter) not composted must be bagged and disposed of in the trash.

PC yes

- 11) Chickens must be kept for personal use only. Selling chickens, eggs, feathers, or chicken manure, or the breeding of chickens is prohibited.

12) Chickens may not be slaughtered on premises.

PC yes

- 13) Any person who violates any provision of the article will, upon conviction, be punished as provided in Section 1-7 of this Code. Additionally, the building official has the sole discretion to revoke the permit and require that the chickens be removed within 10 days if he or she determines that the permittee is in violation of the requirements of the Code.

- 14) Violation of this section or other requirements of the backyard chicken program shall constitute a class II civil infraction in accordance with section 1-24, City Code. A repeat citation for a violation of this section will incur double the penalty of the first infraction. A third citation for a violation will result in the participant being removed from the program.

SECTION 4. CODE AMENDMENT. Chapter 58, Land Development Code, Article III, Zoning, Subsection 58-71(i)(11), City of Winter Park Code of Ordinances is hereby amended as follows (underlined language are additions; ~~stricken through~~ language are deletions; provisions not included are not being amended):

PC Rear only
2 Rear 10'
Side 75'

Set Back

- (11) Backyard Chicken Coop Accessory Structures.
 - a) Chicken coops, pens or chicken tractors must be located in the side or rear yard (~~behind the rear of the home~~) and be set back a minimum of ten (10) feet from the rear and a minimum of seven and a half ten (10) feet from the side lot

lines. Coops must be screened at grade from adjacent properties with a solid 6 foot fence or wall. No coop will be allowed in any front or side yard.

b) The coop, pen, or chicken tractor must be a minimum of 20 feet from any pre-existing neighboring residential principal structure, at least 5 feet from the principal structure on the subject property, and at least 5 feet from any property line. No setback is required between a coop and another accessory structure on the subject property.

c) Chicken coops must be less than 50 square feet and may have an attached run. The coop must also be tied down for wind resistance.

d) The maximum height of a coop shall be six (6) ~~eight~~ (8) feet, as measured from the existing grade to the highest part of the coop.

e) An applicant for a permit must demonstrate compliance with the criteria in the Code in order to obtain a permit. The application for a permit must be submitted to the building official. Applicants must submit photos of the proposed site of the coop/run areas, a to scale survey/site plan of the subject property showing the location, and proof of successful completion of a University of Florida Agricultural Extension Service class or an equivalent class approved by the building official, completed within the last year.

f) A building official determination is required for a permit. The building official is authorized to implement reasonable rules and regulations regarding backyard chickens. The building official must not approve locations with outstanding code violations.

g) No more than 25 permits will be issued citywide. Permits will be issued on a first-come, first-served basis. Participants choosing to leave the program must provide notice to the City. The City is then authorized to re-issue the permit to another qualified applicant. If a participant is removed from the program due to violations of the terms of this ordinance. The permit may also be re-issued to another qualified applicant.

SECTION 5. CONFLICTS. The provisions of this Ordinance shall prevail in the event of conflict with the provisions of any existing ordinance.

SECTION 6. CODIFICATION. The city clerk and the city attorney shall cause the Code of the City of Winter Park, Florida, to be amended as provided by Section 3 and Section 4 of this Ordinance and may renumber, re-letter, and rearrange the codified parts of this Ordinance if necessary to facilitate the finding of the law and/or consistency with the Code.

SECTION 7. SCRIVENER'S ERROR. The city attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the city clerk.

SECTION 8. SEVERABILITY. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

SECTION 9. EFFECTIVE DATE. This Ordinance is effective upon adoption.

DONE, THE FIRST READING, by the City Commission of the City of Winter Park, Florida, at a regular meeting, the 14th day of December 2022.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Winter Park, Florida, by the City Clerk of the City of Winter Park, Florida, the 15th day of January, 2023.

DONE, THE SECOND READING, THE PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of Winter Park, Florida, at a regular meeting, the 25th day of January 2023.

Phillip M. Anderson, Mayor

ATTEST:

Rene Cranis, City Clerk