

**CITY OF NORWALK  
REPORT TO THE NORWALK PLANNING COMMISSION**

**ITEM:** Public hearing and consideration of an amendment to the Zoning Ordinance to allow for urban chickens as an accessory use in the R-1 Single Family District

**MEETING DATE:** August 22, 2016

**STAFF CONTACT:** Luke Parris, AICP  
City Planner

**GENERAL DISCUSSION:** At the August 4, 2016 City Council meeting, the City Council approved an ordinance amending the City Code to allow for the keeping of urban chickens. Part of that ordinance stated that a property owner keeping chickens must have an enclosure that meets the standards set forth in the zoning ordinance. This amendment to the zoning ordinance would set those standards. The standards would apply to the R-1 district and RE-1 districts.

Specifically, the proposed changes to Section 17.10.030.3 Permitted Accessory Uses are as follows:

- K. The keeping of chickens in accordance with City Code Chapter 55.16 Urban Chickens. The necessary chicken enclosure is also allowed, provided the following standards are met:
1. The enclosure is covered and fully enclosed.
  2. The enclosure shall have a latch mechanism or lock to ensure that access to the enclosure remains secure.
  3. The enclosure provides a minimum of 5 square feet per chicken.
  4. The enclosure shall have a minimum height of four feet.
  5. The enclosure shall be located inside a fenced area that provides a minimum of 10 square feet per chicken, excluding the square footage of the enclosure. The fence shall have a height of 6 feet.
  6. The enclosure shall not be located closer than 25' to any principal structure on an adjacent lot.

**ATTACHMENTS:** Attachment A: Ordinance establishing Urban Chicken section of the City Code  
Attachment B: Summary of requirements of other jurisdictions allowing urban chickens in Iowa

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF THE ZONING ORDINANCE:  
CHAPTER 55 ANIMAL CONTROL AND PROTECTION;  
CHAPTER 177 RATES AND FEES; AND  
ZONING ORDINANCE SECTION 17.10.030 SINGLE FAMILY RESIDENTIAL DISTRICT.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NORWALK, IOWA:

**SECTION 1. PURPOSE.** The purpose of this ordinance is to amend Chapter 55 Animal Control and Protection, and Chapter 177 Rates and Fees of the City of Norwalk City Code and Section 17.10.030 R-1 Single-Family Residential District of the City of Norwalk Zoning Ordinance.

**SECTION 2. AMENDMENT.**  
The City of Norwalk City Code Chapter 55 Animal Control and Protection is hereby amended by removing the following struck through language in Section 55.05:

~~55.05 LIVESTOCK. It is unlawful for a person to keep livestock within the City except by written consent of the Council or~~ except in compliance with the City's zoning regulations.

The City of Norwalk City Code Chapter 55 Animal Control and Protection is hereby amended by adding the follow new Section 55.16:

55.16 URBAN CHICKENS. The keeping of chickens within the City is allowed in compliance with the City's zoning regulations and the following criteria:

1. No more than four (4) chickens allowed per lot.
2. An annual chicken license shall be obtained by the property owner.
  - a. The cost of the license shall be established in Chapter 177 of this Code of Ordinances.
  - b. The license and fee shall be for up to 4 chickens.
  - c. If the property owner acquires possession of the chicken(s) less than six (6) months prior to the expiration date of a license, the license fee shall be reduced fifty percent (50%).
  - d. All license fees shall be deemed delinquent on April 1 of the year in which they are due and not paid, and a delinquent penalty of ten dollars (\$10.00) shall be added to each unpaid license on and after said date.
  - e. The application for a chicken license runs with the owner and his/her current location, any change in ownership or change in address will require the submission of a new license application.
3. No person shall keep any rooster.
4. No person shall slaughter any chickens.
5. No chickens may be kept without an approved enclosure that meets the standards of the zoning ordinance.
  - a. The enclosure shall be covered and fully secured so that it can be locked at night.

- b. The enclosure shall be completely secure and free of any attractive nuisances as spelled out in Chapter 50 Nuisance Abatement of the municipal code.
- 6. All chicken coops shall obtain the proper accessory structures permit and meet all setback requirements spelled out in the zoning ordinance.
- 7. More than two violations of Chapter 50 Nuisance Abatement in a calendar year may result in revocation of the license and subsequent removal of the chickens, subject to City Council review.

The City of Norwalk City Code Chapter 177 Rates and Fees is hereby amended by adding the following license fee for Urban Chickens:

- 4. Chapter 55 – Urban Chicken Licenses
  - License Fee \$25.00 per year
  - Delinquency Fee \$10.00 per delinquent year

**SECTION 3. SEVERABILITY CLAUSE.** In any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council of the City of Norwalk, Iowa on the \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Tom Phillips, Mayor

ATTEST:

\_\_\_\_\_  
Jody Eddleman, City Clerk

PREPARED BY: Luke Parris, City Planner

City	Requirements
Cedar Rapids	6 hens, no roosters. Coops 10 feet from lot line & 25 feet from any occupied building. Only allowed in backyard. \$25 annual fee. Hens banded with ID bracelets provided by City. Must take a chicken-keeping class that follows a City approved syllabus of content.
Clive	No more 12 chickens on a lot less than 1.5 acres. Coop located 150 feet from homes and 50 feet from property line.
Des Moines	Lots smaller than 1 acre, up to 30 birds. Lots larger than 1 acre, up to 50 birds. Not allowed in front yard. Coop 25' from neighboring buildings.
Johnston	No chickens shall be allowed to run free within corporate limits.
Sioux City	Requires a permit. No more than 50 birds. Coop 25' from home and 150' from neighboring buildings.
Urbandale	Allowed but must be kept at least 150 feet from any dwelling.
West Des Moines	No chickens allowed to "run at large"
Windsor Heights	No more than 2 chickens. Must be in coop at all times. Must be 25' from neighboring residences. Not allowed in front yard.