

**CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
June 21, 2017**

Chairperson Schmidt called the June 21, 2017, regular meeting of the Planning Commission to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

PRESENT Jennifer Cochran, Paul Jackson, Chris Jane, John Schmidt, Tim Vogel, Bill Yontz

EXCUSED Renato Cerdena

ABSENT

ALSO PRESENT Mark Sweppenheiser, Neighborhood Services Director
Cindy Plautz, Neighborhood Services Coordinator

There were 2 people in the audience.

APPROVAL OF MINUTES

Motion was made by Tim Vogel, seconded by Paul Jackson, to approve the minutes of the May 17, 2017, meeting of the Planning Commission with the following corrections:

- Change here to hear, page 7
- Add combination of 3 dogs and/or cats. Chicken count to be separate, page 7.

Motion passed unanimously with all in favor.

PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

None heard.

PUBLIC HEARINGS

Request for Text Change to the Code of Ordinances, Chapter 91: ANIMALS to Allow the Keeping of Chickens within City Limits

Sweppenheiser explained that this will be a recommendation to the City Commission. There has been some interest in the past to keep chickens within City limits. The addition of allowing chickens to be kept in the City was discussed with Eric Williams and it was decided to include it in the Code of Ordinances rather than the Zoning Ordinance as in the Code of Ordinances, any

variations to an Ordinance are not allowed. If included in the Zoning Ordinance, a citizen could ask for a variance. The follow was discussed for inclusion in the ordinance language:

- Slaughter of chickens prohibited
- Allowance of up to 3 chickens
- Permitted in rear yard only
- 2-year temporary permit required - \$25
- Must be 10 feet from lot line, including any byproducts or manure
- Language to be included in the Code of Ordinances
- Permitted on owner occupied, single-family property only
- Must be located either 25 feet or 45 feet from neighboring property (to be decided)
- Must be kept in fully contained enclosure, no free-range

Sweppenheiser would like to add that no roosters will be allowed to be kept.

Chairperson Schmidt opened the Public Hearing at 6:39 p.m.

Applicant Statement

As the City is the applicant, Sweppenheiser spoke for the request. He stated that there has been interest and keeping chickens for their eggs and feels it doesn't seem to be just a fad. Some people keep them as a learning lesson for their children. He doesn't see a reason not to allow them in the City. He said that chicken owners will have to take good care of the chickens or they will not last very long. This Public Hearing was posted in the Pioneer on Friday to try to get interested people to attend the meeting.

Those Who Spoke in Favor:

None

Those Who Spoke in Opposition:

None

Written or Telephonic Correspondence:

None

Applicant Rebuttal:

None

Chairperson Schmidt closed the Public Hearing at 6:42 and the Planning Commission entered into Fact Finding.

Jane stated that he recently had the opportunity to observe the keeping of chickens and they have been clean, healthy environments with no smell.

The members discussed the previously outlined ordinance language with the following comments:

- The coop size, including a fenced run, should be no larger than 200 sq. ft. Chickens should not be able to run outside the fenced area.
- A building permit would need to be obtained for structures of 200 sq. ft.
- The coop needs to be located in the rear yard, 10 feet away from any lot line and 40 feet away from any neighboring residential structures. The 10 feet requirement is included within the 40 feet distance.
- Need to make sure roosters are not allowed.

Motion

Motion was made by Tim Vogel, seconded by Bill Yontz to recommend to the City Commission an addition of text to the Code of Ordinances Chapter 91: Animals, to allow the keeping of chickens within the City limits. The following regulations should be incorporated:

- **The regulation will be found in the Code of Ordinances**
- **Chickens may only be kept on single family, owner occupied properties**
- **The owner of the chickens must reside on the property**
- **No roosters are allowed**
- **The slaughter of chickens is prohibited**
- **A maximum of 3 chickens per property is allowed**
- **Chicken coops permitted in rear yard only**
- **A 2-year temporary permit costing \$25 is required**
- **Chickens must be kept in a fully enclosed area – no free range**
- **Overall size of the structure and appurtenances must be 200 sq. ft. or less**
- **The chicken coop and pen area, including any byproducts and/or manure must be 10 feet from the lot line**
- **Chickens must be kept 40 feet from neighboring residential structures**

Motion passed with Chris Jane, Jennifer Cochran, Paul Jackson, John Schmidt, Tim Vogel and Bill Yontz in favor.

GENERAL BUSINESS

Bees

Jane asked about bee keeping within City Limits. Sweppenheiser said they must be kept 500 feet from any structure. Schmidt added that they are treated as livestock per the Federal Government

but wondered if ordinances could be created to encourage bee keeping. Yontz wondered if the Co-op could help with any regulations or advise that would be needed.

Chamber of Commerce/Convention and Visitors Bureau

Sweppenheiser reported that the new building will be complete soon and the Chamber and CVB hope to hold an open house in August of this year.

The previous building occupied by the Chamber and CVB will revert back to the City and will need to be taken down before the Mitchell Creek Park improvements begin.

At the June Park and Recreation Board meeting the building was discussed. A report on the condition of the building was presented and it identified some maintenance issues with the building (see attached report).

Next month there will be a Public Hearing for a recommendation to the City Commission as to what should be done to the building. Yontz added that it is not ADA compliant. Bringing the building up to code is not feasible per the City's building inspector.

Re-Zoning Recommendation

The City Commission decided not to accept the Planning Commission's recommendation on last month's re-zoning request. They did not like the tie vote. They decided to re-zone it from C-2 to R-P through a resolution instead. City Attorney Eric Williams will write the Ordinance.

Schmidt asked if there could be an alternate Planning Commission member that could be called in if a member was going to miss voting on an issue, or if a member could recuse him/herself so there wouldn't be an even number of voters.

This would not be allowed per the City Charter and the Planning Enabling Act.

The applicant could go to the City Commission to make their case too.

There being no further discussion, Chairperson Schmidt closed the meeting with all in favor.

Respectfully submitted,

Cynthia J. Plautz
Planning Commission Secretary

