



City of Gahanna

200 South Hamilton Road
Gahanna, Ohio 43230

Meeting Minutes Planning Commission Workshop

Donald R. Shepherd, Chair

Bobbie Burba, Vice Chair

David K. Andrews

Kristin E. Rosan

Thomas J. Wester

Jennifer Price

Joe Keehner

Kayla Holbrook, Deputy Clerk of Council

Wednesday, September 21, 2016

6:30 PM

City Hall

CALL TO ORDER

Chair called the meeting to order at 6:33 p.m.

Present 5 - Donald R. Shepherd, David K. Andrews, Bobbie Burba, Kristin E. Rosan, and Thomas J. Wester

Absent 2 - Jennifer Tisone Price, and Joe Keehner

DISCUSSION ITEM:

[CC-0002-2016](#) To recommend to Council, changes to Part Eleven - Planning and Zoning Code, to form a Chapter 1170, Regulation of Chickens, of the Codified Ordinances of the City of Gahanna.

(this item has not yet been advertised)

Gard said we are here because there have been requests to the City of Gahanna to permit backyard chickens; there is another part in the police chapter, 500 chapter, that will be impacted; does not need reviewed by Planning Commission but is in front of you tonight; Stephen Renner, President of Council, said has been getting calls for several years about this initiative; dovetails with the urban agriculture discussion across the nation; have a number of residents that have sincere reasons for wanting this option for their family; something he felt was important to bring forward on behalf of them as that is the process we have; want to take a second to thank Bonnie Gard for taking time to draft some of the code; she did a superb job on this; this is just about allowing someone to have a chicken in their backyard; said he grew up on a farm and have experienced chickens; at the County level with his day job was part of a large committee that looked at subdivision rules to allow chickens, ducks, and rabbits; will emphasize this is no roosters; did hear several concerns along the way and it was passed and Columbus and Bexley are now doing this;

this is written in a way that it is for those families that have chosen to have chickens; tried to make this in such a way that we do not let just anyone come along and get chickens; set up for those who want to make this family choice; will leave it to this Commission to make recommendations; have been a lot of email responses from the residents; some have taken him back a little; if we stick close with the facts and not just any website, thinks you can walk through this to make a good decision; so much focus has been on chickens; we have so many feral cats in this City; we are not talking about the cats and their diseases; where does it stop; there are a number of diseases that come from household pets; when we talk about this, put in perspective; is a methodical way to allow those to raise chickens; Chair Shepherd said the City Attorney, Shane Ewald, will be here tonight, is running a little late; said the next step if we move forward will be a public hearing; invites everyone here tonight to come share their voice at that time; tonight is informal discussion; if no objections from the Commission; welcomes public comment; has been reading a lot about chickens over the last few days; has been around chickens, not speaking from total lack of knowledge.

Donna Simmons, 1341 Haybrook Drive, 614.471.4596; sent a lengthy email; do not have a lot to add; emailed City Council as well; if there are additional questions, please call; not in favor of chickens; from West Virginia and have experience with chickens; adamantly against chickens.

Ewald said residents have come forward and requested this; Council reviewed and decided it needed to be reviewed by Planning Commission; gathered this code based on other municipalities; chapter 11 and chapter 5 go hand-in-hand; suggest we advertise and allow the public to weigh in and then decide if this is recommended to Council; ask they look at the code and provide feedback; Shepherd said tonight will just be fact-finding; if we move forward it will be at a public hearing; Ewald said is here tonight to answer any questions from the Commission.

Karen Bailey, 476 Coronation Avenue, 614.475.2069; currently is a backyard chicken owner; they are clean and healthy; have been in real-life chicken housing areas; have been around chicken areas not kept up; not regulated well; want to make sure her chickens have enough room to walk around; gets her eggs from them; is quite nice; her neighbors do not have any issues; they actually enjoy her chickens; have no problem with chickens; should look at Reynoldsburg; they allow it; so does Bexley and Columbus; do not see a ton of people running off and getting chickens; there are just a few in the neighborhood; should look at other communities; Gahanna is not much different than any other community in how people respond to

chickens; takes good care of her chickens; do this out of love; her chickens are in the back of her home; neighbors cannot see her chickens except on one side; one person across the street did not know she owned chickens until this all came about; Andrews confirmed she has them now; Bailey said she is in Royal Manor; Andrews asked how she has them if she is not supposed to have them now; Bailey said when Franklin County got approved; says you are allowed 4 for under a half-acre; Andrews said not in Gahanna; Bailey said was not aware they were not allowed in Gahanna; asked what is the difference in allowing pot-belly pigs; Andrews said part of the problem is, what stops people from not following the code; Burba asked how many she has; Bailey said four; Burba asked how large the coop is; Bailey said is 4x6; the outside run is 5x10; Burba questioned the size; asked if it was covered; Bailey said yes; Burba asked how she removes waste; Bailey said has pine tables she scoops out and it goes into the lawn waste bag; also has sand in the run; has stall scoops or a stall fork that sifts it out; Burba confirmed it is taken to the trash each week; Bailey said yes, is less than her dogs produce; Andrews asked staff if code enforcement has been there; Gard said was directed by the Mayor's Office not to pursue this until this proposed code discussion is sifted through; Andrews asked if there is a fine and what it is; Gard said believes a minor misdemeanor; Andrews asked if the fines add up; for those that do not follow the rules; do the fines add up; have had issues where people just pay the fee and keep doing it; should we up the fines; Ewald said in this draft it specifies minor misdemeanor; around \$150; does not have exact amount; is the lowest allowed; violations can occur each day; Burba asked if she has a fence; Bailey said yes; is chain-link; three sides are privacy; Andrews said will have to give up some chickens with the size of her yard if this goes through; said he has dogs; what if they go after the chickens; that is the natural thing; does he pay a fine if his dog attacks her chickens; Burba asked if they can fly over a fence; Bailey said only when they are young; has happened; in Royal Manor alone we have possums, skunks, raccoons, will be fatalities; that is life; Andrews said his sister lives on three acres; their neighbor has chickens; his sister's dogs have dug under the fence and attacked the chickens; those are three-acre properties; would be easier in his neighborhood for that to occur; Bailey said if you build the coop correctly, you should not have that issue; said she has three dogs and her neighbors have dogs and have had no issues; Shepherd asked if she has chickens just for companionship, or just the eggs; Bailey said for the eggs but they are treated like pets; Shepherd said learned they only lay eggs from five months to maybe 3.5 years; their life span is 8-10 years; Bailey said they still lay eggs but it is just not frequent; Shepherd confirmed would be more of a pet at that point; hears a lot that people want eggs; but wonders how you get rid of your chickens after they are done producing regularly; said in other communities

have others letting them loose and it is bringing in additional predators and causing issues; this is from all over the country; wonders how you get rid of a chicken; Bailey said typically these are not good enough to eat at that age; they are usually killed young while the meat is tender; Shepherd said understands you can purchase a young chicken and you do not know if is a rooster or not; heard this from a vet; how would you get rid of; Bailey said they know they will get eaten; will give them away to someone who will take them; Rosan thanked her for coming forward; putting her personal interest in jeopardy; said it illustrates that there may be an underground group with chickens; this may be a way to make it legal for these folks; like that she came forward; there are many reasons she did not come forward; Wester confirmed she has four chickens and three dogs; proposed code change says a maximum; Ewald said that only accounts for chickens; did not modify the allowance of domestic animals; Bailey asked why it would not be considered; some people have six cats in the house; knows someone with five parrots and dogs; the City doesn't know this because those are in the house; Shepherd said that is the concern; does the City have the ability to police it; that is one of the concerns of a lot of citizens; believes there are a number of people in violation of the number of pets; would have to go house-to-house; Rosan asked Ewald the rationale about defining chickens as domestic animals; Ewald said that is only for that definition; have found an error in code where it states the number is different; Rosan said that may need to be considered; hardly considers a backyard chicken a domestic pet; would not want to include those in domestic animals; would believe the cap per acreage would be appropriate; Andrews said if they are not considered domestic animals, they are considered farm animals; do not believe they should be in the City of Gahanna; lives in the city because he wants the city life; would buy land in the farm land area; thanks her for being honest; scares him to approve this when there are people who have these illegally; does not want to listen to them in the backyard; Bailey said they are very quiet at night; Andrews said grew up on a farm and could always hear them at night; Burba said to address the five total domestic pets; if they only lay eggs for a short time, they are pets after that.

Jeannie Hoffman, 708 Waybaugh Drive, 614.570.3778; also breaking the law with chickens; knew this legislation was coming forward; so she bought them; built her coop and was turned in; if this does not pass; will move to her daughter and son's house; they are allowed chickens where she lives; asked Ewald, the five pets, the intent of that law was to keep people from having kennels; Ewald confirmed; Hoffman said fowl; the code is outdated and needs updated to modern times; chicken is under farm but in a section under fowl; Shepherd asked how many people she believes have chickens; Hoffman said she knows of some; maybe around 7; said in Bexley there are only 19

families that have chickens; have wanted them for a long time; they laid their eggs for the first time this week; cleans it up the same as Ms. Bailey; has a compost bin for her waste; if you watch a documentary on how your food is made, you would want a chicken; her chickens are not loud at all; her neighbor's dogs nap at 5 am and are far louder; has seven chickens; welcomes the Commission to come to her backyard; they do not smell; Shepherd asked about ridding them after their egg laying years; Hoffman said there is a butcher in Pataskala; there are a couple places to take them to have them killed; they will lay eggs but it will slow down; over the winter they will not lay at all; in the spring will have more eggs than she knows what to do with; Wester said there are a couple roosters in the City also; Hoffman said has heard that too; does not have any; Wester said now that we know they have them, enforcement in the City is complaint-driven; unless authorities are informed, code does not get enforced; does not see where there is allowance from solicitation from neighbors; have read in other city codes that if one neighbor objects, they shut the application down; said if we know there are violations, and the Mayor has suspended those enforcements; asked how violations will be handled in the beginning; Ewald asked Gard the normal response time on a violation; Gard said it varies with different violations; Ewald said it is up to the enforcement division; Shepherd confirmed Gard is the supervisor of the Code Enforcement Officer; asked if our Code Enforcement Officer, Brian Reynolds, has time at this point to handle additional; understands he is currently running at maximum; Gard said it is not only extra work for him, but for the police department; we will do what they are asked to do; Rosan asked Hoffman who filed the complaint; Hoffman said it is was anonymous; Rosan asked her thoughts on an application that is denied based on a neighbor objecting it; Hoffman said her neighbor would object to anything she did; has four neighbors; said it is a good idea; does not disagree; Burba asked if she has a privacy fence; Hoffman said one side is but the other sides are trees; has a long yard; has screening stuff to put up and bushes so it cannot be seen by the neighbors; proposed code says it has to be screened; Andrews said she did three years of research before; asked if she did not read the code; Hoffman said she knew; waited to order when she thought the legislation was being introduced; has a plan to get rid of them; could say her chicken are fowl; understands she could not have them when she purchased them; thinks the people who already have them want to come out; said does not see many running out and buying chickens; Andrews said could be a neighbor and not want chickens and end up with four surrounding neighbors with them; said reference to Columbus having them; called someone in the City and spoke with a few people; was told that there was a number of people with chickens on the east side and they did not want it but it was hard to get anyone to do anything about it and they just gave up; Grove City does not allow chickens and

they have more of a country-feel; asked if we have the resources to regulate this; asked if we should have larger fines; Hoffman said believes the fines are cumulative; Andrews asked if we have an idea of what this will cost the City of Gahanna; Hoffman said they would pay a fee for a permit and that fee could pay the person who comes out to regulate; Andrews said that would be Brian Reynolds; can we afford to hire someone else; said Mr. Reynolds has enough to do already; Hoffman asked if they would contract out; Andrews said that is not in code; that concerns him; Hoffman said there is more detail that needs worked out; Wester said it goes back to permitting; when we have a zoning change, the big yellow sign will go up; how will this work; will contiguous property owners be notified; would hate to be surprised by someone who put a coop in.

Donna Simmons said a comment was made about Reynoldsburg allowing them; said spoke with them directly and they do not allow it; Andrews said Westerville does but it has to be over 3 acres; Simmons said Worthington does but has regulations; said Brian Reynolds has enough to do; went around to her neighbors and has at least 37 homes that are not up to code; said he has enough to do; has been in Gahanna for 30+ years; we do not have the money to hire someone else; his plate is full.

Shepherd asked Renner; said we are bringing up an economic impact; said he works on budget; has this been thought about and discussed; do we have the money in the budget to hire an additional code enforcement officer; Renner said the money in the budget has to do with priorities; will not address that; the thought from the high level is that we will have to contract out; have not put bounds in this; wants this to go through the governmental process; said this is supposed to be a fact-finding and not a hearing; hopes we can save that for the hearing; his intent is to bring this forward and allow it go to through the process.

Andrews asked if we can do this so it is 3 acres or more; Rosan said that is maybe like 12 houses; Andrews said this is not a farming community anymore; Burba said that is already outlined in code; Gard said does not limit the number of chickens allowed for those properties; a conditional use is required.

Shepherd said we have a mockup of code; please review; will advertise this in the Rocky Fork Enterprise newspaper if there is a public hearing; Rosan asked about Open Town Hall; if we have put anything out about this; should be interested in the comments received on who would purchase them; Holbrook said is something we can put out there; Shepherd suggested it would be a good idea; Shepherd said will have a public hearing; believes we need to work as

a board to go over the code; and the specifications that go into it; asks the Commission to take the time to look over this drafted code; thanked the public for coming tonight and making comment; welcomes additional comments on the record during a public hearing if it gets to that point; said they can call Council office to see where we are at with this discussion; many feel you should move to the county if you want farm animals; said we all take the time to read comments received; Holbrook asked how long would you want the Open Town Hall to run; Wester suggested three weeks.

ADJOURNMENT

7:42 p.m. by Wester