



# Chickens and Bees Ordinance:

## Cleveland Revamps Zoning Codes to Promote Urban Agriculture

### The Problem

Since the 1950s, Cleveland has transitioned from a thriving industrial city to a declining urban center that has lost half its population since the mid-20<sup>th</sup> century. Now Clevelanders are falling back on their agricultural roots in an effort to rebuild the city; in backyards and in vacant lots, community members are growing their own food by planting fruits and vegetables and raising small farm animals and bees.

Recently, however, individuals began experiencing difficulties resulting from zoning codes that made it difficult to keep small farm animals and bees on residential lots. Among these restrictions, approximately 10 contiguous lots were needed to accommodate the regulation requiring a 100-foot setback from nearby residences and streets.

In a public policy-based initiative beginning in 2008, the Land Use Working Group of the Cleveland-Cuyahoga County Food Policy Coalition (FPC) dedicated its efforts to improving the legislation that restricted the keeping of farm animals and bees to ensure that the grassroots farmers in the community and city officials could work together to build a more sustainable city that promotes urban agriculture.

### The Solution

To begin, the Land Use Working Group researched aspects of the city's health, zoning and building codes that could present barriers to urban agriculture on residential city lots. They also researched similar codes and policy innovations in other cities like Detroit and Chicago as well as the impact that greater ease in chicken and beekeeping would have on the local food system. Throughout this learning process, the FPC worked closely with local chicken and beekeepers, the City Planning Commission, and councilpersons, as well as researchers with expertise in urban agriculture.

From this information, an ordinance was drafted to present to city council using relevant research from the FPC on how land use and planning impact the local food system. The policy concept was first presented to the City Planning Commission in spring 2008 requesting a zoning change to amend restrictions on keeping farm animals and bees on urban lots.

After the Cleveland Planning Commission gave several cycles of feedback, they approved the ordinance in November 2008. It was then reviewed by the City Council Planning Committee and introduced to the council's Legislation and Finance Committees in December 2008.



### TIMELINE

#### JANUARY 2008

Reviewed the current code to determine barriers that hinder urban agriculture efforts

#### MARCH 2008

Drafted proposed code language and researched similar policy innovation in other cities

#### MAY—JUNE 2008

Presentation by the FPC to the City Planning Commission on how land use and planning impact our food systems; concept of zoning change introduced to City Planning Commission

#### OCTOBER 2008

Ordinance introduced to Cleveland City Council

#### WINTER 2008—2009

Ordinance amended per recommendations from the Planning Commission

#### FEBRUARY 2009

Ordinance introduced and amended by Cleveland City Council and approved

	Rabbits, Ducks, Hens				Goats, Pigs, Sheep				Bees			
	Number Allowed	Coop Setback	License?	Building Permit?	Number Allowed	Stable Setback	License?	Building Permit?	Number Allowed	Beehive Setbacks	License?	Building Permit?
<b>Former Ordinance</b>	No more than 5	100 ft	No	Yes	No more than 2	100 ft	No	Yes	No more than 3 colonies	100 ft	No	Yes
<b>Revised Ordinance</b>	One per 800 ft <sup>2</sup>	5 ft	Yes	Not for coops less than 32 ft	Two per 24,000 ft <sup>2</sup> ; one extra for every 2,400 ft <sup>2</sup>	40 - 100 ft	Yes	Yes	One hive for every 2,400 ft <sup>2</sup>	5 ft from property lines; 10 ft from residential buildings	Yes	No

The new ordinance (Ordinance No. 347.02) was approved in February 2009, and it outlines new restrictions on keeping farm animals and bees. Among these, the city made the changes outlined above.

Furthermore, the new ordinance is designed to address nuisance concerns by requiring the following:

- No roosters, turkeys or geese are permitted on lots less than one acre.
- Immediate neighbors will be notified when a person applies for a license to keep farm animals or bees, although neighbors do not play a role in authorizing or denying a license.
- The health department reserves the right to cite, fine or remove the animals if compliance is not met.

It is evident that the new ordinance reforms zoning and building codes to make it easier for citizens to raise small livestock, including chickens and bees,

**Did you know...?**

✧ A laying hen will lay 250 to 280 eggs per year and the average consumption of eggs in the U.S. is 256 eggs per person per year. ✧ Cleveland residents purchase \$1.9 million in eggs annually. ✧ Five chickens can eat the kitchen waste of a family of four, decreasing 1,900 pounds of waste sent to a landfill annually. ✧ Approximately 1/3 of all food in the U.S. is pollinated by bees. ✧ One beehive can produce enough honey for 54 residents all year. ✧ Over 50% of the U.S. honeybee population disappeared due to Colony Collapse Disorder.

on residential property in Cleveland while maintaining the integrity of the neighborhoods. Within 2009, one year after the legislation was introduced, the city received 18 new applications requesting permits to keep chickens, bees and other livestock on residential lots.

**Summary of New Application Requirements**

In order to keep farm animals or bees according to the new regulations, one must apply for a two-year license with the Cleveland Department of Public Health. A \$50 fee is required, and all applicants must provide the following information:

- The location, size and ownership or management of the intended property; if the applicant does not own the property, proof of the owner’s consent is needed
- The number of animals to be kept with a description and scaled drawing of any cages, hives or enclosures necessary
- A description of how the owner will maintain sanitary conditions and a nuisance-free environment
- The addresses of any adjoining neighbors

The Public Health Director will then review the application, notify neighbors of the applicant’s intent, and direct the site plan to the Department of Building and Housing for approval if necessary. All licenses must be renewed every two years.

