

# Memorandum

**To:** Plan Commission

**From:** Katherine Holt, Community Development Specialist

**Date:** April 6, 2022

**Re: Chickens Zoning Text Amendment**

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On March 7, 2022, Staff presented the Plan Commission a memo regarding a potential zoning text amendment for keeping and raising of chickens. Based on discussions with the Plan Commission, the follow language is proposed to be added to the Zoning Ordinance in the designated sections with modified language noted for items 2 and 7c, f, g, and h.

## **Sec. 13-1-105 (m) – Accessory Uses**

Chickens, keeping and raising is a permitted use for all Zoning Districts in the City. Additional regulations would be required.

## **Sec. 13-1-132 (d) Chickens, keeping and raising**

- (1) Chickens shall be permitted on lots in the City. If the property is not owner occupied, the Applicant shall provide the owner's written consent to the keeping and raising of chickens.
- (2) No more than four (4) female chickens may be kept on a property that is under one (1) acre in size and no more than eight (8) female chickens may be kept on a property that is equal to or more than one (1) acre in size.
- (3) Roosters are prohibited.
- (4) The sale of chickens, meat, eggs, or other chicken by-products is prohibited.
- (5) The slaughtering of chickens is prohibited.
- (6) A chicken coop and chicken run shall not be counted towards the maximum number of accessory structures permitted on a lot.
- (7) Chicken coop and chicken run requirements.

- a. Chickens shall be provided with a covered roosting area (a chicken coop) and an enclosed area in which chickens are allowed to walk and run (a chicken run).
- b. Chickens shall be kept in the chicken coop or the chicken run at all times on the property.
- c. The chicken run area shall include an area fenced with materials to sufficiently contain chickens. A building permit shall be required for permanent fencing.
- d. The chicken coop and chicken run shall be designed and maintained to be well-drained on the owner's property. There shall be no standing water.
- e. The chicken coop and chicken run shall be kept clean, dry, and free of offensive odors pursuant to the City Ordinance. The owner shall prevent accumulation of chicken waste in the chicken coop and chicken run by properly disposing of fecal matter on a regular basis.
- f. The chicken coop shall not exceed fifteen (15) feet in height and shall be either placed on a paved surface or raised off the ground at least one (1) foot.
- g. The chicken coop shall be located only in rear yards and shall be setback a minimum of fifteen (15) feet from all property lines.
- h. For properties that have frontage on more than one (1) road or street, the rear lot line shall be the opposite lot line along which the lot takes access to a street. The chicken coop shall be setback a minimum of fifteen (15) feet from all property lines and twenty-five (25) feet from streets.

### **Zoning Text Amendment Findings**

A determination is required to ensure that a Zoning Text Amendment is in harmony with the recommendations of the City of Verona's Comprehensive Master Plan by answering the following questions posed in Section 13-1-215 of the Zoning Ordinance.

- a. *How does the proposed text amendment further the purposes of this Title and the general Article in which the amendment is proposed to be located as outlined in Section 13-1-5?*

The proposed text amendment adds language that was removed from the previous Zoning Ordinance back into the recently approved Zoning and Sign Code.

- b. *How does the proposed text amendment further the purposes of the specific Section in which the amendment is proposed to be located?*

The proposed text amendment adds language that was removed from the previous Zoning Ordinance back into the recently approved Zoning and Sign Code. This will continue to chickens in the City of Verona with specific use standards as well as permitting them in all zoning districts.

- c. *Which of the following factors has arisen that are not properly addressed in the current zoning text:*

1. *The provisions of this Chapter should be brought into conformity with the Comprehensive Plan. (If a factor related to the proposed amendment, note pertinent portions of the Comprehensive Plan.);*
2. *A change has occurred in the land market, or other factors have arisen which require a new form of development, a new type of land use, or a new procedure to meet said change(s);*
3. *New methods of development or providing infrastructure make it necessary to alter this Chapter to meet these new factors;*
4. *If the proposed text amendment is concerned with the provisions of Articles C and/or D: How does the proposed amendment maintain the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning districts?*

This will allow chickens in the City that were previously allowed, which does not prohibit land uses nor impact to zoning districts.

### **Potential Motion:**

Recommend the Common Council approve the zoning text amendment for Section 13-1-105(m) – Accessory Uses to permit keeping and raising of chicken in all zoning districts and recommend the Common Council approve the zoning text amendment for Section 13-1-132(d) – Specific Accessory Use Standards for keeping and raising chickens.

