



Urban Chickens

City Council Work Session | January 13, 2022



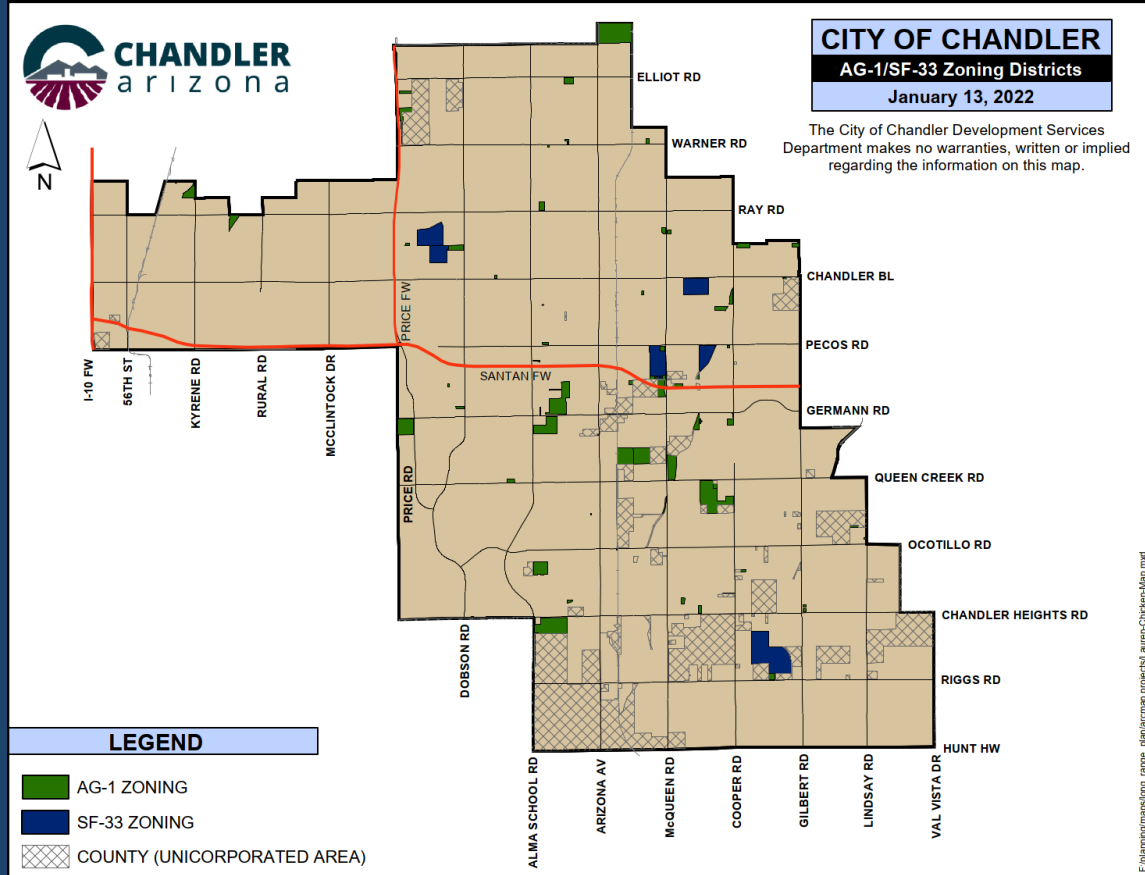
Topics

- Background
- Potential Issues
- Other municipalities' regulations
- Possible Code Amendments



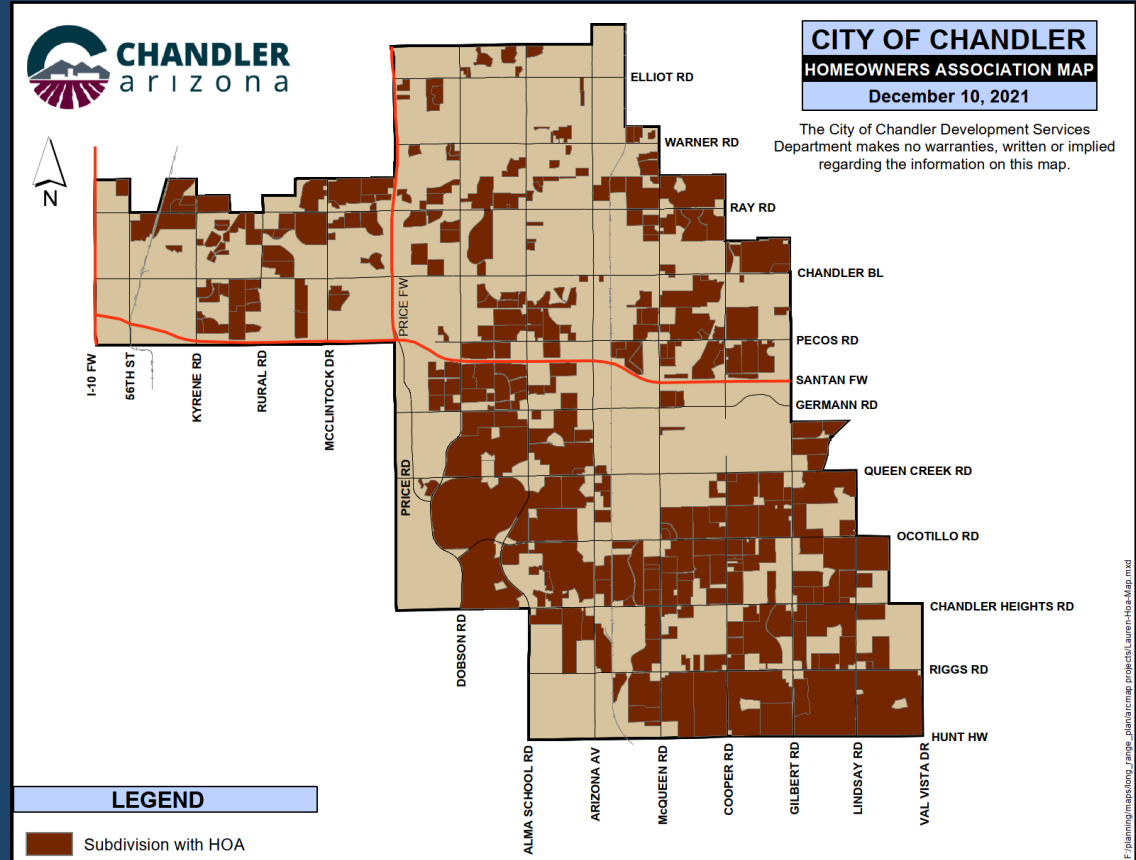
Background

- AG-1 (43,000 sq ft) & SF-33 (33,000 sq ft) residential lots permit chickens
- Unlimited amount
- No roosters are permitted in any district
- Required fence enclosure; no closer than 100 ft. to front property line



Homeowner's Associations

- HOA's can prohibit raising, breeding, or keeping chickens
- Residents living in HOA's must comply with their CC&R's
- 71.5% of neighborhoods within an HOA



Background

- Resident initiated Code Amendment 2013
- Planning & Zoning Commission recommended approval 4-2
- City Council Denied 4-3; concerns cited included ability and timelines of enforcement



Urban Chickens

Pros

- Healthy eggs
- Free pest control
- Chicken droppings: excellent garden fertilizer
- Connection to nature / sustainability
- Educate children in the family
- Therapy for special needs residents

Cons

- Noise
- Odor
- Health
- Trespassing/ roaming
- Building safety
- Enforcement



Enforcement

- Misdemeanor vs. Civil Citation
- Enforcement challenges
 - Distinguishing roosters from hens
 - Ability to verify number of chickens
 - Identifying owner of “free roaming” chickens
- Currently average 4 complaints per month



Code Enforcement Process

- Complaint received or proactive case initiated
- 10-day Notice to Comply issued
- 7-day Final Notice issued
- Court civil citation issued; initial court appearance is 30-45 days later depending on service
 - Attempt personal service
 - Attempt service by certified mail
 - Service by posting at the property
- Criminal cases referral: 45-60 days



Surrounding Municipal Regulations

Municipality	Zoning Permitted	Number Chickens Permitted (Amount depends on Lot Size)	Roosters Permitted	Coop Permitted
Gilbert	All single-family lots	5 – 37+ chickens	Yes	Yes
Queen Creek	All single-family lots	5 – 10 chickens	Yes*	Yes
Mesa	All single-family lots	10 – Unlimited chickens	Yes	Yes
Tempe	All single-family lots	5 chickens	Yes*	Yes
Scottsdale	All single-family lots	Unlimited	Yes	Yes
Phoenix	All single-family lots	20 - Unlimited chickens	No	Yes
Maricopa County	All single-family lots	5 - Unlimited chickens	Yes*	Yes
Glendale	Within lots larger than 10,000	Unlimited	No	Yes
Chandler	Within lots larger than 33,000	Unlimited	No	Yes

*Only permitted on larger lots

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Common Regulations

- Require enclosure to prevent chickens from running at large (backyard fence or chicken run)
- Weekly maintenance
- Public nuisance laws (odor, noise, health)



Possible Code Amendments

If City Council wants to proceed, staff recommends the following:

Chapter 35 Zoning Code

- Chickens permitted all single-family lots
- Maximum 5 hens, no roosters
- Chickens must be contained by enclosure; no trespassing upon other properties or street





Assuming 1 hen/1,500 sq ft



Assuming 1 hen/1,500 sq ft

Possible Code Amendments

Chapter 35 Zoning Code

- Coops exceeding 120 sq. ft. or 9-ft in height require building permit
- Coops connected to utilities (water, electricity) require permit regardless of size



Possible Code Amendments

- Enable Police to respond to noise complaints for unreasonably loud chickens
- Change violation from misdemeanor to civil citation
- Repeal Section 14-3 requiring written consent from neighbors within 200-feet to keep animals (Chapter 14)



Next steps if moving forward

- **Winter 2022**

- Prepare draft code amendment
- Circulate among city departments to gather comments and concerns
- Revise text if needed

- **Spring 2022**

Posted within local newspaper and City's website for public comment

- **Summer 2022**

Schedule Planning and Zoning Commission and City Council meetings



Open the floor for Discussion & Questions

