



PREPARED FOR THE PLAN COMMISSION

Proposal: **Zoning Text Amendment**

Legistar File ID #: [75678](#) (Keeping Chickens, Increase to Ten)

Prepared By: Zoning and Public Health Madison and Dane County Staff

[75678](#) – This amendment increases the number of chickens allowed as an accessory use from four to ten for lots with up to four dwelling units and from six to ten for museums, schools, day care centers, and recreation, community or neighborhood centers.

The supplemental regulations in the zoning code for Keeping of Chickens establish rules for the use. The code requires an enclosure that is at least 25 feet from any residential structure on an adjacent lot and prohibits the keeping of roosters and slaughter of chickens on site. Here are the full supplemental regulations in the code:

Keeping of Chickens .

- (a) Keeping of up to four (4) chickens is allowed as an accessory use on lots with up to four (4) dwelling units.
- (b) Keeping of up to six (6) chickens is allowed as an accessory use to a museum, school, day care center, or recreation, community or neighborhood center. (Am. by ORD-16-00074, 9-15-16; Am. by ORD-21-00020 , 3-15-21)
- (c) Keeping of roosters is prohibited.
- (d) Slaughter of chickens is prohibited on site.
- (e) The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times.
- (f) The enclosure shall be located at least twenty-five (25) feet from any residential structure on an adjacent lot.
- (g) The owner, operator or tenant must obtain a license under Sec. 9.52, MGO.
- (h) The applicant for the license must notify all residents of the property and the owner or operator of the property if the applicant is not the owner or operator. Notification is not required for renewal of a license.

(MGO 28.151)

There are currently 114 annual licenses issued for chicken keeping in the City. At its peak, we had around 200 issued licensed annually.

The City first allowed chicken keeping in 2004. The regulations were intended to balance the interest of chicken keepers and their neighbors. The general intent of allowing this use is to allow the raising of chickens for personal consumption of eggs for residents, not for selling eggs commercially, for neighbors/friends, or raising chickens for meat. Anecdotally, four chickens produce enough eggs for a typical household. The most common complaint about chicken keeping is about roosters. When Zoning inspectors investigate, it is not uncommon for inspectors to notice five or six chickens present, but since the complaint is about a rooster,

they have not typically required a reduction in numbers of chickens. It seems that slightly over four chickens is commonly accepted, because we receive few complaints about numbers of chicken in this range. Complaints about too many birds are often about some factor or impact the birds are creating, such as noise, waste, property maintenance, and concerns for the condition of the birds – it varies.

Unrelated to this amendment, the zoning ordinance also allows production-scale keeping of chickens in some zoning districts, under the zoning uses *Agriculture – Animal Husbandry* and *Agriculture – Intensive*. In these areas, limits on numbers are established using the Animal Units Calculation Worksheet of the Wisconsin Department of Natural Resources.

Staff Comments from Public Health Madison and Dane County

Public Health Madison and Dane County has reviewed the proposed ordinance amendment and is supportive of increasing the maximum number of chickens able to be kept on a City of Madison property. We currently handle a small number of complaints annually regarding chickens and expect that allowing Madison residents to own a few more chicken may result in additional complaints. This is expected to be within our capacity for response. Changes to other parts of the ordinance such as restrictions on slaughtering are seen as more problematic and are not supported by the Department.

Zoning staff believes an increase in the number of allowable chickens is appropriate but believes that six is probably a reasonable number. Allowing ten chickens, more than double the current amount, starts to change the policy intent and can increase complaints and tension between chicken keepers and their neighbors.

Staff supports an increase to the number, but recommends that the limit be six chickens.