

CITY OF ELMHURST

209 NORTH YORK STREET ELMHURST, ILLINOIS 60126-2759

(630) 530-3000 www.elmhurst.org SCOTT M. LEVIN
MAYOR

JACKIE HADDAD-TAMER
CITY CLERK
DAN CURRAN
CITY TREASURER
JAMES A. GRABOWSKI
CITY MANAGER

May 24, 2023

TO: Mayor Levin and Members of City Council

RE: Referral: Residential Chicken Keeping

The Development, Planning and Zoning Committee met on May 22, 2023, to discuss the referral regarding residential chicken keeping.

The Committee spent time discussing whether regulations pertaining to residential chickens are appropriate in the Zoning Ordinance or, like bee keeping, should be kept in the Municipal Code. The Committee agreed that if the City Council chooses to allow the keeping of chickens, the regulations are most appropriate in the Municipal Code (MCO) and recommend the referral be sent to the Public Affairs & Safety Committee for review. It was noted that City Staff spoke to staff in 5 nearby suburban communities and those communities reported minimal issues and few complaints related to chicken keeping.

The Committee also reviewed the research provided by staff (see memo attached) and recommend the following items to be considered by Public Affairs & Safety Committee:

- 1. Fencing/enclosure requirements
- 2. Restricting sale of eggs, keeping of roosters, and breeding
- 3. Treating coops like accessory structures with respect to lot coverage and adhering to stormwater requirements.
- 4. Coop setbacks

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The Committee suggests the PA&S Committee review the items included in the above paragraph, along with the staff memo dated May 18, 2023, with attached spreadsheet and document with coop information from the Boulder County Colorado State University Extension.

Therefore, the Development, Planning and Zoning Committee recommends that the City Council refer the residential chicken keeping referral to Public Affairs and Safety Committee.

Respectfully submitted,
DEVELOPMENT PLANNING AND ZONING COMMITTEE

Marti Deuter, Chair

Mari Denter (EF

Jennifer Veremis, Vice-Chair

Tina Park, Ald. 5th Ward

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July 14, 2022

To:

Mayor Levin and Members of the City Council

Re:

Referral: Residential Chicken Keeping

It is respectfully requested that the attached request from Chris Jensen, Ward 3 Alderman; Emily Bastedo, Ward 6 Alderman; Jacob Hill, Ward 2 Alderman for Residential Chicken Keeping be referred to the Development Planning and Zoning Committee for review and recommendation back to the City Council.

Respectfully submitted,

James A. Grabowski City Manager To: Mayor Scott Levin and City Manager Jim Grabowski

From: Aldermen Chris Jensen, Emily Bastedo, and Jacob Hill

Re: Residential Chicken Keeping

Date: 7/14/2022

A decade ago, a proposal to allow residents to own a limited number of chickens was considered by City Council Committees, ultimately with no action taken. We believe it is time to consider this topic again.

In the last few years, partly as a result of the pandemic and partly as a result of food price inflation, we have seen concerns about food security become increasingly vocalized by residents. At the same time, a number of DuPage County municipalities, including Lombard, Villa Park, and Wheeling, to name a few, have changed their policies and have allowed residents to keep chickens. Similarly, unincorporated DuPage County began to allow chickens as well. While there are many benefits to allowing residents to raise chickens, we understand that there will be some concerns as well. These areas enacted similar, reasonable guidelines that enabled successful chicken coops in residential areas.

We are requesting that city staff and the appropriate committee examine the pros and cons of changing city ordinances to allow residents to keep a small number of chickens (hens only). The experience of other DuPage County municipalities that allow chickens, especially recent additions to that list, will be very instructive and can provide policy guidance.

We request that this referral be submitted to the appropriate committee for review.

Respectfully submitted,

Chris Jensen, Third Ward Alderman Emily Bastedo, Sixth Ward Alderman Jake Hill, Second Ward Alderman



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Date: May 18, 2023

To: Chair Deuter and Members of the DPZ Committee

From: Eileen Franz, City Planner

Re: Referral: Residential Chicken Keeping

On July 14, 2022 an aldermanic referral was submitted regarding backyard chicken keeping. The referral requests examining the pros and cons of residential chicken keeping (hens only). Staff reviewed the requirements of 10 nearby communities and their regulations for residential hen keeping. The majority of the communities addressed them in their MCO rather than the Zoning Ordinance. Both the referral and an excel spreadsheet that includes the information from those communities are attached. It should be noted that there was also a 2013 referral on whether to allow chickens in residential districts. No code changes were implemented during that review.

Location/Zoning

The majority of the communities surveyed only allow the keeping of hens on residential property. However, Batavia also allows hen keeping in their Public Facilities and Institutional District. Similar to bee keeping, the Council may consider allowing the keeping of hens in other districts when accessory to a school or university.

Villa Park was the only community surveyed with a minimum lot area requirement of 6,000 s.f. Other communities permit chickens on compliant residential lots. Of note, the minimum lot size in the R2 District is 7,260 square feet. Due to most lots being platted prior to the current zoning ordinance there are many lots that are less than the minimum.

<u>Setbacks</u>

Almost all communities limit the location of hen keeping to the rear yard of residential properties. Actual setback requirements for structures associated with hens vary by community, though 10 feet from lot lines is common amongst surveyed communities. For reference, accessory structures in the R2 District have a 5-foot setback requirement from rear and side lot lines. A few communities also include a requirement for setbacks

from single-family homes, both on the property with chickens and adjacent homes. This setback ranges from 10 to 30 feet. If a distance requirement is considered, it is recommended that if a new home is constructed on adjacent property a coop would not have to be relocated to meet the setback.

Restrictions

All communities restrict roosters and the majority also provide language prohibiting slaughter on site. Additionally, some communities restrict the sale of eggs. If the Council chooses to allow chickens it is recommended that language regarding the above items be considered for inclusion.

Number Allowed

The number of hens allowed on a property varies by community. Three of the surveyed communities have a minimum requirement of 2 hens. Additional research indicates that hens are social animals. All communities restrict the number of hens on a property and it is recommended a limit be included if hens are allowed in Elmhurst.

License and Permits

The majority of communities requires some type of licensing and/or permitting. Wheeling and Bensenville also require proof of registration with the Illinois Department of Agriculture. It is understood that this type of registration is meant to be more appropriate for farms or a business, however, if there are any issues with chickens, for example a disease, it ensures that an owner is notified. A nominal fee is required in some communities and an annual renewal. It is recommended that there be some type of permit and/or licensing process if the Council chooses to allow the keeping of hens.

Enclosure/Coop Requirements

Communities vary in enclosure requirements but the majority address them in some manner. A few communities limit the height of a coop to 8 feet. Lombard requires that coop structures be secured to the ground to withstand wind loads and that stick built structures be built of wood that is resistant to decay. If a pre-fab structure is used it must meet manufacturer's specifications. Western Springs requires installation of a professional predator protection system. Wheeling, Villa Park and Lombard require either insulated walls or an insulated blanket during inclement weather.

Codes reference sanitation, waste disposal, cleanliness and keeping of food in a secure manner. For example, food must be kept in a rodent proof container and coops cleaned regularly to prevent becoming a nuisance.

Wheeling requires 6 square feet of run area per hen and maximum of 100 square feet is allowed for both the coop and the run. Villa Park has a similar requirement with 4 square feet of outdoor area per hen with a maximum of 100 square feet for both run and coop.

Items for Consideration

Based on preliminary review, staff recommends the following items be considered when determining whether the City of Elmhurst should allow residential hen keeping:

- Location: should there be a limitation to only residential property, a minimum lot size? Should schools and universities also be allowed to house hens for teaching purposes?
- Setbacks: setbacks for coops and runs should be evaluated.
- Restrictions: consider prohibition of roosters, slaughter, and sale of eggs.
- Number Allowed: a maximum number of hens should be included in the regulations.
- License and Permitting: should a permit or registration be required along with inspections?
- Enclosure and Coop requirements: sanitation requirements, structure type, weather proofing and coop/run areas should be evaluated.

Please let me know if you have any questions.

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Chicken coop requirements

Longmont Municipal Code – Backyard Chickens

http://library.municode.com/index.aspx?clientId=14590

Permit http://www.ci.longmont.co.us/planning/permits/documents/henpermit.pdf

Lafayette Municipal Code - Backyard Chickens

http://library.municode.com/index.aspx?clientId=10101

Permit http://www.cityoflafayette.com/documentcenter/view/2776

Superior Municipal Code - Backyard Chickens and Goats

http://www.colocode.com/superior 07.pdf

Municipal code complete http://www.colocode.com/superior.html

Boulder County Land Use Code

http://www.bouldercounty.org/property/build/pages/lucode.aspx

City of Boulder Code

http://www.colocode.com/boulder2/chapter6-1.htm

Louisville Municipal Code

http://library.municode.com/index.aspx?clientID=13149&stateID=6&statename=Colorado

Broomfield Municipal Code

http://www.broomfield.org/documentcenter/view/5654

License http://www.broomfield.org/documentcenter/view/6402

Coop Design Requirements

Every coop should have the following attributes.

- 1. Be easy to clean
- 2. Protects the chickens from extreme temperatures, wind, sun, predators and wild birds
- 3. Have good drainage around it
- 4. Provide sufficient space for the flock size from 1 to 4 square feet of coop per chicken (space depends on size of breed)
- 5. Well ventilated but not drafty
- 6. Includes plenty of both natural or artificial light

- 7. Provides both nesting and roosting areas
- 8. Provides sanitary area for both water and feed
- 9. Coop and run are both predator and rodent proof
- 10. Meet applicable building codes

The coop first of all must be easy to clean. You will want to clean the coop out at least once a year. The type of bedding you use will determine if you need to clean more often. Bedding that does not easily mat down is the best (such as pine chips, straw mats down easily and can harbor parasites). Any bedding should be periodically "fluffed" up. Your municipality may restrict the coop size so you may not be able to build one large enough for you to walk into. If this is the case, you can build one with a hinged side or roof so that you can thoroughly clean and sanitize the coop. Keeping roosting areas spate from nesting areas will help keep the nesting areas and your eggs cleaner and safer. Having a droppings pit below the roosting area, feed and water areas, allows for easier cleaning and sanitization. You do not need a nest box for every hen. You need 1 box for every 5 hens. Your nesting boxes should have a slick roof to keep the chickens from roosting on top and soiling the box potentially adding contaminates to your eggs.

Consider insulating the coop and also providing vents that can be open or closed as needed. Ventilation is important to keep chickens healthy. Although you want them to spend as much time outside as possible, that is not always possible. Adequate ventilation will provide clean air, allow unhealthy gases to vent out, dilute harmful airborne organisms and remove excess moisture.

Depending on where you live you may need to consider how you will heat the coop in the winter. Do you want to provide and electrical outlet at the coop? Make sure that you keep wiring cords and outlets out of reach of your chickens. Chickens ideal temperature range is 70 to 75oFe. Hotter or colder temperatures will affect egg production and extreme temperatures their health. You do not need to go to the extreme measure of providing them a furnace heated and air conditioned coop just protect them from extreme hot and cold. A heat lamp or two will provide sufficient heat if needed. Make sure that they have access to cool water in the summer (don't put the water in the sun in summer) and not frozen water in the winter. You will most likely need a heater for the water in the winter. Provide plenty of natural light by using windows. To keep egg production up in the winter months, you may want to have a light on a timer in the coop to provide 16 hours of light. This is not required to keep your chickens healthy. You can allow production to drop in the winter. As daylight hours increase in the spring, production will increase. The coop and run should not be in a low area that allows water to accumulate. They are should be kept dry as possible. Providing some shade in the run area will encourage the chickens to spend more time outside.

There should be an access door that must be closed at night to protect the chickens from predators. The coop and run should also be designed in such a way so as to keep rodents, predators and wild birds from accessing your chickens. Rodents will be attracted to the chicken feed so any that is not being used must be stored in a rodent proof metal or heavy plastic container with a tight fitting lid. Keep spilled feed cleaned up. Design the coop so that there are no openings larger than ¼ inch when

it is closed. The run should have a top to keep wild birds from accessing the run and coop. Wire used to enclose the run should extend into the ground at least 12 inches. This will deter predators from accessing the area by digging under the fence.

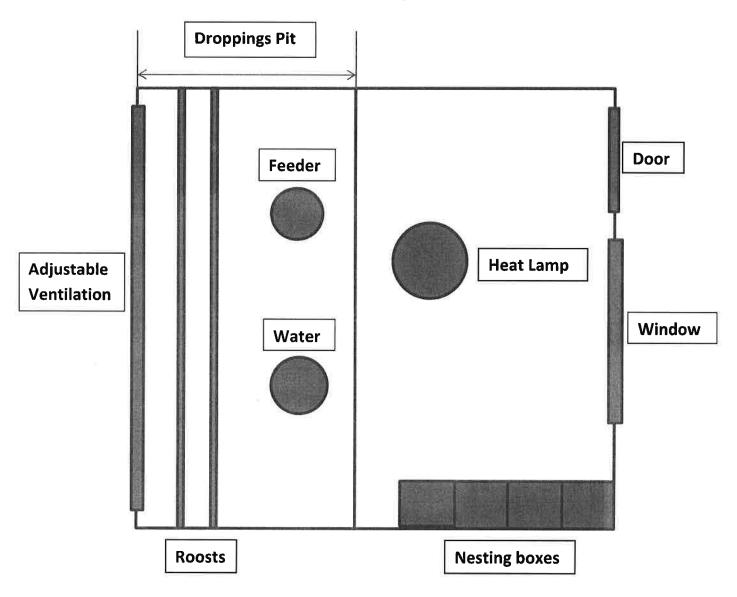
Most municipalities do not allow chickens free run of the backyard, they must be contained in a fenced run. Since your birds will hopefully spend plenty of time outdoors, you will need to provide them with an average of 10 square feet per birds (depending on the size of the breed) in the run area. Smaller breed require less space. You need to meet the code requirements for your area.

Disposal of waste from coop and dead animals

Local waste management companies do not allow dead animals to be disposed of in your normal trash. Contact a local veterinarian, animal shelter or your waste management company for information on carcass disposal.

Consider how you will dispose of the water material from the coop cleanout. If you plan on composting it yourself, whether you use wood chips or straw will determine how quickly it composts. The waste is a carbon source so you will need to add adequate nitrogen (green plant materials) to make the composting process work. It you don't plan on composting it yourself, check with your community or waste management company to see if they have a composting program that will accept the waste.

Chicken Coop Elements



Public Affairs and Safety Committee Monday, April 8th, 2024 Submitted by Brett Kaczorowski, Deputy Chief of Police

Call to Order

The meeting was called to order at 7:04 p.m. by Chair Brennan.

Roll Call

Committee Members Present: Chair Brennan, Vice Chair Hill, Alderman Nardini

Absent: None

Elected Officials: Mayor Levin, Alderman Deuter, Alderman Veremis, Alderman Bram, Alderman Cahill, Alderman Senko

City Staff Present: Assistant City Manager Kent Johnson, Police Chief Michael McLean, Deputy Police Chief Brett Kaczorowski, Fire Chief Dick Dufort, City Planner Eileen Franz Guests: Ray Lee, Kevin Diamond, David Pollitz

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3. Public Comment

David Pollitz spoke in favor of residential chicken keeping in Elmhurst. Pollitz stated that maintaining 6-8 hens does not create an odor issue and is quieter than traffic noise. Kevin Diamond spoke in opposition of residential chicken keeping in Elmhurst. Diamond stated that this would not enhance home values and has the potential to increase angst among neighbors.

4. Receipt of Written Communication

None

5. Business Before the Committee

A. Minutes of the March 11th, 2024 meeting of the Public Affairs & Safety Committee Alderman Nardini motioned to approve the minutes of the March 11th, 2024 meeting. Alderman Hill seconded. Roll call vote: Chair Brennan Aye, Nardini Aye, Hill Aye. Motion carried.

B. Intergovernmental Agreement with Dupage County re Police Records Management System
Chief McLean spoke of the upcoming renewal of an Intergovernmental Agreement with Dupage County reference the Police
Records Management System which is responsible for a county wide integration of police records, reports, and information
databases. Chief McLean introduced the topic for discussion and explained the background of police reporting with the Elmhurst
Police as well as the connectivity with other Dupage County law enforcement agencies which aids in investigations and
cooperative efforts. A draft IGA will be presented at a future meeting.

C. Police Station Space Site Feasibility Study - Presentation of Options

Ray Lee of FGM Architects and Police Chief Michael McLean spoke with the Committee regarding follow up questions that were asked about a potential repair budget. Ray Lee estimated that in order to repair the current police station to the original functioning state, the budget would be approximately 8.6 to 11.2 million. The Committee discussed the potential unknown and unplanned for problems when attempting to make repairs in the current building.

The Committee discussed potential timeline and potential inflationary costs of the project. The Committee also discussed potential costs of temporarily relocating police operations during construction. The Committee requested the Finance Committee place the item on their agenda to be discussed, for a comprehensive understanding of capital project funding options.

D. Request to Declare Surplus Obsolete Fire Department Equipment/Items Fire Chief Dick Dufort submitted a request to declare numerous surplus obsolete Fire

Department equipment that have reached the end of their useful life, are no longer functioning, are in disrepair, or are of no further use. Aderman Hill motioned to approve the report.

Alderman Nardini seconded. Roll call vote: Chair Brennan Aye, Nardini Aye, Hill Aye. Motion carried.

E. Residential Chicken Keeping

The Committee discussed the potential for Residential Chicken Keeping in Elmhurst. The Committee discussed the feedback they have received from their residents as well as viewpoints of favorable or unfavorable outcomes of noise and odor. The Committee requested City Planner Eileen Franz follow up by looking into lot sizes in comparable municipalities that allow residential chicken keeping.

6. Other Business

None

Adjournment

Motion to adjourn the meeting was made by Alderman Hill and seconded by Alderman Nardini.

Roll call vote: Chair Brennan Aye, Nardini Aye, Hill Aye, motion carried. Meeting adjourned 8:38 p.m.