

Proposal to change the Zoning Laws of Bethel CT to allow for Backyard Chickens.

### **Small Plot Farming (including Urban Backyards)**

In recent years there has been a growing interest in “backyard farming,” where urban and suburban residents replace their lawns with fruit and vegetable gardens, edible landscapes, bee hives, and protein producing sources (e.g., hens for fresh eggs). The trend reflects a consumer perception that locally grown food (especially grown in one’s backyard) is healthier, tastier, and environmentally sustainable. For low-income households, access to healthy foods can be a chronic issue for which small plot farming can offer an important solution. To illustrate, New Haven recently revised its zoning regulations to allow up to six hens on any property for non-commercial use.

### ***Recommendation:***

Municipalities should allow intensive use of small residential parcels for some types of food production - even raising livestock. Provided generally accepted agricultural practices are followed, raising livestock is an appropriate land use. (Food producing animals could also be kept as pets but owners would still need to follow generally accepted agricultural practices.)<sup>1</sup>

### **Existing Zoning Laws For Bethel CT**

1. The following limitations shall apply to the keeping of sheep, chickens, and other animals:

Keeping of chickens and other poultry (except homing pigeons)

Zoning permit required: For parcels containing at least one (1) acre, 50 birds per 40,000 square feet

Other Limitations: All poultry shall be housed within a building or fenced enclosure and no poultry shall be housed within 50 feet of any street or within 75 feet of any other property line.

No permit required: Farming on parcels containing five (5) acres or more, no limit

Other limitations: Same requirement as above for poultry

2. Maintaining sheep, chickens, and other animals in septic or septic reserve areas shall be subject to Health Department approval.
3. For sheep, chickens, and other animals, no manure or dust-producing fertilizer shall be stored in the open within 100 feet of any property line. Manure disposal shall be subject to all Public Health Code regulations.

## Suggested Text Amendment

### Poultry

1. For parcels more than 10,000 square feet and less than 30,000 square feet in size, no more than six (6) and no fewer than three (3) female birds may be kept with no permit requirements.

For parcels more than 30,000 square feet, no more than twelve (12) and no fewer than three (3) female birds may be kept with no permit requirements.

For parcels greater than one (1) acre in size, a permit shall be required for keeping greater than twelve (12) female birds.

For parcels five (5) acres in size or more, no permit shall be required for farming activities.

2. The flock shall be provided a covered, predator-proof coop or cage that is well ventilated and designed to be easily accessed for cleaning. The coop shall allow at least two square foot per bird. The flock shall have access to an outdoor enclosure that is adequately fenced to contain the birds on the property and to prevent predators from access to the birds. This outdoor enclosure shall provide at least 8 square feet per bird. The fenced enclosure shall be at least 25 feet from any street line, at least 15 feet from any residential dwelling, other than the owners dwelling, and at least five feet from any property line. The birds shall not be allowed out if these fenced enclosures unless a responsible adult, over 18 years of age, is directly monitoring the birds and able to immediately return the flock to the cage or coop if necessary.
3. The coop or cage used for housing the flock shall be located at least ten feet from any lot line. All such buildings shall be constructed and all food products kept so as to prevent offensive odors and the presence of pests and predators. The coop and outdoor enclosure must be kept in a sanitary condition and free from offensive odors. The coop and outdoor enclosure must be cleaned on a regular basis to prevent the accumulation of waste.
4. Any portion of the enclosure located closer than ten (10) feet to a property boundary or directly visible from a street line at any distance shall be screened by either a fence or a landscaped buffer of at least four feet in height.
5. Moveable shelters, not permanently attached to the ground are allowed without a zoning permit, but still subject to the minimum ten (10) feet separation. Shelters that are permanently attached to the ground will require a zoning permit and may require a building permit if over 120 square feet in area or greater than 8 feet in height. Permanent shelters must comply with applicable zoning standards for a detached accessory structure building form.
6. No rooster, or adult male bird, over four months of age shall be kept on any property under 2 acres.
7. The keeping of poultry shall be conducted in a manner consistent with and in compliance with the Health Code of the Town of Bethel.