**2026-0396** Chickens Zoning Ordinance Amendment Discussion

*(Memo McLeod 9/14/26, Memo McLeod 9/9/26, Revised Draft Amendments - Chapter 138-4.438 Raising and Keeping of Animals, Draft Amendments - Chapter 138-4.438 Raising and Keeping of Animals, Single Family Residential Acreage Map, PC Minutes 10/17/23, PC Minutes 9/19/23, and Public Comment 9/14/26 had been placed on file and by reference became a part of the record thereof.)*

*Chairperson Hooper introduced the discussion and invited Mr. McLeod to present.*

*Mr. McLeod outlined a proposal to revisit the City ordinance regarding the keeping of chickens and poultry. He noted that the Planning Commission last reviewed this topic in 2023, at which time the discussion focused on whether to allow chickens on lots smaller than the current minimum requirement. Under existing regulations, chickens and poultry are permitted only on properties of one acre or larger, with a limit of up to 12 per property.*

*Mr. McLeod stated that administration and City Council requested the Planning Commission re-examine the ordinance due to the presence of poultry on various properties throughout the City. Rather than focusing on smaller lot sizes, the current discussion centers on potentially allowing additional chickens or poultry on properties larger than one acre. He introduced a draft proposal that includes a sliding scale structure for review and discussion by the Planning Commission.*

*Mr. McLeod reviewed the details of the proposed sliding scale for keeping poultry, noting that the majority of the draft remained unchanged from the version presented three years prior. He clarified a correction in the previously distributed material, confirming that the policy for properties under one acre remains unchanged at zero permitted. Under the revised proposal, properties from one acre to just under two acres would continue to allow 12 poultry, properties from two acres to under three acres would permit 18 poultry, properties from three acres to under four acres would allow 24 poultry, properties from four acres to under five acres would permit 30 poultry, and properties of five acres or more would allow up to 42 poultry. Mr. McLeod noted that the classification of poultry encompasses various species, including quail and geese.*

*Mr. McLeod further explained that the proposed ordinance amendment includes a potential sliding scale structure for keeping livestock on properties. He stated that this provision would apply to non-domesticated animals and that the suggested scale serves as an initial framework for evaluation and discussion by the Planning Commission.*

*Mr. McLeod discussed the proposed structure setbacks and building sizes for housing poultry within the City. He explained that the proposed ordinance establishes a sliding scale for setbacks, ranging from 20 feet to 40 feet depending on the number of poultry kept on the property. He emphasized that*

*while properly maintained poultry present minimal impact, setback requirements ensure separation between residential properties and protect neighboring landowners from potential nuisances.*

*Mr. McLeod addressed regulations governing the maximum size of structures used to house poultry. He outlined standard housing guidelines, stating that birds typically require three to four square feet of space per animal when an outdoor run is provided, and approximately double that area when kept entirely indoors. He presented two potential approaches for the Planning Commission to consider: establishing specific square footage maximums based on per-bird standard allowances, or permitting housing structures up to the maximum square footage otherwise allowed for accessory structures on the subject property.*

*Mr. McLeod reviewed additional operational standards outlined in the proposed ordinance draft. He stated that the keeping of animals must comply with Generally Accepted Agricultural Management Practices (GAAMPs) and maintain proper sanitary conditions. He highlighted requirements prohibiting ground feeding, mandating proper manure disposal or composting, and requiring animal enclosures to be located exclusively within rear yards with elevated structures to ensure adequate ventilation and pest prevention. Mr. McLeod noted that once setback guidelines and feeding rules are finalized to accommodate larger operations, the ordinance text will be updated accordingly before opening the floor to questions from the Planning Commission.*

*Chairperson Hooper issued a final request for public comment cards from meeting attendees. Seeing no further submissions, Chairperson Hooper officially opened the public comment portion of the item, establishing a three-minute time limit for each speaker.*

*Elizabeth Stibich, 1137 N. Livernois Rd - Ms. Stibich, representing Stibich Farm at Tienken and Livernois, requested specific revisions to the proposed ordinance to make it functional for active agricultural properties. She recommended establishing separate regulatory categories for large and small livestock, noting that a 1,200-pound horse requires significantly different management, feed, and space than a 50-pound sheep or goat. She also asked that the ordinance allow larger parcels to have roosters, pasture-raise poultry, hatch chicks, sell chicks, and construct coops with square footage proportional to the permitted bird capacity to ensure homestead sustainability.*

*Ms. Stibich described her family's four-acre operation, emphasizing that the farm is profitable and serves several community functions. She highlighted her farm's work hosting children for speech and language development through Rochester Community Schools (RCS) programs and noted that when their horses are not participating in these programs, they are living out their retirement on the farm. She further explained that the farm raises Angora goats for fiber to process into yarn, supports the RCS Foundation through fundraisers, and produces chicken and quail eggs to offer healthy, local food options for residents with dietary allergies.*

*Ms. Stibich described her farm's hands-on agricultural education efforts, noting*

*that they supply local classrooms with incubators and fertile eggs, including a project where a kindergarten class at Longmeadow Elementary hatched 10 chicks during a six-week program. She emphasized that maintaining a rooster is essential to providing fertile eggs for these educational programs, making rooster allowances a critical component of the proposed ordinance for larger parcels.*

*Ms. Stibich highlighted documentation supporting her farm's clean and responsible operations, citing letters of support from neighbors, endorsement from the City of Rochester Downtown Development Authority regarding farmers' market participation, and ongoing work toward Michigan Agriculture Environmental Assurance Program (MAEAP) certification. She detailed completed steps, including a farm inspection, soil and water testing, an official manure management plan created with the Oakland County Conservation District, and an emergency safety plan provided to local fire and law enforcement agencies. She concluded by quoting the City inspector's report, which confirmed that no animal odors, sights, or sounds were detected on the property during inspection, reaffirming her family's commitment to being responsible neighbors in the City of Rochester Hills.*

*Kathleen Duffield, 6081 Winkler Mills Rd - Ms. Duffield introduced herself as Kathleen "Kit" H. Duffield, a lifelong resident of Rochester Hills residing on her family's 35-acre homestead established in 1918 near Winkler Mill Pond. She noted that over 30 acres of the property are situated in Rochester Hills and 4.88 acres in Oakland Township, where her family maintains open fields, woods, and wildlife habitats. She stated that she operates Kit's Garden, a small business launched over a decade ago that sells vegetables, herbs, and eggs at local farmers' markets and manages a Community Supported Agriculture (CSA) program, which achieved certified organic status in 2020.*

*Ms. Duffield described her poultry management and operational practices, emphasizing her focus on producing high-quality organic eggs. She explained that she purchases organic feed from Imlay City and stores it securely in heavy-duty bins and metal trash cans near the coops. She outlined daily operations, including feeding the hens twice per day, collecting, washing, and refrigerating eggs nightly, and cleaning coops weekly to compost litter for garden use. She highlighted her 2017 certification through the Michigan Agriculture Environmental Assurance Program (MAEAP) and described her housing structures, which consist of a secure seven-by-22-foot coop built along a tractor garage and a mobile coop unit.*

*Ms. Duffield detailed the construction and rotation of her mobile coop, which is built on a land landscape trailer and features a movable 20-foot circular fenced enclosure to provide hens with fresh pasture and sunlight. She stated that hens housed in the primary stationary coop are allowed into the backyard only when she is present on the property, and all poultry are secured indoors every evening.*

*Ms. Duffield noted that her nearest neighbor resides several hundred yards to the south of her parcel. She expressed strong support for the proposed ordinance revision increasing permitted animal counts, stating that the proposed*

*limits would allow her to maintain approximately 40 active laying hens to produce over 12 dozen eggs weekly for market customers and her local business.*

*Ms. Duffield concluded her comments by presenting a copy of her egg packaging label for review. She noted that the label includes the required Michigan Department of Agriculture and Rural Development (MDARD) disclosure statement, which informs consumers that the eggs were packaged in a facility not inspected by the department, emphasizing her compliance with state labeling guidelines.*

*Kathryn Thomas, 1470 W Tienken Rd - Ms. Thomas introduced herself as a resident of Rochester Hills and owner of a historic farmhouse off Tienken Road. She expressed support for creating regulatory categories based on acreage, agreeing that land size should dictate animal limits for responsible ownership. Addressing the proposed space requirements, Ms. Thomas noted that her 1.6-acre property would permit 12 hens under the proposed scale, but she advocated for more than three to four square feet per bird, explaining that birds need adequate space for roosting, nesting, ventilation, and movement. She further recommended evaluating coop space separately from outdoor run space, as hens can remain entirely indoors during colder winter months.*

*Ms. Thomas urged the Planning Commission to establish distinct categories for small and large livestock to reflect their differing sizes and care requirements. She also requested a reconsideration of the rooster prohibition, proposing an allowance of one rooster per 10 hens to act as flock protectors against predators. Ms. Thomas concluded by sharing that her property was originally part of a 420-acre historical farm in Rochester Hills. She noted that she currently supplies chicken eggs to local residents in Fairview Farms, offers educational activities and farming classes for children, and aims to preserve the agricultural heritage of the community.*

*Josh Wyzgoski - Mr. Wyzgoski introduced himself as a third-generation resident of Rochester Hills raising his family on land purchased and built by his grandfather in the 1950s near Tienken and Livernois. He expressed support for updating the ordinance code and echoed previous public comments requesting a clear distinction between small and large livestock, noting that land management and care needs differ significantly between animals like small goats and large Holstein cows.*

*Mr. Wyzgoski shared that his family raises ducks and sells duck eggs through a local farm stand, which provides community members with a unique alternative for those with chicken egg allergies. He highlighted the educational and economic benefits of small-scale homesteading, noting that raising poultry teaches his children about food production while building local food resiliency.*

*Mr. Wyzgoski requested a reconsideration of rooster and drake restrictions, explaining that allowing male birds enables residents to hatch their own poultry locally rather than purchasing fertilized eggs externally. Regarding the proposed sliding scale animal counts, Mr. Wyzgoski stated that the numbers feel low for property owners attempting to operate small side businesses, explaining that*

*maintaining 12 birds yields just enough for personal consumption rather than commercial sales at local farm markets.*

*Rachelle Stephens - Ms. Stephens introduced herself as a resident, consumer, and long-time community member who graduated from Adams High School in 1985 and is raising her family in Rochester Hills. She expressed her strong support for local homesteaders and farmers, sharing that she regularly purchases eggs at the Rochester Farmers' Market, has visited local farms, and values personal connections with local vendors.*

*Ms. Stephens urged the Planning Commission to listen carefully to the expertise and recommendations provided by the local agricultural community. She reflected on the history and heritage of Rochester Hills, recalling when Tienken Road was a dirt road, and emphasized the importance of preserving and supporting local agricultural operations as a unique and vital part of the community's identity.*

*Julie Naismith, 1529 Millecoquins Ct - Ms. Naismith introduced herself as a Rochester resident and retired nurse of 43 years. She stated that she was attending the meeting to express support for Ms. Stibich and Stibich Farm, having first met Ms. Stibich at the Rochester Farmers' Market and subsequently purchasing eggs and visiting the farm directly.*

*Ms. Naismith shared her positive observations of Stibich Farm, noting that the property is quiet, well-maintained, and completely free of odors despite her personal sensitivity to smells as a migraine sufferer. She praised the quality and health benefits of the farm's pasture-raised chicken and quail eggs, noting that she no longer purchases store-bought eggs. Ms. Naismith noted that the four-acre parcel was originally marketed as a mini private paradise with a horse barn, which Ms. Stibich has transformed into a valuable community asset offering fresh produce, educational events for children, and wellness activities for adults. She concluded by highlighting Ms. Stibich's dedication to responsible agricultural practices and environmental stewardship.*

*Chairperson Hooper officially closed public comment and directed questions to Mr. McLeod regarding specific feedback raised by the public.*

*Chairperson Hooper inquired about the draft's provision for livestock and whether staff considered distinguishing between large and small livestock. Mr. McLeod explained that while establishing different standard ratios for large versus small animal breeds is common practice in agricultural communities, staff drafted the current proposal as an initial step. He noted that the Planning Commission could explore tiered livestock categories if desired, depending on the City's community vision and tolerance for livestock. Mr. McLeod added that livestock regulations were consolidated into this draft to create a unified section for keeping non-domesticated animals on City properties.*

*Chairperson Hooper also noted public requests for larger coop square footage allowances per chicken, recalling recommendations from a Michigan State University Extension bulletin referenced during prior discussions that suggested limits higher than 36 square feet.*

*Mr. McLeod stated that the draft ordinance will be updated to reflect a minimum of three to four square feet per bird assuming an outdoor run is provided, with larger space requirements necessary if birds are kept entirely indoors. He noted that the Planning Commission could also consider allowing accessory structure ordinances to govern overall building size limits.*

*Chairperson Hooper inquired whether the sale of poultry should be addressed in the ordinance. Mr. McLeod advised that if the Planning Commission wishes to explicitly permit or prohibit commercial sales, explicit language should be included to remove ambiguity. Chairperson Hooper noted that roosters remain prohibited under the current draft, and Mr. McLeod suggested explicitly defining poultry to include ducks and quail.*

*Mr. McLeod also suggested considering farm accreditations as a regulatory mechanism to ensure high operational standards and responsible management across property owners. In response to Chairperson Hooper's concern regarding City administrative burdens, Mr. McLeod clarified that the City would not issue licenses directly, but could instead require property owners to submit proof of third-party accreditation within a specified time-frame. Chairperson Hooper noted that the feasibility of an accreditation requirement would depend on the associated costs for residents.*

*Chairperson Hooper opened Planning Commission deliberations.*

*Ms. Brnabic questioned whether existing issues or complaints regarding poultry counts prompted the proposed zoning update and the specific animal limits listed for various property sizes.*

*Mr. McLeod clarified that current City code caps the total number of poultry at 12 per property regardless of total acreage, whether on a single acre or 100 acres. He explained that the proposed sliding scale maintains the zero-poultry policy for properties under one acre while allowing larger parcels to keep additional poultry proportional to land size. Mr. McLeod emphasized that larger properties absorb operational impacts more effectively, reducing potential disruption to surrounding neighbors. He noted that the incremental increases in the proposed table reflect standard industry purchasing increments for chicks and hens, serving as an initial framework for Planning Commission consideration.*

*Ms. Brnabic asked for clarification regarding the strikethrough numbers shown in the draft materials provided to the Planning Commission, noting that the prior draft showed 24 permitted birds for two to 2.99 acres, whereas the revised draft listed 18. Mr. McLeod explained that the strikeout markup reflected corrections from an initial drafting error to align the draft with the proposed sliding scale discussed that evening.*

*Ms. Roediger added that the intent of the ordinance amendment is not to modify the minimum one-acre threshold, but rather to establish an upward sliding scale for larger properties. She emphasized that past Planning Commission discussions focused on allowing poultry on smaller residential lots, whereas the*

*current proposal maintains the one-acre minimum while permitting higher bird counts on larger parcels, primarily located in the northern portion of the City. Ms. Roediger stated that the draft aims to align City code with existing practices while supporting small local agricultural operations that contribute to the community's culture.*

*Ms. Brnabic expressed support for the proposed ordinance adjustments, noting that learning about local farming operations and their presence at the Rochester Farmers Market was very positive. She voiced support for increasing coop square footage guidelines to ensure bird health and wellbeing, recalling similar recommendations provided by an expert speaker during the Planning Commission's 2023 discussions.*

*Regarding roosters, Ms. Brnabic acknowledged the rationale behind the current prohibition due to potential noise disturbances for neighboring properties. However, she suggested that the Planning Commission evaluate allowing roosters on a tiered basis tied to parcel size, noting that larger properties may absorb noise more effectively without creating a nuisance for nearby residents.*

*Mr. Hetrick thanked the public speakers for presenting details about their ongoing local agricultural operations, noting that learning about established multi-generational farms in the City provided valuable perspective. He expressed agreement with separating livestock provisions into distinct categories for small and large livestock, suggesting that staff utilize input from local agricultural experts to help refine the proposed technical guidelines and animal counts.*

*Mr. Hetrick advocated for permitting roosters, proposing that allowances be tied to property acreage thresholds so larger parcels can accommodate them while preventing potential noise issues on smaller residential lots. He recommended establishing clear regulatory guidance for coop and run dimensions, emphasizing that accessory structure rules should accommodate larger interior winter housing needs during colder Michigan weather.*

*Mr. Hetrick noted that while some local farms sell produce and eggs at farmers' markets, he views these operations primarily as community benefits rather than traditional commercial enterprises. Regarding potential farm accreditation requirements, Mr. Hetrick stated that requiring certifications could help demonstrate responsible management, but caution should be exercised to ensure that certification fees or administrative steps do not create an onerous financial burden for family farms.*

*Mr. Struzik expressed gratitude to the members of the public who spoke, noting that their input provided helpful context for the Planning Commission's evaluation. He stated that he supports community agriculture and believes capping the permitted poultry limit at 12 across all parcel sizes is inappropriate. He recalled supporting poultry on smaller parcels during prior discussions, though noting a lack of broader support and mentioning recent communication from a homeowner's association opposing allowances on smaller acreages. He voiced strong support for implementing the proposed upward sliding scale based on property size.*

*Mr. Struzik emphasized the importance of considering parcel context when reviewing animal regulations. He pointed out that potential impacts differ significantly when a large agricultural property directly abuts a residential subdivision with smaller one-third-acre lots, compared to when a parcel is surrounded by adjacent multi-acre lots. He cautioned that surrounding land uses must be taken into account alongside overall parcel acreage.*

*Mr. Struzik voiced support for permitting larger accessory structures to maintain humane conditions for animals and advocated for establishing separate regulatory categories for small and large livestock. He raised the idea of incorporating a review mechanism or process in future draft revisions to accommodate exceptional circumstances, such as community-focused or small-scale local agricultural operations on larger parcels of two to three acres or more, while noting the need to prevent an overwhelming volume of administrative or Planning Commission requests.*

*Regarding roosters, Mr. Struzik expressed concern about permitting them on smaller one-acre parcels due to potential noise impacts on surrounding neighbors. While acknowledging their role in protecting poultry from predators, he recommended limiting roosters to larger acreages and reiterated that surrounding property context should remain a key consideration.*

*Mr. Weaver stated that his thoughts were open on the subject and raised questions regarding housing square footage and species distinctions. He asked whether square footage requirements are identical for chickens, quail, and ducks, noting that a single blanket square footage standard may not be appropriate across different species of fowl. He expressed support for the proposed sliding scale structure, but noted that permitted animal counts should consider species variations relative to overall property size.*

*Mr. Weaver voiced support for permitting roosters based on property size with potential caps, as well as establishing separate regulatory categories for small versus large livestock. He noted that the primary community concerns surrounding animal keeping are noise and odor, praising current operators for managing their properties without generating substantiated complaints. Mr. Weaver suggested that Planning Commission staff collaborate directly with experienced local operators and residents to refine technical details and draft realistic regulations that reflect established best management practices.*

*Mr. Weaver stated that the Planning Commission should ensure the updated ordinance is drafted correctly to prevent unmanaged operations that generate adverse noise or odor impacts. He characterized the proposed draft as a positive initial effort, but recommended that City staff engage in direct dialogue with local farmers and experienced operators to review specific details. He emphasized that collaborating directly with practitioners will help align City regulatory goals with practical operational needs, keeping farming viable, affordable, and beneficial to the community.*

*Chairperson Hooper noted that while staff can consult with interested residents, the Planning Commission must also represent the broader interests of all*

*75,000 residents across the City.*

*Mr. Weaver agreed that the City must consider the entire community, adding that learning from existing successful operators can help shape effective rules to prevent nuisances for all residents. He reiterated support for incorporating an accreditation requirement, noting that requiring certification within a reasonable time-frame can serve as a meaningful benchmark to encourage serious, responsible operations.*

*Ms. Denstaedt echoed the sentiments expressed by Mr. Weaver, thanking the public members for providing insight and highlighting the value of local agricultural education for children and school districts. She expressed support for increasing permitted poultry counts using a sliding scale and dividing livestock regulations into distinct categories based on animal size, citing the physical differences between horses and small goats. She also emphasized the importance of evaluating coop size standards to protect animal health and safety. Ms. Denstaedt concluded by agreeing with Mr. Weaver that staff and the Planning Commission should gather additional information from experienced operators before adopting final ordinance language.*

*Mr. Gallina stated that he echoed the comments made by his fellow Planning Commissioners. He emphasized that the Planning Commission must balance supporting resident interests with establishing safeguards to prevent potential abuse of the regulations. He expressed appreciation for the community members in attendance and acknowledged that public testimony and expert feedback are essential for guiding Commission decisions. Mr. Gallina expressed support for continuing to work with City staff and legal counsel to refine guidelines and moving forward with the draft revisions.*

*Mr. Dettloff expressed full support for the comments made by his fellow Planning Commissioners, noting his appreciation for the educational benefits and community impact of local agricultural operations. He asked Mr. McLeod to clarify why the permitted poultry counts were revised downward in the current draft. Mr. McLeod explained that the change reflected a correction from an initial drafting error in the agenda posting to ensure the draft aligned with the City's current policy of requiring a minimum of one acre for keeping poultry.*

*Mr. Dettloff inquired about winter sales operations during the farmers' market off-season. Ms. Stibich noted that while some seasonal markets close in the fall, the Rochester Farmers' Market now operates year-round, and customers also purchase eggs directly from her property. Ms. Duffield added that winter egg production naturally decreases due to shorter daylight hours, and remaining egg supplies are sold to private winter customers, wholesaled to other farmers, or donated to local charities like Neighborhood House. Mr. Dettloff concluded by thanking the residents for providing informative input and encouraging their continued efforts.*

*Chairperson Hooper provided feedback on specific provisions of the proposed draft. He questioned an existing restriction capping domestic dogs at 20 pounds. Ms. Roediger noted that the dog and cat provisions were not modified during this review, but agreed that striking the weight restriction would be*

*appropriate to modernize the code. Chairperson Hooper also inquired about a provision regarding limits on maintaining three or more animals of a single species. Ms. Roediger explained that while the City does not actively monitor animal counts, the rule provides an enforcement mechanism when neighbor complaints arise.*

*Regarding housing requirements for poultry, Chairperson Hooper supported setting coop space guidelines at three to four square feet per bird, with additional outdoor run space up to 64 square feet (eight by eight feet), aligning with recommendations from Michigan State University Extension guidelines.*

*Chairperson Hooper concurred with establishing separate categories for small and large livestock and asked how pigs and hogs would be regulated under the ordinance. Mr. McLeod clarified that livestock classifications depend on breed sizes, such as standard versus miniature breeds, and noted that staff could incorporate USDA ratio standards and weight guidelines into future definitions to properly categorize livestock.*

*Chairperson Hooper expressed caution regarding roosters, sharing a personal experience where a rooster could be heard from a quarter-mile away. He agreed with Mr. Struzik's point regarding adjacent residential subdivisions, noting that allowing a rooster within close proximity to quarter- or third-acre lots could create significant noise disturbances for neighbors. He requested that staff carefully evaluate rooster regulations given the dense residential nature of most of Rochester Hills.*

*Ms. Roediger stated that staff had received clear direction from the Planning Commission and public feedback. She proposed scheduling a meeting with local farmers to discuss operational best practices and incorporate the requested draft revisions. She suggested bringing a revised draft back for a formal public hearing at the next meeting, noting that the Planning Commission could either recommend approval or request further edits after receiving public input. Chairperson Hooper agreed with moving forward to a public hearing with a revised draft, noting that the proposal was close to completion and simply required minor adjustments to meet community needs.*

*Mr. Struzik requested clarification regarding properties that cross municipal boundaries, referencing public testimony about a farm situated in both Rochester Hills and Oakland Township, and asked whether acreage counts apply strictly to the portion within Rochester Hills. Mr. McLeod clarified that the City can only enforce regulations on land within its municipal jurisdiction and recommended counting only the acreage located within Rochester Hills.*

*Chairperson Hooper asked if there was any further discussion on the proposed ordinance amendment. Hearing none, he concluded the discussion item, noting that the item was for discussion only and that all individuals who submitted comment cards would be notified when the revised draft appears on a future Planning Commission agenda for a public hearing.*

**Discussed**