



CITY OF CONCORD

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PUBLIC SAFETY ADVISORY BOARD REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Councilor Amanda Grady Sexton, Chair, Public Safety Board

DATE: December 15, 2020

SUBJECT: Report from the Public Safety Advisory Board on a Referral from the City Council Requesting a Review of the City's Ordinance Relative to Backyard Chickens

Recommendation

Accept this report from the Public Safety Advisory Board.

Background/Discussion

The Public Safety Advisory Board (PSAB) received a referral from the Concord City Council to review the City's ordinance relative to backyard chickens. The current ordinance allows five chickens per acre or less of land, with a minimum 30-foot buffer between property lines. The referral originated from a resident's request to have flock of backyard chickens on their downtown lot, which is too small to comply with the 30-foot requirement in the City's ordinance.

The PSAB reviewed this referral with a focus on its impact on the public health and safety of the community. **After holding one public hearing and one subcommittee meeting with public input, the PSAB recommended 8-3 against any changes to the City's current ordinance relative to backyard chickens.**

The PSAB heard public testimony from members of the public, the City Planner, and a representative from the UNH Cooperative Extension. The PSAB also reviewed written testimony from residents in addition to a petition to change the City's ordinance. The Board discussed a change to the current 30-foot setback to 5 feet and 15 feet, and ultimately determined that there

may be unintended consequences to any reduction to the set-back area which could negatively impact the well-being or safety of residents and neighborhoods.

The PSAB heard from the resident who initiated this proposed change to the City ordinance. The Board also heard from this resident's neighbor, who opposes any change to the ordinance. The Board heard testimony that that the resident requesting a change to the ordinance previously had a flock of chickens on their lot with less than a 30-foot buffer from their neighbors' property lines. This prompted complaints from neighbors due to excessive smells and noise and the attraction of rodents to their property. The violation of the ordinance was reported to the Code Department, and the resident was ordered to remove the chickens from their yard. This resident is now asking to reduce the required 30-foot set back requirement in order to once again have chickens in their backyard, over the objections of their neighbor.

The PSAB found that backyard chickens bring great value to the community, and that the current ordinance is working for the majority of residents in Concord. The attempt to address one resident's desire to have chickens on their downtown lot will very likely create additional problems for their neighbors. At a time where more families are working and staying at home as a result of the COVID-19 pandemic, the Board felt that a change to the ordinance could result in more discord in this neighborhood, and potentially in additional neighborhoods throughout the City. The Board recommends against any changes to the current ordinance at this time.