



CITY OF WAUWATOSA
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COMMITTEE ON COMMUNITY DEVELOPMENT

Tuesday, November 13, 2012 – 8:00 p.m.

PRESENT: Alds. Roznowski, Pantuso, Moldenhauer, Walz-Chojnacki, McBride, Berdan, Wilke, Causier -8

ALSO PRESENT: Ms. Enders, Development Director; Ms. Miller-Carter, Asst. City Atty.; Mr. Beix, Public Health Manager

Ald. Roznowski in the Chair

Revisions to Chapter 24 of the City Code. Ms. Enders noted that a copy of the draft zoning code has been provided to the Committee. A public meeting was held about one month ago concerning the proposed document. The Plan Commission has recommended 6-0 that the revisions to the Zoning Code be forwarded to Council for introduction. The public hearing will be scheduled for January 15, 2013; the item will return to Committee on January 29 and be considered by the Council for final action on February 5.

It was moved by Ald. Pantuso, seconded by Ald. Berdan to recommend approval of a resolution setting a January 15, 2013 public hearing date, and to further recommend introduction of an ordinance amending Chapter 24 of the City Code. -8

Land Division by Certified Survey Map, 11300 W. Burleigh Street. Ms. Enders stated that this action would be a re-division of a parcel that was recently combined by Certified Survey Map. Staff will assure that proper access and utility service will exist for all parcels being created. The Plan Commission has unanimously recommended approval of the application.

It was moved by Ald. by Ald. Pantuso, seconded by Ald. Causier to recommend approval of the land division application. -8

Final Plan Approval of a Business Planned Development at 6005 W. Martin Drive. Ms. Enders stated that construction of a four-story residential building, the Annex@Enclave, is proposed for the corner of N. 60th Street and W. Martin Drive. The design will be similar to that used at the adjacent Enclave project. The Plan Commission has unanimously recommended approval.

Robert Miller, HIS Residential Annex, LLC, was present to answer questions.

It was moved by Ald. McBride, seconded by Ald. Moldenhauer to recommend approval of the final plan. -8

Request to Allow the Keeping of Domestic Chickens Within City Limits. Held from the May 8th meeting was a request by Cornelia Bielke, 1443 Alice Street, for consideration of the keeping of chickens within the city.

The Committee reviewed a November 8, 2012 from City Attorney Kesner wherein he advised that permitting chickens within the City will involve lifting several restrictions currently in the health and building city codes and enforcing newly created codes. Responsibilities for both of these departments would likely broaden were this change to occur. The memo also detailed the experiences of other communities where chicken-keeping is permitted. A copy of the City of Milwaukee's ordinance related to the keeping of chickens was also attached for reference.

Ms. Miller-Carter stated that staff cannot calculate additional costs that departments may incur while enforcing such an ordinance, as there is no way to know at present how many licenses may be applied for and granted, nor how many complaints may be received.

Mr. Beix added that quantifying the cost of investigating a complaint is difficult as it is unknown how many times reinspections would need to be conducted until a complaint was resolved.

The following spoke in support of allowing chicken-keeping in the City:

Alex Runner, 2377 N. 48th Street, Milwaukee, an owner of four hens, spoke of the thoroughness of Milwaukee's ordinance. Adjacent neighbors must approve, there are lot size requirements, and mandatory class attendance is required. Milwaukee has issued just 19 licenses to date.

Nancy Smith-Watson, 1065 N. 68th Street, spoke on behalf her daughter who had received some chicks as a gift. Reading excerpts from her daughter's letter, Ms. Smith-Watson conveyed how much her daughter had learned from the experience, how useful the manure is for fertilizer, the fact that their neighbors were supportive of the venture, and how they never experienced rodent problems due to chicken feed on the ground. The chicks now live on a farm outside the city.

Ed Buck, 6839 Cedar Street, opined that keeping a 'couple of chickens' fits in with the City's uniqueness. It is a way to set itself apart from other cities.

Mike Arney, 1447 St. Charles Street, stated that he is not interested in having chickens, but likes the idea that his neighbors know about animal-keeping. It is the old fashioned notion of getting your food for yourself.

Cornelia Bielke, 1443 Alice Street, stated that her husband is chief of infectious diseases at Medical College. People need not fear contracting salmonella from chickens if they take some simple, common-sense precautions. The outbreak that has occurred in the recent past happened because sick chicks were sold by a common vendor. Dogs can also shed salmonella.

Ms. Bielke pointed out that chickens are useful and cost-neutral. They eat leftovers and produce fertilizer. With an appropriate fee, perhaps the operation could be cost-neutral for the city as well.

Jeanine Verna, 7424 Maple Terrace, stated she wouldn't have chickens where she lives, but would be interested in purchasing eggs from locals. Something about local food is appealing and healthy – there is no corporation involved. Knowing one's food source can decrease infectious disease. She noted that Madison's guidelines are also tough. Wauwatosa can likewise set that responsibility bar high for chicken-keepers.

Mr. Runner pointed out that Milwaukee's ordinance does not permit the sale/purchase of eggs from backyard chicken-keepers. Neither can chickens be slaughtered on site. Their egg-laying capability lasts several years, though they may live for 20 years.

Ald. Pantuso opined that people would not take on this project half-heartedly and voiced support for a mandatory class. Such an ordinance should not be a burden to the city – it should be cost-neutral. Perhaps a trial period would be advisable, as well as a limit on the number of licenses that would be issued. Many other cities have supported backyard chickens for years.

Ald. Wilke also voiced support for the proposal and opined that negative factors are being stressed. This would be another way to market the city to new residents. Health benefits outweigh the risks.

It was moved by Ald. Wilke, seconded by Ald. Walz-Chojnacki that staff draft an ordinance based upon Milwaukee's ordinance, including a one-year trial, and bring it back to committee for review. --

Alds. Berdan and Moldenhauer both voiced opposition to the proposal, citing the difficulties because of Wauwatosa's small lots, the potential additional enforcement costs to the city in an already difficult budget year, the fact that allowing this measure won't necessarily make the city a better place to live, the fact that local food options already exist, and the concern that some residents may be non-responsible chicken owners. Additionally, there is the perception – accurate or not – that chickens are dirty, noisy, and spread disease.

Ald. McBride noted that he opposed the proposal earlier in the year; however, now the committee has much more information on which to make a decision. Now committee members know what other cities have done across the country, and know that they've had some positive experiences. An Iowa chicken farm he observed had a salmonella problem, and there is no guarantee that a home operation is safer if precautions are not taken. Nevertheless, a one-year trial might tell the committee about residents' willingness to be responsible. Based on others' experiences and the current cultural shift in terms of getting closer to food, he is willing to support the motion.

Ald. Causier noted that constituents seem to be about half and half on the topic. She is also concerned about the small city lots, and isn't sure she'd want neighbors to do it. This will be a complaint-based issue and this will burden the staff somewhat, but she is willing to give it a try. Ald. Causier voiced concern about those who don't take this responsibility seriously.

Vote on the motion, Ayes 6, Noes 2 (Berdan, Moldenhauer)

The meeting adjourned at 9:18 p.m.

Carla A. Ledesma, City Clerk