2026-0428 Public Hearing for an Ordinance to Amend Sec. 138-4.430 Raising and Keeping of Animals, Sec. 138-4.300 Table of Permitted Uses by District and Sec. 138-13.101 Definitions related to the raising and keeping of animals on one family residential properties

Chairperson Hooper introduced the next agenda item: a public hearing for an ordinance amendment regarding the raising and keeping of animals on single-family residential properties, which includes updates to Section 1384.300, the table of permitted uses, and related definitions.

Mr. McLeod provided an update on the drafted ordinance, noting that a recent field trip to view local animal-raising setups proved highly educational for the Commission. He then outlined several revisions made to the draft following feedback from residents and the City Attorney. First, in subsection K on page two, an erroneous reference to the Michigan Department of Agriculture and Rural Development (MDARD) will be corrected to the Michigan Agriculture Environmental Assurance Program (MAEAP). This certification requirement applies to applicants seeking conditional use approvals to exceed standard ordinance allowances.

Second, the City Attorney requested the addition of a new provision on page three to ensure that "potential adverse impacts to surrounding properties" are explicitly considered by the Planning Commission and City Council during the conditional use review process. Mr. McLeod noted there were also several minor grammatical adjustments provided by the attorney.

Finally, Mr. McLeod explained that the updated draft addresses user feedback regarding fence placement. While fences for animals remain prohibited in the required front yard, which is typically the first 40 feet from the property line in the City's northern districts, the area between that 40-foot setback and the front of the house is now permitted for pastures or the keeping of animals. He then offered to answer any questions from the Commission.

Chairperson Hooper opened the public hearing and invited the first speaker to the podium.

Kathleen Duffield, 6081 Winkler Mill Rd - Ms. Duffield stated that her previous questions regarding the "required front yard" had been answered, clarifying how the 40-foot setback rule applies to her long, triangular property along Winkler Mill Road. She described her current setup, which features a movable chicken coop and fencing equipped with solar lights to deter deer from running into and damaging the enclosure. She also noted that she composts the chicken manure, though deer frequently rummage through the pile.

Addressing the topic of roosters, Ms. Duffield explained that she keeps a rooster with her laying hens because it serves as an effective alarm system. The rooster alerts her to issues such as a lack of water or the presence of predators like foxes and hawks, allowing her to intervene and secure the flock at night. She mentioned that she currently sells her eggs at the Troy and Clarkston markets.

Finally, Ms. Duffield pointed out that the Tractor Supply store on Adams Road sells chicks, ducklings, and young turkeys in the spring. She suggested that if the amended ordinance becomes highly restrictive - such as requiring a full acre to keep poultry - the City should coordinate with the retailer, as residents might otherwise purchase animals they are prohibited from keeping under the new rules.

Elizabeth Stibich, 1137 N. Livernois Rd. - Ms. Stibich, owner and operator of Stibich Farm, spoke next to express her sincere gratitude to the Planning Commission for their openness and dedication over the past several months. She stated that the proposed ordinance changes will allow her to continue keeping her animals, which in turn allows her to provide the community with eggs and yarn products, as well as support young residents with speech and language development. She thanked the Commission for their collaboration, thoughtful dialogue, and willingness to listen to the community's concerns.

Chairperson Hooper then closed the public hearing, noting that emails submitted by Alison Leach, Jill Hicks, and Rebecca Van Buskirk would be officially added to the public record.

Initiating the Commission's deliberation, Chairperson Hooper suggested a potential modification to address concerns regarding roosters. He proposed adding a specific "roosters" column to the permitted uses table that would outright prohibit roosters on properties smaller than three acres. For properties three acres and larger, which applies to the residents who spoke at the meeting, he suggested listing roosters as a Conditional Use. Chairperson Hooper explained that this conditional requirement would allow the Commission to review rooster requests on a case-by-case basis and evaluate potential nuisances to surrounding neighbors. He noted that while he personally would not want a rooster on the smaller one-to-two-acre lots behind his own home, he has no issue with roosters on larger agricultural properties like the Stibich farm, where the surrounding community is already accustomed to them. He then asked Mr. McLeod for his thoughts on this approach.

Mr. McLeod agreed with Chairperson Hooper's proposal to classify roosters as a conditional use exclusively for properties three acres and larger, noting that while hobby ordinances typically exclude roosters, true farming operations require them. Ms. Roediger pointed out that section 2B already lists roosters as a conditional use and suggested adding the minimum acreage requirement to that section. Chairperson Hooper emphasized that explicitly listing a three-acre minimum on the permitted uses table would provide clear guidance to residents on smaller lots, and Mr. McLeod agreed to incorporate this change before sending the ordinance to the City Council.

Chairperson Hooper then praised Mr. McLeod for simplifying the accessory structure provisions, noting that the update will eliminate ongoing debates over structure sizes and enforcement issues. He voiced his full support for the ordinance and thanked the residents who hosted the Commission's recent field trip.

Commissioner Neubauer echoed this gratitude, describing the site visit as the

best the Commission has taken during her seven-year tenure. She thanked the farmers for their contributions to local schools and the environment, and commended the Planning Department for their diligent work on an ordinance that has been in discussion for years.

Ms. Neubauer asked if her motion to approve needed to explicitly list all the discussed modifications, including the grammatical corrections, the three-acre minimum for roosters under section 2B, and the City Attorney's proposed language in section K4 regarding potential adverse impacts on surrounding properties. Mr. McLeod confirmed that stating the intent on the record was sufficient. Ms. Neubauer officially made a motion to approve the ordinance with the changes stated on the record, which was supported by Mr. Struzik. Chairperson Hooper then opened the floor for discussion on the motion.

Mr. Hetrick expressed gratitude to Stibich Farms, stating that their endorsement of the ordinance was important to him. He suggested reducing the allowed number of large livestock on 2- to 2.99-acre properties from three animals down to one or two, pointing out that the current draft allows the same number of livestock on both the 2-acre and 3-acre tiers. Ms. Roediger explained that the three-animal allowance is the baseline carried over from the existing ordinance, as City staff intentionally avoided reducing current allowances while scaling up limits for larger parcels. Mr. Hetrick accepted this explanation and noted he would not let the issue stand in the way of approval.

Mr. Struzik thanked Ms. Stibich, Ms. Duffield, and other community members, acknowledging that the Commission relied on their firsthand expertise to shape the ordinance. He commended Mr. McLeod and the planning staff for skillfully translating the community's ideas into a readable and enforceable policy.

Ms. Brnabic echoed her colleagues' appreciation for the site visit and the quality of the draft. She then raised a question regarding the conditional use provision for roosters, pointing out that the draft ordinance does not specify a numerical limit. She asked for clarification on whether the conditional use would strictly limit all eligible properties to a single rooster, or if larger parcels, such as those four acres or more, might be permitted to keep two, noting this detail could be important for future applications.

Mr. McLeod answered Ms. Brnabic's question by explaining that the ordinance intentionally leaves the allowable number of roosters open-ended to provide flexibility. He stated that an applicant could request any number of roosters, and the Planning Commission and City Council would evaluate the request based on the specific context of the property, such as the size of surrounding parcels and the potential impact on neighbors, to determine the appropriate number, if any. Ms. Brnabic and Chairperson Hooper agreed with this flexible approach, with Hooper noting that they observed multiple roosters during their field trip.

Ms. Roediger then added a comment regarding application costs, explaining that the standard $1,000 conditional use fee could be cost-prohibitive for small-scale farmers. To address this, she informed the Commission that upcoming fee ordinance modifications presented to the City Council will propose reducing the fee to $500 for conditional uses accessory to a single-family home,

which matches the current residential Zoning Board of Appeals (ZBA) fee.

Following brief agreement from the Commission that the fee reduction was a good idea for the City Council to consider, Chairperson Hooper summarized the active motion by Ms. Neubauer, supported by Mr. Struzik: to recommend City Council approval of the revised ordinance with all changes discussed during the meeting. Hearing no further discussion, he called for a roll call vote, confirming that a yes vote was in support of the proposed ordinance.

A motion was made by Neubauer, seconded by Struzik, that this matter be Recommended for Approval to the City Council,. The motion carried by the following vote:

Aye 9 - Brnabic, Denstaedt, Hooper, Neubauer, Struzik, Weaver, Dettloff, Gallina and Hetrick

Resolved, the Rochester Hills Planning Commission hereby recommends to City Council an Ordinance to Amend Sec. 138-4.430 The Keeping of Animals, Sec. 138-4.300 Table of Permitted Uses by District and Sec. 138-13.101 Definitions, of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to repeal conflicting ordinances, and prescribe a penalty for violations.