



Recommendation for Action

File #: 22-2968, **Agenda Item #:** 30.

10/13/2022

Posting Language

Approve an ordinance amending City Code Section 3-2-16 Enclosures for Fowl to provide additional setback and enclosure requirements.

Lead Department

Austin Public Health.

Fiscal Note

This item has no fiscal impact.

For More Information:

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Council Committee, Boards and Commission Action:

April 18, 2022 - Austin/Travis County Food Policy Board gave verbal support for ordinance amending City Code Chapter 3-2-16 (Enclosures for Fowl) relating to enclosure setback distance via Chairwoman Sharon Mays.

May 9, 2022 - Animal Advisory Commission approved the proposed Fowl Enclosure Ordinance revision, on a 10-0 vote, with Commissioner Mitchell abstaining and the seat for District 10 is vacant.

Additional Backup Information:

Currently, the City regulates the distance between an animal enclosure and an adjacent residence or business structure. An enclosure used to keep two or more fowl must be located at least 50 feet from a residence or business structure, excluding the residence or business of the fowl's owner or handler. Staff worked extensively with the Office of Sustainability to identify how City regulations and policies can be amended to reduce the barriers preventing residents in our community from raising fowl and providing an additional food source.

Staff worked to identify other cities in Texas that have existing enclosure requirements, which revealed some cities were more restrictive than the City, and others less so. Of the cities that defined a setback distance in their code, 30 feet was the smallest setback distance defined.

The Austin Public Health Department is recommending these changes:

- Amend City Code Chapter 3-2-16, which currently references 50 feet as the allowable distance for an enclosure from a residence or business structure, as follows:
 - Reduce setback distance from 50 feet down to 30 feet.
 - Allow a resident to use their fence as one of four sides of a fowl enclosure.
- Incorporate a provision allowing the Austin Public Health Department to consider neighbor concerns on

a case-by-case basis.

Strategic Outcome(s):

Health and Environment.