



City of Cambridge

Executive Department

YI-AN HUANG
City Manager

September 11, 2023

To the Honorable, the City Council:

Please find attached a response relative to Policy Order # 23-135, regarding standards for henkeeping from Assistant City Manager for Community Development Iram Farooq.

Very truly yours,

Yi-An Huang
City Manager

Attachment(s)





CITY OF CAMBRIDGE

Community Development Department

IRAM FAROOQ

*Assistant City Manager for
Community Development*

SANDRA CLARKE

*Deputy Director
Chief of Administration*

To: Yi-An Huang, City Manager
From: Iram Farooq, Assistant City Manager for Community Development
Date: September 6, 2023
Subject: Policy Order O-5 dated August 7, 2023 regarding standards for henkeeping

KHALIL MOGASSABI

*Deputy Director
Chief Planner*

BACKGROUND

Staff from the Community Development Department (CDD), Law Department, Cambridge Public Health Department (CPHD), Inspectional Services Department (ISD), and the Animal Commission has collaborated to provide the following response, which includes recommended zoning language that is patterned after the 2017 beekeeping regulations. Public health regulations related to odors, noise, rodent and pest control measures, and the sale of eggs are a critical companion to zoning. Zoning to allow henkeeping should only be effective once such health regulations are promulgated.

Zoning

Staff have reviewed the proposed language and provided an updated draft of zoning language that was developed as part of previous work completed by the City's [Urban Agriculture Task Force](#) in 2017. The attached zoning text recommends the following key provisions:

1. Accessory Use to Residential. The proposal would allow henkeeping as an accessory use to all residential uses with a permit from the Public Health Department. It would prohibit keeping of roosters.
2. Number of Hens. Up to six hens would be allowed on a lot, with the possibility of increasing to 12 hens with permission from CPHD on a case-by-case basis. The six-hen maximum is in line with neighboring communities, and the opportunity to increase to twelve is intended to address the needs of lots with more than one household present.
3. Coop Dimensions. Coops would be limited to six feet in height and 50 square feet in area rather than the 200 cubic feet limit in the Policy Order. Regulating by height and area is more standard in the Cambridge

Zoning Ordinance, and together achieve a similar requirement as a volume requirement.

Enclosure Setbacks. Hen enclosures, which are defined as both a coop and hen run, could be sited in either rear or side yards. A setback from each property line of at least five feet would be required (similar to requirements for accessory buildings on a lot) unless there is a solid barrier along the property line, like a solid fence or wall.

4. Health and Safety. Zoning related to henkeeping would be effective after companion public health regulations are promulgated.

Public Health Regulations

The recommended zoning language includes a requirement that a permit be obtained from the Cambridge Public Health Department in order to keep hens. The zoning petition can be adopted before the public health regulations are finalized, but as currently drafted, will not go into effect until those companion regulations are adopted.

The Public Health Department's regulations will address additional considerations related the land use that zoning would not typically be able to address, such as cleanliness standards, requirements for annual inspections, and the sale of eggs.

RECOMMENDED ZONING PETITION

To amend Articles 2.000, 4.000, 5.000, and 23.000 of the Cambridge Zoning Ordinance as follows for the purpose of allowing henkeeping, with limitations and subject to regulation and permitting by the Cambridge Public Health Department, as a permitted accessory use to principal residential (excluding transient accommodations as defined in Section 4.31.i), religious, and educational uses.

Amendments to Article 2.000 – Definitions

Add the following definitions:

Apiary. A location or structure on a lot containing one or more beehives and associated beekeeping equipment.

Bee. Any life stage of the common domestic honey bee, *Apis mellifera*.

Bee Colony. An aggregate of worker bees, drones, a single queen, and brood living together as one social unit.

Beekeeping. The housing of one or more bee colonies on a lot for the purpose of collecting products including honey, beeswax, propolis, pollen, and royal jelly, and/or to support the ecological benefits of pollination.

Beehive. A structure intended for the housing of one Bee Colony.

Chicken. Any breed of the domestic species *Gallus gallus domesticus*.

Hen. A domestic female chicken.

Hen Run or Pen. A structure for the containment of hens that is enclosed on all sides and top by a wire mesh but is otherwise open to the air, to allow access to the outdoors while preventing contact with pests, predators, and other bird species.

Henkeeping. The housing of female chickens (i.e., hens) on a lot.

Henhouse or Coop. An enclosed, weather-protected structure for the shelter of hens and their nests.

Rooster. A domestic male chicken.

Amendments to Article 4.000 – Use Regulations

Add the following paragraph “p.” to Section 4.21, Accessory Uses:

- p. Henkeeping, conducted in conformance with the Standards for Urban Agriculture set forth in Article 23.000 of this Zoning Ordinance and all other applicable laws, rules, and regulations, shall be considered an allowed accessory use when conducted on the lot of and in conjunction with one of the following principal uses: residential (Section 4.31 a.-h., excluding transient accommodations), any religious use (Section 4.33 a.), and any educational use (Section 4.33 b.).

Amendments to Article 5.000 – Dimensional Standards

Amend Section 5.22.1 to read as follows (additions shown in underline, deletions in ~~strikethrough~~):

- 5.22.1** Private Open Space. Private Open Space shall be open and unobstructed to the sky, except that up to fifty (50) percent of the total Private Open Space may be Shaded Area. Trees, plantings, arbors, fences, flagpoles, sculpture, fountains and recreational and drying apparatus and similar objects shall not be considered obstructions when located within a private open space. Objects or structures intended exclusively for bicycle parking, designed and located in accordance with Section 6.100, which may be uncovered, partially covered or fully enclosed, shall not be considered obstructions provided that such objects or structures are not used for motor vehicle parking, general storage or any other use, and further provided that any such structure exceeding six feet (6') in height conforms to the requirements for an accessory building in Section 4.21. Beehives and, apiaries, henhouses, and hen runs conforming to the Standards for Urban Agriculture in Article 23.000 of this Zoning Ordinance shall not be considered obstructions provided that they are no more than six (6) feet in height and, except for enclosures made entirely of permeable wire mesh, occupy no more than fifty (50) square feet of lot area. Structures or features that are necessary for a building to comply with the Flood Resilience Standards in Section 22.80, such as stairs, ramps, or window wells, shall not be considered obstructions. To the extent permitted in this Ordinance, balconies and roof areas may also be considered as Private Open Space.

Amend Section 5.24.1 to read as follows (additions shown in underline, deletions in ~~strikethrough~~):

- 5.24.1** Every part of a required yard shall be open to the sky and unobstructed, except that the following features may be located within a required yard:
- (a) Awnings, arbors, fences, flagpoles, recreational, and laundry drying equipment and similar objects;

- (b) Objects or structures intended exclusively for bicycle parking meeting the requirements of Article 6.000, which may be uncovered, partially covered or fully enclosed, provided that such objects or structures are not used for motor vehicle parking, general storage or any other use, and further provided that any such structure exceeding six feet (6') in height conforms to the requirements for an accessory building in Section 4.21;
- (c) ~~Beehives and~~ apiaries, henhouses, and hen runs conforming to the Standards for Urban Agriculture in Article 23.000 of this Zoning Ordinance shall not be considered obstructions provided that they are no more than six (6) feet in height and, except for enclosures made entirely of permeable wire mesh, occupy no more than fifty (50) square feet of lot area;
- (d) Objects or equipment located in a required yard that are necessary for or appurtenant to a Public Bicycle-Sharing Station;
- (e) Open or lattice-enclosed fire escapes for emergency use only;
- (f) Projecting eaves, chimneys, bay windows, balconies, open fire escapes and like projections which do not project more than three and one-half (3½') feet and which are part of a building not more than thirty-five (35') feet in height;
- (g) Shade Canopies as defined in this Zoning Ordinance, provided that any Shade Canopy exceeding seven feet (7') in height shall be set back at least five feet (5') from a side or rear lot line in a residential district; and
- (h) Exterior steps, ramps, elevated walkways, porches, window wells, flood barriers, and other elevated features that provide protection or resilience from flooding on the lot, provided such features do not project more than twelve (12') feet beyond the line of the foundation wall of a building, are open to the air and are either unroofed or covered only by a Shade Canopy, and are not elevated higher than four (4') feet above Grade or the 1%-Probability Long Term Flood Elevation as determined by the Flood Resilience Standards in Section 22.80 of this Zoning Ordinance, whichever is higher

Amendments to Article 23.000 – Standards for Urban Agriculture

Amend Section 23.20 to read as follows (additions shown in underline, deletions in ~~strikethrough~~):

23.20 ~~Urban Agriculture Definitions~~ [Deleted]

~~**Apiary.** A location or structure on a lot containing one or more beehives and associated beekeeping equipment.~~

~~**Bee.** Any life stage of the common domestic honey bee, *Apis mellifera*.~~

~~**Bee Colony.** An aggregate of worker bees, drones, a single queen, and brood living together as one social unit.~~

~~**Beekeeping.** The housing of one or more bee colonies on a lot for the purpose of collecting products including honey, beeswax, propolis, pollen, and royal jelly, and/or to support the ecological benefits of pollination.~~

~~**Beehive.** A structure intended for the housing of one Bee Colony.~~

Create New Section 23.50 – Standards for Henkeeping

23.51 General Standards for Henkeeping.

- a. Henkeeping is allowed as an accessory use pursuant to Article 4.000 of this Zoning Ordinance, according to the standards herein.
- b. A permit must be obtained from the Cambridge Public Health Department for all keeping of hens, and permit-holders must be in compliance with all local public health regulations and state public health laws in order to keep hens.
- c. Only female chickens (i.e., hens) may be kept. No male chickens (i.e., roosters) are allowed.
- d. Care and disposal of hens must be in accordance with all local public health regulations and state public health laws.

23.52 Number of Hens. No more than six (6) hens may be housed on a lot unless a permit issued by the Cambridge Public Health Department explicitly authorizes a greater number, but in no case shall more than twelve (12) hens be permitted.

23.53 Enclosures.

- a. Hens must be kept within an enclosure consisting of a henhouse and a hen run.
- b. All hen enclosures shall be located at least five (5) feet from a property line, or may be closer to the property line if there is a solid wall, fence, or similar opaque barrier visually screening the enclosure from an abutting property.
- c. A hen enclosure shall not be located in a front yard.
- d. Freestanding henhouses shall not be more than six (6) feet in height and shall cover no more than fifty (50) square feet of lot area.

- e. Freestanding henhouses shall be elevated above ground level to prevent access to rodents and other vermin.
- f. A hen enclosure shall be built in conformance with all applicable building, health, and safety laws, rules, and regulations.