

Raising chickens in the Town of Amherst is regulated by the Zoning Ordinance as per the following excerpt.

No special permit is required for properties zoned Suburban Agriculture provided that the requirements for S-A districts are adhered to and building permits are received for any structures.

In the R-R, R-1, R-2, R-3 and R-4 districts a special use permit must be obtained. To apply for the special use permit obtain the application form from the Building Department, follow the instructions on the form and bring it to the Building Department for filing. In order to file you must submit sufficient documentation to show that you will comply with the 14 requirements listed below.

6-8-9. Raising of Livestock, Noncommercial.

[Amended 1-22-2013 by L.L. No. 2-2013; 5-12-2014 by L.L. No. 11-2014]

A. Where permitted as an accessory use in the S-A district, the raising of livestock, except for chickens as regulated in Chapter 203 § 6-8-9(B), for noncommercial purpose shall be subject to the following standards:

1. The lot size shall be two (2) acres or more;
2. Any structures for the housing of livestock shall be a minimum of 50 feet from any lot line;
3. Fences or other enclosures shall be provided so as to keep the livestock 50 feet from the lot line.

B. In the R-R, R-1, R-2, R-3 and R-4 districts, chickens may be raised upon the approval of a temporary Special Use Permit by the Zoning Board of Appeals (ZBA) in compliance with the following minimum regulations:

1. The raising of chickens shall be conducted as an accessory use on the same premises associated with an occupied single-family detached dwelling as the principal use;
2. The chickens shall be raised for noncommercial purposes;
3. The number of chickens shall be limited to a maximum of six (6);
4. Roosters shall not be allowed. Breeding of chickens on-site shall not be allowed;
5. The Special Use Permit shall be limited to the applicant and shall not be transferable;
6. The raising of the chickens shall be subject to all applicable sanitary, noise and property maintenance regulations, ordinances and laws. Chicken waste shall not be composted or mulched on-site. Chicken waste shall be stored in appropriate containers that do not create any nuisance;
7. Any odor associated with the raising of the chickens shall not be perceptible beyond the property line of the premises where the chickens are being raised;
8. The chickens must be kept in coops or in fenced or walled enclosures (chicken run) at all times so constructed that the chickens can not fly over any fence or wall or otherwise escape from the coop or chicken run. The chickens shall not be allowed to roam freely beyond the property lines of the premises associated with the ZBA application;
9. Feed for the chickens must be stored in secure containers that will not attract rodents, vermin or pests of any type. Unsecured excess feed shall not be allowed;
10. Chickens shall not be allowed in the front yard between the principal structure and a public or private street;
11. Chicken coops or other structures for the housing of the chickens, that are established on or after May 1, 2014, shall be located at least fifteen (15) feet from any property line. Chicken coops or other structures for the housing of the chickens, that exist prior to May 1, 2014, shall be located at least three (3) feet from any property line. The ZBA may require screening of the chicken coop or chicken run as deemed appropriate;
12. The ZBA may require screening of the chicken coop or chicken run as deemed appropriate.

13. The Special Use Permit shall be valid for a maximum of two years. The ZBA may grant approval of the Special Use Permit for a period less than two years. Additional consecutive or non-consecutive Special Use Permits may be granted by the ZBA upon the filing of each new application.
14. The ZBA shall solicit input from property owners within 100 feet of the applicant's property and shall evaluate any complaints that have been received relative to the raising of chickens on the property.
15. Prior to the ZBA hearing for the temporary Special Use Permit, the Building Department shall conduct an inspection of the premises associated with application for the Special Use Permit. The inspection shall note any property maintenance issues and shall include an inspection of the proposed chicken coop (if it exists). The Building Department will provide a report of their findings to the ZBA.