

**CALISTOGA PLANNING COMMISSION
STAFF REPORT**

TO: Chair Manfredi and Members of the Planning Commission
FROM: Lynn Goldberg, Planning & Building Director
Meeting Date: March 12, 2014
Subject: Municipal Code Amendments Related to Chicken-Keeping on Residentially-Zoned Properties (MCA 2014-2)

1 ITEM

2 Amendments to the Calistoga Municipal Code to allow the keeping of chickens in
3 residential zoning districts

4 BACKGROUND

5 Chicken-keeping activities on residential properties are currently not allowed by the
6 Municipal Code and are occasionally brought to Staff's attention to be abated through
7 the code enforcement process.

8 There has been growing community interest in raising chickens on residentially-zoned
9 properties for pest control and non-commercial egg production. This interest is
10 consistent with an increased desire to produce food products locally and to avoid
11 commercial-production practices such as caging and antibiotics.

12 A local resident recently asked the City Council to consider changing the language of
13 the Municipal Code's definition of household pets to include "hens," thereby allowing
14 them to be kept in residential districts. On February 4, 2014, the City Council directed
15 staff to initiate appropriate amendments to the Calistoga Municipal Code to allow
16 chicken keeping.

17 DISCUSSION

18 The keeping of household pets is specifically allowed as an accessory use in the R-1/R-
19 1-10, R-2 and R-3 zoning districts.

20 The Zoning Code defines "household pets," in part, as follows:

21 *Household pets shall mean any animal kept exclusively inside the*
22 *residence for which no special cages or shelters...are required...These*
23 *animals include, but are not limited to, snakes, birds (other than fowl),*
24 *guinea pigs and other animals which are not offensive to a residential*
25 *neighborhood by nature of noise, odor, or other objectionable features...*

26 Staff does not believe it would be appropriate to classify chickens as "pets," since they
27 are kept primarily for their egg-laying capability and not for their companionship (as is a
28 dog or cat), and are kept exclusively *outside*.

29 Therefore, staff proposes to add the keeping of chickens as a separate “accessory use”
30 on most residentially-zoned properties, subject to certain regulations.

31 **PROPOSED CODE AMENDMENTS**

32 Proposed Zoning Code Amendments

33 On-line resources that promote the keeping of chickens generally recommend 10
34 square feet of outdoor space per chicken and 4 square feet of space inside the coop.
35 This space requirement can be usually be met in the R-1 Zoning District, since most
36 properties equal or exceed 6,000 square feet.

37 However, adequate outdoor space is not likely to be available on a multi-family property,
38 which may have limited private outdoor space. Therefore, it is recommended that
39 chicken keeping be allowed in the R-2 and R-3 Zoning Districts only if it is developed
40 with no more than one dwelling unit.

41 Hens lay about five eggs a week, meaning four adult hens could lay approximately 20
42 eggs per week. Staff believes this supply is reasonable to meet the needs of a
43 household. A six-chicken limit is suggested in the RR Zoning District because more
44 chickens can be readily accommodated on the larger lots in this district (i.e., 20,000
45 square feet or more), but the same limit (i.e., four chickens) could be applied to this
46 district.

Zoning District	Proposed Limitations
RR Rural Residential	Up to 6 chickens
R-1/R-1-10 One-Family Residential	Up to 4 chickens on a lot of 6,000 square feet or more
R-2 Two-Family Residential	Up to 4 chickens on a lot of 6,000 square feet or more that is developed with no more than one dwelling unit
R-3 Multi-Family Residential/Office	Up to 4 domestic chickens on a lot of 6,000 square feet or more that is developed with no more than one dwelling unit

47 Chicken-keeping is not recommended in the MHP Mobile Home Park Zoning District
48 due to the high density of residences. The raising of chickens is already allowed as an
49 accessory use in the RR-H District; therefore no changes are needed to that district.

50 Proposed Municipal Code Chapter

51 Staff proposes to add the following Chapter 6.06, Domestic Chicken Keeping, to Title 6,
52 Animals, that would contain the general regulations for chicken keeping that would
53 apply to all zoning districts. The proposed regulations are intended to avoid off-site
54 negative impacts.

55

Chapter 6.06

Domestic Chicken Keeping

6.06.010 Purpose

These regulations are intended to prescribe the conditions under which chickens may be kept on residentially-zoned properties in order to avoid off-site negative impacts.

6.06.020 Number and type

A. *The maximum number of chickens that may be kept on a property shall be determined by the applicable zoning district.*

B. *Only hens may be kept. The keeping of roosters is prohibited.*

6.06.030 Containment

Chickens shall be contained within the rear and/or side yards of the property.

6.06.040 Coops and pens

A. Location

1. *Coops and pens shall be set back a minimum of five feet from side and rear interior property lines.*

2. *Coops and pens shall be located at least 20 feet from any building on a neighboring property used or capable of being used for human habitation.*

B. *Design and maintenance. Coops and pens shall be designed and constructed to securely contain the hens, and prevent rats and other vermin are from being harbored underneath or within the enclosure.*

C. *Maximum height. A coop may be no taller than eight feet in height.*

D. *Building code compliance. A building permit shall be obtained for coop structures exceeding 120 square feet and/or when electricity or plumbing is installed.*

E. *Lighting. Any lighting for a coop or pen shall not create off-site glare.*

6.06.050 Ongoing maintenance and care

A. *Coops and pens shall be maintained in a clean and sanitary condition, and free of vermin, obnoxious smells, substances and noise.*

B. *All feed and other items associated with hen keeping shall be managed to minimize contact with rodents.*

91 **PUBLIC INPUT**

92 A letter has been submitted from a member of the public expressing concerns about
93 allowing the keeping of chickens in the R-3 Zoning District and a preference for
94 maintaining the regulatory status quo (i.e., prohibit the keeping of chickens).

95 **ENVIRONMENTAL REVIEW**

96 Under California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), the
97 “general rule” exemption, where it can be seen with certainty that there is no possibility
98 that the activity in question may have a significant effect on the environment, the activity
99 is exempt from CEQA. The City has determined that the proposed use, if operated
100 under the proposed limitations, would not have an impact on the environment and is
101 therefore exempt from CEQA under the general rule.

102 **RECOMMENDATION**

103 Staff recommends that the Planning Commission recommend to the City Council
104 approval of amendments to the Municipal Code to allow chicken-keeping on
105 residentially-zoned properties, subject to certain regulations.

106 **ATTACHMENTS**

- 107 1. Draft resolution
108 2. Letter dated February 5, 2014