

Excerpt

**MINUTES****CALISTOGA PLANNING COMMISSION****March 12, 2014**

The meeting was called to order at 5:30 pm.

**A. ROLL CALL**

Commissioners present: Chair Jeff Manfredi, Vice Chair Carol Bush, Commissioners Scott Cooper, Tim Wilkes. Absent: Commissioner Paul Coates (excused). Staff present: Planning & Building Director Lynn Goldberg, Senior Planner Erik Lundquist.

**G. NEW BUSINESS**

1. **Municipal Code Amendment MCA 2014-2:** Amendments to the Calistoga Municipal Code to add Chapter 6.06, Domestic Chicken Keeping, and amend the RR, R-1/R-1-10, R-2 and R-3 Zoning Districts to allow the keeping of domestic chickens as an accessory use

Planning and Building Director Goldberg reviewed the proposed Municipal Code amendments that would allow the keeping of chickens as an accessory use in the residential zoning districts, with the exception of the Mobile Home Park District. Four to six chickens would be allowed, depending on the zoning district. General regulations would also be added to the Animals title of the Municipal Code. She noted that letters had been received in support and in opposition to the proposed amendments. Staff doesn't believe it is appropriate to classify chickens as household pets.

**Commissioner Wilkes** thanked staff for the extensive research involved in the preparation of the proposed amendments.

**Chair Manfredi** summarized his conversation with staff earlier in the day, during which he suggested requiring an administrative use permit to allow chicken keeping in all but the Rural Residential Zoning District in order to notify the neighbors.

Ms. Goldberg explained the administrative use permit process and associated cost.

In response to a question from **Commissioner Wilkes** about what would occur if there were neighbor objections to a proposed chicken keeping application, Ms. Goldberg explained that staff's decision could be appealed to the Commission, or staff could choose to refer the application to the Commission without taking action.

**Commissioner Cooper** thinks that requiring an administrative use permit for four chickens is excessive. He asked if a provision could instead be added to the proposed regulations requiring the discontinuation of the chicken keeping based upon the number of complaints received. Ms. Goldberg replied that such a situation could be addressed through the routine code enforcement process.

**Chair Manfredi** opened the public hearing.

**Jeanette Squire** spoke in support of being able to keep back yard chickens. She has chickens and did not realize that they are not currently legal. Allowing four to six chickens seems like the normal amount. The 20-foot minimum setback to a neighboring home for a coop is excessive. The administrative use permit process would be costly and cumbersome.

**David Moon-Wainwright**, 1210 Pine Street, has chickens and has not heard any concerns about them. The neighborhood dogs are louder. Chickens only make noise when laying eggs. Many cities, such as San Francisco, San Jose and Los Angeles, allow chicken keeping. It is not a big nuisance. He is saddened by the possibility of a \$50 fee to get approval for chicken keeping, and the fact that the City would contact the neighbors rather than the property owner. The maximum number of chickens proposed per lot is low; perhaps a greater number could be allowed based upon the lot size.

In response to a question from **Louise Hardesten**, Franz Valley School Road, Ms. Goldberg answered that the proposed regulations prohibit the keeping of roosters.

**Chair Manfredi** closed the public hearing.

**Vice Chair Bush** grew up with chickens in a city and does not find issue with the proposed ordinance.

**Commissioner Wilkes** grew up in Los Angeles and had all types of animals, including chickens. In response to a question from **Commissioner Wilkes** regarding the amount of chickens that would be appropriate to produce eggs for a family, Mr. Moon-Wainwright noted that after about two to three years, the hens lay sporadically, so more than four could be needed to supply a family.

In response to questions from **Commissioner Wilkes** about the proposed minimum lot size for chicken keeping, Ms. Goldberg responded that her intent was to ensure that there was sufficient area in general to minimize potential problems, and she tried not to get into "quality of life" requirements, such as a minimum number of square feet for coops or roaming area. Situations where owners currently exceed the maximum number of chickens would be addressed on a complaint basis.

**Commissioner Cooper** raised chickens in Alaska and leans toward allowing six rather than four chickens per lot. Requiring an administrative use permit to allow chicken keeping does not make sense in this situation.

**Commissioner Wilkes** believes that a public notice requirement would be calling attention to an extraordinary situation, which chicken keeping isn't. He supports the ordinance without the administrative use permit process.

**Vice Chair Bush** agrees with the ordinance as written.

**Chair Manfredi** did not grow up with chickens. He suggested the notification process to get neighbors talking and reduce potential post-approval complaints to the City. But he has no problem with not requiring the administrative use permit; it was just a suggestion. He thinks the overall concept is a great idea; he just hopes that people inform their neighbors.

A motion by **Vice Chair Bush** and seconded by **Commissioner Wilkes** to adopt a resolution recommending the City Council approve amendments to the Municipal Code to allow chicken-keeping on residentially-zoned properties and adopt provisions regulating this use, was approved unanimously.

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Lynn Goldberg  
Planning Commission Secretary

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