



COUNTY OF PLACER
Community Development/ Resource Agency

**PLANNING
SERVICES DIVISION**

Michael J. Johnson, AICP
Agency Director

Paul Thompson, Deputy Director

MEMORANDUM

TO: Honorable Board of Supervisors
FROM: Michael J. Johnson, Agency Director
DATE: March 13, 2012
SUBJECT: Update on the Fowl and Poultry Zoning Text Amendment

BACKGROUND

On February 8, 2011, the Placer County Board of Supervisors adopted a Zoning Text Amendment, known as the Fowl and Poultry Ordinance, that amended Chapter 17 of the Placer County Code to revise the Animal Raising Activity chart located in Section 17.56.050 (D) and amend Section 17.56.050 (F)(6) (Fowl and Poultry) of Chapter 17 to allow the following:

1. The keeping of no more than six chicken hens within the RS (Residential Single-Family), RM (Residential Multi-Family), and RES (Resort) Zone Districts on lots with a minimum gross area of 5,000 square feet. The keeping of roosters, guinea hens, or peahens (peacock family) is prohibited. Single-Family uses in adopted specific plans are subject to this provision.
2. The keeping of no more than 9 chicken hens is permitted on parcels less than one-half acre and in the RF (Residential Forest) Zone District, the keeping of no more than 15 chickens hens is permitted on parcels less than one acre in the -AG (Agriculture Combining) Zone District. The keeping of roosters, guinea hens, or peahens (peacock family) is prohibited.
3. The Zoning Amendment to the Fowl and Poultry Ordinance did not require that the fowl and poultry be penned or corralled.

As part of the Fowl and Poultry Zoning Text Amendment approval, the Planning Services Division was directed to return to the Board of Supervisors one year after the adoption of the ordinance and provide an informational update on any issues or complaints that may have resulted from the adoption.

UPDATE

While the Placer County Code Enforcement Division had received no complaints related to the adoption of the Zoning Text Amendment to the Fowl and Poultry section of the Zoning Ordinance, the Placer County Animal Control Division has received the following seven complaints which are related to the Chicken and Fowl Zoning Text Amendment:

1. The Animal Control Division received a complaint from a neighbor on February 14, 2011 on a property located in the Granite Bay area that the resident's three chickens were straying onto his property. The resident's property is zoned Residential Single-Family combining Agriculture with a 40,000 square foot minimum building site; the chickens were being kept in accordance with the new Fowl and Poultry regulations section 17.56-05(f)6 [b] of the Placer County Zoning Ordinance. The owner of the chickens

agreed to permanently remove the chickens from the property. No additional complaints regarding chickens have been received with regard to this property.

2. The Animal Control Division received a complaint from a neighbor on March 3, 2011 on a property located in North Auburn that the resident's ten chickens were straying onto his property. The resident's property is zoned Residential Single-Family combining Agriculture with a one acre minimum building site; the chickens were being kept in accordance with the new Fowl and Poultry regulations section 17.56-05(f)6 [b] of the Placer County Zoning Ordinance. The owner of the chickens agreed to fix the chicken coop so that the chickens could not fly out of the coop and stray onto the neighbor's property. No additional complaints regarding chickens have been received with regard to this property.
3. The Animal Control Division received a complaint from a neighbor on March 21, 2011 on a property located in a mobile home park in the Granite Bay area that a resident was not adequately cleaning up the manure from his/her ten chickens. The resident's property is zoned Residential Multi-Family; the chickens were being kept in violation of the new Fowl and Poultry regulations section 17.56-05(f)6 [a] of the Placer County Zoning Ordinance, as the zoning of the property limits its resident to a maximum of six chickens. The resident now disposes of the chicken manure on a weekly basis, reducing the odors to an acceptable level, and reduced the number of chickens to the legal number of six. No additional complaints regarding chickens have been received with regard to this property.
4. The Animal Control Division received a complaint from a neighbor on March 22, 2011 on a property located in North Auburn that the resident's 20 chickens were straying onto his property. The resident's property is zoned Residential Single-Family combining Agriculture; the chickens were being kept in violation of the new Fowl and Poultry regulations section 17.56-05(f)6 [b] of the Placer County Zoning Ordinance, as the 6,000 square foot size of property limits its resident to a maximum of nine chickens. The Animal Control Division required that the owner of the chickens confine them to his property and has received no further complaints from the original reporting party or other surrounding property owners.
5. The Animal Control Division received a complaint from a neighbor on March 29, 2011 on a property located in North Auburn that the resident's 9 to 10 chickens were straying onto his property. The resident's property is zoned Residential Single-Family combining Agriculture with a 1-acre minimum building site; the chickens were being kept in accordance with the new Fowl and Poultry regulations section 17.56-05(f)6 [b] of the Placer County Zoning Ordinance. The owner of the chickens agreed to clip the chicken's wings so that they could not fly out of the coop and stray onto the neighbor's property. No additional complaints regarding chickens have been received with regard to this property.
6. The Animal Control Division received a complaint from a neighbor on May 5, 2011 on a property located in North Auburn that the resident's one chicken was straying onto his property. The resident's property is zoned Residential Single-Family combining Agriculture with a minimum building site of 1-acre; the chicken was being kept in accordance with the new Fowl and Poultry regulations section 17.56-05(f)6 [b] of the Placer County Zoning Ordinance. The issue was resolved between the neighbors and no additional complaints regarding chickens have been received with regard to this property.
7. The Animal Control Division received a complaint from a neighbor on January 1, 2012 on a property located in the Sheridan area that the resident's chickens were straying onto his property. The resident's property is zoned Residential Single-Family; the chickens were being kept in accordance with the new Fowl and Poultry regulations section 17.56-05(f)6 [a] of the Placer County Zoning Ordinance. The Animal Control Division did not indicate a specific resolution at the time; however, no additional complaints regarding chickens have been received with regard to this property.

In reviewing the complaints that have been received over the past year regarding the keeping of chickens in residential zoning districts, it is staff's assessment that the ordinance is in fact working as envisioned by the Board of Supervisors. While staff has no quantitative analysis to conclude how many County residents may have or are taking advantage of the ordinance provisions, the fact that only seven complaints have been received over the past year is an indication that the concerns expressed by some residents during the public hearings on the ordinance (i.e., chickens wandering into roadways; chickens subject to animal predation; noise from chickens; odor from chicken manure) are not being realized.

As noted above, the primary complaint received over the past year has focused on chickens not being kept within chicken coops, but rather being allowed to run free. As noted above, there is no requirement that chickens be confined to coops. Based upon observations by the County's Animal Control Division, it is staff's belief that, through ongoing public education, the keeping of chickens in residential zoning districts can co-exist with residential land uses.

Staff will continue to monitor this issue to assure that the ordinance is implemented in a manner consistent with the Board's direction. Should staff identify issues associated with the implementation of the ordinance, staff will bring those issues to the attention of the Board.

cc: Holly Heinzen, Chief Assistant County Executive Officer

