



**City of Grass Valley
City Council and Redevelopment Agency
Agenda Action Sheet**

Council Meeting Date: February 8, 2011

Date Prepared: January 31, 2011

Prepared by: Joe C. Heckel, Community Development Director *JCH*
Thomas Last, Planning Director *TL*

Title: Second reading and adoption of Ordinance 724 amending the Grass Valley Development Code, Title 17, keeping of backyard chickens

Agenda: Consent

Recommended Motion: Conduct second reading and adopt Ordinance 724 amending the Development Code, or Title 17 of the Municipal Code.

Background: On January 25, 2011, the City Council conducted a public hearing, held the first reading, and introduced Ordinance 724, amending the Grass Valley Development Code. The Council, by a 4-1 vote, approved the Planning Commission recommendations, with the following exceptions:

1. Reduced the minimum lot size to 5,000 square feet;
2. Modified the setback of the chicken coop to comply with the side and rear yard setbacks of the applicable zone;
3. Eliminated the requirement for a registration process; and,
4. Eliminated the proposed one-year sunset clause.

Exhibit A to the ordinance includes the above changes.

Funds Available: N/A

Account #: N/A

Route to be Reviewed by:

DL City Administrator

Action:

<input type="checkbox"/>	Approved	<input type="checkbox"/>	Approved with Modifications
<input type="checkbox"/>	Denied	<input type="checkbox"/>	Other

Attachments:

1. Ordinance

ORDINANCE NUMBER 724 N. S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDING THE GRASS VALLEY DEVELOPMENT CODE, TITLE 17 OF THE CITY MUNICIPAL CODE RELATED TO THE KEEPING OF BACKYARD CHICKENS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GRASS VALLEY AS FOLLOWS:

SECTION 1. The Grass Valley Development Code is hereby amended as shown in Exhibit "A".

SECTION 2. In compliance with Chapter 17.94 of the City Development Code, the City Council adopts the following findings in support of these amendments to the Development Code:

1. The proposed amendment is consistent with the General Plan. *Rationale: The proposed amendments allow an accessory use for residential properties that do not conflict with any stated policies in the General Plan.*
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City. *Rationale: The proposed amendments create performance standards intended to protect the public interest, health, safety, convenience, or welfare.*
3. The proposed amendment is internally consistent with other applicable provisions of the Development Code. *Rationale: The proposed changes will maintain internal consistency with other provisions of the Development Code.*
4. On September 21, 2010, the Grass Valley Planning Commission conducted a public hearing on the proposed amendments and provided a recommendation to the City Council.
5. On October 26, 2010, the City Council proposed several changes to the draft ordinance and referred these changes back to the Commission.
6. On November 16, 2010, the Planning Commission provided its recommendations on the proposed changes by the City Council.
7. On January 25, 2011, the City Council conducted a second public hearing, considered the recommendations from the Planning Commission, and approved the proposed amendments as noted in Exhibit "A".

8. The project is exempt from environmental review pursuant to Section 15061 (b) (3) of the California Environmental Quality Act (CEQA).

SECTION 4. The City Council amends the City Development Code, Title 17, through its approval of this ordinance and further adopts and integrates all of the changes to the Development Code, Title 17, of the City Municipal Code as referenced and noted in Exhibit "A".

SECTION 5. This ordinance shall take effect thirty (30) days from and after the date of its adoption and a summary of said ordinance shall be published once within fifteen (15) days upon its passage and adoption in The Union, a newspaper of general circulation printed and published in the Grass Valley Area.

INTRODUCED and first read on the 25th day of January, 2011

PASSED AND ADOPTED this 8th day of February, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

/s/
Jan Arbuckle, Mayor

ATTEST:

/s/
Kristi K. Bashor, City Clerk

APPROVED AS TO FORM:

/s/
Ruthann G. Ziegler, City Attorney

PUBLISH DATE: _____

Exhibit A

Proposed Amendment to the Development Code

1. **Under Article 2, Table 2-10:** Add “Backyard Chickens” to the table as a permitted use in the R-E and R-1 Zones under the Agricultural & Resource Use category. Add a cross reference to section 17.44.230.
2. **Under Article 4:** Add a new section (17.44.230), titled “Backyard Chickens”, with the following text:

17.44.230 – Backyard Chickens

The Section provides requirements and performance standards for the raising and keeping of backyard chickens, where allowed by Article 2 (Zones, Allowable Land Uses and Zone Standards):

- A. **Additional Permitted Zones:** The keeping of backyard chickens may also be allowed within the NC-Flex, NG-2, NG-3, R-2, and R-3 zones.
 - B. **Minimum Lot Size:** The minimum parcel size for the keeping of backyard chickens is 5,000 square feet in size and there shall be no more than one residence on the parcel.
 - C. **Limitation on Number of Chickens.** No more than four (4) chickens shall be kept on any property zoned for such use. Roosters are not permitted.
 - D. **Use Requirements.** The raising of backyard chickens shall only be allowed on properties containing a single family dwelling with a fenced rear yard area. Backyard chickens and their eggs are to be used for domestic uses only; no commercial sales are allowed at the property.
 - E. **Shelter Requirement.** The backyard chickens shall be kept in a secured coop or pen to protect the backyard chickens from predators (raccoons, dogs, bears, etc.). The coop must be located within the rear yard and meet the side and rear yard setbacks of the established district.
 - F. **Feed Storage.** All feed for the chickens shall be stored within an enclosed container to prevent the attraction of vermin.
 - G. **Manure Management.** All chicken manure produced from the backyard chickens shall be managed in a manner that prevents odors, flies and pests.
3. **Under Article 10:** Modify the definition of Animal Keeping as follows:

Animal Keeping. The keeping of farm animals (cows, horses, goats, sheep, hogs and swine, etc. as determined by the Director), fowl or poultry, excluding backyard chickens. Does not include the keeping of common household pets (birds, cats, dogs, fish, etc. as determined by the Director).