

ACCESSORY DWELLING UNIT ZONING CODE AMENDMENT P19-0056

Community & Economic
Development Department

Planning Commission
Agenda Item:
February 21, 2019

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Amendments to Animal Keeping Title 19 (Zoning Code) & Title 8 - Animals

1. Chapter 19.455 – Animal Keeping
2. Use Tables
 - a) Section 19.150.020.A – Permitted Uses Table
 - b) Section 19.150.020.B – Incidental Land Uses Table
 - c) Section 19.150.020.C – Temporary Land Uses Table
3. Chapter 19.740 – Temporary Land Uses
4. Chapter 19.910 – Definitions
5. Chapter 8.18.010 – Definitions



2

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BACKGROUND

1. City's Animal Keeping Regulations
 - a) Title 19 – Zoning: Land use regulations under C&EDD purview
 - b) Title 8 – Animals: Animal welfare under PWD purview
2. Discrepancies and lack of clarity
3. Proposed amendments
 - a) Resolve inconsistencies
 - b) Consider current land use trends



3

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BACKGROUND

3. March 9, 2017 – Planning Commission Workshop
 - a) Discussion on domestic and non-domestic animals
 - b) Commission input: Non-domestic animals are appropriate for larger lots and agriculture areas
4. May 8, 2017 – Land Use Committee (LUC) Workshop
 - a) LUC Input similar to Planning Commission
 - b) Directed Staff to bring animals back to LUC/City Council



4

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BACKGROUND

5. October, 2017 – AB 485 - “Pet Rescue & Adoption Act”

- a) Retail stores cannot sell dogs, cats or rabbits unless from a public animal control agency or shelter
- b) Because of Law – no need for retail sales restrictions or breeder licensing



5

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DISCUSSION – AMENDMENTS

Permitted Uses in RA-5 and RC Zones

1. Chapter 19.100.030 - permitted uses in RA-5 and RC zones
 - a) Allows non-domestic animals & lists animal keeping standards
 - b) Duplicates standards in Chapter 19.455 – Animal Keeping
2. Proposed Amendments
 - a) Chapter 19.100.030 eliminates redundancies



6

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DISCUSSION – AMENDMENTS (Continued)

Kennels and Catteries

1. Addressed in both (Title 19 & Title 8)
2. Proposed Amendments
 - a) Defines “Kennel-Commercial”, “Kennel-Residential”, “Cattery-Commercial” and “Cattery-Residential”
 - b) Title 8 Refers to Title 19
 - c) Definition for “Boarding of Animals” addressed in the Kennel definitions



7

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DISCUSSION – AMENDMENTS (Continued)

Beekeeping

1. Limited to RR, RA-5 & RC zones
 - a) Substantial setback requirements
 - b) Regulations mirror County Department of Environmental Health
2. Proposed Amendments - No changes proposed to the current regulations



8

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DISCUSSION – AMENDMENTS (Continued)

Homing Pigeons (aka, Racing Pigeons)

1. Pigeons - non-domestic animals allowed in RR, RA-5, & RC zones
2. Proposed Amendments
 - a) Homing pigeons permitted in RR, RA-5, RC zones
 - b) Homing pigeons require Minor CUP in R-1 and RE zones
 - c) Min. lot size 20,000 sf
 - d) Max. 25 on lots less than 1-acre and 50 on 1-acre or greater
 - e) Hobby pigeons must be registered
 - f) Other requirements for coops/lofts, sealed feed containers



9

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DISCUSSION – AMENDMENTS (Continued)

Poultry, Crowing Fowl & Rabbits (Current Regulations)

1. Only allowed in RR, RA-5 & RC zones
 - a) Non-domestic animals
 - b) Prior to 2007 Zoning Code, non-domestic animals allowed in all R-1 zones
2. Proposed Amendments
 - a) Allow Non-Domestic Animals in R-1 & RE zones
 - b) No more than five poultry (any combination of chickens, turkeys, ducks or geese) and four rabbits on lots 20,000 square feet or larger
 - c) Turkeys specifically added to definition of "crowing fowl"
 - d) Poultry, rabbits, ducks, geese & turkeys housed 50 feet from any dwelling
 - e) Rabbits – non-domestic



10

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DISCUSSION – AMENDMENTS (Continued)

Temporary Use of Grazing Goats for Weed Abatement

1. Weed management - Eco friendly and Effective for managing fire hazard areas
2. Proposed Amendments
 - a) Allow in all zones subject to a Minor Temporary Use Permit
 - b) Maximum of 20 continuous days per TUP, per site
 - c) Maximum of 3 occurrences per calendar year (60 days total per calendar year)
 - d) Minimum one-acre undeveloped land area - Maximum 75 goats per acre
 - e) Goats in a secure enclosure (temporary fencing & shelter)
 - f) Constant supply of fresh water
 - g) Goats managed & monitored 24 hrs./day
 - h) Required cleaning & maintenance of goat containment areas



11

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RECOMMENDATIONS

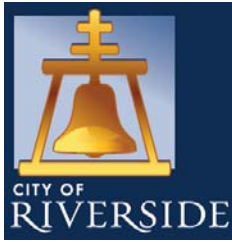
That the Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** that Planning Case P19-0056 (Zoning Code Amendment) is exempt from the provisions of the California Environmental Quality Act as it can be seen with certainty that the code amendment does not have the potential to cause a significant effect on the environment (Common Sense); and
2. **RECOMMEND that the City Council APPROVE** Planning case P19-0056 (AMD) based on the findings outlined in the staff report.



12

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