



City of Arts & Innovation

# Land Use, Sustainability, and Resilience Committee

**TO: LAND USE, SUSTAINABILITY, AND RESILIENCE COMMITTEE**

**DATE: NOVEMBER 13, 2023**

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT**

**WARDS: ALL**

**SUBJECT: WORKSHOP ON POTENTIAL ZONING REGULATIONS FOR CHICKEN KEEPING IN RESIDENTIAL NEIGHBORHOODS**

## **ISSUE:**

Consideration of current regulations in the City of Riverside and other jurisdictions within the region regarding chicken keeping in residential zones.

## **RECOMMENDATIONS:**

That the Land Use, Sustainability, and Resilience Committee:

1. Receive and file report on the City's zoning regulations related to chicken keeping in residential zones; and
2. Provide staff with direction for maintaining or changing the code.

## **BACKGROUND:**

In recent years there has been a growing public interest in urban agriculture, specifically backyard chicken keeping, across the country and within Southern California. Seeking to create sustainable lifestyles in suburban environments, single-family households have turned to keeping small broods of chickens in backyard coops for egg production, natural pest control, and reducing household waste.

Urban chicken keeping and animal keeping more generally have been a topic of discussion among City residents, stakeholders and decision makers throughout the City's recent history. The following is a brief chronology of the City's animal keeping policies within the last 20 years.

### **Animal Keeping Policy in Riverside**

The Riverside Municipal Code (RMC) defines animals under two categories:

- *Animal, domestic* means a small animal type generally accepted as a pet, including dog, cat, rabbit, songbird, rodent, and the like, but specifically excluding chickens, ducks, geese, hooved animals, swine (except pot-bellied pigs) and any other non-domestic animal.
- *Animal, non-domestic* means any animal other than a domestic animal typically kept in a

coop, corral, stable, or pen, including but not limited to equine (e.g., horses, donkeys, and llamas), bovine, porcine and ratite (e.g., ostrich, emu and rhea) species and any variety of fowl.

Prior to 2007, the keeping of non-domestic animals, including chickens, was allowed in R-1 Zones. The 2007 Zoning Code Update made animal keeping provisions more restrictive by allowing only domestic animals in the R-1 Zones. Since then, the subject of chicken keeping has been brought before and Planning Commission and City Council for discussion and consideration on multiple occasions.

On March 9, 2017, the Planning Commission held a workshop to consider and provide feedback on potential amendments to the code regarding animal keeping (Attachment 1). The Commission concluded that keeping non-domestic animals, including chickens, is an agricultural activity more appropriate on larger lots zoned for agricultural uses (Attachment 2).

On May 8, 2017, staff hosted a workshop with the City Council Utility Services, Land Use, and Energy Development Committee to obtain direction on potential amendments to animal keeping (Attachment 3). One Committee member expressed support for the keeping of chickens in residential neighborhoods subject to limitations, including the prohibition of roosters. Two of the three Committee members expressed concerns related to impacts to traffic, noise, and odor; the cost of increased enforcement; and potential illegal activity. In general, the Committee feedback agreed with the Planning Commission, considering chicken keeping more aligned with agricultural uses than incidental residential uses.

On February 21, 2019, staff presented a package of Code amendments related to animal keeping, developed in part from direction received from the Planning Commission and Council Committee (Attachment 4). A part of the proposed package would allow for the keeping of poultry and fowl in the Residential Estate (RE) and Single Family Residential (R-1) Zones subject to the following regulations in response to Commission and Committee feedback:

- A minimum lot size of 20,000 square feet;
- A maximum of 5 poultry (any combination); and
- Housed in a structure with a minimum 50-foot setback from neighboring residences.

The Planning Commission recommended the City Council approve the package and proposed regulations as they were presented (Attachment 5).

On March 26, 2019, the City Council considered the package of animal keeping amendments and the Planning Commission's recommendation (Attachment 6). The item received a spectrum of public comments from supporting the keeping of backyard chickens for eggs, to not supporting the keeping of any poultry or fowl in residential neighborhoods outside of agricultural zones. After discussion, City Council voted to deny the proposed amendments pertaining to chicken keeping in the RE and R-1 zones citing incompatibility with suburban land uses and potential for unsafe conditions impacting the neighborhood. This decision left the existing standards in place, which are still in effect today (Attachment 7).

## **DISCUSSION:**

Title 19 (Zoning) of the Riverside Municipal Code (RMC) permits the keeping of poultry (chickens) and crowing fowl (turkeys, peacocks, ducks, geese, etc.), in the Rural Residential (RR), Residential Agricultural (RA-5), and Residential Conservation (RC) Zones only. These three Zoning districts are considered the City's rural/agricultural zones. Keeping of poultry, crowing fowl, and crowing roosters is prohibited in all other residential zones. Table 1 below details the specific permitting standards for this type of animal keeping by zone.

Table 1: Existing Poultry, Crowing Fowl, and Crowing Rooster Keeping Regulations by Zone

Animal Type	Max #	Min. Lot Size	Setback	Exceed Max
<b>RR Zone</b>				
<b>Poultry</b>	5 with 50' setback 50 with 100' setback	20,000 SF	50' – 100'	MCUP
<b>Crowing Roosters</b>	7	20,000 SF	100'	none
<b>Crowing Fowl</b>	Prohibited	N/A	N/A	N/A
<b>RA-5 and RC Zones</b>				
<b>Poultry</b>	5 with 50' setback 50 with 100' setback	none	50' – 100'	CUP
<b>Crowing Roosters</b>	7	none	100'	none
<b>Crowing Fowl</b>	Prohibited	N/A	N/A	N/A
<b>RE, R-1, R-3, R-4 and Mixed-Use Zones</b>				
<b>Poultry</b>	Prohibited	N/A	N/A	N/A
<b>Crowing Roosters</b>	Prohibited	N/A	N/A	N/A
<b>Crowing Fowl</b>	Prohibited	N/A	N/A	N/A

Staff surveyed regulations of nine Southern California cities that permit urban chicken keeping comparing current regulations and best practices (Attachment 8). All cities surveyed require a structure, coop, or enclosure for any chicken keeping but have varying standards to regulate the land use. Staff is seeking direction the Committee as to:

1. Whether to explore allowing keeping of chickens in the single-family residential zones; and
2. If so, what specific standards, limitations and requirements should apply.

#### Standard 1: Allowable Zones

Of the nine cities surveyed, four cities limited chicken keeping to residential agricultural and/or single-family residential zones (Chino, Fullerton, San Diego, Anaheim). Five of the nine cities permit urban chicken keeping in virtually all residential zones, but also include stringent land use standards (minimum lot size, required setback, etc.) that inherently preclude high density, multifamily, mixed-use, and small-lot developments. Should the Committee move forward with an urban chicken keeping policy, direction on applicable residential zones is required.

#### Standard 2: Required Permit

Of the nine cities surveyed, two require some sort of permit or registration (Long Beach, Pasadena) while seven permit chicken keeping by right. The City of Chino generally permits chicken keeping by right but requires an administrative permit for the keeping of 5-10 chickens in the low density single-family residential zone. Should the Committee move forward with Code amendments, direction is needed on what type of permit (administrative, discretionary, etc.) should be required, and under what circumstances, if at all.

#### Standard 3: Maximum Number

The survey found several different ways to regulate the maximum number of chickens allowed per

property. The City of Fullerton was the only jurisdiction to not have a maximum number of chickens. The City of Pasadena was the only jurisdiction to use a fixed number of 10 chickens maximum in any zone, on any lot size. The City of Anaheim was the only jurisdiction to utilize a lot-area ratio, permitting 1 chicken for every 1,800 square feet of lot area.

Of the cities surveyed, including Riverside, the most common method is a tiered maximum based on a dimensional standard. The cities of Chino, Orange, Temecula, and Rancho Cucamonga allow a larger number of chickens for larger properties and limits the permitted number of chickens for smaller properties. For example, the City of Rancho Cucamonga permits 4 chickens maximum for lots between 7,200 – 9,999 square feet; 5 chickens maximum for lots between 10,000 and 19,999 square feet; and 25 chickens maximum for lots greater than 20,000 square feet.

The cities of San Diego and Long Beach use tiered maximums based on setbacks, allowing for more chickens on properties that can accommodate larger setbacks. For example, in the City of Long Beach up to four chickens are permitted with a 10-foot setback from any adjacent dwelling; up to 10 chickens with a 35-foot setback from an adjacent dwelling; and up to 20 chickens with a 50-foot setback from an adjacent dwelling.

Currently, the RMC uses a tiered method to regulate chicken keeping Zones where permitted. Properties may have a maximum of 5 chickens if setback at least 50 feet from any dwelling and 50 chickens if setback at least 100 feet from any dwelling. Should chicken keeping beyond these Zones be considered, further direction from the Committee is required on the appropriate maximum number of chickens per property, if at all, and the appropriate method of regulation.

#### Standard 4: Minimum Lot Size

The survey found that only two of the nine cities reviewed have a minimum lot size requirement. Because the City of Anaheim uses a lot-area ratio to regulate the number of chickens allowed, there is an implied minimum lot size of 1,800 square feet (which most if not all single-family residential properties will meet). The City of Rancho Cucamonga is the only jurisdiction with a true minimum lot size of 7,200 square feet, typical of a standard single-family residential lot. Currently, the RMC permits chicken keeping in the RR Zone on lots with a minimum area of 20,000 square feet.

Eight of the nine cities do not have a required minimum lot size for chicken keeping but may have other requirements that would restrict areas with an incompatible development pattern from chicken keeping. For example, the City of Orange does not have a minimum lot size requirement but does require a 20-foot setback from all property lines, effectively precluding small-lot and medium to high density residential developments from chicken keeping. As previously mentioned, the cities of Chino, Orange, Temecula, and Rancho Cucamonga use lot size to create tiered limits on the number of chickens allowed, reducing impacts to the surrounding area and ensuring compatibility with the neighborhood. Further direction from the Committee is needed regarding the need for a minimum lot size, or other development standards to address land use compatibility.

#### **STRATEGIC PLAN ALIGNMENT:**

This item contributes to **Strategic Priority 2 – Community Well-Being** and **Goal 2.3** – Strengthen neighborhood identities and improve community health and the physical environment through amenities and programs that foster an increased sense of community and enhanced feelings of pride and belonging citywide, and **Strategic Priority 5 – High Performing Government** and **Goal 5.3** – Enhance communication and collaboration with community members to improve transparency, build public trust, and encourage shared decision-making.

This Project aligns with the following Cross-Cutting Threads:

1. **Community Trust** – The workshop for chicken keeping in residential neighborhoods is presented at an open public meeting and contains transparent information on City processes and regulations.
2. **Equity** – The workshop for chicken keeping in residential neighborhoods seeks to expand access to urban agriculture and independent food sources beyond large agricultural properties to everyday single-family households.
3. **Fiscal Responsibility** – The workshop for chicken keeping in residential neighborhoods may have some fiscal impact, depending on the policy pursued.
4. **Innovation** – The workshop for chicken keeping in residential neighborhoods is seeking best practices that will innovate how the City addresses recent trends toward the urban agriculture movement.
5. **Sustainability & Resiliency** – The workshop for chicken keeping in residential zones seeks to consider ways to promote subsistent food sources, natural pest control, and reduction of household waste.

#### **FISCAL IMPACT:**

There is minimal fiscal impact related to the recommendations in this report. Related workshops and the development and implementation of potential Code amendments would be absorbed within the Community & Economic Development Department's approved budget.

Prepared by: Jennifer Lilley, Community & Economic Development Director  
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Certified as to  
availability of funds: Kristie Thomas, Finance Director/Assistant Chief Financial Officer  
Approved as to form: Phaedra A. Norton, City Attorney

#### **Attachments:**

1. March 9, 2017, Planning Commission Staff Report
2. March 9, 2017, Planning Commission Minutes
3. May 8, 2017, Utility Services, Land Use, and Energy Development Committee Memorandum
4. February 21, 2019, Planning Commission Staff Report
5. February 21, 2019, Planning Commission Minutes
6. March 26, 2019, City Council Memorandum
7. March 26, 2019, City Council Meeting Minutes
8. Jurisdictional Survey Matrix