



CITY OF NEVADA CITY

317 Broad Street • Nevada City, California 95959 • (530) 265-2496

APPLICATION TO REGISTER CHICKENS IN RESIDENTIAL ZONES

This application packet contains filing instructions for property owners and tenants who wish to raise backyard chickens in the "R1" Residential Zoning District. The standards for backyard chicken raising are contained in Ordinance 2011-07, a copy of which is attached. The ordinance permits the raising of chickens in the "R1" Single-family Residential Zone. The highlights of the ordinance include:

1. Number of chickens based on lot size (with maximum of 6 chickens)
2. No roosters or Guinea Hens are permitted (or exotic breeds that are known to be noisy).
3. The coop must be located in rear and behind the residence. The coop must be located closer to the owner's residence than any surrounding residences or at least 20 feet from the nearest abutting residence.
4. Watershed contamination controls shall be ensured (review of erosion and drainage control plan).
5. No slaughtering processes are permitted.
6. No commercial sales of chickens or eggs are permitted.
7. A permit would be required to be submitted and approved at staff level. The permit shall include a site plan indicating location of coop, and acknowledgement that the owner/applicant has received information and guidelines on successful chicken raising. These guidelines have been created with the assistance of A.P.P.L.E. staff.

PROCESS:

Please submit your application packet and required information to the City for processing. Staff will review the information and place the application in the Planning Department base file for the address. A copy of your approved application will be mailed to the applicant.

CHECKLIST:

The following information is required to be submitted along with the application form.

- () 1. Filing fee of **\$50.00** with checks being made payable to City of Nevada City.
- () 2. Signed, completed application form by owner and tenant.
- () 3. Submit a detailed site plan drawn to scale indicating the following:
 - a. Locations of existing residence and other buildings on property and their distances from the property lines.
 - b. Location of coop, including size (Coop must be in rear, behind residence).
 - c. Location and distance of coop from the home and other buildings on the lot.
 - d. Location and distance of coop from property lines (no less than 5 feet).
 - e. Location and distance of coop from adjacent residences (Coop must be located closer to the owners residence than any surrounding residences or at least 20 feet from the nearest abutting residence.)
 - f. Location of fencing.
 - g. Location of waterways, seasonal streams or drainage features, if any.
- () 4. Information on coop construction, indicating materials and how the coop will be predator proof.
- () 5. Other information to ensure no adverse impacts on neighbors, e.g. vegetative screening, etc.



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APPLICATION TO RAISE BACKYARD CHICKENS IN 'R1' SINGLE-FAMILY RESIDENTIAL ZONES

| OFFICE USE ONLY | |
|-----------------|------|
| Filing Fees | |
| Chk | Cash |
| Bus. Lic. | |

Property Owner

Name

Address

City, State

Phone

Tenant, if Different than Owner:

Name

Address

City, State

Phone

Street Address of property: _____

Size of property (measurements and square footage) _____

Number of chickens to be raised (consistent with Ordinance and no more than 6): _____

List Breed(s) of chicken: _____

Describe feed storage procedures to be used to ensure vermin is not attracted:

Erosion and Drainage Control Plans. Describe the measures to be used to ensure that backyard chickens will not cause watershed contamination onto adjoining property properties and that proper drainage measures will be taken. This can be indicated on the site plan. The erosion and drainage control plan will be reviewed and approved by the City Engineer.

OWNERS / TENANTS ACKNOWLEDGEMENT OF RECEIVING INFORMATION RELATED TO SUCCESSFUL CHICKEN RAISING, INCLUDING INFORMATION ON COOP CONSTRUCTION, MANURE MANAGEMENT, FLY CONTROL, ETC.

By signing below, the owners/tenants acknowledge receipt of the above information provided by A.P.P.L.E.

OWNERS AGREEMENT TO ADHERE TO ORDINANCE STANDARDS:

By signing the following, I agree to adhere to the City Ordinance 2011-07. Any deviation from these standards will result in code enforcement procedures from the City, which could result in a fine and/or permit revocation and abatement of chicken raising.

OWNER/TENANT

DATE

APPROVED BY CITY STAFF:

CITY PLANNER Date

CITY ENGINEER Date

ORDINANCE NO. 2011-XX

**AN ORDINANCE OF THE CITY OF NEVADA CITY AMENDING AND
ADDING TO TITLES 6 and 17 OF THE NEVADA CITY MUNICIPAL CODE
PERMITTING RAISING OF BACKYARD CHICKENS
IN CERTAIN RESIDENTIAL ZONES**

WHEREAS, the City Council desires to amend City Municipal Code to permit the raising of chickens in the "R1" Single-family Residential zoning district; and

WHEREAS, the Council has found that the proposed amendment is consistent with the City General Plan; and

WHEREAS the proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the City.

WHEREAS, the Planning Commission held a public hearing on the proposed amendments and provided recommendation to the City Council.

WHEREAS, the amendment is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA), finding this exemption applies to activities covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. With the proposed standards for the keeping of backyard chickens, the Planning Commission finds this code amendment will not cause an impact on the environment;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Nevada City that the following sections of the Nevada City Municipal Code be amended, and as listed more specifically in Exhibit A, attached:

- Title 17, Section 17.24.30 – Accessory Uses (R1 zone)
- Title 17, Section 17.24.80 – Backyard Chicken Standards
- Title 17, Section 17.20.030 – Accessory Uses (RR zone)
- Title 6, Section 6.12.050 – Fowl not to run at large

This Ordinance shall take effect 30 days after the date of its adoption, and prior to the expiration of 15 days from the passage thereof shall be published at least once in the Union, a newspaper of general circulation, published and circulated in the City of Nevada City and henceforth and therefore the same shall be in full force and effect.

ADOPTED AND APPROVED this ___ day of _____, 2011 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Robert Bergman, Mayor

ATTEST:

EXHIBIT 'A'

PROPOSED ADDED LANGUAGE TO TITLE 17, CHAPTER 17.24 R1 ZONE (Single-family Residential)

17.24.030 Accessory uses.

- A. There may be kept miscellaneous household pets and not to exceed two cats and two dogs over ten weeks of age; *and backyard chickens pursuant to Section 17.24.080.*

17.24.080 Backyard Chickens

This Section provides requirements and performance standards for the raising and keeping of backyard chickens on residential parcels as follows:

- A. Definition.** Backyard Chicken shall mean a domestic chick or hen kept on a residential lot. For purposes of this chapter, "backyard chickens" means a domestic chick or hen kept on a residential lot and does not include roosters or Guinea Hens or exotic varieties that are noisy.
- B. Permit Requirement.** A permit shall be required for the raising or keeping of backyard chickens on any R1 zoned parcel. A permit shall be submitted and signed by the property owner. The permit is to be processed ministerially by staff and approved by two staff members, and accompanied by a filing fee in an amount to be determined by resolution of the City Council.

The permit shall contain the following information to ensure the raising of chickens will not have any adverse impacts on surrounding properties:

1. Site plan, drawn to scale, indicating the locations of the existing residence and other buildings on the property.
 2. Distances of buildings from the property lines.
 3. Location of coop and distances from other buildings and the property lines.
 4. Description of coop construction, including size and materials.
 5. Owner acknowledgement of receiving City-approved information which includes guidelines for successful chicken raising, coop construction, predator control, manure management, control of odors and flies, etc.
 6. A site plan indicating the locations of the residence and the coop from the property lines, and sufficient information to ensure the raising of chickens will not have any adverse impacts on surrounding properties.
- C. 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.

D. Lot Size requirement. The following table identifies the maximum number of backyard chickens allowed on a single residential parcel.

MAXIMUM ALLOWABLE BACKYARD CHICKENS

| Zoning District | Minimum Lot Size | Maximum Number |
|------------------------|--------------------------|-----------------------|
| R1-Single Family | 2,500 sq ft | 2 |
| | 5,000 sq ft | 4 |
| | 10,000 sq ft and greater | 6 |

E. Shelter Requirement. A coop shall be provided that meets the following minimum standards:

1. Be predator-proof from the sides, the top, and from below and built for the purpose of protecting the backyard chickens from predators (raccoons, dogs, bears, etc.).
2. The coop must be located in the rear of the property and behind the residence.
3. The coop must be located closer to the owner's residence than any surrounding residences or at least 20 feet from the nearest abutting residence. In no case shall the coop be located less than 5 feet from any property line.

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.

H. Erosion and Drainage Control Plan. The permit shall include an erosion and drainage control plan to be approved by the City Engineer. The plan shall provide measures to be taken to ensure that backyard chickens will not cause watershed contamination onto adjoining properties and that proper drainage measures are taken.

I. Prohibited Uses. The following are prohibited uses:

1. Commercial sales of chickens or eggs.
2. Slaughtering processes.
3. Roosters.
4. Guinea Hens (*or other types of fowl, including exotic breeds that are noisy*)

**PROPOSED ADDED LANGUAGE TO TITLE 17, CHAPTER
17.20 RR ZONE (Rural Residential)**

Italics Added

17.20.030 Accessory Uses.

- D. Farming, including all types of crop and tree farming, grazing and animal raising shall be permitted but not more than one horse, two goats, mule, cow, steer, two swine, or similar livestock shall be kept for each one acre of area in the lot or parcel on which such animals are located. Not more than twelve fowl or other small animals shall be kept on each one acre of area in the lot or parcel. *However, for lots smaller than one acre in size, the following number of fowl shall be permitted.*

MAXIMUM ALLOWABLE BACKYARD CHICKENS

| <i>Minimum Lot Size</i> | <i>Maximum Number</i> |
|---------------------------------|------------------------------|
| <i>2,500 sq ft</i> | <i>2</i> |
| <i>5,000 sq ft</i> | <i>4</i> |
| <i>10,000 sq ft to one acre</i> | <i>6</i> |
| <i>Per each one acre</i> | <i>12</i> |

All animals shall be cared for in a manner that does not create a public health problem, or interfere with the public welfare of surrounding properties. (Ord. 87-2 § 4.02-03, 1987) (*Ordinance 2011-XX, 2011*)

**PROPOSED AMENDMENT TO TITLE 6, SECTION 6.12.050
(Fowl not to run at large.)**

Strikeout noted on word "use"

6.12.050 Fowl not to run at large.

It is declared a nuisance and no person shall suffer or permit any allowed birds and/or fowl, owned or controlled by him or it, to run or fly at large or go upon the premises of any other person in the City. Fowl may only be kept with a valid ~~use~~ permit in the zone permitted by the zoning code of the city. The keeping of fowl is subject to the development standards as stipulated in the zoning code.

Backyard Chicken Information & Guidelines

Prepared by the APPLE Center, for Nevada City & Grass Valley
Contact: Mali Dyck, Executive Director at 478-1700 or mali@applecenter.org

What to consider BEFORE you decide to get backyard chickens:

- 1. Do you or someone in your household have the time and dedication to care for animals?** The answer to this question should be taken seriously. Chickens can not be returned to animal shelters. They are an investment in time and money. Their welfare deserves the utmost respect.
- 2. Where will your coop go?** You must protect your chickens from predators, dogs and pests. You should also be sure that smells will not bother neighbors. Everything eats chicken, so be sure to have an appropriate coop that can be well secured at night from animals such as raccoons, skunks, dogs, mountain lions and in some areas, bears.
- 3. Do you have a compost system in place?** If not, how will you plan to dispose of the manure? Once chicken manure has been composted, it is considered "black gold." Amend your garden soil with composted chicken manure or arrange to give it to someone who will use it. This is an important consideration. If you do not have a method of disposing or composting the manure, you can cause the chickens (and possibly your family) to become ill. Coops that are not cleaned out will attract rodents and pests of all kinds.
- 4. How much will it cost to set up your chickens?** This depends on the number of eggs your family consumes per week. A chicken will lay approximately one egg every 24 hours. During the winter, and during a chickens moult, it may decrease to one egg every 48 hours. Stress will slow things down even further. So, determine the number of chickens you will need, then, plan or purchase a coop that is appropriate for that size. Coops can range from \$100 - \$800 depending on the size and features. Plans are available all over the internet if you plan to build your own.

Other useful information:

Chickens should not be kept in their coops during the day. They should be let out to eat bugs, scratch through the grass, receive essential sunlight and proper activity levels. Depending on where you live, you may have a need for electric fencing or hot wire for your current fencing. These are investments that you will need to plan for up front, but will pay off in a reasonable amount of time. Use materials from Habitat for Humanity's ReStore on Loma Rica Dr. You can build an affordable coop and fence it for a great price!

Your chickens will also need feed. You will want to secure the feed where it can not be reached by rodents and pests. Prevention is everything! Prevent fly larva and rodent infestation by using locked cabinets or air tight plastic containers. There are also specialty containers made just for chicken feed as well. Chickens should have access to both feed and water at all times.

What to do when your chickens get to old to lay eggs? Many people choose to keep the chicken as a pet. Some families choose to have the chicken processed and use it as a "stewing chicken." You can not slaughter or process a chicken anywhere within the city limits. There are a few solutions being considered for this but we do not have any programs available at this time. We suggest you contact the APPLE Center when you face this situation.

Resources for backyard chickens:

Books:

City Chicks: Keeping Micro-flocks of Chickens as Garden Helpers, Compost Makers, Bio-reyclers, and Local Food Producers by Patricia L. Foreman

Chickens in Your Backyard: A Beginner's Guide by Rick Luttmann
(available at the APPLE Center)

The Backyard Homestead: Produce all the food you need on just a quarter acre! by Carleen Madigan

Magazines:

Mother Earth News: www.motherearthnews.com

Backyard Poultry Magazine: www.backyardpoultrymag.com

Local Classes:

A to Z Supply
APPLE Center with Dinner Bell Farm

Great Websites:

www.backyardchickens.com

www.mypetchicken.com

Local Suppliers of chicks, feed and/or materials:

Ridge Feed & Supply
Simply Country: The Farm Store
A to Z Supply
Peaceful Valley Farm and Garden

Email Listserves:

Local Food Coalition (register at localfoodcoalition.org)

EXAMPLES OF CHICKEN COOPS (Provided by A.P.P.L.E.)

