

ORDINANCE NO. 2019- 1126

AN ORDINANCE OF THE COUNTY OF PLUMAS, STATE OF CALIFORNIA, AMENDING CHAPTER 2 OF TITLE 9 (PLANNING AND ZONING) OF THE PLUMAS COUNTY CODE BY ADOPTING ARTICLE 43 "BACKYARD CHICKENS" AND AMENDING A CERTAIN SECTION OF CHAPTER 2 OF TITLE 9 OF THE PLUMAS COUNTY CODE

The Board of Supervisors of the County of Plumas, State of California, ORDAINS as follows:

SECTION 1.

Article 43, "Backyard Chickens"; Section 9-2.1302 of Article 13 of Chapter 2 (Single-Family Residential Zones) of Title 9 of the Plumas County Code are adopted and amended as set forth in Exhibit "A".

SECTION 2.

This ordinance shall become effective 30 days from the date of final passage.

SECTION 3. Codification

This ordinance shall be codified.

SECTION 4. Publication

A summary of this ordinance shall be published, pursuant to Section 25124(b)(1) of the Government Code of the State of California, before the expiration of fifteen days after the passage of the ordinance, once, with the names of the supervisors voting for and against the ordinance, in the *Feather River Bulletin*, *Indian Valley Record*, *Chester Progressive*, and *Portola Reporter*, newspapers of general circulation in the County of Plumas.

The foregoing ordinance was introduced at a regular meeting of the Board of Supervisors on the 12 day of NOV, 2019, and passed and adopted on the 19 day of NOV, 2019 by the following vote:

AYES: Supervisors: SIMPSON, THRALL, ENGEL, GOSS

NOES: Supervisors: NONE

ABSENT: Supervisors: NONE


Chair, Board of Supervisors

ATTEST:

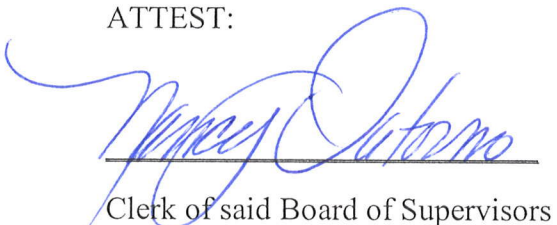

Clerk of said Board of Supervisors

Exhibit "A"

Sec. 9-2.4301. Purpose

The purpose of this article is to define standards that regulate the keeping of chickens on single-family residential parcels while protecting the health, safety, and welfare of the community.

Sec. 9-2.4302. Applicability

This article applies to all Single-Family Residential Zones (2-R, 3-R, 7-R) within the unincorporated area of Plumas County.

Sec. 9-2.4303. Definitions

- (a) "Backyard chickens" or "chicken" shall mean *Gallus gallus domesticus* and does not include other fowl, such as, but not limited to peacocks, turkeys, or water fowl.
- (b) "Chicken coop" or "coop" shall mean an enclosed structure for housing chickens that provides shelter from the elements.
- (c) "Chicken run" or "run" shall mean an enclosed outside yard for keeping chickens.
- (d) "Rooster" shall mean a male chicken.
- (e) "Single-Family Residential" shall mean the following residential zones: 2-R, 3-R, and 7-R.

Sec. 9-2.4304. Maximum Allowable Backyard Chickens

- (a) In the Single-Family Residential Zones, a maximum of six (6) chickens shall be permitted per legal parcel.
- (b) The maximum chickens allowed on any parcel in the Single-Family Residential Zone may be increased to twelve (12) on parcels twice or more the minimum lot area of the zoning.

Sec. 9-2.4305. Standards for the Keeping of Backyard Chickens

(a) General Requirements

- (1) The raising of backyard chickens shall only be allowed on properties containing a single-family dwelling with a fenced rear yard area.
- (2) Chickens shall be provided with a covered roosting area (chicken coop) and an enclosed area in which chickens are allowed to walk and run (a chicken run).
- (3) Chickens shall be contained within the coop, run, or contained within the property boundary at all times.
- (4) The chicken coop and chicken run shall be designed and maintained to be well-drained on the property. There shall be no standing water.
- (5) The chicken coop shall be predator-resistant from the sides, top, and bottom, and the chicken run shall be predator-resistant from the sides and top.
- (6) All grains or other loose feed must be stored in containers with tightly fitting lids to prevent the entrance of vermin.
- (7) Animal waste must be removed and disposed of as set forth below:
 - (i) No person who owns or controls land shall allow any animal waste, including manure, urine, and defecations, to accumulate on the land and cause a public or private nuisance or a danger to public health, such as

fly-breeding conditions and offensive odors. Property owner(s) shall be subject to the requirements of Plumas County Code Sec. 6-10.117 Animal Waste.

- (8) Electrical power supplied to a chicken coop shall be installed under an appropriate building permit.

(b) Design Requirements

- (1) All chickens shall be housed in a coop that is designed to:
 - (i) Be predator-resistant;
 - (ii) Be watertight;
 - (iii) Be thoroughly ventilated;
 - (iv) Be easily accessed and cleaned;
 - (v) Contain one (1) nesting box with no less than one (1 ft³) cubic foot for every four (4) chickens;
 - (vi) Contain a coop area of no less than two (2 ft²) square feet per chicken, excluding nesting boxes; and
 - (vii) Contain the chicken roost(s), feeder(s), and water.
- (2) The chicken run shall be attached to the chicken coop allowing the chickens direct access to and from the chicken coop and be:
 - (i) Predator-resistant;
 - (ii) Thoroughly ventilated;
 - (iii) Easily accessed and cleaned;
 - (iv) Fenced with materials to sufficiently contain the chickens;
 - (v) Constructed with an area of no less than five (5 ft²) square feet per chicken; and
 - (vi) Contain the feeder(s) and water.
- (3) Yards.
 - (i) Front yards: The chicken coop and run shall be located on the rear of the property and behind the residence. For parcels that have a frontage on two (2) sides, the coop and run shall be located on the rear portion of the property that is opposite the side providing street access, with the remaining front having a minimum front yard setback of twenty-five (25') feet from the property line.
 - (ii) Side and rear yards: The coop and run must be located at least twenty (20') feet from the nearest adjoining residence or ten (10') feet from any property line, whichever is greater.
- (4) Height. The chicken coop and run shall not exceed seven (7') feet in height.

Sec. 9-2.4306. Prohibited Uses

The following uses shall be prohibited within the Single-Family Residential zoning:

- (a) Commercial sales of chicken eggs.
- (b) Slaughtering processes.
- (c) Roosters.

Sec. 9-2.1302. - Uses (2-R, 3-R, 7-R).

- (a) The following uses shall be permitted in the Single-Family Residential Zones (2-R, 3-R, 7-R):
 - (1) One dwelling unit; one guest house; and one additional detached dwelling unit on any parcel of twice or more the minimum lot area; and
 - (2) Child day care homes, limited child day care homes, limited residential alcohol and drug recovery facilities, limited residential community care facilities, limited home businesses and bed and breakfast inns.
 - (3) Backyard chickens as set forth in Article 43, Backyard Chickens, of this chapter.
- (b) The following uses shall be permitted subject to the issuance of a special use permit:
 - (1) Alcohol and drug recovery facilities, child day care facilities, community care facilities, 4-H and FFA animal projects, home businesses, parks, places of assembly, public utility facilities, public service facilities, and schools.
- (c) The following uses shall be permitted subject to the issuance of a planned development permit:
 - (1) Dwelling units and manufactured homes, including those in recreation oriented residential developments, at the ratio of up to one dwelling unit or manufactured home for each unit of minimum lot area within the area of the parcel.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 9, Ord. 86-623, eff. February 6, 1986, § 4, Ord. 89-716, effective October 5, 1989, § 1, Ord. 92-787, eff. July 16, 1992, § 2, Ord. 93-817, eff. November 11, 1993, § 6, Ord. 99-924, eff. November 11, 1999; § 1, Ord. 2005-1022, adopted February 1, 2005; and § 2, Ord. No. 2007-1061, adopted November 6, 2007)