



AGENDA CITY OF IONE PLANNING COMMISSION MEETING



Mike McDermed, Chairman • Joe Wylie, Vice Chairman
Mark Hopkins, Commissioner • Mark Gebhardt, Commissioner, Stewart Wilkerson, Commissioner

Regular Meeting
Tuesday, November 8, 2011 at 6:00 p.m.
City Council Chambers, 1 E. Main Street, Ione 95640

PLEASE LIMIT PUBLIC COMMENT/TESTIMONY TO FIVE MINUTES
Gov't. Code §54954.3

The Ione Planning Commission welcomes, appreciates, and encourages participation in the Ione Planning Commission Meeting. The Planning Commission reserves the right to reasonably limit the total time for public comment on any particular noticed agenda item as it may deem necessary.

Full staff reports and associated documents are available for public review at the Office of the City Clerk, City Hall, 1 E. Main Street, Ione, California. Hard copies may be obtained for 10 cents per page. Documents that are not available when the agenda is posted will be made available for public review at the meeting.

AGENDA

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. PUBLIC COMMENT: *EACH SPEAKER IS LIMITED TO 5 MINUTES*

*This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. Persons may address the Ione Planning Commission at this time on any subject within the jurisdiction of the Ione Planning Commission. There is a **5 minute time limit per person.***

Pursuant to the Brown Act, the Planning Commission may not take action or engage in a detailed discussion on an item that does not appear on the Agenda. However, matters that require Commission action will be referred to staff for a report and/or recommendation for possible action at a future Commission meeting.

Is there any person in the audience who wishes to address the Commission at this time?

E. CONSENT CALENDAR:

All matters on the Consent Calendar are approved under one motion unless requested to be removed for discussion by a commissioner or any member of the public.

E.1. Approval of Agenda of November 8, 2011

F. REGULAR AGENDA ITEMS

F.1. Regulations for the Keeping of Chickens on Residential Property. The Planning Commission will review the City's current regulations for the keeping of chickens, as well as regulations from other jurisdictions, and provide direction to staff on possible amendments to the regulations.

G. CITY PLANNER'S REPORT

This item is reserved for the City Planner to comment or report on items not on the agenda. No action will be taken.

H. ADJOURNMENT

FUTURE MEETINGS

December 13, 2011
January 10, 2012

NOTICE REGARDING APPEALS

Pursuant to §17.16.060 of the Zoning Code, appeals of a final action by the Planning Commission must be filed with the City Clerk no later than ten calendar days after the day on which the final action was taken, along with the appropriate fee.

NOTICE REGARDING CHALLENGES TO DECISIONS

Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and or California Public Resources Code Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, this public hearing.

ADA COMPLIANCE STATEMENT

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Clerk Janice Traverso at (209) 274-2412. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

I, Janice Traverso, the City Clerk of the City of Lone, declare under the penalty that the foregoing agenda for the November 8, 2011 regular meeting of the Lone Planning Commission was posted on November 4, 2011 at the office of the City of Lone City Hall at 1 East Main Street, Lone, CA 95640 and was available for public review at that location.

Signed this 4th day of November, 2011 at Lone, California

Janice Traverso, City Clerk, City of Lone



CITY OF IONE PLANNING COMMISSION STAFF REPORT



FOR THE MEETING OF: NOVEMBER 8, 2011

DATE: NOVEMBER 4, 2011
TO: HONORABLE PLANNING COMMISSION
FROM: CHRISTOPHER JORDAN, AICP, CITY PLANNER
SUBJECT: REGULATIONS FOR THE KEEPING OF CHICKENS ON RESIDENTIAL PROPERTY

STAFF RECOMMENDED ACTION:

Staff recommends that the Planning Commission receive the information in this report, take public comment, and provide direction to staff as necessary.

BACKGROUND:

At the October 2011 regular meeting of the Planning Commission, the Commission requested a report on the City's current regulations for the keeping of chickens in residential zoning districts of the City, as well as a summary of what other jurisdictions allow.

ANALYSIS:

Ione Regulations

The City's Municipal Code includes regulations for the keeping of animals on property within the City. These regulations are contained in the following sections of the Code:

- Chapter 6.04 regulates the licensing and control of dogs
- Chapter 6.06 regulates the keeping of goats, horses, sheep, cattle or other bovine or equine animals
- Chapter 17.22 (Attachment 1) mirrors the above chapters and also includes regulations of the keeping of rabbits, chickens, and other fowl.

With specific regard to Chapter 17.22, the Code allows for the keeping of rabbits and chickens, by right, on residential property in the R-1b and R-1c zoning districts. It does not allow for these activities on property in the R-1a district. This limitation has been a restriction in the City since 1958 (Attachment 2)

Attachment 3 is a copy of the City's Zoning Map, illustrating the application of the R-1a and R-1b zoning districts.

Regulations in Other Jurisdictions

Many jurisdictions throughout California have been re-examining their regulations for the keeping of poultry. The table below identifies what some Northern California jurisdictions allow.

Table 1: Summary of Regulations in Other Jurisdictions

Jurisdiction	Regulation
Sacramento	Three hens are allowed by right on residential property. Must be confined to a coop or pen and the pen must be a minimum of 20 feet from any dwelling unit on an adjacent property. Roosters are prohibited.
Elk Grove	Fowl allowed by right in all residential districts. Must be kept a minimum of 40 feet from any property line. However, a maximum of 6 hens may be kept, in cages or coops, without respect to the setback requirement.
Jackson	Only allowed on sites of ½ acre or larger, maximum 10 animals.
Davis	Maximum of 6 chickens allowed by right. Must be kept a minimum of 40 ft. from any dwelling unit on an adjacent property
San Jose	In any area zoned 'residential,' only hens are permitted; no roosters. Setbacks based upon the number of chickens: 1-4 chickens - 15 feet from neighboring structures 4-6 chickens - 20 feet away. A permit is required for more than 6 chickens.

Next Steps

Should the Planning Commission desire to see the regulations amended, direction should be provided to staff. From there, staff will draft the changes and schedule a public hearing for the next available meeting.

ATTACHMENTS:

1. Chapter 17.22
2. 1958 Zoning restrictions
3. Zoning Map

17.22 Agricultural and Residential Districts**Sections:**

- 17.22.010 Chapter Purpose
- 17.22.020 Characteristics of Agricultural and Residential Districts
- 17.22.030 Allowed Land Uses and Permit Requirements
- 17.22.040 Development Standards

17.22.010 Chapter Purpose

The purpose of this Chapter is to establish agricultural and residential Zoning Districts in the City, along with allowed use and development standards applicable to those districts. These districts are consistent with and implement the City's General Plan agricultural land use categories (Agricultural Transition and Agricultural/Mineral Resources) and residential land use categories (Residential Low Density and Residential Medium Density) as shown in Table 17.20.020-1 (Zoning Districts). (Ord. 423, §2, 2009)

17.22.020 Characteristics of Agricultural and Residential Zoning Districts

The following descriptions of each Agricultural and Residential Zoning District identify the characteristic uses, intensity of uses, and level of development intended for that district.

- A. **Agricultural (A) Zoning District.** This district is intended to preserve land for agricultural use and operations and to discourage the premature conversion of agricultural land to urban uses. The district allows for a range of agricultural and compatible uses on large tracks of land, such as raising and grazing of livestock, poultry, or other animals; growing and harvesting of trees, fruits, vegetables, flowers, grains, or other crops; storage, packing or processing of agricultural products produced on the property, without changing the nature of the products; sale on the property of products produced thereon, provided that such uses are carried on by residential use thereof, and are not a nuisance to the contiguous properties; and one-family dwellings and single guesthouses, with the renting of not more than one room.
- B. **One-family Dwelling (R-1) Zoning Districts.** These districts are established to provide sufficient space in appropriate locations for single-family residential development to meet the needs of the City's present and expected future population with due allowance for the need for a choice of sites. There are three individual one-family districts as listed below. The general character of each of the districts intended to help guide development within the district, consistent with and accompanying applicable descriptions in the General Plan as established by Table 17.20.020-1 (Zoning Districts).
 - 1. R-1a One-Family Zoning District: This district should be applied to areas that are primarily residential, consisting of one-family dwellings. This district also provides for public and quasi-public uses, such as schools, parks, churches, and nurseries.
 - 2. R-1b One-Family Zoning District: This district should be applied to areas that are semi-rural but primarily residential in nature and supportive of small-scale animal keeping. Residential dwelling types consist of single-family dwellings. This district also provides for public and quasi-public uses, such as schools, parks, churches, and nurseries.

3. R-1c One-Family Zoning District: This district should be applied to areas that are primarily semi-rural in nature, consisting of single-family dwellings. This district also provides for public and quasi-public uses, such as schools, churches, and nurseries.
- C. **Multiple-family Dwelling (R) Zoning Districts.** These districts are established to provide sufficient space in appropriate locations for multiple-family residential development to meet the needs of the City's present and expected future population with due allowance for the need for a choice of sites. There are three individual multiple-family districts as listed below. The general character of each of the districts is intended to help guide development within the district, consistent with and accompanying applicable descriptions in the General Plan as established by Table 17.20.020-1 (Zoning Districts).
1. R-2 Limited Multiple Family Dwelling Zoning District: This district should be applied to areas intended for the development of higher density single-family homes (attached or detached) and medium density homes, such as condominiums, duplexes, tri-plexes, and four-plexes, in addition to small apartment complexes. This district also provides for public and quasi-public uses, such as schools, parks, churches, and nurseries.
 2. R-3 Multiple-family Dwelling Zoning District: This district should be applied to areas intended for the development of higher density single-family homes (attached or detached) and medium density homes, such as condominiums, duplexes, tri-plexes, and four-plexes, in addition to multiple-family housing, such as apartment complexes. This district also provides for public and quasi-public uses, such as schools, parks, churches, and nurseries.
 3. R-4 High Density Multiple Family Zoning District: This district should be applied to areas intended for the development of larger, higher density multiple-family housing complexes, including apartments and condominiums. This district also provides for public and quasi-public uses, such as schools, parks, churches, and nurseries.
- D. **Mobile Home Park (MP) Zoning District.** This district provides for the development of mobile home parks and/or the placement of mobile homes on individual lots within an approved subdivision of lots to accommodate mobile homes as the primary dwelling unit. The MP Zone also allows for the development of associated support uses, such as community centers, parks, and common areas as part of both mobile home parks and mobile home subdivisions. (Ord. 423, §2, 2009, Ord. 430, §2, 2009)

17.22.030 Allowed Land Uses and Permit Requirements

Table 17.22.030-1 (Allowed Uses and Permit Requirements for Agricultural and Residential Zoning Districts) below identifies allowed uses and corresponding permit requirements for the Agricultural and Residential Zoning Districts subject to compliance with provisions of this Title. Descriptions/definitions of the land uses can be found in Article 5 (Glossary).

Use regulations in the table are shown with representative symbol by use classification listing: "P" symbolizes uses allowed by right, "C" symbolizes uses that require approval of a Conditional Use Permit, and "N" symbolizes uses that are not permitted. (Ord. 423, §2, 2009)

Table 17.22.030-1: Allowed Uses and Permit Requirements for Agricultural and Residential Zoning Districts

Land Use \ Zoning District	A	R-1a	R-1b	R-1c	R-2	R-3	R-4	MP
Residential Uses								
Adult Day Care Home	N	P	P	P	P	P	P	N
Caretaker Housing	P	P	P	P	P	P	P	P
Dwelling, Multifamily	N	N	N	N	P	P	P	N
Dwelling, Second Unit	P	P	P	P	P	P	P	P
Dwelling, Single Family	P	P	P	P	P ¹	P ¹	N	N
Dwelling, Two-Family	N	N	N	N	P	P	P	N
Dwelling, Three- and Four-Family	N	N	N	N	P	P	P	N
Emergency Shelter	N	N	N	N	N	N	C	N
Employee Housing	P	N	N	N	N	N	N	N
Family Day Care Home, Large	C	C	C	C	C	C	C	C
Family Day Care Home, Small	P	P	P	P	P	P	P	P
Group Residential	N	N	N	N	C	C	P	N
Guest House	P	P	P	P	P	N	N	N
Home Occupations	P	P	P	P	P	P	P	P
Live-Work Facility	N	N	N	N	C	C	C	N
Manufactured Home	P	P	P	P	P	P	P	P
Mobile Home	N	N	N	N	N	N	N	P
Mobile Home Park	N	N	N	N	N	N	N	P
Residential Care Home	P	P	P	P	P	P	P	P
Single Room Occupancy (SRO) Facilities	N	N	N	N	N	C	C	N
Supportive Housing	P	P	P	P	P	P	P	P
Transitional Housing	P	P	P	P	P	P	P	P
Agriculture, Resource, and Open Space Uses								
Agricultural Tourism	P	N	N	N	N	N	N	N
Animal Husbandry	P	N	N	C	N	N	N	N
Animal Keeping – Domestic Pets	P	P	P	P	P	P	P	P
Animal Keeping – Exotic Animals	P	P	P	P	P	P	P	P
Animal Keeping – Livestock Animals	P ^{2,3}	P ^{2,3}	P ^{2,3}	P ^{2,3}	N	N	N	N
Animal Keeping – Poultry/Rabbits	P	N	P ⁴	P ⁴	N	N	N	N
Crop Production	P	N	N	N	N	N	N	N
Equestrian Facility, Commercial	P	N	N	N	N	N	N	N
Equestrian Facility, Hobby	P	N	N	N	N	N	N	N
Hog Farm, Commercial	P ⁵	N	N	N	N	N	N	N
Kennels, Hobby	P	N	N	C	N	N	N	N
Recreation, Education, and Public Assembly Uses								
Cemeteries, Mausoleums	C	C	C	C	C	C	C	C
Clubs, Lodges, and Private Meeting Halls	C	C	C	C	C	C	C	C
Community Centers/Civic Uses	C	C	C	C	C	C	C	C
Community Garden	P	P	P	P	P	P	P	P
Indoor Fitness and Sports Facility	N	N	N	N	N	P	P	P



Land Use \ Zoning District	A	R-1a	R-1b	R-1c	R-2	R-3	R-4	MP
Libraries and Museums	C	C	C	C	C	C	C	C
Outdoor Commercial Recreation	C	C	C	C	C	C	C	C
Parks and Public Plazas	C	P	P	P	P	P	P	P
Public Safety Facility	C	C	C	C	C	C	C	C
Recreational Vehicle Parks	N	N	N	N	N	N	N	C
Religious Institutions	C	C	C	C	C	P	P	C
Resource Protection and Restoration	C	C	C	C	C	C	C	C
Resource-Related Recreation	C	N	N	N	N	N	N	N
Schools, Charter	C	C	C	C	C	P	P	C
Schools, Private and Special/Studios	C	C	C	C	C	P	P	C
Schools, Public	P	P	P	P	P	P	P	P
Utility, Transportation, and Communication Use Listings								
Airport	C	N	N	N	N	N	N	N
Bus and Transit Shelters	P	P	P	P	P	P	P	P
Heliports	C	C	C	C	C	C	C	C
Park and Ride Facility	C	N	N	N	N	C	C	N
Public Safety Facility	C	C	C	C	C	C	C	C
Wireless Communication Facility	C	C	C	C	C	C	C	C
Utility Facility and Infrastructure	P	P	P	P	P	P	P	P
Retail, Service, and Office Uses								
Adult Day Care Facility	N	N	N	N	C	P	P	N
Bed and Breakfast Inns	P	N	N	C	C	P	P	N
Child Day Care Facility	C	C	C	C	C	P	P	C
Kennels, Commercial	P	N	N	N	N	N	N	N
Medical Services, Extended Care	N	N	N	N	N	C	P	N
Medical Services, Hospitals	N	N	N	N	C	C	C	C
Residential Care Facility	N	N	N	N	C	C	P	N

(Ord. 430, §2, 2009)

Notes:

1. Single family dwellings are permitted provided the lot size does not exceed 4,000 square feet. (Ord. 430, §2, 2009)
2. Maximum of four animals and their offspring per acre; hogs limited to a total of five and their offspring.
3. Consistent with Chapter 6.06 (Equine and Bovine Animals), such animals may be maintained provided the exterior boundaries of the pen or stable are at least 100 feet from any school, church, public building, hotel, restaurant, hospital, or other building specially designed or used for the care of the sick or injured or of a residence of any person other than the residence occupied by the owner of the animal or animals. If the distance from the pen or stable is less than 100 feet, then a Conditional Use Permit shall be required.
4. No more than 12 of any one combination of such animals or fowl may be maintained on one lot. The keeping of such fowl and animals shall conform to all other provisions of law governing the same and no fowl or animals nor any pen or coop shall be kept or maintained within 50 feet of any dwelling or other building used for human habitation, or within 100 feet of the front lot line of the lot upon which it is located, or within 100 feet of any public park, school, hospital, or similar institution (Ord. 51 §5.00(B), 1958).
5. Limit of 12 of any combination of such animals total. Pen must be setback a minimum of 50 feet of any dwelling or other building used for human habitation, 100 feet from the front lot line, and 100 feet from any public park, school, hospital, or similar institution. (Ord. 423, §2, 2009)

17.16.010 – 17.16.030

Chapter 17.16R-1a ONE-FAMILY DWELLING ZONESections:

- 17.16.010 Applicability.
- 17.16.020 Uses permitted.
- 17.16.030 Building height.
- 17.16.040 Front yard.
- 17.16.050 Side yard.
- 17.16.060 Rear yard.
- 17.16.070 Area requirements.
- 17.16.080 Distance between buildings.

17.16.010 Applicability. The regulations set forth in this chapter shall apply in the R-1a one-family dwelling zone unless otherwise provided in this title. (Ord. §4.00, 1958).

17.16.020 Uses permitted. The uses permitted in the R-1a zone shall be as follows:

- A. A one-family dwelling;
- B. The accessory buildings necessary to such use located on the same lot or parcel of land, including a private garage, the capacity of which shall not exceed three automobiles;
- C. Maintaining mail address for commercial, professional and business license purposes only, provided no stock-in-trade, supplies, professional equipment, apparatus or business equipment are kept on the premises, and provided that no employees or assistants are engaged for said services on the premises;
- D. One unlighted sign of not to exceed one-half square foot in area attached to and parallel with the front wall of the building, and containing only the name and title or occupation of the occupant;
- E. One sign of not to exceed four square feet in area advertising the premises for sale, lease or rent, located not nearer than ten feet to adjoining premises, nor nearer than five feet to a street line.
- F. Private greenhouses and horticultural collections, flower and vegetable gardens, fruit trees. (Ord. 51 §4.01, 1958).
- G. Secondary dwelling units subject to the provisions of Chapter 17.82 of this Title. (Ord. 380 §17.16.020, 2003).

17.16.030 Building height. The maximum building height in the R-1a zone shall be two and one-half stories and not exceed thirty-five feet. (Ord. 51 §4.02, 1958).

17.16.040 – 17.16.080

17.16.040 Front yard. There shall be a front yard of not less than twenty-five feet (Ord. 51. §4.03, 1958).

17.16.050 Side yard. There shall be a side yard on each side of a main building of not less than six feet on each side and the combined side yard setbacks shall be not less than fifteen feet, except that on the street side of corner lots there shall be a side yard of not less than twelve feet. Within required side yards, at least one side shall provide four feet of unobstructed surface so as to allow access from front yard to rear yard. Additionally, all second story portions of a main structure shall be located no less than thirteen feet from side property lines. (Ord. 368 § 1 (part), 2000; Ord. 51 §4.04, 1958).

17.16.060 Rear yard. There shall be a rear yard behind every main building or not less than twenty-five feet or twenty-five percent of the depth of the lot, whichever is less. (Ord. 51 §4.05, 1958).

17.16.010 Area requirements. The minimum lot area shall be not less than seven thousand five hundred square feet per dwelling unit; provided, however, that when a lot has less than herein required and was recorded at the time of the passage of this title, said lot may be occupied by not more than one dwelling unit. (Ord. 324 § 1, 1992; Ord. 51 §4.06, 1958).

17.16.080 Distance between buildings.

A. There shall be a minimum distance of six feet between a building used for dwelling purposes and an accessory building.

B. There shall be a minimum distance of six feet between accessory buildings. (Ord. 51 §4.07, 1958).

Chapter 17.20

R-1b ONE-FAMILY DWELLING ZONE

Sections:

- 17.20.010 Applicability.
- 17.20.020 Uses permitted.
- 17.20.030 Area requirements.

17.20.010 Applicability. All regulations in the R-1b zone shall be the same as in the R-1a zone, except as set forth in this chapter. (Ord. 51 §5.00(part), 1958).

17.20.020 Uses permitted. In addition to the uses permitted in the R-1a zone, the following uses are permitted: Poultry, rabbits, or similar livestock raised for food, scientific or fur bearing purposes, provided not more than twelve of any one or combination of such animals or fowl may be maintained on one lot. The keeping of such fowl and animals shall conform to all other provisions of law governing same, and no fowl or animal's-nor any pen or coop shall be kept or maintained within fifty feet of any dwelling or other building used for human habitation, or within one hundred feet of the front lot line of the lot upon which it is located, or within one hundred feet of any public park, school, hospital or similar institution. (Ord. 51 §5.00(B), 1958).

17.20.030 Area requirements. The minimum lot area shall be not less than six thousand five hundred square feet per dwelling unit; provided, however, that when a lot has less than herein required and was recorded at the time of passage of the title, said lot may be occupied by not more than one dwelling unit. (Ord. 324 §2, 1992: Ord. 51 §5.00(A), 1958).

Chapter 17.24

R-1c ONE-FAMILY DWELLING ZONE

Sections:

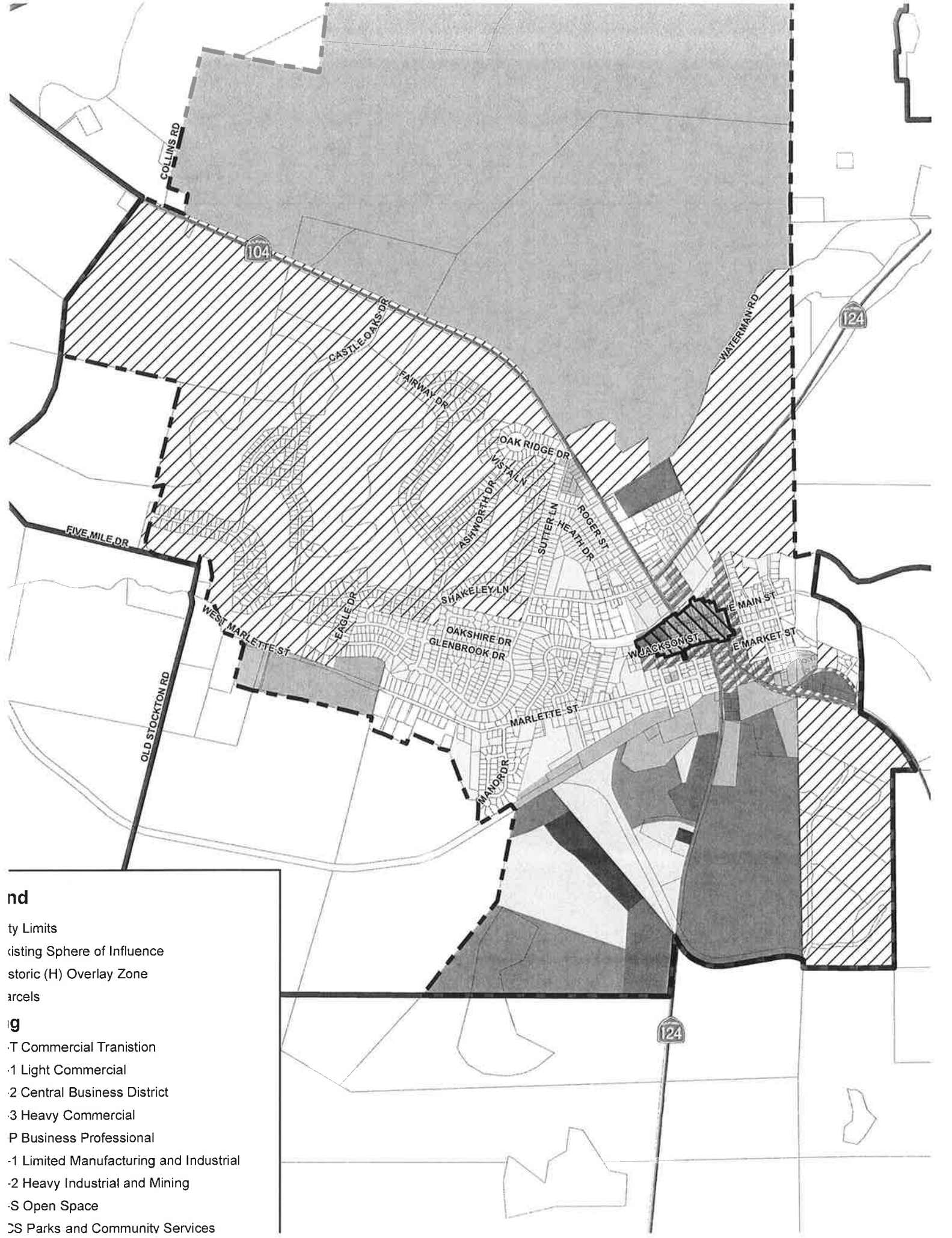
- 17.24.010 Applicability.
- 17.24.020 Yards.
- 17.24.030 Lot area.
- 17.24.040 Ground floor area.

17.24.010 Applicability. All regulations of the R-1c zone shall be the same as in the R-1a zone, except as set forth in this chapter. (Ord. 189 §2(part), 1977; Ord. 51 §5b.00(part), 1958).

17.24.020 Yards. The front and rear yard shall not be less than thirty feet, and the side yards shall not be less than fifteen feet. Within required side yards, at least one side shall provide four feet of unobstructed surface so as to allow access from front yard to rear yard. (Ord. 189 §2(part), 1977; Ord. 51 §5b.00(B), 1958).

17.24.030 Lot area. The minimum lot area shall be not less than ten thousand square feet per dwelling unit; provided, however, that when a lot has less area than here-in required and was recorded at the time of the passage of this title, said lot may be occupied by not more than one dwelling unit. (Ord. 189 §2(part), 1977; Ord. 51 §5b.00 (A), 1958)

17.24.040 Ground floor area. For residential buildings the minimum ground floor area, exclusive of open porches or garages, shall not be less than fifteen hundred square feet. (Ord. 189 §2(part), 1977; Ord. 51 §5b.00(C), 1958).



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- ty Limits
 - isting Sphere of Influence
 - storic (H) Overlay Zone
 - arcels
- ig**
- T Commercial Transtion
 - 1 Light Commercial
 - 2 Central Business District
 - 3 Heavy Commercial
 - P Business Professional
 - 1 Limited Manufacturing and Industrial
 - 2 Heavy Industrial and Mining
 - S Open Space
 - CS Parks and Community Services