



CITY OF LONG BEACH

OFFICE OF SUSTAINABILITY

333 West Ocean Blvd., 13th Floor ■ Long Beach, CA 90802 ■ (562) 570-6396 ■ FAX (562) 570-6583

December 1, 2010

CHAIR AND SUSTAINABLE CITY COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Forward a report on Urban Agriculture Ordinances to the appropriate City Council Committee for their consideration.

DISCUSSION

As more and more cities see an increase in urban agricultural practices such as backyard gardening, community gardens, and urban farms, they are also realizing city codes and ordinances do not support, or are in conflict with these types of activities. Urban agriculture practices are a key component to a sustainable city and when implemented correctly, can effectively balance humane and sanitary methods of food production with quality of life improvements.

The City of Long Beach presently has five ordinances that restrict keeping animals for food production. These existing ordinances limit urban agriculture to specific areas of the City, provide specific setback requirements, and limit the number and types of allowed animals (Exhibit A – Existing Ordinances). These ordinances also address sanitary and humane conditions and provide requirements for properly keeping animals to avoid nuisance.

Numerous other cities have adopted urban agriculture ordinances. Local examples include Los Angeles, Anaheim, Downey, Irvine, Lakewood, and Los Altos. (Exhibit B – Local Chicken Laws). Some cities are revisiting and revising their urban agriculture ordinances in response to growing interest in local food production. The City of Seattle has adopted changes to their municipal code in response to a growing number of residents who expressed interest in keeping animals for food production. The City of Seattle changed setback requirements for lots in urban areas for chicken coops, and removed setback requirements for goats (Exhibit C – Seattle Municipal Code). The City of Vancouver has approved amendments to their Animal Control, Zoning, and Development bylaws (Exhibit D – By-law no. 10065) to allow people to keep hens on their property.

Common issues surrounding the keeping of animals in an urban setting include noise, smell, pest control, and neglect. Local jurisdictions have addressed these issues through specific rules, enforcement, and public education campaigns. Incorporating requirements for the number of animals, appropriate shelter and maintenance, and vector control helps alleviate issues of noise, smell, and neglect.



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Working closely with Health and Animal Control operations have resulted in city ordinances that enable urban agriculture but control animal care and reduce the likelihood of enforcement. Addressing concerns over the rise in complaints as a result of more residents having backyard animals for food production is an important part of the process of revising urban agriculture rules.

Public education campaigns in conjunction with new urban agriculture ordinances have been an effective tool in educating the public about urban agriculture. Whether for the neighbors of residents who will be keeping these animals, or for the animal keepers themselves, education on laws and codes, proper sanitation, and raising practices are crucial to reassuring all city residents that urban agricultural practices are safe and valuable. These types of campaigns are exemplified by the City of Seattle who has provided a wealth of resources on their website to educate people on how to raise animals for food production in safe, healthy, and humane ways (Exhibit E – Resources for residents who want to raise chickens in Seattle). The City of Vancouver has also addressed health and safety concerns by creating a hen registry, publishing comprehensive information on how to care for hens, and including direct web links to city regulations that explain the laws and codes for keeping hens.

TIMING CONSIDERATIONS

None.

ENVIRONMENTAL IMPACT

The distance that food travels from its original source to the grocery store has greatly increased over the last century. With this increase in travel also comes an increase in carbon dioxide emissions, the primary gas associated with climate change. Allowing people to keep animals for food production will give them the opportunity to reduce their carbon footprint by bringing them closer to the source of their food.

SOCIAL IMPACT

The importance of equal access to healthy, nutritional food is integral to sustaining a healthy community. By reviewing and revising Long Beach's requirements for keeping animals for food production, additional Long Beach residents will be able to participate in urban agriculture practices that they will benefit from nutritionally and economically.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MEREDITH REYNOLDS
SUSTAINABILITY COORDINATOR

CHAIR AND SUSTAINABLE CITY COMMISSIONERS

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AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

MR

Attachments: Exhibit A – City of Long Beach Existing Ordinances
 Exhibit B – Local Chicken Laws
 Exhibit C – Seattle Municipal Code
 Exhibit D – By-Law No. 10065
 Exhibit E – Resources for Residents (Seattle)

Long Beach Municipal Code – Title 6 (Animals)

6.16.010 - Livestock—Running at large—Distance from habitation.

No person responsible for any ox, steer, bull, cow, calf, horse, mare, stallion, colt, jack, mule, sheep, goat or hog, shall permit the same, of any thereof, to run at large or pasture, herd, stake, tie or stable any thereof in any of the streets, avenues, places, lanes, alleys, parks or other public places in the city, or tie, stake, pasture, stable, or otherwise keep any thereof upon any private property in the city so as to permit any thereof to approach nearer than one hundred (100) feet to any building used or occupied or designed for use and occupancy as a residence for human habitation other than such building so occupied by the person responsible for any such animal, and other than such building, the occupant of which continues his or her consent to the closer approach of any such animal.

6.20.010 - Definitions.

The following words, as used in this chapter, shall have the signification attached to them in this section, unless otherwise clearly apparent from the context:

A."Coop" means and includes any pen, coop or enclosure wherein live fowl are kept and maintained.

B."Crowing fowl" means and includes any male fowl capable of making a sound peculiar to its species or type.

C."Fowl" means and includes male and female chicken, duck, goose, seafoal, peacock, turkey and pheasant.

(Ord. C-7781 § 1, 2001)

6.20.020 - Fowl—Number restricted.

No person shall keep or maintain more than a total of twenty (20) live fowl or any combination of such animals on any lot or parcel of land within the city.

(Ord. C-7781 § 1, 2001)

6.20.030 - Fowl—Distance from dwelling.

A.Except as provided in Subsection 6.20.030.B., no person shall keep or maintain any live fowl within the city less than fifty feet (50') from any single-family or two-family dwelling or less than one hundred feet (100') from any hotel or dwelling occupied by, or designed for the occupancy of three (3) or more families.

B. One (1) live fowl may be kept or maintained as a pet on any lot or parcel of land within the city, provided that the pen, coop or other such enclosure for any such pet fowl shall be no less than twenty feet (20') from any structure designed or used for human habitation.

(Ord. C-7781 § 1, 2001)

6.20.050 - Crowing fowl prohibited.

No person shall keep or maintain or cause to be kept or maintained any crowing fowl.

(Ord. C-7781 § 1, 2001)

6.20.060 - Fowl—Dealers exempt.

Nothing contained in this chapter shall be deemed to prohibit the keeping of fowl by regularly licensed dealers for the purpose of sale at their respective places of business. Such animals shall be kept and maintained in a clean and sanitary condition and such dealers shall conform to and abide by the rules and regulations of the health department with reference to the keeping of such animals on the premises of such dealers.

(Ord. C-7781 § 1, 2001)

6.20.070 - Fowl—Enclosure sanitation.

Wherever live fowl are permitted to be kept or maintained in the city, no person, so keeping or maintaining such fowl, shall fail at any time to keep the coops, pens or yards wherein such fowl are enclosed in a clean and sanitary condition nor shall fail to remove the manure or other debris from such enclosures daily. No person shall fail to conform to and abide by the rules and regulations of the health department with reference to the keeping of such fowl in such enclosures.

(Ord. C-7781 § 1, 2001)

6.20.080 - Fowl—Running at large prohibited.

No person shall allow any fowl owned or controlled by such person to run at large.

(Ord. C-7781 § 1, 2001)

6.20.090 - Fowl—Impoundment—Food and water.

No person shall impound any live fowl unless provision is made by such person for the proper feeding and the furnishing of water to such fowl at intervals not longer than twelve (12) hours apart.

(Ord. C-7781 § 1, 2001)

6.20.100 - Fowl—Impoundment—Coop size.

No person shall impound any live fowl in a coop which is less than twice as large in floor space or standing room as the total size of all live fowl which may be impounded therein, and which is not sufficiently high as to permit each fowl impounded therein to stand in a natural erect position.

(Ord. C-7781 § 1, 2001)

6.20.130 - Goats—Location.

No person shall keep or maintain any live goat within that portion of the city lying south of Anaheim Street and east of the Los Angeles River flood control channel.

(Ord. C-7781 § 1, 2001)

6.20.140 - Goats—Number.

No person shall keep or maintain more than one (1) live goat in any portion of the city.

(Ord. C-7781 § 1, 2001)

6.20.150 - Goats—Distance from dwelling.

No person shall keep or maintain any live goat in the city within one hundred (100) feet of any residence or place of habitation except as provided in Section 6.16.010.

(Ord. C-7781 § 1, 2001)

6.20.160 - Rabbits or goats—Enclosure sanitation.

Wherever live rabbits or goats are permitted to be kept or maintained in the city, no person so keeping or maintaining such rabbits or goats shall fail at any time to keep the pens, hutches, spaces or other enclosures wherein such rabbits or goats are enclosed in a clean and sanitary condition or fail to remove the manure or other debris from such enclosures daily. No person shall fail to conform to and abide by the rules and regulations of the health department with reference to the keeping of such rabbits or goats in such enclosures.

(Ord. C-7781 § 1, 2001)

6.20.170 - Rabbits and goats—Running at large prohibited.

No person shall allow any rabbits or goats owned or controlled by such person to run at large.

6.24.010 - Beehives.

A.No person shall establish or maintain a beehive at a distance less than one hundred (100) feet from a dwelling, except the dwelling occupied by the person establishing or maintaining the beehive.

B.No person shall establish or maintain a beehive at a distance less than one hundred (100) feet from a public way.

C.No person shall establish or maintain a beehive at an elevation less than ten (10) feet above the ground.

D.For the purposes of this section, a "beehive" means any box, container, structure, chamber or shelter within which bees are kept or of which bees have taken possession.

E.For the purposes of this section, the term "dwelling" means any place of human habitation.

(Prior code § 5620.4)

California Chicken Laws

Los Angeles, CA.

Number of chickens you can keep is unlimited. Chickens may not be within 20 feet of owner's residence, and must be at least 35 feet from any other dwelling.

Anaheim, CA.

Can keep 3 chickens on a 5,000 sq.ft. lot, 6 chickens on a 10,000 sq.ft. lot.

Downey, CA.

Up to five chickens allowed per lot.

Irvine, CA.

Two chickens max. allowed, kept in a sanitary, odor free enclosure. No roosters are allowed.

Lakewood, CA.

Residents can have up to 5 female fowl.

Los Altos, CA.

1 hen per 1,000 square feet of lot space. No restrictions on coop location. No roosters.

Albany, CA.

Allows residents to keep up to 6 hens (no roosters) in their backyard with a permit.

American Canyon, CA.

Must keep your chicken coop in the back yard, and 50 ft. away from other houses or dwellings where people reside.

Bakersfield, CA.

Municipal code 6.08.010: Any chickens must be "kept securely enclosed in a yard or pen at all times."

Berkeley, CA.

Chickens must be kept penned and 30 ft. away from any bedrooms.

Campbell, CA.

Not more than six animals in all, including hares, rabbits, guinea pigs, feline, bovine, sheep, goat, chickens, turkeys, geese, ducks, doves, pigeons, game birds, or other fowl or any combination thereof.

Davis, CA.

A total of not more than six chicken hens and you have to keep them penned no less than 40 ft. from neighboring houses.

Diamond Bar, CA.

City code Sec. 22.42.030. Fowl (other than house birds) are prohibited.

El Cajon, CA.

See: http://qcode.us/codes/elcajon/view.php?topic=6-6_04&frames=on. Allows up to 24 adult poultry on lots over 20,000 sq ft in residential zones.

El Cerrito, CA.

Only birds weighing under one-half pound are permitted.

Fairfield, CA.

Only 3 hens are allowed in Fairfield, CA. No roosters.

Folsom, CA.

Not more than any combination of two chickens, ducks, pigeons and rabbits shall be kept within any zoning district of the city other than agricultural or agricultural combining districts; and said animals shall be kept or maintained at least twenty feet from any property line.

Imperial Beach, CA.

The municipal code says no, but a feed store estimates around 500 chickens are kept as pets.

La Puente, CA.

Up to 20 chickens allowed for each ten thousand sq. feet of lot area in residential zones.

Lafayette, CA.

Residents can keep approximately 4 chickens.

Source: <http://home.centurytel.net/thecitychicken/chickenlaws.html>

Seattle Municipal Code

Information retrieved November 11, 2010 11:54 AM

Title 23 - LAND USE CODE

Subtitle III Land Use Regulations

Division 2 Authorized Uses and Development Standards

Chapter 23.42 - General Use Provisions

SMC 23.42.052 Keeping of animals

The keeping of small animals, farm animals, domestic fowl and bees is permitted outright in all zones as an accessory use to any principal use permitted outright or to a permitted conditional use, in each case subject to the standards of this Section 23.42.052.

A. Small Animals. Up to three small animals may be kept accessory to each business establishment, other than an urban farm, or dwelling unit on a lot, except as follows:

1. In no case is more than one miniature potbelly pig allowed per business establishment or dwelling unit (see subsection 23.42.052.B).

2. In single-family zones,

a. accessory dwelling units shall not be considered separate dwelling units for the purpose of this Section 23.42.052;

b. up to four small animals are permitted on lots of at least 20,000 square feet; and

c. one additional small animal is permitted for each 5,000 square feet of lot area in excess of 20,000 square feet. Accessory structures, including kennels, for four or more animals must be at least 10 feet from any other lot in a residential zone.

B. Miniature Potbelly Pigs. That type of swine commonly known as the Vietnamese, Chinese, or Asian Potbelly Pig (*Sus scrofa bittatus*) may be kept as a small animal, provided that no swine that is greater than 22 inches in height at the shoulder or more than 150 pounds in weight may be kept in the city.

C. Domestic Fowl. Up to eight domestic fowl may be kept on any lot in addition to the small animals permitted in subsection 23.42.052.A.

1. On lots greater than 10,000 square feet that include either a community garden or an urban farm, one additional fowl is permitted for every 1,000

square feet of lot area over 10,000 square feet in community garden or urban farm use.

2. Roosters are not permitted.

3. Structures housing domestic fowl must be located at least 10 feet away from any structure that includes a dwelling unit on an adjacent lot.

D. Farm Animals. Cows, horses, sheep and other similar farm animals are permitted only on lots of at least 20,000 square feet. The keeping of swine is prohibited, except for miniature potbelly pigs allowed under subsection 23.42.052.B.

1. One farm animal for every 10,000 square feet of lot area is permitted.

2. Farm animals and structures housing them must be kept at least 50 feet from any other lot in a residential zone.

E. Beekeeping. Beekeeping is permitted outright as an accessory use, when registered with the State Department of Agriculture, provided that:

1. No more than four hives, each with only one swarm, are allowed on lots of less than 10,000 square feet.

2. Hives shall not be located within 25 feet of any lot line except when situated 8 feet or more above the grade immediately adjacent to the grade of the lot on which the hives are located or when situated less than 8 feet above the adjacent existing lot grade and behind a solid fence or hedge six (6) feet high parallel to any lot line within 25 feet of a hive and extending at least 20 feet beyond the hive in both directions.

F. Miniature **Goats**. The types of **goats** commonly known as Pygmy, Dwarf and Miniature **Goats** may be kept as small animals, provided that male miniature **goats** are neutered and all miniature **goats** are dehorned. Nursing offspring of miniature **goats** licensed according to the provisions of this Code may be kept until weaned, no longer than 12 weeks from birth, without violating the limitations of subsection 23.42.052.A.

(Ord. 123378 , Section 3, 2010; Ord. 122508 , Section 1, 2007;
Ord. 122311 , Section 23, 2006)

Definitions of terms used in Land Use Code.

Search for ordinances passed since the last SMC update (ordinances codified through Ordinance 123392) that refer to and that may amend Section 23.42.052 . (Note: this

feature is provided as an aid to users, but is not guaranteed to provide comprehensive information about related recent ordinances.)

See also [Recent Legislation](#) and [Council Bills and Ordinances](#).

For research assistance, contact the Seattle City Clerk's Office at (206) 684-8344, or by e-mail, clerk@seattle.gov.

For interpretation or explanation of a particular SMC section, please contact the relevant City department.

Keeping of hens

BY-LAW NO. 10065

**A By-law to amend
Zoning and Development By-law No. 3575
regarding keeping hens**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends or adds to the indicated provisions of the Zoning and Development By-law.
2. To section 2, after the definition of “Head of Household”, Council adds:
“Hen means a domesticated female chicken that is at least four months old;”.
3. After section 10.18.1, Council adds:
“10.18.2 Despite section 10.18.1, a building or other enclosure for keeping one or more hens:
 - (a) must be no more than 9.2 m² in floor area;
 - (b) must be no more than 2 m high;
 - (c) must be no closer than 3 m from any door or window of any dwelling;
 - (d) must be situate only in a rear yard or a side yard;
 - (e) may be anywhere in a rear yard;
 - (f) must, on a corner flanking lot, be no less than the greater of a distance equal to:
 - (i) the existing setback of the principal building, and
 - (ii) the required setback for a principal building under the Zoning and Development By-law,from the property line adjacent to the flanking street;
 - (g) must be at grade level;

- (h) must be no less than 1 m from any property line; and
- (i) may be situate only in RA, RS, RT, RM, FM, and FSD zones.”

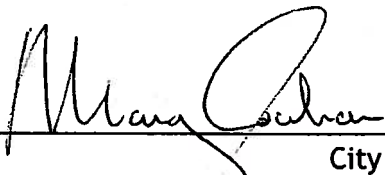
4. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of the By-law.

5. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 8th day of June, 2010



Mayor



City Clerk

2010: The Year of Urban Agriculture



2010: The Year of Urban Agriculture

Calendar of Events

Urban Agriculture Community Organizations

Information on Urban Agriculture

Local Food Action Initiative

Raising Chickens in Seattle

Street Use Permits: Gardening in Planting Strips

Seattle's P-Patch Program

What's new at P-Patch

P-Patch Program Evaluation (2009)

Seattle's Market Gardening program

Tips on how to start a community garden

Gardening in the P-Patch program

Information on the \$2 million Parks Levy allocation to P-Patch development

Neighborhood Matching Fund (free fruit trees for Tree Fund participants)

Gardening in Planting Strips

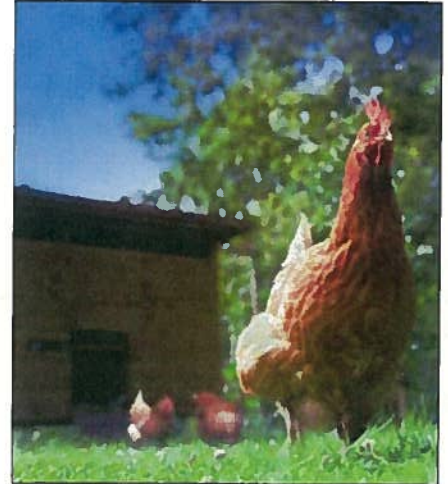
Resources for Residents Who Want to Raise Chickens in Seattle

1. Seattle Tilth - Seattle

City Chickens 101

A comprehensive introductory course for those interested in keeping chickens in the city and who want to start with adult birds. Upcoming classes include:

- [City Chickens 101](#) (Good Shepherd Center; 4649 Sunnyside Ave. N., Room 202, Jul 28, 2010 06:00 PM to 08:30 PM)
- [City Chickens 101](#) (Good Shepherd Center; 4649 Sunnyside Ave. N., Room 202, Sep 18, 2010 10:00 AM to 12:30 PM)
- [City Chickens 101](#) (Good Shepherd Center; 4649 Sunnyside Ave. N., Room 202, Oct 16, 2010 10:00 AM to 12:30 PM)



Additional resources can be found at:

<http://seattletilth.org/learn/resources-1/city-chickens>

2. Seattle Free School - Seattle

Keeping Chickens in the City

Tuesday, July 27

Time: 12:30 PM to 1:30 PM

Location: Street Bean Espresso

This class covers the basics of keeping chickens in the city. It includes information on starting with chicks, feed, housing requirements and resources to continue your chicken education. Enrollment for this class is limited so please sign up early and let us know if you can not attend.

The class is at Street Bean Espresso. Street Bean Espresso is a nonprofit Belltown café that provides job training and employment for young adults working to exit street life. You can find it at 2702 Third Ave. Seattle, WA 98121. For more information on the location please see <http://streetbeanspresso.org/>

3. Seattle Urban Farm Co. - Seattle

URBAN CHICKENS

Ever dream of collecting eggs for breakfast from your own chickens? Many people don't believe it possible to have this experience in the city, but laying hens' small space requirements and pleasant dispositions make them a wonderful addition to any backyard. Managing your own chickens in the city is an extremely rewarding experience. You'll have a source of fresh, nutritious eggs right out your back door; and the satisfaction of knowing that your hens are fed a healthy, well-balanced diet and have plenty of space to roam and eat bugs, weeds, and grass. Chickens make a great pair with a garden, as they love to eat your vegetable scraps and leftover greens. Chicken care is a fun and educational experience for children, and will give them a connection to their food that they'll never forget.

Chickens don't require much space for a happy and healthy life. The more space you provide for them, the better; but 3 laying hens can live comfortably (with plenty of room for scratching, exploring, and roosting) in a 3 by 10 foot space. Many people are concerned that a chicken coop will have a strong odor, but a properly managed coop has almost no smell other than that of fresh straw.

If you're interested in having a chicken coop in your yard, we offer services ranging from planning and design to installations to monthly maintenance. We're happy to help you learn how to manage and care for your hens, and can provide you with local sources for organic feed and bedding.

[For technical assistance click here to contact our web team](#)



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Seattle City Hall
600 4th Ave. 2nd Floor
Seattle, WA
[Visiting City Hall](#)

Mailing Address:
PO Box 34025
Seattle, WA 98124-4025

Phone: 206.684.8888
Fax: 206.684.8587
TTY/TDD: 206.233.0025
Listen Line: 206.684.8566

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