

# CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting  
Thursday, October 17, 2013 at 7:00 p.m.  
245 East Bonita Avenue, Council Chambers

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## **Present**

Chairman Jim Schoonover  
Commissioner David Bratt  
Commissioner John Davis  
Commissioner Stephen Ensberg  
Commissioner R. Yunus Rahi  
Assistant City Manager for Comm. Dev. Larry Stevens  
Senior Planner Marco Espinoza  
Associate Planner Jennifer Williams  
Planning Commission Secretary Jan Sutton

## **CALL TO ORDER AND FLAG SALUTE**

Chairman Schoonover called the regular meeting of the Planning Commission to order at 7:00 p.m. and Commissioner Bratt led the flag salute.

## **CONSENT CALENDAR**

1. Approval of Minutes: September 19, 2013 (Davis absent)

**MOTION:** Moved by Bratt, seconded by Ensberg to approve the Consent Calendar. Motion carried 4-0-1 (Davis abstain).

## **PUBLIC HEARING**

2. **CONSIDERATION OF MUNICIPAL CODE TEXT AMENDMENT 13-05** – A request to amend Section 18.20.060 and other miscellaneous sections of the San Dimas Municipal Code to allow a maximum of three household chickens in conjunction with a single-family detached residence in all residential zones and Specific Plans that allow single-family detached residential uses, and other minor miscellaneous edits.

Staff report presented by *Associate Planner Jennifer Williams*, who stated this is a proposal to amend the code to allow a limited number of chickens in all single-family zones. After discussion by the City Council at two meetings, they directed Staff to initiate a code amendment. The Ordinance would allow residents to keep up to three hens, similar to the number of cats and/or dogs that are allowed in single-family zones. The hens would be kept as

pets and for egg laying purposes only; slaughtering would not be allowed nor commercial uses, such as the selling of eggs. She went over the requirements for coops and fencing, and stated that food would need to be kept in a rodent-proof container. On the dais for the Commissioner's consideration were three letters in support of allowing hens to be kept in all single-family zones.

**Commissioner Ensberg** asked why they specifically selected the limit as three instead of indicating a range, such as 2-5 hens.

**Associate Planner Williams** stated the survey results showed that as a commonly used limit, and it also corresponded to the established number of cats and/or dogs allowed in the same zones.

**Commissioner Bratt** asked if there is a limit on the fence height or area.

**Associate Planner Williams** stated the fence can be no greater in height than six feet but they did not set any limit on the size of the chicken run area.

**Chairman Schoonover** asked about the code enforcement process and confirmed that coops are allowed in the side yard.

**Associate Planner Williams** stated City Code Compliance would be used to handle complaints about setbacks or the number of hens, but any abuse of the birds would be referred to Inland Valley Humane Society. Coops can be located in the side or rear yards as long as they remain out of required setback areas.

**Commissioner Rahi** stated that since eggs cannot be sold, then any eggs produced would need to be eaten or destroyed.

**Associate Planner Williams** stated that was correct.

**Commissioner Davis** asked why we only set a maximum size for the coop but not a minimum size, and did there have to be a coop or just a run. He asked if there would be a possibility for the chickens to get into neighboring yards and what would happen if that occurred.

**Associate Planner Williams** stated they had not set a minimum coop size as most of these chickens would be people's pets and it was felt they would provide an adequate space for them. Typically if chickens are free-roaming outside of the coop, the owner would clip their wings or keep them in a covered run for protection, but if they were to get into a neighboring yard and a complaint was received, it could be considered a nuisance and addressed through our code compliance process.

**Commissioner Bratt** stated the amendment requires a coop and then fencing if they are allowed outside of the coop, and felt that would address many concerns associated with free-roaming chickens.

**Senior Planner Marco Espinoza** stated they can also add a requirement that the chickens need to be kept inside of the coop at night.

**Commissioner Davis** felt they should include a minimum size for the coop as well.

**Commissioner Bratt** concurred.

**Associate Planner Williams** stated there are standard recommendations for a minimum area to keep chickens in and Staff can add that to the requirements.

Chairman Schoonover opened the meeting for public hearing. Addressing the Commission were:

**Eric Gruber, 324 W. Third Street**, stated he saw this item on the City's website, and added that he has had chickens in the past when he resided in Rancho Cucamonga. He felt a minimum coop size wouldn't be an issue because anyone who keeps chickens has these as pets and will provide an adequately sized coop. Chickens will want a coop to sleep in at night, and you would need one to protect them from predators. He was in support of the proposal and felt it was a good way for people to provide healthy food for their family, as well as pest and weed control and organic material for the garden.

**Commissioner Davis** asked if he ever had any problems with his neighbors over his chickens.

**Eric Gruber** stated he has not, either in Rancho Cucamonga or in North Carolina where he had 20-25 chickens on three acres. He felt a six-foot fence is helpful, but they should require the wings to be clipped because they can still get over a six-foot fence.

**Commissioner Bratt** asked if the food is placed on the ground for the chickens to eat, will that draw rodents.

**Eric Gruber** stated no because the chickens will eat it right up, and concurred that all food should be stored in rodent-proof containers.

**Dorothy Bristing, 929 Wellington Road**, urged the Commission to recommend to the City Council to allow keeping three hens in all single-family zones. She felt this would be no different than keeping three dogs or cats. People take care of their pets, and would do the same for their chickens. Chickens will rarely fly over a fence, and clipping their feathers will help to control that if any problems occur. Chickens make delightful and amusing pets and felt anyone who owns chickens will see that they are properly housed to protect them and that they are well-cared for. She again encouraged the Commission to support amending the code to allow chickens, but was in concurrence to prohibit other fowl and roosters.

There being no further comments, the public hearing was closed.

**Commissioner Rahi** asked if this amendment will impact keeping other birds in the household.

**Associate Planner Williams** stated the amendment does not change the regulations regarding the keeping of household birds; it only prohibits roosters and other types of fowl.

**Commissioner Ensberg** stated he likes the ideas of residents being allowed to have chickens but was concerned over the quality of construction for homemade coops.

**Commissioner Bratt** felt you cannot regulate someone only having a commercially produced coop, just like you can't make someone only have a commercially produced dog house. The coops cannot exceed six feet in height so they should not be an eyesore to neighbors. He was glad for the opportunity though to be able to set standards for another type of pet to help protect their welfare that may not have been addressed adequately years back for other pets in the code, and felt it helped to make the community better by doing so.

## RESOLUTION PC-1491

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 13-05 AMENDING CHAPTER 18.20 RESIDENTIAL ZONES GENERALLY AND OTHER MISCELLANEOUS EDITS TO ALLOW A MAXIMUM OF THREE HOUSEHOLD CHICKENS IN RESIDENTIAL ZONES AND SPECIFIC PLANS THAT ALLOW RESIDENTIAL USES

**MOTION:** Moved by Davis, seconded by Bratt to adopt Resolution PC-1491 recommending the City Council approve Municipal Code Text Amendment 13-05, with the addition of a minimum coop size. Motion carried unanimously, 5-0.

### **COMMISSION BUSINESS**

#### **3. Assistant City Manager for Community Development**

*Assistant City Manager Larry Stevens* stated at the November 7<sup>th</sup> meeting will be an item regarding a remodel at the Mobil Gas Station on Arrow Highway, and at the November 21<sup>st</sup> meeting will be the public hearing on the final version of the 2014-2021 Housing Element. He stated there will also be a City Council Retreat at 5:00 p.m. on October 28<sup>th</sup> regarding items that may be of general interest to the Planning Commission if they wish to attend.

#### **4. Members of the Audience**

No communications were made.

#### **5. Planning Commission**

*Commissioner Davis* asked what the status was on the rehabilitation facility.

*Assistant City Manager Stevens* stated Staff has not received a complete application yet. The applicant is still intending to move forward, but it has been difficult to get appropriately designed plans and a materials board, and we cannot move forward in the process until we have that.

### **ADJOURNMENT**

**MOTION:** Moved by Ensberg, seconded by Bratt to adjourn. Motion carried unanimously 5-0. The meeting adjourned at 7:39 p.m. to the regular Planning Commission meeting scheduled for Thursday, November 7, 2013, at 7:00 p.m.

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Jim Schoonover, Chairman  
San Dimas Planning Commission

ATTEST:

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Jan Sutton  
Planning Commission Secretary

Approved: November 7, 2013