



**CITY OF HEMET  
Hemet, California  
ORDINANCE NO. 1904**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
HEMET CALIFORNIA AMENDING SECTION 90-77  
(ANIMAL REGULATIONS AND KEEPING  
REQUIREMENTS) OF CHAPTER 90 (ZONING  
ORDINANCE) OF THE HEMET MUNICIPAL CODE TO  
UPDATE THE REGULATIONS ON CHICKEN KEEPING.**

**WHEREAS**, the proposed zoning ordinance amendment (ZOA15-004) responds to the increased local interest in backyard chicken farming while ensuring that land use conflicts are mitigated and adjacent residential neighborhoods are protected; and

**WHEREAS**, the proposed amendment conforms with Goal LU-1 of the Hemet General Plan to achieve a balanced and sustainable pattern of land uses, community services, and amenities that provide for the needs of the City's residents and businesses and enhance the overall quality of life in the community; and

**WHEREAS**, approval of these zoning ordinance amendments will not detrimentally affect the health, safety, or welfare of residents of the City of Hemet; and

**WHEREAS**, on May 19, 2015 and June 2, 2015, the Planning Commission was presented with a draft of this Ordinance Bill No. 15-020 and, after conducting a duly noticed public hearing, voted to recommend that the City Council approve Ordinance Bill No. 15-020; and

**WHEREAS**, on July 28, 2015, the City Council considered the Ordinance, the Planning Commission's findings, and the record of information regarding ZOA 15-004 at a duly noticed public hearing, at which time interested persons had an opportunity to provide testimony on this matter.

1 **NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF HEMET DOES HEREBY**  
2 **ORDAIN AS FOLLOWS:**

3 **SECTION 1: AMENDMENT OF SECTION 90-77 (ANIMAL KEEPING)**

4       Section 90-77 (Animal Regulations and Keeping Requirements) of Chapter 90  
5 (Zoning) of the Hemet Municipal Code is amended as shown in Exhibit 1 hereto, to  
6 expand the number of zones in which chicken keeping is allowed and to establish  
7 regulations for the proper care, maintenance, and enforcement of backyard chicken  
8 farming.

9 **SECTION 2: CEQA FINDINGS.**

10       The City has analyzed this proposed project and has determined that it is exempt  
11 from the California Environmental Quality Act ("CEQA") under section 15061(b)(3) of the  
12 CEQA Guidelines, which provides that CEQA only applies to projects that have the  
13 potential for causing a significant effect on the environment. The proposed text changes  
14 do not relate to any physical project and will not result in any physical change to the  
15 environment. Therefore, it can be seen with certainty that there is no possibility that this  
16 Ordinance may have a significant adverse effect on the environment, and therefore the  
17 adoption of this Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the  
18 CEQA Guidelines.

19 **SECTION 3: SEVERABILITY.**

20       If any section, subsection, subdivision, sentence, clause, phrase, or portion of this  
21 Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any  
22 court of competent jurisdiction, such decision shall not affect the validity of the remaining  
23 portions of this Ordinance. The City Council hereby declares that it would have adopted  
24 this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or  
25 portion thereof, irrespective of the fact that any one or more sections, subsections,  
26 subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or  
27 unconstitutional.  
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1 **SECTION 4: EFFECTIVE DATE.**

2 This Ordinance shall take effect thirty (30) days from its passage by the City  
3 Council of the City of Hemet.

4 **SECTION 5: PUBLICATION.**

5 The City Clerk is authorized and directed to cause this Ordinance to be published  
6 within fifteen (15) days after its passage in a newspaper of general circulation and  
7 circulated within the City in accordance with Government Code Section 36933(a) or, to  
8 cause this Ordinance to be published in the manner required by law using the alternative  
9 summary and pasting procedure authorized under Government Code Section 39633(c).  
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11 **INTRODUCED** at the regular meeting of Hemet City Council on the 28th day of July,  
12 2015.

13 **APPROVED AND ADOPTED** this 11th day of August, 2015.  
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15 \_\_\_\_\_  
16 Linda Krupa, Mayor  
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18  
19 **ATTEST:**

**APPROVED AS TO FORM:**

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21 \_\_\_\_\_  
22 Sarah McComas, City Clerk

21 \_\_\_\_\_  
22 Eric S. Vail, City Attorney

1 State of California )  
2 County of Riverside )  
3 City of Hemet )  
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5 I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the  
6 foregoing Ordinance was introduced and first read on the 28th day of July, 2015, and  
7 had its second reading at the regular meeting of the Hemet City Council on the 11th day  
8 of August, 2015, and was passed by the following vote:  
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10 **AYES: Council Members Milne, Raver and Youssef**

11 **NOES: Mayor Pro Tem Wright and Mayor Krupa**

12 **ABSTAIN:**

13 **ABSENT:**  
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17 Sarah McComas, City Clerk  
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Ordinance No. 1904 proposes the following amendments, **as shown in red** to the zoning ordinance sections of Chapter 90 (Zoning) listed below. No other provisions in Sec. 90-77 are affected by the proposed ordinance amendment.

**Sec. 90-77. - Animal regulations and keeping requirements.**

- (a) The regulation and keeping of animals is additionally subject to the provisions of HMC Chapter 10 Animals.
- (b) Offspring of animals shall not be counted toward the maximum allowed number of animals until they have reached the age of four months for cats, dogs and other small animals, six months for large animals, and 12 months for horses.
- (c) Animals shall not be kept in any required front or side yard setback.
- (d) The conditions under which animals are kept must meet all applicable local, state, and federal laws and regulations.
- (e) Animals and/or conditions under which animals are kept shall not create a public nuisance and shall protect the public health and safety and the health and safety of the animals.
- (f) The raising, training, breeding, or keeping of allowed animals in residential zones for commercial purposes shall require a conditional use permit.
- (g) Animals permitted in each zone shall be as listed within the Animal Regulations and Keeping Requirements Matrix.

Animal Regulations and Keeping Requirements Matrix						
	Type of Animal Use		Allowable Zoning District	Minimum Lot Size	Maximum Number Allowed	Supplemental Regulations
11	<del>Poultry and other domesticated birds kept for their eggs, meat, or feathers</del>  Chickens	Chickens	A-1, A-2	Per zone 1 acre	12 hens and 1 rooster per acre to a maximum of 50 hens and 2 roosters.	No poultry or any pen, coop, stable or barn shall be kept within 50 feet of a residentially zoned property line
			RA, R1-40, R1-20, R1-10, R1-7.2	<del>20,000 sq ft</del> 7,200 sf	2 4 hens, no rooster	Pursuant to Sec. 90-77(h)
12	Turkeys, geese, ducks, peacocks,	<del>Other domesticated birds including turkeys, geese, ducks, peacocks,</del>	RA, A-1, A-2	1 acre	6	No poultry or any pen, coop, stable or barn shall be kept within 50 feet of a residentially

	pigeons, emu, and other domesticated birds	<del>pigeons, and emu</del>				zoned property line
12 13	Sheep and/or goats-all types		RA, A-1, A-2	1 acre	4 per acre to a maximum of 15	No sheep, goats or any pen, coop, stable or barn shall be kept within 50 feet of a residentially zoned property line
			All zones	None	No maximum	With a Temporary Use Permit per Sec. 90-73, goats and/or sheep may be used for cleaning vacant sites of plant materials for no more than four weeks per six-month period
13 14.	Small animals	Including but not limited to chinchilla, hamsters, guinea pigs, rats, mice, rabbits and non-venomous reptiles	All residential	None	10	No small animal pen or coop shall be kept within 10 feet of a residentially zoned property line
			A-1, A-2	Per zone	20	

(h) Chicken keeping in the residential zones is subject to the following:

- (1) Chicken keeping is prohibited in any zone not listed in Sec. 90-77(g)(11), and within any mobile home park or RV park community.
- (2) Residential properties located within a specific planned area, planned unit development overlay district, or planned community development zone are subject to the development standards of the respective zone. If the development standards do not address chicken keeping, chicken keeping is prohibited unless determined otherwise by an established homeowners association or CC&Rs. If there is no homeowners association, the provisions of this section shall apply.
- (3) The regulations of this section do not supersede any Covenants, Conditions, or Restrictions (CC&Rs) established by a homeowners association.
- (4) Chickens permitted to be kept per this section shall not be permitted to run at large on the lot or off the lot. Chickens shall be kept at all times within a suitable pen, coop, or enclosure with features such as an indoor or outdoor runway, a nesting box for eggs, and an area that provides protection from the weather and from predators.

- (4) All pens, coops, and enclosures are subject to the size and setback requirements for accessory buildings of the zone in which the property is located.
- (5) All feed must be stored in a vermin proof container.
- (6) Eggs produced by chickens permitted pursuant to this section are for personal use only and may not be sold commercially.
- (7) The premises where the chickens are kept shall be maintained in a clean and sanitary condition and free from offensive odors. Chicken excreta must be disposed of in the manner prescribed by the property's waste collection company.
- (8) The chickens shall not be subject to suffering, neglect, cruelty or abuse. Clean potable water and food receptacles shall be accessible to the chickens, and shall be located so as to minimize contamination by excreta.
- (9) The slaughtering of chickens is prohibited on residential properties.
- (10) It is the responsibility of owners to maintain their animals so that they do not disturb the neighbors. Complaints regarding odor, cleanliness, treatment, or noise shall be investigated by city code enforcement or animal control officers and may result in citation if the provisions of this section are not being met.