

ORDINANCE NO. 2020-2877

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA
AMENDING LA MESA MUNICIPAL CODE SECTION 24.05.020.D2 RELATED
TO THE KEEPING OF CHICKENS IN R2 AND R3 ZONES, PROJECT NO.
2019-18

WHEREAS, on June 11, 2019, the City Council of the City of La Mesa directed staff to initiate a Zoning Ordinance amendment to allow chickens in R2 and R3 residential zones;

WHEREAS, Title 24 of the La Mesa Municipal Code (Zoning Ordinance) currently provides for the keeping of chickens in single-family residential zones;

WHEREAS, the Municipal Code is required to be consistent with the General Plan;

WHEREAS, on December 18, 2019, the Planning Commission did hold a duly noticed public hearing, received and considered a staff report, accepted public testimony, and voted to recommend City Council approval of a General Plan amendment to allow residents to raise poultry (excluding roosters) in all residential zones and a Zoning Ordinance amendment to allow the raising of chickens, excluding roosters, as an accessory use in Zones R2 and R3;

WHEREAS, a Negative Declaration and Initial Study was prepared in accordance with the applicable provisions of the California Environmental Quality Act (CEQA) and the CEQA Guidelines, and the Planning Commission and City Council determined that the project does not have the potential to create a significant adverse impact on the environment. A Negative Declaration was adopted by the City Council on January 14, 2020;

WHEREAS, on January 14, 2020, the City Council of the City of La Mesa did adopt a General Plan amendment to allow residents to raise poultry (excluding roosters) in all residential zones, where previously poultry was allowed only in single-family zones; and

WHEREAS, the City Council of the City of La Mesa did hold a duly noticed public hearing on January 14, 2020, considered a staff report, and accepted public testimony in considering the Zoning Ordinance amendment.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LA MESA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. That Title 24 of the La Mesa Municipal Code be amended, adding the following provisions under La Mesa Municipal Code Section 24.05.020.D2:

La Mesa Municipal Code Section 24.05.020.D2f,

2. In zones R2, R3 and RB zones, for the sole use and pleasure of the family occupying the premises, animals may be kept as follows, subject in addition to all applicable limitations and regulations of Title 8:
 - a. Two adult dogs per multi-family dwelling unit and up to five adult dogs for a single-family dwelling unit.
 - b. Two adult cats per dwelling unit. The number of adult cats may be

increased, to a maximum of ten, if those cats exceeding the first two are spayed or neutered.

- c. Two adult potbellied pigs per dwelling unit.
- d. Ordinary household pets (no limits except for those listed above).
- e. There shall be no boarding or keeping of animals for others.
- f. In the R2 and R3 zones only, on lots developed with one single-family residence, a minimum of two chickens, excluding roosters, per two thousand square feet of lot area, up to a maximum of twenty. Enclosures shall be covered and comply with all setback requirements and located no less than twenty-five feet from any neighboring dwelling unit. Feed shall be stored in a secured sealed container. For purposes of this section, "enclosure" shall mean any covered structure in which chickens are kept. The area of a lot shall be computed pursuant to Section 24.01.100 of this code.

SECTION 2: This ordinance shall be effective 30 days after its adoption and the City Clerk shall certify to the adoption of this Ordinance and cause the same to be published at least once in the Daily Transcript within 15 days of its adoption.

INTRODUCED AND FIRST READ at a Regular meeting of the City Council of the City of La Mesa, California, held on the 14th day of January, 2020, and thereafter PASSED AND ADOPTED at a Regular meeting of said City Council held the 28th day of January, 2020, by the following vote, to wit:

AYES: Councilmembers Alessio, Baber, Parent, Weber and Mayor Arapostathis

NOES: None

ABSENT: None

APPROVED:

MARK ARAPOSTATHIS, Mayor

ATTEST:

MEGAN WIEGELMAN, CMC, City Clerk

CERTIFICATE OF CITY CLERK

I, MEGAN WIEGELMAN, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and correct copy of Ordinance No. 2020-2877, duly passed and adopted by the City Council of said City on the date and by the vote therein recited and that the same has been duly published according to law.

MEGAN WIEGELMAN, CMC, City Clerk

(SEAL OF CITY)