



## Item No. 6 Town of Atherton

### **CITY COUNCIL STAFF REPORT – REGULAR AGENDA**

**TO: HONORABLE MAYOR AND CITY COUNCIL**

**FROM: GEORGE RODERICKS, CITY MANAGER**

**DATE: MARCH 19, 2025**

**SUBJECT: REVIEW AND DIRECTION REGARDING CHAPTER 6.04 – ANIMAL CONTROL**

### **RECOMMENDATION**

It is recommended that the Council review and discuss the regulations governing Animal Control in Chapter 6.04 of the Atherton Municipal Code and provide direction regarding modifications.

### **BACKGROUND**

In February 2025 the Council accepted 2<sup>nd</sup> Reading and Adoption of amendments to Chapter 6.04 of the Atherton Municipal Code specifically relating to chickens. These amendments were made to restore the Code to its prior version as it related to the keeping of chickens. Upon adoption, the Council directed that staff return the Ordinance for discussion by the Council to address questions raised related to the number of chickens permitted based on lot size.

Since the ordinance specifies requirements for enclosures as it relates to land use setbacks and other regulatory permitting, revisions to the Ordinance are appropriately reviewed first by the Planning Commission followed by a recommendation to the City Council.

However, the Council may initiate that process by providing specific direction to staff to proceed with Planning Commission review and incorporate Council concerns into that directive.

### **ANALYSIS**

Currently, Section 6.04.045 provides the following with respect to the number of chickens per lot size:

<b>Lot Size</b>	<b>No. of Chickens Permitted</b>	<b># of Parcels</b>
Less than 20,000 square feet	None	408
20,001 to 40,000 square feet	Up to 3	416
40,001 to 80,000 square feet	Up to 10	1,624
80,000+ square feet	Up to 20 chickens	162



The number of chickens allowed based on parcel size was the only suggested discussion point from the February 19, 2025 meeting.

The Ordinance was modified to address chickens in 2016. The process involved numerous meetings with an Ad Hoc Subcommittee of the Planning Commission and staff to work on the proposed regulations. The proposed revisions were then reviewed by the Planning Commission over multiple public meetings. At the time, chickens were prohibited on parcels less than 80,000 square feet. Based on resident input at several meetings and research of other community regulations, the Commission recommended that the Council consider the following with respect to number of chickens:

<b>Lot Size</b>	<b>No. of Chickens Permitted</b>	<b># of Parcels</b>
Less than 21,780 square feet	None	408
21,781 to 43,560 square feet	Up to 5	416
43,561 to 87,120 square feet	Up to 10	1,624
87,120+ square feet	Up to 20 chickens	162

During the City Council Public Hearing process and based on resident input and Council discussion, the Council rounded down the square footages and reduced the number of chickens allowed at the lower end from five to three. The result was the regulation framework that was re-adopted by the Council in February.

If the Council has suggestions for modification of the information above; or recommendations for modifications elsewhere in the Ordinance that feedback should be provided to staff. Staff will then initiate a process of review by the Planning Commission considering the feedback received from the Council.

### **FISCAL IMPACT**

None at this time. There will be staff time and resources necessary to process any changes recommended by the Council beyond what was adopted in February. Modifications to the Ordinance will require review by the Planning Commission via the Public Hearing process. Since this is a townwide regulation, noticing provisions will require townwide publication.

### **GOAL ALIGNMENT**

This Report and its contents are in alignment with the following Council Policy Goals:

- Goal Area B – Preserve Small Town Character & Quality of Life

### **POLICY FOCUS**

Council discussion should focus on potential revisions to the Ordinance as it relates to the keeping of chickens.

### **PUBLIC NOTICE**

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the project is also disseminated via the Town's electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town's electronic News Flash publications. Subscribers include residents as well as stakeholders –to include, but be not limited to, media outlets, school districts, Menlo Park Fire Protection District, service providers (water, power, and sewer), and regional elected officials.

### **COMMISSION/COMMITTEE FEEDBACK/REFERRAL**

This item has not been before a Town Committee or Commission

### **ATTACHMENTS**

1. Minutes Excerpt – February 17, 2016
2. Minutes Excerpt – March 16, 2016