



Legislation Text

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COUNCIL ITEM OF SPECIAL INTEREST: ALLOWING CHICKENS AS PETS IN RESIDENTIAL NEIGHBORHOODS

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Staff Presenter: Jon Froke, Planning Director

Purpose and Policy Guidance

At the August 4, 2015 Council Workshop, Councilmember Turner identified a Council Item of Special Interest asking staff to research allowing chickens as pets in residential neighborhoods; currently chickens are only allowed in neighborhoods with Agricultural (A-1), Rural Residential (RR-90; RR-45) and Suburban Residential (SR-30; SR-17; SR12) zoning. Staff is seeking City Council guidance regarding initiating a process to consider allowing chickens as pets in additional zoning districts.

Background

The city of Glendale's Zoning Ordinance was created through a public input process and was most recently adopted by City Council in 1993. The Zoning Ordinance also identifies that the Planning Director has the responsibility of interpreting the Zoning Ordinance. Since the inception of the Zoning Ordinance the city's Planning Directors have made interpretations on a variety of matters including considering chickens as household pets. In 1994 the city's Planning Director determined that "...chickens do not meet the criteria for household pets."

Jon Froke, the city's current Planning Director, authored a formal interpretation, Zoning Interpretation Record ZI11-03, on December 1, 2011 related to the raising/keeping of chickens as household pets. Mr. Froke's interpretation is consistent with prior Planning Director interpretations regarding this matter. In his interpretation, Mr. Froke notes that the Zoning Ordinance currently allows the raising of poultry, with the exception of male fowl, only in A-1, RR-90, RR-45, SR-30, SR-17 and SR-12 zoning districts. The interpretation states that the purpose of these districts is to provide a rural character with liberal livestock and animal keeping provisions as well as providing a transition in intensity between rural and urban residential uses. The remaining residential zoning districts are considered to be urban residential districts where household pets are considered to be pets that are customary and incidental to the principal use of the property.

Decisions of the Planning Director can be appealed to the Board of Adjustment as permitted by the Zoning Ordinance. No appeals to Mr. Froke's interpretation, Zoning Interpretation Record ZI11-03, have been made to the Board of Adjustment.

The process for changing the Zoning Ordinance to allow the raising/keeping of chickens as pets in additional zoning districts, through either a Zoning Text Amendment or Conditional Use Permit process, involves public input opportunities including bringing the matter before the Planning Commission and then requires adoption by the City Council.

Analysis

Glendale City Council approved the city's Zoning Ordinance in 1993. The Zoning Ordinance identifies the Planning Director as the Zoning Administrator and assigns them the responsibility and authority to interpret the Zoning Ordinance. The current and previous Planning Directors have consistently interpreted the Zoning Ordinance as it relates to keeping of chickens as household pets; chickens with the exception of male fowl, are permitted in A-1, RR-90, RR-45, SR-30, SR-17 and SR-12 zoning districts.

Zoning Ordinances are unique to each municipality and are drafted, adopted and enforced according to each municipality's guidelines and community standards. Locally, the cities of Chandler and Glendale do not permit the raising/keeping of chickens in residential neighborhoods; however the cities of Gilbert, Mesa, Peoria, Phoenix, Scottsdale and Tempe do have provisions that permit keeping chickens in residential districts.

If directed to pursue changes to the Zoning Ordinance to consider allowing chickens in Glendale's residentially zoned districts, staff recommends that the Planning Commission be strategically involved in the process.

Previous Related Council Action

On June 23, 1993 Glendale City Council passed and adopted Ordinance #1772 establishing the city's most recent Zoning Ordinance.

Conclusion

Staff is seeking guidance form Council on whether to proceed with initiating a process to allow the raising and keeping of chickens as pets in Glendale's residentially zoned districts.