

**Attachment A**

**Ordinance 511 Staff Report (Excerpt)**



**PLANNING DEPARTMENT**

**CITY OF ANGELS PO Box 007, 200 B Monte Verda Street, Angels Camp, CA 95222 P: (209) 736-1346 F: (209) 736-9048**

DATE: September 21, 2021  
TO: City Council  
FROM: Amy Augustine, AICP – City Planner  
RE: **ORDINANCE 511**

**RECOMMENDATIONS**

1. Introduce Ordinance 511, waive the second reading, hold a public hearing and direct the City Clerk to publish the adopted ordinance:

**AMENDING THE CITY OF ANGELS MUNICIPAL CODE CHAPTERS:**

17.18 (SINGLE-FAMILY RESIDENTIAL R-1),  
17.19 (SINGLE-FAMILY RESIDENTIAL: PLANNED DEVELOPMENT COMBINING DISTRICT R-1:PD),  
17.21 (TWO-FAMILY RESIDENTIAL R-2),  
17.24 (MULTIPLE FAMILY RESIDENTIAL R-3),  
17.09 (DEFINITIONS) TO DEFINE TERMS USED IN THE PRECEDING CHAPTERS;  
17.34 (PERMITTED AND CONDITIONAL USES) TO REFLECT CHANGES IN THE PRECEDING;

**DELETING CHAPTERS:**

17.22 (TWO-FAMILY RESIDENTIAL: PLANNED DEVELOPMENT COMBINING R-2:PD) AND  
17.25 (MULTIPLE FAMILY RESIDENTIAL: PLANNED DEVELOPMENT COMBINING R-3:PD)

**FOR CONSISTENCY WITH GENERAL PLAN 2020 AND IMPLEMENTING THE GENERAL PLAN LAND USE AND HOUSING ELEMENTS**

2. Direct Staff to prepare an animal keeping ordinance for the City.



## BACKGROUND:

Pursuant to Angels Municipal Code (AMC) Section 17.90.020(B), an amendment or zone change may be initiated by a resolution of intention of the planning commission. In conjunction with the citywide comprehensive code update for compliance with General Plan 2020, the Planning Commission passed Resolution of Intent 21-15 at a public hearing on August 12, 2021, recommending that the City Council adopt Ordinance 511. On September 7, 2021, the City Council waived the first reading, held a public hearing and scheduled the second public hearing for September 21, 2021.

A portion of the Commission's discussion centered on *Limited Small* and *Limited Large Animal Keeping*—especially in the R-1 (Single Family Residential) zoning district. Currently, the R-1 zoning district does not permit keeping chickens or goats. The proposed code amendment for the R-1 zoning district included in Ordinance 511 would permit those uses subject to a conditional use permit and within established limits based on lot size. The Planning Commission determined that some small animal keeping, especially chicken keeping, should be a permitted use (rather than a conditional use) in the R-1 district subject to lot size. However, the Commission further concluded that keeping small animals as a permitted use should include adopting guidelines ensuring that animal keeping did not result in noise, smell and related to the general welfare of the neighborhood. Therefore, the Commission directed staff to proceed with drafting an animal-keeping ordinance establishing enforceable standards for animal keeping on small residential lots that will minimize and eliminate potential neighborhood conflicts. Staff prepared a similar ordinance for the City of Sonora in consultation with agricultural stakeholders that has been in effect since 2012.

Based on the preceding, Staff recommends passing Ordinance 511 with proposed requirements to secure a conditional use permit for animal-keeping on small residential lots. A code revision allowing limited animal keeping as a permitted use can be made after the City considers and evaluates standards for animal keeping on small residential lots in a separate ordinance.

## ANALYSIS

In addition to these changes, amendments include:

- **Neighborhood services.** Introducing the concept of Neighborhood Services as a conditional use in residential districts. The designation serves as a "Neighborhood Commercial" type designation that covers multiple uses formerly listed separately in Chapter 17.34 while adding flexibility to the types of support services that might contribute to reducing vehicle miles traveled, greenhouse gas emissions and improving neighborhood walkability. "Neighborhood services" are small scale (less than 10,000 square feet) convenience shopping, professional offices, community centers, community gardens, recreational uses, storage facilities, and similar amenities intended to serve nearby residential areas. Neighborhood services exclude shopping centers or major commercial developments of a community or regional nature.
- **New housing types:** Most of these new housing types included in the proposed code revisions are identified in the City's General Plan Housing Element; however, recent concepts added include *missing middle housing* and *intergenerational housing*. Other new housing types already identified in the housing element include *cottage housing*, *tiny homes*, *co-housing*, and *life-plan communities*.
- **Limited small and large animal keeping:** Animal keeping was introduced in the RE-1 and RE-5 zoning districts previously approved. However, the City occasionally receives requests by 4-H (or other student) families to raise one or two animals on single-family residential parcels of varying size. Similarly, chicken keeping has been popularized on small lots over recent years. The proposed limited small and large animal keeping uses included here are intended to address those requests while responding to similar complaints related to small properties with "farm-type" animals in concentrations that can create nuisances related to noise, smell, and related conflicts. As noted previously, staff is recommending that a separate ordinance be adopted establishing standards for these uses and allowing some limited animal keeping as a permitted use.

