



# CITY OF TUALATIN

## Staff Report

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Teresa Montalvo, Planning Manager

**FROM:** Erin Engman, AICP, Senior Planner

**DATE:** March 9, 2026

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**SUBJECT:**

Consideration of Ordinance 1454-26, adoption of a city-initiated code amendment to the Tualatin Development Code (TDC) to include the keeping of domestic fowl as a permitted use in the Low Density Residential District (RL). The proposed amendment and action on this item is limited to Chapters 39 and 40 of the TDC. Amendments to the Tualatin Municipal Code (TMC) and related regulations for the keeping of domestic fowl will be considered separately as a General Business item.

**BACKGROUND:**

On November 12, 2013, the Council approved Plan Text Amendment (PTA) 13-02, amending the Tualatin Development Code (TDC) to allow chicken keeping as a permitted use in the single-family residential area— Low Density Residential Zone (RL). At that same meeting, the Council adopted Ordinance 1362-13, which set forth minimum standards applicable for the keeping of backyard chickens in the RL zone (codified at TMC Chapter 6-15). The adoption of PTA 13-02 and Ordinance 1362-13 did not work to permit the keeping of any other types of fowl within the City.

Before the adoption of PTA 13-02, the TDC prohibited the keeping of any animal within the RL zone except for the ones specified at TDC 31.060 (defined as “[A] domestic animal, such as a dog, cat, rabbit, or guinea pig, accepted by the American Veterinary Medical Association as a household pet.”). The Council’s clear intent in adopting PTA 13-02 was to provide for chicken keeping- and chicken keeping only- as an additional exception to the prohibition.

On June 26, 2025, a City code compliance officer received a complaint regarding “strange animals” being kept at a single-family residence in the RL zone. On June 30, the officer met with the property owner, who explained that his family was keeping ducks at the residence. After being informed that the keeping of ducks was prohibited in the City, the property owner requested (both at the Public Comment portion of July 14, 2025 meeting and via email) that the Council review the matter and amend City law to allow for the keeping of ducks in single family residential areas.

The TDC generally identifies what uses are allowed or permitted, conditionally permitted or limited. In the residential chapters, there are not typically sections of prohibited uses (which is by design), as the City cannot anticipate every situation. As such, if a use is not explicitly stated, it is generally not allowed. This is why the property owner did not see a specific prohibition of certain animals.

At a work session held on August 11, 2025, Council directed staff to proceed with legislative amendments to existing code regulations for backyard chickens to include domestic fowl in the RL zone under a limited scope.

## EXECUTIVE SUMMARY:

This is a legislative matter for Council consideration of a Plan Text Amendment to TDC Chapters 39 and 40. Staff researched a variety of domestic fowl ordinances from the area to inform the proposed amendments. This research was further supplemented by a formal recommendation from the Planning Commission on the overall suite of amendments proposed in both the TMC and TDC. A formatted version of the code amendments proposed for the TDC have been included as Exhibit 2 and a clean version has been included as Exhibit 3. A companion Ordinance will amend Tualatin Municipal Code 6-15 to regulate the various aspects of keeping backyard domestic fowl. This is because ordinances related to development and planning shall be codified under the Tualatin Development Code, and codification of the general ordinances of the city fall under the Tualatin Municipal Code. Therefore, definitions and minimum standards for the keeping of domestic fowls are included in the TMC, while the TDC includes provisions for where uses may be permitted.

Comprehensively, the purpose of the amendments is to provide minimum standards for keeping domestic fowl humanely in urban backyards while safeguarding the health, safety, and welfare of the citizens of Tualatin. Under the proposal, the definition of domestic fowl includes chickens, ducks, pheasants, pigeons, quail, partridges, doves, and similar birds for personal use. Roosters, geese, guinea fowl, peacocks, turkeys, emus, and ostriches are prohibited due to their loud and aggressive nature. The proposal also maintains existing licensing requirements to permit domestic fowl in the RL zone. These requirements ensure adequate confinement, buffering, and sanitation.

The project Findings and Analysis are included as Exhibit 1 and found the project will comply with applicable development code criteria. Public noticing requirements for the legislative process have been satisfied under Exhibit 4. Additionally, Commissioner Hledik submitted supplemental materials into the record at the Planning Commission Hearing for Council consideration as Exhibit 5.

## PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a public meeting on February 18th and unanimously recommended adoption of the overall amendment package including PTA 26-0001. The Commission also identified the following clarifications to regulations found in the companion Municipal Code amendments included as a General Business item tonight:

1. TMC 6-15-030(2): Specify that a combined maximum of four domestic fowl of any type are permitted on any one lot;
2. TMC 6-15-030(3): Add emus and ostriches to the type of domestic fowl that are prohibited;
3. TMC 6-15-030(4): Remove the prohibition on "harvesting" and clarify that on site slaughtering or butchering of domestic fowl is prohibited;
4. TMC 6-15-030(6): Clarify that the domestic fowl facility must be located at least 25 feet from all abutting residences.

The Planning Commission further recommended that staff:

1. Consult with the code enforcement officer to determine if additional enforcement tools or training are needed to address vermin (rat) complaints related to domestic fowl, in order to provide more effective means to address such complaints; and
2. Research best practices and guidelines for minimum coop and run standards for various domestic fowl from accredited sources like USDA or OSU to inform future domestic fowl licensee.

## OUTCOMES OF DECISION:

Adoption of PTA 26-0001 would:

- Update agricultural uses characteristics found in Development Code 39.300 to include domestic fowl; and

- Update permitted uses found in Development Code 40.210 to include domestic fowl.

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**ATTACHMENTS:**

Ordinance 1454 - 26

Exhibit 1 – PTA 26-0001 Findings and Analysis

Exhibit 2 – PTA 26-0001 Text Amendment (Clean)

Exhibit 3 – PTA 26-0001 Text Amendment (Formatted)

Exhibit 4 – Public Notice

Exhibit 5 – Supplemental Items submitted by Commissioner Hledik  
Presentation