

**MONTEREY COUNTY PLANNING COMMISSION**

<b>MEETING:</b> October 13, 2010		<b>AGENDA NO:</b> 5
<b>SUBJECT:</b> 1) AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA AMENDING CHAPTER 21.06 OF TITLE 21 (ZONING) OF THE MONTEREY COUNTY CODE TO ADD DEFINITIONS AND AMENDING PORTIONS OF CHAPTERS 21.12, 21.14, 21.16, 21.48 AND 21.64 OF TITLE 21 (ZONING) OF THE MONTEREY COUNTY CODE TO REGULATE THE KEEPING OF ROOSTERS IN RESIDENTIAL DISTRICTS AND THE LIMITED AGRICULTURAL DISTRICT.		
<b>Project Location:</b>	Unincorporated Areas of Monterey County	<b>APN:</b> Multiple
<b>Planning Number:</b>	PD070731	<b>Name:</b> County of Monterey
<b>Plan Area:</b>	Unincorporated Areas of Monterey County	<b>Flagged and Staked:</b> No
<b>Zoning Designations:</b>	MDR, LDR, and RDR and A (Medium Density, Low Density, Rural Density Residential and Limited Agricultural Districts)	
<b>CEQA Action:</b>	Negative Declaration	
<b>DEPARTMENT:</b> RMA – Planning Department		

**RECOMMENDATION:**

It is recommended that the Planning Commission:

- a. Consider a Negative Declaration,
- b. Consider an Ordinance of the County of Monterey, State of California, Amending Chapter 21.06 of Title 21 (Zoning) of the Monterey County Code to add Definitions and amending Chapters 21.12, 21.14, 21.16, 21.48 and 21.64 of Title 21 (Zoning) of the Monterey County Code to regulate the keeping of roosters in residential districts and the Limited Agricultural District.
- c. Adopt a Resolution recommending that the Board of Supervisors:
  - a. Adopt a Negative Declaration, and
  - b. Adopt an Ordinance of the County of Monterey, State of California, amending Chapter 21.06 of Title 21 (Zoning) of the Monterey County Code to add Definitions and amending Chapters 21.12, 21.14, 21.16, 21.48 and 21.64 of Title 21 (Zoning) of the Monterey County Code to regulate the keeping of roosters in residential districts and the Limited Agricultural District.

**PROJECT OVERVIEW**

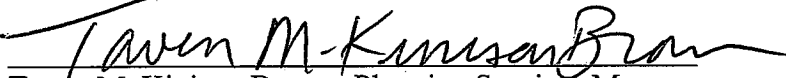
On November 3, 2009, staff presented a status report to the Board of Supervisors and requested direction on alternative approaches to preparing an Ordinance for the Regulation of Roosters in the Residential and Limited Agricultural areas of Monterey County. This report and the attached draft ordinance have been prepared in keeping with the Board's direction. The Planning Commission is being asked to consider the environmental review and the draft ordinance and make a formal recommendation to the Board of Supervisors for final action. See **Exhibit A** for a detailed discussion of the project.

**OTHER AGENCY INVOLVEMENT:**

The following agencies and interest groups have been involved in discussions regarding possible approaches to address the issues and craft an effective ordinance.

Environmental Health Division	Agricultural Commissioner
Planning Department	Building Services Department
Water Resources Agency	County Counsel
Public Works Department	Animal Services
Sheriff's Office	Office of the District Attorney
Future Farmers of America	Buena Vista 4-H
Farm Bureau	ASPCA

Prepared by:



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October 6, 2010

This report was prepared by Taven M. Kinison Brown.

cc: Front Counter Copy; Planning Commissioners; County Counsel; Patrick Treffry of Environmental Health Bureau; Chad Alinio of Public Works; Tom Moss of the Resources Agency; Alana Knaster; Mike Novo; Carl Holm; Taven M. Kinison Brown; Judi Adams of the SPCA; Commander Tracy Brown of the Monterey County Sheriffs Department; Bill Dunn of the Code Enforcement Department; Ed Hazel of the District Attorneys Office; Lisa Hoefler and Judi Adams of the SPCA; Kathy Prew and Valiska Lujan of Animal Services; Tom Moss of Water Resources Agency; Bob Roach and Dawn Mathes of the Agricultural Commissioners Office; Bob Perkins of the Farm Bureau; North Monterey County Chamber of Commerce; Lorin Lurz of Buena Vista 4-H; Laurie Moffitt; Linda English; Paul Brownfield; Jan Mitchell; Nong Sam; Reese Marily; Kathy Sheldon; Rita Martin; Roslie Bunch; Frankie Stemper; William Whitacre; Gnem Zeb; All County Libraries and Administrative Office (18); Cities of Carmel, Del Rey Oaks, Gonzales, Greenfield, King City, Marina, Monterey, Pacific Grove, Salinas, Sand City, Seaside, Soledad; Univision Television Station KSMS; The Salinas Californian/El Sol Newspaper; Monterey County Herald; Project File.

Attachments:    Exhibit A            Discussion  
                         Exhibit B            Portions of the November 8, 2009 Status and Direction report to the Board of Supervisors  
                         Exhibit C            Negative Declaration  
                         Exhibit D            Draft Ordinance  
                         Exhibit E            Draft Planning Commission Resolution  
                         Exhibit F            Comments Received on the Proposed Negative Declaration

# **EXHIBIT A**

Discussion

PD070731

Planning Commission Hearing

October 13, 2010

## **EXHIBIT A DISCUSSION**

### **Background**

On July 31, 2007, Planning Department staff received a referral from the Monterey County Board of Supervisors requesting that staff make recommended amendments to the Zoning Ordinance to limit the number of roosters in residential areas.

Issue: Presently, County Ordinance allows "Small Livestock Farming" and "Animal Husbandry" without permits in the Medium Residential District (MDR), Low Density Residential District (LDR), Rural Density Residential District (RDR), and the Limited Agricultural Zoning District (A). The County's present definition of "Small Livestock Farming" allows the raising or keeping of small animals which may include up to 499 of the following: chickens, pigeons, hogs, rabbits, ducks, geese, guinea fowl, peafowl, goats, sheep, or similar fowl or animals. Present code does not distinguish roosters from hens. Numerous complaints of noise and nuisance arising from the keeping of roosters in residentially zoned areas have been called into the County.

Location of Noise Complaints. The problems in residential neighborhoods are mostly in the Salinas and North County areas, with complaints concentrated in the Boronda area, Middlefield Road, Fontes Lane, El Rancho Road, Vierra Canyon, Mallory Canyon, Prunedale and other locations.

### **Process and Discussions**

In the lead up to a Planning Commission Hearing April 9, 2008, staff prepared a Draft Ordinance and Initial Study/Negative Declaration for proposed amendments to Title 21 (Zoning) of the Monterey County Code to amend Chapters 21.06, 21.12, 21.14, 21.16, 21.48 and 21.60 to regulate the keeping of roosters in residential districts and the Limited Agricultural District. The draft ordinance would have modified sections within each of these chapters to allow no more than two roosters in these residential districts and the Limited Agricultural District for the purpose of protecting the public health and welfare from undue noise and nuisance from crowing roosters in residential areas. The proposed draft ordinance was not intended to infringe upon legal farming, permitted commercial operations or be applicable in the Coastal Zone.

- Planning Commission Review:
  - At a noticed public hearing on April 9, 2008, the Planning Commission received extensive public testimony, considered the matter and continued the item to a date uncertain with direction to staff to convene an Ad Hoc Committee to further explore the matter.
- Ad Hoc Committee Review:
  - Planning staff assembled an Ad Hoc committee of agency representative who have some jurisdiction over issues related to the keeping and use of roosters and enforcement. This included the Sheriff's Office, District Attorney's Office, Environmental Health Department, SPCA, Code Enforcement Department, Animal Control, Animal Services, Agricultural Commissioner's Office, the Water Resources Agency and the Planning Department.
  - The Ad Hoc Committee met on May 4, 2008, May 19, 2008, June 16, 2008 and July 21, 2008 and discussed the limitations and opportunities of each agency's authority in

- the matter and explored examples of actions and ordinances adopted by other municipalities within the State of California.
- On August 4, 2008, the Ad Hoc Committee convened an open public meeting discussion and workshop to discuss the matter. Invitations to the workshop were given by e-mail, direct mail and by telephone to those persons who had spoken for and against the matter during the Planning Commission hearing. These persons included hobbyists, Buena Vista 4-H representatives, the Monterey County Farm Bureau, and persons who gave testimony that they have been negatively affected by undue noise and nuisance from crowing roosters in residential areas.
  - On August 4, 2008, during the open discussion and workshop, the Ad Hoc Committee and interested persons discussed how many roosters should be allowed without permit, what costs would be incurred, how the ordinance would be implemented, and how a new ordinance would be enforced.
  - Agriculture Advisory Committee.
    - Agriculture Advisory Committee direction from August 29, 2008: After presentation of the draft ordinance and taking public comment, the Agriculture Advisory Committee continued the item until September 25th.
    - The committee asked that staff consider a reduced fee for an Administrative "rooster permit;" whether a new and stronger Noise Ordinance would be more appropriate than rooster control (would include barking dogs, motorcycles and other noise nuisances, etc.); whether the ordinance should expand to other loud fowl such as peacocks, etc.; requested that staff meet with breeders to determine how many roosters they need to continue or practice their hobby; and explore a graduated fee schedule.
  - Board of Supervisor Direction
    - On November 3, 2009, Planning staff returned to the Board of Supervisors to give a status report in the matter of creating the new Ordinance and requested direction from the Board for the following reasons:
      - Difficulty in building consensus,
      - Infringement on hobbyist and animal husbandry practices,
      - Unknown administrative costs to enforce a new ordinance, and
      - Equal treatment.
    - Staff recommended drafting an ordinance similar to one implemented in Santa Clara County that allows 4 roosters without permits, and requires an Administrative Permit to keep additional roosters. The Santa Clara ordinance had been in effect for more than a year at the time and as of May 2008, Santa Clara County had received no applications for permits and no requests for administrative hearings to maintain more than four roosters. Santa Clara had reportedly abated four or five nuisance rooster operations. This recommendation to the Board of Supervisor was also supported by Lisa Hoefler, Director of Operations, SPCA Monterey County.
    - The Board of Supervisors directed staff to (generally) follow the Santa Clara County example and directed staff to customize a Monterey County Ordinance to be specific to the Medium Density, Low Density, Rural Density Residential and Limited Agricultural Districts. Such an ordinance should also include the specific performance standards that can be used as criteria for approval or denial of an Administrative Permit, such as:
      - Require manure management plans and practices that are clean

- Demonstrate that water runoff will not violate any codes or become a nuisance
  - Noise / crowing shall not be a nuisance to the neighbors and neighborhood.
  - (Specify) Minimum property sizes for the keeping of roosters by district.
  - (Specify) Setbacks of coops from property lines or adjacent residential structures.
- Once the New Ordinance was drafted, the Initial Study reflecting the effects of the new draft ordinance would be revised and updated by staff and recirculated for public review and comment.

### **Moving on from here.**

As introduced earlier, this report presents a draft ordinance to implement the Board of Supervisors' direction. The ordinance establishes that the MDR, LDR and RDR residential districts and the A Limited Agricultural districts will be affected by the new ordinance and that no permits would be required for persons wishing to maintain up to four roosters on their lot in these districts. (Presently up to 499 *chickens* do not require permits in these districts.) The ordinance specifies the Special Regulations and permitting requirements for persons wishing to maintain five or more roosters on their properties and provides for several new definitions to be added to the Monterey Zoning Code, such as Animal Husbandry, FFA, 4-H, and Rooster.

Also attached to this staff report are a Proposed Negative Declaration (of no environmental impact) and a draft Planning Commission Resolution to memorialize the Planning Commission's consideration and recommendation to the Board of Supervisors for final action.

### **How should the County balance public purposes and private interests?**

#### *Public Purposes and Private Interests*

Effective discontinuation of nuisance noises and neighborhood disruptions. As we strive to improve the peace, comfort and welfare of persons living in residential areas affected by noisy roosters, and we change the code to be more restrictive, there is a public interest in avoiding present "nuisance" cases to continue unabated by the new ordinance in a manner commonly referred to as a "Grandfather Clause." The County needs to implement the new ordinance in a manner that disallows once permitted activities to continue so that real change occurs.

Avoid an unnecessary disposal of roosters. If the code went into effect immediately, the County of Monterey would want to avoid a panicked disposal of roosters from those owners who maintain more than the new limit. It is not the intent of the County to have persons destroy roosters or to separate owners from their property in such a rapid manner as to be inhumane or to not realize some valued return on their investments in time and energy.

Permit costs to hobbyists, 4H and FFA may burden hobbyists and educational programs. Hobbyists/"fanciers" and the Buena Vista 4-H have objected to the cost of obtaining an Administrative Permit from the County of Monterey, which presently exceeds \$4,300. It is not the intent of the County to financially burden educational programs or wholesome civic

organizations, merely to reduce noise and nuisance from large numbers of concentrated roosters in residential districts.

### **How should the County implement such a new Ordinance?**

Staff recommends a timed and deliberate phasing of the implementation of the new Ordinance to help balance several public purposes:

#### Time and Value

Staff suggests that the Board of supervisors include a phase in period, allowing present rooster owners to continue to maintain more than four roosters for a *specified period* (three, six or nine months) as a non-conforming use. After the *specified period*, maintaining more than four roosters without a permit from the County of Monterey would be considered a violation of County Code necessitating that non-conforming properties be brought into compliance with the new ordinance.

The time period to phase in full compliance with the new ordinance should reflect an appropriate time period for the owners of roosters to seek an economic or personal return on their investments. Determining the "value" of a rooster may be a study in folly though, as highly prized characteristics or a well-ribboned "show rooster" will have a higher value than one that is raised without those prized qualities. At the other end of the spectrum, anecdotally, is that roosters are sometimes valued "less than a hen or even given away."

It is staff's determination that the "value" is relatively irrelevant. These are not capital improvements; these are not hard-fixed advertising billboards along a scenic highway. A rooster can be sold, traded, transported and even eaten. In a three, six or nine month period (as recommended by staff), a rooster owner will have ample opportunity to realize a return on their rooster. The Board of Supervisors will have to weigh how much longer nuisance and nuisance noise from the keeping of roosters in residential districts will be allowed during the implementation of the new ordinance.

The Draft Ordinance (Exhibit D) has been written with a 180 day (six month) implementation for property owners to come into compliance with the new regulations. (Reference new Section 21.64.320 F)

#### Fee Waivers

It has been brought to staff's attention that limiting the number of roosters that may be maintained in a residential district may have an unintended effect on 4-H and FFA practices. As introduced in this staff report, this proposed new ordinance is not intended to infringe upon legal farming and permitted commercial operations, nor have an expense to be borne by 4-H and FFA members.

It is understood that it is standard practice in 4-H to raise chicks from as many as 25 fertilized eggs. Not for 4-6 months will it be known what gender the chicks will mature to – but it can be expected that roughly half of the chicks will mature to be roosters. While staff is not aware of any Code Enforcement / nuisance noise calls at a 4-H or FFA property – should a 4-H raised rooster become noisy – it is still a potential nuisance.

Should 4-H and FFA still have to apply for a no-fee Administrative Permit? The Board may wish to consider whether 4-H and FFA members who wish to maintain more than 4 roosters after the chicks have reached 6 months of age, be required to make a no-fee Administrative Permit application to demonstrate compliance with new Ordinance Section 21.64.320. Or, the Board may also wish to not require an Administrative Permit for these groups.

One school of thought is that 4-H and FFA teach stewardship and community service. Demonstrating through an Administrative Permit process how a member will or can maintain more than four roosters without noise or nuisance to the neighborhood could be considered in keeping with the missions of 4-H and FFA.

Staff recommends not burdening FFA and 4-H with a fee for additional roosters, but does recommend that these groups still be required to make an Administrative Permit with the County of Monterey. Of course the other side of this no-fee permit is that the County (Planning Department) would bear the costs of such review and administration.

To implement a fee waiver for Monterey County 4-H members and FFA members from Administrative Permit costs, staff would have to prepare a revised Fee Resolution for the Board of Supervisors to review and approve. Such a Resolution would be a companion document to the Planning Commission's recommendation.

**Comments received since the Proposed Negative Declaration was circulated for public review, September 3-24, 2010.**

Staff has attached in EXHIBIT F, an article that appeared September 18, 2010 in the Monterey County Herald, and a comment letter from Kristi van Greunen.

Ms. Greunen identifies herself as a small flock breeder of exhibition poultry. Please review her several pages of information. Without characterizing or giving commentary on Ms. Greunen's letter, I would like to remind the Planning Commission and the public that the proposed "Rooster Ordinance" as drafted, would apply only to the Residential Areas and Limited Agricultural Overlay districts, where most of the Monterey County unincorporated residential populations are concentrated. The Ordinance does not apply to the vast farmland, agricultural and grazing areas of Monterey County nor any other zoning other than those specified. The purpose of the Ordinance is to protect the public health and welfare from undue noise and nuisance from crowing roosters in residential areas.



# **EXHIBIT B**

Portions of the November 8, 2009  
Status & Direction Report to the  
Board of Supervisors

PD070731

Planning Commission Hearing  
October 13, 2010

**MONTEREY COUNTY BOARD OF SUPERVISORS**

<b>MEETING:</b> November 3, 2009 1:30 p.m.		<b>AGENDA NO:</b>
<b>SUBJECT:</b>		
a. Accept a status report and presentation regarding the construction of an ordinance to reduce noise and nuisance issues arising from the keeping of roosters in residential and Limited Agricultural Districts, and b. Direct staff to draft an ordinance to reduce the noise and nuisance issues from the keeping of roosters in residential and Limited Agricultural Districts. (PD070731/ County of Monterey)		
<b>Project Location:</b>	Unincorporated Areas of Monterey County	<b>APN:</b> Multiple
<b>Planning Number:</b>	PD070731	<b>Name:</b> County of Monterey
<b>Plan Area:</b>	Unincorporated Areas of Monterey County	<b>Flagged and Staked:</b> No
<b>Zoning Designations:</b>	MDR, LDR, and RDR and A (Medium Density, Low Density, Rural Density Residential and Limited Agricultural Districts)	
<b>CEQA Action:</b>	None	
<b>DEPARTMENT:</b> RMA – Planning Department		

**RECOMMENDATION:**

Staff recommends that the Board of Supervisors:

- a. Accept a status report and presentation regarding the construction of an ordinance to reduce noise and nuisance issues arising from the keeping of roosters in residential and Limited Agricultural Districts, and
- b. Direct staff to draft an ordinance to reduce the noise and nuisance issues from the keeping of roosters in residential and Limited Agricultural Districts.

**SUMMARY:**

Staff has pursued the Board’s direction to formulate a land use ordinance to control noise and nuisance from the presence of roosters in residential zones and the Limited Agricultural overlay Zoning districts, yet staff needs direction at this time from the Board. The main issues have involved:

- Difficulty in building consensus,
- Infringement on hobbyist and animal husbandry practices,
- Unknown administrative costs to enforce a new ordinance, and
- Equal treatment.

Staff recommends drafting an ordinance similar to one implemented in Santa Clara County that allows 4 roosters without permits, and requires an Administrative Permit to keep additional roosters. Performance standards for the keeping of roosters will be clarified. The Santa Clara ordinance has been in effect for more than a year. As of May 2008, Santa Clara County had received no applications for permits and no requests for administrative hearings to maintain more than four roosters. They have successfully abated four or five nuisance rooster operations. This recommendation is also supported by Lisa Hoefler, Director of Operations, SPCA Monterey County.

**DISCUSSION:**

The Planning Commission (April 9, 2008), and the Agricultural Advisory Committee (August 28, 2008) reviewed an early draft of an Ordinance to Regulate the Keeping of Roosters in Residential Districts and the Limited Agricultural District. This ordinance limited to two (2) the

number of roosters that would be allowed on residential district properties without permit. Based on testimony received, further discussion has explored increasing the number allowed without permit to four, but no consensus has been reached. Staff is presently exploring allowing four (4) roosters without need for permits and requiring Administrative Permits for all properties wishing to keep more. A companion resolution to modify the required permit application fees would be needed if the BOS wants to fee-exempt 4-H and FFA members from paying the application fees. A discussion is provided in Exhibit A.

**OTHER AGENCY INVOLVEMENT:**

The following agencies and interest groups have been involved in discussions regarding possible approaches to address the issues and craft an effective ordinance.

Environmental Health Division	Agricultural Commissioner
Public Works Department	ASPCA
Water Resources Agency	County Counsel
Building Inspection Department	Office of the District Attorney
Code Enforcement Department	Animal Services
Planning Department	Sheriff's Office
Future Farmers of America	Farm Bureau
Buena Vista 4-H	

**FINANCING:**

There is the potential for:

- a) Permitting costs to persons wishing to maintain numerous roosters on residentially zoned properties;
- b) Costs to the general fund of staff time to process permit applications, however permit application fees would allow for partial or full cost recovery;
- c) New public costs in the application and enforcement of a new ordinance, as many agencies may be needed to enforce the new ordinance, including Code Enforcement, Animal Control, the Sheriff's Office and County Counsel; and
- d) Administrative cost recovery for enforcement actions against violating property owners under new County Code Chapter 1.22.

Prepared by:

Approved by:

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Mike Novo, Planning Department Director

cc: Front Counter Copy; Board of Supervisors; County Counsel; Patrick Treffry of Environmental Health Division; Chad Alinio of Public Works; Tom Moss of the Resources Agency; Alana Knaster; Mike Novo; Carl Holm; Taven M. Kinison Brown; Judi Adams of the SPCA; Commander Tracy Brown of the Monterey County Sheriffs Department; Bill Dunn of the Code Enforcement Department; Ed Hazel of the District Attorneys Office; Lisa Hoefler and Judi Adams of the SPCA; Kathy Prew and Valiska Lujan of Animal Services; Tom Moss of Water Resources Agency; Bob Roach and Dawn Mathes of the Agricultural Commissioners Office; Bob Perkins of the Farm Bureau; North Monterey County Chamber of Commerce; Lorin Lurz of Buena Vista 4-H; Laurie Moffitt; Linda English; Paul Brownfield; Jan Mitchell; Nong Sam; Reese Marily; Kathy Sheldon; Rita Martin; Roslie Bunch; Frankie Stemper; William Whitacre; Gnem Zeb; All County Libraries and Administrative Office (18); Cities of Carmel, Del Rey Oaks, Gonzales, Greenfield, King City, Marina, Monterey, Pacific Grove, Salinas, Sand City, Seaside, Soledad; Univision Television Station KSMS; The Salinas Californian/El Sol Newspaper; Monterey County Herald; Project File.

Attachments: Exhibit A Discussion of Issues and Need for Direction  
Exhibit B Planning Commission Staff Report and Minutes

- Exhibit C      Agricultural Advisory Committee Minutes August 28, 2008 and September 25, 2008
- Exhibit D      Preliminary Draft Ordinance reviewed by Planning Commission and Agricultural Advisory Committee
- Exhibit E      Sacramento County /Tri-County Coalition. Draft Fowl Keeping Ordinance
- Exhibit F      San Luis Obispo. Phone record of discussion with SLO and Rob Cole of the Code Enforcement Division
- Exhibit G      "Napa County group finds rooster solution." Farm Focus (Monterey County, Farm Bureau, April 2009)
- Exhibit H      Santa Clara County Ordinance
- Exhibit I      Project Location Map – Affected Zoning Districts in the Unincorporated Areas
- Exhibit J      Board Order

Exhibit A  
Status Report, Discussion of Issues  
and Direction

**Background**

On July 31, 2007, Planning Department staff received a referral from the Monterey County Board of Supervisors requesting that staff make recommended amendments to the Zoning Ordinance to limit the number of roosters in residential areas.

Issue: Presently, County Ordinance allows "Small Livestock Farming" and "Animal Husbandry" without permits in the Medium Residential District (MDR), Low Density Residential District (LDR), Rural Density Residential District (RDR), and the Limited Agricultural Zoning District (A). The County's present definition of "Small Livestock Farming" allows the raising or keeping of small animals which may include up to 499 of the following: chickens, pigeons, hogs, rabbits, ducks, geese, guinea fowl, peafowl, goats, sheep, or similar fowl or animals. Present code does not distinguish roosters from hens, nor does it identify "Crowing Fowl," which may include peafowl or others. Numerous complaints of noise and nuisance arising from the keeping of roosters in residentially zoned areas have been called into the County.

Location of Noise Complaints. The problems in residential neighborhoods are mostly in the Salinas and North County areas, with complaints concentrated in the Boronda area, Middlefield Road, Fontes Lane, El Rancho Road, Vierra Canyon, Mallory Canyon, Prunedale and other locations.

**Process and Discussions**

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- Planning Commission Review:
  - At a noticed public hearing on April 9, 2008, the Planning Commission received extensive public testimony, considered the matter and continued the item to a date uncertain with direction to staff to convene an Ad Hoc Committee to further explore the matter.
- Ad Hoc Committee Review:
  - Planning staff assembled an Ad Hoc committee of agency representative who have some jurisdiction over issues related to the keeping and use of roosters and enforcement. This included the Sheriff's Office, District Attorney's Office, Environmental Health Department, SPCA, Code Enforcement Department, Animal

Control, Animal Services, Agricultural Commissioner's Office, the Water Resources Agency and the Planning Department.

- The Ad Hoc Committee met on May 4, 2008, May 19, 2008, June 16, 2008 and July 21, 2008 and discussed the limitations and opportunities of each agency's authority in the matter and explored examples of actions and ordinances adopted by other municipalities within the State of California.
- On August 4, 2008, the Ad Hoc Committee convened an open public meeting discussion and workshop to discuss the matter. Invitations to the workshop were given by e-mail, direct mail and by telephone to those persons who had spoken for and against the matter during the Planning Commission hearing. These persons included hobbyists, Buena Vista 4-H representatives, the Monterey County Farm Bureau, and persons who gave testimony that they have been negatively affected by undue noise and nuisance from crowing roosters in residential areas.
- On August 4, 2008, during the open discussion and workshop, the Ad Hoc Committee and interested persons discussed how many roosters should be allowed without permit, what costs would be incurred, how the ordinance would be implemented, and how a new ordinance would be enforced.
- Agriculture Advisory Committee.
  - Agriculture Advisory Committee direction from August 29, 2008: After presentation of the draft ordinance and taking public comment, the Agriculture Advisory Committee continued the item until September 25th.
  - The committee asked that staff consider a reduced fee for an Administrative "rooster permit;" whether a new and stronger Noise Ordinance would be more appropriate than rooster control (would include barking dogs, motorcycles and other noise nuisances, etc.); whether the ordinance should expand to other loud fowl such as peacocks, etc.; requested that staff meet with breeders to determine how many roosters they need to continue or practice their hobby; and explore a graduated fee schedule.

#### **Other Jurisdictions' Efforts**

Staff and the Ad Hoc Committee researched and staff has attached information addressing how several other jurisdictions address the keeping of roosters. For example:

- In Sacramento County, *chickens* for personal use are allowed on parcels greater than 10,000 square feet in the Agriculture, Urban Reserve, Industrial Reserve, Agricultural-Residential, and RD1-7 zones. Single-family homes may apply for a conditional use permit to keep chickens as a hobby for personal use or food; the application cost is about \$4,500 per address and does not guarantee the application will be approved. (See Exhibit E).
- In San Luis Obispo County, in zoning districts that allow fowl, a minimum of 1 acre is required for fowl and the allowed number varies according to parcel size. A \$3,400 Minor Use Permit issued by management level staff is required to allow more than 20 fowl. (See Exhibit F).
- In Napa County, prominent livestock owners and leaders formed the Napa County Livestock Council following a November 2008 Planning Commission hearing that drew 300 persons. The Napa County Livestock Council proposed steps that would be an alternative to banning or restricting roosters. The protocol or "steps" to resolving "livestock" complaints involve: County notification back to the complainant of the Right to Farm Ordinance, Department of

Health assessing human health and water safety, Animal Control investigating animal welfare abuse or neglect issues, the Planning Department for Code violations, and then continued consultation with the Council, who may impart additional recommendations on fly control, manure management, dust abatement, etc. (See Exhibit G)

- In Santa Clara County. An Ordinance was adopted that provides that no person can keep, maintain or harbor five or more roosters within unincorporated Santa Clara County without first obtaining a rooster coop permit from the Animal Service Manager, and subject to the provisions of the County Ordinance. The *annual* fee for the permit is fixed by resolution of the Board of Supervisors. No permit is required to keep, maintain or harbor four or fewer roosters. However, the roosters must be reasonably confined to the property, maintained in a sanitary condition, and not be creating a public nuisance. (See Exhibit H)

### **Policy Issues**

Discussions with the public have not yielded consensus. Various options will result in differing unknown administrative costs to the County of Monterey.

- Hobbyists and animal husbandry organizations, such as 4-H, have resisted *any* numerical limits. The first suggested draft ordinance had a numerical limit of two roosters without a permit. A subsequent discussion to allow four roosters also met resistance.
- Fixed numerical limits of roosters may be easier to administer and enforce, rather than developing a ratio proportionate to property size and acreage. Either approach would require that a permit be reviewed and enforced by the County.
- There are unknown and potentially substantial administrative costs to apply and enforce a new Ordinance. Applicants wishing to exceed the numerical limit would have to present plans and make formal applications with the Planning Department.
- Presently an Administrative Permit costs approximately \$4,300. A customized, possibly lower fee could be developed, but would involve study and revision of the present fee ordinance in place.
- Exempting certain populations from permit costs, such as 4-H and Future Farmers of America, may raise objections from others.
- A “noisy” rooster maintained by a hobbyist, 4-H member, or other citizen, is still a noisy rooster.
- Potential Costs to the County.
  - There are potential new public costs in the application and enforcement of a new ordinance, as many agencies with varying degrees of authority, may be needed to enforce the new ordinance: Code Enforcement, Animal Control, Sheriff’s Office, Environmental Health, County Counsel, and the Planning Department.
  - There may be opportunity for administrative cost recovery for enforcement actions against violating property owners under new County Code Chapter 1.22.
  - Numerous communities have had their “rooster” and “crowing fowl” ordinances challenged in court. This results in expense to the challengers as well as the municipality.

### **Options, Opportunities and Constraints**

With the Board’s concurrence, there are several options. The Board of Supervisors could direct staff to:

1. Put forward an Ordinance, much as it has been presently drafted and suggested, to allow as many as two or four roosters in any residential district without need for permits. To request more than two or four (whichever number is decided upon), an applicant would need to apply for an Administrative Permit that would include a plan to protect the public from undue noise and nuisance from crowing roosters in residential areas and the Limited Agricultural Overlay Zone. *The opportunities and constraints are:*
  - a. Allows an applicant the freedom to practice and implement their own techniques to reduce rooster noise sources from adjacent neighbors by their own site plan design.
  - b. Allows an applicant/hobbyist to demonstrate his or her own techniques and practices to being a "good neighbor" without undue government restriction. Such measures may include "taking in" the roosters in the evening in a barn or garage like structure (cooping), etc.
  - c. An Administrative Permit costs an applicant approximately \$4,300 to process the application. Additional fees may be applicable if there are environmental concerns and the need for environmental review and mitigation.
  - d. The Board could direct staff to revise the County Fee Resolution to craft a reduced fee or base the fee on actual time spent.
  - e. Such an Ordinance can be administered and enforced by County agencies and would give clarity in reducing the allowed number of roosters from 499 to two or four roosters only.
  - f. This approach may meet resistance from hobbyists, 4-H and others for the expense and reduction of current allowances on private property.
2. Put forward an ordinance that allows a ratio of roosters to property size in the Residential and Limited Agricultural Districts of the County. *The opportunities and constraints are:*
  - a. To craft such an ordinance, the Agricultural Commissioner's office, Environmental Health Department, and Animal Control division would need to continue to assist the Planning Department in determining hard and fast numbers and the appropriate number roosters on a given property size.
  - b. The opportunities and constraints as listed in the above statement (1.a-f) would also still apply as to the need for review or/and Administrative Permit subject to the submittal of site plans, applicant proposals and payment of fees.
3. Develop an ordinance that addresses all "Crowing Fowl," whether that be roosters, peacocks or others. *The opportunities and constraints are:*
  - a. This could be modeled after the Ordinance that was recently challenged and overturned in San Benito County. Monterey County could remove or modify the provisions that were invalidated by the court (allowing the County to physically enter such properties without prior consent) (Source: Hollister Freelance News April 2009).
  - b. The opportunities and constraints as listed in the above statement (1.a - f) would also apply as to the need for review or/and Administrative Permit subject to the submittal of site plans, applicant proposals and payment of fees.
4. Develop an ordinance that ties the number of roosters to the number of hens on the property. For example, if a "proper" ratio of roosters to hens is 1:20 or 1:25, then this



would mean that in order to allow 10 roosters on a given property, 200 to 250 hens would need to be present. *The opportunities and constraints are:*

- a. This may encourage persons to add hens to their property and thereby increase the overall numbers in a given situation, which may be counter to the purposes of reducing noise and nuisance in residential zoning districts.
  - b. May not be supported by hobbyists and others who wish to breed show cocks or just roosters.
  - c. Could be combined with another ordinance. The County may choose to allow the 1:20 or 1:25 ratio without permits or further review – and then provide an Administrative Permit process as described above for those persons who wish to exceed those ratios.
  - d. The opportunities and constraints as listed in the above statement (1.a-f) would also still apply as to the need for review or and Administrative Permit subject to the submittal of site plans, applicant proposals and payment of fees
5. Work with the Environmental Health Department to revise and enhance the County's Noise, Nuisance or Animal Control Ordinances under the Health Department's authority. *The opportunities and constraints are:*
- a. Early Board direction was to take a land use approach, and develop zoning regulations.
  - b. The Health Department and Animal Control services are very constrained fiscally.
6. Follow the Santa Clara County example. *The opportunities and constraints are:*
- a. The Santa Clara Ordinance allows up to four roosters without need for permits.
  - b. The Santa Clara Ordinance requires an Administrative Permit for five or more roosters.
  - c. Their ordinance is succinct by design, and they have approached the ordinance strictly as a noise abatement issue.
  - d. The Santa Clara Ordinance has been in effect for more than a year. As of May 2008, they had received no applications for permits and no requests for administrative hearings to maintain more than four roosters. *They have successfully abated four or five rooster operations.*
  - e. Currently, the Santa Clara Ordinance is complaint driven. A notice is placed on the property advising the property owner they have 30 days to either obtain a permit or abate the noise problem (remove roosters from the property). This posting is followed with a letter. The property owner is advised that they have the right to an administrative hearing.
- (Source: Lisa Hoefler, Director of Operations, SPCA Monterey County).

7. A blend of any the above approaches.

### **Recommendation**

Staff recommends that the Board of Supervisors direct staff to follow the Santa Clara County example and direct staff to customize a Monterey County ordinance to be specific to the Medium Density, Low Density, Rural Density Residential and Limited Agricultural Districts. Such an

ordinance should also include the specific performance standards that can be used as criteria for approval or denial of an Administrative Permit, such as:

- Require manure management plans and practices that are clean
- Demonstrate that water runoff will not violate any codes or become a nuisance
- Noise / crowing shall not be a nuisance to the neighbors and neighborhood. This criteria would be tied back to or directly mimic animal nuisance noise provisions in Title 8 of the Municipal Code.
- Minimum property sizes for the keeping of roosters by district.
- Setbacks of coops from property lines or adjacent residential structures.

Once drafted, the Initial Study reflecting the effects of the new draft ordinance would need to be revised and updated by staff and recirculated for public review and comment.

This staff recommendation for Board direction is supported by Lisa Hoefler, Director of Operations, SPCA Monterey County.

**Optional Tasks**

- Direct staff to customize an Administrative “Rooster” Permit fee by suggesting a revision to the present fee resolution in place.
- Direct staff to explore or revisit the Code allowances for other poultry county-wide that presently allow up to 499 chickens, pigeons, hogs, rabbits, ducks, geese, guinea fowl, peafowl, goats, sheep, or similar fowl or animals.

# **EXHIBIT C**

Filed Negative Declaration

PD070731

Planning Commission Hearing

October 13, 2010

County of Monterey  
State of California

**NEGATIVE DECLARATION**

**FILED**  
**SEP 03 2010**  
STEPHEN L. VAGNINI  
MONTEREY COUNTY CLERK  
DEPUTY

<b>Project Title:</b>	Regulations for Keeping Roosters in Residential Zoning Districts and the Limited Agricultural District.
<b>File Number:</b>	PD070731
<b>Owner:</b>	County Residents in the Unincorporated Areas
<b>Project Location:</b>	Unincorporated Areas of Monterey County. Medium Residential Districts (MDR), Low Density Residential Districts (LDR), Rural Density Residential Districts (RDR), and the Limited Agricultural Zoning Districts (A).
<b>Primary APN:</b>	Multiple and Non-Specific
<b>Project Planner:</b>	Taven M. Kinison Brown
<b>Permit Type:</b>	Revisions to the Monterey County Zoning Ordinance Title 21
<b>Project Description:</b>	Revise the Monterey County Zoning Ordinance Title 21 (Inland Area) as necessary to protect the public health and welfare from undue noise and nuisance from crowing roosters in residential areas. The revisions to Monterey County Zoning Ordinance Title 21 are not intended to infringe upon legal farming and permitted commercial operations.

THIS PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS IT HAS BEEN FOUND:

- a) That said project will not have the potential to significantly degrade the quality of the environment.
- b) That said project will have no significant impact on long-term environmental goals.
- c) That said project will have no significant cumulative effect upon the environment.
- d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

<b>Decision Making Body:</b>	Monterey County Board of Supervisors
<b>Responsible Agency:</b>	Resource Management Agency – Planning Department
<b>Review Period Begins:</b>	September 3, 2010
<b>Review Period Ends:</b>	September 24, 2010

Further information, including a copy of the application and Initial Study are available at the Monterey County RMA - Planning Department, 168 West Alisal St, 2<sup>nd</sup> Floor, Salinas, CA 93901 (831) 755-5025.

# MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY – PLANNING DEPARTMENT  
168 WEST ALISAL, 2<sup>ND</sup> FLOOR, SALINAS, CA 93901  
(831) 755-5025 FAX: (831) 755-9516



## NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION MONTEREY COUNTY BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that the Monterey County Resource Management Agency – Planning Department has prepared a draft Negative Declaration, pursuant to the requirements of CEQA, for a proposed revision to County Ordinance (Title 21: Zoning Code), as necessary to protect the public health and welfare from undue noise and nuisance from crowing roosters in residential areas. The new revisions to County Ordinances are not intended to infringe upon legal farming and permitted commercial operations.

This ordinance amends portions of Chapters 21.12, 21.14, 21.16, 21.48 and 21.64 of Title 21 (Zoning) of the Monterey County Code to regulate the keeping of roosters in the Medium Residential District (MDR), Low Density Residential District (LDR), Rural Density Residential District (RDR), and the Limited Agricultural Zoning District (A). Presently, County Ordinance allows “Small Livestock Farming” and “Animal Husbandry” without permits in these districts. The County’s present definition of Small Livestock Farming allows the raising or keeping of small animals which may include up to 499 of the following: chickens, pigeons, hogs, rabbits, ducks, geese, guinea fowl, peafowl, goats, sheep, or similar fowl or animals. This Ordinance modifies Sections within each of these Chapters to allow no more than four roosters (per property) in these residential districts and the Limited Agricultural District. The modifications to Section 21.64 include provisions for the keeping of five or more roosters in residential areas and the Limited Agricultural District, subject to the review and approval of an Administrative Permit by the Director of Planning. Applications for such permits will be required to demonstrate that the public health and welfare is protected from undue noise and nuisance from crowing roosters in residential areas and that the regulations of Section 21.64 are met.

This ordinance also amends Chapter 21.06 of Title 21 (Zoning) of the Monterey County Code to add and modify definitions. Presently, the following terms are not defined: Animal Husbandry, FFA, 4-H and Rooster. A fee for the permit will be required. County staff is proposing to the Board of Supervisors that FFA (Future Farmers of America) and 4-H (4-H Youth Development Program) groups be exempted from paying the fee, but still be subject to the permitting requirements for more than four roosters on a given property.

The Negative Declaration and Initial Study, as well as referenced documents, are available for review at the Monterey County Resource Management Agency – Planning Department, 168 West Alisal, 2<sup>nd</sup> Floor, Salinas, California. The Planning Commission will consider this proposal on October 13, 2010. Written comments on this proposed Negative Declaration will be accepted from September 3, 2010 to September 24, 2010. Comments can also be made at the Planning Commission hearing. The Planning Commission will make a recommendation to the Board of Supervisors. The Board of Supervisors will decide the matter at duly noticed public hearing, yet to be scheduled.

**Project Description:** AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA AMENDING CHAPTER 21.06 OF TITLE 21 (ZONING) OF THE MONTEREY COUNTY CODE TO ADD DEFINITIONS AND AMENDING PORTIONS OF CHAPTERS 21.12, 21.14, 21.16, 21.48 AND 21.64 OF TITLE 21 (ZONING) OF THE MONTEREY COUNTY CODE TO REGULATE THE KEEPING OF ROOSTERS IN RESIDENTIAL DISTRICTS AND THE LIMITED AGRICULTURAL DISTRICT.

We welcome your comments during the 20-day public review period. You may submit your comments in hard copy to the name and address above. The Department also accepts comments via e-mail or facsimile but requests that you follow these instructions to ensure that the Department has received your comments. To submit your comments by e-mail, please send a complete document including all attachments to:

[CEQAcomments@co.monterey.ca.us](mailto:CEQAcomments@co.monterey.ca.us)

An e-mailed document should contain the name of the person or entity submitting the comments and contact information such as phone number, mailing address and/or e-mail address and include any and all attachments referenced in the e-mail. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please send a second e-mail requesting confirmation of receipt of comments with enough information to confirm that the entire document was received. If you do not receive e-mail confirmation of receipt of comments, then please submit a hard copy of your comments to ensure inclusion in the environmental record or contact the Department to ensure the Department has received your comments.

Facsimile (fax) copies will be accepted with a cover page describing the extent (e.g. number of pages) being transmitted. A faxed document must contain a signature and all attachments referenced therein. Faxed document should be sent to the contact noted above at (831) 757-9516. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please contact the Department to confirm that the entire document was received.

**For reviewing agencies:** The Resource Management Agency – Planning Department requests that you review the enclosed materials and provide any appropriate comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments or to state brief comments. In compliance with Section 15097 of the CEQA Guidelines, please provide a draft mitigation monitoring or reporting program for mitigation measures proposed by your agency. This program should include specific performance objectives for mitigation measures identified (CEQA Section 21081.6(c)). Also inform this Department if a fee needs to be collected in order to fund the mitigation monitoring or reporting by your agency and how that language should be incorporated into the mitigation measure.

All written comments on the Initial Study should be addressed to:

County of Monterey  
Resource Management Agency – Planning Department  
Attn: Mike Novo, Director of Planning  
168 West Alisal, 2<sup>nd</sup> Floor  
Salinas, CA 93901

Re: Regulations for Keeping Roosters in Residential Zoning Districts and the Limited  
Agricultural District. File #PD070731

From: Agency Name: RMA- Planning Department  
Contact Person: Taven M. Kinison Brown  
Phone Number: 831-755-5173

\_\_\_\_ Comments noted below

\_\_\_\_ Comments provided in separate letter

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### DISTRIBUTION

1. County Clerk's Office
2. Monterey County Planning Commissioners
3. The Monterey County Branch Libraries: Aromas, Big Sur, Bradley, Buena Vista, Carmel Valley, Greenfield, Gonzales, King City, Marina, Pajaro, Parkfield, Prunedale, San Ardo, San Lucas Soledad, John Steinbeck in Salinas, and the Administrative Office in Marina.
4. The Incorporated Cities of Monterey County: City of Carmel, City of Del Rey Oaks, City of Greenfield, City of Gonzales, City of King, City of Marina, City of Monterey, City of Pacific Grove, City of Salinas, City of Sand City, City of Seaside, City of Soledad, City of Watsonville.
5. Monterey Regional Fire District (formally known as: Salinas Rural Fire Protection District)
6. Monterey Bay Unified Air Pollution Control District (a.k.a. M.B.U.A.P.C.D.)
7. Association of Monterey Bay Area Governments (a.k.a. A.M.B.A.G.)
8. Salinas Valley Solid Waste Authority
9. Monterey County Farm Bureau
10. North Monterey County Chamber of Commerce
11. Department of Fish & Game – CEQA Review for Monterey County (Fresno Office)
12. Monterey County Counsel's Office
13. Monterey County Division of Environmental Health
14. Monterey County Health Department – Animal Services Division
15. Monterey County Public Works Department
16. Monterey County Water Resources Agency
17. Monterey County Parks Department
18. Monterey County Agricultural Commissioner
19. Monterey County District Attorney's Office
20. Monterey County Sheriff's Office
21. Monterey County Building Inspection Department
22. Monterey County Code Enforcement Department
23. SPCA of Monterey County
24. The Salinas Californian Newspaper
25. "El Sol" Newspaper
26. The Monterey County Herald
27. Univision 67 – KSMS Television Station
28. Department copy for public review at the front counter
28. All other interested parties expressing an interest in the project have been sent the Notice of Intent.

# CONDADO DE MONTEREY

AGENCIA DE ADMINISTRACION DE RECURSOS –  
DEPARTAMENTO DE PLANIFICACION  
168 WEST ALISAL, 2<sup>ND</sup> FLOOR, SALINAS, CA 93901  
(831) 755-5025 FAX: (831) 755-9516



## NOTICIA DE INTENCION DE ADOPTAR UNA “DECLARACION DE NO IMPACTO” JUNTA DE SUPERVISORES – CONDADO DE MONTEREY

POR MEDIO DE LA PRESENTE SE AVISA que la Agencia de Administración de Recursos – Departamento de Planificación del Condado de Monterey ha preparado una “Declaración Preliminar de No Impacto” (Draft Negative Declaration) relativa a cierta revisión al Título 21 (Zonificación) del Código de Gobierno del Condado de Monterey, propuesta para tratar impactos por ruido y molestias que pudieran resultar del mantenimiento de gallos en zonas residenciales. Esta Declaración ha sido preparada para proteger la salud y bienestar públicos y por los requerimientos del Acta de Calidad Ambiental del Estado de California (California Environmental Quality Act or CEQA). La revisión al Código de Zonificación (Título 21) no tiene el intento de infringir actividades agrícolas y comerciales legales.

La nueva ordenanza enmienda los Capítulos 21.12, 21.14, 21.16, 21.48 y 21.64 del Título 21 (Zonificación) del Código de Gobierno del Condado de Monterey para regular el mantenimiento de gallos en los Distritos Residenciales de Densidad Media (Medium Density Residential), Residencial de Densidad Baja (Low Density Residential), de Densidad Rural-Residencial (Rural Density Residential) y el Distrito de Actividades Agrícolas Limitadas (Limited Agricultural Zoning District). En el presente, el Código de Zonificación permite el *Mantenimiento de Animales pequeños de Granja en Cantidades Reducidas* (Small Livestock Farming) y la *Cría de Animales de Granja* (Animal Husbandry) en estos Distritos sin ningún permiso. La definición existente del *Mantenimiento de Animales pequeños de Granja en Cantidades Reducidas* permite la cría o el mantenimiento de animales pequeños incluyendo hasta 499 de los siguientes: pollos, palomas, cerdos, conejos, patos, gansos, aves de corral (guinea fowl & peafowl), cabras, ovejas, u otros animales similares. La ordenanza propuesta modifica ciertas secciones de los mencionados capítulos del Código del Condado de Monterey, con el objetivo de no permitir el mantenimiento de más de cuatro gallos (por propiedad) en los distritos residenciales y en el Distrito de Actividades Agrícolas Limitadas. Las modificaciones al Capítulo 21.64 incluyen que el mantenimiento de 5 o más gallos se puede solicitar bajo una aplicación al Director de Planificación para un Permiso Administrativo (Administrative Permit), sujeto a las regulaciones del Capítulo 21.64. Las personas que soliciten estos permisos tendrán que demostrar que la salud y el bienestar públicos de las áreas residenciales serán protegidas del ruido y molestias innecesarias que pudieran resultar de el canto de los gallos y también que las regulaciones del Capítulo 21.64 sean establecidas.

Esta ordenanza también enmienda el Capítulo 21.06 del Título 21 (Zonificación) del Código de Gobierno del Condado de Monterey, agregando y modificando definiciones. En el presente, los siguientes terminos no son definidos: *Cría de Animales de Granja* (Animal Husbandry), *Los Futuros Agricultores de America* (FFA/ Future Farmers of America), organización juvenil 4-H (administrado por el Instituto Nacional de Agricultura y Comida, Departamento de Agricultura de los Estados Unidos) y Gallo (Rooster). Una cuota por el permiso va a ser requerida. Personal del Condado esta proponiendo a lo Junta de Supervisores que a las organizaciones *Los Futuros Agricultores de America* (FFA/ Future Farmers of America) y organización juvenil 4-H sean exentos de pagar la cuota por el permiso, pero que estas organizaciones sean sujetas a los requerimientos del permiso para mas de cuatro gallos en cada propiedad.



La "Declaración de No Impacto" y el Análisis Inicial de Impactos Ambientales (Initial Study), lo mismo que los documentos y la referida propuesta, están disponibles al público en la Agencia de de Administración de Recursos – Departamento de Planificación del Condado de Monterey (Resource Management Agency – Planning Department), 168 West Alisal Street, 2nd Floor, Salinas, California. Comentarios por escrito sobre la "Declaración de No Impacto" y sobre la propuesta en general serán aceptados en el Departamento de Planificación del 3 de Septiembre del 2010 hasta el 24 de Septiembre del 2010. La Junta de Planificación del Condado considerará esta propuesta en una audiencia pública el día 13 de Octubre del 2010. También se podrán hacer comentarios en persona ante la Junta de Planificación. La Junta de Planificación hará una recomendación a la Junta de Supervisores sobre esta propuesta. La Junta de Supervisores considerara esta propuesta en una audiencia pública, para un fecha proxima (fecha aun no esta fija).

**Descripción del Proyecto en Consideración :** ORDENANZA DEL CONDADO DE MONTEREY, ESTADO DE CALIFORNIA, PARA LA ENMIENDA DE LOS CAPITULOS 21.12, 21.14, 21.16, 21.48 y 21.64 DEL TITULO 21 (ZONIFICACION) DEL CODIGO DEL CONDADO DE MONTEREY PARA REGULAR EL MANTENIMIENTO DE GALLOS EN CIERTOS DISTRITOS RESIDENCIALES Y EN EL DISTRITO DE ACTIVIDADES AGRICOLAS LIMITADAS.

Invitamos sus comentarios durante el periodo de 20 días mencionado arriba. Los comentarios podrán ser enviados por escrito al la dirección mencionada al comienzo de este aviso. También aceptamos comentarios enviados por correo electrónico o por fax pero pedimos que siga las siguientes instrucciones para asegurar que recibamos sus comentarios: Comentarios por correo electrónico deberán ser enviados con toda la documentación necesaria a la siguiente dirección:

[CEQAcomments@co.monterey.ca.us](mailto:CEQAcomments@co.monterey.ca.us)

Documentos enviados por correo electrónico deberán incluir el nombre de la persona o entidad que los envía y la información para contactarlos tales como el número telefónico, la dirección de correo o dirección electrónica y deberán incluir todos los documentos mencionados en el correo electrónico. Para asegurar un record completo y adecuado, pedimos que por favor nos envíe una copia por escrito a la dirección de correo mencionada arriba. Si no desea enviar la copia por escrito, por favor envíenos un segundo correo electrónico solicitando nuestra confirmación de recibo de sus comentarios. Si Usted no recibe nuestra confirmación entonces por favor envíenos sus comentarios por correo regular o contáctenos por teléfono para asegurar su inclusión en el record administrativo.

Comentarios enviados por fax se aceptaran con una primera pagina que incluya el numero de paginas transmitidas, la firma del remitente y todos los documentaos a que se haga referencia en ellos. Comentarios por fax deben ser enviados al número (831) 757-9516. Para asegurar un record completo y adecuado, pedimos que por favor nos envíe una copia por escrito a la dirección de correo mencionada arriba. Si no desea enviar la copia por escrito, por favor contáctenos para solicitar nuestra confirmación de recibo de sus comentarios.

**For reviewing agencies (English):** The Resource Management Agency – Planning Department requests that you review the enclosed materials and provide any appropriate comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments or to state brief comments. In compliance with Section 15097 of the CEQA Guidelines, please provide a draft mitigation monitoring or reporting program for mitigation measures proposed by your agency. This program should include specific performance objectives for mitigation measures identified (CEQA Section 21081.6(c)). Also inform this Department if a fee needs to be collected in order to fund the mitigation monitoring or reporting by your agency and how that language should be incorporated into the mitigation measure.

Favor enviar sus comentarios acerca de la DECLARACION DE NO IMPACTO relativa a revisión al Título 21 (Zonificación) del Código de Gobierno del Condado de Monterey (Archivo No. PD070731) propuesta para tratar impactos por ruido y molestias que pudieran resultar del mantenimiento de gallos en zonas residenciales y en distritos de actividades agrícolas limitadas, a la siguiente dirección:

County of Monterey  
Resource Management Agency – Planning Department  
Attn: Mike Novo, Director of Planning  
168 West Alisal, 2<sup>nd</sup> Floor  
Salinas, CA 93901

Si necesita información en español puede contactar a las siguientes personas:

Luis Osorio, Senior Planner	(831) 755-5177
María López, Land Use Technician	(831) 755-5239
Nadia Amador, Associate Planner	(831) 755-5114
Lucy Bernal, Land use Technician	(831) 755-5235

Persona a cargo del proyecto:

Taven M. Kinison-Brown, Senior Planner (831) 755-5173  
Agencia de Administración de Recursos – Departamento de Planificación

# **MONTEREY COUNTY**

RESOURCE MANAGEMENT AGENCY - PLANNING DEPARTMENT  
168 WEST ALISAL ST., 2<sup>nd</sup> FLOOR, SALINAS, CA 93901  
PHONE: (831) 755-5025 FAX: (831) 755-9516



## ***INITIAL STUDY***

### ***I. BACKGROUND INFORMATION***

**Project Title:** Regulations for Keeping Roosters in Residential Zoning Districts and the Limited Agricultural District.

**File No.:** PD070731

**Project Location:** Unincorporated Areas of Monterey County.

**Name of Property Owner:** County Residents in the Unincorporated Areas

**Name of Applicant:** Monterey County - Resource Management Agency

**Assessor's Parcel Number(s):** Multiple

**Acreage of Property:**

**General Plan Designation:** 1982 Monterey County General Plan

**Zoning Districts:** MDR, LDR, and RDR and A. Medium Density, Low Density, Rural Density Residential and Limited Agricultural Districts.

**Lead Agency:** Resource Management Agency – Planning Department

**Prepared By:** Taven M. Kinison Brown

**Date Prepared:** March 2008 First Circulation

September 1, 2010 Second Circulation for revised Ordinance

**Contact Person:** Taven M. Kinison Brown

**Phone Number:** 831-755-5173

**E-Mail:** [kinisonbrowntm@co.monterey.ca.us](mailto:kinisonbrowntm@co.monterey.ca.us)

## **II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING**

### **A. Project Description:**

Revise the Monterey County Zoning Ordinance Title 21 as necessary to protect the public health and welfare from undue noise and nuisance from crowing roosters in residential areas. The new revisions to County Ordinances are not intended to infringe upon legal farming and permitted commercial operations. This ordinance does not apply to the Coastal Zone.

The proposed ordinance amends portions of Chapters 21.12, 21.14, 21.16, 21.48 and 21.64 of Title 21 (Zoning) of the Monterey County Code to regulate the keeping of roosters in the Medium Residential District (MDR), Low Density Residential District (LDR), Rural Density Residential District (RDR), and the Limited Agricultural Zoning District (A). Presently, County Ordinance allows "Small Livestock Farming" and "Animal Husbandry" without permits in these districts. The County's present definition of Small Livestock Farming allows the raising or keeping of small animals which may include up to 499 of the following: chickens, pigeons, hogs, rabbits, ducks, geese, guinea fowl, peafowl, goats, sheep, or similar fowl or animals.

The proposed ordinance modifies Sections within each of these Chapters to allow no more than four roosters (per property) in these residential districts and the Limited Agricultural District for the purpose of protecting the public health and welfare from undue noise and nuisance from crowing roosters in residential areas. The modifications to Section 21.64 include provisions for the keeping of five or more roosters in residential areas and the Limited Agricultural District, subject to the review and approval of an Administrative Permit by the Director of Planning. Applicants for such permits will be required to demonstrate that the public health and welfare is protected from undue noise and nuisance from crowing roosters in residential areas and that the regulations of Section 21.64 are met. This ordinance also amends Chapter 21.06 of Title 21 (Zoning) of the Monterey County Code to add and modify definitions. Presently, the following terms are not defined: Animal Husbandry, FFA, 4-H and Rooster.

The Draft Ordinance is attached as Exhibit 1 to this document. Exhibit 2 is a figure/graphic of the Monterey County unincorporated areas that would be affected by the new ordinance.

### **B. Environmental Setting and Surrounding Land Uses:**

The proposed changes to the Monterey County Zoning Code would apply to the unincorporated areas of Monterey County. The proposed ordinance amendments are meant to address and improve the peace and comfort of living in the residentially zoned and Limited Agricultural zoned areas of Monterey County by reducing noise and nuisance from roosters. The three residential zones, MDR, LDR and RDR can be found in many places in inland Monterey County and include concentrations of the residential population (for unincorporated Monterey County). This ordinance does not apply to the Coastal Zone. The Limited Agricultural Zone is overlaid on five familiar unincorporated communities: Boronda, San Ardo, Bradley, Parkfield, and a subdivision southwest of King City along Pine Canyon Road.

### **III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS**

Use the list below to indicate plans applicable to the project and verify their consistency or non-consistency with project implementation.

General Plan/Area Plan	<input checked="" type="checkbox"/>	Air Quality Mgmt. Plan	<input type="checkbox"/>
Specific Plan	<input type="checkbox"/>	Airport Land Use Plans	<input type="checkbox"/>
Water Quality Control Plan	<input type="checkbox"/>	Local Coastal Program-LUP	<input type="checkbox"/>

**Monterey County General Plan:** The project was reviewed for consistency with the 1982 Monterey County General Plan, and is consistent with the plans and policies of this document, as explained in Section IV.9 - Land Use and Planning.

### **IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION**

#### **A. FACTORS**

The environmental factors checked below would be potentially affected by this project, as discussed within the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Agriculture Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils
<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Hydrology/Water Quality	<input checked="" type="checkbox"/> Land Use/Planning
<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Population/Housing
<input checked="" type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Utilities/Service Systems		

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

Check here if this finding is not applicable

**FINDING:** For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

**EVIDENCE:** Based upon the planner's project analysis, many of the above topics on the checklist do not apply. Less than significant impacts or potentially significant impacts are identified for **agriculture resources, land use/planning, and public services**. The project would have no quantifiable adverse environmental effect on the categories not checked above, as follows:

**Aesthetics:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning districts and the Limited Agricultural District (the Project) will not affect scenic vistas, damage scenic resources, degrade the existing visual character or quality the site (Monterey County unincorporated areas) nor create a new source of light or glare.

**Air Quality:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will have no impact on air quality.

**Biological Resources:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will have no impact on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Adoption of the Project would have no effect on riparian habitat or other sensitive natural community, nor affect federally protected wetlands. Adoption of the project will not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Adoption of the project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Adoption of the project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

**Cultural Resources:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will not cause a substantial adverse change in the significance of a historical resource, cause a substantial adverse change in the significance of an archaeological resource, directly or indirectly destroy a unique paleontological resource or site or

unique geologic feature, nor disturb any human remains, including those interred outside of formal cemeteries. While the maintaining of domesticated birds has many cultural roots for many persons, the project still allows four roosters in every zoning district where they are presently allowed without permits. The suggested ordinances allows persons to maintain additional roosters through a permit process if they can demonstrate to the Director of Planning that the public health and welfare will be protected from undue noise and nuisance from crowing roosters in residential and Limited Agricultural areas and that they can meet the requirements of a new Special Regulation, Section 21.64.320. The new revisions to County Ordinances are not intended to infringe upon legal farming and permitted commercial operations.

**Geology/Soils:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will have no impact on Geological Resources.

**Hazards/Hazardous Materials:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will not create a hazard to the public or involve hazardous materials.

**Hydrology/Water Quality:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will not violate any water quality standards, deplete groundwater supplies, alter existing drainage patterns, nor contribute run-off or otherwise degrade water quality.

**Mineral Resources:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will have no impact on Mineral Resources.

**Noise:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts includes no construction or physical components that may involve the creation of new or increased noise levels. The purpose of the changes to County Ordinances is to protect the public health and welfare from undue noise and nuisance from crowing roosters in residential areas. A decrease in noise disturbances from crowing roosters in residential areas is the purpose of the ordinance.

**Population/Housing:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will not induce substantial population growth, displace existing housing, nor displace persons.

**Recreation:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will not

increase the use of existing neighborhood and regional parks or other recreational facilities, nor does the ordinance propose the provision of such facilities.

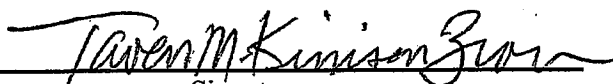
**Transportation/Traffic:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will not increase existing vehicle traffic, nor result in a change to air traffic patterns, nor conflict with County and regional programs and responsibilities to maintain regional transit infrastructure and systems.

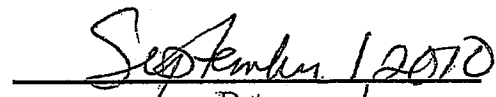
**Utilities and Service Systems:** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will have no impact on Utilities and Service Systems.

## B. DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
Signature

  
Date



TAVEN M. KINISON BROWN

Printed Name

PLANNING SERVICES MANAGER

Title

**V. EVALUATION OF ENVIRONMENTAL IMPACTS**

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were

incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

## VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Have a substantial adverse effect on a scenic vista? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source:1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

## 2. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

2. AGRICULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

**Agricultural Resources 2(a) – No Impact.** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and Limited Agricultural districts will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses.

**Agricultural Resources 2(b) – Less than Significant Impact.** While adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning districts will not affect Williamson Act Contracts, it will affect the allowance of roosters in the MDR, LDR, RDR and A zoning districts. No changes are proposed for any other Monterey County Zoning Districts, including but not limited to the AI Agricultural Industrial Zone, F Farmland Zone, RG Rural Grazing Zone, PG Permanent Grazing, and RC Resource Conservation Zone. In this manner there will be a less than significant impact to legal farming and permitted commercial operations.

**Agricultural Resources 2(c) – No Impact.** Adoption of revisions to the County Zoning Ordinance to limit roosters in residential zoning and the Limited Agricultural districts will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.

**3. AIR QUALITY**

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**3. AIR QUALITY**

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: 1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

**4. BIOLOGICAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**4. BIOLOGICAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

**5. CULTURAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

6. **GEOLOGY AND SOILS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: 1,2,3) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

<b>7. HAZARDS AND HAZARDOUS MATERIALS</b>				
<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.



**8. HYDROLOGY AND WATER QUALITY**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

9. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Physically divide an established community? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

**Land Use and Planning Resources 9(a) – No Impact.** There is no construction or physical component to the proposed project. Adoption of the project will not physically divide an established community.

**Land Use and Planning Resources 9(b) – Less than Significant Impact.**

The Monterey County General Plan recognizes that “Land uses of an inherent noise-generating nature could adversely impact residents.” While the General Plan discussion is in the context of new development, it is still true that uses of an inherent noise-generating nature could adversely impact residents. Additionally, Goal 22 of the 1982 Monterey County General Plan is “To maintain an overall healthy and quiet environment by trying to achieve living and working conditions free from annoying and harmful sounds.” Objective 22.1 of Goal 22 is (for the County to) “Adopt noise reduction measures and begin implementation by 1984; revise as conditions change.” The proposal to protect the public health and welfare from undue noise and nuisance from crowing roosters in residential areas does not conflict with this Goal and Objective of the General Plan and effectively helps to support and implement the Goal and Objective by regulating and limiting noise generation from roosters and by limiting the number of roosters. In this manner, the Ordinance is consistent with the General Plan and will have a less than significant impact.

**Land Use and Planning Resources 9(c) – No Impact** Adoption of the project will not conflict with any habitat conservation plan or natural community conservation plan.

**10. MINERAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

**11. NOISE**

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

11. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>				
d) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

12. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

**13. PUBLIC SERVICES**

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

**Public Services 13(a-d) – No Impact** The project does not include the provision of any new governmental facilities, and there is no anticipation of needing to construct additional facilities to implement the Ordinance changes. The construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times. The Fire Department, Sheriffs Department, School Districts and Parks Departments will not be affected by adoption of the proposed Ordinances.

**Public Services 13(e) – Less than Significant Impact** Enforcement of provisions of the Project and the Monterey County Zoning Ordinance (Title 21) are the responsibility of the Monterey County Planning Services and Building Services Departments. Other departments with responsibility to protect the public health, welfare, and safety may also become involved if circumstances warrant. It is expected that there would likely be an initial surge of complaints and the need for investigation and response should the proposed changes to the County Ordinance (the Project) be adopted. This initial surge is anticipated to be absorbed within the existing staff structure of the Planning Services and Building Services Departments. Referrals to and cooperation with other agencies may be necessary. In this manner, there is no forecast need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services. In this manner, approval of the proposed project would have a less than significant to public facilities.

**14. RECREATION**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

**15. TRANSPORTATION/TRAFFIC**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**15. TRANSPORTATION/TRAFFIC**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Result in inadequate parking capacity? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

**16. UTILITIES AND SERVICE SYSTEMS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*Initial Study – Rooster Ordinance*

**Discussion/Conclusion/Mitigation:** See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

## VII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (Source: 1,2,3) ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects; the effects of other current projects, and the effects of probable future projects)? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion/Conclusion/Mitigation:

**VII (a): No Impact.** The project does not have the potential to degrade the quality of the environment as it has been determined that there will be less than significant impacts to agriculture resources, land use/planning and public services. Further, analysis supports the conclusion that there would be no (negative) impacts to aesthetics, air quality, biological resources, geology/soils, hazardous materials, hydrology/water quality, mineral resources, noise, population/housing, recreation, transportation /traffic, utilities and services systems. See previous Sections II.A - Project Description, II.B - Environmental Setting, and Section IV.A - Environmental Factors Potentially Affected, as well as the sources referenced. The following describes the project's potential to contribute to global warming as mandated by AB 32.



**VII (b-c): No Impact:** Cumulative Impacts and Global Warming: The enactment of AB 32, the Global Warming Solutions Act, was signed into legislation by Governor Schwarzenegger in September 2006 and requires that greenhouse gases emissions be reduced to 1990 levels by the year 2020. Increased emissions of greenhouse gases due to developmental pressures have resulted in multiple adverse environmental effects, including, sea level rise, increased incidence and intensity of severe weather events (e.g., heavy rainfall, droughts), and extirpation or extinction of plant and wildlife species. Further, emissions contributing to climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Given the significant adverse environmental effects associated with anthropogenic climate change, increased emissions have the potential to result in cumulatively considerable air quality impacts and indirect biological and hydrological impacts.

When analyzing a project's potential to affect climate change, it is important to note that neither CEQA nor current case law identifies thresholds or other direction in measuring or evaluating the effect of individual projects on global warming. As a result, in the absence of applicable methodology and thresholds, the significance of the project's effect on global warming cannot be quantified. Furthermore, given the transboundary nature of greenhouse gases, the cumulative global emissions contributing to climate change can be attributed to every nation, region, and city, in addition to naturally occurring phenomenon.

While the project limits the number of roosters that may be maintained on a residentially zoned or Limited Agricultural zoned property without permits, no changes have been proposed to the amount of other small farm animals (499) allowed under the definition of Small Livestock Farming. The proposed project is unlikely to impact existing levels of greenhouse gases on a local, regional, or global scale.

### ***VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES***

The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to CEQA review had a "de minimis" (minimal) effect on fish and wildlife resources under the jurisdiction of the Department of Fish and Game. Projects that were determined to have a "de minimis" effect were exempt from payment of the filing fees.

SB 1535 has eliminated the provision for a determination of "de minimis" effect by the lead agency; consequently, all land development projects that are subject to environmental review are now subject to the filing fees, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources.

To be considered for determination of "no effect" on fish and wildlife resources, development applicants must submit a form requesting such determination to the Department of Fish and Game. Forms may be obtained by contacting the Department or through the Department's website at [www.dfg.ca.gov](http://www.dfg.ca.gov).

**Conclusion:** The project will not be required to pay the fee.

**Evidence:** Based on the record as a whole as embodied in the Monterey County Resource Management Agency Planning Department files pertaining to PD070731 and the attached Initial Study, the proposed project to introduce regulations for the Keeping of Roosters in Residential Zones and the Limited Agricultural Zone would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species or have a substantial adverse effect on any riparian habitat or other sensitive natural community. The project will not have the potential to degrade the environment (Source: IX. 1, 2, 3, 4). While the project limits the number of roosters that may be maintained on a residentially zoned or Limited Agricultural zoned property without permits, no changes have been proposed to the amount of small farm animals (499) allowed under the definition of Small Livestock Farming.

### ***IX. REFERENCES***

1. Monterey County General Plan
2. Title 21 of the Monterey County Code (Zoning Ordinance)
3. Monterey County GIS Geographical Information System
4. CEQA Air Quality Guidelines, prepared by Monterey Bay Unified Air Pollution Control District, Adopted 1995 and last revised in August 2008.

## **X. EXHIBITS**

1. Draft Ordinance To Regulate The Keeping Of Roosters In Residential Districts.
2. Figure / Graphic of the areas affected by implementation of the Ordinance

## EXHIBIT 1

### DRAFT ORDINANCE

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA AMENDING CHAPTER 21.06 OF TITLE 21 (ZONING) OF THE MONTEREY COUNTY CODE TO ADD DEFINITIONS AND PORTIONS OF CHAPTERS 21.12, 21.14, 21.16, 21.48 AND 21.64 OF TITLE 21 (ZONING) OF THE MONTEREY COUNTY CODE TO REGULATE THE KEEPING OF ROOSTERS IN RESIDENTIAL DISTRICTS AND THE LIMITED AGRICULTURAL DISTRICT.

#### *County Counsel Summary*

*This ordinance amends Chapter 21.06 of Title 21 (Zoning) of the Monterey County Code to add and modify definitions and amends portions of Chapters 21.12, 21.14, 21.16, 21.48 and 21.64 of Title 21 (Zoning) of the Monterey County Code to regulate the keeping of roosters in the Medium Residential District (MDR), Low Density Residential District (LDR), Rural Density Residential District (RDR), and the Limited Agricultural Zoning District (A). This Ordinance modifies the Inland Zoning Ordinance to allow no more than four roosters per property without a discretionary permit in these residential districts and the Limited Agricultural District. The modifications to Section 21.64 allow the keeping of five or more roosters in residential areas and the Limited Agricultural District, subject to the review and approval of an Administrative Permit by the Director of Planning, and demonstration by the applicants that the public health and welfare is protected from undue noise and nuisance from crowing roosters in residential areas and that the regulations of Section 21.64 are met. The purpose of these revisions to the zoning ordinance is to protect the public health and welfare from undue noise and nuisance from crowing roosters in residential areas. The amendments to this title do not apply to farming and permitted commercial operations.*

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. Within Chapter 21.06 DEFINITIONS, Section 21.06.075, of the Monterey County Code is added to read as follows:

#### **21.06.075 ANIMAL HUSBANDRY**

**The agricultural practice of breeding and raising livestock.**

**SECTION 2.** Within Chapter 21.06 DEFINITIONS, Section 21.06.563 of the Monterey County Code is added to read as follows:

**21.06.563 FFA. FUTURE FARMERS OF AMERICA**

Monterey County registered and current members of The National FFA Organization.

**SECTION 3.** Within Chapter 21.06 DEFINITIONS, Section 21.06.566 of the Monterey County Code is added to read as follows:

**21.06.566 4-H. 4-H YOUTH DEVELOPMENT PROGRAM**

Monterey County registered and current members of that program administered by the Monterey County Cooperative Extension under the title 4-H.

**SECTION 4.** Within Chapter 21.06 DEFINITIONS, Section 21.06.995 of the Monterey County Code is added to read as follows:

**21.06.995 ROOSTER**

A rooster is a male chicken that has reached 6 months of age.

**SECTION 5:** Subparagraph M, of Section 21.12.030 of the Monterey County Code related to Uses Allowed in the Medium Density Residential Zoning District is amended to read as follows:

**Section 21.12.030 USES ALLOWED.**

- M. Intermittent livestock farming or animal husbandry uses such as "4-H" projects on a minimum of 20,000 square feet. No more than four roosters per property may be allowed in intermittent livestock farming or animal husbandry operations in the Medium Density Residential Zone, unless permitted pursuant to the regulations of Section 21.64.320 of this Title.

**SECTION 6:** Subparagraph I, of Section 21.12.040 of the Monterey County Code related to Uses Allowed, Administrative Permit Required in the Medium Density Residential Zoning District is added to read as follows:

**Section 21.12.040 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED**

- I: Pursuant to Section 21.64.320, five or more roosters per property may be allowed if it can be demonstrated that the public health and welfare can be protected from undue noise and nuisance from crowing roosters in residential areas.

**SECTION 7:** Subparagraph D, of Section 21.14.030 of the Monterey County Code related to Uses Allowed in the Low Density Residential Zoning District is amended to read as follows:

**Section 21.14.030 USES ALLOWED.**

- D. Animal husbandry and small livestock farming; provided that not more than one horse, mule, cow, or similar livestock shall be kept for each twenty thousand square feet of land area. No more than four roosters per property may be allowed in animal husbandry and small livestock farming operations in the Low Density Residential Zone, unless permitted pursuant to the regulations of Section 21.64.320 of this Title.

**SECTION 8:** Subparagraph P, of Section 21.14.030 of the Monterey County Code related to Uses Allowed in the Low Residential Zoning District is amended to read as follows:

- P. Intermittent livestock farming or animal husbandry uses such as "4-H" projects. No more than four roosters per property may be allowed in intermittent livestock farming or animal husbandry operations in the Low Density Residential Zone, unless permitted pursuant to the regulations of Section 21.64.320.

**SECTION 9:** Subparagraph J, of Section 21.14.040 of the Monterey County Code related to Uses Allowed, Administrative Permit Required in the Low Density Residential Zoning District is added to read as follows:

**Section 21.14.040 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED:**

- J. Pursuant to Section 21.64.320, five or more roosters per property may be allowed if it can be demonstrated that the public health and welfare can be protected from undue noise and nuisance from crowing roosters in residential areas.

**SECTION 10:** Subparagraph K, of Section 21.16.030 of the Monterey County Code related to Uses Allowed in the Rural Density Residential Zoning District is amended to read as follows:

**Section 21.16.030 USES ALLOWED.**

- K. Animal husbandry and small livestock farming; provided that not more than one horse, mule, cow, or similar livestock shall be kept for each twenty thousand square feet of land area. No more than four roosters per property may be allowed in animal husbandry and small livestock farming operations in the Rural Density Residential Zone, unless permitted pursuant to the regulations of Section 21.64.320 of this Title.

**SECTION 11:** Subparagraph L, of Section 21.16.030 of the Monterey County Code related to Uses Allowed in the Rural Density Residential Zoning District is amended to read as follows:

- L. All agricultural uses on a minimum of ten acres including crop and tree farming, livestock farming, animal husbandry, apiaries, aviaries, except for those uses requiring an Administrative or Use Permit. No more than four roosters per property may be allowed in

the livestock farming and animal husbandry operations in the Rural Density Residential Zone, unless permitted pursuant to the regulations of Section 21.64.320 of this Title.

**SECTION 12:** Subparagraph R, of Section 21.16.030 of the Monterey County Code related to Uses Allowed in the Rural Density Residential Zoning District is amended to read as follows:

- R. Intermittent livestock farming or animal husbandry such as "4-H" projects. No more than four roosters per property may be allowed in intermittent livestock farming or animal husbandry operations in the Rural Density Residential Zone, unless permitted pursuant to the regulations of Section 21.64.320 of this Title.

**SECTION 13:** Subparagraph K, of Section 21.16.040 of the Monterey County Code related to Uses Allowed, Administrative Permit Required in the Rural Density Residential Zoning District is added to read as follows:

**Section 21.16.040 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED**

- K: Pursuant to Section 21.64.320, five or more roosters per property may be allowed if it can be demonstrated that the public health and welfare can be protected from undue noise and nuisance from crowing roosters in residential areas.

**SECTION 14:** Subparagraph B, of Section 21.48.030 of the Monterey County Code related to Uses Allowed in the Limited Agricultural Zoning District is amended to read as follows:

**Section 21.48.030 USES ALLOWED**

- B. Animal husbandry and small livestock farming; provided that not more than one horse, mule, cow, or similar livestock shall be kept for each twenty thousand square feet of land area. No more than four roosters per property may be allowed in animal husbandry and small livestock farming operations in the "A" District, unless permitted pursuant to the regulations of Section 21.64.320 of this Title.

**SECTION 15:** Section 21.48.035 and Section 21.48.035 subparagraph A are added to the Monterey County Code to read as follows:

**Section 21.48.035 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED**

- A: Pursuant to Section 21.64.320, five or more roosters per property may be allowed if it can be demonstrated that the public health and welfare can be protected from undue noise and nuisance from crowing roosters in residential areas.

SECTION 16: Section 21.64.320 is added to the Monterey County Code to read as follows:

**21.64.320 REGULATIONS FOR THE KEEPING OF ROOSTERS IN RESIDENTIAL DISTRICTS AND THE LIMITED AGRICULTURAL DISTRICT.**

A. Purpose: The purpose of this Section is to establish the regulations, standards and circumstances under which five or more roosters may be kept per property, in order to protect the public health and welfare, reduce noise from roosters, and prevent nuisance.

B. Applicability: The provisions of this Section are applicable in the Medium Residential District (MDR), Low Density Residential District (LDR), Rural Density Residential District (RDR), and the Limited Agricultural Zoning District (A) (collectively referred to as residential districts).

C. Regulations: Five or more roosters may be allowed per property in the above designated districts, subject to the review and approval of an Administrative Permit that includes the following elements and conditions:

1. An Operational Plan shall be submitted with all requests for an Administrative Permit. The Operational Plan shall include a full property site plan, Manure Management Plan, Drainage Plan, and designation of Roaming Areas and coop locations consistent with this section.
  - a) A Manure Management Plan meeting the standards and practices of the Monterey County Environmental Health Services Division shall be submitted with all requests for an Administrative Permit for the keeping of roosters in residential districts and the Limited Agricultural District.
  - b) A Drainage Plan meeting the standards and practices of the Monterey County Water Resources Agency shall be submitted with all requests for an Administrative Permit for the keeping of roosters in residential districts and the Limited Agricultural District.
  - c) Minimum property sizes for the keeping of five or more roosters by district.

1.	<u>Medium Residential District (MDR)</u>	<u>2.5 acres</u>
2.	<u>Low Density Residential District (LDR)</u>	<u>2.5 acres</u>
3.	<u>Rural Density Residential District (RDR)</u>	<u>2.5 acres</u>
4.	<u>Limited Agricultural Zoning District (A)</u>	<u>2.5 acres</u>
  - d) Minimum setbacks of coops and roaming areas from property lines:

1.	<u>Front Property Line</u>	<u>100 feet</u>
2.	<u>Side Property Line</u>	<u>100 feet</u>



3. Rear Property Line 100 feet

e) Roaming areas

1. Roaming areas are defined as that area internal to a property that excludes the front, side and rear 100 feet of a subject property.
  2. Roaming areas shall be safely fenced.
  3. Roosters shall be maintained within approved roaming areas.
2. Property owners shall maintain their property and roosters in a manner consistent with a property-specific Operational Plan that has been reviewed and approved by the County through an Administrative Permit or Use Permit process.
  3. It shall be unlawful for any person to keep, maintain, or permit on any lot or parcel of land, any dogs, cats, household pets, or any other animal which by any sound or cry shall disturb the peace and comfort of any neighborhood. (Monterey County Municipal Code Chapter 8.36 Nuisance and Nuisance Animals.)

D. Findings: In order to grant the Administrative Permit the Appropriate Authority shall make the following findings.

1. That the proposed establishment and or maintenance of five or more roosters in residential districts complies with Sections 21.64.320 B and C of this Title.

2. That the establishment of five or more roosters on the subject property will not, under the circumstances of the particular application, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

E. Appropriate Authority: The Appropriate Authority to consider Administrative Permits under this Section is the Director of Planning or his or her designee. Any proposal to maintain five or more roosters which does not comply with the provisions of Section 21.64.320 C shall require a Use Permit. The Zoning Administrator shall be the Appropriate Authority to consider said Use Permits. The Zoning Administrator may accordingly adjust the requirements of Section 21.64.320 C, if the Findings of Section 21.64.320 D.2 can be made.

F. Implementation and Notification: All applicable properties (Section 21.64.320 B) in the Monterey County unincorporated areas that maintain five or more roosters shall come into compliance with this Ordinance within 180 days after its adoption (date) (The Effective Date).

1. To allow persons maintaining more than five roosters on their property a reasonable time for the opportunity to sell, trade, consume or otherwise seek a return on the roosters that they maintain on their property, persons maintaining more than five roosters on their property shall have one hundred and eighty (180) days from the Effective Date to comply with the regulations of this Chapter.

2. During the 180-day period, it shall be the policy of the County to encourage voluntary adherence to the requirements of this Chapter. After one hundred and eighty (180) days from the  
*Initial Study – Rooster Ordinance*

Effective Date, persons maintaining more than five roosters on their property shall be subject to and shall comply with the regulations of this Chapter.

3. Persons maintaining more than five roosters on their property, may, through written request, request an additional 180-days from the effective date of the regulations of the chapter if the owner can demonstrate that the longer period is necessary in order for the owner to receive a reasonable return on their investment. Such written request is subject to review and approval by the Director of Planning.

4. Notification of the County's implementation of this Chapter shall be given through the normal and customary County practice of publishing public hearing notices. Notification shall also be attempted to known property owners who maintain more than five roosters in the applicable zoning districts.

G. Enforcement. The Director of Planning Services, and the Director of Building Services shall be primarily responsible for implementation and enforcement of this Chapter.

1. The Directors are authorized to establish guidelines and procedures to implement this Chapter and to take such action as may be necessary, including the inspection of properties that maintain more than five roosters in the applicable zoning districts, to monitor compliance with this Chapter.

2. In the event of a violation of this Chapter or any requirement imposed pursuant to this Chapter, the County may in its discretion, in addition to all other remedies, take such enforcement action as is authorized under the Monterey County Code and any other action authorized by law. A property owner maintaining more than five roosters on their property shall be allowed one (1) warning prior to the first citation for a violation of this Chapter.

3. If the County elects to utilize the administrative procedures set forth in Chapter 1.22 of the Monterey County Code to enforce this Chapter, the Director of Building Services shall serve as the Enforcement Official within the meaning of Chapter 1.22.

**SECTION 17. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**SECTION 18. EFFECTIVE DATE.** This Ordinance shall become effective on the 30<sup>th</sup> day after its adoption.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2010 by the following vote:

Supervisors:

AYES:

NOES:

ABSENT:

*Initial Study – Rooster Ordinance*

*File #PD0700371*

*Page 32 of 34*

ABSTAIN:

\_\_\_\_\_  
Simon Salinas, Chair  
Monterey County Board of Supervisors

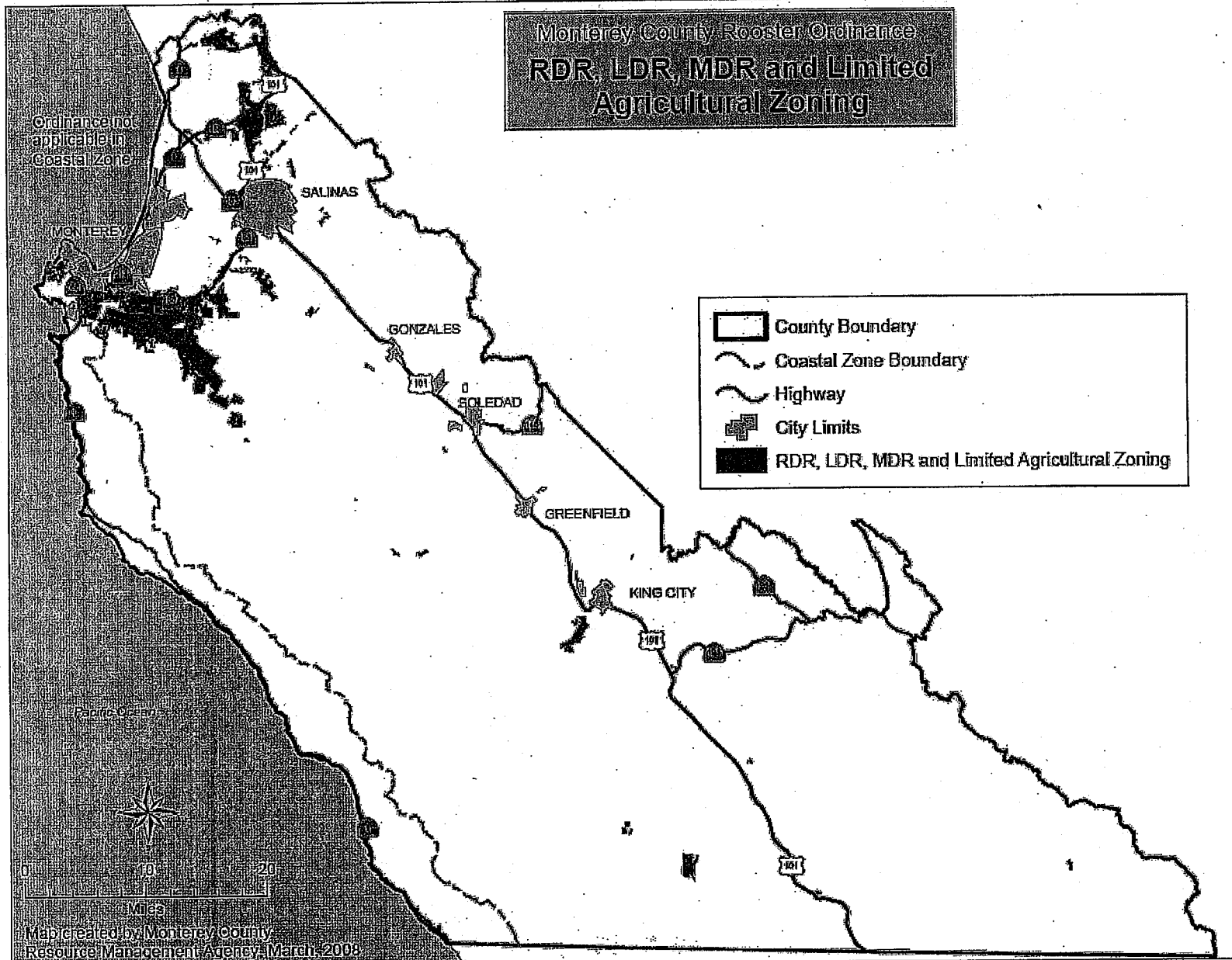
Attest:  
LEW C. BAUMAN, Clerk  
to the Board of Supervisors

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
Charles McKee, County Counsel

By: \_\_\_\_\_  
Deputy

Monterey County Rooster Ordinance  
RDR, LDR, MDR and Limited  
Agricultural Zoning



Map created by Monterey County  
Resource Management Agency, March, 2008

# **EXHIBIT D**

Draft Ordinance

PD070731

Planning Commission Hearing

October 13, 2010

**EXHIBIT D  
DRAFT ORDINANCE**

**DRAFT**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA AMENDING CHAPTER 21.06 OF TITLE 21 (ZONING) OF THE MONTEREY COUNTY CODE TO ADD DEFINITIONS AND PORTIONS OF CHAPTERS 21.12, 21.14, 21.16, 21.48 AND 21.64 OF TITLE 21 (ZONING) OF THE MONTEREY COUNTY CODE TO REGULATE THE KEEPING OF ROOSTERS IN RESIDENTIAL DISTRICTS AND THE LIMITED AGRICULTURAL DISTRICT.

***County Counsel Summary***

*This ordinance amends Chapter 21.06 of Title 21 (Zoning) of the Monterey County Code to add and modify definitions and amends portions of Chapters 21.12, 21.14, 21.16, 21.48 and 21.64 of Title 21 (Zoning) of the Monterey County Code to regulate the keeping of roosters in the Medium Residential District (MDR), Low Density Residential District (LDR), Rural Density Residential District (RDR), and the Limited Agricultural Zoning District (A). This Ordinance modifies the Inland Zoning Ordinance to allow no more than four roosters per lot without a discretionary permit in these residential districts and the Limited Agricultural District. The modifications to Section 21.64 allow the keeping of five or more roosters in residential areas and the Limited Agricultural District, subject to the review and approval of an Administrative Permit by the Director of Planning, (Or use Permit by the Zoning Administrator) and demonstration by the applicants that the public health and welfare is protected from undue noise and nuisance from crowing roosters in residential areas and that the regulations of Section 21.64 are met. The purpose of these revisions to the zoning ordinance is to protect the public health and welfare from undue noise and nuisance from crowing roosters in residential areas. The amendments to this title do not apply to farming and permitted commercial operations.*

The Board of Supervisors of the County of Monterey ordains as follows:

**SECTION 1. Constitutional and Statutory Authority.** Pursuant to Article XI of the California Constitution and pursuant to statute, including Government Code Sections 65302, 65560, and 65800, the County of Monterey may adopt and enforce ordinances and regulations to protect and promote the health, safety, and general welfare of its citizens. Therefore, the County of Monterey enacts an ordinance amending Chapter 21.06 of Title 21 (Zoning) of the Monterey County Code to add definitions and amending portions of Chapters 21.12, 21.14, 21.16, 21.48 and 21.64 of Title 21 (Zoning) of the Monterey County Code to regulate the keeping of roosters in residential districts and the Limited Agricultural District.

**DRAFT**

**SECTION 2. Findings of Fact:**

- A. Many residential areas of the County of Monterey have properties and lots where numerous roosters are maintained.
- B. In those residential areas where numerous roosters are maintained, neighborhood residents are subjected to nuisance noise from crowing populations of roosters.
- C. Property owners and residents who once enjoyed quiet neighborhoods and rural living in low, medium and rural density residential districts and the Limited Agricultural overlay zone, have reported numerous problems from crowing populations of roosters in their vicinities, including:
  1. Many sleepless nights and disrupted days;
  2. Not being able to converse with family members or guests on their own properties;
  3. Not being able to concentrate on other things, mask or otherwise ignore incessant rooster crowing, and that this has had negative affects on individuals, families and neighborhood relationships.
  4. Feeling that their property value and the ability to sell their residential property are compromised by nuisance noise from crowing populations of roosters.
  5. Property owners have requested that the County take action to protect their health and general welfare from the nuisance noise from crowing populations of roosters.
  6. Present County Ordinance allows "Small Livestock Farming" and "Animal Husbandry" without permits in the Low Density Residential, Medium Density Residential, Rural Density Residential and Limited Agricultural Zoning Districts.
  7. The County's present definition of Small Livestock Farming allows the raising or keeping of small animals which may include up to 499 of the following: chickens, pigeons, hogs, rabbits, ducks, geese, guinea fowl, peafowl, goats, sheep, or similar fowl or animals.
  8. There presently is no County definition for "Animal Husbandry," and the County Ordinance (Title 21) does not distinguish roosters from chickens.
  9. There presently are no Special Regulations to address the Regulation of Roosters in Residential Areas and the Limited Agricultural District.
  10. County staff was directed by the Board of Supervisors to address the matter and to take a "Land Use" approach to the noise and nuisance matter by drafting and offering adjustments to the Zoning Code (Title 21) for the Inland Areas of the County.
  11. Staff was directed to draft an ordinance in such a manner as to not affect farming or commercial operations in non-residential zoning districts, or the Coastal Zone.

**SECTION 3. Statement of Purpose.** It is the purpose of this Chapter to promote the public health, safety, and general welfare, and to minimize nuisance noise from crowing populations of roosters in Residential Areas and the Limited Agricultural Districts.

**SECTION 4. Methods of Reducing Nuisance Noise from crowing populations of roosters in Residential Areas and the Limited Agricultural Districts.** In order to accomplish its purposes, this Ordinance includes regulations to:

1. Add definitions to the Monterey County Zoning Code for: Animal Husbandry, 4H, FFA, and Rooster.
2. Specify an allowable number of roosters that can be maintained in Residential Districts and the Limited Agricultural Districts without need for permit or additional regulation.

**DRAFT**

3. Establish Special Regulations for the keeping of additional roosters in Residential Districts and the Limited Agricultural Districts through a discretionary permit review process, subject to public noticing and County inspection.
4. Establish an appropriate authority to review the implementation of the Special Regulations.

**SECTION 5.** Within Chapter 21.06 DEFINITIONS, Sections 21.06.075, 21.06.563, 21.06.566 and 21.06.995 of the Monterey County Code are added to read as follows:

**21.06.075 ANIMAL HUSBANDRY**

The agricultural practice of breeding and raising livestock.

**21.06.563 FFA. FUTURE FARMERS OF AMERICA**

Monterey County registered and current members of The National FFA Organization.

**21.06.566 4-H. 4-H YOUTH DEVELOPMENT PROGRAM**

Monterey County registered and current members of that program administered by the Monterey County Cooperative Extension under the title 4-H.

**21.06.995 ROOSTER**

A rooster is a male chicken that has reached 6 months of age.

**SECTION 6:** Subparagraph M, of Section 21.12.030 of the Monterey County Code related to Uses Allowed in the Medium Density Residential Zoning District is amended to read as follows:

**Section 21.12.030 USES ALLOWED.**

- M. Intermittent livestock farming or animal husbandry uses such as "4-H" projects on a minimum of 20,000 square feet. No more than four roosters per lot may be allowed in intermittent livestock farming or animal husbandry operations in the Medium Density Residential Zone, unless permitted pursuant to the regulations of Section 21.64.320 of this Title.

**SECTION 7:** Subparagraph I, of Section 21.12.040 of the Monterey County Code related to Uses Allowed, Administrative Permit Required in the Medium Density Residential Zoning District is added to read as follows:

**Section 21.12.040 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED**

- I: Pursuant to Section 21.64.320, five or more roosters per lot may be allowed if it can be demonstrated that the public health and welfare can be protected from undue noise and nuisance from crowing roosters in residential areas.



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**SECTION 8:** Subparagraph D, of Section 21.14.030 of the Monterey County Code related to Uses Allowed in the Low Density Residential Zoning District is amended to read as follows:

**Section 21.14.030 USES ALLOWED.**

- D. Animal husbandry and small livestock farming; provided that not more than one horse, mule, cow, or similar livestock shall be kept for each twenty thousand square feet of land area. No more than four roosters per lot may be allowed in animal husbandry and small livestock farming operations in the Low Density Residential Zone, unless permitted pursuant to the regulations of Section 21.64.320 of this Title.

**SECTION 9:** Subparagraph P, of Section 21.14.030 of the Monterey County Code related to Uses Allowed in the Low Residential Zoning District is amended to read as follows:

- P. Intermittent livestock farming or animal husbandry uses such as "4-H" projects. No more than four roosters per lot may be allowed in intermittent livestock farming or animal husbandry operations in the Low Density Residential Zone, unless permitted pursuant to the regulations of Section 21.64.320.

**SECTION 10:** Subparagraph J, of Section 21.14.040 of the Monterey County Code related to Uses Allowed, Administrative Permit Required in the Low Density Residential Zoning District is added to read as follows:

**Section 21.14.040 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED**

- J: Pursuant to Section 21.64.320, five or more roosters per lot may be allowed if it can be demonstrated that the public health and welfare can be protected from undue noise and nuisance from crowing roosters in residential areas.

**SECTION 11:** Subparagraph K, of Section 21.16.030 of the Monterey County Code related to Uses Allowed in the Rural Density Residential Zoning District is amended to read as follows:

**Section 21.16.030 USES ALLOWED.**

- K. Animal husbandry and small livestock farming; provided that not more than one horse, mule, cow, or similar livestock shall be kept for each twenty thousand square feet of land area. No more than four roosters per lot may be allowed in animal husbandry and small livestock farming operations in the Rural Density Residential Zone, unless permitted pursuant to the regulations of Section 21.64.320 of this Title.

**SECTION 12:** Subparagraph L, of Section 21.16.030 of the Monterey County Code related to Uses Allowed in the Rural Density Residential Zoning District is amended to read as follows:

**DRAFT**

- L. All agricultural uses on a minimum of ten acres including crop and tree farming, livestock farming, animal husbandry, apiaries, aviaries, except for those uses requiring an Administrative or Use Permit. No more than four roosters per lot may be allowed in the livestock farming and animal husbandry operations in the Rural Density Residential Zone, unless permitted pursuant to the regulations of Section 21.64.320 of this Title.

**SECTION 13:** Subparagraph R, of Section 21.16.030 of the Monterey County Code related to Uses Allowed in the Rural Density Residential Zoning District is amended to read as follows:

- R. Intermittent livestock farming or animal husbandry such as "4-H" projects. No more than four roosters per lot may be allowed in intermittent livestock farming or animal husbandry operations in the Rural Density Residential Zone, unless permitted pursuant to the regulations of Section 21.64.320 of this Title.

**SECTION 14:** Subparagraph K, of Section 21.16.040 of the Monterey County Code related to Uses Allowed, Administrative Permit Required in the Rural Density Residential Zoning District is added to read as follows:

**Section 21.16.040 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED**

- K. Pursuant to Section 21.64.320, five or more roosters per lot may be allowed if it can be demonstrated that the public health and welfare can be protected from undue noise and nuisance from crowing roosters in residential areas.

**SECTION 15:** Subparagraph B, of Section 21.48.030 of the Monterey County Code related to Uses Allowed in the Limited Agricultural Zoning District is amended to read as follows:

**Section 21.48.030 USES ALLOWED**

- B. Animal husbandry and small livestock farming; provided that not more than one horse, mule, cow, or similar livestock shall be kept for each twenty thousand square feet of land area. No more than four roosters per lot may be allowed in animal husbandry and small livestock farming operations in the "A" District, unless permitted pursuant to the regulations of Section 21.64.320 of this Title.

**SECTION 16:** Section 21.48.035 and Section 21.48.035 subparagraph A are added to the Monterey County Code to read as follows:

**Section 21.48.035 USES ALLOWED, ADMINISTRATIVE PERMIT REQUIRED**

- A. Pursuant to Section 21.64.320, five or more roosters per lot may be allowed if it can be demonstrated that the public health and welfare can be protected from undue noise and nuisance from crowing roosters in residential areas.

**DRAFT**

SECTION 17: Section 21.64.320 is added to the Monterey County Code to read as follows:

**21.64.320 REGULATIONS FOR THE KEEPING OF ROOSTERS IN RESIDENTIAL DISTRICTS AND THE LIMITED AGRICULTURAL DISTRICT.**

A. Purpose: The purpose of this Section is to establish the regulations, standards and circumstances under which five or more roosters may be kept per lot, in order to protect the public health and welfare, reduce noise from roosters, and prevent nuisance.

B. Applicability: The provisions of this Section are applicable in the Medium Residential District (MDR), Low Density Residential District (LDR), Rural Density Residential District (RDR), and the Limited Agricultural Zoning District (A) (collectively referred to as residential districts).

C. Regulations: Five or more roosters may be allowed per lot in the above designated districts, subject to the review and approval of an Administrative Permit that includes the following elements and conditions:

1. An Operational Plan shall be submitted with all requests for an Administrative Permit. The Operational Plan shall include a full lot site plan, Manure Management Plan, Drainage Plan, and designation of Roaming Areas and coop locations consistent with this section.
  - a) A Manure Management Plan meeting the standards and practices of the Monterey County Environmental Health Services Division shall be submitted with all requests for an Administrative Permit for the keeping of roosters in residential districts and the Limited Agricultural District.
  - b) A Drainage Plan meeting the standards and practices of the Monterey County Water Resources Agency shall be submitted with all requests for an Administrative Permit for the keeping of roosters in residential districts and the Limited Agricultural District.
  - c) Minimum lot sizes for the keeping of five or more roosters by district.

1. <u>Medium Residential District (MDR)</u>	<u>2.5 acres</u>
2. <u>Low Density Residential District (LDR)</u>	<u>2.5 acres</u>
3. <u>Rural Density Residential District (RDR)</u>	<u>2.5 acres</u>
4. <u>Limited Agricultural Zoning District (A)</u>	<u>2.5 acres</u>
  - d) Minimum setbacks of coops and roaming areas from lot lines:

1. <u>Front Lot Line</u>	<u>100 feet</u>
2. <u>Side Lot Line</u>	<u>100 feet</u>
3. <u>Rear Lot Line</u>	<u>100 feet</u>
  - e) Roaming areas
    1. Roaming areas are defined as that area internal to a lot that excludes the front, side and rear 100 feet of a subject lot.
    2. Roaming areas shall be safely fenced.
    3. Roosters shall be maintained within approved roaming areas.

**DRAFT**

2. Property owners shall maintain their lot and roosters in a manner consistent with a lot-specific Operational Plan that has been reviewed and approved by the County through an Administrative Permit or Use Permit process.
3. It shall be unlawful for any person to keep, maintain, or permit on any lot or parcel of land, any dogs, cats, household pets, or any other animal which by any sound or cry shall disturb the peace and comfort of any neighborhood. (Monterey County Municipal Code Chapter 8.36 Nuisance and Nuisance Animals.)

D. Findings: In order to grant the Administrative Permit the Appropriate Authority shall make the following findings.

1. That the proposed establishment and or maintenance of five or more roosters in residential districts complies with Sections 21.64.320 B and C of this Title.

2. That the establishment of five or more roosters on the subject lot will not, under the circumstances of the particular application, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

E. Appropriate Authority: The Appropriate Authority to consider Administrative Permits under this Section is the Director of Planning or his or her designee. Any proposal to maintain five or more roosters which does not comply with the provisions of Section 21.64.320 C shall require a Use Permit. The Zoning Administrator shall be the Appropriate Authority to consider said Use Permits. The Zoning Administrator may accordingly adjust the requirements of Section 21.64.320 C, if the Findings of Section 21.64.320 D.2 can be made.

F. Implementation and Notification: All applicable lots (Section 21.64.320 B) in the Monterey County unincorporated areas that maintain five or more roosters shall come into compliance with this Ordinance within 180 days after its adoption (date) (The Effective Date).

1. To allow persons maintaining more than five roosters on their lot a reasonable time for the opportunity to sell, trade, consume or otherwise seek a return on the roosters that they maintain on their lot, persons maintaining more than five roosters on their lot shall have one hundred and eighty (180) days from the Effective Date to comply with the regulations of this Chapter.

2. During the 180-day period, it shall be the policy of the County to encourage voluntary adherence to the requirements of this Chapter. After one hundred and eighty (180) days from the Effective Date, persons maintaining more than five roosters on their lot shall be subject to and shall comply with the regulations of this Chapter.

3. Persons maintaining more than five roosters on their lot, may, through written request, request an additional 180-days from the effective date of the regulations of the chapter if the owner can demonstrate that the longer period is necessary in order for the owner to receive a reasonable return on their investment. Such written request is subject to review and approval by the Director of Planning.

**DRAFT**

4. Notification of the Effective Date of this Chapter will be provided by publishing a public notice not less than one-eighth page in size in a newspaper of local circulation published in the County of Monterey.

G. Enforcement. The Director of Planning Services and the Director of Building Services shall be primarily responsible for implementation and enforcement of this Chapter.

1. The Directors are authorized to establish guidelines and procedures to implement this Chapter and to take such action as may be necessary, including the inspection of properties that maintain more than five roosters in the applicable zoning districts, to monitor compliance with this Chapter.

2. In the event of a violation of this Chapter or any requirement imposed pursuant to this Chapter, the County may in its discretion, in addition to all other remedies, take such enforcement action as is authorized under the Monterey County Code and any other action authorized by law. A property owner maintaining more than five roosters on their lot shall be allowed one (1) warning prior to the first citation for a violation of this Chapter.

3. If the County elects to utilize the administrative procedures set forth in Chapter 1.22 of the Monterey County Code to enforce this Chapter, the Director of Building Services shall serve as the Enforcement Official within the meaning of Chapter 1.22.

**SECTION 14. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**SECTION 15. EFFECTIVE DATE.** This Ordinance shall become effective on the 30<sup>th</sup> day after its adoption.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2010 by the following vote:

Supervisors:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

\_\_\_\_\_  
Simon Salinas, Chair  
Monterey County Board of Supervisors

Attest:  
LEW C. BAUMAN, Clerk  
to the Board of Supervisors

By: \_\_\_\_\_  
Deputy

**DRAFT**

APPROVED AS TO FORM:  
Charles McKee, County Counsel

By: \_\_\_\_\_  
Deputy

# **EXHIBIT E**

Draft Planning Commission Resolution

PD070731

Planning Commission Hearing

October 13, 2010

**EXHIBIT E**  
**DRAFT PLANNING COMMISSION RESOLUTION**

**Before the Planning Commission in and for the  
County of Monterey, State of California**

In the matter of the application of:  
THE COUNTY OF MONTEREY (File # PD070731)  
**RESOLUTION NO. [REDACTED]**

Resolution by the Monterey County Planning  
Commission:

Adopt a Resolution recommending that the Board of  
Supervisors:

1. Adopt a Negative Declaration, and
2. Adopt an Ordinance of the County of Monterey, State of California, amending Chapter 21.06 of Title 21 (Zoning) of the Monterey County Code to add Definitions and amending Chapters 21.12, 21.14, 21.16, 21.48 and 21.64 of Title 21 (Zoning) of the Monterey County Code to regulate the keeping of roosters in residential districts and the Limited Agricultural District.

(County of Monterey. File #PD070731. Applies to Monterey County Unincorporated Areas.

**Proposed amendments to Title 21 (Inland Zoning Ordinance) came for hearing on April 9, 2008 and October 13, 2010 before the Monterey County Planning Commission. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission forwards the following recommendation to the Board of Supervisors with reference to the following facts:**

**I. RECITALS:**

1. On July 31, 2007 Planning Department Staff received a referral from the Monterey County Board of Supervisors requesting that staff make recommended amendments to the non-coastal Zoning Ordinance to limit the number of roosters in a manner that protects adjacent neighbors from offsite noise from crowing roosters.
2. Planning Commission Review: At a noticed public hearing on April 9, 2008, the Planning Commission received extensive public testimony, considered the matter and continued the item to a date uncertain with direction to staff to convene an Ad Hoc Committee to further explore the matter.



3. Ad Hoc Committee Review: Planning staff assembled an Ad Hoc committee of agency representative who have some jurisdiction over issues related to the keeping and use of roosters and enforcement. This included the Sheriff's Office, District Attorney's Office, Environmental Health Department, SPCA, Code Enforcement Department, Animal Control, Animal Services, Agricultural Commissioner's Office, the Water Resources Agency and the Planning Department.
  - a. The Ad Hoc Committee met on May 4, 2008, May 19, 2008, June 16, 2008 and July 21, 2008 and discussed the limitations and opportunities of each agency's authority in the matter and explored examples of actions and ordinances adopted by other municipalities within the State of California.
  - b. On August 4, 2008, the Ad Hoc Committee convened an open public meeting discussion and workshop to discuss the matter. Invitations to the workshop were given by e-mail, direct mail and by telephone to those persons who had spoken for and against the matter during the Planning Commission hearing. These persons included hobbyists, Buena Vista 4-H representatives, the Monterey County Farm Bureau, and persons who gave testimony that they have been negatively affected by undue noise and nuisance from crowing roosters in residential areas.
  - c. On August 4, 2008, during the open discussion and workshop, the Ad Hoc Committee and interested persons discussed how many roosters should be allowed without permit, what costs would be incurred, how the ordinance would be implemented, and how a new ordinance would be enforced.
4. Agriculture Advisory Committee. Agriculture Advisory Committee direction from August 29, 2008: After presentation of the draft ordinance and taking public comment, the Agriculture Advisory Committee continued the item until September 25th.
  - a. The committee asked that staff consider a reduced fee for an Administrative "rooster permit;" whether a new and stronger Noise Ordinance would be more appropriate than rooster control (would include barking dogs, motorcycles and other noise nuisances, etc.);
  - b. The committee asked whether the ordinance should expand to other loud fowl such as peacocks, etc.; requested that staff meet with breeders to determine how many roosters they need to continue or practice their hobby; and explore a graduated fee schedule.
5. Board of Supervisor Direction. On November 3, 2009, Planning staff returned to the Board of Supervisors to give a status report in the matter of creating the new Ordinance and requested direction from the Board:
  - a. Staff recommended drafting an ordinance similar to one implemented in Santa Clara County that allows 4 roosters without permits, and requires an Administrative Permit to keep additional roosters. The Santa Clara ordinance had been in effect for more than a year at the time and as of May 2008, Santa Clara County had received no applications for permits and no requests for administrative hearings to maintain more than four roosters. Santa Clara had reportedly abated four or five nuisance rooster operations. This

recommendation to the Board of Supervisor was also supported by Lisa Hoefler, Director of Operations, SPCA Monterey County.

- b. The Board of Supervisors directed staff to (generally) follow the Santa Clara County example and directed staff to customize a Monterey County Ordinance to be specific to the Medium Density, Low Density, Rural Density Residential and Limited Agricultural Districts. Such an ordinance should also include the specific performance standards that can be used as criteria for approval or denial of an Administrative Permit, such as:
  1. Require manure management plans and practices that are clean
  2. Demonstrate that water runoff will not violate any codes or become a nuisance
  3. Noise / crowing shall not be a nuisance to the neighbors and neighborhood. These criteria would be tied back to or directly mimic animal nuisance noise provisions in Title 8 of the Municipal Code.
  4. (Specify) Minimum property sizes for the keeping of roosters by district.
  5. (Specify) Setbacks of coops from property lines or adjacent residential structures.
6. The Planning Commission held a second public hearing on the matter October 13, 2010 to review the Ordinance prior to a recommendation to the Board of Supervisors.
7. The proposed Ordinance follows the Board of Supervisor direction from November 9, 2009 and is attached to the October 13, 2010 Planning Commission Staff Report as Exhibit D and is incorporated herein by reference.
8. In consideration of the new Ordinance amending Chapter 21.06 of Title 21 (Zoning) of the Monterey County Code to add Definitions and amending Chapters 21.12, 21.14, 21.16, 21.48 and 21.64 of Title 21 (Zoning) of the Monterey County Code to regulate the keeping of roosters in residential districts and the Limited Agricultural District, the Planning Commission reviewed an Initial Study and proposed Negative Declaration. (Exhibit C of the October 13, 2010 Planning Commission Staff Report).

## II. DECISION:

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission hereby recommends that the Board of Supervisors:

1. Adopt a Negative Declaration, and
2. Adopt an Ordinance of the County of Monterey, State of California, amending Chapter 21.06 of Title 21 (Zoning) of the Monterey County Code to add Definitions and amending portions of Chapters 21.12, 21.14, 21.16, 21.48 and 21.64 of Title 21 (Zoning) of the Monterey County Code to regulate the keeping of roosters in residential districts and the Limited Agricultural District.

**PASSED AND ADOPTED** on this 13<sup>th</sup> day of October, 2010 motion of \_\_\_\_\_ seconded by \_\_\_\_\_, by the following vote:

AYES:	
NOES:	
ABSENT:	
ABSTAIN:	

\_\_\_\_\_  
Mike Novo, Secretary to the Planning Commission

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

# **EXHIBIT E**

Draft Planning Commission Resolution

PD070731

Planning Commission Hearing

April 9, 2008

**EXHIBIT E**  
**DRAFT PLANNING COMMISSION RESOLUTION**

**Before the Planning Commission in and for the  
County of Monterey, State of California**

In the matter of the application of:

THE COUNTY OF MONTEREY (File # PD070731)

**RESOLUTION NO. [REDACTED]**

Resolution by the Monterey County Planning Commission:

Adopt a Resolution recommending that the Board of Supervisors:

1. Adopt a Negative Declaration, and
2. Adopt an Ordinance of the County of Monterey, State of California, amending Chapters 21.12, 21.14, 21.16, 21.48 and 21.64 of Title 21 (Zoning) of the Monterey County Code to regulate the keeping of roosters in residential districts and the Limited Agricultural District, and amending Chapter 21.06 of Title 21 (Zoning) of the Monterey County Code to add Definitions.

(County of Monterey. File #PD070731. Applies to Monterey County Unincorporated Areas.

**Proposed amendments to Title 21 (Inland Zoning Ordinance) came for hearing on April 9, 2008 and October 13, 2010 before the Monterey County Planning Commission. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission forwards the following recommendation to the Board of Supervisors with reference to the following facts:**

**I. RECITALS:**

1. On July 31, 2007 Planning Department Staff received a referral from the Monterey County Board of Supervisors requesting that staff make recommended amendments to the non-coastal Zoning Ordinance to limit the number of roosters in a manner that protects adjacent neighbors from offsite noise from crowing roosters.
2. Planning Commission Review: At a noticed public hearing on April 9, 2008, the Planning Commission received extensive public testimony, considered the matter and continued the item to a date uncertain with direction to staff to convene an Ad Hoc Committee to further explore the matter.

3. Ad Hoc Committee Review: Planning staff assembled an Ad Hoc committee of agency representative who have some jurisdiction over issues related to the keeping and use of roosters and enforcement. This included the Sheriff's Office, District Attorney's Office, Environmental Health Department, SPCA, Code Enforcement Department, Animal Control, Animal Services, Agricultural Commissioner's Office, the Water Resources Agency and the Planning Department.
  - a. The Ad Hoc Committee met on May 4, 2008, May 19, 2008, June 16, 2008 and July 21, 2008 and discussed the limitations and opportunities of each agency's authority in the matter and explored examples of actions and ordinances adopted by other municipalities within the State of California.
  - b. On August 4, 2008, the Ad Hoc Committee convened an open public meeting discussion and workshop to discuss the matter. Invitations to the workshop were given by e-mail, direct mail and by telephone to those persons who had spoken for and against the matter during the Planning Commission hearing. These persons included hobbyists, Buena Vista 4-H representatives, the Monterey County Farm Bureau, and persons who gave testimony that they have been negatively affected by undue noise and nuisance from crowing roosters in residential areas.
  - c. On August 4, 2008, during the open discussion and workshop, the Ad Hoc Committee and interested persons discussed how many roosters should be allowed without permit, what costs would be incurred, how the ordinance would be implemented, and how a new ordinance would be enforced.
4. Agriculture Advisory Committee. Agriculture Advisory Committee direction from August 29, 2008: After presentation of the draft ordinance and taking public comment, the Agriculture Advisory Committee continued the item until September 25th.
  - a. The committee asked that staff consider a reduced fee for an Administrative "rooster permit;" whether a new and stronger Noise Ordinance would be more appropriate than rooster control (would include barking dogs, motorcycles and other noise nuisances, etc.);
  - b. The committee asked whether the ordinance should expand to other loud fowl such as peacocks, etc.; requested that staff meet with breeders to determine how many roosters they need to continue or practice their hobby; and explore a graduated fee schedule.
5. Board of Supervisor Direction. On November 3, 2009, Planning staff returned to the Board of Supervisors to give a status report in the matter of creating the new Ordinance and requested direction from the Board:
  - a. Staff recommended drafting an ordinance similar to one implemented in Santa Clara County that allows 4 roosters without permits, and requires an Administrative Permit to keep additional roosters. The Santa Clara ordinance had been in effect for more than a year at the time and as of May 2008, Santa Clara County had received no applications for permits and no requests for administrative hearings to maintain more than four roosters. Santa Clara had reportedly abated four or five nuisance rooster operations. This

recommendation to the Board of Supervisor was also supported by Lisa Hoefler, Director of Operations, SPCA Monterey County.

- b. The Board of Supervisors directed staff to (generally) follow the Santa Clara County example and directed staff to customize a Monterey County Ordinance to be specific to the Medium Density, Low Density, Rural Density Residential and Limited Agricultural Districts. Such an ordinance should also include the specific performance standards that can be used as criteria for approval or denial of an Administrative Permit, such as:
  1. Require manure management plans and practices that are clean
  2. Demonstrate that water runoff will not violate any codes or become a nuisance
  3. Noise / crowing shall not be a nuisance to the neighbors and neighborhood. These criteria would be tied back to or directly mimic animal nuisance noise provisions in Title 8 of the Municipal Code.
  4. (Specify) Minimum property sizes for the keeping of roosters by district.
  5. (Specify) Setbacks of coops from property lines or adjacent residential structures.
6. The Planning Commission held a second public hearing on the matter October 13, 2010 to review the Ordinance prior to a recommendation to the Board of Supervisors.
7. The proposed Ordinance follows the Board of Supervisor direction from November 9, 2009 and is attached to the October 13, 2010 Planning Commission Staff Report as Exhibit D and is incorporated herein by reference.
8. In consideration of the new Ordinance and Amendments to Title 21 (Zoning) of the Monterey County Code to amend portions of Chapters 21.12, 21.14, 21.16, 21.48 and 21.06 of Title 21 to regulate the keeping of roosters in residential districts and the Limited Agricultural District and add Definitions, the Planning Commission reviewed an Initial Study and proposed Negative Declaration. (Exhibit C of the October 13, 2010 Planning Commission Staff Report).

## II. DECISION:

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission hereby recommends that the Board of Supervisors:

1. Adopt a Negative Declaration, and
2. Adopt an Ordinance of the County of Monterey, State of California, amending portions of Chapters 21.12, 21.14, 21.16, 21.48 and 21.64 of Title 21 (Zoning) of the Monterey County Code to regulate the keeping of roosters in residential districts and the Limited Agricultural District, and amending Chapter 21.06 of Title 21 (Zoning) of the Monterey County Code to add Definitions.

**PASSED AND ADOPTED** on this 13<sup>th</sup> day of October, 2010 motion of \_\_\_\_\_ seconded by \_\_\_\_\_, by the following vote:

AYES:	
NOES:	
ABSENT:	
ABSTAIN:	

\_\_\_\_\_  
Mike Novo, Secretary to the Planning Commission

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.



# **EXHIBIT F**

Comments Received on the Proposed Negative  
Declaration

PD070731

Planning Commission Hearing  
October 13, 2010

## Monterey County considers rooster rules

By JIM JOHNSON  
Herald Salinas Bureau

Posted: 09/18/2010 01:33:10 AM PDT

Updated: 09/18/2010 01:33:11 AM PDT

Taking aim at the cacophony of large rooster-raising operations often associated with illegal cockfighting, new limits on the boisterous birds in rural neighborhoods are finally headed for county review.

The proposed new ordinance, more than two years in the works, would require a conditional administrative permit to keep more than four roosters. The proposal is expected to head to the Planning Commission by next month and then to the Board of Supervisors.

Supervisor Lou Calcagno proposed the new regulations nearly three years ago. He has steadfastly backed the proposed ordinance because of a wave of complaints about the growing problem of rural and semi-rural rooster farms that supply illegal cockfighting rings in California and elsewhere.

County planner Laura Lawrence said the main goal of the revised ordinance is to make it easier to go after those illegal operations.

"We've had a proliferation of illegal operations in the county, and that kind of concentration of birds generates a lot of noise," Lawrence said.

County animal services director Kathy Prew said her office "routinely" receives complaints from people about noisy roosters. Prew said animal services has received about one call per month over the past five years, though the calls tend to come in bunches. She said animal services has been receiving fewer complaints over the past six months or so.

Most of the calls come from North County and communities such as Boronda, Prunedale, Castroville

and Pajaro, according to Prew, and about half of all complaints involve suspected illegal rooster operations. But she said animal services doesn't investigate cockfighting allegations, that is handled by the SPCA.

Prew said animal services investigates and enforces the complaints under existing county noise and nuisance code. The staff is usually able to work out a compromise but occasionally issues a citation. She said she thinks a new ordinance limiting the number of birds allowed on a property would reduce the number of complaints animal services receives. Those who choose not to comply with the new law and apply for a permit would be subject to further enforcement action, she said.

Under the new guidelines, anyone who plans to raise more than four roosters would need to apply for an administrative permit and pay a fee. That would go through the county Planning Director, who would be charged with determining if the operation could cause undue noise and nuisance for the surrounding community. Minimum lot sizes (2.5 acres) and property line setbacks (100 feet) are also included in the guidelines.

Anyone currently keeping more than four roosters would be allowed six months to comply with the

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new county rules.

County staff is recommending that the supervisors allow youth organizations such as 4-H and Future Farmers of America to be exempt from paying the permit fee, which hasn't yet been set. They would still have to apply for a permit and follow the county's rules. There is no recommendation for exempting other small-scale breeders and hobbyists.

Last fall, during a board review of a staff report on the proposed ordinance, representatives from area 4-H clubs and other small breeders complained that the new rules were unnecessarily burdensome and that they were being punished for the actions of larger, illegal operations.

Lawrence said county staff held public meetings to allow the organizations and small breeders to express their concerns. Both the Planning Commission and supervisors will also hold public hearings on the proposed new rules.

Currently, the county's rules allow for keeping up to 499 small animals, including roosters, without a permit. Anyone planning to keep more than that must apply for a permit that costs about \$4,360.

The rules would apply to medium, low and rural density areas of the county, as well as the designated limited agriculture zone.

The proposed ordinance is in the midst of a 20-day public review period under the California Environmental Quality Act that lasts through Friday. Information is available at the county Planning Department, 168 W. Alisal St. in Salinas.

An earlier proposed ordinance revision, which was

reviewed by the Planning Commission in April 2008, would have restricted county residents to just two roosters without a permit.

Jim Johnson can be reached at 753-6753 or [jjohnson@montereyherald.com](mailto:jjohnson@montereyherald.com).

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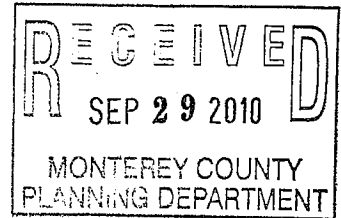
 **Heritage  
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*Kristi van Greunen*  
1910 Union Street  
Alameda, CA 94501  
(510) 301-3807  
[janandkristi@yahoo.com](mailto:janandkristi@yahoo.com)

September 24, 2010

Mr. Taven M. Kinison Brown  
County of Monterey  
Resource Management Agency – Planning Department  
168 West Alisal  
Salinas, CA 93901



Dear Mr. Kinison Brown:

Please accept this submission as being the comments of an individual resident of the county related to the proposed rooster ordinance (File number PD070731).

***My background***

I am a small-flock breeder of exhibition poultry. I breed only Dutch bantams and I am nationally known as a well-respected breeder of this breed. Many of my birds supply youngsters in 4-H Youth Development Programs and Future Farmers of America programs throughout the U.S. In order to successfully produce top-quality birds in the seven varieties of Dutch bantams I breed, I hatch about 60 to 90 chicks per year and maintain 40 to 50 adult breeding birds. Therefore, at any one time I could have anywhere from 50 to 130 birds, about half of which are males. My young birds are generally not able to be fully evaluated and dispersed elsewhere until they are eight months of age or older.

I am a voluntary participant of the federal National Poultry Improvement Plan (NPIP) and, as such, my birds are tested each year to ensure they are free from certain poultry diseases such as Salmonella and Avian Influenza. As part of this program, my premises are inspected annually by one of the state veterinarians in order to certify my flock as an NPIP flock. Additionally, I maintain a vaccination program, a parasite eradication program, a fly control program and a rat and mouse control program for my birds.

My birds are located at our weekend home in a Rural Density Residential District on 3 acres. Most of this property, however, is an oak-forested hillside. Our living area is only a fairly narrow band along an unpaved private road, the center of which is our property boundary on the front. It would be impossible for me to meet the 100-foot setback rules of this ordinance on this property. None of my neighbors, however, have ever complained to me about the sounds of my roosters. In fact several of my neighbors also have crowing roosters, barking dogs, sheep or horses.

I have been breeding exhibition poultry since 1998. Although I sell some of my birds each year, this endeavor is merely a hobby and not a business. The monthly costs of maintaining my birds significantly outweigh any money I receive for the birds I sell each year.

I do not support this ordinance for the reasons explained in this letter.

***Impact of this ordinance, should it pass***

Although the environmental impact study for this ordinance indicates it will not have a significant effect on the environment, there are perhaps aspects of the environment that were not fully considered in the study. Specifically, I believe the cultural resource, historical significance, and biological resources of



Standard bred poultry<sup>1</sup> may not have been considered. The human impact may not have been fully considered should these poultry breeds disappear in our country—particularly breeds that originated and developed in the United States. Furthermore, the potential for loss of heritage poultry breeds<sup>2</sup> could create a risk to the commercial poultry industry in the future, as discussed below.

Heritage poultry breeds have been in existence in the United States for nearly 200 years. Poultry exhibitions have been held in this country for more than 150 years. Several of the breeds that are exhibited today originated in the United States—e.g. Plymouth Rock, Buckeye, New Hampshire and Wyandotte (all were developed in the 19<sup>th</sup> century or early 20<sup>th</sup> century). Due to the loss of small family farms nationwide over the last 100 years and the shift to large industrial poultry production—which focuses on monotypic hybrids—several of these breeds are now rare and in danger of being lost. These diverse breeds are not utilized at all in today's commercial poultry industry. Yet heritage breeds such as these were found on family farms all over the United States in the 19<sup>th</sup> century.

The modern poultry industry favors a few highly specialized hybrid breeds that are selected for maximum output in either meat or egg production. Traditional meat breeds, egg-laying breeds, and dual-purpose breeds have lost popularity and many are threatened with extinction. Currently, it is only the breeding and exhibition of Standard bred poultry by individual breeders and the efforts of groups such as the American Poultry Association, the American Bantam Association, the Society for the Preservation of Poultry Antiquities, and the American Livestock Breeds Conservancy that focus on preserving these breeds for future generations.

Moreover, the poultry industry's focus on only a few commercial hybrid breeds could result in problems in the future and put the commercial poultry industry in our country at risk. Immunity to disease and the ability to reproduce naturally are discounted in favor of production in commercial poultry. Should the limited number of commercial hybrid breeds suffer losses due to reduced immunity to disease, unless the heritage breeds were still available, and have sufficient genetic diversity, the poultry industry could suffer. It should be noted that it is difficult to maintain a quality breeding program, with sufficient genetic diversity, relying upon only four breeding males in each small-flock breeding operation.

Furthermore, poultry exhibitions held throughout the country are generally organized and produced by local and regional poultry clubs operating on shoestring budgets. Most of these clubs are run by a small number of individuals, all of whom are volunteers. The entry fees charged by these clubs for each poultry show do not generate enough money to fund the show. Therefore, such shows are usually supported by fundraising activities at the show. Past efforts to raise the entry fees in order to try to make the shows pay for themselves usually result in smaller entries and are thus self-defeating. Poultry shows are severely impacted when the numbers of exhibitors dwindle. As poultry exhibitor numbers dwindle, the number of individuals breeding Standard bred poultry also dwindle.

Unlike horse shows and dog shows, poultry shows do not require a significant outlay of money for exhibitors to successfully participate. Therefore, people from all walks of life and socio-economic backgrounds are found as exhibitors at poultry shows. Exhibition poultry is basically "any man's sport" and is full of camaraderie as well as competition. Like the poultry clubs, many of the exhibitors also personally operate on shoestring budgets. If ordinances such as this one being considered by Monterey County were to pass in cities and counties throughout the United States, this would likely put an end to

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<sup>1</sup> Poultry bred to either (or both) the American Standard of Perfection set by the American Poultry Association and the Bantam Standard set by the American Bantam Association.

<sup>2</sup> An attachment has been provided which explains the American Livestock Breeds Conservancy's definition of heritage chickens. In short, however, these are breeds as defined by the Standard of Perfection of the American Poultry Association and which are naturally mating, long-lived, and slow growing. Many of these breeds were developed in the 19<sup>th</sup> century and originated in the United States.

exhibition poultry in this country. Most small-flock breeders realize little or no profit from their poultry endeavors; these operations generally cost more to maintain than they generate income. Such ordinances would undoubtedly discourage individuals from continuing on with, or becoming involved in, the breeding and exhibition of Standard bred poultry. It would be a tragedy to see an end to the longtime tradition of the livestock exhibition of poultry in the United States and the loss of traditional breeds that were once prominent on small family farms throughout our country.

Here are just a few links that support my comments and I have also included a few attachments, as well.

<http://www.albc-usa.org/cpl/wtchlist.html>

<http://www.amerpoultryassn.com/>

### *Discussion*

The official literature for this ordinance states its purpose is to protect the public health and welfare from the noise and nuisance from crowing roosters in residential areas. It seems odd to me, however, that reasonable residents of rural areas would seriously object to the age-old sound of a crowing rooster. Why single out crowing roosters from other small livestock, each of which has its own detractors in the opinion of individuals who do not have an affinity for that particular type of animal?

An article in the Monterey Herald last weekend reported that the County Animal Services Director stated her office "routinely" received complaints from people about noisy roosters. Yet she went on to state that her department received about one such call per month over the past five years and had been receiving less complaints over the past six months. Therefore, it seems to be an over-reaction for the County to assume the administrative burden of enforcing a regulation such as this merely because of an average of 12 complaints each year, countywide, for the past five years. Presumably, costs to administer this ordinance would either be funded primarily by the cost of the permit—making it prohibitive for beneficial small-flock breeders to continue their endeavors—or the funding would be passed on in some fashion to the taxpayers, which seems excessive if it is to satisfy the 12 complaints received each year about noise.

That being said, the real reason behind this ordinance appears to be the creation of an avenue to more easily suppress the illegal practice of cockfighting and the breeding of birds that supply this activity. Last weekend's Monterey Herald article also quoted a county planner who stated the main goal of this ordinance was to make it easier for the County to go after illegal cockfighting operations. The article also reported that County Supervisor Lou Calcagno continues to back the ordinance because of a wave of complaints about the growing problem of rural and semi-rural rooster farms that supply illegal cockfighting rings in California and elsewhere. It does not seem correct or legal, therefore, for the County literature to be deceptive about the true purpose for this ordinance.

Why is it not possible to find a more direct method to deal with this illegal activity? Why utilize a method that attacks this criminal activity from a side avenue that endangers legal and beneficial operations rather than investigating and prosecuting the criminal violators. Does the County really believe that such ordinances will stop this illegal activity? Rather, the violators will just be forced to become more cagy and secretive.

Passage of this ordinance will cripple (at least in Monterey County) a beneficial, historic American tradition in the process—the breeding and exhibiting of Standard bred poultry.

### *Suggestions*

Should the County continue to find it necessary and prudent to pass this ordinance, I urge it be written and interpreted in a way that would be flexible enough to allow conscientious, small-flock breeders, such

September 24, 2010

Page 4

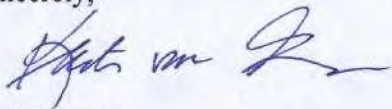
as myself, to continue this tradition and the preservation of heritage poultry breeds. Rather than relying on specific set parameters that each operation must meet, it would be better to focus on allowing those applying for the permits to convince the County that each individual operation is beneficial and worthy of a permit being granted. The elements and conditions proposed in the ordinance being considered (Section 21.64.320 C) appear to be arbitrary, since the true purpose of the proposal is to deal with the illegal activities of cock-fighting rather than noise.

As discussed above, small-flock breeders produce the birds that go to 4-H and FFA youth for their poultry projects. Additionally, one cannot purchase quality Standard bred poultry from a commercial hatchery. Considerations should therefore be made so this ordinance would not be cost prohibitive or too restrictive for small-flock breeders to continue their efforts or the 4-H and FFA poultry programs would suffer.

Furthermore, as mentioned above, should such ordinances proliferate throughout the United States, our nation's long term poultry industry could be at risk if small-flock breeders stop maintaining the genetic diversity of heritage breeds. Therefore, I suggest the ordinance require only a minimal fee for the Administrative Permits and Use Permits for beneficial small-flock breeders. Exempting these fees for 4-H and FFA groups is excellent, but do not forget the small-flock breeders who supply the birds for 4-H and FFA projects. If all this is done, however, the question comes back to, "How will the County fund the administrative burden of this ordinance?" That question then brings us back to the prudence of such an ordinance, if its true purpose is to curtail illegal cockfighting.

Thank you for considering my comments. Please let me know if it would be helpful for me to supply additional information or answer any questions, as I am a member of many of the poultry organizations that support Standard bred poultry and the preservation of such breeds.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kristi van Greunen".

Kristi van Greunen



# Heritage Chicken Definition



# Press Kit





## **PRESS RELEASE**

EMBARGOED: April 17, 2009

### **Contact:**

Marjorie Bender, Research & Technical Program Director

The American Livestock Breeds Conservancy

(919) 542-5704, [mbender@albc-usa.org](mailto:mbender@albc-usa.org)

[www.albc-usa.org](http://www.albc-usa.org)

### **Heritage Chickens Defined**

*The American Livestock Breeds Conservancy secures  
the term Heritage Chicken for consumers and breeders*

In an effort to secure the term Heritage in the food and agricultural marketplaces, The American Livestock Breeds Conservancy (ALBC), a non-profit organization ensuring the survival of rare breeds of livestock and poultry, has defined the term Heritage for chickens.

“Defining Heritage for chickens will help assure the term is not incorrectly used by uninformed breeders or co-opted by unscrupulous marketers trying to sell something as historic that is not,” says Marjorie Bender, Technical Program Director for the American Livestock Breeds Conservancy.

Chickens have been a part of the American diet since the arrival of the Spanish explorers and since that time, different breeds have been developed to provide meat, eggs and pleasure. After World War II, traditional or Heritage breeds of poultry began losing favor to modern crosses specifically bred to meet production goals. In this day and age, many Heritage breeds are losing popularity and many are nearing extinction, but with this definition ALBC hopes to raise awareness for endangered breeds, to support their long-term conservation, to support efforts to recover these breeds to historic levels of productivity and to re-introduce these culinary and cultural treasures into the marketplace.

Heritage Chickens, as defined by ALBC’s newly released definition, are Standard breeds of chickens as defined by the American Poultry Association that are naturally mating, long-lived, and slow growing. “It’s a multi-faceted definition,” says Bender. “It means that these chicken breeds are explicitly defined by the American Poultry Association, just like breeds of dogs are defined by the American Kennel Club.”

According to the definition, the Heritage breeds must reproduce without the assistance of artificial insemination. While artificial insemination is not currently used for commercial chicken reproduction, it is very possible for chickens to follow the same path as industrialized turkeys, which are now reproduced exclusively using artificial means.

Heritage hens should actively reproduce for 5-7 years and roosters for 3-5 years. This is unheard of in commercial production where hens and roosters are used for breeding for a single generation before being dispatched as less than efficient.

Heritage Chickens are also slow growing by modern commercial standards, taking 16-18 weeks for Heritage Chickens as compared to 6 weeks for an industrial breed to reach a dressed (packaged) weight of 3 pounds.

The American Livestock Breeds Conservancy

PO Box 477

Pittsboro, NC 27312

(919) 542-5704

[www.albc-usa.org](http://www.albc-usa.org)

**Press Release**



Frank Reese, the founder of Good Shepherd Turkey Ranch in Lindsborg, Kansas, has been at the center of the push to get Heritage breeds back in the marketplace. Reese, who is committed to conservation, was very pleased in the surge in interest surrounding Heritage Turkeys in 2005 when ALBC released its first Heritage definition for turkeys. He hopes the Heritage Chicken definition will result in the same success for Heritage Chicken breeds. "These are the perfect birds for outdoor production," Reese says of his Barred Plymouth Rocks and New Hampshire chickens, both Heritage breeds. "They are supposed to range and fly and eat bugs." That makes them the best choice for those wanting the Animal Welfare Approved seal for humane production. "The right breed for the right environment" is an important step in raising farm animals humanely, says Anne Malleau, Associate for Global Meat Coordinator, Whole Foods Market, and former Research Director for the Animal Compassion Foundation.

So why does The American Livestock Breeds Conservancy, an organization interested in genetic diversity, care about defining Heritage? Heritage Chickens come from long lines of historically useful and productive birds. As late as the mid-1950s, chickens like the Barred Plymouth Rock, the Jersey Giant and the Buckeye were found in butcher shops and on dinner tables. "Most so-called Heritage Chickens, turkeys, and other farm animals, are in danger of extinction. If we can give these animals a job again, we are more likely to be able to save their valuable genes. These genes ensure their bodies are healthy and may include resistance to disease and parasites," Bender says.

Diversity in poultry breeds is critical for the long-term survival of the species. "We put our domestic food system at risk if we put all our eggs in one basket (no pun intended)," says Bender. "If our food system only relies on a single industrialized breed and something happens to that breed, we need the diverse genetics of other breeds to fall back on." Heritage breeds provide this diversity along with many other hardy characteristics.

Executive Director of the American Livestock Breeds Conservancy Chuck Bassett adds, "By defining Heritage for chickens it protects the term so that it is not misused, and so it becomes a term that consumers can rely upon."

Heritage Chicken and eggs sell for a premium price. Buckeye breeder Doug Brown of Cedar Grove, North Carolina, sells his eggs for \$3.50 a dozen and sells whole chickens for \$5.00 per pound to some of the best restaurants in the area. "They can not get enough of them," says Brown of his eggs. "They insist they are the best eggs they have ever eaten." Brown is still expanding his flock, so he does not have many whole chickens to sell. What he does have available is in high demand.

The flavor of Heritage Chicken is better, too. It varies from breed to breed "which is the reason the definition specifies that the breed must be named on the package," says Bender. Some have darker meat with a deeply intense chicken flavor. "My Barred Rocks have brought tears to peoples eyes," says Frank Reese. "I had a lady call me to thank me. She'd been cooking chicken dumplings for her husband for years, but nothing was as good as he remembered his mother's being. When she used one of my chickens, her husband said it was just like his mother's."

Consumers have found that Heritage Chickens are succulent, flavorful and worth the higher cost. When consumers enjoy a highly memorable meal, they are also helping to save endangered breeds. Ironically, eating endangered breeds of livestock and poultry can ensure their survival.

To see the complete definition of Heritage Chicken and to learn more information about Heritage Chicken breeds, go to [www.heritagechicken.org](http://www.heritagechicken.org).

###

The American Livestock Breeds Conservancy  
PO Box 477  
Pittsboro, NC 27312  
(919) 542-5704  
[www.albc-usa.org](http://www.albc-usa.org)

**Press Release**



# The American Livestock Breeds Conservancy Defines: Heritage Chicken

## DEFINITION

Heritage Chicken must adhere to all the following:

1. **APA Standard Breed.** Heritage Chicken must be from parent and grandparent stock of breeds recognized by the American Poultry Association (APA) prior to the mid-20th century; whose genetic line can be traced back multiple generations; and with traits that meet the *APA Standard of Perfection* guidelines for the breed. Heritage Chicken must be produced and sired by an APA Standard breed. Heritage eggs must be laid by an APA Standard breed.
2. **Naturally mating.** Heritage Chicken must be reproduced and genetically maintained through natural mating. Chickens marketed as Heritage must be the result of naturally mating pairs of both grandparent and parent stock.
3. **Long, productive outdoor lifespan.** Heritage Chicken must have the genetic ability to live a long, vigorous life and thrive in the rigors of pasture-based, outdoor production systems. Breeding hens should be productive for 5-7 years and roosters for 3-5 years.
4. **Slow growth rate.** Heritage Chicken must have a moderate to slow rate of growth, reaching appropriate market weight for the breed in no less than 16 weeks. This gives the chicken time to develop strong skeletal structure and healthy organs prior to building muscle mass.

Chickens marketed as Heritage must include the variety and breed name on the label. Terms like "heirloom," "antique," "old-fashioned," and "old timey" imply Heritage and are understood to be synonymous with the definition provided here.

**Abbreviated Definition:** A Heritage Egg can only be produced by an American Poultry Association Standard breed. A Heritage Chicken is hatched from a heritage egg sired by an American Poultry Association *Standard* breed established prior to the mid-20th century, is slow growing, naturally mated with a long productive outdoor life.

The American Livestock Breeds Conservancy has over 30 years of experience, knowledge, and understanding of endangered breeds, genetic conservation, and breeder networks.

### Endorsed by the following individuals:

*Frank Reese, Reese Turkeys, Good Shepherd Turkey Ranch, Standard Bred Poultry Institute, and American Poultry Association;*

*Marjorie Bender, Research & Technical Program Director, American Livestock Breeds Conservancy;*

*D. Phillip Sponenberg, DVM, PhD., Technical Advisor, American Livestock Breeds Conservancy, and Professor, Veterinary Pathology and Genetics, Virginia Tech;*

*Don Bixby, DVM, Independent Consultant, former Executive Director for the American Livestock Breeds Conservancy;*

*R. Scott Beyer, PhD, Associate Professor, Poultry Nutrition Management, Kansas State University;*

*Danny Williamson, Windmill Farm, Good Shepherd Turkey Ranch, and American Poultry Association;*

*Anne Fanatico, PhD, Research Associate, Center of Excellence for Poultry Science, University of Arkansas;*

*Kenneth E. Anderson, Professor, Poultry Extension Specialist, North Carolina State University.*



## Purpose

Chickens have been a part of the American diet since the arrival of the Spanish explorers. Since that time, different breeds have been developed to provide meat, eggs, and pleasure.

The American Poultry Association began defining breeds in 1873 and publishing the definitions in the *Standard of Perfection*. These Standard breeds were well adapted to outdoor production in various climatic regions. They were hearty, long-lived, and reproductively vital birds that provided an important source of protein to the growing population of the country until the mid-20<sup>th</sup> century. With the industrialization of chickens many breeds were sidelined in preference for a few rapidly growing hybrids. The American Livestock Breeds Conservancy now lists over three-dozen breeds of chickens in danger of extinction. Extinction of a breed would mean the irrevocable loss of the genetic resources and options it embodies.

Therefore, to draw attention to these endangered breeds, to support their long-term conservation, to support efforts to recover these breeds to historic levels of productivity, and to re-introduce these culinary and cultural treasures to the marketplace, the American Livestock Breeds Conservancy is defining Heritage Chicken. Chickens must meet all of the following criteria to be marketed as Heritage.



The American Livestock Breeds Conservancy

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## Definition



## The American Livestock Breeds Conservancy

### Heritage Chicken Definition

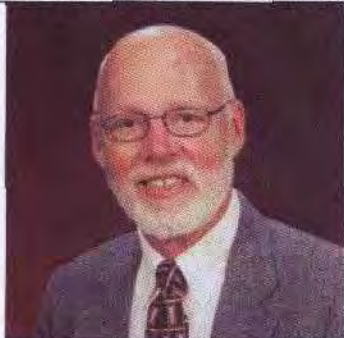
#### -Endorsers-



**Marjorie E. F. Bender**  
Research & Technical Program Director  
American Livestock Breeds Conservancy

Marjorie joined the American Livestock Breeds Conservancy (ALBC) staff in January 1999 and serves as Research and Technical Program Director. She has a M.Ed. in Agricultural Science from the University of California-Davis, has been involved in sustainable agriculture since 1991, and has over 20 years of experience in the non-profit sector. Marjorie's responsibilities include coordinating the poultry census, promoting rare breeds into appropriate habitats, and working closely with other staff on timely conservation activities. She has led ALBC's heritage turkey conservation effort. During her free time, Marjorie enjoys riding her Choctaw pony, a line of Colonial Spanish.

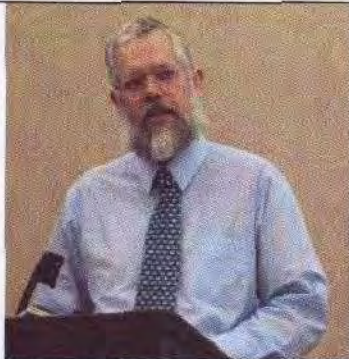
**Contact:** [mbender@albc-usa.org](mailto:mbender@albc-usa.org), (919) 542-5704



**Donald E. Bixby, DVM**  
Breed Conservation Consultant  
Former Executive Director of the American  
Livestock Breeds Conservancy

As ALBC's Executive Director from August 1988 through July 2002, Don was responsible for providing the vision and overseeing the implementation of the conservation activities of ALBC. Don has been involved with the organization since the 1980s, organizing the first North American rare breeds show and sale and establishing the ALBC Rare Breeds Gene Bank, which has expanded over the years. He has been the liaison to the USDA National Animal Germplasm Program and a leader in founding Rare Breeds International. He has overseen livestock and poultry research, and promoted rare breeds to the sustainable agriculture community. He was honored in 2000 by Slow Food International for the work of ALBC in conserving genetic diversity in the farm animal species.

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**D. Phillip Sponenberg, DVM, Ph.D.**  
Technical Advisor, American Livestock Breeds  
Conservancy and Professor, Veterinary  
Pathology and Genetics, Virginia Tech

Phil has served as the Technical Advisor for ALBC since 1978. He is employed as a veterinary pathologist and geneticist at Virginia Polytechnic Institute and State University in Blacksburg, VA. He has written several books on color genetics and rare breed conservation. He is sought after as a speaker on genetics as well as rare breed conservation. Phil has taken the lead on Spanish horse rescues and is a conservation breeder of Spanish horses and Tennessee Fainting goats. He works closely with several breed organizations as well as individual breeders of several different breeds.

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## Endorsers



The American Livestock Breeds Conservancy

Heritage Chicken Definition

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**Frank Reese**

Reese Turkeys, Good Shepherd Turkey Ranch,  
Standard Bred Poultry Institute and American  
Poultry Association

Frank owns and operates Good Shepherd Ranch in Lindsborg, Kansas. Frank has raised standard varieties of turkeys since his childhood, and he is currently leading the effort to conserve heritage turkeys through breeding, production collaborations with regional farms, and regional and national marketing strategies. He is dedicated to raising all of his poultry humanely on pasture and providing his customers with the highest quality turkey available. Frank also breeds chickens, ducks, and geese and has begun marketing selected breeds. In 2003 Frank received ALBC's Bixby-Sponenberg Breed Conservation Award for his contributions to the recovery of standard varieties of turkeys. Frank also works full time as a nurse anesthetist.

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**Danny Williamson**

Windmill Farm, Good Shepherd Turkey Ranch,  
and the American Poultry Association

Danny breeds Standard Bred poultry for production and show. He currently maintains breeding flocks of 400 Black turkeys, 300 Plymouth Rock chickens, as well as Cornish, Dark Brahma chickens, and White call ducks. Danny is a general license judge for the American Poultry Association and has earned the title of Grand Master Breeder in Black turkeys, Standard Dark Brahma chickens, and White Call ducks. He serves on the Board of Directors and is employed as the General Manager and Chief Financial Officer of Good Shepherd Turkey Ranch, Inc. With his good friend and mentor Frank Reese, Danny is working to revive interest in and use of Standard Bred poultry by producing high quality market birds, judging, and through public education. Danny resides in Tampa, Kansas.

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**R. Scott Beyer, PhD**

Associate Professor, Poultry Nutrition  
Management, Kansas State University

Dr. Scott Beyer attended Texas A&M University and received an undergraduate degree in Biochemistry in 1983. He obtained his Masters and Ph.D. degrees in the Animal Nutrition Program from the University of Georgia and then worked as a Post-Doctoral Research Associate for Harvard University in the Department of Nutrition. He now is an Assistant Professor at Kansas State University where he is the coach of the KSU Collegiate Poultry Judging team. Dr. Beyer is also the Poultry Extension Agent for the state of Kansas. His research focuses on feed manufacturing and poultry nutrition.

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**Endorsers**



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**Anne Fanatico**  
Poultry Program Specialist  
National Center for Appropriate  
Technology

Anne is currently employed as a Research Associate at the Center of Excellence for Poultry Science at the University of Arkansas. Anne hold a Ph.D. from the University of Arkansas, a MS in Animal Science from Oregon State University, and a BS in Zoology and Spanish from the University of North Carolina. She worked overseas for two years in Costa Rica as a Peace Corps Volunteer specializing in agroforestry. Her areas of specialty at NCAT include small livestock; particularly pasture-based poultry production, including organic production, new marketing options, and alternative feeding.

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**Kenneth E. Anderson**  
Poultry Extension Specialist & Prof. of Poultry  
and Food Science  
North Carolina State University

Prior to joining N.C. State University in 1990, Prof. Anderson spent seven years at the Dept. of Animal Science at Kansas State University. He has also spent three years in industry, as general manager of the State Line Egg Producers Cooperative Association, Inc., in Beatrice, Nebraska. Professor Anderson's extension and research responsibilities include animal welfare as impacted by molting practices, and the impact of these practices on the welfare of the laying hen. He also does research on shell egg cooling and processing; layer performance and management; and on the biological basis for chemoprevention of ovarian cancer.

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# The American Livestock Breeds Conservancy

*Founded in 1977, the American Livestock Breeds Conservancy is the pioneer organization in the U.S. working to conserve historic breeds and genetic diversity in livestock.*



## WHAT DOES ALBC DO?

Many rare breeds of livestock and poultry are critically endangered, yet few people know of their existence or the threat to these animals. ALBC's mission is to protect these breeds of livestock and poultry by bringing awareness, education and information to the breeders and the public.

ALBC:

- Maintains and annually updates its Conservation Priority List (CPL). This list provides an ongoing record of both the livestock and poultry in need of conservation and the progress being made to preserve it.
- Conducts research to define breed characteristics for each rare breed on the CPL, and collects census data to track and report population numbers.
- Provides technical and practical education to both ALBC members and non-members interested in raising these breeds through workshops, training sessions and printed information.
- Investigates methods of promoting these breeds and their products to help make raising them a profitable and satisfying option for farmers.

## MISSION

The American Livestock Breeds Conservancy is a nonprofit membership organization working to protect 150 breeds of livestock and poultry species from extinction by conserving their genetic diversity.

## MEMBERSHIP

ALBC currently has over 3,000 members, and includes people from a wide variety of backgrounds - both those who raise livestock and poultry and those who may not have animals, but are interested in conservation of these breeds. ALBC also works closely with related organizations such as Heifer International, RAFT, as well as historical farms, museums, and breed associations.

## FUNDING

ALBC is funded by membership dues, general contributions, foundation grants, research grants, and sales of books and ALBC-related promotional items.

*"...when the last individual of a race of living things breathes no more, another Heaven and another Earth must pass before such a one can be again."*

*-William Beebe*



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## About ALBC



## Rediscovering Traditional Meats from Historic Chicken Breeds

Article Published in the ALBC Newsletter

By Gina Bisco

The chicken meat most of us take for granted today is quite different from what our grandparents experienced. Today commercial chicken meat production is very different from methods and ideas common before the mid-20th century. Those of us who want to conserve old chicken breeds need to understand the traditional chicken meat classes and their excellent cooking qualities.

There are 4 traditional chicken meat classes: broiler, fryer, roaster and fowl. The traditional broiler age range was from 7 to 12 weeks, and carcass weight from 1 to 2 1/2 lbs. (Squab broilers would be youngest and smallest of these, typically Leghorn cockerels about 3/4 to 1 pound dressed.) The next age and weight group was called the fryer. Traditional fryer age range was from 14 to 20 weeks, and carcass weight from 2 1/2 to 4 lbs. Traditional roaster age range was from 5 to 12 months, and carcass weight from 4 to 8 pounds. Most roasters were butchered between 6 and 9 months. Hens and roosters 12 months and older were called "fowl" or "stewing fowl" signifying that slow moist cooking methods were required.

These traditional meat classifications, used until the 1940s, were based on the growth patterns and carcass qualities of the pure breeds that were commonly used throughout the U.S. to produce eggs and meat. Traditional chicken meats were classified by butchering age because of the special product qualities associated with each age range. Even though modern product labels and modern cookbooks still use the terms broiler, fryer and roaster, these traditional meat classes no longer apply to the modern "meat line" chickens because of their extremely fast growth rate. The modern "meat line" chickens grow so fast that all sizes, even the largest size, are butchered before they are old enough to be classified as traditional fryers.

Historic breeds' natural growth rate may appear to be a disadvantage when compared with modern meat lines. But natural growth rate offers a very real and significant advantage that can only be obtained with age – *flavor!*

Though historic breeds can all be butchered young, in the past people preferred the richer flavor of the meat from chickens older than 12 weeks. Once it is realized that flavor cannot be hurried with faster growth, but requires time and age to develop, then the advantage of keeping historic poultry breeds becomes clear. The modern meat lines grow too fast to develop the rich flavor that people used to expect from chicken meat.

The modern meat lines are bred for uniformity, and to reach certain sizes under controlled conditions. They grow so fast that they have to be butchered quickly when they reach target weights. After about 9 weeks of age, modern meat lines suffer increased losses from bone and heart failure. They are not designed to live long enough to achieve the rich flavor that traditional chicken breeds achieve.

Historic poultry breeds are, in contrast, very flexible as to butchering age. *Any* historic pure breed can be butchered between 7 to 12 weeks for use as broilers, 12 to 20 weeks for use as fryers, 5 to 12 months for roasters, and over 12 months for stewing fowl. Although historic pure breeds were categorized as "egg breeds", "meat breeds", and "general purpose" or "dual purpose" breeds, these categories were not nearly so specialized as the modern mind tends to assume. Prior to development of the ultra-specialized single-purpose meat lines and egg lines, all pure breeds were managed more as multi-purpose flocks rather than exclusively for production of a single specific commercial product.

Prior to 1920 the egg breeds were so classified because of feed efficiency, smaller size, and lack of broodiness – not only in regard to number of eggs produced. The meat breeds were classified as such not because they were used only for meat, but because they were the best suited to producing the highest quality, largest and top-priced roasters. In fact, until 1920 and measured by eggs per hen per year, meat breeds such as Brahmas and Cornish were competitive with many egg breeds. Their primary disadvantages as egg layers were their greater food consumption and inclination toward broodiness. The general purpose breeds were therefore not the only category expected to produce both meat and eggs. Rather, general purpose breeds were considered most practical for general farms. General farm chickens were expected to be as productive as the egg breeds and meat breeds, but require less attention.

All historic breeds were once used to produce table eggs and meat. They were expected to lay well enough to be used for egg production, and every flock produced fowl when the layers were culled. All historic breeds produced about half cockerels and lacking the capability to accurately sex at hatch, excess cockerels were raised



with pullets until they were old enough that the differences were obvious. The farmer could then decide which traditional meat classes would most profitably fit the excess males.

Probably most broilers and fryers on retail markets in the early 20th century were from egg breeds, such as the very popular Brown or White Leghorns. The egg breed cockerels did not have the carcass traits required to achieve the best roaster prices, so most were usually butchered at the younger broiler or fryer age. The heavy breed cockerels (cockerels from the meat, general, or dual purpose breeds) could be used for fryers or broilers if market conditions indicated it was too risky to keep them longer. But these breeds had the right body traits to be graded as excellent roasters when well grown. And roasters were always preferred.

The product qualities of a traditional high quality roaster do not at all resemble the modern meat line chickens in the supermarket labeled "roaster". The carcass of a traditional roaster is overall longer and narrower, has a naturally shaped breast, and has proportionately far longer legs and larger thighs than the industrial meat line carcass of the same weight. The carcass of meat line "roasters" has a very broad breast and relatively tiny legs and thighs. The traditional roaster carcass yields a fairly even amount of dark meat and light meat, whereas the meat line roaster yields nearly all light meat and little dark meat. And, due to the much younger butchering age, the meat line roaster has a soft texture and bland flavor, while the traditional roaster has the rich flavor and firm texture expected of the more mature chicken.

The traditional meat types each require appropriate cooking methods. Far from being a disadvantage, this greatly expands culinary potential. But, after more than 50 years of supermarket chicken, most Americans don't know the first thing about cooking older chickens, and have no contemporary sources to turn to for that information. Modern cookbooks are designed for the modern meat line product.

Generally speaking, the quality and flavor of chicken meat from historic breeds is going to be superb as long as it is understood that different ages require, or are best suited, to different cooking methods. The key is to know the butchering age of the bird as well as when the bird was butchered.

Top meat quality requires proper processing. At butchering time, chickens must be killed quickly and humanely, stressed as little as possible. Stress reduces meat quality. Also, it may be that hand plucking could result in better meat quality for older butchering age ranges, as the mechanical pluckers are said to toughen meat somewhat.

After processing, for best meat texture, chickens should be chilled and aged before cooking. Most sources recommend chilling and aging chickens for 24 hours, and up to 3 days before freezing. I think aging at least 24 hours improves the texture, and that older chickens are better with longer aging, up to perhaps 5 days in the refrigerator for fowl. The properly aged bird should retain a very fresh clean smell with no hint of taint. I've read that chickens that are to be frozen need not be aged first if they will remain at least a month in the freezer. However, that advice may have been based on industrial meat lines, butchered very young. For historic breed chickens butchered at 12 weeks or older, freezer aging may not be enough. If a chicken was not aged in the fridge for at least 24 hours before freezing, then after thawing I usually will allow it another day or more to age in the fridge, before cooking.

An important generality about the difference between cooking modern meat line chickens and cooking historic breed chickens is that for the latter there is a bigger distinction in time needed to cook the light and dark meat. Modern meat line chickens, being all butchered within a very young age range, all have leg meat nearly as tender as the breast meat, which will cook about as fast. The historic breed chicken has had more exercise over a longer time before it is butchered, which greatly increases flavor but also increases cooking time for those muscles. This becomes noticeable in the fryer age range: the breast meat of a fryer will reach optimal doneness noticeably before the legs. The difference increases as the butchering age increases, and seems pronounced in birds over one year. The cook has to plan how to prevent the breast meat from getting overcooked, and dry, by the time the leg meat is done. Good cooks will find many ways to achieve this end, and the results are well worthwhile.

The traditional classifications indicate the ages best suited to different cooking methods. Broilers are the youngest and tenderest chickens and can be cooked by quick dry heat methods. At the broiler age range, up to 12 weeks old, historic breed cockerels are quite slim and usually under 2 pounds carcass weight. Due to the tenderness of youth as well as their slim proportions, they are suited to broiling, whole or split in half, by direct heat such as in the oven broiler or outdoor grill.

The traditional fryer age is up to about 20 weeks old with the bird usually not weighing more than 4 pounds. At this age cockerels have had a lot more exercise and have developed wonderful flavor, but should still be tender enough to cook by dry heat methods - though to cook evenly they usually have to be jointed. Egg breed cockerels are reputed to be excellent fryers, and at that age range may be as meaty relative to their smaller bone size as the

cockerels of heavier breeds. Fried chicken is really worth the mess and calories, at least occasionally, with home raised fryers.

The roasting age range specified for historic pure breeds is from 5 months to about one year, but most traditional roasters will be butchered between 6 and 9 months. This age range is expected to have much richer flavor. General purpose breed roasters can be baked uncovered in the oven at moderate temperatures. But open pan baking requires frequent basting. I find it easiest to get consistently great results throughout the wide roaster age range by using an old graniteware "chicken roaster" that has a tight fitting lid. This type of dark enameled roasting pan was designed to retain moisture and brown the bird without taking the cover off. (Good browning may not happen in a roasting pan with cover made of shiny metal.) If the cockerel is over 10 months old, I'll usually put in a cup of water. Baked at about 325 degrees Fahrenheit (F) for about 30 minutes to the pound, without removing the cover, they do not need basting and the skin browns nicely. The breast should still be moist and not overcooked when the legs and thighs are tender; if that doesn't happen, try a lower temperature and more minutes to the pound. It also helps to cook the bird with the breast down.

General purpose breed cockerels are usually from 4 to 6 lbs carcass weight at roaster age. Historic meat breed cockerels should surpass the weight of general purpose breed cockerels at some point in the roaster age range, and their flavor should be equally wonderful. While I believe egg breed cockerels should make fine small roasters, they may require moist heat cooking at an earlier age range since they reach maturity significantly younger than the heavier breeds.

Hens and roosters butchered at older than one year, classified as "fowl", make very fine eating also. This class was perhaps the most commonly eaten and least seasonal type until the mid-20th century. But today mature fowl is rarely available, unless you keep your own flock or know a farmer who does. It is essential to use moisture and low temperatures in cooking hens and roosters over 1 year old.

It will take hours longer to cook fowl, but the meat is richly flavored and was esteemed for sandwiches, chicken salad, pot pie and all recipes calling for cooked chicken meat. Fowl will become just as tender as younger chickens as long as it is kept moist and the meat temperature is kept low, preferably below 180 F. If the meat temperature goes above 180 F, the protein fibers toughen so that even if it is cooked long enough to fall apart, the individual fibers remain tough. When stewing, the water should not be allowed to boil, but should be kept at a simmer temperature, 180 F or less. Fowl can also be steam-baked with 1 or 2 cups water added to the pan; the pan should be tightly covered so the moisture won't escape, with the oven temperature at 300-325 F.

Whether stewed or steam-baked, the breast meat of fowl will be best (especially good for sandwiches) if it is removed as soon as it is done, which may be a couple of hours before the dark meat is done. I allow at least 3 hours to cook a 3 1/2 to 4 lb hen.

Some prefer the electric slow cooker for stewing chickens. The only slow cooker I've tried allowed the meat temperature to get too high, 200 F or higher. Perhaps others have better slow cookers.

A great advantage of the historic chicken breeds over modern meat lines is discovered when making broth. It is hard to make good broth out of supermarket chicken. They are so young that there is just not much flavor in them to make a good strong broth (and in the process the meat becomes tasteless mush). Our ancestors knew and greatly appreciated the rich flavor of strong chicken broth. Historic chicken breeds can all be expected to produce superb broth.

There are basically two methods for making chicken broth. One is to stew the chicken. With this method, flavor goes out of the meat and into the water, so to protect meat flavor, use only 3/4 to 1 cup water per pound. Fowl is the best choice for this method of making broth because fowl has the most flavor. A 4 lb. stewing hen can be gently simmered in enough water to produce between 1 and 1 1/2 quarts of rich broth, while retaining good flavor and texture in the meat. Do not allow the meat to boil.

Another method of making broth is to use the bones and skin from baked chicken (like Thanksgiving turkey soup). Simply add water and simmer on the stovetop for a couple of hours. This method makes decent broth from chickens that are much younger than 1 year (though older are still better). According to one cookbook, for a rich broth the proportion should be about 2 cups water for every cup of bone and meat scrap. I expect to get about 4 to 6 cups of rich brown broth from the bones and skin of a roaster or old hen that was first oven cooked. Bones and skin from baked chickens can be saved in the freezer until there is enough to do a large batch of broth at one time.

Usually cookbooks that give directions for cooking fowl specify "stewing hens" and don't say anything about roosters. Some modern books on raising chickens even say that old roosters are not good to eat. But, remember the old song, "She'll be comin' 'round the mountain"? It was the *old red rooster* that was going to be made into chicken and dumplings. From my own experience I'd guess that meal was worthy of song. The general purpose breed

roosters I've butchered have been very good to eat, even when several years old. Properly stewed, the old rooster's meat has superb rich flavor and the texture is firm but tender, not dry, tough, or stringy. The rich broth from stewing an old rooster is truly wonderful. Use more than 1 cup water per pound when stewing a rooster; roosters yield significantly more strong rich broth than hens.

For more information and recipes well suited to all the traditional meats that can be produced from the historic breeds of chickens, look to old cookbooks from before the 1950s. Here are some favorites:

*Fowl and Game Cookery*, by James Beard, 1944.

*Better Homes and Gardens Cook Book*, 1941.

*The Modern Family Cookbook*, by Meta Given, 1942

*Let's Cook It Right*, by Adelle Davis, 1947, 1962, 1970.

Some cautions regarding old cookbooks are in order. Those from the mid-1800s and earlier can be very hard to follow. The older the cookbook, the sketchier the instructions seem to be, and the more likely they are to use unfamiliar terms. Cookbooks from the late 1800s and later are the easiest to decipher and tend to give more complete instructions.

Don't believe it when a cookbook tells you hairs on the chickens are a bad sign or that they mean the bird is old. The hairs are just filoplumes, a hair-like feather, whose presence and length is variable and not directly related to age. People commonly used to singe them off. They can also be plucked with tweezers, or left on if they don't bother you.

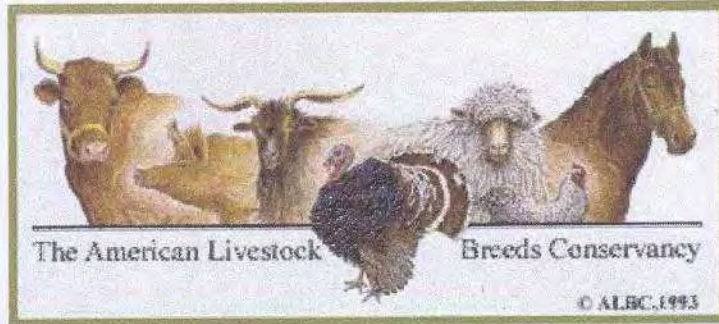
Another old cookbook caution is outdated ideas about food safety and bacteria. Some say you can stuff a chicken the day before you cook it, which is now considered a dangerous practice. Some old cookbooks also say chicken can be stored at temperatures well above what is now considered safe.

Aside from these sorts of cautions, what old cookbooks say about cooking chickens is generally true for historic breeds. After all, those were exactly the chickens that were familiar to cooks then. No one would have known what to do with a 6 or 7 pound, 9-week old supermarket chicken. The size would have made an impression, as would the bland flavor.

*Gina Bisco lives in Chittenango, New York, where she raises, and eats, Chantecler chickens. For more information contact Gina at [gsb7@earthlink.net](mailto:gsb7@earthlink.net).*



"...when the last individual of a race of living things breathes no more, another Heaven and another Earth must pass before such a one can be again."  
 -William Beebe



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## About ALBC

### What is the American Livestock Breeds Conservancy (ALBC)?



The American Livestock Breeds Conservancy is a clearing-house for information on livestock and genetic diversity.

These breeds are threatened because agriculture has changed. Modern food production now favors the use of a few highly specialized breeds selected for maximum output in a controlled environment. Many traditional livestock breeds have lost popularity and are threatened with extinction. These traditional breeds are an essential part

of the American agricultural inheritance. Not only do they evoke our past, they are also an important resource for our future.

The American Livestock Breeds Conservancy, founded in 1977, is the only organization in the U.S. working to conserve rare breeds and genetic diversity in livestock.

### ALBC's Mission

*Ensuring the future of agriculture through genetic conservation and the promotion of endangered breeds of livestock and poultry.*

The American Livestock Breeds Conservancy protects genetic diversity in livestock and poultry species through the conservation



and promotion of endangered breeds. These rare breeds are part of our national heritage and represent a unique piece of the earth's bio-diversity. The loss of these breeds would impoverish agriculture and diminish the human spirit. We have inherited a rich variety of livestock breeds. For the sake of future generations we must work together to safeguard these treasures.



### What does ALBC do?



The American Livestock Breeds Conservancy's programs include research on breed population size, distribution and genetic health; research on breed characteristics; gene banks to preserve genetic material from endangered breeds; rescues of threatened populations; education about

genetic diversity and the role of livestock in sustainable agriculture; and technical support to a network of breeders, breed associations, and farmers.

The need for livestock conservation is urgent. Throughout agricultural history, each generation has taken its turn as steward of the genetic trust. Our generation is now in danger of bankrupting this trust and leaving little for the future. Each day, some breeds move closer to extinction. Each extinction reduces the diversity within the livestock species and the biodiversity of the Earth.

## The American Livestock Breeds Conservancy

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"... when the last individual of a race of living things breathes no more, another Heaven and another Earth must pass before such a one can be again."  
-William Beebe



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Classifieds

### Heritage Chicken vs. Industrial Chicken Comparison

Heritage Chicken	Industrial Chicken
Heritage Chickens are from parent and grandparent stock of breeds recognized by the American Poultry Association's American Standard of Perfection. The APA is the oldest agricultural organization in the United States.	Industrial chickens have been derived, over time, from multiple breed crossings.
Heritage Chickens are akin to the open pollinated varieties of heirloom fruits and vegetables that belong to no one and everyone. This is the source of genetic diversity.	Industrial chickens are carefully controlled proprietary genetic lines. Ten large companies produce more than 90 percent of the nation's poultry. This results in the loss of genetic diversity.
Heritage Chickens are naturally mating, producing fertile eggs.	Industrial breeds of chickens are naturally mating, through artificial insemination can also be used. Industrial turkeys are completely reproduced through artificial insemination and it is possible that chickens could end up with the same fate.
Heritage Chicken has a rich chicken flavor and a firm texture without being tough.	The flesh of industrial chickens is very soft and bland. The modern chicken serves primarily as a vehicle for other flavors.
Heritage Chicken is raised outdoors on green pasture. They actively forage for insects. Pasture production is the humane and appropriate way to raise Heritage Chicken.	Industrial chickens are typically raised indoors in confined settings. Their genetic makeup makes living outside on pasture difficult, and in some instances, inhumane.
Heritage Chickens have long, productive lives. Breeding hens will be productive for 5-7 years for hens and roosters for 3-5 years.	Industrial chickens are short lived, with breeding animals generally lasting only one reproductive cycle before being processed.
Heritage Chicken grows at a more natural and normal rate, allowing the bird time to build healthy	Industrial chickens have been selected for very fast growth, which has resulted in increased

#### Links

[Definition of Heritage Chicken](#)

[Endorsers](#)

[ALBC Conservation Priority Chicken Breeds](#)

[Pick-A-Chick: Heritage Chicken Breed Comparison](#)

[Download Press Kit](#)

[Materials for Heritage Chicken Breeders](#)

[Frequently Asked Questions](#)

[Where to Find Heritage Chickens](#)

#### Additional Resources

[APA Standard Breeds](#)

[Poultry Resources](#)

[ALBC's Chicken Assessment for Improving Productivity](#)

[Heritage Turkey Definition and Resources](#)

[Heritage Chicken vs. Industrial Chicken Comparison](#)

[Cooking with Heritage Chicken](#)

[Heritage Chicken Home](#)



<p>bodies and giving flavor and texture to the meat.</p>	<p>mortalities due to leg, cardiovascular, and respiratory difficulties, and producing softer, blander meat.</p> <p>A thin intestinal lining, as documented by a study done at North Carolina State University, makes the low feed and rapid growth of the industrial chicken possible. However, it also makes the birds vulnerable to infection and reduces disease resistance.</p>
<p>Heritage chickens take 16 or more weeks to reach market weight. (112 days or more)</p>	<p>Industrial chickens take 7 weeks (48 days) to reach market weight.</p> <p>"If a [person] grew as fast as a chicken, [he] would weigh 349 pounds at age two." (University of Arkansas Division of Agriculture, Cooperative Extension Service)</p>
<p>Heritage Chickens look different. They have longer bodies and longer legs. They have more dark meat (thighs, legs and wings).</p>	<p>Industrial chickens are round and short legged. They have more white breast meat.</p>
<p>Heritage Chicken should be cooked slowly, and generally at a lower temperature. Fast cooking will make the meat dry and tough.</p>	<p>Industrial chicken may be quickly seared with high heat, in addition to being prepared slowly, at low temperatures.</p>

**The American Livestock Breeds Conservancy**

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## How is the annual CPL Determined?

Each year, the American Livestock Breeds Conservancy (ALBC) publishes its annual Conservation Priority List. ALBC is often asked how this list is generated and how conservation levels are determined. We hope the following explanation will help explain and clarify the process.

### How does ALBC determine a livestock breed's status in the U.S.?

ALBC monitors most mammalian livestock populations through their respective breed associations. Each year, ALBC requests registration data from breed associations. These data are indicators of active breeding populations in a given year. For standardized breeds of American origin, this may determine the breed's conservation category. A few breeds do not have breed associations. These are mostly landraces. In these circumstances, ALBC works directly with breeders to understand their herds/flocks and estimate breeding populations. ALBC also tries to help breeders organize themselves to support conservation. Such organization often has as the valuable byproduct of easier access to population information.

### Why does ALBC only count registered animals?

Registered animals are those with documented pedigrees. Assuming that registries are operated with integrity (an assumption we make), we know registered animals to be purebred. Generally, animals that are intended as breeding stock are registered and will contribute their genes to the next generation. Historically, unregistered animals had jobs other than breeding. Most breed associations for standardized breeds have no system for re-claiming presumed purebred animals that are not registered. Therefore, undocumented purebreds are both excluded and lost from the purebred population, as are any unique genes that individual animals might carry. This makes continuity of pedigree registration from generation to generation very important. While this approach results in an undercount to varying degrees, it does consistently count those animals most likely to contribute to the next purebred generation.

**How does ALBC determine the status or conservation category for each poultry breed?** Poultry censusing is different than censusing for mammalian livestock. Poultry censusing requires a much more extensive approach to get a comprehensive picture. With poultry, ALBC contacts hatcheries, known major breeders, and ALBC members. ALBC also sends out surveys through the American Poultry Association, breed clubs, and the Society for the Preservation of Poultry Antiquities. ALBC advertises its poultry census in magazines and makes the survey available on the ALBC website for anyone and everyone. We try to reach as many people as possible. We also gather information from individuals.

### When ALBC performs a poultry census, what is counted?

When ALBC collects poultry census information only breeding stock are counted. These are the birds that will contribute to the next generation. If an individual is keeping just one bird, or a few hens with no intention of breeding, these will not be included.



**How does ALBC determine global population numbers for poultry?**

ALBC's mission is genetic conservation so we monitor global populations. This information provides us with a context for international breeds. This is a softer number but is a valid indicator of global population. Global populations are estimated using data gathered by international conservation organizations including Rare Breeds Survival Trust, Rare Breeds Canada, Rare Breeds Australia, the Food and Agriculture Domestic Animal Diversity database (FAO DAD-IS), and similar organizations. ALBC also mines U.S. and international publications to glean information about global population numbers. Additionally, ALBC staff communicates with colleagues and conservationists around the world to further explore international population numbers. Global data is much more difficult to obtain for poultry. ALBC draws on the FAO DAD-IS database and information from sister international conservation organizations. ALBC asks many questions of the global data: is the breed in the other countries the same breed as that found in the U.S.? Is the data source reliable? Does the data make sense, based on what we know and what we are able to learn from national and international colleagues? Answering each of these questions will lead us to a determination of endangered status.

**How is U.S. and global information used?**

ALBC has developed parameters for inclusion of breeds on the Conservation Priority List. These parameters also guide our annual review of the breeds. For livestock parameters, visit: <http://www.albc-usa.org/cpl/parameters-livestock.html> For poultry parameters, visit: <http://www.albc-usa.org/cpl/parameters-poultry.html>

ALBC seeks to put breed populations into a national and global context therefore ALBC uses both U.S. and global numbers in the annual review of its conservation priority list and to determine a breed's status.

For additional questions about how ALBC determines the annual CPL, contact the ALBC office or email [albc@albc-usa.org](mailto:albc@albc-usa.org).

**The American Livestock Breeds Conservancy**

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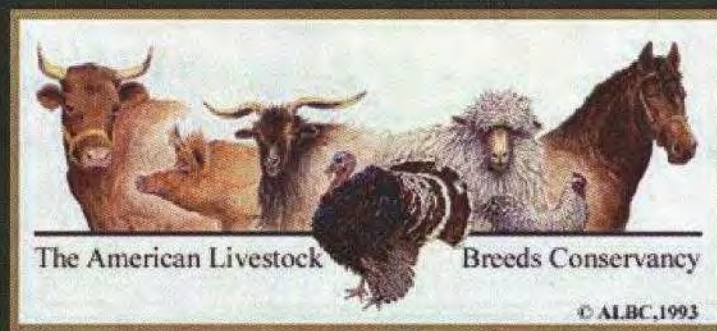
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## Parameters of Poultry Breeds on ALBC Conservation Priority List (2010)

Poultry breeds on the ALBC Conservation Priority List generally conform to certain genetic and numerical parameters.

1. The breed is from one of the four traditional U.S. poultry species (chickens, ducks, geese, and turkeys).
2. A bantam breed may be listed if there is no large fowl counterpart.
3. The breed census satisfies numerical guidelines:
  - **Critical:** Fewer than 500 breeding birds in the United States, with five or fewer primary breeding flocks (50 birds or more), and estimated global population less than 1,000.
  - **Threatened:** Fewer than 1,000 breeding birds in the United States, with seven or fewer primary breeding flocks, and estimated global population less than 5,000.
  - **Watch:** Fewer than 5,000 breeding birds in the United States, with ten or fewer primary breeding flocks, and estimated global population less than 10,000. Also included are breeds with genetic or numerical concerns or limited geographic distribution.
  - **Recovering:** Breeds that were once listed in another category and have exceeded Watch category numbers but are still in need of monitoring.
  - **Study:** Breeds that are of interest but either lack definition or lack genetic or historical documentation.
4. The breed is a true genetic breed (when mated together, it reproduces the breed type.)
5. The breed has had an established and continuously breeding population in North America since 1925. Or, if imported or developed since 1925,
  - The foundation stock is no longer available.
  - Must meet numeric guidelines for inclusion.
  - Must have at least five breeders in different locations in the United States.
  - The global population is threatened and the United States population is making a contribution to conservation of the breed.

Breeds not meeting all these criteria may be placed in the "Study" category and monitored.

Conservation categories are based on the estimated number of breeding birds, males and females, and the number of breeding flocks. Given the vulnerability of poultry to predators, the number of flocks is important. "Conservation breeding flocks" are those



of 50 birds and above.

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## Conservation Priority Poultry Breeds 2010

**Critical:** Fewer than 500 breeding birds in the United States, with five or fewer primary breeding flocks (50 birds or more), and estimated global population less than 1,000.

**Threatened:** Fewer than 1,000 breeding birds in the United States, with seven or fewer primary breeding flocks, and estimated global population less than 5,000.

**Watch:** Fewer than 5,000 breeding birds in the United States, with ten or fewer primary breeding flocks, and estimated global population less than 10,000. Also included are breeds that present genetic or numerical concerns or have a limited geographic distribution.

**Recovering:** Breeds that were once listed in another category and have exceeded Watch category numbers but are still in need of monitoring.

**Study:** Breeds that are of genetic interest but either lack definition or lack genetic or historical documentation.

	Critical	Threatened	Watch	Recovering	Study
Chickens	Buckeye Campine Chantecler Crevecoeur Holland Modern Game Nankin Redcap Russian Orloff Spanish Sultan Sumatra Yokohama	Andalusian Buttercup Cubalaya Delaware Dorking Faverolle Java Lakenvelder Langshan Malay Phoenix	Ancona Aseel Brahma Catalana Cochin Cornish Dominique Hamburg Houdan Jersey Giant La Fleche Minorca New Hampshire Old English Game Polish Rhode Island White Sebright Shamo	Australorp Leghorn – Non-industrial Orpington Plymouth Rock Rhode Island Red – Non industrial Sussex Wyandotte	Araucana <sup>1</sup> Iowa Blue Lamona Manx Rumpy or Persian Rumpless Naked Neck or Turken
Ducks	Ancona Aylesbury Magpie Saxony Silver Appleyard Welsh Harlequin	Buff or Orpington Cayuga	Campbell Rouen Runner or Indian Runner Swedish		Australian Spotted Dutch Hookbill
Geese	American Buff Cotton Patch Pilgrim Pomeranian Roman Shetland	Sebastopol	African Chinese Toulouse		Gray Steinbacher
Turkeys <sup>2</sup>	Beltville Small White Chocolate Jersey Buff Lavender/Lilac Midget White	Narragansett White Holland	Black Bourbon Red Standard Bronze Royal Palm Slate		Broad Breasted Bronze Naturally mating, non-standard varieties of turkeys

Breeds unique to North America are printed in bold.

<sup>1</sup> Araucana and Ameraucanas are often confused with each other and may be sold interchangeably.

<sup>2</sup> "Heritage turkeys" is a phrase now popularly used to describe naturally mating, long-lived, slow-growing varieties of turkeys, most of which have standards defined by the American Poultry Association. All of the turkeys listed here, EXCEPT the Broad Breasted Bronze, may be called "heritage."

## Exhibition Poultry Has Many Safeguards in Place and is Populated by Responsible Breeders.

- 1.) **Outreach – Poultry Health Education.** Information on maintaining a healthy flock, preventing disease, and recommended biosecurity measures for the flock owner and poultry show are available at our associations' web sites: [www.bantamclub.com](http://www.bantamclub.com), and [www.amerpoultryassn.com](http://www.amerpoultryassn.com).
- 2.) **Exhibition Poultry Health Tested.** All American Bantam Assoc. and American Poultry Assoc. sanctioned poultry shows comply with the State and Federal Regulations. These regulations typically include, but are not necessarily limited to, provisions which require poultry to have been pullorum tested within 90 days of the poultry show or originate from pullorum free flocks, which are participants in the National Poultry Improvement Plan.
- 3.) **Premises are Inspected.** Poultry exhibitor's premises are inspected once each year in conjunction with NPIP and pullorum testing.
- 4.) **Contact Information and Traceability.** A 48-hour trace back system is already in place. Each exhibitor submits an entry form to the show secretary. This entry form contains complete contact information such as name, address and phone number as well as the breeds, varieties, and quantity to be shown. During and after the poultry show exhibitor lists and show reports provide the same 48-hour trace back information.
- 5.) **Exhibited Poultry are Inspected.** Show officials and exhibitors work together to inspect all exhibits throughout the duration of the show. It has always been standard operating procedure that anyone witnessing a bird of questionable health at a poultry show contacts the show officials. The poultry show superintendent then locates the owner and the bird is removed from the show hall.
- 6.) **Housed in Ideal Conditions.** Buildings and grounds are kept clean and sanitary, which helps not only to produce clean and perfect feathering, it also helps prevent exposure to disease causing agents. Pens are cleaned frequently which limits exposure to feces. Ample amounts of natural sunlight and exercise are incorporated into pen designs. Pen designs are so constructed as to lower the stress of each bird maintained – implementing ideas based on research from government experimental poultry stations when such stations focused on designs which were based on the natural tendencies and needs of poultry.
- 7.) **Exhibition Poultry in Prime Health.** In order to successfully compete, breeders must go to great lengths to bring their show poultry into optimum health in order to exhibit poultry with shiny, strong feathers and bright red, robust faces. Protocols to achieve this state health include vaccination and biosecurity programs, selection for disease resistance, proper exercise, attention to cleanliness of water and environment, and supplementation with vitamins, minerals and probiotics. Additionally, the poultry must be maintained free of internal and external parasites.
- 8.) **Local Economics.** Based on a study by the American Poultry Association's Pennsylvania members, the average poultry breeder spends \$2,000 within their community on items related to their poultry hobby (feed, shavings, supplies).
- 9.) **Tourism Dollars.** Based on a study by the American Bantam Association's members, the average poultry exhibitor spends \$1,800 in travel expenses to participate at poultry shows. Much of these monies are infused into small, rural communities.
- 10.) **Family Oriented.** Exhibition poultry is a family hobby, which helps children to learn responsibility by giving them an outlet that will hopefully keep them off drugs and out of trouble.
- 11.) **Practical Education.** Exhibition poultry gives tomorrow's livestock professional hands-on experience.
- 12.) **Genetic Diversity.** Today's poultry breeders maintain a wealth of diversity of poultry genetics. Research indicates that breeds differ in their ability to resist various diseases. If the breeders of purebred exhibition poultry become discouraged, and retire from their hobby, we will lose the genetic diversity of these breeds and many rare breeds and varieties will cease to exist.
- 13.) **One Hundred and Forty Years of Safety.** There is no record of a known outbreak of disease from co-mingling birds at poultry shows. Showing poultry has a history of safely being conducted since 1864. What other industry can claim such a lengthy safety record?

## To Join SPPA

Please provide the information below, clip this page and mail with appropriate payment to:

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SC 29078

Name: \_\_\_\_\_

Street: \_\_\_\_\_

PO Box: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code: \_\_\_\_\_

Country: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

### SPPA Membership Rates

One year \$15.00

Two years \$25.00

Three years \$40.00

Life Membership \$200.00

*Free* Breeders Directory  
with membership

Extra copies are \$8.00 each

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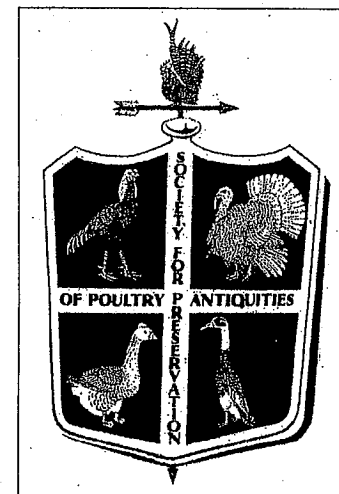
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# The Society for the Preservation of Poultry Antiquities



*Established 1967*

A 501c(3) Nonprofit Organization

## SPPA Helps Preserve Genetic

### Diversity and Cultural Heritage

As 20<sup>th</sup> century Americans migrated from farms to urban areas, following industry and jobs, many continued to husband poultry in backyard flock.

The Industrial Revolution changed American lifestyles and eventually eliminated poultry from its position as constant human companion.

Poultry accompanied humanity throughout written history, and certainly before. Heirloom breeds represent living artifacts of a rich cultural heritage that spans the planet and merit preservation for that reason alone.

Each farmer once bred birds of unique appearance to differentiate his flocks from the neighbor's. That careful attention to color and feather was not only a unique trademark but also a source of pride and aesthetic honor, leading to the huge poultry shows of the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. Those kinds of aspirations have no value in a poultry house that may hold hundreds of thousands of birds bred specifically for uniform, high efficiency production of meat or eggs. A few commercial hybrid breeds dominate the production line facilities that feed American's growing appetite for poultry. Immunity to disease and ability to reproduce naturally are often discounted in favor of market considerations such as feed conversion ratios and quantity of breast meat.

Factory farming answered the economic imperatives of quantity and efficiency, but at what cost? Dozens of breeds and varieties that were once common now face extinction or have already vanished. Irreplaceable foundation stock is at risk of being lost forever.

Established in 1967, the SPPA is the oldest livestock conservation organization in North America. The SPPA seeks to protect and preserve, for historical, educational and recreational purposes and in the public interest, standard bred domesticated poultry, waterfowl, turkeys and guineas.

## Breeders Are Needed

SPPA brings together breeders who value genetic heritage, honor historic value and wish to share their knowledge and stock with others.

The SPPA Breeders Directory, free with membership, lists all members who have stock available, what they are raising and how to contact them. Small private flocks of a dozen birds may seem inconsequential, but imagine thousands of small flocks scattered across the country and you can see why private breeders and backyard poultry keeping can make a difference in poultry preservation. Beauty and utility, joy and satisfaction are some of the gifts derived from tending a small flock of rare and historic poultry. SPPA is the organization that can help you get it right. Join us today.

If you have never raised chickens or other poultry, this is your time to start. If you are already keeping poultry, add a rare breed to your flocks and contribute to preserving our poultry heritage and genetic diversity.

*Sign up now*

on line at

[www.poultrybookstore.com](http://www.poultrybookstore.com)

## Heritage Breeds List

### BREEDS

American Game	O&R
Ancona	O
Andalusian	O
Araucana	O
Aseel	O&R
Barnevelder	O&R
Belgian	O
Bearded d'Anvers	
Belgian	O
Bearded d'Uccle	
Booted Bantam	O&R
Brahma	O
Buckeye	O&R
Buttercup	O
Campine	O&R
Catalana	O
Chantecler	R
Cochin	O&R
Cornish	O
Crevecoeur	O&R
Cubalaya	O&R
Dominique	O&R
Dorking	O&R
Dutch Bantam	O
Faverolles	O&R
Fayoumi	O&R
Jersey Blue	O&R
Frizzle	O&R
Hamburg	O&R
Hollands	R
Houdan	O&R
Iowa Blues	R
Indian Games	O&R
Japanese Bantam	O
Java	O&R
Jungle Fowl	O&R
Kraienkoppe	O&R
LaFleche	O&R

### BREEDS

Lakenvelder	O&R
Langshan	O
Leghorn	O
Long Crowers	O&R
Malay	O&R
Manx Rumpie	O&R
Marans	O
Minorca	O
Modern Game	O&R
Naked Neck	O
Nankin Bantams	O&R
Old English	O&R
Orloff	O&R
Orpington	O
Persian Rmpless	O&R
Phoenix	O&R
Plymouth Rock	O
Polish	R
Pyncheon Bantam	O&R
Redcap	O&R
Rhode Island Whites	R
Rosecomb Bantam	O
Rumpless	O&R
Sebright Bantam	O
Shamo	O&R
Silkie Bantam	O
Spanish	O
Spitzhauben	O
Sultan	O&R
Sumatra	O
Sussex	R
Thuringer	O&R
Wyandotte	O
Welsummer	R
Yokohama	O&R

KEY: O is OLD, R is RARE, O&R is both