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Small Animals Ordinance Study Session Goes Smoothly

By Sophie Braccini

The love of small animals, chickens and bees, was definitely in the air at the Aug. 17 Moraga Planning Commission meeting. It was scheduled as a study session for a modification of the existing ordinance that does not allow raising non-pet animals on properties less than one acre. Most of the people who attended the meeting spoke in favor of the new text that would allow the majority of residents with a backyard to raise small animals. Beekeepers were also in attendance and asked that the proposed text be reviewed based on expert knowledge of what makes a healthy hive and non-aggressive bees. Concerns were raised regarding how the town would enforce best practices if a coop became a nuisance.

Brian Horn, associate planner, said Moraga took advantage of the extensive research the city of Lafayette conducted two years ago regarding regulations in comparable communities when they adopted a similar ordinance. "We customized it to fit our specific situation," he confirmed.

Small farm animals are defined as hoofless creatures including chickens, turkeys, doves, pigeons, quail, game birds, rabbits and honeybees. They can be raised without permit or notification if the residents have enough room in their backyard, but keeping of honeybees would require an administrative permit that would include neighbors' notification.

Keeping small animals would be allowed on 6,000-10,000 square foot parcels; six on parcels between 10,000 and 20,000 square feet; eight on parcels between 20,000 and 40,000 square feet; and 16 on parcels over 40,000 square feet. Keeping small animals would not be allowed on lots less than 6,000 square feet, unless an exception was granted. Raising them would be allowed for single-family residences, as well as duplexes and triplexes as long as the backyard area is wide enough and the other residents are agreeable to the project.

The text would include sheltering and maintenance requirements in order to eliminate all types of nuisance to the neighbors. Slaughtering would be permitted, since the purpose of allowing this activity is to encourage local food production, as long as it remains humane and inconspicuous to neighbors.

One resident, De Etta Kay Reynolds, spoke against the ordinance. The Moraga resident, who said she was raised on a farm around animals, stated that she did not think that they had their place in Moraga because they can become a public health hazard, they are noisy and they smell. She added that she did not think that newcomers are paying over a million dollars for homes next to chickens. Other residents who attended the meeting supported the project. Several highlighted the fact that raising small animals is a great project for parents and children to do together, that it taught responsibility as well as a sense of where food comes from. Others indicated that this was now part of the lifestyle in many cities, including San Francisco and Oakland. John Kiefer of Lafayette, who has trained hundreds on how to build odor- and maintenance-free chicken coops, assured the commission that sustainable chicken keeping was both useful and pleasurable. There was general support for the ordinance as drafted, except from the only family of beekeepers who came to the meeting.

Andy and Wendy Scheck, owners of Lamorinda Weekly, have been beekeepers in Moraga for a few years. Andy Scheck explained that limiting the number of beehives to two did not make a lot of sense as the world of bees is changing. He noted that the placement of hives proposed in the text does not take good beekeeping practices into account and that honeybees are non-aggressive insects when they are not under stress. Scheck reminded commissioners of the importance of backyard bees to pollinate local plants as well as being part of the effort to restore healthy bee populations. The beekeepers also stressed the importance of having experienced beekeepers, such as Mount Diablo Beekeepers Association members, train new beekeepers.

Resident AJ Eames noted that these insects and animals are useful precursor species, as bees pollinate plants and chickens produce manure to fertilize the soil.

Some planning commissioners, especially Steve Woehleke, wrestled with the difficulty to enforce

good maintenance rules if an ordinance was adopted. Planning Director Ellen Clark noted that there are already many "underground" chicken coops in Moraga and that the way ordinances are enforced is when a complaint is filed. If an ordinance was adopted and a coop became a nuisance, citations would be issued and if no action was taken it could lead to town abatement of the problem.

Vice-Chair Christine Kuckuk and commissioners Ravi Mallela and Suzanne D'Arcy strongly supported the project, recommending that staff meet with professional beekeepers to draft a regulation that would benefit honeybees and protect allergic neighbors.

After the meeting, Horn said he would meet with the Mount Diablo Beekeepers Association shortly and that a proposed ordinance would come back to the Planning Commission in September for recommendation to the Town Council. The objective is to have the council make a final decision before the end of the year.

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