

Legislation Details (With Text)

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		In control:	City Council
On agenda:	12/11/2017	Final action:	12/11/2017
Title:	Information regarding allowing ducks in residential zones. Ward(s): All Wards Councilor(s): All Councilors Neighborhood(s): All Neighborhoods		

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/11/2017	1	City Council	approved	Pass

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Norman Wright, Community Development Director

SUBJECT:

Information regarding allowing ducks in residential zones.
Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

ISSUE:

Information only.

RECOMMENDATION:

Information only.

SUMMARY AND BACKGROUND:

On October 23, 2017, City Council directed staff to prepare a report and recommendation regarding whether ducks should be allowed to be kept in residential zones in Salem in a similar manner in which chickens are allowed.

Staff conducted research on issues related to allowing ducks in urban environments, how ducks differ from chickens and how several surrounding jurisdictions regulate the keeping of ducks in residential zones. Staff believes that the noise, odor and trespassing concerns related to ducks are similar to chickens and that it is appropriate to allow ducks in the same manner as chickens are allowed.

Staff recommends that any proposed amendments related to ducks be included in a package of code amendments that Planning staff are currently working on. We plan to begin the code amendment process for this package of amendments in February of 2018 with an estimated adoption date of August 2018.

FACTS AND FINDINGS:

Currently, the City allows chickens to be kept at any residence, community garden or any premises owned by a school or religious organization. Each site is limited to a maximum of six hens; roosters are prohibited. A chicken facility must be located in the rear yard, at least three feet away from any other building on the property and at least 25 feet away from a residence on an adjacent unit of land. The chicken facility must have at least six square feet of run space per chicken and at least three square feet of coop space per chicken, with a maximum coop not to exceed 120 square feet. Residents do not have to meet these guidelines if the property is zoned Residential Agriculture (RA) and the lot is at least 10,000 square feet in size or any property zoned Exclusive Farm Use (EFU).

Differences between Ducks and Chickens

The following is information staff gathered about the differences between ducks and chickens.

Noise: Ducks are relatively quiet but do produce more noise during feeding and watering periods. The amount of noise depends on the breed and number of ducks on a property as well as the time of year (e.g., noise is greater during breeding season). Overall, the level of noise ducks make is relatively similar to that of chickens.

Odor: The degree of odor is based on the management practices used, including the amount of space per fowl, keeping the coop dry and changing the bedding. Overall, it appears ducks and chickens are relatively similar when it comes to odor. Ducks, however, do need a larger water source, which also needs to be managed to control odor.

Trespassing: Domesticated breeds of chickens (i.e., the ones most popularly kept as urban backyard chickens) are not capable of flying high or far. Several breeds of ducks, on the other hand, are good fliers, and some fly long distances in migration. Many ducks have been domesticated for long periods of time and have been bred for beauty or egg production and have lost the ability to fly. Owners can institute a variety of management practices to ensure the ducks and chickens stay on their property.

Other Cities

Several surrounding cities, including Albany, Eugene, Hillsboro, and Portland, allow ducks to be kept in residential zones in addition to allowing chickens to be kept. All four cities regulate ducks in the

same manner as chickens.

Outreach

Staff sent notice to all Neighborhood Associations requesting comments or concerns regarding allowing ducks in the same manner chickens are currently allowed in the City's residential zones. One Neighborhood Association has responded in favor of ducks being kept in their habitat and not being kept as pets.

Timelines for proposed code amendment

In order to allow ducks in the same manner as chickens, amendments are needed to SRC Chapters 50 and 110, excluding ducks from the definition of livestock and applying the Keeping of Chicken standards to ducks.

Staff recommends that any proposed amendments related to ducks be included in a package of code amendments that Planning staff are currently working on. We plan to begin the code amendment process for this package of amendments in February of 2018 with an estimated adoption date of August 2018.

Packaging numerous amendments together is a more efficient process for limited amendments. Code amendments have lengthy prescribed processes that take, on average, 6 months to complete. In recent years Planning staff have attempted to combine numerous limited amendments into one package to better manage staff time dedicated to code amendments. Therefore, staff recommends that any proposed amendments related to ducks be included in this package of code amendments.

Enforcement of Current Code

Current City rules prohibit the keeping of ducks in most residential zones. Until such time as the code is amended, Code Compliance staff will respond to duck related complaints and enforce the current code.

Olivia Glantz
Planner II

Attachments: