



# AGENDA REPORT

**Department:** Planning  
**Prepared by:** Martin Reeder, AICP – Asst. Director of Community Development  
**Meeting Date:** Tuesday, August 19, 2025  
**Approved by:** Scott W. Huth, Interim City Manager

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## **SUBJECT:**

Continued Public Hearing - First Reading and Introduction of an Ordinance Amending Section 8.32.015 of the National City Municipal Code Related to the Keeping of Hen Chickens.

## **RECOMMENDATION:**

Introduce the Ordinance Entitled: “An Ordinance of the City Council of the City of National City, California, Amending Section 8.32.015 ‘Restrictions on Keeping Certain Animals, Birds, and Reptiles’ of the National City Municipal Code Pertaining to the Allowance of Keeping Additional Hen Chickens.”

## **BOARD/COMMISSION/COMMITTEE PRIOR ACTION:**

The City Council held a public hearing at their meeting of May 20, 2025 and continued the item to August 19, 2025 in order to receive additional information.

## **EXPLANATION:**

The City Council directed staff to prepare an Ordinance related to the keeping of chickens in the City through the Policy 105 process.

Section 8.32.015 of the Municipal Code (Restrictions on keeping certain animals, birds and reptiles.) currently limits the number of hen chickens as follows:

- A. It is unlawful to keep, possess or maintain any animal, bird or reptile not prohibited by Section 8.32.010, except as follows:
  2. Any combination of the following classes of animals, not to exceed a total of twenty, with each class limited by a maximum of four adult rabbits, four chinchillas, four hen chickens, four turkeys, four ducks, four geese or twenty pigeons may be kept on any property zoned for single-family residential use that is greater than twenty thousand square feet in area.

The numerical and physical limitations underlined above were incorporated into Chapter 8.32 in 2004, prior to which up to 12 hen<sup>1</sup> chickens were permitted on properties zoned for single-family residential use.

The reason for the revisions proposed at that time were intended to bolster regulations to enhance public health parameters by improving greater restrictions on the keeping of fowl, and minimize

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<sup>1</sup> NCMC 8.32.010 (A) (8) prohibits any rooster (male chicken) regardless of size or whether it has been surgically de-crowed.

the serious exposure to Newcastle disease, avian flu, and West Nile Virus (WNV). Since that time, the state of California has been declared free of [virulent] Newcastle disease. With regard to avian flu, while there was an outbreak in 2004, there has only been one reported case in 2025 (east county). West Nile Virus is an ongoing concern and can be found in all 58 counties in California, including San Diego County. According to the County's Vector Control Program data, the last spike in WNV cases was in 2015 and 2016 (367 and 266 respectively). Cases between 2017 and 2024 have ranged between 0 and 43 (average of 8.75 cases annually). Previous spikes were noted in 2005 (162) and 2008 (563).

With the increase in prices related to animal products, including chicken eggs, allowing additional hen chickens would allow residents to offset high egg prices by raising and harvesting chicken eggs at a higher rate than currently permitted. While there may be concerns related to avian-related diseases, those concerns are less of an issue than they were in 2004 when the Ordinance was last amended.

At the May 20, 2025 public hearing, staff brought forward an Ordinance amendment allowing up to 12 hen chickens without a limitation on the lot size of single-family residential properties on which the chickens may be kept. Under discussion, staff was asked to look at other urban cities in the county with regard to their regulations in order to consider a more reasonable number. Staff looked at the cities of San Diego, Chula Vista, Lemon Grove, and La Mesa. Their regulations are summarized as follows:

San Diego: **five** chickens (outside of all setbacks) / **15** chickens (outside of all required setbacks or 15 feet, whichever is greater) / **25** chickens (minimum of 50 feet from residential structures).

Chula Vista: **six** chickens, minimum 7,000 square-foot lot size.

Lemon Grove: **one** chicken per 1,000 square feet of lot area.

La Mesa: no animal/poultry which emits loud or raucous cries.

Based on previous discussion and concerns, staff is suggesting a minimum of **six** hen chickens be permitted, with a maximum of one chicken per one thousand feet of lot area, not to exceed **12**. The attached Ordinance reflects this change.

#### **FINANCIAL STATEMENT:**

There would no fiscal impact to the City, as changes would not result in the need for additional permits or fees.

#### **RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:**

Health, Environment, and Sustainability

#### **ENVIRONMENTAL REVIEW:**

This is not a project under CEQA, and is therefore, not subject to environmental review. CCR15378; PRC 21065.

#### **PUBLIC NOTIFICATION:**

The Agenda Report was posted at least 72 hours before the Regular Meeting date and time, and 24 hours before a Special Meeting in accordance with the Ralph M. Brown Act

#### **ORDINANCE:**

First Reading

#### **EXHIBITS:**

Exhibit A – Strikethrough/underline

Exhibit B – Ordinance