TECHNICAL COMMITTEE REPORT

To: Planning Commission

From: Technical Committee

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Date: September 7, 2011

File Number: L100259

Title: Amendments to Small Animal Husbandry Policies and Codes, a

component of the 2010-2011 Periodic Update to Redmond's

Comprehensive Plan

Recommended Action: Adopt the recommended updates to the Comprehensive Plan, Zoning

Code, and Redmond Municipal Code as provided in Exhibits A, B and C related to small animal husbandry and in particular, the ownership of

backyard chickens within Redmond's City limits.

Reasons the Proposal should be

Adopted:

Reasons the The proposed amendments should be adopted because:

- They respond to community interest in small animal husbandry by revising the City's policies and codes to establish a reduced lot size minimum for ownership of backyard chickens.
- They implement City Council direction for addressing community interest in small animal husbandry during the 2010-2011 Periodic Update to Redmond's Comprehensive Plan.
- They address aspects of Redmond's Sustainability Principles

including equitable access to goods and choices that help minimize impacts to the environment.

I. APPLICANT PROPOSAL

A. APPLICANT

City of Redmond

B. BACKGROUND AND REASON FOR PROPOSAL

The review of policies and code related to small animal husbandry is one of many components of the 2010-2011 Periodic Update to Redmond's Comprehensive Plan. Redmond community members began discussing this item with City officials in 2010, asking for a reduced lot size limitation to allow ownership of backyard chickens. In response, the City Council directed staff to include this topic in the Comprehensive Plan update process.

Redmond's Municipal Code contains the City's code related to domestic animals and small animal husbandry. Currently, Redmond's Municipal Code limits the ownership of small domestic animals such as chickens to lots no smaller than ½ acre. Ownership of larger domestic animals such as horses and cattle are limited to lots no smaller than one acre and larger based on the type of animal.

Staff surveyed provisions from other local jurisdictions and organizations regarding small animal husbandry as well as King County, Washington State, and federal requirements. A summary of this research along with several resources are included in Exhibit D. These documents describe the varying range of amounts of small animals or chickens allowed in respective jurisdictions, the number and type of code enforcement incidents, and animal husbandry techniques such as proper disposal of deceased animals.

On August 3, 2011, staff met with community members to learn their perspective regarding small animal husbandry, including backyard chickens. Large domestic animals were not specifically addressed. A total of 40 community members attended, in addition to members of City Council and Planning Commission. Staff promoted the meeting over a three week period using a wide variety of communication tools including the City's webpages, Facebook, and RCTV. The Redmond Reporter and Redmond Patch featured articles related to the community meeting as well as several on community perspectives.

In general, nearly all of the feedback from the meeting was in favor of increased support for small animal husbandry within Redmond. In particular, participants supported

increased allowance for chickens on single-family properties. Participants discussed issues such as odor though those who attended did not express strong concerns. Furthermore, many recommended promoting healthy and compatible conditions through educational programs, public stewardship such as a local poultry expert, and a strong emphasis on best management practices. Other perspectives expressed by some participants at the August 3rd meeting included interest in partnerships with community gardens, chicken coop guidance and regulations, Redmond-based licensing and permitting, and a tiered-system to regulate the number of animals based on the respective lot size and open space. A summary of the August 3rd meeting is included in Exhibit E.

Through August 20, 2011, community members were invited to share their perspective regarding small animal husbandry using an on-line questionnaire. The questionnaire asked the same seven questions that were discussed at the August 3rd community meeting (Exhibit E).

Staff also invited additional input from stakeholders regarding stewardship strategies similar to educational resources provided by Sustainable Redmond and services provided by Seattle Tilth (Exhibit E).

II. RECOMMENDATION

In response to community perspective and consideration of accompanying research, staff recommends amending policies and codes related to small animal husbandry to reduce the minimum lot size specific to the ownership of chickens. Included in this recommendation are Comprehensive Plan policies related to land use, Zoning Code revisions that ensure consistency with the Redmond Municipal Code and among zoning designations, and Redmond Municipal Code revisions that address small animal husbandry.

Comprehensive Plan policies related to land use. The Land Use Element of the Comprehensive Plan addresses allowed uses by land use designation. The single-family land uses include Single-Family Constrained and Single-Family Urban and these land uses are implemented by zoning designations R-1 through R-8 as well as Residential Innovative (RIN). Existing land use policy allows keeping of animals on Single-Family Constrained designated land. The recommended amendments would add the keeping of animals as part of two other land use designations: Single Family Urban and Parks and Open Space.

Zoning Code revisions to ensure consistency with the Redmond Municipal Code and among zoning designations. Portions of the Redmond Zoning Code address the keeping, sales of, and services related to animals. Non-residential zoning designations such as General Commercial include provisions for "Animal kennels and shelters" as well as "Pet and animal sales or services (except veterinary)". Single-Family, Semi-Rural, and Urban Recreation zoning designations include the husbandry aspect of animal keeping in

"Equestrian facility" and "Animal production". "Parks, open space, trails and gardens", as public or non-commercial, are a permitted use throughout all zones and include animal husbandry where conditions are suitable to this activity. Portions of the Code, such as RZC 21.04.030 Comprehensive Permitted Uses Chart and RZC 21.08.250 Animal Boarding: Kennels, Shelters, and Equestrian Facilities reflect the respective amendments and help ensure consistency. Primarily, the recommended amendments to the RZC direct code users to provisions in the Redmond Municipal Code for government activities not associated with animal kennels or shelters and non-commercial animal ownership, as seen in a proposed definition for "Animal production". Commercial, kennel, and shelter activities would remain under regulation by the RZC.

Redmond Municipal Code that addresses animal husbandry. Chapter 7.04 of the Redmond Municipal Code (Animal Control) addresses the keeping of animals including pets, bees, small domestic animals, and large domestic animals. This Chapter focuses on the noncommercial aspect of owning animals, their health and safety, and the relationship of the husbandry activities to the lot. Amendments to this section introduce a new section specific to the keeping of chickens, reaffirm overriding King County and Washington State code and law, and clarify other animal husbandry activities including slaughter, shelter and runs, and waste. This section also establishes consistency with allowance for the keeping of domestic animals on publicly-owned park properties.

III. PRIMARY ISSUES AND ALTERNATIVES CONSIDERED

Below are descriptions of the primary issues considered and recommended amendments proposed by staff.

- Zone-Based Allowance of Chicken Husbandry. The amendments set forth a zone-based allowance, connected to the average minimum lot size within single-family zones. One chicken would be allowed for each 1,000 square feet of the underlying average minimum lot size of each respective single-family zone. No more than eight chickens would be allowed per lot at any time.
- <u>Chicken.</u> The allowance for chickens would be specific to female chickens and includes pullets and hens. Roosters would continue to be addressed as small domestic animals and would be allowed on lots no less than one-half acre, as currently provided for in the Municipal Code.
- Shelter and Run. Chicken shelters and associated runs would be located no less than 15 feet from any property line. Screening and siting of the shelter and associated run would be required to prohibit visibility from adjoining streets and access corridors.

- <u>Animal Waste</u>. Animal waste and spent bedding from chickens would be prohibited within the required 15-foot animal shelter setback.
- <u>Food Storage</u>. Food storage would be required to be secured so that it does not attract rodents.
- Animal Slaughter. In recognition of incidental need for slaughtering an animal and for ownership of chickens as a meat source, slaughter would be permitted at no greater than one chicken within a twenty-four period. Any additional need for animal slaughter would be addressed outside of residential zones. Exhibit D includes additional information regarding regional slaughter programs.

In addition to the proposed amendments, staff also recommends subsequent development of a user's guide that would contain information to assist chicken owners. Information would include contact details for the King County and Washington State extension offices, USDA and DOE web links, suggested reading regarding husbandry aspects such as coop building and food storage, and local contacts of staff as well as community experts including 4-H (Redmond Better Basics).

IV. SUPPORTING ANALYSIS: FACTS AND CONCLUSIONS

A. EXISTING CONDITIONS

The Redmond Municipal Code currently allows the keeping of small and large domestic animals as well as pets and bees. The City's Comprehensive Plan and Zoning Code provide policy and code consistent with the allowances.

Small domestic animals are allowed on lots no less than one-half acre and in total no greater than 10 animals per lot. Large domestic animals are allowed on lots no less than one acre and based on animal species. Bee hives are allowed in R-1 through R-6 residential zones with additional code addressing queening and swarming. Household pets such as dogs and cats are allowed in association with a dwelling unit and accompanying yard at no greater than three animals plus one un-weaned litter.

Structures associated with small and large domestic animals must be located no less than 30 feet from any property line. The code also prohibits storage of associated animal waste within the 30-foot setback and requires that animals be confined in a manner to prevent straying onto adjacent property.

Section 7.04.005 adopts by reference King County chapters addressing animal control and care. This ordinance establishes the collaboration between the City and County whereby

Redmond's code enforcement staff address complaints related to the Zoning Code and Municipal Code. City staff defer to King County's animal control resources for the handling of animals, licensing, and shelter provisions.

B. COMPLIANCE WITH CRITERIA FOR AMENDMENTS

Redmond Comprehensive Plan Policies PI-16, LU-24 and LU-9 direct the City to take several considerations, as applicable, into account as part of decisions on proposed amendments to the Comprehensive Plan and Community Development Guide.

Items 1 through 5 apply to all proposed amendments. Items 6 and 7 apply when proposed amendments concern allowed land uses or densities, such as proposed amendments to the Land Use Plan Map, land use designations, allowed land uses, or zoning map.

The following is an analysis of how this proposal complies with the requirements for amendments.

1. Consistency with Growth Management Act (GMA), VISION 2020 or its successor, and the King County Countywide Planning Policies.

The Growth Management Act urban growth goal, in RCW 36.70A.020, calls for protection and enhancement of the state's high quality of life, including air and water quality, and the availability of water. The planning goals also encourage involvement of citizens in the planning process and insurance of coordination between communities and jurisdictions to reconcile conflicts.

The proposed amendments reflect these two goals by supporting home-based small animal husbandry for purposes including food production. In this manner, vehicular trips could be reduced as food becomes more readily available on site. In addition, this amendment is in response to community interest as shared with Redmond city officials during 2010 -2011 regarding chicken ownership.

2. Consistency with Redmond's Comprehensive Plan, including the following sections as applicable:

The proposed amendments are consistent with the Comprehensive Plan.

a. Consistency with the goals contained in the Goals, Vision and Framework Policy Element.

The proposed amendments support many citywide goals and are consistent with policies found in the Goals, Vision, and Framework Policy Element. Active

community participation, opportunities for dialog and partnership, and additional community stewardship could evolve as a result of the proposed amendments. Citywide and neighborhood-based uniqueness and character could increase as the ownership of chickens reflects Redmond's heritage.

b. Consistency with the preferred land use pattern as described in the Land Use Element,

The amendments do not propose any project-based changes to the existing land use pattern or zoning and do not impact the preferred land use pattern. In addition, the amendments clarify guidelines that address current practices of animal husbandry on public park property such as at Farrel-McWhirter Park.

Several elements including the Land Use Element of the Comprehensive Plan emphasize access to daily goods and services within a walkable and bikable distance from home. The proposed amendments support this goal by modifying limitations to allow additional chicken ownership within single-family zones.

c. Consistency with Redmond's community character objectives as described in the Community Character/Historic Preservation Element or elsewhere in the Comprehensive Plan.

Redmond's community members practiced animal husbandry within the city limits prior to incorporation in 1912 through current day. As an activity consistent with Redmond's heritage, the amendments reflect and support additional activities in the form of non-commercial chicken ownership in single-family zones.

3. Potential general impacts to the natural environment, such as impacts to critical areas and other natural resources.

The proposed amendments are a non-project action and therefore do not involve the physical development or modification to critical areas and other natural resources. Redmond's animal husbandry policies and codes work in conjunction with and defer to other codes and laws including those from the county level through the federal level (ex. USDA). WAC 246-203-121 Disposal of Dead Animals addresses proper disposal, burying, and composting techniques to restrict contamination of the environment. Onsite ownership of animals for food production can have positive impacts on the environment by helping reduce the number of vehicular trips for purpose of acquiring food. Waste management in relation to the environment is managed by the EPA. The King County extension office provides brochures and web resources to help animal owners address associated waste products on their respective property.

4. Potential general impacts to the capacity of public facilities and services. For land use related amendments, whether public facilities and services can be provided cost-effectively and adequately at the proposed density/intensity.

Community members describe the basis of this amendment as an opportunity to grow and foster food at a local level – within their private yard. Therefore, this amendment has potential for positive impacts by reducing the need for personal vehicular trips when the trip is generated to obtain food.

5. For issues that have been considered within the last four annual updates or comprehensive land use plan amendments, whether there has been a change in circumstances that makes the proposed plan designation or policy change appropriate or whether the amendment is needed to remedy a mistake.

No issues related to small animal husbandry were considered within the last four annual updates or comprehensive land use plan amendments.

The following item applies when proposed amendments concern allowed land uses or densities.

6. Whether development will be directed away from environmentally critical areas and other important natural resources.

The proposed amendments do not change the currently allowed proximity of development to critical areas.

- 7. If the amendment proposes a change in allowed uses or densities in an area:
 - a. The need and demand for the land uses that would be allowed and whether the change would result in the loss of capacity to accommodate other needed land uses, especially whether the proposed amendment complies with policy HO-16, the City's policy of no-net loss of housing capacity;

The proposed amendment does not affect housing capacity and does not propose changes to density.

b. Implications of the proposed amendment for the balance between the amount and type of employment in Redmond and the amount and type of housing in Redmond.

The proposed amendment does not affect employment or the amount or type of housing in Redmond.

V. AUTHORITY AND ENVIRONMENTAL, PUBLIC AND AGENCY REVIEW

A. Process to Amend the Redmond Comprehensive Plan and Zoning Code

RZC 21.76.050 Permit Types and Procedures require that amendments to the Comprehensive Plan and Zoning Code be reviewed under the Type VI process. Under this process, the Planning Commission conducts a study session(s), an open record hearing(s) on the proposed amendment, and makes a recommendation to the City Council. The City Council is the decision-making body for this process.

B. Subject Matter Jurisdiction

The Redmond Planning Commission and the Redmond City Council have subject matter jurisdiction to hear and decide whether to adopt the proposed Comprehensive Plan and Zoning Code Amendment. The Redmond City Council has subject matter jurisdiction to hear and decide whether to adopt the proposed Municipal Code Amendment.

C. Washington State Environmental Policy Act (SEPA)

Staff will complete a SEPA Checklist for the 2010-2011 Periodic Update of the Comprehensive Plan as a whole. Staff anticipates adoption of previous environmental documents and will prepare an Addendum to address the potential impacts on Climate Change before City Council action on the Update in December 2011. The recommended amendments in this package make up only a portion of the Update. In addition, no adverse environmental impacts are expected with the proposed amendments.

D. 60-Day State Agency Review

State agencies were sent 60-day notice of the proposed amendments on September 14, 2011.

E. Public Involvement

Public input has been sought through a community meeting on August 3, 2011, an online questionnaire between August 3, 2011 and August 20, 2011 and a stakeholder meeting regarding opportunities for community stewardship on September 8, 2011.

The public will continue to have opportunities to comment on the proposed amendments during the Planning Commission review process and public hearing. The proposed amendments are accessible through the City's web site and copies are also available at City Hall.

F. Appeals

RZC 21.76.050 Permit Types and Procedures identifies Redmond Comprehensive Plan and Zoning Code as a Type VI permit. Final action is held by the City Council. The action of the City Council on a Type VI proposal may be appealed by filing a petition with the Growth Management Hearing Board pursuant to the requirements.

VI. LIST OF EXHIBITS

Exhibit A: Recommended Amendments to Redmond's Comprehensive Plan Recommended Amendments to the Redmond Zoning Code **Exhibit B:** Recommended Amendments to the Redmond Municipal Code **Exhibit C: Exhibit D: Regional Research and Resources** Community Input including August 3^{rd} Community Conversation, August 20^{th} Questionnaire, September 8^{th} Stakeholder Perspective on **Exhibit E:** Stewardship, and other correspondence to date Robert G. Odle, Director of Planning Date and Community Development William J. Campbell, Director of Public Works Date