

City of Colville

PLANNING COMMISSION

August 8, 2012

7:00 P.M. – City Hall

MINUTES

The Colville Planning Commission held a regular meeting on Wednesday, August 8, 2012, in the Council Room at City Hall. Chairperson Jody Hoffman called the meeting to order at 7:00 P.M. with a quorum present.

MEMBERS PRESENT: Jody Hoffman, Alan Bedford, Dee Hokom, and Russ Larsen. Brenda Buckner arrived at 7:10 P.M. MEMBERS ABSENT: Two vacancies exist. STAFF PRESENT: Assistant Planner Melinda Lee and Recording Secretary Susan Davis. OTHERS PRESENT: Don & Jennifer Strand and Loren & Sue Storer.

MINUTES OF PREVIOUS MEETING

The minutes from the previous meeting of July 11, 2012 had been distributed to each member prior to the meeting. Russ Larsen moved and Alan Bedford seconded the motion to approve the minutes as written. Voice vote showed all in favor.

OLD BUSINESS

A. Clarification of general questions from 7/11/12 meeting.

Assistant Planner Melinda Lee reviewed a proposed definition of “perpetual access easement” as stated on a handout distributed to each member prior to the meeting (copy on file). She also noted that staff confirmed that the correct spelling is “Excel” for the former grocery store.

B. Continued discussion of potential changes to the Colville Development Standards.

i. Status report from Don Strand regarding beekeeping procedures.

Don Strand, 715 E. 10th Ave., presented a status report regarding beekeeping procedures. He stated that he has achieved the status of apprentice beekeeper and his endeavor is going well. He advised that he is not aware of any issues that his bees have created with his neighbors. Mr. Strand distributed a handout outlining some examples of beekeeping regulations from the cities of Seattle and Ellensburg for information (copy on file). As discussed at previous meetings, he felt that allowing beekeeping as a conditional use in residential districts would provide an opportunity to specify conditions and safeguards to minimize any risk to the public. He suggested regulations should include conditions such as limiting the number of hives by lot size, minimum setbacks and a 6’ high barrier or fence depending on hive placement, and certification/documented experience as a beekeeper. Mr. Strand recommended that beekeepers be educated through the Washington State University (WSU) Cooperative Extension beekeeping program and join and maintain membership in the Inland Empire Beekeepers Association. Association membership provides access to WSU for testing the health of hives. Also, registration with the Department of Agriculture also provides an opportunity for hive inspection to make sure that contamination to other hives is minimized.

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Mr. Strand added that he supports the practice of swarm prevention and felt it is important to be educated in this regard. He pointed out that it is expensive for a beekeeper to lose a swarm. He also suggested that a small on-site sign could be required for public awareness.

There was some discussion regarding whether to restrict hives to back yard areas only, which would not conflict with other regulations, such as fence heights. It was a general consensus to consider allowing hives in side or rear yards only, subject to setbacks.

Mr. Strand presented a visual display consisting of a honey super and overviewed the beekeeping process. The Commission thanked him for the excellent presentation. The Commissioners asked Mr. Strand to draft a written recommendation, which addresses his concerns but protects the community as a whole, and submit it for further review and consideration.

ii. Evaluation and possible recommendation of proposed standards to allow the keeping of chickens within all Residential Districts in the Colville city limits.

Based on previous discussions, Melinda Lee presented a preliminary draft of proposed standards for keeping chickens in Residential Districts only (copy on file). She requested that the Commission review and discuss the following proposal and provide further direction in order to move forward.

1. *This standard will apply to R-1 (Single Family Residential), R-2 (Multi-Family Residential), and R-3 (General Residential) districts. The standards relating to the keeping of livestock will remain the same for R-1-S (Single Family Suburban).*

Melinda felt the Commission may want to consider whether to make changes to the current standards for the R-1-S District. There were no changes suggested at this time.

2. *Only female hens will be permitted, no roosters.*

It was a consensus to strike the word "female" in this sentence.

3. *The maximum number of hens permitted will be five (5).*

In the discussion which followed, it was a consensus to consider restricting the number of chickens allowed to a maximum of five (5) with a minimum of 40 square feet per chicken. This would accommodate up to five (5) chickens in a maximum 200 square foot enclosed area as proposed in item #6 below. It was suggested that the enclosure be restricted to 6 feet in height.

4. *There will be no restrictions on the species of chicken.*

5. *Hens must be kept within the chicken enclosure at all times; no free-roaming hens will be permitted.*

Discussion followed regarding whether or not to require that chickens have a wing clipped to prevent flight. It was pointed out there would be no need to require a clipped wing if the chickens are in a wholly enclosed structure or pen.

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6. *The total area for the chicken coop/hutch and enclosure (referred to as “coop”) will be no more than 200 square feet and must remain within district setbacks.*
 - a. *The coop will be constructed to be impermeable to rodents, wild birds, and predators (including dogs and cats) and provide proper ventilation and shade.*
 - b. *Coops must be wholly enclosed, kept well maintained, clean, and odor free to prevent becoming a nuisance to neighboring lots.*
 - c. *The coop must be kept outside of the front and side yard setbacks for the applicable district. (What about corner lots where there may not be an enclosed back yard? Example of 8th & Lincoln?).*

In the discussion which followed it was the general feeling of the Commission that in order to protect the chickens and maintain a safe environment that the coop should also be covered with wire or a roof and be able to be locked.

Commissioners expressed the feeling that coops should not be permitted in a front yard in order to maintain the integrity of city living and avoid negative impacts on neighbors.

Loren & Sue Storer, 8th & Lincoln, explained that they have no back yard on their corner lot. Sue explained she would like to be able to have a coop within the street side yard, which could be partially screened by an existing porch and landscaping. She noted that they have a 4 ft. high fence, which is the maximum height allowed. During discussion it was pointed out that this particular lot is in a manufactured home park, which may prevent compliance with required setbacks and/or violate covenants. The Commission recognized that there may be some lots that unfortunately won't be able to comply with the proposed standards.

Kettle Falls Ordinance 1705 was reviewed and it was determined that some of the concerns discussed earlier appeared to be covered in sections of the ordinance language. Dee Hokom pointed out that in order to enforce specific regulations, the language needs to be specific. Brenda Buckner added that the City needs to be willing and able to enforce the regulations.

Jody Hoffman questioned whether a property owner could apply for a variance if they have issues with the regulations. Melinda explained that variances generally apply to unique physical characteristics of a property that are not usually common, such as topography.

Dee pointed out that Kettle Falls, in Section 17.03.126, Appeal, provides that “A person appealing the denial, suspension or revocation of a permit may appeal to the City Council...” The Commission felt this language could provide an opportunity for someone who feels aggrieved to seek further consideration without having to go through a formal variance procedure. Staff was requested to add this to Colville's proposal for consideration.

7. *There will be a one-time application and permit fee of \$20 to inspect coop for compliance with these standards.*
 - a. *After initial permit, the coop may remain in use unless a violation of these standards is observed and validated by the City of Colville.*

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- b. *If a violation is validated and the situation is not brought into compliance to the satisfaction of the City of Colville, then the permit will be revoked. The hens, coop, and enclosure must be removed.*
- c. *Should we propose a fine also? Kettle Falls has a \$100 fine. If we pursued this as a zoning violation, it is considered a misdemeanor, up to \$500 fine and/or 90 days in jail...unless stated otherwise. We could include a penalty relating to just this section.*

Discussion followed regarding proposed permit requirements. Based on public comments, it was the general feeling of the Commission that a \$10 annual permit would be preferred, which would allow staff to track the location of chickens and monitor the sites, which might also motivate the owners to maintain their coops. It was felt that if a permit is revoked a future permit could be issued to the property owner for a probationary period just in case there were extenuating circumstances involved. It was suggested that a civil penalty be applied to violations and that the fine should be stipulated up to a maximum amount, such as \$250, and let a judge decide what is appropriate to the situation.

Jody questioned whether the Animal Control Officer would be the enforcement agent. Melinda explained that the Animal Control Officer is charged with enforcement of dogs as well as wild and exotic animals under a separate title of the Colville Municipal Code. She noted the proposed standards are intended to be incorporated into the development regulations of the Zoning Ordinance, which is a separate title. She offered to do some research for clarification.

Dee Hokom moved and Russ Larsen seconded the motion to include the language in Kettle Falls Ordinance 1705, Section 17.03.123, Enclosures and Section 17.03.126, Appeal, in the proposed standards for Colville. Voice vote showed all in favor.

NEW BUSINESS: There was no New Business to be presented.

PUBLIC COMMENT PERIOD: There were no other public comments.

REPORTS

Melinda reported that it appears that plans to demolish the former Excel grocery store and build a new McDonald's in that location are moving forward.

Melinda noted that the next regular meeting is scheduled for August 22nd, which is the week of the fair. Jody Hoffman and Russ Larsen indicated they would be unable to attend the meeting. It was a consensus to cancel the meeting of August 22nd due to the lack of a quorum. The next meeting of the Commission will be held on September 12th at which time Melinda indicated she planned to present a draft of the revisions to the Development Standards incorporating all of the changes that have been discussed.

ADJOURNMENT

As there was no further business, Alan Bedford moved and Russ Larsen seconded the motion to adjourn. There were no objections and the meeting was adjourned at 8:25 P.M.