



Planning Commission

Deliberation on Urban Agriculture Code Amendments

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Title

Deliberation on Urban Agriculture Code Amendments

Body

Issue:

The Planning Commission will make recommendations to Council on possible changes to the Olympia Municipal Code that pertain to urban agriculture.

Committee Recommendation:

At their September 27, 2012 meeting the Land Use and Environment Committee directed the Planning Commission to receive a briefing, hold a hearing and deliberate on changes to the Olympia Municipal Code dealing with three areas within urban agriculture: classification and allowed number of chickens and other small farm animals, neighborhood farm stands, and fence and wall requirements.

Director's Recommendation:

Move to recommend the Planning Commission deliberate and make a recommendation to the City Council on changes to the Olympia Municipal Code dealing with three areas within urban agriculture: classification and allowed number of chickens and other small farm animals, neighborhood farm stands, and fence requirements.

Staff Contact:

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Presenter(s):

Jennifer Kenny

Background and Analysis:

On September 26, 2011, staff briefed the Land Use and Environment Committee (LUEC) on current policies regarding urban agriculture and proposed changes to the City Code. LUEC directed staff to collaborate with Sustainable South Sound's (SSS) Local Food Systems Program to explore the issues further. The City and SSS co-hosted a public meeting on April 25, 2012, to hear community members' concerns and ideas about potential changes to City Codes and programs. Around 80 people attended the meeting. There was unanimous support for more permissive codes related to the growing and selling of agricultural products and to declassify chickens as pets, and concerns about fence and wall requirements, among other ideas.

Animals

Olympia's Code is more restrictive than neighboring cities in terms of the number and type of allowable animals. The City has received numerous requests to allow more chickens and to disassociate them from the allowable number of other pets, such as cats and dogs. There have also been requests that goats be allowed.

No more than three pets are allowed per household in residential districts, which includes hens, potbelly pigs, and rabbits. Animals, except swine and goats, are permitted as long as there is no more than one animal per acre, suitably fenced, and no closer than 50 feet from any property line.

Farm Stands

Under the Code such a sale by a private individual is permitted as an Accessory Use. Produce from multiple places sold on one site would be included in the Code under Garage and Yard Sales. Only two such sales are allowed each year and each is not to exceed four consecutive days and they are to be at least four months apart.

Fences

There are concerns that the current height limit of fences does not adequately restrict deer and raccoons from gardens, and electric fences are not permitted though desired by some urban farmers.

During the October 29, 2012 Public Hearing, Commissioners asked staff for clarification on the following issues:

- *Definition of "thruway:"* A thruway refers to a structure that fronts on two parallel streets, other than a corner lot. Thus the structure in effect has two "front yards."
- *Has Animal Services seen an increase in complaints or problems since Lacey and Tumwater adopted new urban agriculture codes?:* No.
- *How many permits for fences higher than 6' were requested in 2012?:* No single family residential permits were applied for; applications seem to be limited to commercial developments.
- *Can the City waive or reduce the permit requirement for a fence over 6'?:* The City Council may choose to waive the requirement for a fence permit over 6' for "agricultural fencing."

Neighborhood/Community Interests:

Since at least 2011 many people have expressed support for a strong urban agriculture program in Olympia, including changes to codes. At the Olympia Planning Commission Public Hearing on October 29, 2012 several residents submitted comments or voiced support for the proposed changes while suggesting the following modifications:

- Waive fence permit requirement or the permit fee
- Require a minimum of two pygmy goats for the welfare of the animal (Animal Services staff confirmed that it's much better for a goat to have a companion)
- Reduce the minimum lot size for rabbits and allow more rabbits for breeding purposes as lot size increases (Lacey allows up to five rabbits on lots of one-quarter acre or less, up to nine rabbits on lots between one-quarter acre and one acre, ten rabbits on lots one acre and larger plus one additional rabbit for every additional one thousand square feet above the one acre).

- Reduce the required setbacks for animal enclosures
- Allow ducks and turkeys on parcels one acre or larger
- Permit solar electric fences (the Building Official will be reviewing potential updates to the building codes in April of 2013. He will consider allowing solar electric fences as part of his review process).