

STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting,

May 01, 2019

Agenda Item 4

Request: Public hearing to consider and take action on proposed amendments to Pierce County Code Chapter 240-35 Agricultural Uses.

Background:

The raising of backyard fowl in residential areas has become quite popular. Current zoning ordinance language under § 240-35 Agricultural uses, prohibits animal husbandry, including domestic fowl, in residential zoning districts.

On April 3, 2019 the Land Management Committee finalized proposed amendments to § 240-35 Agricultural uses. The proposed amendments would allow domestic fowl on residentially zoned parcels. The proposed amendments would also clarify and better define which agricultural uses are allowed in specific zoning districts. An updated Table of Uses chart has also been drafted to reflect the proposed ordinance amendments.

Staff proposes the following code amendments:

§ 240-35 Agricultural uses.

A. General Cultivation agriculture.

~~(1) Barnyards, feed lots and farm structures housing animals shall be located at least 100 feet from navigable water and shall be located so that manure will not drain into navigable water.~~

~~(2)(1) General Cultivation agricultural practices shall be allowed in all agricultural zoning districts without issuance of a land use permit, except that structures shall require a land use permit.~~

~~(3)(2) General agricultural practices, except for barnyards, feed lots and uses involving agricultural structures, shall be allowed in all nonagricultural zoning districts without issuance of a land use permit. Agricultural structures shall not be the principle structure in a residential, commercial, or industrial zoning district.~~

B. General agriculture.

(1) Barnyards, feed lots and farm structures housing animals shall be located at least 100 feet from navigable water and shall be located so that manure will not drain into navigable water.

(2) General agricultural practices shall be allowed in all agricultural districts without issuance of a land use permit, except that structures shall require a land use permit.

BC. Agricultural business operations. [Added 6-26-2012 by Ord. No. 12-07]

(1) Agritourism.

(2) Direct market agriculture.

(a) Except for temporary structures not exceeding 160 square feet of floor area, all structures associated with direct market agriculture shall meet all setbacks and other provisions of this chapter. Temporary direct market structures which do not exceed 160 square feet of floor area shall be considered a minor structure such as those listed in § 240-32A(1).

(b) Only one direct market structure shall be permitted on a lot.

(3) Farmers market.

(a) Such use shall principally involve the sale of farm and garden products, but other types of merchandise may be sold, provided such merchandise occupies not more than 25% of the indoor and outdoor display area of the farm market.

(b) At least one off-street parking space shall be provided for each 200 square feet of indoor and outdoor display area.

(c) Combined indoor and outdoor display areas shall not exceed 2,000 square feet.

(d) The farmers market shall obtain site plan approval and a land use permit.

(4) Nursery.

(5) Orchard.

(6) Winery.

D. Domestic fowl in Residential Districts

(1) For parcels under 2 acres in size:

(a) No more than 10 domestic fowl shall be allowed on a parcel.

(b) Roosters (non-castrated male chickens) shall not be allowed.

(2) For parcels 2 acres or more in size:

(a) There shall be no limitation on number or sex of domestic fowl.

§240-88 Definitions:

Animal husbandry: The raising of livestock.

Cultivation Agriculture: Low impact agricultural uses that involve the cultivating of soil and harvesting of crops, including horticulture; floriculture; grain production; forest crop; and specialty crop production such as viticulture; maple syrup; mint and willow; and truck farming.

Domestic Fowl: Any domestic breed of chicken or duck. No other species of bird shall fall under this definition.

~~General Agriculture: Any agricultural use, except those listed for intensive agriculture, including apiculture; animal husbandry; dairying; floriculture; forage crop production; forest crop production; grain production; grazing; horticulture; orchards; specialty crop production, such as maple syrup, mint and willow; viticulture; and truck farming. Agricultural uses with higher amounts of input and output compared to cultivation agriculture including but not limited to animal husbandry; grazing; dairying; apiculture; etc.~~

~~Livestock: Any horse, bovine, sheep, goat, pig, domestic rabbit or domestic fowl, including game birds raised in captivity. Domesticated animals used in an agricultural setting to produce income, labor, or commodities such as meat, eggs, milk, leather, wool, or other animal byproducts. For the purposes of this ordinance, horses shall be regulated under outdoor recreational uses.~~

Pierce County Code Section §240-40(D)(2)(a) regarding second farm residences would also need to be amended as shown below if proposed changes in §240-35 are approved.

§240-40(D)(2)(a): Such manufactured home shall provide housing for farm employees who assist farm operators engaged in ~~general agriculture or intensive agriculture~~ activities or for parents and/or adult children of farm operators.

Recommendation:

Staff recommends that the LMC consider the proposed amendments, and any input garnered through the public hearing, to determine if changes or additions are necessary. If determined to be appropriate, a recommendation that the proposed amendments be approved should be made to the County Board of Supervisors.

Submitted By: Adam Adank,
Zoning Specialist

Agricultural uses	EA	PA	GR	GRF	AR	RR-8	RR-12	RR-20	C	LI	I	SW(1)	PRD(2)
Agritourism [§240-35B(1)]	C	C	C	C	C								
Direct Market Agriculture [§240-35-B(2)]	C	P	P	P	P								
Farmers Market [§240-35B(3)]	C	P	P	P	P								
General Agriculture [§240-35A]	P	P	P	P	P								
<u>Cultivation Agriculture</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
Nursery	C	C	C	C	C								
Orchard	C	C	C	C	C								
Winery	C	C	C	C	C								
<u>Domestic Fowl</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>					