



Marion County

OREGON

PLANNING COMMISSION MINUTES

PLANNING COMMISSION

George Grabenhorst – Chair
Carla Mikkelsen – Vice Chair
Scott Anderson
Stanley Birch
Glenn Holum
Mike Long
Rick Massey
Gary Monders
Dennis Person

DATE: January 20, 2015
TIME: 6:30 p.m.
PLACE: Senator Hearing Room
555 Court St. NE, Salem

Present: Stanley Birch, George Grabenhorst, Dennis Person, Scott Anderson, Glenn Holum, and Carla Mikkelsen
Absent: Gary Monders, Mike Long, and Rick Massey

Chair Grabenhorst called the meeting to order and reviewed the rules of the public hearing.

1. Public hearing on the issue of keeping and raising poultry in residential zones within urban growth boundary areas of the County

Joe Fennimore, Principal Planner, provided background on this issue of keeping and raising poultry in residential zones within urban growth boundary areas of the County, referred by the Board of Commissioners. He passed out copies of the City of Salem comments and briefly reviewed them, summarizing that Salem would like a county ordinance to closely reflect the city's standards as the urban growth boundary areas will eventually be annexed into city limits.

Chair Grabenhorst asked if the PC members had any comments or questions? Mr. Anderson stated matching the city standards seems reasonable, setbacks should not apply to pens and just to coops, and preferred the use of a maximum number of chickens rather than a sliding scale based on size of the property. He added property owners are allowed up to 10 pit bulls without any type of permit and does not see why chickens should be regulated more than dogs. Mr. Birch stated he likes the 120 square foot limit on pens and the regulation that the chickens must be kept under control and away from adjacent properties. He referred to an instance where he walked into a residence with chickens roaming right outside a window and there was an obvious smell.

The group briefly discussed using the City of Salem setbacks and the question was asked if using those standards would affect other cities? Mr. Fennimore provided statistics on the number of other RS zoned properties in urban growth boundaries which included 14 in Woodburn, 17 in Monitor, and 17 in Silverton. The members concurred that was not a significant number. Chair Grabenhorst expressed concern that using a sliding scale for the number of chickens allowed would prevent small lot owners from having chickens. Mr. Anderson suggested allowing four, maximum, on small lots.

Doug VandeGriende, 765 Springdale Ct. SE, Salem, testified in support of an ordinance allowing chickens in urban growth boundary areas of Marion County. He explained he has "led" a support

group on this issue with the City of Salem for several years. After reviewing the standards the Planning Commission discussed at a previous work session, he went through the list and indicated those he felt his citizen group and others in general might be opposed to, but felt most of them were reasonable:

- not allowing roosters would be ok with almost everyone;
- keeping food secure is reasonable and most chicken owners would do that;
- removing waste is also reasonable and most chicken owners use as garden fertilizer;
- no sales is one he disagrees with as most chicken owners like to take extra eggs and sell to co-workers, neighbors, etc. and suggested allowing incidental sales;
- no sales of chickens – he does not see any value in not allowing the sale of chickens or eggs as owners would like to do that once a chicken quits producing and there is a niche market for this;
- requiring a fenced backyard is a reasonable standard and most chicken owners would agree;
- concurs in having regulations on coops, but not pens or requiring pens, as a fenced backyard would suffice.

Mr. VandeGriende continued that there is a value to raising chickens such as having them as pets, providing a more rural atmosphere for city dwellers, being more “green” and raising more of your own food, etc. He feels it is a good mind set for property owners and provides for those with reduced incomes, too, and reiterated chickens should be allowed to roam on a property. He then continued through the list of discussed standards:

- setbacks for coops is reasonable but not for chickens roaming;
- a limit on the number of chickens seems reasonable and he understands the city wanting the county to match their number, but he feels more chickens should be allowed on county property as it is more rural, in general, and the young chicks will grow and the owner will want to keep them;
- a stand-alone ordinance is fine;
- there should not be a fee, especially considering Salem dropped theirs as it did not cover costs and there is no fee for keeping cats or rabbits;
- signing a statement agreeing to comply with county standards is fine but will require county staff to administer and may not be worth the cost.

Wendy Coombs, 4731 Burlwood Loop SE, Salem, testified she wants the county to allow the raising and keeping of chickens, they should be free roaming, more than four should be allowed as they help with pests, and allowed on sideyards where the area is not used for anything. Ms. Coombs continued that she talked to all of her neighbors and all but one couple were ok with the idea. She feels the county should match city standards.

Mr. Birch stated his neighbor has chickens and does not control them. They are migratory and will, if not controlled, try and fly around. He has had flower beds destroyed by those chickens that got free. Mr. Birch said many people do not fully understand how to raise animals and even if you try and educate them it does not always help. Mr. Person stated perhaps the county should have a maximum of six, which could be adjusted in the future as properties are annexed into the city. A number of members agreed with this suggestion.

There being no further testimony, Chair Grabenhorst asked staff for comment. Mr. Fennimore explained the prohibition on the sale of eggs or chickens is because that would be considered farm use, under county regulations, and not allowed in RS zones. He added the Salem ordinance refers to a maximum of six hens, not chickens.

A motion was then made and seconded to close the public hearing. The motion passed unanimously.

Chair Grabenhorst called for discussion. Mr. Anderson commented he would like any standards to include that chickens are kept under control, coops not exceed 120 square feet, with a minimum of three square feet in space and six square feet of run space. Mr. Person commented he would like to discuss the number

of chickens allowed. Chair Grabenhorst replied he still prefers the sliding scale, possibly a maximum of six chickens for lots under 10,000 square feet and a maximum of ten chickens for lots over 10,000 square feet. Mr. Fennimore asked for clarification and Chair Grabenhorst replied that would be for adult hens. Ms. Mikkelson commented her sister lives in Woodburn and deals constantly with neighbors' pets and chickens. Calls to county animal control have not resulted in much action and she is concerned with their lack of ability to enforce standards. If departments in the county cannot afford to provide enforcement should they move forward with an ordinance or perhaps just let people have chickens with few standards. Mr. Anderson added that the proposed registration fee should be dropped, as Salem is doing, because it would cost more to administer and collect. The other members concurred.

The PC discussed the next step and all agreed they would like to see a list of standards as discussed, before making a final recommendation to the Board of Commissioners. The date of February 3, 2015 was agreed upon.

2. Adjournment.

There being no further business, the meeting was adjourned.