

Agenda
Shady Cove Planning Commission Meeting
Thursday, December 8, 2022
6:00 PM

<https://us02web.zoom.us/j/89764668583?pwd=L2ZvQ3djMHFhL1QrVjNYS0dLYStLZz09>

Meeting ID: 897 6466 8583

Passcode: 010548

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I. Call to Order

A. Roll call.

B. Announcements by Presiding Officer.

1. This meeting is being digitally recorded.
2. The next regularly scheduled meeting of the Planning Commission will be held on December 22, 2022, at 6:00 PM both in Council Chambers and via Zoom.
3. The meeting date is subject to change.

II. New Business

None

III. Old Business

Decision on Animal Husbandry

IV. Subject of Workshop

- A. Discussion – Planning Fees
- B. Discussion – Strategic Plan Review
- C. Discussion – Comprehensive Plan Review
- D. Discussion - Planning Issues

V. Department Reports

A. Planning Technician Report

VI. Public Comment

VII. Commissioner Comments

VIII. Adjournment

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (541) 878-2225. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).



ROGUE VALLEY
Council of Governments

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MEMORANDUM

Date: July 25, 2022

To: Shady Cove Planning Commission

From: Ryan Nolan, Principal Planner, and James Schireman, Assistant Planner

Subject: Animal Husbandry vs Pet Definition Examination

Upon request from the Planning Commission, staff has examined existing definitions within the Shady Cove municipal code related to the keeping of animals for companionship rather than utility or economic gain. Currently, the city definitions related to the topic are as follows:

Agriculture: The "agricultural use" of the land shall include farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, apiaries and animal and poultry husbandry, along with any necessary accessory uses for the processing, storing or distribution of related products. Temporary or short-term activities, such as 4-H projects, are not included in the definition of **AGRICULTURE**. (§154.006)

Animal Husbandry: The keeping or raising of farm animals including, but not limited to horses, cattle, sheep, goats and pigs, except as approved as a conditional use permit, defined in Chapter 154 of this code. (§90.02)

Exotic Animals: The keeping or raising of wild or exotic animals including, but not limited to lions, tigers, other big cats, deer, bear, antelope, wolves, snakes, buffalo, alligators, wild reptiles, dangerous animals or insects. (§90.02)

Pets: Those animals, fowl, insects or fish which are normally and reasonably kept as household pets, not including any animals that are considered wild or vicious, or other creatures which, if not contained, would be considered dangerous to the public health or safety. (§154.006)

Currently, the definition of **Pets** as listed in the Code includes vague language which neglects to include a wide of pets,

whether typical or somewhat irregular; cats and dogs being examples of the former, while miniature pigs and hedgehogs an example of the latter. As such, staff recommends that the definition be amended along the lines of what follows:

Pets: Shall mean those domesticated animals kept for pleasure or enjoyment, rather than solely for utility or commercial purposes, but does not include Exotic Animals as defined by §90.02 which demonstrate a threat to public health and safety. An animal weighing 200 more pounds shall be exempt from being defined as pets due to their potential to demonstrate a threat to public health and safety. Conventional, non-dangerous, dog breeds shall be exempt from this weight requirement.

§90.02 defines Exotic Animals as: “The keeping or raising of wild or exotic animals including, but not limited to lions, tigers, other big cats, deer, bear, antelope, wolves, snakes, buffalo, alligators, wild reptiles, dangerous animals or insects.”

Staff believes the language similar to the provided definition above would enable residents to own a wide array of reasonably sized animals, while also prohibiting common predatory or dangerous animals. A potential pitfall in this definition is the keeping of large livestock animals as pets, say horses or cows. While the last sentence of the above definition provides an additional condition, some citizens may still claim their domesticated livestock are pets rather than animals for utility. A revision of the definition **Animal Husbandry** similar to the one as follows may alleviate this issue.

Animal Husbandry: means a routine use in which animals, including insects or fish, are reared or kept in order to sell the animals or their products, such as meat, fur or eggs, but does not include keeping of pets in kennels, daycare centers, or veterinarian clinics.

The definition of above not only enables new forms of Animal Husbandry such as apiaries or aquaculture, but moreover establishes Animal Husbandry as a primarily economic endeavor. As such, the Planning Commission may consider the procurement of a business license an additional requirement for Animal Husbandry operations permitted by a conditional use.

In addition, staff has included some hypothetical scenarios aligning to the definitions as provided, to help guide the commission towards their ideal definitions of **Pets** and **Animal Husbandry**. **If the Planning Commission disagrees with the following statements, further input and revision of the definitions is encouraged.**

1: Under the definitions as provided, a miniature pig would be considered as a pet, so long as it does not exceed 200 pounds or is unable to enter and sleep within a home.

2: Under the definitions as provided, a home business routinely breeding and selling dogs or cats is considered an endeavor of Animal Husbandry.

3: Under the definitions as provided, a person operating beehives for the production of honey, is considered an endeavor of Animal Husbandry.

3: Under the definitions as provided, a singular bloodhound occasionally contracted and paid for search and rescue services is primarily considered a pet. A pack of equally trained animals however, represents a source of an economic gain and an endeavor of Animal Husbandry.

4: Under the definitions as provided, a full size horse is not a pet, as it weighs more than 200 pounds and cannot easily enter and sleep within a home.

Staff suggests that the Planning Commission provide guidance on these definitions as proposed, so that a finalized definition may be brought forward to council in the future.

Exhibit "A"
Attachment to City of Shady Cove Fee Resolution No. 20-02

Effective Date: April 2, 2020

ADMINISTRATIVE FEE		
Administrative Fee	\$45.00	Per hour, per person, after first 15 minutes.
Copies	\$0.30	Per page.
Copies	\$0.55	Per side for 11x17.
Audio Recording (CD)	\$5.00	Actual cost of CD and staff time to reproduce CD.
Returned Check Fee	\$30.00	Returned Check/ACH Fee.
Debit / Credit Card Transaction Fees	TBD	
BUSINESS LICENSE		
Business License	\$85.00	All business licenses. Businesses located in the City, out of City or Home Occupations, etc.
Duplicate Business License	\$10.00	
1 to 30 Day License	\$10.00	One per fiscal year.
License Late Fee	20%	If paid after August 1 a 20% (\$17.00) late fee will be assessed.
License Reinstatement Fee	\$25.00	
Prorated Business License	\$7.00/Month + Next Fiscal Yr.	For a new business beginning after Dec 31 through the end of the fiscal year + full rate of the next fiscal year.
Flag Program	\$50.00	Per calendar year
LIQUOR LICENSE		
Change of Ownership	\$35.00	
Renewal	\$35.00	
Temporary/Special Event	\$35.00	
TAXES AND FEES		
Raft Rental Tax	\$3.00	Per raft rental (Ord. 199 & 232).
Transient Occupancy Tax	6%	(Ord. 140, 140-01, & 171)
PLANNING FEES ***		
Access Permit	\$200.00	Road access.
Ancillary - Up to 100 Sq. Ft.	\$75.00	Applies to small outdoor improvements ancillary to existing structures such as decks and stairs.
Appeal	\$300.00	
Conditional Use Permit	\$600.00	
Consulting, Legal and Professional Charges	Admin Fee	Plus \$45.00 per hour, per person after first 15 minutes.
Extensions	\$25.00	
Fence Permits (Non-Floodplain)	\$50.00	
(Floodplain)	\$250.00	
Final Plat	Half Original Fee	
Floodplain - Additional Inspections	\$150.00	
Floodplain Applications: Minor	\$275.00	Minor includes one inspection.
Floodplain Applications: Major	\$700.00	Includes up to three inspections.
Floodplain Minor File Review	\$150.00	No on site inspection.
Floodplain Minor File Review	\$75.00	Tree removal.
Lot Line Adjustment	\$300.00	
Land Partition Minor	\$600.00	No road creation.

PLANNING FEES continued***		
Land Partition Major	\$1,200.00	Extension or creation of a road.
Other Inspection Services	Admin Fee	Plus \$45.00 per hour, per person after first 15 minutes.
Planned Unit Development	\$2,000.00	Plus \$50.00 per lot
Pre-Application Conference	\$400.00	\$100 Credit on land use approval application.
Revision to Prior Approval	Half Original Fee	
Sign Permit	\$50.00	Per property.
Land Use Approval	\$175.00	Plus any required engineering cost.
Site Development Review	\$175.00	Resident, Non Floodplain, Plus any required engineering cost.
Site Design Review	\$450.00	Resident, Floodplain & Commercial, Plus any required engineering cost.
Subdivision or Mobile Home Park	\$2,000.00	Plus \$50.00 per lot, Plus any required engineering cost.
Variance	\$500.00	Plus any required engineering cost.
Zone Change Application	\$1,500.00	Plus any required engineering cost.
Zone Change & Comp Plan Amendment	\$2,500.00	Plus any required engineering cost.
Zone Change & Annexation	\$3,000.00	Plus any required engineering cost.
STREET IMPROVEMENTS		
28' with Curb and Gutter	\$120.00 per linear foot	Established by Resolution #99-12
STREET IMPROVEMENTS		
36' with Curb and Gutter	\$136.00 per linearfoot	Established by Resolution #99-12
STORM DRAINAGE		
Excavation and backfill, 18 HDPE, pipe curb inlets	\$60.00 per linear foot	Established by Resolution #99-12
WATER IMPROVEMENTS		
8" C-900 PVC water main, 6" fire hydrant lines, water service lines, excavation and backfill and valves, bends, appurtenances	\$55.00 per linear foot	Established by Resolution #99-12
ENGINEERING / CONTRACT / ADMINISTRATION & SURVEY WORK		
Engineering/Contract/Administration & Surveying	\$40.00 per linear foot	Established by Resolution #99-12
5' Concrete Sidewalk (Optional on Street Improvement)	\$20.00 per linear foot or \$4.00 per square foot	Established by Resolution #99-12
SYSTEM DEVELOPMENT CHARGES (SDC's)		
Ordinance No. 271 & Resolution No. 15-18 - Single Family Residential/ EDU		
Parks: Single Family	\$1,500.00	Established by Resolution 19-04.
Storm Water: Single Family	\$1,500.00	Established by Resolution 19-04.
Transportation: Single Family	\$7,500.00	Established by Resolution 19-04.
PUBLIC SAFETY		
Driver License Reinstatement	\$20.00	
Public Safety Surcharge	\$18.00	Per month per unit. Residential & Non Residential. Excludes unimproved properties.
Public Safety Fee - Code Enforcement	\$3.00	Per month per unit. Residential & Non Residential. Excludes unimproved properties.

SEWER MONTHLY RATES		
Residential		
EQUIVALENT DWELLING UNIT (EDU)		
Single Family	\$44.00	
Multiple Family	\$44.00	Per Unit.
Mobile Home Park	\$44.00	Per Space.
LODGING		
Motel	\$46.00	Plus \$10.00 per unit (21.7% of EDU)*.
R.V. Park	\$46.00	Plus \$10.00 per unit (21.7% of EDU)*. If rented for more than 30 days the full EDU rate (\$46.00) applies.
RESTAURANTS & BARS		
Restaurants & Bars	\$46.00	Plus \$1.75 per seat (3.8% of EDU)*
OTHER COMMERCIAL		
Car Wash	\$46.00	Per Stall.
Laundromat	\$46.00	Plus \$23.00 per washing machine (50% of EDU)*.
Business/Building with 1-5 employees	\$46.00	
Business/Building with 6 + employees	\$92.00	
Fats, Oils, Grease Surcharge (FOG)	\$50.00	1st month out of compliance
Fats, Oils, Grease Surcharge (FOG)	\$100.00	Each additional month out of compliance (with maximum limit of \$1,000.00 per month)
OTHER		
Churches, Other Non-Profit	\$46.00	
Recreation Vehicle Dumping Station	\$92.00	
Service Outside the City	\$66.00	
School	\$46.00	Plus \$0.35 per student and employee (307)**.
Utility Billing Late Fee	1.5% or \$10.00	assessed monthly at 1.5% or \$10.00, whichever is more.
Utility Billing Collection Fee	25%	25% administrative fee added to all accounts turned over to collections.
Vacated Buildings Sewer Maintenance Fee	\$46.00	Full months only. (Commercial)
Vacated Buildings Sewer Maintenance Fee	\$44.00	Full months only. (Residential)
Lien Search	\$25.00	
*Percentage will be applied to any subsequent change in EDU rate.		
** Number of students and employees will be validated each year.		
***All Planning Fees may be subject to actual cost of such as; engineer, arborist, County, attorney , surveyor, etc.		

11/07/22 Through 11/30/22

Planning and Building Activities

YEAR Permit No.	DATE	NAME	BUILDING PERMITS		MAP	TAX LOT
			TYPE	ADDRESS		
22-29	11/7/22	RVSS	Encroachment Permit	5 Kelley Ct	10CC	1200
22-30	11/7/22	RVSS	Encroachment Permit	629 Sarma	10BC	1707
			PLANNING APPLICATIONS			
Paid	Property Action Log	Name	Address	Notices Mailed	Comments due back	Staff report due back Section/TL
11/16/2022	CUP 22-07	James Cunningham	21255 Hwy 62			15CC 4500
11/14/2022	DR 22-02	Hermes Auto Inc	20300 Hwy 62			21D 409
11/8/2022	DR 22-03	River of Ink Tattoo	21865 Hwy 62			15BC 2500
11/16/2022	DR 22-04	KNBE LLC	1011 Celtic Circle			10CD 2201

FLOODPLAIN CLEARANCE FOR PERMIT