

- A. **Call to Order:** Chairman James Milner called meeting of the Planning Commission to order at 6:05 p.m.
- B. **Roll Call:** Board Members present: Michael Phillips, James Walker, Bethany Rosenbaum, Carla Butler and Darrin Brock. Kendell Stucki was absent. We had quorum.

C. **Approval of Minutes:**

**Motion to approve May 14, 2019 Minutes.**

**Motion: Commissioner Walker**

**Second: Commissioner Brock**

**Vote Aye: Walker, Milner, Rosenbaum, Brock, Butler, Phillips**

**Vote Nay: None**

**Motion to approve May 14, 2019 Minutes approved.**

- D. **Public Forum: Open: 6:06pm Closed: 6:06pm**

- E. **Consent Agenda: None.**

- F. **Old Business: None.**

- G. **New Business:**

**Timber Ridge Subdivision Phase II – Public Hearing - Rezone**

Joey Ingle, Sand Creek Engineering, requested a rezone from R-D to R-E. At the last meeting he had requested a variance for 46 lots to match Phase I Subdivision, but it was denied. The zoning change was requested with a smaller required lot width to suite the proposed development better.

**Public Hearing: Open 6:08pm Close 6:08pm**

**Motion to approve Timber Ridge Subdivision Phase II Rezone.**

**Motion: Commissioner Brock**

**Second: Commissioner Walker**

**Vote Aye: Rosenbaum, Walker, Butler, Milner, Brock, Phillips**

**Vote Nay: None**

**Motion to approve Timber Ridge Subdivision Phase II Rezone passed.**

**Amendment to Section 6-74 of Lowell Code of Ordinances to Allow Urban Agriculture**

Proposed amendment changes would allow four hens for each single-family dwelling but no birds would be allowed in multi-family complexes, including duplexes. No roosters would be allowed. A permit and an annual fee from the Lowell Animal Services would be required to keep chickens. Chickens currently existing in the city shall not be grandfathered or permitted to remain after the effective date of the ordinance from which this article is derived. These regulations are not intended to apply to poultry kept in areas of the city which are zoned agriculture.

**Public Hearing: Open 6:21 Close 6:26pm**

Missy Craig, 321 Honeysuckle, was opposed to this amendment. She has a problem with hawks who are a threat to her little dogs. She didn't want Lowell to necessarily be like other cities who already have poultry on single-family property. Her questions were: How was the 25' requirement measured from the home to another residence or business? How will the chicken enclosures be policed to be sure they are clean? Permitting could put a strain on Animal Services and what would the annual fee be used for? She didn't want it to end up neighbors policing neighbors.

Retha Criag, 322 Somerset, has a tiny dog and has had to deal with hawks. One hawk has nested in Missy Craig's tree for the last two years. This amendment would encourage more hawks and she was opposed to the proposed changes.

Lisa DeGifford, 607 Concord, was in favor for property owners to have chickens so they can have farm fresh eggs.

Mayor Moore appreciated the commissioners addressing this issue as he has had many citizens approach him to have chickens in their backyards.

Commissioners made several suggested changes to the proposed amendment. Since state statutes require the minimum purchase of six hens, the amendment should be change to allow homeowners to have six hens. A tiered system would be as follows: Zones C, D & E would be allowed six hens; Zone B would be allowed eight hens and Zone A would be allowed ten hens with an additional five hens for an additional one-half to one acre. A maximum of 15 chickens would be allowed in Zone A.

Commissioners recommended the amendment changes be sent to the City Attorney to make sure these changes didn't have an adverse affect on other city codes already in existence.

This amendment would not affect commercial poultry owners since they would be allowed in agriculturally zoned areas of the city.

**Motion to recommend to City Council approval of Amendment to Section 6-74 of Lowell Code of Ordinances to Allow Urban Agriculture with homeowners allowed six hens and a tiered system would be Zones C, D & E would have six hens; Zone B would have eight hens and Zone A would have ten hens with an additional five hens for an additional one-half to one acre with a maximum of 15 chickens in Zone A.**

**Motion: Commissioner Milner**

**Second: Commissioner Brock**

**Vote Aye: Butler, Milner, Rosenbaum, Walker, Brock**

**Vote Nay: Phillips**

**Motion to recommend to City Council approval of Amendment to Section 6-74 of Lowell Code of Ordinances to Allow Urban Agriculture with homeowners allowed six hens and a tiered system would be Zones C, D & E would have six hens; Zone B would have eight hens and Zone A would have ten hens with an additional five hens for an additional one-half to one acre with a maximum of 15 chickens in Zone A passed.**

H. **Planning Staff Items:** Next PC Meeting – 06/25/19 (PC Meetings moved to 2/4 Tuesdays)

I. **Discussions:** None

J. **Committee Reports:** None

K. **Adjourn:** Motion to adjourn made by Commissioner Brock; second by Commissioner Walker. All were in favor. Meeting adjourned at 6:48pm.

APPROVED:

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James Milner, Chairman

ATTEST:

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Elizabeth Estes, City Clerk