

Date: February 5, 2016
To: Planning Commission
From: Fred Evander, Senior Long Range Planner
RE: PUBLIC HEARING – Amendments to LCC Section 17.42.030
Attachments: Draft Revisions to LCC Section 17.42.030 – Related to Animal Kennels, Shelters, Boarding Facilities, and Animal Hospital Standards (6 Pages)

The purpose of this staff report is to introduce proposed zoning changes that relate to where animal kennels, hospitals, shelters and boarding facilities are allowed within the County.

ISSUE

Lewis County currently contains several dog kennels, some commercial (selling puppies bred at the facility) and some noncommercial (animal rescues, etc.). Chapter 6.15 LCC regulates the practices of such kennels to ensure that the dogs are kept humanely and in a manner that does not endanger the public health.

The health department has had limited success enforcing its existing laws under Chapter 6.15 LCC. A health official can only inspect or otherwise gain evidence of animal violations when given permission to inspect. Once a person has been warned that they may be in violation, they are often unwilling to allow the official to inspect and, potentially, cite them for the violation. This prevents the laws from reaching those who are most likely to have violated them.

To make them more effective, the County is considering a change to its kennel laws. A proposal will soon be pending before the Board of County Commissioners to require that individuals obtain an annual permit to operate a kennel, with an inspection required to obtain or renew the permit. From this change, once a year, a health official would be allowed to inspect each kennel for compliance with existing kennel laws.

RELATION TO LAND USE

As part of this review of standards related to kennels, the health and community development staff noticed that the zoning code treats animal businesses in an inconsistent and somewhat nonsensical manner. Under the current code, “Animal Kennels” are allowed in certain LAMIRD zones with a special use permit, but are not mentioned in the RDD table. Meanwhile, “Animal hospital/boarding” is permitted in all RDD zones.

The two different terms, and their different treatment, seems to suggest that no animal kennels are permitted in RDD zones, and that no animal hospitals/boarding facilities are permitted in LAMIRD zones. Yet, this result does not accord with reality or common sense—animal kennels seem like quintessentially rural businesses and areas of more intense development (the LAMIRDs) seem like appropriate places for boarding facilities and animal hospitals.

PROPOSED CHANGES TO CODE

To make the requirements more consistent, staff propose the following change to the LAMIRD and RDD tables in LCC 17.42.030, which will combine and (mostly) permit all similar animal uses:

**TABLE 1: Rural Area Land Use
LAMIRDS Zoning Summary**

Use Tier	Uses of Rural Area Lands	17.45 Small Town Mixed Use	17.50 Small Town Residential	17.55 Small Town Industrial	17.60 Crossroad Commercial	17.65 Freeway Commercial	17.95 Rural Residential Center/ Shoreline Residential
II	Animal kennels, shelters, boarding, grooming and hospitals	A	X	P	P/A ¹	P	X

¹Animal kennels, shelters, boarding, grooming and hospitals are permitted outright in the majority of Crossroad Commercial areas. When an application is submitted for the Galvin and Dorn’s Corner Crossroad Commercial areas, the proposal requires an Administrative Approval to ensure that notice is provided to nearby landowners.

**Table 2: Rural Area Land Use Zoning Summary
Section 3**

Tier	Use	R 1-5	R 1-10	R 1-20
I	Animal kennels, shelters, boarding, grooming and hospitals	P	P	P

CODE UPDATE PROCESS

Staff has followed the appropriate procedures for this code update – issuing a 60-day notice of intent to adopt amendments to the Department of Commerce on January 14, 2016, and holding workshops on the proposed changes on October 27, 2015 and January 26, 2016. Public Notice for this Public Hearing was also distributed on February 5, 2016 subject to the time period and posting standards specified in LCC 17.12.

RECOMMENDATION

Staff suggests that the Planning Commission consider the proposed changes to Section 17.42.030 of the Lewis County Code, and make a recommendation to the Lewis County Board of County Commissioners on the proposal.