

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LEWIS COUNTY, WASHINGTON**

NOTICE OF PUBLIC HEARING TO CONSIDER) **RESOLUTION NO. 16-114**
AMENDMENTS TO LCC 17.42.020, ANIMAL KENNELS,)
SHELTERS, BOARDING AND GROOMING FACILITIES, AND)
ANIMAL HOSPITALS)

WHEREAS, amendments will make animal kennels, shelters, boarding and grooming facilities and animal hospital requirements more consistent; and

WHEREAS, changes to the LAMIRD and RDD tables in LCC 17.42.030 would combine and (mostly) permit all similar animal uses.

WHEREAS, both a workshop and a public hearing was held by the Lewis County Planning Commission (PC) where the PC considered testimony on said amendments and transmitted recommendations to the Board of County Commissioners (BOCC); and

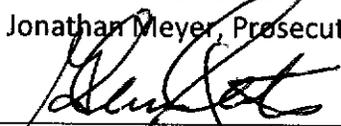
WHEREAS, publication of notice and a hearing before the BOCC is required in order to take public testimony and formal action on the amendments; and

NOW THEREFORE BE IT RESOLVED that the Clerk of the BOCC is hereby instructed to proceed with all appropriate and necessary notifications, posting and publication as required by law.

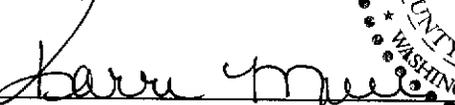
BE IT FURTHER RESOLVED that a hearing is hereby scheduled for May 9, 2016 to take public testimony or written comment on the adoption of an ordinance amending LCC 17.42.030, Animal Kennels, Shelters, Boarding and Grooming Facilities, and Animal Hospitals.

PASSED IN REGULAR SESSION THIS 18 DAY OF APRIL, 2016.

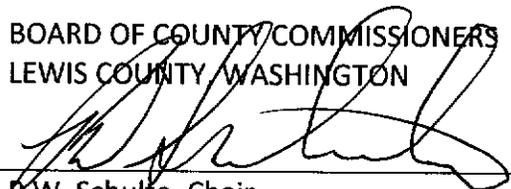
APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney


By: Eric Eisenberg, Deputy Prosecuting Attorney

ATTEST:

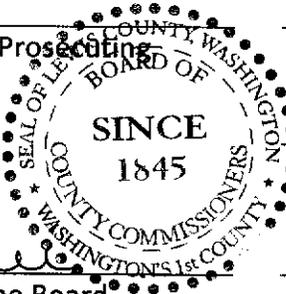

Karri Muir, CMC, Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON


P.W. Schulte, Chair


Gary Stamper, Vice Chair


Edna J. Fund, Commissioner



NOTICE OF PUBLIC HEARING AND INTENT TO ADOPT BEFORE THE LEWIS COUNTY BOARD OF COUNTY COMMISSIONERS

NOTICE IS HEREBY GIVEN that the LEWIS COUNTY BOCC will hold a public hearing on May 9, 2016 to receive public testimony on changes to Lewis County Code Chapter 17.42, Rural Area Zoning Summary, which would change and clarify the permit process for animal kennels, shelters, grooming and boarding facilities, and animal hospitals.

The hearing is scheduled to commence at or after 10:00 am and will be at the Lewis County Courthouse, second floor, in the Commissioners' meeting room at 351 NW North St., Chehalis, WA.

For questions about the proposal and hearing, please contact:

Fred Evander, Senior Long Range Planner, at 360.740.1389.

Information about the proposal is available online at www.lewiscountywa.gov. Hard copies are available for review at the Lewis County Community Development Department at 2025 NE Kresky Ave., Chehalis WA; at the Timberland Regional libraries located in Chehalis, Centralia, Salkum, Randle, Packwood, and Winlock; and at the Lewis County Senior Centers in Morton, Toledo, Twin Cities (Chehalis), Packwood, and Winlock.

This meeting site is barrier free.

People needing special accommodations should contact the Commissioner's Office 72 hours in advance of the meeting at 360.740.1120.

PUBLISH: On April 20, 2016 in the East County Journal and April 21, 2016 in the Chronicle
/Karri Muir

LETTER OF TRANSMITTAL

To: Lewis County Board of County Commissioners
From: Lewis County Planning Commission
Date: February 23, 2016
Subject: Transmittal to the BOCC: Findings and Conclusions regarding Draft Revisions to LCC Section 17.42.030

Dear Commissioners:

The purpose of this report is to transmit the draft revisions to LCC Section 17.42.030, pertaining to Animal Kennels, Shelters, Boarding, Grooming and Animal Hospital Standards, to the BOCC for board review and approval.

General findings of fact:

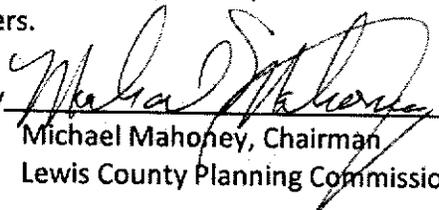
1. Lewis County currently contains several dog kennels, including some commercial (selling puppies bred at the facility) and some noncommercial (animal rescues, etc.).
2. The Public Health and Social Services Department has had limited success enforcing the existing laws for dog kennels (Chapter 6.15 LCC), which are intended to ensure that dogs are kept humanely and in a manner that does not endanger public health.
3. To make the standards more effective, the Public Health and Social Services Department, the Department of Community Development and the Office of the Prosecuting Attorney identified a variety potential changes to the Lewis County Code. A packet of many of these proposed changes will be sent to the BOCC as part of a separate code amendment.
4. As part of that review of the Lewis County Code, county staff noticed that the Title 17 LCC (Land Use and Development Regulations) regulates animal businesses in an inconsistent and unclear manner.
5. To make the requirements more consistent and tie in with the remainder of the work that will be proposed by the Health Department and Office of the Prosecuting Attorney, the Department of Community Development proposed making changes to the LAMIRD and RDD tables in LCC 17.42.030, which would combine and (mostly) permit all similar animal uses.
6. To ensure the legitimacy of the proposal, the Planning Commission held two separate workshops (on October 27, 2015 and January 16, 2016) on the suggested revisions.

6. At their meeting of February 23, 2016, the Planning Commission held a duly noticed Public Hearing on the proposed changes to LCC 17.42.030.
7. Following the Public Hearing, the Planning Commission deliberated the proposed revisions and voted to recommend that the BOCC approve of the proposal.

Conclusions

The Planning Commission recommends that the Lewis County Board of County Commissioners pass a resolution amending the Lewis County Code 17.42.030, pertaining to Animal Kennels, Shelters, Boarding Facilities, and Animal Hospital Standards, based on the above findings and conclusions.

Being duly authorized to transmit the recommendations on behalf of the Lewis County Planning Commission, I hereby respectfully submit this to the Lewis County Board of County Commissioners.

Submitted by  Date 2.24-2016
Michael Mahoney, Chairman
Lewis County Planning Commission

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 Rural Development District (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.