

Notes from Concept Team Meeting- 11/16/2020, 1:00 pm, Virtual

Members Present: Mary Lane, Tom Devilbiss, Lynda Eisenberg, Jim Almon, Laura Matyas, Jay Voight, and Brenda Dinne.

The meeting began at 2:30 pm. The first item on the agenda was approval of the October 21 meeting notes. The meeting notes were approved without any changes.

The next item on the agenda was a continuation of the discussion of bulk requirements in the residential districts. A proposal was prepared that reformatted all the bulk requirements together into tabular form in a new section. For principal uses, there were very few substantive changes to the yard and height requirements. Duplicative language was eliminated, and use categories were standardized among the districts.

The discussion focused on the bulk requirements for accessory buildings, which are currently the same as the front and side yard requirements for principal structures. For accessory buildings entirely in rear yards, the setback is a minimum of 5 feet (Section 158.130 (C) (2)). It was agreed that the number of variance requests and approvals indicates that the setbacks in rear yards for accessory buildings should be reduced. The consensus was to reduce the rear and side yard setbacks to 3 feet, without the possibility of a variance. This section should also be relocated to the new section addressing bulk requirements in the residential districts.

The definition and regulations for building height were discussed. It was agreed that references to stories should be eliminated, as with the commercial and industrial districts. No changes should be made to the maximum height regulations, remaining 35 feet in the R-40,000, R-20,000 and R-10,000 Districts, and 40 feet in the R-7,500 District.

The next item on the agenda was a discussion of animal-related regulations in Chapter 158, specifically kennels and stables. The following was agreed to:

- Deleted the definition of **Private Kennel**, since it was agreed that enforcement of the number of dogs kept on a property is more appropriately a matter for animal control. Section 158.036, which also addressed private kennels, was also deleted.
- The definition of **Commercial Kennel** was expanded to include all domestic pets, rather than only dogs. This necessitated the creation of a new definition for **Domestic Household Pets** to include *cats, pot-bellied pigs, rabbits, ferrets, domestic rodents, birds, fish, non-venomous reptiles and amphibians.*
- The definitions of **Riding Academy** and **Boarding Stable** were deleted, since they are already incorporated into the definition of **Commercial Stable**.
- The definition of **Private Stable** was expanded, specifically referencing *the shelter or care of horses or other livestock for the exclusive use of the property owner or leasee. The lot or parcel must be a minimum of 2 acres, with the exception of the keeping of*

fowl. The following requirement for Commercial Stables will be added to the new section on residential bulk requirements.

- *Where the adjoining property is within a Residential district, any building or shelter associated with the livestock must be set back 75 feet from the property line for up to 5 Animal Units. If more than 5 Animal Units are kept on the property, the setback shall subject to the requirements of § 158.040(A) (4).*

Also, the following **Private Stable** regulation will be located in the new Accessory Uses section for residential districts:

- *Livestock are permitted as an accessory use to any dwelling in all R Districts in accordance with the following numbers of Animal Units:*
 - (1) *Parcels 2 to 4 acres are permitted up to 2 animal units;*
 - (2) *Parcels 4 to 6 acres are permitted up to 5 animal units;*
 - (3) *Parcels greater than 6 acres are not subject to a limit on the number of animal units permitted.*
- The amendments to **Commercial and Private Stables** necessitated the creation of a definition of **Livestock** to include *cows, goats, sheep, alpacas, other ruminants, horses and other equus, poultry or fowl, and pigs*, and also a definition of **Fowl**, to include *domesticated land or waterfowl raised for meat and/or eggs, included but not limited to chickens, turkeys, ducks, and geese*. The following regulations for **Fowl** will be incorporated into the new section regarding accessory uses in the residential districts.
 - **Fowl** are permitted as an accessory use to any dwelling in any District in accordance with the following:
 - (1) *Parcels less than 1 acre are permitted up to 6 fowl and no roosters.*
 - (2) *Parcels 1 to 2 acres are permitted up to 12 fowl and no roosters.*
 - (3) *Parcels 2 to 3 acres are permitted up to 18 fowl and no roosters.*
 - (4) *Any structure housing fowl must be at least 75 feet from any property line.*
- The **Animal Units** definition was discussed, and the following was agreed to:
 - *A unit of measurement for equivalent number of livestock, that are not fowl. One Animal Unit equals the following:*
 - (1) *One horse, cow, mule, or similar sized livestock.*
 - (2) *Two ponies, donkeys, pigs, or similar sized livestock.*
 - (3) *Four llamas, alpacas, ostriches, or similar sized livestock.*
 - (4) *Ten sheep, goats, emus, or similar sized livestock.*
- Specific regulations for animal-related issues will not be included in the definitions section, but rather in the sections specifically regarding accessory buildings and bulk requirements in the residential districts.
- The changes to the animal-related definitions will necessitate corresponding changes to

several Agricultural District sections, including 158.070.

- Section 158.040 also needs to be amended to reference that distance requirements apply to Private Stables. The language of this section was also simplified.

The definition of front yard was the next item on the agenda. The proposal was for a new definition of **Corner Front Yard** to be included in Chapter 158 to clarify the regulations for properties that have frontage on more than one road. For these properties, *the front yard setback distance requirements only apply to the area lying between the front line of the principal structure and the rear line of the principal structure*. Diagrams illustrating these concepts were included, which will either be incorporated into the County Code or into an accompanying manual. The current definition of **Front Yard** will be amended to state that a front yard only includes the area between the front lot line *toward which the principal structure faces*. The definition of **Rear Yard** is also amended to accommodate the new **Corner Front Yard** definition. Jay clarified that when measuring the front, side and rear lines, all interior living space is included even if it does not extend the entire length of the building. However, covered porches, decks, and other spaces that are not completely enclosed are not included in this interpretation.

The meeting adjourned at 4:15 pm. A webinar to inform the public and solicit input will be held on Wednesday, November 18 at 1:00 pm. The next meeting will be held virtually on December 2 at 1:00 pm.