



City of Tualatin

TUALATIN CITY COUNCIL

Tuesday, May 28, 2013

CITY COUNCIL CHAMBERS
18880 SW Martinazzi Avenue
Tualatin, OR 97062

WORK SESSION begins at **5:30** p.m. *Note start time
BUSINESS MEETING begins at 7:00 p.m.

Mayor Lou Ogden

Council President Monique Beikman

Councilor Wade Brooksby Councilor Frank Bubenik

Councilor Joelle Davis Councilor Nancy Grimes

Councilor Ed Truax

Welcome! By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for citizen comments on its agenda - *Item C*, following Announcements, at which time citizens may address the Council concerning any item not on the agenda with each speaker limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City website at www.tualatinoregon.gov/meetings, the Library located at 18878 SW Martinazzi Avenue, and on file in the Office of the City Manager for public inspection. Any person with a question concerning any agenda item may call Administration at 503.691.3011 to make an inquiry concerning the nature of the item described on the agenda.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact Administration at 503.691.3011. Notification thirty-six (36) hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Council meetings are televised *live* the day of the meeting through Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at www.tvctv.org. Council meetings can also be viewed by live *streaming video* on the day of the meeting at www.tualatinoregon.gov/meetings.

Your City government welcomes your interest and hopes you will attend the City of Tualatin Council meetings often.

PROCESS FOR LEGISLATIVE PUBLIC HEARINGS

A **legislative** public hearing is typically held on matters which affect the general welfare of the entire City rather than a specific piece of property.

1. Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When the Council has finished questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *deny*, or *continue* the public hearing.

PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

A **quasi-judicial** public hearing is typically held for annexations, planning district changes, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report.
3. Public testimony is taken:
 - a) In support of the application
 - b) In opposition or neutral
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *approve with conditions*, or *deny the application*, or *continue* the public hearing.

TIME LIMITS FOR PUBLIC HEARINGS

The purpose of time limits on public hearing testimony is to provide all interested persons with an adequate opportunity to present and respond to testimony. All persons providing testimony **shall be limited to 3 minutes**, subject to the right of the Mayor to amend or waive the time limits.

EXECUTIVE SESSION INFORMATION

An Executive Session is a meeting of the City Council that is closed to the public to allow the City Council to discuss certain confidential matters. An Executive Session may be conducted as a separate meeting or as a portion of the regular Council meeting. No final decisions or actions may be made in Executive Session. In many, but not all, circumstances, members of the news media may attend an Executive Session.

The City Council may go into Executive Session for certain reasons specified by Oregon law. These reasons include, but are not limited to: ORS 192.660(2)(a) employment of personnel; ORS 192.660(2)(b) dismissal or discipline of personnel; ORS 192.660(2)(d) labor relations; ORS 192.660(2)(e) real property transactions; ORS 192.660(2)(f) information or records exempt by law from public inspection; ORS 192.660(2)(h) current litigation or litigation likely to be filed; and ORS 192.660(2)(i) employee performance of chief executive officer.



OFFICIAL AGENDA OF THE TUALATIN CITY COUNCIL MEETING FOR MAY 28, 2013

A. CALL TO ORDER

Pledge of Allegiance

B. ANNOUNCEMENTS

1. Introduction of Republic Service General Manager Derek Ruckman
2. New Employee Introduction: Jerry Postema, Public Works Director
3. Summer Activities Update

C. CITIZEN COMMENTS

This section of the agenda allows citizens to address the Council regarding any issue not on the agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will first ask staff, the public and Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, 1) Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

1. Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting on May 13, 2013.
2. Consideration of Resolution No. 5141-13 Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5118-12
3. Consideration of Resolution 5144-13 Adopting a Citywide Records Request Policy and Rescinding Resoltion No. 4797-08.
4. Consideration of a New Liquor License Application for Grochan Cellars.
5. Consideration of Resolution No. 5138-13 to Grant a Conditional Use Permit to Tualatin Animal Clinic to Allow a Veterinary Clinic with Practice Limited to Small Animals in the Central Commercial (CC) Planning District at 8700 SW Cherokee Street (Tax Map 2S1 23AA, Tax Lot 01000) (CUP-13-02).
6. Consideration of Resolution 5145-13 Directing the Architectural Review Board to review and comment on the proposed Nyberg Rivers Master Plan MP-13-01

E. SPECIAL REPORTS

F. PUBLIC HEARINGS – Legislative or Other

G. PUBLIC HEARINGS – Quasi-Judicial

H. GENERAL BUSINESS

1. Review and Discuss Input about Chickens in Single-Family Areas

I. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

J. COMMUNICATIONS FROM COUNCILORS

K. ADJOURNMENT

City Council Meeting

B. 3.

Meeting Date: 05/28/2013

SPECIAL Summer Activities Update
REPORTS:

SPECIAL REPORTS

Summer Activities Update

SUMMARY

An overview of programs and services in Tualatin this summer.

Attachments

Attachment A-Summer Activities Update

City of Tualatin 2013 Summer Programs



G.R.E.A.T. Summer Program

Gang Resistance Education and Training



- ☀ Targeting 6th-9th graders
- ☀ 5 sessions; up to 250 kids
- ☀ Team building games
- ☀ Emphasis on “At Risk Kids”
- ☀ Teach responsibility to self, others and community

TEAM Tualatin



- ☀ Volunteer Participants
- ☀ Park maintenance
- ☀ Environmental education
- ☀ Service learning



Arts ArtWalk

☀ A self-guided tour of Tualatin's art, cultural & natural history



Centennial Concerts on the Commons

☀ Friday nights, 6:30 pm at Tualatin Commons July 5 – August 30

ArtSplash Art Show & Sale

☀ July 26, 27 and 28 at Tualatin Commons

☀ Free kids workshop and art activities on July 27

☀ Chalk-It Up event on July 28



Willowbrook Arts Camp

☀ June 24 – August 2 at Browns Ferry Community Park

Juanita Pohl Center



☀ Reel Fun Thursdays

☀ Fun Fridays

☀ Antique & Classic Car Show
Saturday July 13

☀ Community-wide Garage Sale
Saturday, August 17



Tualatin Crawfish Festival



Recreation



Kids

- ☀ Summer in the Park Day Camp
- ☀ YMCA /Challenger Sports

Teens

- ☀ Teen Adventure Camp
- ☀ Classes and Trips

Adults

- ☀ Fitness
- ☀ Creative Arts
- ☀ Lifelong Learning
- ☀ Wellness and Support Services

Events

- ☀ Movies on the Commons
- ☀ Centennial Fireworks



Tualatin Farmers Market



FRESH
FRIDAY
FRIENDS
FUN.



Fridays, June 14- September 6

Kayak and Canoe Rentals at Brown's Ferry Park



CITY OF TUALATIN

1913 • 2013

Tualatin Heritage Center



Ongoing lectures, programs, displays, and activities throughout the summer.

Tualatin Public Library Summer Reading



2013 SUMMER READING

Dig Into Reading

Lectura de verano
Profundiza la lectura

Sign up begins June 1 at your Washington County Libraries
www.wcds.org/SRP

The graphic includes illustrations of two mole characters on the left and a rabbit character on the right, both engaged in reading.

Outdoors at Tualatin Commons
Tuesdays, June 18 - August 13, 7:00pm

Library Summer Teen Volunteer Program



- ☀ Assist library staff with the Summer Reading program
- ☀ Service learning
- ☀ Job experience

Join in the fun!





STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Nicole Morris, Deputy City Recorder

DATE: 05/28/2013

SUBJECT: Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting on May 13, 2013.

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve minutes from the City Council Work Session and Regular Meeting on May 13, 2013.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: [City Council Work Session Minutes of May 13, 2013](#)
[City Council Minutes of May 13, 2013](#)



OFFICIAL MINUTES OF TUALATIN CITY COUNCIL WORK SESSION FOR MAY 12, 2013

Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Wade Brooksby; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Nancy Grimes; Councilor Ed Truax

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker; Community Services Director Paul Hennon; Finance Director Don Hudson; Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Engineering Manager Kaaren Hofmann; Maintenance Services Division Manager Clayton Reynolds; Management Analyst Ben Bryant; Assistant City Manager Alice Rouyer

CALL TO ORDER

Mayor Ogden called the meeting to order at 5:05 p.m.

1. ***Tualatin Tomorrow Vision & Strategic Action Plan Update.***

Deputy City Manager Sara Singer and Tualatin Tomorrow Chair Candice Kelly presented the Tualatin Tomorrow Vision and Strategic Plan Update. Chair Kelly briefed the Council on the status of the consultant selection. She stated that the purpose of hiring the consultant is to amend the plan to reflect the current community needs and aspirations and develop a comprehensive public involvement strategy to update the plan. The committee met on May 1st and is recommending J. Robertson and Co. as the consultant for this project. The next steps with the consultant is to develop a project schedule and confirm the public involvement strategy.

Councilor Truax had questions regarding the need for a consultant. Councilor Bubenik addressed Councilor Truax stating that the five year update of the Tualatin Tomorrow Vision plan allows for the goals and strategies to be made current with the communities current needs. He also noted that the consultant's expertise in gathering community input and feedback and the tools they have available are important in the process. Deputy City Manager Singer also noted that the consultant will help with community outreach and then take the information that is gathered and compile the document. Mayor Ogden also noted that we do not have extra staff available to complete special projects of this nature, so it is important to hire an expert to help compile a meaningful document.

Mayor Ogden and Councilor Grimes thanked the advisory committee for their time and efforts on this project.

2. ***Council Building Feasibility Study.***

Deputy City Manager Sara Singer presented information regarding a Council Building Feasibility Study. She noted that this discussion is being driven by the application received for the Nyberg Rivers Development which includes the construction of Seneca Street in accordance with the city's Transportation System Plan (TSP) and the Central Urban Renewal District (CURD) Plan. Deputy City Manager Singer presented several options for consideration regarding the future of the Council Building. The City has reached out to SRG Partners, Inc. as they have a long history of working with the city to potentially conduct a feasibility study. The staff then could use the assumptions provided to examine the options and begin the public outreach process. The staff is seeking council direction on this proposal.

Councilor Truax would like to see this process begin right away and begin working to gather community input before the City approves the application. Councilor Truax expressed concerns over the timeframe of actually being able to complete the study and gather the necessary feedback in the application approval timeframe. Deputy City Manager Singer responded that the study will take 60 days to complete.

Mayor Ogden expressed concerns over the need to rush into the feasibility study unless it is determined that it is absolutely needed based on the traffic study. He would like to make sure we are studying the right issues. City Manager Lombos stated that if the conclusion is that Seneca Street goes through that we will want to be on the same schedule as the developer, so we are in a position where we will need to move forward with the feasibility study. Mayor Ogden asked when we would know for sure if Seneca Street will need to go through. Assistant City Manager Rouyer stated that we will have additional information regarding the traffic analysis in June.

Councilor Truax stated he would like to move forward with the feasibility. Mayor Ogden agreed that the analysis is worthwhile but expressed concerns over the scope of the study until there is clarification on whether Seneca Street is required or not. The Council directed staff to move forward with the feasibility study as presented.

City Manager Lombos asked the Council how they would like the public involvement strategy to be presented. Councilor Grimes wants to make sure that there is plenty of time for citizens to weigh-in and gather feedback. Deputy City Manager Singer said she will present a defined schedule and plan at a future Council meeting.

3. *Water Conservation Plan Update and Other Regional Water Issues.*

Engineering Manager Kaaren Hofmann presented the updates to the Water Conservation Plan. She stated that the number of connections in the city has grown by about 1% but the overall amount of water sold has decreased by 12%. The decrease is due to water conservation efforts and changes in the economy. Some of the updates to the plan included using water more efficiently at city facilities, free leak detection for customers, and several other water conservation marketing efforts. No major changes to the plan are being proposed at this time.

Councilor Truax noted that the city's membership with the Regional Water Consortium is one of the biggest bargains we receive as they do all the major water conservation efforts. Mayor Ogden asked about the progress we are making in conservation. Manager Hofmann stated that we have a 12% decrease which is very good.

Assistant City Manager Rouyer addressed issues with the summer interruptible water purchase with the City of Portland. She stated that the City had received a letter from the City of Portland stating that they would only sell us this water under new terms which is in violation of our existing contract. The City will be responding in writing letting the City of Portland know that we will be evoking our rights to arbitration regarding this matter. She will also be meeting with the director this Wednesday to discuss the matter further. The Council will be updated on the matter at a future meeting.

Assistant City Manager Rouyer also addressed regional water issues regarding Tualatin Valley Water District (TVWD). TVWD is looking at drawing water from the Willamette River through an agreement with Wilsonville. In order to receive water from this location they would need to use the right-of-way for the 124th Street project. In accordance with our intergovernmental agreement with TVWD they would need to notify the city of intent to move forward with this project and we would need to draft a response. It is likely that they will ask for the city's participation in an engineering feasibility study.

4. *Council Meeting Agenda Review, Communications & Roundtable.*

Councilor Davis noted that Community Action Partnership had a very successful fundraiser again this year and thanked the community for their support of this group.

Councilor Bubenik updated the Council on the status of the Washington Children and Families Commission funding. He stated that the legislature has not made a decision on the bills related to the Children and Families Commission. At this time many facilities are closing due to the lack of funding and will not reopen unless something in the legislature changes.

Mayor Ogden briefed the Council on the Southwest Corridor Steering Committee status. The Committee's objective is to narrow the alternatives by July. He noted that at the meeting he attended today it was the first time that hard data had been provided to the group that suggested operating costs and ridership information. The committee is scheduled next week to begin economic outreach to the public.

ADJOURNMENT

The work session adjourned at 6:26 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR MAY 13, 2013

Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Frank Bubenik; Councilor Nancy Grimes; Councilor Ed Truax

Absent: Councilor Wade Brooksby; Councilor Joelle Davis

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker; Community Services Director Paul Hennon; Finance Director Don Hudson; Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Assistant Planner Colin Cortes; Engineering Manager Kaaren Hofmann; Teen Program Specialist Julie Ludemann; Maintenance Services Division Manager Clayton Reynolds; Assistant City Manager Alice Rouyer

A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:04 p.m.

B. ANNOUNCEMENTS

1. Youth Advisory Council Update for May, 2013

Members of the Youth Advisory Council (YAC) presented a PowerPoint on their latest activities and upcoming events. The 2013 Project FRIENDS anti-bullying workshop was held on April 29 with 225 students attending from two local schools. The Project FREINDS program received national recognition in the National Leagues of Cities publication. Summer Movies on the Commons and other upcoming events were covered.

Mayor Ogden congratulated YAC members on the success of Project FRIENDS and on being recognized nationally.

2. Announcement of the 2013 "If I Were Mayor..." Poster and Essay Contest Winners.

Recreation Program Specialist Julie Ludemann presented a PowerPoint outlining the "If I Were Mayor..." contest. The program provides a unique opportunity for local government involvement amongst youth. It is sponsored by the Oregon Mayors Association and this is the second year Tualatin has participated. The 4-5th grade poster contest winner, Marleigh Alexander, and Middle School essay contest winner, Claire Glasser, were presented with \$50 checks. Their entries were sent on to the statewide competition. Mayor Ogden congratulated both winners.

3. Proclamation Declaring Saturday May 18, 2013 as National Kids to Parks Day in Tualatin

Council President Beikman stated that over 250 cities, towns and councils across the country have issued Kids to Parks proclamations this year. She acknowledged that Kids to Parks is designed to encourage children across the country to explore their neighborhood parks and discover close to home history, nature, and adventure. She invited families to come out to Browns Ferry Park on Saturday, May 18, 2013 from 1:00 to 4:00 to participate in our own local celebration of Kids to Parks Day.

Council President Beikman read the proclamation declaring May 18th, 2013 as National Kids to Park Day in the City of Tualatin.

4. Proclamation Declaring May as Older Americans Month in Tualatin

Councilor Truax preceded the Older Americans Month Proclamation by stating that the 2010 U.S. Census lists about 26% of Tualatin residents as 50 or older. He noted that the local Meals on Wheels program will serve about 15,000 meals at the Juanita Pohl Center and to homes this fiscal year. He acknowledged that the Juanita Pohl Center has delivered social, fitness, recreational, nutrition and other important services to older adults for 31 consecutive years.

Councilor Truax read the proclamation declaring May as Older Americans month in the City of Tualatin.

5. Proclamation Declaring May 12 - 18, 2013 as National Police Week

Councilor Bubenik stated that in 1962, President John F. Kennedy signed a proclamation which designated May 15th as "Peace Officers Memorial Day" and the week in which that date falls as Police Week. National Police Week is held in honor of the Federal, State and Municipal Officers who have been killed or disabled in the line of duty. The Tualatin Police Department and its officers provide the highest quality services and are committed to the highest professional standards. They are working in partnership with the community to meet the challenges of reducing crime, creating a safe environment, and improving quality of life.

Councilor Bubenik read the proclamation declaring May 12-18, 2013 as National Police Week.

Mayor Ogden thanked the police department for all they do for the citizens of Tualatin.

6. Proclamation Declaring May 19-25, 2013 as Emergency Medical Services (EMS) Week

Councilor Grimes read the proclamation declaring May 19-25, 2013 as Emergency Medical Services week in the City of Tualatin.

Mayor Ogden presented the proclamation plaque to Metro West Ambulance.

C. CITIZEN COMMENTS

This section of the agenda allows citizens to address the Council regarding any issue not on the agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

Dale Potts invited the citizens of Tualatin to attend a Memorial Day Celebration on May 27, 11a.m., at Winona Cemetery. There will be a ceremony followed by a free picnic. Mayor Ogden thanked Mr. Potts for organizing this event again this year as last year was a great success.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will first ask staff, the public and Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, 1) Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

MOTION by Councilor Ed Truax, SECONDED by Council President Monique Beikman to approve the consent agenda.

Vote: 5 - 0 MOTION CARRIED

1. Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting on April 22, 2013 and the Special Work Session on April 23, 2013
2. Consideration of Resolution No 5142-13 Awarding the Bid for the 2013 Pavement Maintenance Program
3. Consideration of an Intergovernmental Agreement (IGA) with Washington County for a Landscaped Median in SW Lower Boones Ferry Road at the Bridgeport Apartments
4. Consideration of an Intergovernmental Agreement (IGA) with Tualatin Valley Water District and the City of Portland for Engineering Services to Evaluate an Emergency Intertie for the Water Systems
5. Consideration of Resolution No. 5139-13 Authorizing City Staff to Negotiate to Acquire Easements for the SW Martinazzi Avenue Project

6. Consideration of Appointment of Brian Starns as Municipal Judge Pro Tem.

E. SPECIAL REPORTS

1. Tualatin Valley Fire and Rescue Report Presented By Chief Mike Duyck

Tualatin Valley Fire and Rescue (TVFR) Chief Mike Duyck presented an update. TVFR responded to 2,500 incidents within the City of Tualatin last year and a large portion were emergency medical related. He noted that 911 is a growing safety net for the community due to the lack of health insurance. Because of the lack of health care coverage TVFR is actively participating in health care reform and is the leader in its field. TVFR is still working on the \$77.5 million capital bond updates and they have completed upgrades to several facilities including facilities in Tualatin. They have also held many events in Tualatin related to community risk reduction.

Mayor Ogden thanked TVFR for their service and dedication to the City of Tualatin.

2. Quarterly Financial Update

Finance Director Don Hudson presented the quarterly financial report for the third quarter of Fiscal Year 2013. Revenues and Expenditures in Operating funds are tracking as expected. Building fund revenues are exceeding estimates. This quarter, network switches (paid for through a grant from MACC) were replaced, as well as three police vehicles. Director Hudson also noted that the online registration process for recreation programs is popular, with almost 100% of all registrations being done on-line. The fiscal year 2013/2014 budget meetings will begin on May 14th.

F. PUBLIC HEARINGS – *Quasi-Judicial*

1. Consideration of Resolution No. 5138-13 a Conditional Use Permit for Tualatin Animal Clinic to Allow a Veterinary Clinic with Practice Limited to Small Animals in the Central Commercial (CC) Planning District at 8700 SW Cherokee Street (Tax Map 2S1 23AA, Tax Lot 01000) (CUP-13-02)

Mayor Ogden opened the Conditional Use Hearing. He read the rules for the hearing in accordance with ORS 197.763(5) and (6) and ORS 197.796(3)(b).

Councilor Truax disclosed that he has had contacts with both the applicant and staff regarding the process for applying for the necessary permits.

Planning Manager Aquilla Hurd-Ravich and Assistant Planner Colin Cortes presented CUP 13-02 for the Tualatin Animal Clinic. The relocation of the clinic requires a conditional use permit. Assistant Planner Cortes discussed the conditions and criteria for approval. He stated that the applicant does meet the conditions for approval.

Applicants Arthur Ghilea and Mike Han spoke on behalf of their application. They requested that the Council approve their application and requested a special

condition to delay the parking improvements that are required.

The following spoke in support of the conditional use permit: Christina Lapin, Gaye Waklin, Tamara Sutherlin, Melissa Lockhart, and Marsha Garen.

Councilor Truax expressed concerns with the request to delay the parking improvements and what it would mean for the applicant. Assistant City Manager Rouyer stated that the Council has the ability to delay the conditions if they choose and that denial of the CUP will still allow them to occupy the premises.

Mayor Ogden asked several questions regarding what needed to be accomplished to meet the conditions, what used to occupy the location and why it did not meet compliance then. Staff stated that occupants before did not need to meet the requirements at that time and the improvements that these tenants would need to make would be in regards to increasing the number of spaces, curbing, landscaping and storm water treatment.

Discussion ensued amongst staff and applicant over the length of time that would be needed to complete the improvements. Assistant City Manager Rouyer requested that the Council set a time frame within 2 years for enforcement purposes. The applicant requested longer due to financial reasons.

Mayor Ogden closed the oral portion of the hearing.

MOTION by Councilor Ed Truax, SECONDED by Councilor Nancy Grimes to approve Resolution No. 5138-13 a conditional use permit for Tualatin Animal Clinic to allow a veterinary clinic with practice limited to small animals in the Central Commercial (CC) Planning District at 8700 SW Cherokee Street (Tax Map 2S1 23AA, Tax Lot 01000) (CUP-13-02) with the special condition that the off-street parking must be complete within 30 (thirty) months of the date the resolution is passed.

Vote: 5 - 0 MOTION CARRIED

G. GENERAL BUSINESS

1. Consideration of Resolution No. 5140-13 to Grant a Conditional Use Permit to Allow a Small-Lot Subdivision in the Medium Low Density (RML) Planning District at 9355 SW Stono Drive (Tax Map 2S1 35AC, Tax Lot13900) (CUP 13-01).

MOTION by Councilor Ed Truax, SECONDED by Councilor Frank Bubenik to adopt Resolution No. 5140-13 to grant a conditional use permit to Darter Construction, LLC for a small-lot subdivision in the Medium Low Density (RML) Planning District, at 9355 SW Stono Drive (CUP 13-01).

Vote: 5 - 0 MOTION CARRIED

H. ADJOURNMENT

Mayor Ogden adjourned the meeting at 8:49 p.m.

Sherilyn Lombos, City Manager

Nicole Morris

/ Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Don Hudson, Finance Director
Lisa Thorpe, Program Coordinator - Finance

DATE: 05/28/2013

SUBJECT: Consideration of Resolution No. 5141-13 Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5118-12

ISSUE BEFORE THE COUNCIL:

Whether to update and amend the City of Tualatin Fee Schedule

RECOMMENDATION:

Staff recommends adoption of the attached resolution amending the City of Tualatin Fee Schedule and rescinding Resolution No. 5118-12

EXECUTIVE SUMMARY:

The City of Tualatin Fee Schedule is broken into three groups, which are updated every three years on a rotating cycle. Since the process began in 2004, fees have been updated according to the rise in the Consumer Price Index (CPI). For the past several cycles, the City Council has directed staff to consider full cost recovery when setting and reviewing fees.

The group of fees to be updated this year are fees for the Administration Department, Finance Department, Police Department and Municipal Court. Fees were analyzed against the cost to provide the service, as well as compared to comparable entities. Fees have also been updated to reflect current technology (i.e. CD instead of tapes and thumb drives) and current practice. Fees have also been added in the Administration Department related to Public Records Requests.

Attachments: [Attachment A-Resolution w/Exhibit A, Fee Schedule](#)
[Attachment B- Fee Schedule w/Mark-Ups](#)

RESOLUTION NO. 5141-13

RESOLUTION AMENDING THE CITY OF TUALATIN FEE SCHEDULE AND
RESCINDING RESOLUTION NO. 5118-12

WHEREAS the City Council has the authority to set fees for materials and services provided by the City; and

WHEREAS the City's costs incurred in providing materials and services have increased since the fee schedule was last evaluated; and

WHEREAS Resolution No. 5118-12, adopted August 27, 2012, which last amended the City of Tualatin Fee Schedule, must now be rescinded.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. Fees listed under the Administration Department, Finance Department, Police Department and Municipal Court are established as set forth in "Exhibit A", which is attached and incorporated by reference.

Section 2. All other fees provided in the City of Tualatin Fee Schedule remain unchanged, as set forth in "Exhibit A", which is attached and incorporated by reference.

Section 3. The fees shall be effective June 1, 2013.

Section 4. Resolution No. 5118-12 is rescinded effective June 1, 2013.

INTRODUCED AND ADOPTED this 28th day of May, 2013.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder

CITY OF TUALATIN FEE SCHEDULE

Administration Department:

Agenda Packet	same as photocopy rate
Ordinances or Portions Thereof	same as photocopy rate
Photocopies:	
Per page/side (up to 8.5"x14")	0.25
Per page/side (11"x17")	0.50
Color - per page/side (up to 8.5"x14")	1.00
Color - per page/side (11"x17")	1.50
Certified Copies – per document	5.00
Thumb Drive (2 GB)	10.00
CD/DVD	20.00
Storage Retrieval Fee	25.00
Staff Time:	
-Up to 30 minutes	no charge
-Over 30 minutes	employee cost

Community Development Department - Planning:

Amendment to Comprehensive Plan Map	2,090.00
Amendment to Comprehensive Plan Text/Landmark Designation/Removal of Landmark Designation	2,090.00
Annexation	1,425.00
Appeal Proceeding to Council	135.00
Appeal Expedited Process to Referee, Deposit per ORS 197.375	300.00
Architectural Review Application, Nonexpedited Process:	
Estimated Project Value:	
Under \$5,000	115.00
\$5,000 - \$24,999.99	550.00
\$25,000 - \$99,999.99	990.00
\$100,000 - 499,999.99	1,645.00
\$500,000 and greater	2,410.00
Architectural Review Application, Expedited Process:	
Estimated Project Value:	
Under \$5,000	115.00
\$5,000 - \$24,999.99	1,100.00
\$25,000 - \$99,999.99	2,185.00
\$100,000 - 499,999.99	3,290.00
\$500,000 and greater	5,040.00
Architectural Review, Minor	75.00
Architectural Review, Single-family Level I (Clear & Objective)	55.00
Architectural Review, Single-family Level II (Discretionary)	730.00
Conditional Use Permit	1,425.00
Conditional Use Permit Renewal	1,425.00
Core Area Parking District Tax Appeal	135.00
Extension Request Reviewed by Staff	200.00
Extension Request Reviewed by Architectural Review Board	1,150.00
Interpretation of Development Code	No Fee
Industrial Master Plans	1,820.00
Landmark Alteration/New Construction Review	60.00

Landmark Demolition Review.....	60.00
Landmark Relocation Review.....	60.00
Pre-Application Meeting	205.00
Reinstatement of Nonconforming Use.....	1,425.00
Request for Council Rehearing	165.00
Sign Code Interpretation	410.00
Sign Ordinance	8.00
Sign Code Variance	675.00
Sign Permit:	
New Sign or Structural Change to Existing Sign.....	135.00
Temporary Sign or Each Face Change to Existing Sign.....	70.00
Temporary Uses, 1 - 3 days	50.00
4 - 180 days.....	\$50.00 + 1.50/day
Over 3 days	not to exceed a total of \$200.00
Transitional Use Permit	1,530.00
Tree Removal Permit, 1 tree	290.00
each additional tree, \$10.00 not to exceed a total of	315.00
Variance:	
When primary use is a single family dwelling in RL or RML	285.00
When primary use is not a single family dwelling in RL or RML.....	1,425.00
Variance, Minor:	
When primary use is a single family dwelling in RL or RML	285.00
When primary use is not a single family dwelling in RL or RML	1,050.00
All Other Actions	325.00

Community Development Department - Engineering & Building:

Engineering Copies:

1987 and earlier, aerial/contour maps	8.00
36" x 48"	5.00
24" x 36"	4.00
18" x 24" and 11" x 17"	3.00

Geographic Information System:

Citywide aerial photo, 36" x 42"	30.00
Subdivision street map, 34" x 36"	15.00
Street map, 22" x 22"	8.00
Planning Districts, 34" x 44"	15.00
Planning Districts, 18" x 24"	8.00
Custom Mapping	55.00/hr, plus materials

Partition,* Nonexpedited & Expedited Processes.....	410.00
Partition,* Nonexpedited & Expedited Exten. /Modif.	135.00
Partition,* Nonexpedited, Appeal Proceeding to Council.....	135.00
Partition,* Expedited, Appeal to Referee, Deposit per ORS 197.375	300.00
Partition,* Minor Variance included & primary use is a single family dwelling in RL or RML	Add 135.00
Partition,* Minor Variance included & primary use is not a single family dwelling & not in RL or RML.....	Add 205.00
Property Line Adjustm't.,* primary use is a single family dwelling in RL or RML	70.00
Property Line Adjustm't.,* Minor Variance included & primary use is a single family dwelling in RL or RML.....	Add 135.00

Property Line Adjustm't.,* primary use is not a single family dwelling in RL or RML	300.00
Property Line Adjustm't.,* Minor Variance included & primary use is not a single family dwelling in RL or RML.....	Add 135.00
Property Line Adjustm't.* Appeal Proceeding to Council.....	135.00
Public Works Construction Code.....	50.00
Subdivision,* Nonexpedited and Expedited Processes.....	2,700.00
Subdivision,* Variance included & primary use is a single family dwelling in RL or RML	Add 270.00
Subdivision,* Variance included & primary use is not a single family dwelling in RL or RML	Add 340.00
Subdivision,* Minor Variance included & primary use is a single family dwelling in RL or RML	Add 135.00
Subdivision,* Minor Variance included & primary use is not a single family dwelling in RL or RML	Add 205.00
Subdivision,* Nonexpedited, Extension/Modif. by Council	620.00
Subdivision,* Expedited, Extension/Modif. by City Engineer	155.00
Subdivision,* Nonexpedited, Appeal Proceeding to Council	135.00
Subdivision,* Expedited Appeal to Referee, Deposit per ORS 197.375	300.00
Street Name Change	135.00
Street Vacation Application Deposit.....	340.00
Zone of Benefit Application Fee	675.00

* Subdivision, Partition and Property Line Adjustment applicants shall contact the Finance Department for a determination of L.I.D. assessment apportionment for the property proposed to be divided or adjusted.

Finance Department:

*L.I.D. Assessment Apportionment Fee	108.75
Lien Search Fee (per tax lot).....	29.85
Recovery Charge Installment Payment Plan Application Fee	228.20
Returned Checks (per check for processing NSF check).....	36.25
Zone of Benefit Recovery Charge Administration Fee	120.50
Passport Photo.....	16.00

Legal Services Department:

Development Code.....	60.00
Updates	0.25/page + postage
Tualatin Municipal Code.....	55.00
Thumb Drive Containing Municipal Code & Development Code...	10.00 + postage

Municipal Court

Traffic School and Compliance Program Fees:

Class A	275.00
Class B	155.00
Class C	125.00
Class D.....	100.00
Seat Belt Class.....	65.00

Vehicle Compliance Program.....	35.00
Collection Fee	25% of ordered amount
License Restatement Fee	70.00
Overdue Payment Letter Fee.....	10.00
Failure to Appear – Arraignments	40.00
Failure to Appear – Trials.....	100.00

Operations Department:

Street Tree and Installation (Single Family Only)	175.00
Street Tree Removal (excluding Stump Grinding).....	300.00
Street Tree Stump Grinding	125.00
Tree-for-a-Fee Program	45.00
New Tree Grates – Full set of 2 halves	400.00
New Tree Grates – Half set.....	200.00
Tree Grates – Leveling Stone and fastening hardware	25.00
Tree Grates Improvements	175.00

Police Department:

Copies of Audio Tapes.....	14.00 including CD
Copies of Video Tapes.....	14.00 including CD
Copies of Photographs on CD.....	15.00 including CD
Copies of Police Reports (no charge to victims):	
1 - 10 pages.....	10.00
plus each page over 10	0.25
Alarm Permit, Initial Application.....	23.00
Alarm Permit, Annual Renewal	23.00
Alarm Permit, 1st False Alarm.....	No charge
Alarm Permit, 2nd False Alarm	No charge
Alarm Permit, 3rd False Alarm	85.00
Alarm Permit, 4th False Alarm	113.00
Alarm Permit, 5th False Alarm	169.00
Alarm Permit, 6 th and More False Alarms.....	225.00 per alarm
Alarm Permit, 10 or more False Alarms	500.00 Civil Infraction
Release of Towed (impounded) Vehicles.....	100.00

CITY OF TUALATIN FEE SCHEDULE WITH INCREASES

<u>Administration Department:</u>		Increase
Agenda Packet	same as photocopy rate	varies
Ordinances or Portions Thereof	same as photocopy rate	varies
Photocopies:		
Per page/side (up to 8.5"x14").....	0.25	none
Per page/side (11"x17").....	0.50	none
Color – per page/side (up to 8.5"x14").....	1.00	none
Color – per page/side (11"x17")	1.50	.50 per page
Certified Copies – per document.....	5.00	new
Thumb Drive (2GB)	10.00	new
CD/DVD	20.00	new
Storage Retrieval Fee	25.00	new
Staff Time:		
-Up to 30 minutes	no charge	new
-Over 30 minutes.....	employee cost	new

Community Development Department:

Amendment to Comprehensive Plan Map	2,090.00
Comprehensive Plan Text/Landmark	
Designation/Removal of Landmark Designation	2,090.00
Annexation	1,425.00
Appeal Proceeding to Council.....	135.00
Appeal Expedited Process to Referee, Deposit per ORS 197.375	300.00
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Class D.....	100.00	none
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Vehicle Compliance Program.....	35.00	10.00

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License Restatement Fee	70.00	none
Overdue Payment Letter Fee.....	10.00	none
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Police Department:

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Copies of Video Tapes on CD.....	14.00 (including CD)	(\$22.00)
Copies of Photographs on CD	15.00 (including CD)	varies
Copies of Police Reports (no charge to victims):		
1 - 10 pages	10.00	3.00
plus each page over 10	0.25	none
Alarm Permit, Initial Application	23.00	none
Alarm Permit, Annual Renewal	23.00	none
Alarm Permit, 1st False Alarm	No charge	none
Alarm Permit, 2nd False Alarm	No charge	none
Alarm Permit, 3rd False Alarm	85.00	none
Alarm Permit, 4th False Alarm	113.00	none
Alarm Permit, 5th False Alarm	169.00	none
Alarm Permit, 6 th and More False Alarms	225.00 per alarm	none
Alarm Permit, 10 or more False Alarms	500.00 Civil Infraction	new
Release of Towed (impounded) Vehicles	100.00	none



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Nicole Morris, Deputy City Recorder
Sara Singer, Deputy City Manager

DATE: 05/28/2013

SUBJECT: Consideration of Resolution 5144-13 Adopting a Citywide Records Request Policy and Rescinding Resolution No. 4797-08.

ISSUE BEFORE THE COUNCIL:

To adopt an updated policy addressing the procedure for records request of non-exempt records and to be in compliance with Oregon Public Records Law, ORS 192.410-505.

RECOMMENDATION:

Adopt Resolution No. 5144-13 granting the City Manager the authority to adopt and maintain the City of Tualatin's public records policy.

EXECUTIVE SUMMARY:

Oregon Public Records Law, ORS 192.410-505 requires the custodian of public records to adopt procedures for complying with the statutes. Tualatin's procedures were adopted by resolution in 2008. The procedures need to be updated to comply with recent changes in the law. The updated policy was modeled after the best practices for public records request procedures, and it brings the City into compliance with all state regulations.

FINANCIAL IMPLICATIONS:

Costs accrued by city staff associated with records requests, will be reimbursed by the requester per ORS 192.440. The City's fee schedule is set by resolution.

Attachments: [Attachment A- Records Request Policy](#)
[Attachment B- Public Records Request Form](#)
[Attachment C- Resolution No. 5144-13](#)

City of Tualatin Public Records Policy

I. Purpose

The City of Tualatin recognizes that the Oregon Public Records Law (ORS 192.410-192.505) gives members of the public the right to inspect and copy certain public records maintained by the City. The City also recognizes that certain records maintained by the City are exempt from public disclosure, or that disclosure may require balancing the right of the public to access the records against individual privacy rights, governmental interests, confidentiality issues and attorney/client privilege. Additionally, when the city receives a request to inspect or copy public records, costs are incurred by the City in responding to the request. The purpose of this Public Records Policy is (a) to establish an orderly and consistent procedure for responding to public records requests; (b) to establish the basis for a fee schedule designed to reimburse the City for the actual costs incurred in responding to public records requests; and (c) to inform citizens of the procedures and guidelines that apply to public records requests.

II. Policy

It is the policy of the City to respond in an orderly, consistent and reasonable manner in accordance with the Oregon Public Records Law to requests to inspect or receive copies of public records maintained by the City. The City shall respond to all requests as soon as practical and without unreasonable delay within five (5) business days, or within five (5) business days will explain why more time is needed for a full response.

III. Public Records

Oregon Statutes define public records to include “any writing containing information relating to the conduct of the public business, including but not limited to court records, mortgages, and deed records, prepared, owned, used, or retained by a public body regardless of physical form or characteristics.” Oregon Statutes also provide that a record may be handwritten, typed, photocopied, printed, microfilmed, and exist in the electronic form such as e-mail or a word processing document, or other types of electronic recordings.

Many public records requests are requests for information that would actually require the creation of a new public record. Public bodies are not obligated under Oregon’s Public Records Laws to create new public records where none exists in order to respond to requests for information. Although a public body may, if it chooses, create a new record to provide information, the public body does not have to create a new record and only has a duty to allow the inspection and copying of an existing public record.

The City is obligated to provide public records in the format in which they exist. The City will provide records in alternative format at no cost, if necessary to provide reasonable accommodation to persons with disabilities.

IV. Public Records Exempt from Disclosure

There are certain records that are exempt from disclosure. Other public records are conditionally exempt from disclosure. A determination based on any exemption will be made only after review and advice from the City Attorney.

A few specific exemptions that apply to public records include, but are not limited to, the following:

- a) Personal Safety Exemption- ORS 192.445(1)
- b) Public Records Relating to Pending Litigation- ORS 192.501 (1)
- c) Personnel Discipline Actions- ORS 192.501 (12)
- d) Personnel Privacy Exemption- ORS 192.502(2)
- e) Public Employees Addresses, Dates of Birth and Telephone Numbers- ORS 192.502(3)
- f) Confidential Information Submitted by Citizens- OR 192.502(4)
- g) Records Deemed Confidential or Privileged under Federal and State Laws or Regulation- ORS 192.502(8) & (9)
- h) Social Security Numbers

V. Copyrighted Material

If the City maintains public records containing copyrighted material, the City will permit the person making the request to inspect the copyrighted material, and may allow limited copying of such material if allowed under Federal copyright law. The City may require written consent from the copyright holder or an opinion from the person's legal counsel before allowing copying of such materials.

VI. Fees

The fee for responding to a public records request will be established in the fee schedule adopted by the City. The fee will be reasonably calculated to reimburse the City for its actual costs in making the records available and may include:

- a) Charges for the time spent by City staff or any City contractor to locate the requested public records, to review the records in order to determine whether any requested records are exempt from disclosure, to segregate exempt records, to supervise the requestor's inspection of original documents, to copy records, to certify records as true copies and to send records by special or overnight methods such as express mail or overnight delivery.
- b) A per page charge for photocopies of requested records.
- c) A per item charge for providing CDs, audiotapes, or other electronic copies of requested records.

The City will prepare an estimate of the charges that will be incurred to respond to a public records request. If the estimated cost is \$25 or more, the City will require the requestor to deposit the full amount of the estimated amount before fulfilling the request. If the actual costs incurred by the City to respond to the request are more than the amount deposited, the City may charge the requestor for all additional costs, and may require an additional amount be deposited before any additional

work on fulfilling the request proceeds. If the actual costs incurred by the City to respond to a records request are less than the amount of any required prepayment, the overpayment will be promptly refunded. If the cost to fulfill the request is estimated to be less than \$25, the City will fulfill the request and present the requestor with an invoice to be paid before the release of the documents.

Unless otherwise prohibited by law, the City may, at the City's discretion, with the permission of the City Manager, furnish copies of requested records without charge or at a reduced fee if the City determines that the waiver or reduction of fees is in the public interest.

VII. Procedure

1. All public records requests must be made in writing (by mail, in person delivery, fax, or electronic transmission). Persons are encouraged to use the standard Public Records Request Form provided by the City, although other forms of written requests will be accepted if all the information required on the standard form is provided.
2. Requests shall be submitted directly to the Deputy City Recorder by the person making the request. Requests can be submitted through the City's website (www.tualatinoregon.gov) or can be made in person, by mail, by facsimile or via electronic mail, and shall be directed to: The City Manager's Office, Attn: Deputy City Recorder, 18880 SW Martinazzi Ave, Tualatin, OR 97062. 503.691.3011 (phone); 503.692.5421 (fax).
3. The City shall respond to all requests as soon as practical and without unreasonable delay within five (5) business days or within five (5) business days will explain why more time is needed for a full response.
4. The City will provide to the requestor an estimate of the costs incurred by the City to provide the requested documents, including copying charges, research time (if required), and redaction of materials. There is no research cost for the first ½ hour of staff time. Upon receipt of the cost estimate, the requestor must confirm to the City in writing that the requestor wishes for the City to proceed with the request.
5. If the estimated cost is \$25 or more, the City will require a deposit in the full amount of the estimate before fulfilling the request. If the actual costs incurred by the City to respond to the request are more than the amount deposited, the City may charge the requestor for all such additional costs, and may require an additional amount be deposited before any additional work on fulfilling the request proceeds. If the actual cost exceeds the estimate, the City will not release the documents until the fee is received in full. If the cost estimated is less than \$25, the City will fulfill the request and present the requestor with an invoice to be paid before release of documents.
6. Upon receipt of payment the City will contact the requestor and arrange for inspection of the original public records, or to pick up the copies, or to confirm the copies are to be mailed, and advise of the final cost which must be paid before inspection occurs or the copies are provided.

7. A place for one (1) person will be provided for reviewing files. One file at a time will be made available. If more than one person wants to review files at the same time, reservations must be made in advance for a conference room. A research fee will be charged to cover staff person's time for remaining in the room with the files.
8. If a public records request is denied, the City shall prepare a denial of the request, which shall be provided to the person making the request in writing as soon as is practicable.
9. If a public records request is denied, the requestor may appeal the decision to the Washington County District Attorney.

VIII. Departmental Duties and Policies

The City Manager/City Recorder by charter is the designated Records Custodian for all public records maintained by the City, regardless of which City Department maintains the record or where the record is located. In the City Recorder's absence the Deputy City Recorder shall serve as the Custodian.

The City Recorder shall establish a system to monitor each step of the process in responding to a request to inspect public records to insure that the person making the request has a response within a reasonable time frame, and shall maintain a copy of each request and corresponding records related to the City's response, including notes of each contact with the person making the request.

Subject to prior approval by the City Manager and the City Attorney, a Department Manager may establish a separate Departmental policy to allow verbal or written requests to be made directly to the Department for public records maintained by the Department that are routinely requested by members of the public in connection with the Department's regular duties.

The Department Manager shall appoint a Designated Records Manager, who shall be responsible for reviewing and responding to public records requests received from the Deputy City Recorder or made under a Department Policy for responding to routine requests.

The Designated Records Manager shall conduct a review to determine what public records, if any, exist which are responsive to the request and if any records might be exempt from disclosure. The Department should not, without prior approval of the City Manager, compile information or create documents related to a public records request.

Once it is determined whether any responsive public records exist, the Designated Records Manager should make an estimate of the expected costs in complying with the request and forward a copy of the estimate to the Deputy City Recorder within five business days of receipt of the materials from the Deputy City Recorder. If the estimate cannot be completed within five business days, the Deputy City Recorder should be advised of the estimated time to complete the review and estimate. ***No further work on the request will be undertaken until the Designated Records Manager has received notice from the Deputy City Recorder that the estimated costs have been deposited with the Deputy City Recorder.***

When the Deputy City Recorder has given notice that the estimated costs have been paid, the Designated Records Manager should proceed to prepare the original public records for inspection, or have photocopies made of the records if copies have been requested.

The Designated Records Manager shall keep a record of all time spent in responding to the request and any applicable costs.

The original public records, or the photocopies, if applicable, should be forwarded to the Deputy City Recorder, along with a final report of costs incurred.

Should the Designated Records Manager or Deputy City Recorder believe there are public records that are, or may be, exempt from public disclosure, the records shall be provided to the City Attorney for review and redaction before the records are released for inspection or copying. The City Attorney shall keep a record of all time spent in reviewing the request and provide that information to the Designated Records Manager for inclusion in the final report of costs incurred.

Fee Schedule

Photocopies:	per page/side (up to 8 1/2 by 14")	\$	0.25
	per page/side 11x17	\$	0.50
	Color copies:		
	per page/side (up to 8 1/2 by 14")	\$	1.00
	per page/side 11x17	\$	1.50
Certified Copies:	per document	\$	5.00
Thumb Drive:	(2MB)	\$	10.00
CD/DVD:		\$	20.00
Storage Retrieval Fee:		\$	25.00
Postage:			actual cost
Staff Time:	Up to 30 minutes		no charge
	Over 30 minutes		employee cost
Engineering Copies:	36"x48"	\$	5.00
	24"x36"	\$	4.00
	18"x24" and 11"x17"	\$	3.00
Police Copies:	Copies of Police Reports (no charge to victims)	\$10.00 (1-10pgs)/	each page over 10 \$.025
	Copies of Audio Tapes	\$	14.00
	Copies of Video Tapes	\$	14.00
	Copies of Photographs	\$	15.00

PUBLIC RECORDS REQUEST FORM

City of Tualatin



Return Form To:

City Manager's Office, Attn: Deputy City Recorder
 18880 SW Martinazzi Ave, Tualatin, OR 97062
 Phone: 503.691.3011 Fax: 503.692.5421
 Email: nmorris@ci.tualatin.or.us

Notice: ORS 192.440 describes public access to copies or inspection of public records; written response by the public body; and fees for records. City of Tualatin Public Record Requests Policy outlines the City's procedures. Instructions for requesting public records and fees are listed on the back of this form. Deposit and confirmation to proceed will be required for requests that exceed \$25.

Your signature below acknowledges that you have read, understand, and accept financial responsibility for the fees associated with this public records request.

Signature: _____ Date: _____

Requestor Information:

 Name

 Mailing Address

 City State Zip Code

 Daytime Phone Number Email address

How would you like to receive the requested documents?

Review at City offices E-mail Mail Pick Up

Document Information:

Describe the information/records you are requesting. Be specific enough for the City to determine the nature, content, and department where the records you are requesting may be located. Provide specific dates whenever possible. Use additional sheets of paper if necessary.

For Staff Use

Date Received: _____	Date Notification Provided: _____	Date Completed: _____
RM Coordinator: _____	Notification Method: <input type="checkbox"/> Copy of Form	Staff: Send copy of request to Deputy City Recorder
Dept: _____	<input type="checkbox"/> E-mail <input type="checkbox"/> Mail <input type="checkbox"/> Pick Up	

Mandatory Notification Statement per ORS 192.440 (2)(a-f)

Dear Requestor, thank you for your public records request. Your request:

- (a) is attached/enclosed.
- (b) was unable to be completed because the City does not possess, or is not the custodian of, the records.
- (c) will require more time to process (estimated date) _____ and will require a deposit of \$_____.
- (d) will require more time to process. An estimate will be provided within a reasonable time.
- (e) has been forwarded to the _____ Dept to determine if the record exists; you will be contacted shortly.
- (f) was unable to be completed because the records are exempt under state or federal law: _____
- Other: requires additional or more specific information: _____

Instructions for Requesting Public Records:

1. All public records requests must be documented. Persons are encouraged to use the standard Public Records Request Form provided by the City, although other forms of written requests will be accepted if all the information required on the standard form is provided.
2. Requests shall be submitted directly to the Deputy City Recorder by the person making the request. Requests can be submitted through the City's website (www.tualatinoregon.gov) or can be made in person, by mail, by facsimile or via electronic mail, and shall be directed to: The City Manager's Office, Attn: Deputy City Recorder, 18880 SW Martinazzi Ave, Tualatin, OR 97062. 503.691.3011 (phone); 503.692.5421 (fax).
3. The City shall respond to all requests as soon as practical and without unreasonable delay within five (5) business days or within five (5) business days will explain why more time is needed for a full response.
4. The City will submit a cost estimate to the requestor to provide the requested documents, including copying charges, research time (if required), and redaction of materials. There is no research cost for the first ½ hour of staff time. Requestor must confirm to the City to proceed with the request following receipt of the cost estimate in writing.
5. If the estimated cost is \$25 or more, the City shall require a deposit in the full amount of the estimate before fulfilling the request. If the actual cost exceeds the estimate, the City will not release the documents until the fee is received in full. If the cost estimated is less than \$25, the City will fulfill the request and present the requestor with an invoice to be paid before release of documents.
6. Upon receipt of payment the City will contact the requestor and arrange for inspection of the original public records, or to pick up the copies, or to confirm the copies are to be mailed, and advise of the final cost which must be paid before inspection occurs or the copies are provided.
7. A place for one (1) person will be provided for reviewing files. One file at a time will be made available. If more than one person wants to review files at the same time, reservations must be made in advance for a conference room. A research fee will be charged to cover staff person's time for remaining in the room with the files.
8. If a public records request is denied, the City shall prepare a denial of the request, which shall be provided to the person making the request in writing as soon as is practicable.

FEE SCHEDULE

Photocopies:	per page/side (up to 8 1/2 by 14")	\$	0.25
	per page/side 11x17	\$	0.50
	Color copies:		
	per page/side (up to 8 1/2 by 14")	\$	1.00
	per page/side 11x17	\$	1.50
Certified Copies:	per document	\$	5.00
Thumb Drive:	(2MB)	\$	10.00
CD/DVD:		\$	20.00
Storage Retrieval Fee:		\$	25.00
Postage:			actual cost
Staff Time:	Up to 30 minutes		no charge
	Over 30 minutes		employee cost
Engineering Copies:	36"x48"	\$	5.00
	24"x36"	\$	4.00
	18"x24" and 11"x17"	\$	3.00
Police Copies:	Copies of Police Reports (no charge to victims)	\$10.00 (1-10pgs)/	each page over 10 \$.025
	Copies of Audio Tapes	\$	14.00
	Copies of Video Tapes	\$	14.00
	Copies of Photographs	\$	Attachmennt B- Form 15.00

RESOLUTION NO. 5144-13

A RESOLUTION 5144-13 ADOPTING A CITYWIDE RECORDS
REQUEST POLICY AND RESCINDING RESOLUTION NO. 4797-08

WHEREAS, ORS 192.410-505 authorizes the custodian of public records to
adopt procedures to ensure compliance with Oregon’s public records laws; and

WHEREAS, the City Council adopted Resolution No. 4797-08 to establish the
City-wide public records policy; and

WHEREAS, the City’s public record policy needs to be updated; and

WHEREAS, the City Recorder is the designated records custodian for the City of
Tualatin; and

WHEREAS, the City Council wishes to delegate authority to the City Recorder to
adopt and maintain an updated public records policy;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN,
OREGON, that:

Section 1. The City Recorder is hereby delegated the authority to adopt and
maintain the City of Tualatin’s public records policy.

Section 2. Resolution No. 4797-08 is hereby rescinded.

Section 3. This Resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 28th day of May, 2013.

CITY OF TUALATIN, Oregon

By: _____
Mayor

Approved as to Form:

ATTEST:

City Attorney

City Recorder

|



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Nicole Morris, Deputy City Recorder

DATE: 05/28/2013

SUBJECT: Consideration of a New Liquor License Application for Grochan Cellars.

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a new liquor license application for Grochan Cellars.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Grochan Cellars.

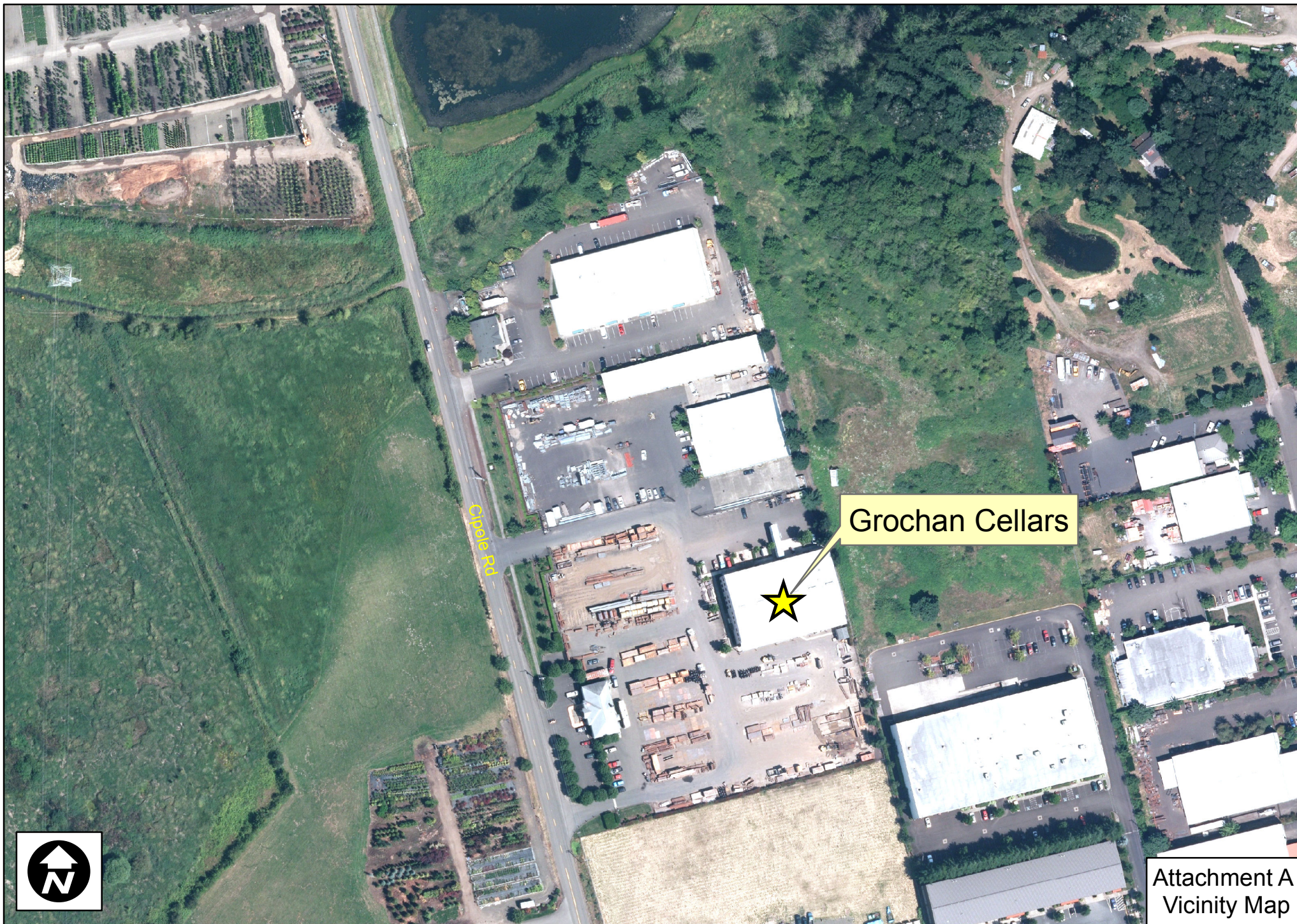
EXECUTIVE SUMMARY:

Grochan Cellars has submitted a new liquor license application under the category of winery, which allows production, manufacturing, storage, and exporting of wine and cider. They may import wine or cider if owned by the licensee, as well as sell wine and cider to wholesale and retail licensees, and individuals in Oregon for consumption on or off-site. The business is located at 19550 SW Cipole Road. The application is in accordance with provisions of Ordinance No.680-85 which established a procedure for review of liquor licenses by the Council. Ordinance No. 680-85 establishes procedures for liquor license applicants. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed the new liquor license application and recommended approval. According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:

A fee has been paid by the applicant.

Attachments: [Attachment A - Vicinity Map](#)
[Attachment B- License Types](#)
[Attachment C- Application](#)



OREGON LIQUOR CONTROL COMMISSION

LICENSE TYPES

FULL ON-PREMISES SALES

- **Commercial Establishment**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location (*this is the license that most “full-service” restaurants obtain*). Sell malt beverages for off-site consumption in securely covered containers provided by the customer. Food service required. Must purchase distilled liquor **only** from an Oregon liquor store, or from another Full On- Premises Sales licensee who has purchased the distilled liquor from an Oregon liquor store.
- **Caterer**
Allows the sale of distilled spirits, malt beverages, wine, and cider by the drink to individuals at off-site catered events. Food service required.
- **Passenger Carrier**
An airline, railroad, or tour boat may sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises. Food service required.
- **Other Public Location**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, where the predominant activity is not eating or drinking (for example an auditorium; music, dance, or performing arts facility; banquet or special event facility; lodging fairground; sports stadium; art gallery; or a convention, exhibition, or community center). Food service required.
- **Private Club**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, but only for members and guests. Food service required.

LIMITED ON-PREMISES SALES

Sell and serve malt beverages, wine, and cider for onsite consumption. Allows the sale of malt beverages in containers (kegs) for off-site consumption. Sell malt beverages for off-site consumption in securely covered containers provided by the customer.

OFF-PREMISES SALES

Sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises. Eligible to provide sample tastings of malt beverages, wine, and cider for consumption on the premises. Eligible to ship manufacturer-sealed containers of malt beverages, wine, or cider directly to an Oregon resident.

BREWERY PUBLIC HOUSE

Make and sell malt beverages. Import malt beverages into and export from Oregon. Distribute malt beverages directly to retail and wholesale licensees in Oregon. Sell malt beverages made at the business to individuals for consumption on or off-site.

WINERY

Must principally produce wine or cider in Oregon. Manufacture, store, and export wine and cider. Import wine or cider *If bottled, the brand of wine or cider must be owned by the licensee*. Sell wine and cider to wholesale and retail licensees in Oregon. Sell malt beverages, wine, and cider to individuals in Oregon for consumption on or off-site.



MAY 13 2013

CITY OF TUALATIN
LIQUOR LICENSE APPLICATION

MAYOR _____ COUNCIL _____ POLICE _____ ADM _____
FINANCE _____ COMM DEV _____ LEGAL _____ OPER _____
COMMSYS _____ ENG & BLDG _____ LIBRARY _____

Date 5/6/13

IMPORTANT: This is a three-page form. **You are required to complete all sections of the form.**

If a question does not apply, please indicate N/A. Please include full names (last, first middle) and full dates of birth (month/day/year). Incomplete forms shall receive an unfavorable recommendation.

Thank you for your assistance and cooperation.

SECTION 1: TYPE OF APPLICATION

- Original (New) Application - \$100.00 Application Fee.
- Change in Previous Application - \$75.00 Application Fee.
- Renewal of Previous License - \$35.00 Application Fee. Applicant must possess current business license. License # _____
- Temporary License - \$35.00 Application Fee.

SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): GROCHAU Cellars

Business address 19550 SW Cipole Rd City Tualatin State OR Zip Code 97062

Mailing address 240 N Broadway suite 202 City Portland State OR Zip Code 97227

Telephone # 503-522-2455 Fax # _____

Name(s) of business manager(s) First JOHN Middle Allen Last Grochau

Date of birth _____ Social Security _____ ODL# _____ M F _____

Home address _____ City Portland State OR Zip Code 97217
(attach additional pages if necessary)

Type of business Winery

Type of food served None

Type of entertainment (dancing, live music, exotic dancers, etc.) None

Days and hours of operation Not open to the public

Food service hours: Breakfast _____ Lunch _____ Dinner _____

Restaurant seating capacity _____ Outside or patio seating capacity _____

How late will you have outside seating? _____ How late will you sell alcohol? _____

How many full-time employees do you have? 0 Part-time employees? 0

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

Name of Individual, Partnership, Corporation, LLC, or Other applicants GC Wine Company, LLC

Type of liquor license (refer to OLCC form) Winery

Form of entity holding license (check one and answer all related applicable questions):



INDIVIDUAL: If this box is checked, provide full name, date of birth, and residence address.
Full name _____ Date of birth _____
Residence address _____

PARTNERSHIP: If this box is checked, provide full name, date of birth and residence address for each partner. If more than two partners exist, use additional pages. If partners are not individuals, also provide for each partner a description of the partner's legal form and the information required by the section corresponding to the partner's form.
Full name _____ Date of birth _____
Residence address _____
Full name _____ Date of birth _____
Residence address _____

CORPORATION: If this box is checked, complete (a) through (c).
(a) Name and business address of registered agent.
Full name _____
Business address _____

(b) Does any shareholder own more than 50% of the outstanding shares of the corporation? If yes, provide the shareholder's full name, date of birth, and residence address.
Full name _____ Date of birth _____
Residence address _____

(c) Are there more than 35 shareholders of this corporation? Yes No. If 35 or fewer shareholders, identify the corporation's president, treasurer, and secretary by full name, date of birth, and residence address.
Full name of president: _____ Date of birth: _____
Residence address: _____
Full name of treasurer: _____ Date of birth: _____
Residence address: _____
Full name of secretary: _____ Date of birth: _____
Residence address: _____

LIMITED LIABILITY COMPANY: If this box is checked, provide full name, date of birth, and residence address of each member. If there are more than two members, use additional pages to complete this question. If members are not individuals, also provide for each member a description of the member's legal form and the information required by the section corresponding to the member's form.
Full name: John V. Trochan Date of birth: 
Residence address: 

Full name: KERRI ^{Ann} KELVIN

Date of birth: [Redacted]

Residence address: [Redacted]

OTHER: If this box is checked, use a separate page to describe the entity, and identify with reasonable particularity every entity with an interest in the liquor license.

SECTION 4: APPLICANT SIGNATURE

A false answer or omission of any requested information on any page of this form shall result in an unfavorable recommendation.

[Redacted Signature]

Date: 5/6/13

For City Use Only

Sources Checked:

- DMV [Redacted]
- LEADS by [Redacted]
- TuPD Records [Redacted]
- Public Records [Redacted]

- Number of alcohol-related incidents during past year for location.
- Number of Tualatin arrest/suspect contacts for _____

It is recommended that this application be:

- Granted
- Denied

Cause of unfavorable recommendation: _____

[Redacted Signature]

Date: 5/15/13

Signature

Date

Kent W. Barker
Chief of Police
Tualatin Police Department



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sean Brady

FROM: Sean Brady, City Attorney

DATE: 05/28/2013

SUBJECT: Consideration of Resolution No. 5138-13 to Grant a Conditional Use Permit to Tualatin Animal Clinic to Allow a Veterinary Clinic with Practice Limited to Small Animals in the Central Commercial (CC) Planning District at 8700 SW Cherokee Street (Tax Map 2S1 23AA, Tax Lot 01000) (CUP-13-02).

ISSUE BEFORE THE COUNCIL:

Consider Resolution No. 5138-13 to grant conditional use permit to Tualatin Animal Clinic to allow a veterinary clinic with practice limited to small animals in the Central Commercial (CC) planning district at 8700 SW Cherokee Street (Tax Map 2S1 23AA, Tax Lot 01000) (CUP-13-02).

RECOMMENDATION:

Staff recommends adopting Resolution No. 5138-13 to grant a conditional use permit to Tualatin Animal Clinic to allow a veterinary clinic with practice limited to small animals in the Central Commercial (CC) planning district at 8700 SW Cherokee Street (Tax Map 2S1 23AA, Tax Lot 01000) (CUP-13-02).

EXECUTIVE SUMMARY:

On May 13, 2013, Council held a quasi-judicial public hearing on CUP-13-02 to decide whether to grant a conditional use permit to the Tualatin Animal Clinic to allow a veterinary clinic with practice limited to small animal in the Central Commercial (CC) planning district at 8700 SW Cherokee Street (Tax Map 2S1 23AA, Tax Lot 01000). At the conclusion of the public hearing, the Council voted unanimously to approve the conditional use permit with conditions, adopted the findings in the Staff Report, and directed staff to return with a resolution granting CUP-13-02 with conditions.

Attachments: Attachment A: CUP-13-02 Resolution

RESOLUTION NO. 5138-13

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO TUALATIN ANIMAL CLINIC TO ALLOW A VETERINARY CLINIC WITH PRACTICE LIMITED TO SMALL ANIMALS IN THE CENTRAL COMMERCIAL (CC) PLANNING DISTRICT AT 8700 SW CHEROKEE STREET (TAX MAP 2S1 23AA, TAX LOT 01000) (CUP 13-02).

WHEREAS, a quasi-judicial public hearing was held before the City Council of the City of Tualatin on May 13, 2013 upon the application of the Tualatin Animal Clinic; and

WHEREAS, notice of public hearing was given as required by the Tualatin Development Code; and

WHEREAS, the Council heard and considered the testimony and evidence presented on behalf of the applicant, the City staff, and those appearing at the public hearing; and

WHEREAS, after the conclusion of the public hearing the Council vote resulted in unanimous approval of the application with conditions; and

WHEREAS, the Council finds that the applicant has provided sufficient evidence to demonstrate that all of the requirements of the Tualatin Development Code relative to a conditional use have been satisfied and that granting the conditional use permit is in the best interests of the residents and inhabitants of the City, the applicant, and the public generally.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. Findings. The Council hereby adopts the following findings:

- A. The use is listed as a conditional use in the underlying planning district. The subject property, Tax Lot 2S1 23AA 01000, is within the Central Commercial (CC) Planning District. "Veterinary clinic with practice limited to small animals" is a conditional use within the CC Planning District pursuant to TDC 53.050(10).
- B. The characteristics of the site are suitable for the proposed use, considering size, shape, location, topography, existence of improvements and natural features. The minimum lot size within the CC Planning District is 10,000 square feet (s.f.), approximately 0.23 acres. The site is approximately 0.34 acres and was developed with a single-family house, which has had tenant improvements for prior commercial use. There is also an outbuilding, a large shed, at the southeast corner of the site. The tax lot exceeds the minimum lot size requirement. The site is a rectangular lot with access from SW Cherokee

Street and frontage along both SW Cherokee Street and SW Tualatin Road. The proposed use is located within the CC Planning District with access from SW Cherokee Street. The site is within first Tualatin town plat, dating from 1887. Tax Map 2S1 23AA shows the nearest named subdivision to the east, "Town of Tualatin". The site is also located within the boundaries of the Tualatin Town Center and Central Urban Renewal District (CURD) Block 23. The developed site has negligible slope. The site generally slopes downward northwest to southeast. The topography would not interfere with the proposed use. The site was developed with a single-family house, which has had tenant improvements for prior commercial use. There is also an outbuilding, a large shed, at the southeast corner of the site. The applicant proposes a veterinary clinic with practice limited to small animals. SW Tualatin Road is to City standards, while SW Cherokee Street is improved below City standards, retaining rural character by having 20-ft wide pavement and no curbing, formally aligned street trees, or sidewalks. Connections to City sanitary sewer and water systems currently exist. There is no connection to the City stormwater system or on-site private stormwater treatment.

The issues of public improvements and stormwater management could be resolved through Architectural Review (AR) and a Public Works Permit (PWP). There are three mature evergreen trees along the northerly portion of the east yard, north of an on-site shed, that are the chief natural features and would not necessarily be displaced by the proposed use.

- C. The proposed development is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use. SW Cherokee Street is a City of Tualatin facility and designated as a Local Street with a right-of-way width of 46 to 50 feet. Typical full construction of a Local Street would include: 32 feet of pavement and gutters which includes two 16-foot travel lanes 4-foot planter strips with trees, curbs, and streetlights 5-foot sidewalks. SW Cherokee Street's existing right-of-way width is 30 feet. The cross-section is improved with 20 feet of pavement. The intersection with SW Tualatin Road includes: 20 feet of pavement An 8-foot sidewalk perpendicular to SW Cherokee Street on the north side A 6-foot curb tight sidewalk on the south side. Southern Pacific Railroad is adjacent on north side which removes requirements for a sidewalk and planter strip on the north side. This results in a cross-section with 37.5 feet of right-of-way, therefore a future need for 7.5 feet of right of way from the south side. With future development, dedication and construction of SW Cherokee Street adjacent to this lot would include: 7.5 feet of dedication of right-of-way on the south side 32 feet of pavement and gutters which includes two 16-foot travel lanes A 0.5-foot curb on the north side A 4-foot planter strip with trees, curbs, and streetlights on the south side A 5-foot sidewalk on the south side. Public infrastructure changes will be determined in the future Architectural Review and will require a Public Works Permit. SW Tualatin Road is a City of Tualatin facility and designated as a Major Collector with a right-of-way width of 54 to 74 feet. Typical full construction of a Major Collector would include: 50 feet of pavement and gutters which includes two 12-foot travel lanes, one 14-foot center turn lane or landscaped median, and

two 6-foot bike lanes 6-foot planter strips with trees, curbs, and streetlights 6-foot sidewalks. SW Tualatin Road's existing right-of-way width is 60 feet. The cross-section is improved with: Approximately 40 to 48 feet of pavement including two to three travel lanes and 6-foot bike lanes A curb-tight sidewalk on the east adjacent to this lot A planter strip on the west side. SW Tualatin Road was constructed through a City capital project. No additional improvements are expected.

- D. There are two existing accesses to SW Cherokee Street serving this commercial development building which used to be a house: Approximately five feet from the stop bar near SW Tualatin Road a 20-foot wide access to two parking spaces in front of a former residential garage Approximately 100 feet from the stop bar near SW Tualatin Road and 10 feet from the east property line a 32-foot driveway serves an onsite parking lot. SW Tualatin Road is a Major Collector requiring the nearest access to be at least 150 feet from the stop bar at the intersection with SW Cherokee Street. Both accesses are less than 150 feet from the intersection. As determined in a future Architectural Review, the access nearest SW Tualatin Road may need to be removed. The access 100-feet from SW Tualatin Road is acceptably far from the intersection and close to the opposing property line. With future development the east access will be allowed to remain in this location, but may need to become right-in/right-out restricted. Public infrastructure changes will require a Public Works Permit. Traffic counts visiting the existing 1,300 square foot building are less than a number of current allowed uses in this than the reasonable worst case traffic generation. As this is less than the reasonable worst case traffic generation used in the Transportation System Plan (TSP), intersection Level-Of-Service would not be increased beyond expectations of the TSP by allowing this conditional use in this planning district. Connections to City sanitary sewer and water systems currently exist. There is no connection to the City stormwater system or on-site private stormwater treatment. As determined in a future Architectural Review, modification to the existing or creating new impervious area may require stormwater treatment and detention for up to all remaining impervious area. Requirements will be based on code at the time of the proposing the change to impervious area. Conveyance calculations and the direction of connection to the public stormwater system will determine detention requirements. Required public stormwater will need to be treated in a public stormwater pond or swale in a public tract. Public stormwater lines exist near the intersection of SW 86th Avenue & SW Sweek Drive. If no connection to a public stormwater line is proposed, 100-year retention will be needed. Public infrastructure changes will require a Public Works Permit. Required on-site stormwater will need to be privately treated prior to directly entering the public stormwater system. All Clean Water Services treatment and detention facilities can be approved for on-site private treatment. Private treatment and detention will require a Water Quality Permit. With a future development, downstream sizing for all public utilities will need to be evaluated by the developer for the change from permitted uses to the proposed development. Any upsizing will be a requirement for the development.

- E. The proposed use will not alter the character of the surrounding area in any manner that substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying planning district. The subject property is in the RML Planning District. Surrounding land uses by and planning district include: CC SW Cherokee Street and east-west rail line; CC Partially paved yet otherwise undeveloped; CC East to west: multi-tenant commercial building with Ecowater Northwest and Northwest Core Balance; building with unknown occupant, possibly a house in continued use as a residence; and In Color Salon; and RH/HR SW Tualatin Road and three-story V-plan Tualatin Greens Condominium The proposed use is compatible with surrounding urban neighborhood uses including residences and small businesses. Because of this and based on the applicant's submitted information and staff review, the proposed use would not alter the character of the surrounding area in any manner which substantially limits, impairs or precludes the surrounding properties for the primary uses listed in the underlying planning districts.
- F. The proposal is consistent with plan policies. The applicable Tualatin Community Plan policies and TDC regulations that apply to the proposed conditional use in the CC Planning District include TDC: Chapter 6 "Commercial Planning Districts", Section 6.030 Objectives; Chapter 32 "Conditional Uses", Section 32.030 Conditional Uses – Siting Criteria; and Chapter 53 "Central Commercial Planning District (CC)", Section 53.010 Purpose. TDC 6.030 states that "the following are general objectives used to guide the development of this Plan: (1) Encourage commercial development. ... (3) Provide shopping opportunities for surrounding communities. (4) Locate and design commercial areas to minimize traffic congestion and maximize access." The proposal would relocate an existing business, a veterinary clinic. Within the application materials, Section 1 of the narrative states in the last paragraph that about 20% of clinic customers are within walking distance (p. 4). The presence of Tualatin Greens Condominium west across SW Tualatin Road, Twelve Fairway Lane Condominium north across SW Cherokee Street and the east-west rail line, and existing single-family houses east and south of the subject property lend credibility to the statement. The proposal would maintain a level of commercial activity – the clinic already exists and is presently located a block east at 8575 SW Tualatin Road – and continue to provide a business service for the surrounding neighborhood. The subject property has access from SW Cherokee Street, a local street, and customers who drive can arrive from SW Tualatin Road to the west or SW 86th Avenue to the east. TDC 53.010 states that "the purpose of this district is to provide areas of the City that are suitable for a full range of retail, professional and service uses of the kind usually found in downtown areas patronized by pedestrians. The district also provides areas suitable for civic, social and cultural functions serving the general community." The proposal is for the relocation of a veterinary clinic, an existing service use. The subject property is located within the boundaries of the Tualatin Town Center and Central Urban Renewal District (CURD) Block 23 as TDC Map 9-3 illustrates in Attachment G. (Staff confirmed that TDC 53.035 Central Urban Renewal Area

- Prohibited Uses does not prohibit a veterinary clinic.) As described above, the narrative states that about 20% of clinic customers are within walking distance, and the proposal would maintain a level of commercial activity and continue to provide a business service for the surrounding neighborhood. The proposal satisfies those objectives and policies of the TDC that are applicable to the proposed use. The proposal is consistent with plan policies.

- G. The staff report dated, May 13, 2013 is incorporated by reference.
- H. Based on the application, testimony and evidence submitted, Tualatin Animal Clinic (CUP-13-02) meets the criteria of TDC 32.030.

Section 2. The Conditional Use Permit (CUP-13-02) for Tualatin Animal Clinic is approved with the following conditions:

- A. The applicant shall submit for Architectural Review (AR) prior to constructing off-street parking facilities.
- B. The applicant shall bring all off-street parking into conformance with the off-street parking standards in Tualatin Development Code (TDC) 73 within 30 months of the date of this Resolution.
- C. The applicant shall operate the use consistent with all application materials submitted to the City on March 28, 2013.
- D. The applicant shall comply with all applicable TDC policies and regulations.

Section 3. This Resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 28th day of May, 2013.

CITY OF TUALATIN, Oregon

By: _____
Mayor

Approved as to Form:

ATTEST:

City Attorney

City Recorder



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Alice Rouyer

FROM: William Harper, Senior Planner
Aquilla Hurd-Ravich, Planning Manager

DATE: 05/28/2013

SUBJECT: Consideration of Resolution 5145-13 Directing the Architectural Review Board to review and comment on the proposed Nyberg Rivers Master Plan MP-13-01

ISSUE BEFORE THE COUNCIL:

The Council will consider adopting a resolution directing the Architectural Review Board (ARB) to review and comment on the proposed Nyberg Rivers Master Plan to inform the Council decision.

RECOMMENDATION:

The staff requests that Council consider adopting the attached resolution.

EXECUTIVE SUMMARY:

The seven-member Architectural Review Board (ARB)(Board) was established in the Tualatin Development Code (TDC) 73.030. The ARB is responsible for reviewing and commenting on applications which may be directed to it through the development process including requests for review of planning staff decisions concerning architectural features and the architectural features of larger commercial, industrial and multi-family developments [TDC 73.030(2)]. Also, the City Council may "...direct the Board to review and comment on other matters that the Council determines are or may be within the Board's areas of expertise." As stated in TDC 73.031,

"The Board shall consist of seven regular members and three alternate members as follows: one member of the City Council; one registered professional architect and one alternate member who shall be a registered professional architect; one registered professional landscape architect and one alternate member who shall be a registered professional landscape architect; one registered professional engineer or registered engineer in training and one alternate member who shall be a registered professional engineer or registered engineer in training; and three lay members. Of the three lay members, at least two shall reside in the City."

CenterCal has submitted an application for approval of a Master Plan within the Central Urban Renewal District (CURD) for a proposed redevelopment of the former KMart site and its

associated properties. The Nyberg Rivers properties are in the CURD and the developer must receive approval by Council of a Master Plan before development can occur. A Council public hearing on MP-13-01 is scheduled for July 22, 2013. The Nyberg Rivers project development process will include:

- Council consideration of the Master Plan;
- Council consideration of an application for a Conditional Use Permit (retail use in Commercial Office Planning District and Outdoor Sales).

If the Master Plan and Conditional Use Permit are approved, the next step for the development is:

- An Architectural Review of the Nyberg Rivers including a Public Facilities Decision by the City Engineering Manager and a Architectural Review Board Decision on the architectural features of the proposed development.

On May 16, 2013, the Nyberg Rivers developer CenterCal requested that the project be presented to the ARB for a "courtesy review" to obtain the ARB members comments (Attachment B). Recognizing the experience and knowledge that ARB members have, the ARB review and comments would serve as a public forum for the proposed project and provide the developer, the Council and the public with information from the community perspective early in the development process.

The precedence for an informal session of the ARB to review development design concepts with the developer prior to submitting an Architectural Review application includes:

Two sessions with the Marquis Assisted Living Facility developer, and;

One session with the Alexan/Bridgeport Apartments developer (both projects currently under construction).

At the two design sessions, ARB members provided informal comments on preliminary site, landscaping and building design that the developer could use in preparing their application plans.

If the attached resolution is approved, staff will schedule a June 19 meeting of the ARB for an informal review of the access, transportation, sewer, water storm drainage, internal circulation, building location, building design and materials, parking, landscaping and pedestrian facilities proposed in the Nyberg Rivers Master Plan application as related to the CURD Master Plan requirements. The ARB meeting will be noticed and will be open to the public. The review will not be a public hearing and the ARB will not provide a formal decision or recommendation. The review, comments and other information from the meeting will be acknowledged at the time of the Nyberg Rivers Master Plan public hearing in July and in the Architectural Review for the Nyberg Rivers project in October.

By approving this resolution the Council directs the ARB to review and comment on the Nyberg Rivers Master Plan concepts as presented by CenterCal.

OUTCOMES OF DECISION:

Approval of the Resolution 5145-13 would result in the following:

1. The Architectural Review Board will be directed to review and comment on the Nyberg Rivers Master Plan project as to certain CURD requirements as requested by the developer. An ARB meeting will be held on June 19 that will be open to the public. The meeting will not be a public hearing.

Not approving the Resolution would result in the following:

1. The request for an Architectural Review Board review and comment on the proposed Nyberg Rivers Master Plan will be declined.

ALTERNATIVES TO RECOMMENDATION:

The alternatives to the staff recommendation are:

- The Council approve the proposed Resolution with modifications to the directions to the Architectural Review Board.
- Deny the proposed Resolution and request from CenterCal for informal review and comments from the Architectural Review Board.

FINANCIAL IMPLICATIONS:

The FY 2012/13 budget and application fees related to the Nyberg Rivers development account for the cost of of Architectural Review Board meetings.

Attachments: [Attachment A-Resolution for ARB Review of Master Plan](#)
 [Attachment B - CenterCal Request for ARB Session](#)

RESOLUTION NO. 5145-13

A RESOLUTION DIRECTING THE ARCHITECTURAL REVIEW BOARD TO REVIEW AND COMMENT ON THE PROPOSED NYBERG RIVERS MASTER PLAN.

WHEREAS, the City Council created the Architectural Review Board under TDC 73.030; and

WHEREAS, pursuant to TDC 73.030(2), City Council may refer certain matters to the Architectural Review Board; and

WHEREAS, CenterCal Properties, LLC submitted an application for a master plan within the Central Urban Renewal District Plan Area; and

WHEREAS, on or about May 17, 2013, CenterCal Properties, LLC made a written request to the City for the Architectural Review Board to conduct a courtesy review of the master plan;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The Architectural Review Board shall review and comment on the Nyberg Rivers Master Plan and as it relates to the criteria in the Central Urban Renewal District Plan at a public meeting of the Board to be scheduled on June 19, 2013.

Section 2. The Architectural Review Board shall collect all comments and forward those to the City Council for the July 22, 2013 City Council meeting.

Section 3. This Resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 28th day of May, 2013.

CITY OF TUALATIN, Oregon

By: _____
Mayor

Approved as to Form:

ATTEST:

City Attorney

City Recorder

From: Hank Murphy [mailto:hmurphy@centercal.com]
Sent: Friday, May 17, 2013 1:37 PM
To: Alice Rouyer; Will Harper
Subject: Courtesy Architectural Review for Nyberg Rivers

Alice,

This email is to formally request a Courtesy Review with the Architectural Review Board on Wednesday June 19th, 2013 for our Nyberg Rivers project. Please confirm this date will be acceptable.

Thanks. Hank.

Harry C. Murphy
Development Consultant

CENTERCAL PROPERTIES, LLC | *Creating Value for Retailers and Communities*

7455 SW Bridgeport Road, Suite 205
Tigard, Oregon 97224
Office 503.968.8940 | Fax 503.968.8047 | Cell 503-789-8065
<http://centercal.com/>
hmurphy@centercal.com

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STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Cindy Hahn, Associate Planner
Sara Singer, Deputy City Manager

DATE: 05/28/2013

SUBJECT: Review and Discuss Input about Chickens in Single-Family Areas

ISSUE BEFORE THE COUNCIL:

Tonight's meeting has two purposes:

1. Discuss input received from the Citizen Involvement Organizations, and individual community members about chickens in single-family areas of Tualatin.
2. Provide direction to staff on how to proceed.

RECOMMENDATION:

Review and discuss input received from the Citizen Involvement Organizations and individual community members and provide direction to staff on how to proceed.

EXECUTIVE SUMMARY:

The City Council reconsidered the issue of allowing chickens in single-family areas of Tualatin at the December 10, 2012 work session (see Attachment A). The suggestion was made that the issue be vetted through the Citizen Involvement Organizations (CIOs) and that staff work with the CIO presidents to determine a timeline for their input on the issue. Council further directed staff to put the issue on a future agenda for further review.

An information packet was prepared and presented to the CIO officers at their January 31, 2013 CIO Officer Meeting (Attachment B). This packet contained a comment form for CIOs to use as a guide in submitting the results of their neighborhood's input for Council review. In addition, the packet contained background information about the issue.

CIO COMMENTS

Five (5) CIOs - Martinazzi Woods CIO, Riverpark CIO, East Tualatin CIO, Ibach CIO, and CIO 6 - submitted results of surveys they conducted of residents in their boundaries. These results are included in Attachment C.

OTHER COMMENTS

Seventy-one (71) individual residents provided comments about chickens in residential areas of Tualatin. In addition, a petition with 14 signatures and accompanying emails, 11 petition sheets with a total of 179 signatures, and another petition with 26 signatures were submitted. These comments and petitions are included in Attachment D.

NEXT STEPS

If Council decides to move forward with consideration of an ordinance to allow chickens in single-family residential areas of Tualatin, staff will return to the June 10 Council meeting with a proposed timeline for this process.

Attachments: A. 12-10-12 Council Work Session Minutes
 B. CIO Packet
 C. CIO Comments
 D. Individual Comments
 E. Project Update Slide
 F. Individual Comments recieved after 5/17/13



**OFFICIAL MINUTES OF TUALATIN CITY COUNCIL WORK SESSION FOR
DECEMBER 10, 2012**

Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Wade Brooksby; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Ed Truax

Absent: Councilor Nancy Grimes

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker; Community Development Director Alice Rouyer; Community Services Director Paul Hennon; Finance Director Don Hudson; Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich; Information Services Manager Lance Harris; Associate Planner Cindy Hahn; Engineering Manager Kaaren Hofmann; Maintenance Services Division Manager Clayton Reynolds; Management Analyst Ben Bryant

1. Chickens in Residential Areas

At the November 13th City Council meeting, a request was made during the public comment period for the Council to reconsider the issue of allowing the keeping of chickens in residential areas. Council directed the item to be placed on tonight's agenda. The staff report includes information from 2010 when this issue was last discussed.

Community Development Direction Rouyer presented the issue for discussion and asked the Council if they had questions of staff. Councilor Truax said that the lots are approximately 5,000 to 7,000 square feet in Tualatin and this is a small space for chickens to be kept without having an impact on neighbors. He said he is not interested in having backyard chickens.

Mayor Ogden asked what the process should be for evaluating the concerns surrounding chickens in residential areas. Councilor Bubenik said he has received neighbor correspondence from residents with opinions on both sides of the issue. He suggested vetting the issue through the CIOs. Council President Beikman agreed with Councilor Bubenik on asking the CIOs for input.

Councilor Davis said she is also interested in having this issue vetted through the CIOs because she believes there may be areas in town where keeping chickens is appropriate and other areas where it may not be appropriate. She also stated she is interested in seeing how other communities have managed this issue as well as handling complaints regarding backyard chickens.

Mayor Ogden asked staff if the research includes information regarding the regulations for lot size for jurisdictions which allow chickens. City Manager Lombos said the staff report from 2010 shows a comparison of other cities' regulations. Community Development Director Rouyer said staff can do further research on the issue of lot size in preparation for the next discussion on this topic.

Councilor Brooksby said he is also interested in hearing from the City's CIOs, and he would like to understand their positions as well as the volume of participation at the various CIO meetings. Council President Beikman agreed. Councilor Bubenik added that it is important to understand the arguments from the majority and minority in the CIOs.

Mayor Ogden said staff should contact the CIO presidents to determine the timeline for their input on this issue. This item will be placed on a future City Council Work Session for further review.

2. An Update on Proposed Framework Planning in the Stafford Area

Planning Manager Hurd-Ravich provided the Council with an update on Stafford Area Framework Planning. She said Clackamas County and the City of Lake Oswego agreed to participate in framework planning of the Stafford area as a condition of approval in order for Lake Oswego to add land to the Urban Growth Boundary. Mayors and staff from the Cities of Lake Oswego, Tualatin and West Linn met in September to discuss this idea. Planning Manager Hurd-Ravich explained that this is an update for the City Council about this discussion and recent activity. She said the Cities of Lake Oswego, West Linn and Tualatin sent a letter to Clackamas County stating that the framework planning process should not begin until the Urban Reserves appeal is completely resolved and not before January 2013. She said the oral arguments for the appeal have been scheduled for January 6, 2013. The outcome of the appeal will determine when the work on the framework planning will begin.

Councilor Bubenik asked about possible changes in direction with the newly elected members of the Clackamas County Commission. Planning Manager Hurd-Ravich said changes in direction could occur when the new members take their seats in January, but nothing has been determined.

Mayor Ogden asked about the timeline for grant applications, and said he would prefer to use Construction Excise Tax (CET) funding. He stated staff should be aware of the timing so funding opportunities are not missed.

Councilor Truax said we should be coordinating with the other jurisdictions who have an interest in this planning effort.

3. Basalt Creek Transportation Refinement Plan

At the November 26th Council meeting, the City Council discussed this issue and requested that additional information be brought back to work session to address the issues raised by Citizen Involvement Organization Six, as well as some other concerns raised by Council. Management Analyst Ben Bryant introduced Andy Catugno from Metro and Russ Knoebel from Washington County.

Management Analyst Bryant showed the various alignments being discussed as part of the Basalt Creek Transportation Refinement Plan and explained the issues which were raised at the last meeting including traffic in neighborhoods, livability, safety and bridge grade and environmental concerns.

Mr. Knoebel stated this planning effort is a refinement plan for the alignment of the arterial that will serve the Basalt Creek area, but the construction of this road will not take place until a significant amount of design work and engineering is completed. Mr. Catugno from Metro stated that they are in a planning stage, and the basic infrastructure system needs to be determined in order to continue the planning process. The comprehensive planning phase will follow once the alignment of the infrastructure has been decided.

Management Analyst Bryant explained that following the recommendation from the Basalt Creek Policy Advisory Group the cities will develop an intergovernmental agreement to begin working on the land use issues in this area.

Mr. Catugno explained in regards to the environmental concerns that were raised at the last meeting, the bridge would be far above the wetland and cross through the narrowest section, which would provide minimal impact to the wetland. However, he said this discussion will be had in more detail during the design process.

Mayor Ogden asked if it could be assumed when evaluating these options, that traffic would flow freely down to I-5 without backing up into the neighborhoods. Mr. Knoebel responded there will be engineering options which will be examined in the future to address these types of issues. Mayor Ogden asked about the grade of the proposed alignment in relation to the grade on I-5 Southbound. Mr. Knoebel said that it is similar.

Councilor Brooksby asked if the types of buildings have been projected for this area. He expressed that many new buildings that have been built accommodate freight traffic, and he is interested in knowing if the truck traffic will increase with potential development in this area. Chris Maciejewski from DKS & Associates responded to this question regarding the volume of trucks. He explained that it would carry approximately 50 percent more truck traffic going through this area. He said the traffic volumes in the peak hours would be similar to what is currently seen on Tualatin Sherwood Road.

Councilor Davis asked who designates the area to be a wetland conservation area. Mr. Catugno responded that the process starts with Metro, and it would become the responsibility of whoever would annex the land or Washington County. Councilor Davis asked if there was an intention to have on/off access on Graham's Ferry. Mr. Knoebel responded yes. Councilor Davis asked what the maximum grade would be for the project. Mr. Knoebel responded that six percent would likely be the maximum grade. Councilor Davis asked if there was any way to move the alignment further south to mitigate impacts to the wetlands and be farther away from the neighbors. Mr. Knoebel explained that the current proposed alignment is actually the most narrow spot across the wetlands. Mr. Knoebel said that the farthest southern alignment would be Day Street which was an option that was evaluated earlier in the process. He said the diagonal alignment would require blasting into the hillside which from an engineering perspective and based on cost estimates would not be a very feasible option.

Councilor Davis asked what the vote from the Basalt Creek Policy Advisory Group tomorrow will determine. Mr. Knoebel responded that this vote will provide direction on the road alignment which is a critical step in order for the concept planning to continue.

Mayor Ogden asked if there was general agreement amongst the Council on the alignment of the road. Council President Beikman said she is in favor of the east-west alignment and she believes we would should include language in the Intergovernmental Agreement to provide buffers to the neighborhoods to preserve livability. Councilor Truax agreed with Council President Beikman.

Councilor Davis said she prefers the diagonal-hybrid alignment. Councilor Brooksby agreed with Councilor Davis. Councilor Brooksby explained that he does not believe the east-west alignment alterative is a logical solution. Councilor Davis explained that her preference is based on different reasons to design the road to be further away from the neighborhoods and the wetlands.

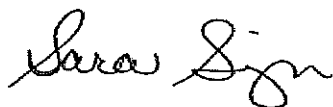
Councilor Bubenik said he was torn between the two options of the east-west alignment and the diagonal-hybrid alignment. He said the diagonal hybrid improves livability, but the east-west alignment makes sense from an engineering perspective. Councilor Beikman said the east-west alignment will take traffic off of Tualatin's roads and that improves livability from her perspective. Mr. Maciejewski from DKS & Associates said the east-west alignment will help improve traffic the most because of the potential two connections.

Mayor Ogden said this item will be added to Council agenda so a formal vote can be taken.

4. Council Meeting Agenda Review, Communications & Roundtable: This is the opportunity for the Council to review the agenda for the December 10th City Council meeting and take the opportunity to brief the rest of the Council on any issues of mutual interest.

Council Work Session adjourned at 6:52 p.m.

Sherilyn Lombos, City Manager



/ Sara Singer, Recording Secretary



MEMORANDUM

CITY OF TUALATIN

TO: Citizen Involvement Organization (CIO)

THROUGH: Sara Singer, Deputy City Manager

CC: Sherilyn Lombos, City Manager
Alice Rouyer, AICP, Community Development Director
Aquilla Hurd-Ravich, AICP, Planning Manager

FROM: Colin Cortes, AICP, CNU-A, Assistant Planner

DATE: January 17, 2013

SUBJECT: CIO Comments Sought on Keeping of Chickens in Residential Areas

Summary

At the November 13, 2012 Tualatin City Council meeting, a request was made during the public comment period for the Council to reconsider the issue of allowing the keeping of chickens in residential areas. Following its December 10, 2012 work session, the Council directed that citizen comment on keeping of chickens in residential areas be obtained through the Citizen Involvement Organization (CIO).

The City will make available the attached comment form and background information for the CIO Officer Meeting on January 31, 2013. Please contact Sara Singer, Deputy City Manager with questions.

- Attachments:**
1. Comment Form
 2. Tualatin City Council Memo "Keeping of Chickens in Residential Areas" (October 25, 2010) with Attachments:
 - A. Draft Code Language - Keeping of Chickens in Residential Areas
 - B. City Regulations for Keeping of Poultry in Residential Areas [Partially Revised January 17, 2013]
 - C. City of Portland - Chapter 13.05 Specified Animal Regulations
 - D. Residential Urban Chicken Keeping: An Examination of 25 Cities
 - E. Gresham Revised Code - Article 7.17 Keeping of Chickens
 - F. Draft Amendments to Sections 40.020 and 40.030(4)(m) of the Tualatin Development Code to Allow the Keeping of Chickens in the Low Density Residential (RL) Planning District
 - G. Comment Letter and Emails

Comment Form

Issue: Chickens in Residential Areas

Date: _____

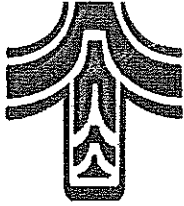
CIO: _____

Number of Participants: _____

Majority Position:

Minority Position:

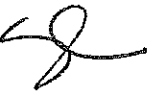
Other Comments:

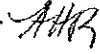



MEMORANDUM

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager 

FROM: Aquilla Hurd-Ravich, Acting Planning Manager 
Cindy Hahn, Assistant Planner 

DATE: October 25, 2010

SUBJECT: KEEPING OF CHICKENS IN RESIDENTIAL AREAS

ISSUE BEFORE THE COUNCIL:

On June 14, Council asked that the Tualatin Planning Advisory Committee (TPAC) discuss the issue of keeping chickens in residential areas. On July 6, 2010, staff presented information to TPAC for discussion and returned on August 3, 2010, with draft code language, specifically a new proposed Chapter 12-2 Keeping of Chickens in Residential Areas to the Tualatin Municipal Code (TMC), for review and discussion (Attachment A). A positive recommendation was received from TPAC, and staff is now presenting the draft code language to City Council for consideration.

POLICY CONSIDERATIONS:

- Given the increasing interest in keeping chickens in residential areas, should the City amend the City Codes to allow this to occur?
- If this is desirable, what new regulations should be adopted?
- If this is not desirable, should the City Codes be strengthened to prohibit the keeping of chickens in residential areas?

BACKGROUND:

Existing City regulations contained in the Tualatin Development Code (TDC) do not allow the keeping of chickens in single-family or other residential areas. Specifically, the Low Density Residential (RL) Planning District allows as a permitted use "agricultural uses of land, such as truck gardening, horticulture...", but excludes "the raising of animals other than normal household pets" (TDC Section 40.020). Further, the RL Planning District allows as a conditional use "agricultural animals" but limits these to include "cattle, horses and sheep" (TDC Section 40.030(4)(m)) to some limited areas of the city. Small animals are defined as "a domestic animal, such as a dog, cat, rabbit or guinea pig, accepted by the American Veterinary Medical Association as a household pet" (TDC Section 31.060 Animal, Small), and thus does not include chickens. The TDC does not allow "agricultural uses" in any other Planning District. The TMC also has regulations on nuisance issues

MEMORANDUM: Keeping of Chickens in Residential Areas

October 25, 2010

Page 2 of 3

addressing odor and animals, however, these regulations do not specifically address the keeping of chickens.

Chickens are included in the broader category of poultry, which includes domestic fowls such as chickens, turkeys, ducks, or geese, raised for meat or eggs. Cities in the Portland metropolitan area address the keeping of poultry in residential areas in a variety of ways. Staff gathered information about regulations in nine cities, which is summarized in Attachment B and was presented to TPAC at the July 6, 2010 meeting.

At the July 6, 2010 meeting, TPAC asked staff to review the City of Portland's regulations and to determine whether a "model ordinance" exists for the keeping of chickens in residential areas. Staff subsequently reviewed the City of Portland's regulations (Attachment C) and incorporated some of the definitions and criteria in the regulations into the draft code language contained in proposed TMC Chapter 12-2 (Attachment A). Staff also located an analysis prepared by K.T. LaBadie, a student at the University of New Mexico, entitled Residential Urban Chicken Keeping: An Examination of 25 Cities, which includes an example or "model" ordinance for the keeping of chickens in residential areas (Attachment D). This paper, along with the City of Gresham's Chicken Code (Attachment E) provided the basis for the majority of definitions and standards in the draft code language contained in proposed TMC Chapter 12-2.

At the August 3, 2010 TPAC meeting, the committee discussed the draft code language and made several suggested changes. The overall consensus was that proposed TMC Chapter 12-2 should be adopted with the limitation that it pertain only to chickens and not other types of domesticated fowl, and necessary amendments made to Sections 40.020 and 40.030(4)(m) of the TDC, to allow the keeping of chickens in single-family residential areas of the City.

DISCUSSION:

As directed by City Council, staff has presented information on the keeping of chickens in residential areas to TPAC for their consideration. TPAC has recommended that proposed TMC Chapter 12-2 should be adopted and necessary amendments be made to Sections 40.020 and 40.030(4)(m) of the TDC, to allow the keeping of chickens in single-family residential areas of the City. The draft code language includes the following:

- The single-family residential lot or parcel must have a minimum area of 5,000 square feet to keep up to four (4) adult chickens (individual birds).
- One additional adult bird is permitted for each 2,000 square feet of additional lot area up to a maximum lot area of 9,000 square feet or greater, or a maximum of six (6) adults birds.
- No roosters are allowed.
- Chickens are not allowed to be kept in any residential areas other than single-family, and the keeper must reside in the single-family dwelling on the lot or parcel where the chickens are kept.
- No other farm animals or livestock, such as goats, sheep or small pigs, are addressed by the draft code language.
- No permit is required and there are no fees.

MEMORANDUM: Keeping of Chickens in Residential Areas

October 25, 2010

Page 3 of 3

- Enforcement is on a complaint basis, and complaints are subject to investigation by the City Code Enforcement Officer or designee.

Sections 40.020 and 40.030(4)(m) of the TDC address small animals and household pets, but do not specifically address the keeping of poultry in residential areas. Minor amendments to these sections of the TDC, as shown in Attachment F, will be necessary concurrent with adoption of the new proposed Chapter 12-2 of the TMC.

Public Comment: Since the August 3, 2010 TPAC meeting, the City has received four (4) public comments – three (3) emails and one (1) letter – regarding the keeping of chickens in residential areas:

- The first, an email dated August 17 from Paul Sivley, strongly opposes the keeping of chickens.
- The second and third, an email dated September 8 from Jennie Willis and a letter dated September 27 from Marianik Le Gal, support allowing chickens in residential areas.
- The fourth, an email dated September 28 from Steve Titus, neither supports nor opposes the keeping of chickens, but references the \$50 license fee adopted in Salem and states: "I hope we have some fee included... to cover the cost of a basic 'Dos and Don'ts' of keeping chickens in the city".

The comment letter and emails are included as Attachment G to this staff memorandum.

RECOMMENDATION:

Staff recommends that Council consider the information presented and provide direction to staff.

- Attachment:**
- A. Draft Code Language – Keeping of Chickens in Residential Areas
 - B. City Regulations for Keeping of Poultry in Residential Areas
 - C. City of Portland – Chapter 13.05 Specified Animal Regulations
 - D. Residential Urban Chicken Keeping: An Examination of 25 Cities
 - E. Gresham Revised Code – Article 7.17 Keeping of Chickens
 - F. Draft Amendments to Sections 40.020 and 40.030(4)(m) of the Tualatin Development Code to Allow the Keeping of Chickens in the Low Density Residential (RL) Planning District
 - G. Comment Letter and Emails

Tualatin Municipal Code

Chapter 12-2

Keeping of Chickens in Residential Areas

Sections:

12-2-010 Purpose.

12-2-020 Definitions.

12-2-030 Applicability and Exceptions.

12-2-040 Standards.

12-2-050 Complaint Processes.

12-2-055 Investigations and Notices.

12-2-060 Fees.

12-2-070 Effective Dates.

12-2-010 Purpose.

The purpose of this code is to provide minimum standards for the keeping of chicken(s) in single-family residential areas to safeguard the health, safety and welfare of the owners, occupants and users of single-family dwellings and premises; and to protect the health, safety and welfare of neighbors to these properties.

12-2-020 Definitions.

As used in this chapter, the following definitions apply:

(1) **"Chicken"** means *Gallus gallus* or *Gallus domesticus*, a domestic fowl believed to be descended from the red jungle fowl of southeastern Asia and developed in a number of breeds for its flesh, eggs, and feathers.

(2) **"Code Enforcement Officer or Designee"** means the person designated by the City Manager to enforce the provisions of this chapter.

(3) **"Coop"** means a building or similar structure where chickens are kept, the interior of which usually has nest boxes for egg laying and perches for the birds to sleep on.

(4) **"Dwelling Unit"** means a habitable structure containing one or more rooms designed for occupancy by one individual or family and not having more than one cooking facility.

(5) **"Keeper"** means any person or legal entity who harbors, cares for, exercises control over or knowingly permits any chicken(s) to remain on premises occupied by that person for a period of time not less than 72 hours or someone who accepted the chicken(s) for purposes of safe keeping.

(6) **"Run"** means an enclosed or fenced area in which poultry are kept and allowed to walk, run about, peck and otherwise move freely.

(7) **"Poultry"** means domesticated fowl, limited to chickens raised for their flesh, eggs, and/or feathers, and excluding other fowl such as quail, pheasants, turkeys, or ducks..

(8) **"Secure Enclosure"** means an enclosure that both contains the chicken(s) and protects them from predators. When located outdoors and

separate from the single-family dwelling unit, the secure enclosure must include a covered, enclosed area (part not exposed to the elements), secure sides, a secure top attached to the sides, and a secure bottom or floor attached to the sides of the structure or the sides must be embedded in the ground. Alternatively, the secure enclosure may be any part of a house, garage, porch, or patio that must include a latched door or doors kept in good repair to prevent the accidental escape of chicken(s) or exit by chicken(s) of their own volition.

(9) **“Single-Family Dwelling”** means a single dwelling unit detached or separate from other dwelling units. A dwelling unit not having common walls with another dwelling unit.

(10) **“Vermin”** means various insects, bugs, or small animals, such as flies, cockroaches, mice, and rats, regarded as pests because they are annoying, obnoxious, destructive, or disease-carrying.

12-2-030 Applicability and Exceptions.

Chickens are allowed in single-family residential areas for personal use subject to the following conditions:

(1) Up to four (4) adult chickens (individual birds) over four (4) months of age shall be permitted on any one (1) single-family residential lot or parcel with a minimum area of 5,000 square feet. One (1) additional adult bird shall be permitted for each 2,000 square feet of additional lot area, up to a maximum of six (6) adult chickens (individual birds). For clarity, chickens four (4) months of age or younger shall not be counted toward this number. The keeper shall reside in a single-family dwelling on the lot or parcel where the chicken(s) are kept.

(2) No roosters shall be permitted.

12-2-040 Standards.

A keeper of chicken(s) shall adhere to the following standards:

(1) Chicken(s) shall be kept on the dwelling unit premises at all times.

(2) Chicken(s) shall be kept in a secure enclosure between 10 PM and 7 AM. If the secure enclosure is a fully fenced pen, coop or similar structure, then it shall be located in the rear yard of the lot or parcel.

(3) The secure enclosure shall have at least two (2) square feet of floor space per grown (adult) bird, shall be adequately lighted and ventilated, and shall be kept in a clean, dry, and sanitary condition at all times.

(4) Any outdoor run shall be cleaned on a regular basis and as frequently as is necessary to prevent the accumulation of poultry waste or droppings (feces, feather dander, dust, uneaten food, etc.).

(5) The secure enclosure shall be located at least twenty (20) feet from any dwelling unit on an adjacent lot or parcel and at least ten (10) feet from all property lines.

(6) The secure enclosure shall be kept in good repair, capable of being maintained in a clean and sanitary condition, and free of vermin, obnoxious smells and substances.

ATTACHMENT A: DRAFT CODE LANGUAGE – KEEPING OF CHICKENS

August 23, 2010

Page 3 of 4

(7) The secure enclosure, any run and any chicken(s) shall not create a nuisance or unduly disturb neighboring residents due to noise, odor, damage or threats to public health.

(8) All poultry feed shall be kept in metal garbage cans with secure lids or similar vermin-resistant containers or enclosures.

12-2-050 Complaint Processes.

(1) Any person may file complaints for suspected violation of the standards contained in this chapter.

(2) A complaint must be in writing and may be filed in person, by mail, by email, or fax. The complaint shall contain at least the following information:

(a) The name of the person filing the complaint. No complaints may be submitted anonymously;

(b) The address of the alleged violation; and

(c) A complete description of the alleged violation.

(3) The Code Enforcement Officer or designee shall process complaints using the following procedure:

(a) Confirm that the complaint alleges a violation of a standard of this chapter;

(b) Confirm that the allegation in the complaint, if proven to be true, would be a violation of this chapter; and

(c) Once the requirements of (a) and (b) are confirmed, notify the owner/keeper that the complaint has been submitted.

12-2-055 Investigations and Notices.

(1) Investigations. Upon confirmation that the requirements in TMC 12-2-050 have been met, the Code Enforcement Officer or designee will conduct an investigation to confirm the validity of the complaint.

(a) If the Code Enforcement Officer or designee determines that the complaint is not valid, the case will be closed and all parties will be notified of the closure.

(b) If the Code Enforcement Officer or designee determines that the complaint is valid, the owner/keeper will be issued a notice of the violation and request that the required maintenance, repairs and/or modifications be completed by a date certain.

(2) Inspection and Right of Entry. When it may be necessary to inspect to enforce the provisions of this chapter, the Code Enforcement Officer or designee may enter the single-family dwelling or premises at reasonable times to inspect or perform the duties imposed by this chapter as follows:

(a) If the single-family dwelling or premises are occupied, the Code Enforcement Officer or designee shall present credentials to the occupant and request entry.

(b) If the single-family dwelling or premises are unoccupied, the Code Enforcement Officer or designee shall first make a reasonable effort to locate the

ATTACHMENT A: DRAFT CODE LANGUAGE – KEEPING OF CHICKENS

August 23, 2010

Page 4 of 4

owner/keeper or other person having charge or control of the single-family dwelling or premises and request entry.

(c) If entry is refused or the dwelling unit or premises are unoccupied, the Code Enforcement Officer or designee may follow the procedures to obtain an administrative (non-criminal) warrant to inspect the premises.

(3) Failure to comply. If the owner/keeper does not comply with the notice by the specified date, the Code Enforcement Officer or designee will issue a citation to the owner/keeper to appear in Municipal Court.

(4) Penalties. A person who is found guilty by the Municipal Court of violating a provision of this chapter shall be punished by a fine not to exceed \$500.00 per day per violation. Each day that a violation exists constitutes a separate violation.

(5) Appeals. The Municipal Court decision may be appealed to the Circuit Court.

12-2-060 Fees.

There shall be no fees for the keeping of chicken(s) that is in compliance with the standards of this chapter.

12-2-070 Effective Dates.

This ordinance shall take effect thirty (30) days after the ordinance is approved.

TABLE 1: CITY REGULATIONS FOR KEEPING OF POULTRY IN RESIDENTIAL AREAS

City	Status of Regulation	Type of Regulation	Number Allowed	Permit	Enclosure	Inspection	Code Enforcement	Lot Size
Beaverton	Planning Commission Public Hearing, 06-30-10, to consider draft ordinance. City Council first hearing on 08-09-10	Urban Poultry Ordinance.	Unspecified at this time. Chickens and ducks only. No roosters.	Unknown	Unknown	Unknown	Standard Process.	Yes, min. lot size of 5,000 sq ft, applying to both detached single-family houses and duplexes
Forest Grove	Adopted 07-13-09; Effective 08-13-09	Ordinance Amending Forest Grove Development Code to Allow Domesticated Fowl (Ordinance No. 2009-08) Allowed in Residential Zones: SR, R-10, R-7, R-5, RML, RMH and Commercial Zones: NC, CC as a Limited Use	Domesticated fowl = chickens, quail, pheasants and ducks. Up to 4 adult fowl over 6 mos of age; lot with minimum area of 5,000 sf. One additional adult fowl permitted for each 2,000 sf additional lot area, up to maximum of 12 fowl. No roosters. Must be in conjunction with single-family residence and primarily for personal use.	Not required.	Fencing designed and constructed to confine all animals to owner's property. All structures that house fowl located at least 20 ft from all residences except owner's, 5 ft from any side or rear property line.	Not required. Complaint based.	Standard Process.	Yes; min. lot size of 5,000 sq ft with 4 fowl allowed; for every 2,000 sq ft an additional fowl is allowed (Article III, p. 23.)
Gresham	Enacted 02-04-10	Gresham Chicken Code (GRC Article 7.17)	3 or fewer adult hens on any one lot or parcel; must have a single family dwelling on same lot or parcel. No roosters. Only chickens greater than 4 mos old count toward the total of 3.	Required. Valid for 2 yrs. \$50.	Birds must be in enclosed coop or run at all times; in covered, enclosed coop 10 PM to 7 AM. Must be in rear yard of residence. Coop at least 25 ft from residences on a different lot or parcel, at least 10 ft from all property lines. Run at least 10 ft from all property lines.	Authorized. Complaint based.	Standard Process.	No.
Lake Oswego	In place since 1980s	Chapter 31 Animals and Fowl, Article 31.02, Lake Oswego City Code.	Defines "Animal" = "Any mammal, bird or reptile." and "Livestock" = "Bovine species, horses, mules, burrow, asses, sheep, goats, swine and domestic fowl." Unlimited number allowed as long as they do not become an annoyance,	Not required.	Shelter must include a structure or other means of protection from the weather and injury. No other specifications.	Not required. Complaint based.	Standard Process.	No.

Attachment B (10/25/2010; Partially Revised 1/17/2013)
 Table 1: City Regulations for Keeping of Poultry in Residential Areas

City	Status of Regulation	Type of Regulation	Number Allowed	Permit	Enclosure	Inspection	Code Enforcement	Lot Size
Oregon City	In place since 1990s	Title 8 – Health and Safety; Chapter 8.08 Nuisances, Oregon City Code of Ordinances	alarm or noise disturbance at any time of the day or night. Unlimited number allowed as long as they do not become a nuisance and/or no complaints are received.	Not required.	Not required.	Not required. Complaint based.	Standard Process.	No, not for chickens, yet allowance for one “hooved animal” per 20,000 sq ft
Salem	Drafting Regulations in response to request by City Councilor. First presentation to City Council on 06-28-10. Goal = Regulation in place by end of 2010.	Chicken Rules (Ordinance), currently in rough draft form	Maximum 3 hens. No roosters. Applies to chickens only; no other fowl.	Required. Valid for 1 yr. \$50 + \$17.50 processing fee.	Hens must be contained in coop at all times and are not allowed to roam free. Coops located in side or rear yards of residential structures, at least 20 ft from any residential dwelling, min 3 ft from property lines. Maximum coop size = 120 sq ft. Electrical permit required if coop has power.	Coop inspection prior to licensing; Inspection Certificate required. Re-inspection on 3 rd yr of licensing.	Standard process, with a few tweaks regarding remedies; based on experience, city would’ve allowed by right with standards instead of creating permit process.	No.
Sherwood	In place since 1980s	Sherwood Municipal Code, Title 16 Zoning and Community Development Code, Division II Land Use and Development, Chapters 16.12 – 16.20 Residential Zones (VLDR, LDR, MDRL, MDRH, HDR)	Unspecified. “Raising of animals other than household pets” allowed as a Conditional Use in residential zones. Chickens are considered “other than household pets” by interpretation. Type III review before Hearings Officer is required for a Conditional Use.	Not required.	Not required.	Not required.	Standard Process.	No; Conditional Use Permit in any residential zone, regardless of lot size.
Tigard	Uncertain	Tigard Municipal Code, Title 18: Community Development Code, Chapter 18.510 Residential Zoning Districts; Also Tigard Municipal Code, Title 7: Public Peace, Safety and Morals, Chapter 7.40 Nuisances	Unspecified. “Poultry or livestock, other than normal household pets” are permitted as “Agriculture/Horticulture” use in some Residential zones (R-1, R-2, R-3.5, R-4.5, R-7) subject to provisions related to coop/run location (see “Enclosure”). Also limited by nuisance regulations, including noise.	Not required.	When an agricultural use is adjacent to a residential use, poultry or livestock may not be “housed or provided use of a fenced run within 100 feet of any nearby residence except a dwelling on the same lot”.	Not required.	Standard Process.	No.
Wilsonville	Current	Sherwood General	“Livestock and farm animals”	Not	Under existing Section	Under existing	Standard	No.

City	Status of Regulation	Type of Regulation	Number Allowed	Permit	Enclosure	Inspection	Code Enforcement	Lot Size
	regulations in place since 1969. Drafting revisions, but had not been seen by Planning Commission as of 06-21-10. May be seen by Planning Commission within next few months.	Development Regulations, Chapter 4: Planning and Land Development, Section 4.162: General Regulations – Livestock and Farm Animals.	permitted as accessory use to single-family and multiple family dwellings. Unspecified number of “poultry and fowl” allowed per Section 4.162 under current regulations. Draft revisions likely will limit to 3 chickens, no roosters; may have permit process for more than 3 chickens.	required under existing Section 4.162. Permit may be required for more than 3 chickens under revised regulations.	4.162, pens may not be located closer than 100 ft from any residence other than that of the owner. Chickens and/or fowl must be properly caged or housed, proper sanitation must be maintained, food must be stored in metal or other rodent-proof receptacles. Revised regulations will reduce separation distance from 100 ft to 20 ft, with permit process required if a greater distance (+50 ft) is requested due to complaints.	Section 4.162, complaint-based public hearing process before Development Review Board. Conditions or restrictions may be imposed, including prohibition of raising livestock and farm animals on the subject site.	Process.	

Chapter 13.05 Specified Animal Regulations

-Note

(New Chapter substituted by Ordinance No. 166281, effective Feb. 24, 1993.)

13.05.005 Definitions.

(Amended by Ordinance Nos. 172635 and 181539, effective February 15, 2008.) As used in this Chapter, unless the context requires otherwise:

A. **"Director"** means the Director of the Multnomah County Health Department Vector and Nuisance Control, or the director's designee.

B. **"Keeper"** means any person or legal entity who harbors, cares for, exercises control over or knowingly permits any animal to remain on premises occupied by that person for a period of time not less than 72 hours or someone who accepted the animal for purposes of safe keeping.

C. **"Livestock"** means animals including, but not limited to, fowl, horses, mules, burros, asses, cattle, sheep, goats, llamas, emu, ostriches, rabbits, swine, or other farm animals excluding dogs and cats.

D. **"Person"** means any natural person, association, partnership, firm, or corporation.

E. **"A Secure Enclosure"** shall be:

1. A fully fenced pen, kennel or structure that shall remain locked with a padlock or a combination lock. Such pen, kennel or structure must have secure sides, minimum of five feet high, and the director may require a secure top attached to the sides, and a secure bottom or floor attached to the sides of the structure or the sides must be embedded in the ground no less than one foot. The structure must be in compliance with the jurisdiction's building code.

2. A house or garage. Where a house or garage is used as a secure enclosure, the house or garage shall have latched doors kept in good repair to prevent the accidental escape of the specified animal. A house, garage, patio, porch, or any part of the house or condition of the structure is not a secure enclosure if the structure would allow the specified animal to exit the structure of its own volition; or

F. **"Specified Animals"** means bees or livestock.

G. **"Specified Animal Facility"** means a permitted site for the keeping of one or more specified animals, including but not limited to a stable, structure, or other form of enclosure.

H. **"Stable"** means any place used for housing one or more domesticated animals or livestock, whether such stable is vacant or in actual use.

I. **"Sufficient liability insurance"** means, at a minimum, insurance in a single incident amount of not less than \$50,000 for personal injury and property damages, covering all claims per occurrence, plus costs of defense.

13.05.010 Administration and Enforcement; Powers and Duties of Director.

A. It shall be the responsibility of the Director, and such other persons as the Director may designate, to enforce the provisions of this Chapter.

B. Persons designated by the Director to enforce this Chapter shall bear satisfactory identification reflecting the authority under which they act, which identification shall be shown to any person requesting it.

C. The Director may adopt procedures and forms necessary for administering and exercising the authority under this Chapter.

13.05.015 Permit Required for Specified Animal Facility.

(Amended by Ordinance Nos. 167649, 168900 and 181539, effective February 15, 2008.)

A. No person shall operate or maintain any specified animal facility unless a permit has first been obtained from the Director.

B. Applications for specified animal facility permits shall be made upon forms furnished by the Director, and shall be accompanied by payment of the required fee. Specified animal facility permits shall be valid from the date of issuance until such time as the Director determines by inspection that the facility is not being maintained in compliance with the issuance criteria. Applications for a specified animal facility permit shall be accompanied by adequate evidence, as determined by the Director, that the applicant has notified all of the property owners and residents within 150 feet of the property lines of the property on which the specified animal facility will be located.

C. The Director shall issue a specified animal facility permit to the applicant, only after the Director has reviewed a completed and signed application which grants the Director permission to enter and inspect the facility at any reasonable time, and assuring the Director that the issuance criteria have been met. If the Director has reasonable grounds to believe that an inspection is necessary, the Director shall inspect the facility in order to determine whether the issuance criteria have been met. The criteria for issuing a specified animal facility permit are as follows:

1. The facility is in good repair, capable of being maintained in a clean and in a sanitary condition, free of vermin, obnoxious smells and substances;
2. The facility will not create a nuisance or disturb neighboring residents due to noise, odor, damage or threats to public health;
3. The facility will reasonably prevent the specified animal from roaming at large. When necessary for the protection of the public health and safety, the Director may require the specified animal be kept or confined in a secure enclosure so that the animal will not constitute a danger to human life or property;
4. Adequate safeguards are made to prevent unauthorized access to the specified animal by general members of the public;
5. The health or well being of the animal will not be in any way endangered by the manner of keeping or confinement;
6. The facility will be adequately lighted and ventilated;
7. The facility is located on the applicant's property so as to be at least 15 feet from any building used or capable of being used for human habitation, not including the applicant's own dwelling. Facilities for keeping bees, such as beehives or apiaries, shall be at least 15 feet from any public walkway, street or road, or any public building, park or recreation area, or any residential dwelling. Any public walkway, street, or road or any public building, park or recreation area, or any residential dwelling, other than that occupied by the applicant, that is less than 150 feet from the applicant beehives or apiaries shall be protected by a six foot hedgerow, partition, fence or similar enclosure around the beehive or apiary, installed on the applicant's property.

8. If applicable, the structure must comply with the City's building code and must be consistent with the requirements of any applicable zoning code, condition of approval of a land use decision or other land use regulation; and

9. The applicant shall demonstrate, to the Director's satisfaction, sufficient ability to respond to any claims for damages for personal injury or property damage which may be caused by any specified animal kept at the facility.

a. The Director may require the applicant to provide proof of sufficient liability insurance to respond to damages for any personal or property damages caused by any specified animal kept at the facility. The insurance shall provide that the insurance shall not be canceled or materially altered so as to be out of compliance with the requirements of this Chapter without thirty (30) days written notice first being given to the Director. The applicant shall provide a certificate of insurance to the Director within ten (10) days of the issuance of the permit. The Director shall revoke the permit upon any failure to maintain sufficient liability insurance as required under this subsection.

D. Each specified animal facility permit issued by the Director shall be conditioned on the applicant maintaining the facility in compliance with each of the issuance criteria. If the Director determines by inspection that the specified animal facility is not being maintained in compliance with the issuance criteria, the specified animal facility permit shall no longer be valid and shall be revoked. Before operation of the facility resumes, submission of a new application for a specified animal facility permit accompanied by payment of the permit fees shall be required, and the facility shall not be allowed to operate until such time as the Director has inspected the facility and determined that all issuance criteria have been met. The Director may impose other conditions on the permit, including but not limited to, a bond or security deposit necessary to protect the public health or safety.

E. A person keeping a total of three or fewer chickens, ducks, doves, pigeons, pygmy goats or rabbits shall not be required to obtain a specified animal facility permit. If the Director determines that the keeper is allowing such animals to roam at large, or is not keeping such animals in a clean and sanitary condition, free of vermin, obnoxious smells and substances, then the person shall be required to apply for a facility permit to keep such animals at the site.

F. These provisions for specified animal control are intended to provide city-wide regulations for keeping specified animals within the City. However, due to the variety of animals covered by these regulations and the circumstances under which they may be kept, these regulations should be applied with flexibility. Variances provide flexibility for unusual situations, while maintaining control of specified animals in an urban setting. The Director should grant variances if the proposal meets the intended purpose of the regulation, while not complying with the strict literal requirements.

1. Applicants for a specified animal permit may request a variance from the requirements

set forth in Section 13.05.015 C. In determining whether to grant a variance request, the Director shall consider the following criteria:

- a. Impacts resulting from the proposed variance will be mitigated as much as possible;
 - b. If more than one variance is proposed, the cumulative impact would still be consistent with the overall purpose of the regulations; and,
 - c. If in a residential area, the proposed variance will not significantly detract from the public health or safety in the area.
2. The Director may impose conditions on any variance, as may be appropriate to protect the public health or safety or the health or safety of the animals.
- a. The Director may, at any time, revoke any variance, or amend the conditions thereof, as may be appropriate to protect the public health or safety or the health or safety of the animals.
 - b. Failure to comply with the conditions of any variance issued under Section 13.05.015 F is a violation of this Chapter.

13.05.020 Permit Fees.

(Amended by Ordinance Nos. 168900 and 181539, effective February 15, 2008.)

- A. The application for a specified animal facility permit shall be accompanied by a nonrefundable fee.
- B. The Director may establish application fees at amounts reasonably calculated to cover the costs of administration and enforcement of the specified animal facility program. Before such fees may become effective, the Director shall submit the fee schedule to the Portland City Council for review and approval by ordinance.

13.05.025 Unsanitary Facilities and revocation of permit.

- A. All specified animal facilities shall be open at all times for inspection by the Director. If an inspection reveals that any provision in this Chapter is violated, the Director shall give written notice to

the keeper or other responsible person, specifying the violation and requiring that the violation be corrected within 48 hours. If the violation is not corrected within the period specified, the Director may revoke the specified animal facility permit.

B. The Director may revoke any specified animal facility permit upon determining that the facility no longer meets the conditions required for the issuance of a permit or that the permit was issued upon fraudulent or untrue representations or that the person holding the permit has violated any of the provisions of this Chapter.

13.05.030 Seamless Banded Pigeon Permits.

Any keeper of pigeons generally known as "seamless" banded pigeons, recognized by the National Association of Pigeon Fanciers, such as flying tippers, tumblers, homing pigeons or rollers, may, after obtaining the signed consent of two-thirds of the total number of property owners and occupants residing within property 200 feet from the property lines of the property where such pigeons are kept, obtain from the Director a permit to release such pigeons for exercise or performance at stated times or intervals. The Director may impose such other conditions on the permit as are necessary to maintain the public safety and health.

13.05.035 Livestock within Fifty Feet of Residence.

It is unlawful to picket any livestock, or allow any livestock to roam, so that it may approach within 50 feet of any building used as a residence, or any commercial building in which foodstuff is prepared, kept or sold.

13.05.040 Diseased Animals to be Confined.

A. It is unlawful for any specified animal keeper who has reason to believe that the animal is infected with mange, eczema or other disease contagious to animals, or who has been notified as provided in Subsection C hereof, not to confine such animal until the animal is examined and declared free of disease by a licensed veterinarian or by the Director.

B. It is unlawful for any specified animal keeper who has reason to believe that the animal is infected with ringworm, hepatitis, rabies or other disease contagious to humans, or who has been notified as provided in Subsection C hereof, not to confine such animal until the animal is examined and declared free of disease by a licensed veterinarian or by the Director.

C. If the Director finds, after investigation, that there is a preponderance of evidence indicating that any specified animal is infected with a contagious disease, the Director shall issue written notice to the keeper of such animal, requiring the keeper to confine such animal until it is examined and declared free of disease by a licensed veterinarian or the Director.

D. The Director may initiate an investigation under Subsection C hereof upon receipt of a signed statement by any person indicating that a certain animal is infected with a contagious disease.

13.05.045 Civil Penalties and Additional Restrictions.

(Amended by Ordinance No. 181539, effective February 15, 2008.) All enforcement of this Chapter by the Director shall follow the procedures set forth in Multnomah County Code Chapters 15.225 - 15.236

13.05.050 Appeals.

(Repealed by Ordinance No. 181539, effective February 15, 2008.)

Residential Urban Chicken Keeping: An Examination of 25 Cities



Missoula Residents with their backyard chickens.
Source: <http://www.missoula.com/news/node/226>

KT LaBadie

**CRP 580 Spring 2008
University of New Mexico
May 7th 2008**

Table of Contents

Introduction	4
Research Methods	5
Analysis	6
<i>Locating and Understanding the Ordinances</i>	12
<i>Number of Birds Permitted</i>	7
<i>Regulation of Roosters</i>	8
<i>Permits and Fees</i>	8
<i>Enclosure Requirements</i>	9
<i>Nuisance Clauses</i>	9
<i>Slaughtering Restrictions</i>	10
<i>Distance Restrictions</i>	10
<i>Unique Regulations</i>	11
Findings and Recommendations	12
Conclusions	14
References	16
Appendix A	17
25 Ordinances Analyzed.....	17
Appendix B	18
Sources for 25 Ordinances.....	18
Appendix C	19
Example ordinance.....	19

Abstract

City councils across the United States and Canada are increasingly being faced with the task of deciding whether or not to allow chicken keeping in residential backyards. In many cases this issue has two opposing sides: those citizens who want to keep chickens for egg production and those citizens who are concerned about the effects of chickens on their communities. This paper provides an analysis of pro-chicken ordinances from 25 cities in an effort to define the components of a just and well functioning chicken ordinance. Of the 25 ordinances, no two were identical but a variety of common regulatory themes were found across cities. Based on these findings, some considerations are suggested when forming an urban chicken keeping ordinance.

Introduction

*"I can't say that I would have envisioned chickens as an issue, but I've heard from a lot of people about them, and it seems like it's something maybe we ought to pay a little attention to."*¹

- Stacy Rye, Missoula City Councilwoman

It's happening right now in cities across the United States and Canada. Community members are organizing themselves into groups and approaching their city councils about an important urban planning issue: chicken keeping in the city.

This question of whether or not cities should allow backyard chicken keeping has increased substantially over the past 5 years as citizens become more interested in participating in their own food production. The issue has appeared recently before city councils in Missoula², Halifax³, and Madison⁴, and a case is currently pending in Ann Arbor, Michigan⁵. In many cases this interest in backyard chicken keeping has been met with much opposition and city councils often do not know how to begin approaching the issue.

The recent increase in urban backyard chicken keeping has come about for three main reasons. First, the local food movement itself has become very popular which has sparked a new interest for many in backyard food production. Since chickens are one of the smaller protein producers, they fit well into a backyard food production model. Second, rising energy and transportation costs have caused concern over increases in food costs, and backyard eggs offer a cheaper solution as they do not have to travel far to reach the plate. Lastly, many citizens are becoming increasingly concerned about food safety, and with meat recalls and other animal industry issues in the news, backyard chickens offer many a safer solution. For these reasons, backyard chickens have become

¹ Moore, Michael. Urban Chickens Scratching up a Controversy in Missoula. . Available online at <http://www.missoula.com/news/node/226>

² Medley, Ann and Jonathan Stumph. Video: Missoula Squabbles Over Urban Chickens. Available online at http://www.newwest.net/city/article/missoulas_urban_chicken_squabble/C8/L8/

³ CBC News. Halifax to Study Chickens in Cities. Available online at <http://www.cbc.ca/consumer/story/2008/02/12/chicken-report.html>

⁴ Harrison-Noonan, Dennis. Urban chicken keeper, Madison, Wisconsin. Interviewed on April 8, 2008.

⁵ Kunselman, Steve. City Councilor (ward 3) Ann Arbor, Michigan. Interviewed on April 29, 2008.

increasingly popular, but not everyone likes the idea of chickens living in their neighborhood.

There are generally two sides to the chicken keeping issue: those who are for allowing *Gallus domesticus* in residential backyards, and those who are opposed. There are a variety of reasons why people want to keep chickens, ranging from having a safe source of protein to gaining a closer relationship to the food they consume. Those who are opposed to backyard chickens however, often express concerns about noise, smells, diseases, or the potential for chickens running loose. There is also debate between the two sides as to the appropriateness of chickens in a city environment and if chickens qualify as pets or livestock.

Chicken keeping in urban environments is nothing new, but it is now something that needs to be planned for in all major cities and small towns across the United States. As the interest in the local food movement continues to increase, and as citizens become more interested in growing their own food, municipalities will eventually be faced with the issue of regulating backyard chicken keeping within their city limits. Planning for chickens can either be pro-active on the part of the city council and planning staff, or reactionary as citizens will eventually bring the issue to city hall. Municipalities often do not know how to approach the chicken keeping issue, and this paper serves to provide some insight through an analysis of urban chicken ordinances from across the United States.

Research Methods

The main goal of this paper was to analyze how residential backyard chicken keeping is regulated through the examination of chicken ordinances from a variety of cities. To achieve this, data was gathered through the examination of residential chicken ordinances, as well as through a variety of interviews, newspaper articles, video footage, and other resources.

Residential chicken ordinances from over 30 cities were gathered, however only 25 of the cities allowed the keeping of chickens, so only those were used in the analysis (see

Appendix A). The ordinances were sourced from city web sites, online web ordinance databases, and other online sources (see Appendix B). In a few instances calls were made to city planning departments to verify language in the ordinances.

Interviews were conducted with the following city officials, urban chicken keepers, and urban food/gardening community organizations:

- Steve Kunselman, City Councilor (ward 3) Ann Arbor, Michigan. He proposed pro-chicken ordinances for Ann Arbor, which are being voted on in May of 2008.
- Thomas Kriese: An urban chicken keeper in Redwood, CA and writer about urban chickens at <http://myurbanchickens.blogspot.com/>
- Dennis Harrison-Noonan, urban chicken keeper, Madison, Wisconsin. He was involved in the adoption of pro-chicken ordinances for Madison.
- Debra Lippoldt, Executive Director of Growing Gardens, Portland, OR

These interviews served to provide personal insights into urban chicken keeping, stakeholder positions, and the urban chicken movement. The interviews were also crucial in receiving feedback about chicken ordinances and the process involved in legalizing chicken keeping.

Analysis

Of the 25 cities evaluated, no two were identical in their restrictions and allowances (see chart of detailed findings in Appendix A). There were, however, common regulatory themes that emerged from the set evaluated. These common themes are as follows:

- The number of birds permitted per household
- The regulation of roosters
- Permits and fees required for keeping chickens
- Chicken enclosure/containment restrictions
- Nuisance clauses related to chickens
- Slaughtering restrictions
- Coop distance restrictions in relation to homes or property lines

The findings of the above commonalities, as well as unique regulations that emerged, are discussed in detail below. The ease and accessibility of finding the ordinances is also discussed.

Number of Birds Permitted

Of the 25 cities evaluated, only 6 had unclear (or not specifically stated) regulations on the numbers of birds permitted, while 13 stated a specific number of birds. Of the remaining, 3 cities used lot size to determine the number of chickens permitted, 2 cities used distance from property lines as a determining factor, and 1 city placed no limit on the number of chickens allowed. Over half of the cities evaluated stated a specific number of allowable chickens, which ranged from 2 to 25 birds. The most common number of birds permitted was either 3 or 4 birds, which occurred in 8 cities.

The most common number of birds permitted was 3 or 4, which will supply on average between 1 and 2 dozen eggs per week. Depending on the size of the family in the household, this may be sufficient. In some cases however, 3 to 4 birds may not be enough for larger family sizes or allow for giving away eggs to neighbors. In cities where it is legal to sell your eggs at farmers markets, 3 or 4 birds would not be sufficient. So what is a good number of chickens to allow in residential backyards for home consumption? Thomas Kriese, an urban chicken keeper who writes online about chicken keeping and ordinances, feels that no more than 6 birds should be permitted. "That's approximately 3 dozen eggs a week which is a LOT of eggs to consume, plus that's a lot of food to go through, and excrement to clean up," he stated in a personal correspondence.⁶

The answer of how many birds to allow is not an easy one, as other factors such as average property sizes and controlling for nuisances should be considered. A good example of how to address the issue surrounding the number of birds is Portland, Oregon's chicken ordinance. Portland allows the keeping of 3 birds per household; however you are allowed to apply for a permit to keep more (See Appendix A). In this case the ordinance is flexible, as a sufficient number of birds are permitted outright, and those wishing to keep more can apply to do so.

⁶ Kriese, Thomans. Urban chicken keeper, Redwood City, CA. Personal correspondence on April 28, 2008. His coverage of urban chicken ordinances is available online at <http://myurbanchickens.blogspot.com/>

Regulation of Roosters

The regulations regarding roosters were unclear in 14 cities and in 7 cities the keeping of roosters was not permitted. Of the remaining 4 in which the keeping of roosters was permitted, 1 city allowed roosters if kept a certain distance from neighbors residences, 1 allowed roosters only under 4 months of age, 1 allowed a single rooster per household, and 1 placed no restrictions.

Many cities choose to not allow the keeping of roosters, as neighbors often complain about the crowing which can occur at any hour of the day. Since one of the main reasons people choose to keep chickens is for the eggs, which roosters do not provide, it is generally accepted to only allow hens. In the case of Albuquerque, New Mexico, 1 rooster is allowed per household but it is still subject to noise ordinances (see Appendix A). So in this case, you can keep your rooster if your neighbors do not mind the crowing. This does allow people to have more choice, however it can also increase the costs associated with enforcing noise complaints.

Permits and Fees

The regulation of chickens through city permits and fees was unclear in 11 of the cities evaluated, while 4 required no permits or associated fees, and 10 required permits, fees, or both. The fees ranged from \$5.00 to \$40.00, and were either 1 time fees or annual fees. Of the 10 that required permits/fees, 3 required permits *only if* the number of birds exceeded a set amount which ranged from 3 to 6 birds. In two instances, it is also required that the birds be registered with the state department of agriculture.

Requiring a permit for chickens is no different than requiring one for dogs and cats, which is the case in most cities. From the perspective of affordable egg production however, attaching a large fee to the permit undermines that purpose. If a fee is too steep in price, it can exclude lower income populations from keeping chickens by increasing the costs of egg production. Fees may be necessary however to cover the associated costs for the municipality to regulate chickens. Another option, which was the approach of 3 cities, was to allow a certain number of birds with no permit/fee required, and anything

above that required a permit/fee. This allows equal participation and lowered costs, while still providing revenue for the regulation of larger bird populations.

Enclosure Requirements

In 9 cities the ordinances were unclear in regards to enclosure requirements or the allowance of free roaming chickens. Of the remaining, 2 had no restrictions and 14 required that chickens be enclosed and were not permitted to “run at large”. In one case, the approval of a coop building plan and use of certain materials was required.

Over half of the cities evaluated required that chickens be enclosed, and this regulation can help to alleviate the concerns of neighbors. Many chicken keepers want to keep their chickens confined in a coop and outdoor run, as this helps to protect them from predators. However, it is very restrictive to require confinement of chickens at all times, as many keepers enjoy watching their chickens free range about the yard. Just as there are regulations for leashing your dog, so too could there be regulation for only allowing chickens to roam in their own yard.

Requiring a building permit with specific material requirements, is also restrictive to lower income populations, and takes away from the sustainability of keeping chickens for eggs. In many cases, chicken coops are built with scrap materials and suit the design needs of the owner. Requiring a specific design or materials takes those choices away from the chicken keeper. Coops should be treated similar to dog houses, which are generally not subject to this type of regulation.

Nuisance Clauses

There were a variety of nuisance regulations stated in 17 of the cities evaluated, while the remaining 8 cities had unclear nuisance regulations. The nuisances that were stated in the 17 ordinances included one or more of the following: noise, smells, public health concerns, attracting flies and rodents, and cleanliness of coops/disposal of manure. Chicken keeping alone does not cause the nuisances listed above, but rather they result from improper care and maintenance which can sometimes occur.

A properly shaped ordinance can prevent potential nuisances by establishing clear guidelines for chicken care and maintenance, such as only allowing smaller sized flocks and not permitting roosters. An active community led education campaign, such as chicken keeping classes and coop tours, is another way in which to educate the public to ensure proper care and reduce the potential for nuisances. In many cities, chicken keeping community organizations have helped to educate the public on how to properly keep chickens within the limits of the law, thereby reducing nuisances and complaints.

Slaughtering Restrictions

Regulations regarding the slaughtering of chickens in residential areas were unclear in 19 of the cities evaluated. Of the remaining, 4 allowed slaughtering of chickens while 2 stated it was illegal to do so. This regulatory theme had the highest level of unknowns, most likely due to the issue not being included in the ordinance, or it being stated in another section of the general animal ordinances, and not referring specifically to chickens.

Although slaughtering chickens within city limits seems gruesome to some, others may wish to slaughter their birds for meat. Rogers, Arkansas for example, only allows the slaughtering to take place inside (Appendix C), which could help prevent neighbor complaints about the process. Allowing for slaughtering however, may also have its benefits, such as being a solution to aging urban chickens that no longer produce eggs.

Distance Restrictions

Distance restrictions between the location of the chicken coop and property lines, or coop and nearby residences, were stated in 16 of the ordinances evaluated. There were no restrictions in 3 of the ordinances and 5 were unclear. Of the 16 with distance restrictions, 12 were distances required from residences, while 3 were distances required from property lines. The distance required from property lines ranged from 10 to 90 feet, while the distances from residences ranged from 20 to 50 feet.

If a city chooses to have distance restrictions, the average lot sizes need to be taken into consideration. For example, Spokane, WA has a property line distance restriction of 90

feet (see Appendix A), which may be impossible to achieve in many residential yards. This large of a requirement would prevent many people from keeping chickens. The lower distance requirements, such as 10 or 20 feet are more feasible to achieve for those with smaller lot sizes. Distance requirements to neighboring homes (vs. property lines) are also easier to achieve as the distance considers part of the neighbors property in addition to the chicken keepers property.

Unique Regulations

All 25 ordinances evaluated had some combination of the above common themes, but there were also some unique regulations that one (or a few) cities had related to residential chicken keeping. These unique regulations are as follows:

- Chicken feed must be stored in rat proof containers
- Pro-chicken regulations are on a 1-year trial basis with only a set number of permits issued until the yearly re-evaluation.
- For every additional 1,000 sq. feet of property above a set minimum, 1 additional chicken may be added to the property.
- The allowance of chickens in multi-family zoned areas (allowance in single family zoning is most common)
- Coops must be mobile to protect turf and prevent the build up of pathogens and waste.
- Chickens must be provided with veterinary care if ill or injured
- Minimum square footage requirements per bird for coop/enclosure

The unique regulations listed offer some innovative solutions to possible issues such as pests and waste, as well as defining minimum space and health care standards for chickens. Some of these regulations also allow for more flexibility, such as extending the right to keep chickens to those living in multi-family dwelling units or allowing more birds on larger property sizes. In the case of Portland, ME, the permitting of chickens is on a trial basis, which may be a good option if a city wants to reevaluate residential chicken keeping after a certain time frame.

Locating and Understanding the Ordinances

Of the 25 pro-chicken ordinances, very few were actually easy to locate. In most cases, pages of code had to be searched in order to find the regulation and even then the chicken ordinances were often vague, incomplete, or regulations were spread throughout multiple sections of the code. This is an issue that should be considered, as unclear or hard to find ordinances can only lead to increased non-compliance.

The most easily accessible chicken ordinances were those specifically stated on city web pages, and those found through websites and literature from urban gardening organizations or community groups. One example of easily accessible ordinances is that of Rogers, Arkansas (Appendix C). Their chicken ordinance is not only easily accessible directly from the city website, but it is also clear and comprehensive. A clearly stated and easily accessible ordinance allows resident to know how they can keep chickens within the limits of the law, which can reduce complaints and other issues related to non-compliance.

Findings and Recommendations

"Issues such as rodent control are a real concern and the ordinance can have a positive influence on keeping an already urban issue from being exacerbated any more than it already is".

- Debra Lippoldt, Executive Director of Growing Gardens, Portland, OR⁷

The original question for this paper was "What is a good urban chicken ordinance?" This was based on the idea of examining a variety of ordinances and then singling out those that were better than most and could serve as an example. After having conducted the analysis however, the question was changed to "What are the good components and considerations that make up a just and functional urban chicken ordinance?" There is no superior "one size fits all" ordinance to regulate urban chickens, as each city has different physical, environmental, social, and political needs.

Although each ordinance will be different from one city to the next, a pro-chicken ordinance should be built upon the following considerations:

⁷ Lippoldt, Debra. Executive Director of Growing Gardens, Portland, OR. Personal Correspondence on April 8, 2008.

- It satisfies the needs of most stakeholder groups and acknowledges that some stakeholders on both sides of the issue will be unwilling to compromise
- It does not discriminate against certain populations, such as those of lower incomes who can not afford high permitting fees, or those with smaller property sizes
- It allows for flexibility and provides choice, such as giving chicken keepers the right to choose their own coop design and building materials
- It allows for citizen input and participation in the ordinance forming process to assure that the ordinance fits the needs of , and is supported by the community
- It recognizes the role chickens can play in developing a more sustainable urban environment
- It recognizes the importance of the ordinance being clearly stated and easily accessible to the public, which will help ensure compliance and reduce violations.

The general considerations above are a good compliment to the specific allowances that each municipality chooses to fit its needs and that of its citizens. These specifics however can be more difficult to choose and looking to other cities as examples can provide insight into the best possible choices.

The evaluation of 25 different chicken ordinances showed a wide spectrum of choices that municipalities have made in the regulating of chickens. Looking at the number of chickens permitted, for example, cities ranged anywhere from 2 chickens to unlimited chickens. Only allowing for 2 chickens may not be an ideal choice, as they are social creatures and if one were to become ill and die, only one chicken would be left. Two chickens also do not produce enough eggs for a larger sized family. On the other hand, allowing for unlimited chickens may mean increased nuisance enforcement, or allowing for that many chickens may be met with increased public opposition. Often the average allowances found (not the most extremes) are the best choices of an example regulation for other cities to look to when considering the formation of their own chicken ordinance. In the case of the cities evaluated, the most common allowance was 4 to 6 birds, which can provide enough eggs for a family and does not highly increase the potential for nuisances. It also allows for a more sustained population if a bird becomes ill and dies.

Another example of the middle ground being a good option would be permitting and fees for keeping chickens. In some cities there were high fees for permitting, while in others no fee or permit was required. A few cities, which only required permits and fees if you have over a certain number of birds, show a good middle ground for how to permit chickens. That model allows for citizens to keep a certain number of chickens without added costs, while also creating revenue for enforcement and regulation when people choose to exceed that amount. Many cities are concerned over increased costs if chicken keeping is legalized, and this is one way to alleviate those concerns while still allowing citizens to keep chickens.

In some of the regulatory themes, such as in the examples above, the middle ground does provide a choice which can alleviate concerns while still allowing for the keeping of chickens. Other regulatory themes, such as the slaughtering of chickens, may come down to more of a yes or no answer, as was seen in many of the cities. In either case, if a city is going to adopt a pro-chicken ordinance, the most important part is to first allow for the keeping of chickens, with the understanding that the ordinance can be revisited and changed at a future time. Allowing for the keeping of chickens is the best way to see if the concerns surrounding chicken keeping ever come to fruition, and the ordinance can then be adjusted accordingly. In many cases, cities adopt a more restrictive ordinance as that is what will pass public approval and city council. Then as time passes with few complaints or nuisances, those regulations become more relaxed and tailored specifically to the needs of the city and its residents.

Conclusions

"It seems that if we want to be a town that does its part for sustainability, this is something we ought to consider. I think we want to allow folks to use their good judgment and move toward more sustainable food practices."

- Mayor John Engen, Missoula, MT⁸

Many cities and towns are now looking at how they can be more sustainable, and allowing urban chickens is one step towards that goal of increased sustainability. Not

⁸ Moore, Michael. Urban Chickens Scratching up a Controversy in Missoula. Available online at <http://www.missoula.com/news/node/226>

only can backyard chickens provide residents with a fresh and important food source, but they also bring about an increased awareness of our relationship to the food cycle. By forming a just and well thought out pro-chicken ordinance, cities can allow citizens the right to keep chickens while also addressing the concerns of other stakeholder groups. With that said, city councils should approach the issue of urban chicken keeping with a "how" rather than a "yes" or "no", as a growing list of pro-chicken cities across the nation shows that it can be done successfully.

References

(References for 25 City Ordinances: See Appendix B)

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Moore, Michael. Urban Chickens Scratching up a Controversy in Missoula. . Available online at <http://www.missoula.com/news/node/226>

Appendix A
25 Ordinances Analyzed

City/State	# of birds permitted	Roosters allowed	Permit/ permit cost	Enclosure required	Nuisance clause	Slaughter permitted	Property line restrictions	Details or unique regulations
Los Angeles, CA	unclear	only if 100 ft from neighbors	unclear	unclear	Yes	unclear	20 ft from owners home, 35 ft from neighbors	
Rogers, AK	4	No	\$5/yr	Yes	Yes	inside only	25 ft from neighbors house	
Keywest, FL	unclear	Yes	None	Yes	Yes	No	No	Can't use droppings as fertilizer, feed must be stored in rat proof containers
Topeka, KS	unclear	unclear	unclear	Yes	Yes	unclear	50 ft from neighbors house	
South Portland, ME	6	No	\$25/yr	Yes, building permit required	Yes	unclear	Yes	On trial basis till November 2008, only 20 permits issued till yearly evaluation
Madison, WI	4	No	\$6/yr	Yes	Yes	No	25 ft from neighbors house	
New York, NY	No limit	No	Yes	No	Yes	unclear	No	
Albuquerque, NM	15	1 per household	None	No	Yes	Yes	No	
Portland, OR	3 without permit	unclear	\$31 one time fee for 4 +	Yes	Yes	unclear	unclear	
Seattle, WA	3	unclear	unclear	unclear	Yes	unclear	10 ft from property line	1 additional chicken per 1,000 sq ft of property above minimum
Spokane, WA	1 per 2,000 sq ft of land	unclear	unclear	unclear	unclear	unclear	90 ft from property line	Chickens allowed in multi-family zoned areas
San Antonio, TX	property line dependent	unclear	unclear	unclear	unclear	unclear	20 ft minimum from another dwelling	5 birds allowed 20 ft from home, 12 birds at 50 ft, 50 birds at 150 ft
Honolulu, HI	2	unclear	unclear	unclear	unclear	unclear	unclear	
Oakland, CA	unclear	No	unclear	unclear	unclear	unclear	20 ft minimum from another dwelling	
St. Louis, MO	4 max. without permit	unclear	\$40 permit for more than 4 birds	unclear	unclear	unclear	unclear	
San Diego, CA	25	unclear	unclear	unclear	Yes	unclear	50 ft from neighbors house	Feed must be stored in rat proof container
San Jose, CA	dependent on coop to property line	only roosters < 4 months old	permit needed for 6 or more birds	Yes	unclear	unclear	Ranges from 0 to 50 ft, determines # of birds	<15 ft = 0 birds allowed, 15 to 20 ft = 4 birds, etc, up to 50 ft = 25 birds
Austin, TX	unclear	unclear	unclear	unclear	unclear	Yes	50 ft from neighbors house	
Memphis, TN	unclear	unclear	unclear	Yes	Yes	Yes	unclear	Feed must be stored in rat proof container
Ft. Worth, TX	based on lot size	unclear	No	Yes	Yes	unclear	50 ft from neighbors house	<1/2 acre = 12 birds, >1/2 acre = 25 birds
Baltimore, MD	4	unclear	Must register with animal control and Dept of Ag.	Yes	Yes	unclear	25 ft from neighbors house	Coops must be mobile to prevent waste build up, minimum 2 sq ft/bird,
Charlotte, NC	based on lot size	unclear	\$40/yr	Yes	Yes	unclear	25 ft from property line	minimum 4 sq. ft/bird, no more than 20/acre
Missoula, MT	6	No	\$15 permit	Yes	Yes	unclear	20 ft from neighbors house	Feed must be stored in rat proof container
Boise, ID	3	No	unclear	Yes	unclear	unclear	unclear	
San Francisco, CA	4	Unclear	No	Yes	Yes	unclear	20 feet from door or window of residence	

Appendix B
Sources for 25 Ordinances

City/State	Source for Ordinance
Los Angeles, CA	Los Angeles Animal Services. http://www.laanimalservices.org/permitbook.pdf
Rogers, AK	Ordinance No. 06-100 http://www.rogersarkansas.com/clerk/chkordinance.asp
Keywest, FL	Part 2, Title 5 Section 62 www.keywestchickens.com/city
Topeka, KS	Section 18-291 www.municode.com
South Portland, ME	Chapter 3 Article 2 Section 3 http://www.southportland.org/index.asp?Type=B_LIST&SEC={93286E1E-9FF8-40D2-AC30-8840DEB23A29}
Madison, WI	http://www.madcitychickens.com/ and www.municode.com
New York, NY	Just Food's City Chicken Project. City Chicken Guide. Information available online at http://www.justfood.org/cityfarms/chickens/
Albuquerque, NM	City ordinance chapter 9, article 2, part 4, § 9-2-4-3, c-3 http://www.amlegal.com/albuquerque_nm/
Portland, OR	Ordinance 13.05.015 http://www.portlandonline.com/Auditor/index.cfm?c=28228#cid_13497
Seattle, WA	Ordinance 122311 section 23 www.seattleurbanfarmco.com/chickens
Spokane, WA	Title 17 Chapter 17C.310 Section 17C.310.100 http://www.spokanecity.org/services/documents/smc/?Section=17C.310.100
San Antonio, TX	Municipal code 10-112, Keeping of farm animals www.sanantonio.gov/animalcare/healthcode.asp
Honolulu, HI	Chapter 7 Section 7-2.5 www.honolulu.gov/refs/roh
Oakland, CA	Ordinance 6.04.320 www.oaklandanimalservices.org
St. Louis, MO	Ordinance 62853-7 www.slpl.lib.mo.us/cco/code/data/t102001.htm
San Diego, CA	Ordinance 42.0709 http://docs.sandiego.gov/municode/municodechapter04/ch04art02division07.pdf
San Jose, CA	Ordinance 7.04.030, 140, & 150 www.sanjoseanimals.com/ordinances/sjmc7.04.htm
Austin, TX	Title 3 Chapter 3-2 www.amlegal.com/Austin-nxt/gateway.dli/Texas/austin
Memphis, TN	Title 9 Chapter 9-80-2, 9-68-7 http://municipalcodes.lexisnexis.com
Ft. Worth, TX	Section 11A-22a www.municode.com
Baltimore, MD	Baltimore City Health Code Title 2-106; Title 10, Subtitles 1 and 3 www.baltimorehealth.org/press/2007_02_02_AnimalRegs.pdf
Charlotte, NC	Section 3-102 http://www.charmeck.org/departments/animal+control/local+ordinances/permits/htm and municode.com
Missoula, MT	Ordinance Chapter 6 Section 6-12 ftp://www.ci.missoula.mt.us/Packets/Council/2007/2007-12-17/Chicken_Ordinance.pdf
Boise, ID	Chapter 6 Section 14 http://www.cityofboise.org/city_clerk/citycode/0614.pdf and http://home.centurytel.net/thecitychicken/chickenlaws.html
San Francisco, CA	San Francisco Municipal Health Code Section 37 http://sfgov.org/site/acc_page.asp?id=5476

Appendix C
Example ordinance
Rogers, AK

ORDINANCE NO. 06- 100

AN ORDINANCE REGULATING THE CONTAINMENT OF FOWL AND OTHER ANIMALS WITHIN THE CORPORATE LIMITS OF THE CITY OF ROGERS; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS:

Section 1: It shall be unlawful for any person to permit or allow any domesticated fowl to run at large within the corporate limits of the city. It shall be lawful to keep poultry flocks of any size in A-I zones of the city, so long as they are confined.

Section 2: It shall be lawful for any person to keep, permit or allow any fowl within the corporate limits of the city in all other zones, except A-I, under the following terms and conditions:

- a. No more than four (4) hens shall be allowed for each single-family dwelling. No birds shall be allowed in multi-family complexes, including duplexes.
- b. No roosters shall be allowed.
- c. There shall be no outside slaughtering of birds.
- d. All fowl must be kept at all times in a secure enclosure constructed at least two feet above the surface of the ground.
- e. Enclosures must be situated at least 25 feet from the nearest neighbor's residence.
- f. Enclosures must be kept in a neat and sanitary condition at all times, and must be cleaned on a regular basis so as to prevent offensive odors.
- g. Persons wishing to keep fowl within the city must obtain a permit from the Office of the City Clerk, after an inspection and approval by the Office of Animal Control, and must pay a \$5.00 annual fee.

Section 3: The above Section 2 is not intended to apply to the 'ducks and geese in Lake Atalanta Park, nor to indoor birds kept as pets, such as, but not limited to, parrots or parakeets, nor to the lawful transportation of fowl through the corporate limits of the city. Neither shall it apply to poultry kept in areas of the City which are zoned A-I.

Section 4: Fowl currently existing in the city shall not be "grandfathered" or permitted to remain after the effective date of this Ordinance; however, owners of the poultry will have 90 days from the effective date to come into compliance with this ordinance.

Source: <http://www.rogersarkansas.com/clerk/chkordinance.asp>

Article 7.17

KEEPING OF CHICKENS

Sections:

- 7.17.010 Short Title.
- 7.17.020 Definitions.
- 7.17.030 Keeping of Chickens.
- 7.17.040 Enclosures.
- 7.17.050 Inspection.
- 7.17.060 Permit Requirements.
- 7.17.070 Violation.

7.17.010 Short Title.

GRC Article 7.17 may be cited as the Gresham Chicken Code.
(Ord. No. 1683, Enacted, 02/04/2010)

7.17.020 Definitions.

For purposes of the Gresham Chicken Code, the following definitions apply:

Chicken: The common domestic fowl (Species: *gallus gallus*).

Coop: A small enclosure for housing chickens.

Dwelling: One or more rooms designed for residential occupancy by one family and having only one cooking facility.

Family: An individual, or two or more persons living together in a dwelling.

Rear Yard. A space extending the full width of the lot or parcel between the primary residence building and the rear lot or parcel line.

Run: An enclosed area where chickens may feed or exercise.

Single Family Dwelling: A detached building on a single lot or parcel designed for occupancy by one family.
(Ord. No. 1683, Enacted, 02/04/2010)

7.17.030 Keeping of Chickens.

(1) A person may keep three or fewer chickens with a permit on any one lot or parcel. On the lot or parcel where the three or fewer chickens are kept the person must have a single family dwelling in which the person resides.

(2) Only chickens greater than four months old count towards the total of three.

(3) No person may keep roosters.
(Ord. No. 1683, Enacted, 02/04/2010)

7.17.040 Enclosures.

(1) Chickens must be kept in an enclosed coop or run at all times. The coop and run shall be located in the rear yard of the lot or parcel.

(2) The coop and run must be kept in good repair, capable of being maintained in a clean and sanitary condition, free of vermin, and obnoxious smells and substances.

(3) Chickens must be kept in a covered, enclosed coop between 10 PM and 7 AM.

(4) The coop shall have at least two (2) square feet of floor space per grown chicken.

(5) The coop and run and chickens therein shall not violate the nuisance code or disturb neighboring residents due to noise, odor, damage, or threats to public health.

(6) The coop shall be located at least 25 feet from residences on a different lot or parcel and at least 10 feet from all property lines.

(7) The run shall be located at least 10 feet from all property lines.
(Ord. No. 1683, Enacted, 02/04/2010)

7.17.050 Inspection.

The manager is authorized to make inspection of property to effectuate the purposes and public benefits of the Gresham Revised Code and enforce GRC Article 7.17. Authorization to

inspect shall be pursuant to GRC 7.50.510 and GRC 7.50.520, irrespective of whether a permit has been granted.

(Ord. No. 1683, Enacted, 02/04/2010)

7.17.060 Permit Requirements.

(1) No person may keep chickens under the provisions of this Article without first obtaining a permit to keep chickens on their lot or parcel, and paying the permit fee prescribed.

(2) The permit shall be valid for a two-year period with the permit period commencing on the first day of the month a permit is issued and ends on the first day of the same month two years later.

(3) The permit may be revoked by the Manager for any violation of the provisions of this Article.

(4) The permit fee shall be established by Council resolution.

(5) The permit fee may be changed at any time by the City, and all permit fees required shall be payable in advance at the time of application or renewal.

(6) The permit fee is not refundable under any circumstance.

(7) Applications for a permit shall be made to the city on forms prescribed by the Manager. The application shall include a signed statement that the applicant will comply with the provisions of this article. The manager shall issue a permit when application has been approved and payment of the required fee has been received. The permit shall be exhibited to a police or other officer of the City upon demand.

(Ord. No. 1683, Enacted, 02/04/2010)

7.17.070 Violation.

(1) Violation of any section of this Article is a Class B violation. Each day a violation continues to exist shall constitute a separate

violation for which a separate fine or penalty may be assessed.

(2) In the event of a violation of this Article, the manager may initiate enforcement action pursuant to GRC Article 7.50.

(3) In addition to subsections (1) and (2) of this section, violation of any section of this Article shall also constitute a nuisance under GRC Article 7.15 and may be enforced as provided in GRC Article 7.50.

(4) Nothing herein shall prevent the manager from seeking any other means available at law or in equity in order to enforce the provisions of this Article.

(Ord. No. 1683, Enacted, 02/04/2010)

Additions are underlined
~~Deletions are struckthrough~~

**Tualatin Development Code
Chapter 40
Low Density Residential Planning District (RL)**

Sections:

40.020 Permitted Uses.

40.030 Conditional Uses.

Section 40.020 Permitted Uses.

- (1) Single-family dwellings, including manufactured homes.
- (2) Agricultural uses of land, such as truck gardening, horticulture, but excluding commercial buildings or structures and excluding the raising of animals other than normal household pets and chickens as provided in Tualatin Municipal Code Chapter 12-2 Keeping of Chickens in Residential Areas.
- (3) Home occupations as provided in TDC 34.030 to 34.050.
- (4) Public transit shelters.
- (5) Greenways and Natural Areas, including but not limited to bike and pedestrian paths and interpretive stations.
- (6) Residential homes.
- (7) Residential facilities for up to 15 residents, not including staff.
- (8) Family day care provider, provided that all exterior walls and outdoor play areas shall be a minimum distance of 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between.
- (9) Sewer and water pump stations and pressure reading stations.
- (10) Wireless communication facility attached, provided it is not on a single-family dwelling or its accessory structures.
- (11) Accessory dwelling units as provided in TDC 34.300 to 34.310.
- (12) Transportation facilities and improvements.

Section 40.030 Conditional Uses Permitted.

The following uses and their accessory uses are permitted as conditional uses when authorized in accordance with TDC Chapter 32:

- (1) Common-wall dwellings.
- (2) Condominium dwelling units provided they meet the following standards, notwithstanding other provisions of this Code, and meet the requirements of ORS 91.500.

(a) All units shall be on a primary lot with frontage on a public street or in accordance with TDC 36.470.

Attachment F
Draft Amendments to Sections 40.020 and
40.030(4)(m) of the Tualatin Development
Code to Allow the Keeping of Chickens in
the Low Density Residential (RL)
Planning District

(b) Access to secondary lots and to all buildings on the primary lot from public streets shall be guaranteed physically and legally by restrictive covenants and homeowners' association bylaws prior to issuance of building permits for the project and after approval of the state pursuant to state statutes, or in accordance with TDC 36.470.

(3) Small-lot subdivisions conforming to the following standards:

(a) No small lot subdivision shall have less than ten lots.

(b) All subdivision improvements shall conform to TDC Chapter 36.

(c) All dwelling units constructed shall conform to the construction standards of the State of Oregon Uniform Building Code as adopted by the City of Tualatin.

(d) A tree survey shall be prepared and submitted as part of the conditional use application. This tree survey shall show the location of existing trees having a trunk diameter of eight inches or greater, as measured at a point four feet above ground level. The purpose of this survey shall be to show that, by utilizing the small lot subdivision provisions, a greater number of trees can be preserved than would be possible without use of the small lot subdivision provisions. As used in this section, the word "tree" means a usually tall, woody plant, distinguished from a shrub by having comparatively greater height and characteristically, a single trunk rather than stems.

(e) The small lots:

(i) Shall be no less than 5,000 and no more than 6,499 square feet.

(ii) When a small lot abuts an existing lot in a City approved and recorded subdivision or partition the small lot shall be no more than 500 square feet smaller than the size of the abutting lot. For example, a new small lot shall be no less than 5,500 square feet if it abuts an existing lot of 6,000 square feet; 5,600 square feet if it abuts an existing lot of 6,100 square feet; 5,700 square feet if it abuts an existing lot of 6,200 square feet; and so on, up to 5,999 square feet if it abuts an existing lot of 6,499 square feet.

(iii) When a small lot is directly across a local street from an existing lot in a City approved and recorded subdivision or partition the small lot shall be no more than 500 square feet smaller than the lot directly across the street.

(iv) When a Tract or easement is between a small lot and an existing lot in a City approved and recorded subdivision or partition the small lot shall be separated from the existing lot by at least 50 feet.

(v) For purposes of this subsection, a small lot is directly across the street if one or more of its lot lines, when extended in a straight line across the local street, intersect the property line of the lot across the street.

(vi) When a subdivision is constructed in phases, a small lot in a later phase may abut or be directly across a local street from an existing lot in an earlier phase.

(f) The small lots shall be part of a development that contains lots of at least 7,000 square feet that are necessitated by trees, steep terrain or other topographic constraints.

ATTACHMENT F: PTA10-03 DRAFT CODE LANGUAGE – KEEPING OF CHICKENS

August 23, 2010

Page 3 of 3

(g) The small lots shall not exceed 35 percent of the lots in the total subdivision.

(h) The number of lots having a minimum area of 7,000 square feet shall equal or be greater than the number of small lots in the subdivision.

(i) The average lot width shall be at least 30 feet.

(j) When a lot has frontage on a public street, the minimum lot width shall be 50 feet on a street and 30 feet around a cul-de-sac bulb.

(k) The maximum building coverage for lots 5,000 to 6,499 square feet shall be 45 percent and for lots greater than 6,499 square feet shall be 35 percent.

(l) For flag lots, the minimum lot width at the street shall be sufficient to comply with at least the minimum access requirements contained in TDC 73.400(7) - (12).

(4) Other uses as specified below:

(a) Cemeteries.

(b) Churches and accessory uses.

(c) Colleges.

(d) Community buildings (public).

(e) Child day care center, if all exterior walls and outdoor play areas are a minimum distance of 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between.

(f) Governmental structure or land use including public park, playground, recreation building, fire station, library or museum.

(g) Retail nursery.

(h) Hospital or sanitarium.

(i) School.

(j) Water reservoir.

(k) Any business, service, processing, storage or display essential or incidental to any permitted use in this zone and not conducted entirely within an enclosed building.

(l) Golf course, country club, private club.

(m) Agricultural animals, limited to cattle, horses and sheep, and agricultural structures such as barns, stables, sheds, but excluding feed lots, in areas designated on the Tualatin Community Plan Map. The City Council may limit the number of animals to be allowed on a specific parcel of property. Keeping of chickens is a permitted use as provided in TDC 40.020 and Tualatin Municipal Code Chapter 12-2 Keeping of Chickens in Residential Areas.

(n) Increased building height to a maximum of 75 feet, if all yards adjoining said building are not less than a distance equal to 1 1/2 times the height of the building.

(o) Nursing or convalescent home.

(p) Retirement housing conforming to the standards in TDC 34.160 - 34.170.

(q) Electrical substation and above ground natural gas pump station.

CINDY HAHN

From: CINDY HAHN
Sent: Monday, October 04, 2010 2:26 PM
To: 'Steve Titus'
Cc: Sherilyn Lombos; AQUILLA HURD-RAVICH; ERIC UNDERWOOD
Subject: RE: Chickens in Salem

Steve,

Thank you for forwarding this article about the recently passed chicken regulations in Salem. I have been following these as part of my research on allowing the keeping of chickens in residential areas of Tualatin.

Council will be considering the keeping of chickens at the October 25 Work Session. The draft code language that staff will be presenting does not, at this time, propose requiring any permits or fees. However, this is the first time Council will have seen the proposed code language and they may decide that permits or fees should be required or that other changes are needed to the draft code language.

Your comments will be included in an attachment to the staff memo to Council, which will be available online one week before the October 25 Work Session. If you have any questions or concerns, please let me know.

Best regards,

Cindy

Cindy L. Hahn, AICP

Assistant Planner
City of Tualatin | Community Development Department
Phone: 503.691.3029 | Fax: 503.692.0147
chahn@ci.tualatin.or.us

From: Steve Titus [mailto:sntitus@gmail.com]
Sent: Tuesday, September 28, 2010 10:03 AM
To: CINDY HAHN
Subject: Chickens in Salem

<http://www.statesmanjournal.com/article/20100928/NEWS/9280341/1001>

Cindy,

I see they will be charging a \$50 license fee to keep chickens. I hope we have some fee included as well to cover the cost of a basic "Dos and Don'ts" of keeping chickens in the city.

Thanks,

Steve Titus

Sep 27 - 2010

To whom it may concern,

This note is to request a change in Tualatin laws regarding chicken ownership in private homes. The greater Portland area allows ownership and I would like to see Tualatin added to it

I am interested in getting 1 to 5 chickens - No Rooster! - nothing better than fresh eggs!!

Thank you for your interest!
503-885-9285

Marianik Le Gal

* R mail escargot46@gmail.com

Ms. Marianik Le Gal
21953 SW Mandan Ct
Tualatin, OR 97062



REC'D

CITY OF TUALATIN

SEP 29 2010

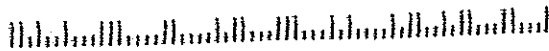
CITY COUNCIL

MAYOR COUNCIL CLERK ADJ.
FINANCE COMM DEV LEGAL OPER
COMM SVCS ENG & BLDG LIBRARY

5 W. MARTINAZZI AV
TUALATIN, OR 97062-7092

ATTN: DOMESTIC ANIMALS

132



CINDY HAHN

From: Sherilyn Lombos
Sent: Wednesday, September 08, 2010 1:48 PM
To: lou.ogden@juno.com; Chris Barhyte; Jay Harris; Ed Truax; Donna Maddux; Monique Beikman (monique.beikman@gmail.com); Joelle Davis
Cc: willisj@pdx.edu; Doug Rux; CINDY HAHN
Subject: FW: chickens

Council,

See the email below. I will follow-up regarding the website to find out why the emails aren't going through.

Sherilyn

Jennie,

The work session has not occurred yet; it is currently scheduled for the work session of October 25th.

Thanks!
Sherilyn

From: Jennie Willis [mailto:willisj@pdx.edu]
Sent: Wednesday, September 08, 2010 1:34 PM
To: Sherilyn Lombos
Subject: chickens

Hi Sherilyn,

Would you be able to forward this to the city council members? I used the link in the website to e-mail all of the members but it kept sending it back with an error message??

Thanks for your help.

Jennie

Hello all,

I read recently in the Tualatin newsletter that there was going to be some discussion around allowing homeowners to raise chickens. The work session may have already happened, but as a resident here in Tualatin I would like to request Tualatin to allow homeowners to have chickens. As a mother with young children, I work hard to provide my family with healthy food choices. Allowing chickens would be another way I could do that for me and my family. Allowing chickens would allow me to provide fresh eggs for my family. What I know of chickens is that they are not noisy animals (unless you have a rooster, perhaps Tualatin should not allow those??) They stay within their established boundaries, and go to sleep when the sun goes down.

I am sure there are varying opinions about this. I wanted to make sure I communicated with all of you about how one family here in Tualatin feels about the issue.

Thank you for all your time and the hard work that you do.

Sincerely,

Jennie Willis

CINDY HAHN

From: Doug Rux
Sent: Tuesday, August 17, 2010 1:41 PM
To: CINDY HAHN
Subject: FW: What is Tualatin's brand?

See below. Would should have an answer available on Monday on who bans chickens.

From: Paul Sivley [mailto:psfoto@comcast.net]
Sent: Tuesday, August 17, 2010 1:35 PM
To: Doug Rux; Sherilyn Lombos
Subject: Fwd: What is Tualatin's brand?

Just so you aren't caught by surprise by a request for data on cities banning chicken raising.

Paul Sivley, Photographer

Artistic Portrait, Architectural, Product and Food, Travel, Event, and Wedding Imagery
503 502 3385

There is no higher praise than to have someone recommend me to their friends, family, or business contacts

www.paulsivley.com

All images by Paul Sivley Photography are registered and protected against use without Paul's written approval under U.S. copyright laws

----- Forwarded Message -----

From: "Paul Sivley" <psfoto@comcast.net>
To: "lou ogden" <lou.ogden@juno.com>, Jay@H-Mc.com, smbeikman@verizon.net, maddux01@verizon.net, etruax@royalaa.com, chris@mustardpeople.com, "joelle d davis" <joelle.d.davis@gmail.com>, slombos@ci.tualatin.or.us
Sent: Tuesday, August 17, 2010 1:33:51 PM
Subject: What is Tualatin's brand?

Mayor and Councilmembers

I'm writing to strongly oppose the draft ordinance governing maintenance of chickens in Tualatin's residential areas that will be on your 8/23 work session agenda.

My main concerns with this proposal are as follows:

- 1) there is no public demand for such an ordinance at this time. Staff gets calls from people inquiring if chickens are legal, but that's it. No one has asked for this ordinance.
- 2) an increase in housing chickens in residential areas will result in increased disputes between neighbors over noise, smell, sanitation, compliance with ordinance coop distance requirements and so on. This is not the highest and best use of our already taxed staff's time or the city's financial resources. I frankly don't see the value in asking a CSO or Planning staff member to investigate disputes given the higher priorities we

face in terms of ordinance enforcement, development and public safety. Why create work for staff when no one is really asking for this ordinance? Why ask staff to undertake a task that is rather demoralizing based on their training and skill sets?

3) Some will say hens are quiet and harmless. I believe in a residential neighborhood they are unsanitary - look at the flu epidemics in Asia over the past few years which originated with poultry.

4) Finally, it took the city years to get rid of a dog food factory, and now we are talking about increasing the keeping of chickens in our neighborhoods. Is this the brand and image we want to convey as a modern suburb that is moving forward to people and businesses considering locating here? Is our brand one of the past or the future? Do we want to add a reputation of chicken farming to one of a strip club haven? I hope we can look for positive growth opportunities to counter those who label us thus.

Staff put together a good presentation before TPAC on cities who have these ordinances or are considering them. What I realized after the TPAC review was that we should have asked staff for an analysis of what cities have completely banned the keeping of chickens in residential areas. I hope you'll ask for this.

I believe the answer is a solid ban on chicken raising in residential areas, for the reasons noted above. Failing that, I urge you to consider an option Lou and I discussed - putting off action until we have citizen input via the community involvement initiative Jan and others are leading.

Thanks for listening. This may seem a minor issue, but I think it's the most misguided initiative I've seen in years of public service - and it's the little things that build our city's reputation and brand.

Paul Sivley, Photographer

Artistic Portrait, Architectural, Product and Food, Travel, Event, and Wedding Imagery
503 502 3385

There is no higher praise than to have someone recommend me to their friends, family, or business contacts

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Martinazzi Woods CIO
Backyard Chickens Poll, 2/26/13

Should Tualatin allow you and your neighbors to keep backyard chickens?*

Yes (25)

No (8)

It depends (8)

*Results include 38 poll responses submitted at the 2/26/13 meeting, plus comments submitted electronically before the meeting by three members who were unable to attend.

Comments:

YES

- I think the ordinance is well written and the concerns that are concerning keeping chickens. There isn't an enforcement person for dogs or cats but residents are expected to follow common sense guidelines for keeping their pets. In the same way a chicken ordinance would allow for the structure of a complaint process. I also don't believe you will find hundreds of homes getting chickens. People who have chickens are primarily those who do so for the benefit of pets or egg production and care greatly about their chickens.
- Volunteer advice help is a great idea! Many home chickens now—need an ordinance for better control.
- (1) Anyone who feeds birds or squirrels contributes to enticing mice and rats. (2) We do not have any mole problems because we have few bugs. (3) Slugs are disgusting and we no longer have that problem. Our strawberry patch is slug free. (4) Keep in mind the "elderly" do not like change.
- Having an ordinance will ensure proper keeping of chickens as pets. Dogs and cats are far more of a nuisance than chickens—which will be under more regulation than these "typical" pets.
- I think it is important to have an ordinance in place so that we can alleviate some of the issues the city has right now. Also maybe require people to take a class or somehow learn what the ordinance states and how to implement it.
- The ordinance proposal is "good enough" in its protection of neighbors. No need to nitpick it forever. Please pass it!
- Vermin (rats) can survive on dog feces as well as chicken feed.
- A permit with an animal fee should be required with owner signing acknowledgement of regulations. A signed complaint by two neighbors would revoke permit.

- I would like to see the structures set back from fences and have height restrictions. The volunteer inspectors/helpers are a great idea.
- Appears that the Code Enforcement Officer and process is sufficient.
- Many people in our neighborhood already have chickens. We just want them legal and in situations that don't bother our neighbors.
- Yes, as written by Mike Wright's team.
- Have friends who have chickens—have had barbecues in their backyard. Never hear chickens, never smell them, have eaten their eggs—great. Want to be able to raise chicken if I so desire and my neighbors don't object. Neighbors' dogs are much noisier than chicken could ever be. Opossums, raccoons, dogs and cats all can carry disease. Birds also.
- Backyard chickens make excellent pets and are no more a noise or odor nuisance than a dog (and less than an outdoor cat) when properly cared for. In addition, they provide natural pest control, and (most importantly) a low cost, high protein food source for their owners. Having said this, I believe it is reasonable to place limits on any type of animal ownership in suburban area. The Tualatin ordinance as it is currently proposed limits the size of the standard flock to 4 hens, bans roosters and includes guidelines for flock security and cleanliness. These provisions ensure that those who choose to keep chickens do so in a responsible and community friendly manner. Allowing small backyard flocks will bring us in line with many of our surrounding neighbors, allow for increased options for nutritious, local food and expand our appeal as a forward thinking, problem solving community.

NO

- There needs to be a better standard for the violations. At the CIO 4 meeting a volunteer said that they would be the enforcement officer. This will not be valid for the proposed standard noted. If there is going to be a standard set for our community you must have a way to follow up and evaluate the process of having community chickens. Chicken food brings rats. There will be diseases. Chickens bring rats—rats will eat chickens. Please study epidemiology in the community.
- If people are eventually allowed, then people should have to buy an annual permit that covers an annual inspection and code enforcement. There should also be a restriction on the height of coops so they are not visible by the neighbors!
- It depends on forced ordinances that include possibility for follow up on complaints, as well as containment of all feed around the coop. Any viable ordinance has to include provisions for containing the chicken feed at all time (during feeding, the feed should not be allowed to leave the enclosure at all). Our experience has been with a neighbor who built a coop unannounced and not according to any ordinance. Feed was allowed

to fall through an open floor. The local rat population EXPLODED. We have trapped/killed over 80 rats on our own. We had to contract an exterminator at over \$2000 to limit rat access to our garage and our crawl space which became infested—warm living conditions for rats during the winter months. The rats will persist and all we can attempt to do now is limit their access into our house.

- Not yet. Yet, I favor keeping chickens when code is complete. This one is not. (1) Backyard size, not total lot size, *i.e.*, large house = small backyard; *i.e.*, cul-de-sac = large backyard. (2) Slope of property—does runoff flush chicken “debris” down on downhill neighbors. If so, get signoff from downhill homeowner or build diversion wall at chicken owners expense. Make resulting legal expenses to be borne by hen owners. (3) Set height maximum on coop, *i.e.*, not visible over fence.
- (1) Noise. There is no logic to saying we already have noise (dogs, lawnmowers, etc.), so let’s add to it! Illogical! I don’t want to hear chickens. I try to attract songbirds to my yard—that’s what I want to hear. (2) Predators. Chickens attract a vast variety of predators—some come for the food; some come for the chickens. Even if the hens are in a coop, the predators will come anyway. They are industrious about getting into enclosures to get food! Again—there is NO LOGIC to saying we already see the occasional rat or raccoon—why put out BAIT to attract more! Plus lice, mice, skunks, etc. You want farm animals? Buy a farm. (3) Unsightly. Chicken coops are not pretty. (4) Enforcement. Complaining about neighbors’ chickens and coops will give rise to dissension and conflict. BAD IDEA.
- The regulations are a good start, but it does not address a couple of issues, such as height restrictions.

IT DEPENDS

- (1) I think that 5,000 sq. ft. is too big—smaller lot size would be ok. (2) Daily fine is too steep.
- Consider: (1) Height restriction—keep below 10 feet tall; (2) Rodent control—if neighbors have increased issues; (3) Need a permit process and initial small fee to inspect the coop area before it is occupied by chickens.
- (1) Height of coop shall not be 2 feet or more down from the top of any yard fence. (2) Dogs have annual license fees. Why not for chickens as they are pets and not for farm egg production. (3) Enforcement needs to be expanded to ensure compliance. (4) If chickens get out of their secure enclosure, resident’s yard to be fenced adequately to prevent chickens from getting free. (5) Keep the poultry feed inside of the garage.
- It depends on the level of enforcement and limitations of size of structure.
- I am concerned with those people who do not follow the rules. I think it would be difficult to deal with smelly coops or unsecured feed. It isn’t chickens that concern me. It is chicken owners. I am worried about creating more neighborhood problems.

- Sufficient enforcement process is critical. The proposed enforcement system, driven solely by signed written complaints, is inadequate. Not only are neighbors likely to avoid “tattling” for fear of harming relationships, they are not likely to know whether a chicken-owner is following the regulations because (1) the coop is behind a fence that is not visible to others and (2) the average person is unlikely to be aware of the particular regulations in the ordinance. Therefore, the ordinance should include a better system of enforcement. That may be mandatory periodic inspections by the city or a city-certified inspector or a volunteer enforcement team. Without adequate enforcement in the ordinance, I am opposed to its passage.
- It depends on the amount of area around the pen and whether they are properly cared for.
- We support the opportunity for folks who desire to have chickens to do so as long as they follow the rules/guidelines. They need to be self-regulating so no expense is incurred by the city or other citizens. Those with chickens could form some form of group to ensure the rules are followed and enforced.



Tualatin CIO

CITIZEN INVOLVEMENT ORGANIZATIONS

CIO2 – East Tualatin

April 28, 2013

City of Tualatin
Sara Singer, Deputy City Manager
18880 SW Martinazzi Avenue
Tualatin, OR 97062-7092

RE: CIO2 Backyard Chickens

Dear Sara,

CIO2 recently held our Annual Meeting on Saturday, April 27, 2013 and had Anna Christenson present on the proposed new ordinance that would allow hens in Tualatin. The meeting was attended by sixteen members of our CIO.

We are writing you to deliver what we believed were the consensus of the group regarding the Backyard Chicken Ordinance and we understand it to be currently written.

Consensus from those in attendance were not in favor of the ordinance as it is currently proposed, specifically there were concerns about the following items (not in any particular order);

- i. Lot Size (5,000 square feet was thought to be too small, possibly 7,500 or 10,000 square feet)
- ii. Setbacks – Setback was described as from an adjacent dwelling, not the property line. Concerns were raised that it should be from the property line so as to not hinder future additions to adjacent lots. Setbacks could also solve the minimum lot size issue if it was measured from the property line (i.e. 20 feet to 30 feet minimum).
- iii. Permits – Would want to have some sort of permit in place just to know who has them.
- iv. Runoff – Concerns about concentrated runoff from the coup to neighbors, or our waterways that may be contaminated with chicken fecal.

At this time, the CIO2 would **not support** adoption of the ordinance without the issues above being addressed.

Respectfully submitted,

Doug Ulmer
CIO2- President

Charlie Benson
CIO2 – Vice President

Comment Form

Issue: Chickens in Residential Areas

Date: April 25, 2013

CIO: Riverpark CIO 1

Number of Participants: 35 voters out of 48 members (13 abstained)

Majority Position: Move forward with an ordinance allowing chickens similar to the proposed ordinance.

Minority Position: Do not allow chickens on residential properties.

*C. Phyllis,
Riverpark CIO
Stand Out Officer*



Tualatin CIO

CITIZEN INVOLVEMENT ORGANIZATIONS

CIO2 – East Tualatin

May 10, 2013

City of Tualatin
City Council
18880 SW Martinazzi Avenue
Tualatin, OR 97062-7092

RE: CIO2 Backyard Chicken Survey

Dear Sara,

CIO2 recently conducted an online survey asking the members of our Nextdoor.com website and those in attendance at our Annual Meeting where we discussed the Backyard Chicken Ordinance on April 28, 2013. Anna Christenson provided us with a six question survey (questions 1 – 6 of the survey) and we also asked four additional questions that represented the four main topics of discussion brought up at the Annual Meeting (questions 7 – 10 of the survey).

At the time of the survey 11 neighbors of CIO2 were members of Nextdoor.com and the survey was sent to 16 neighbors of CIO2 that were at the Annual Meeting. Of the 26 neighbors listed above there were 6 duplicates, thus a total of 20 individuals within the neighborhood had an opportunity to take the survey.

In summary, the results of those surveyed showed that most **did not support** the ordinance and felt the lot sizes should be 10,000 square feet or larger (50.0%), have a setback from the property line (not the adjacent dwelling) of 25-ft or 30-ft (44.4%), that there should be a permit required with a nominal fee (80.0%), and that property values would decrease if the ordinance was passed (70.0%).

Attached are the results of the survey for your review.

Respectfully submitted,

Doug Ulmer
CIO2- President

Backyard Chicken Survey

Tualatin Community Input Backyard Chicken Survey

Recently, the Tualatin City Council was asked to adopt a new city ordinance allowing backyard chickens. In response to this, City Staff drafted a new proposed chapter to the Tualatin Municipal Code. The new proposed code includes the following:

- Prohibits roosters,
- Allows up to four hens for residents in Tualatin with lots 5,000 square feet or larger,
- Allows one extra hen for every 2,000 square feet, not to exceed a total of six hens,
- Requires that chicken coops be located at least 10 feet from any property line,
- Requires that chicken coops be located at least 20 feet from any dwelling unit on adjacent lots or parcels,
- Requires that chicken coop is kept clean, dry and sanitary,
- Requires that feed be kept in a metal storage container.

City Council has asked the six residential CIOs to discuss the proposed backyard chicken ordinance with their members and to collect feedback. The CIOs will report back to City Council with the results of the information-gathering exercise.

The brief survey below is an effort to meet the request of City Council by collecting feedback from the residents of Tualatin. Please provide your opinion on the issue below and take this opportunity to participate in a decision being made in your community.

Tualatin Backyard Chicken Survey

1. What best describes your opinion with regard to the proposed backyard chicken ordinance:

	Response Percent	Response Count
I support the adoption of the proposed backyard chicken ordinance	10.0%	1
I support the adoption of proposed backyard chicken ordinance with some changes	30.0%	3
I do not support the adoption of any ordinance allowing backyard chickens	60.0%	6
I do not know enough about the issue to have an opinion	0.0%	0
	Answered Question	10
	Skipped Question	1

Backyard Chicken Survey

2. Which statement below describes you best?

	Response Percent	Response Count
I would like to have backyard chickens	0.0%	0
I would not be interested in keeping backyard chickens	100.0%	11
Answered Question		11
Skipped Question		0

3. Do you have any concerns with Tualatin adopting a backyard chicken ordinance? If so, please describe them.

Owners of backyard chickens may not maintain healthy conditions.		
Permitting/ordinance enforcement Some means to insure that persons know how to care for chickens Neighbors are ok with chickens next door		
The additional burden on existing resources to "police" this new activity is of concern.		
I live in a residential neighborhood not on farm land. I do not find it fair or considerate for neighbors to have to smell, see and listen to the farm noises. I am concerned with the sanitary conditions of the water and land. noise		
Our yards are too small. The setback requirements are not adequate. This is a bad idea on any lot of less than ten thousand square feet.		
Yes, we are an urban City, we are within the Urban Growth Boundary, which was created to protect farms and forest lands. If we want farms closer to our house, then loosen the reins on the UGB.		
Answered Question		7
Skipped Question		4

Backyard Chicken Survey

4. Please list the reasons why Tualatin **should** adopt a backyard chicken ordinance.

Production of fresh eggs by those who want to do so, as long as neighbors are not impacted. Other Oregon communities are allowing this use.

Some areas seem to be very interested in raising chickens for eggs

Other than joining our neighbor communities I can't think of any reason.

Some areas of town probably have larger lots, but I would not support lot sizes smaller than 10,000 sq. ft., and set backs of at least 30 feet from any residence. Four hens a good maximum, and of course, no roosters.

no chickens allowed

We should not.

None.

Answered Question	7
Skipped Question	4

5. Please list the reasons why Tualatin **should not** adopt a backyard chicken ordinance.

See 3 above

Comments in survey item 3

Noise, smell, sanitary water

noise

Vermin. Smell. Noise. Runoff. Disease. Raccoons. Rats. Conflicts with neighbors.

More to regulate, more issues with nuisance issues. Chickens are not the problem, the people who don't know what they are getting into are the problem.

Answered Question	6
Skipped Question	5

Backyard Chicken Survey

6. Do you have any other comments?





I could think of a few more important issues that our government should be working on. Like fire works noise on and around the 4th of July.

This is a bad idea.

nope.

Answered Question	3
Skipped Question	8

7. What should the minimum lot size be for chickens to be allowed if the ordinance were to pass?

	Response Percent	Response Count
Less than 5,000 square feet	0.0%	0
5,000 square feet or larger 	10.0%	1
7,500 square feet or larger 	30.0%	3
10,000 square feet or larger 	50.0%	5
Other (please specify) 	10.0%	1

Chickens should NOT be allowed in residential/city neighborhoods

Answered Question	10
Skipped Question	1

Backyard Chicken Survey

8. In lieu of a minimum lot size, setbacks from the property line could accomplish the same goal, but puts an emphasis on location of the chicken coup and run rather than just size of lot. Would you rather have the ordinance emphasize a setback instead of the minimum lot size, and if so what distance?

	Response Percent	Response Count
No - Leave the minimum lot size, it works just fine.	0.0%	0
Yes - Minimum setback of 5-ft	0.0%	1
Yes - Minimum setback of 10-ft	0.0%	3
Yes - Minimum setback of 15-ft	0.0%	5
Yes - Minimum setback of 20-ft	22.2%	2
Yes - Minimum setback of 25-ft	22.2%	2
Yes - Minimum setback of 30-ft	22.2%	2
Both (please specify minimum setback)	33.3%	3
<i>There should be minimum lot size, minimum setback to property (5/10 ft), minimum setback to adjacent residence (15-25 ft)</i>		
<i>It would be difficult to keep coops far enough away from neighboring houses w/o set back requirements on "smaller" lots</i>		
<i>10,000 sq. ft lot and 30 ft setback</i>		
	Answered Question	9
	Skipped Question	2

Backyard Chicken Survey

9. Do you think a permit should be required?

	Response Percent	Response Count
Yes	20.0%	2
Yes w/ a nominal fee.	60.0%	6
No	0.0%	0
Maybe	20.0%	2

Answered Question	10
Skipped Question	1

10. Property Value: Do you think the value of your home would change if Tualatin allowed Backyard Chickens?

	Response Percent	Response Count
Increase	0.0%	0
Decrease	70.0%	7
No Change	30.0%	3
Don't Know	0.0%	0

Answered Question	10
Skipped Question	1

Comment Form

Issue: Chickens in Residential Areas

Date: 4/24/13 CIO Annual Meeting; Website poll: 4/24-5/13; submitted 5/14/2013

CIO: Ibach

Number of Participants: 33 (Meeting); 3 (website comments)

Majority Position: Following discussion of the merits of the hen Ordinance, from providing a healthy alternative food to providing entertainment and responsibility training for young people, 32 members of the CIO voted in favor the City passing the backyard hen ordinance.

From website:

"I support Tualatin's proposed chicken ordinance because I believe cities across the nation are embracing a "Back-to-Basics" way of life and chickens are the center of this local food movement. Households choosing to care for hens should be given credence they will properly adhere to the protocols of raising chickens as they know the benefits of raising a few chickens has immeasurable value. My experience with the West Slope neighborhood of Portland/Beaverton is very positive in allowing residents to keep chickens and have found neighbors forging a renaissance in their community connectedness as they share the practice."

Julie Makarowsky - Secretary, Ibach CIO

Minority Position: One member expressed concern about the attraction of predators and other vermin resulting from the presence of chickens and chicken feed. In addition, that same member questioned whether the draft the Ordinance's provision of ten (10) feet of distance from any property line was sufficient to limit the combined nuisances of noise and odor emanating from a traditional chicken coop.

From website:

One resident expressed concern over liability if his animals (dogs) were to injure or kill chickens that escaped enclosures, and hopes the final Ordinance will clarify that liability issue. This same resident was also concerned about the distance of the coops from dwellings (20 foot distance in the draft Ordinance should be tripled).

"To the City Council: We are not in the country and do not raise cattle, goats, horses, pigs, etc. in our yards. Residential areas are for people and families and not to raise the food we eat. If one wants to raise animals (other than pets as dogs or cats) then move to the country where those animals are naturally reared. The city is not the place for chickens. They contribute to allergies, salmonella, and other diseases. Additionally a 5000 square foot lot is not large enough to raise chickens and keep them far enough away from my property to be satisfactory. They would need to be at least 100 feet away from all property lines and 500 feet from any dwelling or other building. A minimum five acre lot size might be large enough with a separate area fenced with chicken wire with chicken coops inside of it would also be required. Chickens are messy, leaving chicken poop all over the area they roam. This becomes a breeding ground for bacteria and diseases. I don't want such a breeding ground any where near my house. Also, having chickens next door or in the area reduces home values. As soon as chicken coops are in the neighborhood, house values plummet. They are lower enough due to the poor economy as it is. I don't need anything around that makes it harder to sell my property." Tom Beall

From: Geoff Scott [mailto:geoff.scott.mail@gmail.com]
Sent: Thursday, May 16, 2013 1:27 PM
To: CINDY HAHN
Cc: Willie Fisher
Subject: Fwd: CIO6 Survey Results

Cindy,

I have included below screen shots of a "surveymonkey" survey conducted through the NextDoor website for CIO 6 on the Backyard Chicken issue. I am requesting that the feedback collected in the survey detailed below, be included in the Staff Report to City Council.

I have CC'd Willie Fischer, as he is the President of CIO 6. I am not an officer, and would not want to have my role in the CIO misconstrued. I discussed the survey with Willie prior to posting it on the NextDoor website for CIO 6. I would hope that, as Willie and/or others see fit, that these results help flesh out the report from CIO6 on this issue.

There were 10 respondents in total and the survey was up for roughly 2 days. I am sending the results now in hopes of making the Staff Report deadline.

Geoff

Backyard Chickens in Tualatin - 5 Quick Questions

Design Survey Collect Responses Analyze Results

Need to use the classic Analyze tool? Switch back

CURRENT VIEW ?

+ FILTER + COMPARE + SHOW

No Rules Applied

Rules allow you to FILTER, COMPARE and SHOW results to see trends and patterns. [Learn more](#)

SAVED VIEWS (?) ?

Original View (If no rules applied)

+ Save as...

EXPORTS ?

RESPONSES: 10 of 10 Export All

Question Summaries Individual Responses

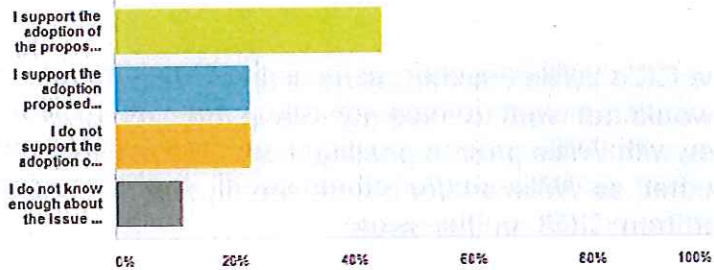
PAGE 1

Q1

Chart Type Display Options Export

What best describes your opinion with regard to the proposed backyard chicken ordinance?

Answered: 9 Skipped: 1



Answer Choices	Responses
I support the adoption of the proposed backyard chicken ordinance	44.44% 4
I support the adoption proposed backyard chicken ordinance with some changes	22.22% 2
I do not support the adoption of any ordinance allowing backyard chickens	22.22% 2
I do not know enough about the issue to have an opinion	11.11% 1
Total	9

Q2

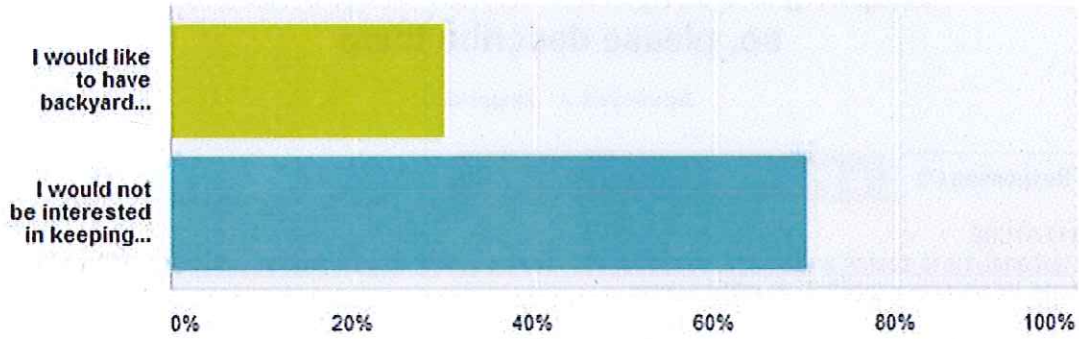
Chart Type ▾

Display Options ▾

Export ▾

Which statement below describes you best?

Answered: 10 Skipped: 0



Answer Choices	Responses
I would like to have backyard chickens	30% 3
I would not be interested in keeping backyard chickens	70% 7
Total	10

Q3

Export ▾

Do you have any concerns with Tualatin adopting a backyard chicken ordinance? If so, please describe them

Answered: 7 Skipped: 3

● Responses (7)

▲ Text Analysis

🔍 My Categories

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Use text analysis to search and categorize responses; see frequently-used words and phrases. To use Text Analysis, upgrade to a GOLD or PLATINUM plan.

Upgrade

Learn more x

Categorize as... ▾

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Search responses

🔍

?

Showing 7 responses

It will become a nuisance and the start of many neighbor arguments

5/15/2013 10:12 PM [View respondent's answers](#)

Pests attracted to food and animals. People chose a suburban life not a farm life in my neighborhood.

5/15/2013 8:31 PM [View respondent's answers](#)

Is everybody who chooses to have chickens going to keep the area "clean"? What if they don't?

5/15/2013 11:28 AM [View respondent's answers](#)

Potential negative impact to neighbors - chickens can attract bugs and predators, they create noise, can be messy and smelly if not properly cared for, waste concerns, etc

5/15/2013 10:30 AM [View respondent's answers](#)

It should allow for hens only

5/15/2013 7:47 AM [View respondent's answers](#)

We feel the lot size is too large. We have friends with chickens in Portland and they live on small lots. They had to survey their next door neighbors for approval for the chickens before building the chicken house. They also share their eggs with their neighbors. The chicken manure is great for everyone's veggie garden. Another substance to share with the neighbors.

Q4

Export ▾

Please list the reasons why you believe Tualatin SHOULD adopt a backyard chicken ordinance

Answered: 8 Skipped: 2

● Responses (8)

Text Analysis

My Categories

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Use text analysis to search and categorize responses; see frequently-used words and phrases. To use Text Analysis, upgrade to a GOLD or PLATINUM plan.

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Search responses



Showing 8 responses

People like fresh farm eggs.

5/15/2013 8:31 PM [View respondent's answers](#)

In my opinion people can do whatever they feel like it in their yards as long as whatever they do does not affect the wellbeing of others. I see people abusing or "pushing" some rules and I am afraid not everybody would be following all the rules around this.

5/15/2013 11:28 AM [View respondent's answers](#)

The more food we can provide for ourselves (eggs, gardens, etc.) the better.

5/15/2013 11:23 AM [View respondent's answers](#)

Nice hobby for residents and diversifies the food supply

5/15/2013 7:47 AM [View respondent's answers](#)

To clarify and control an issue that affects neighborhoods

5/15/2013 5:11 AM [View respondent's answers](#)

Chickens create sustainability for a family for a rich food with many nutrients. Chickens create a connection with nature from the eggs, to fertilizer, composting your own veggie scraps back to them for food as well.

5/14/2013 10:47 PM [View respondent's answers](#)

Q5

Export ▾

Please list the reasons why you believe Tualatin SHOULD NOT adopt a backyard chicken ordinance

Answered: 5 Skipped: 5

● Responses (5)

▲ Text Analysis

▼ My Categories

PRO FEATURE

Use text analysis to search and categorize responses; see frequently-used words and phrases. To use Text Analysis, upgrade to a GOLD or PLATINUM plan.

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Filter by Category ▾

Search responses

Q

?

Showing 5 responses

It will become a nuisance and the start of many neighbor arguments. If someone wants a farm, they should buy a farm. I prefer to not live next to a farm.

5/15/2013 10:12 PM [View respondent's answers](#)

I'm not against it. Chickens are a lot of work so not everyone will get them. Lots may be too small in my neighborhood anyway.

5/15/2013 8:31 PM [View respondent's answers](#)

additional burden on city to enforce code. concerns cited in #3 above.

5/15/2013 10:30 AM [View respondent's answers](#)

Can't think of any

5/15/2013 7:47 AM [View respondent's answers](#)

None at all.

5/14/2013 10:17 PM [View respondent's answers](#)

Comments Received About Chickens
March 1, 2013 to Present

Date/From	Comment	Support or Oppose?
<p>Sat 3/2/2013 1:55 PM</p> <p>Bruce & Jan Shriver [bjshriver@gmail.com]</p>	<p>Hi Lou, A couple of us were talking to you after the CIO4 meeting on Tues, Feb. 26th & you asked me to email you about some additional things to be taken into consideration for the ordinance on backyard chickens:</p> <p>Permit or inspection: perhaps chicken owners could be required to get an annual inspection or permit from a list of "approved" inspectors -- this would operate similar to the back flow inspections that sprinkler system owners currently provide the city. That would ensure that chicken owners are following all aspects of the ordinance.</p> <p>Complaint process: a person filing a complaint should have the option of keeping their name confidential -- many times people are afraid to complain because of possible repercussions or retaliation from a cantankerous neighbor.</p> <p>Height: The height of the coops should be considered in the ordinance so they can't be viewed by neighbors. Most people don't care to sit on their back deck or patio & look at a chicken coop.</p> <p>Homeowners Assoc.: A neighborhood association that prohibits chickens should still be able to prohibit chickens if this ordinance passes.</p> <p>Thanks for taking these ideas forward. Jan Shriver</p>	<p>Comments about ordinance.</p>
<p>Sun, 3/24/13 5:01 PM</p> <p>Debbie Maryanov [mailto:debmaryanov@gmail.com]</p>	<p>Hi Sara, Here are the results from our poll on backyard chickens at the February 26 Martinazzi Woods CIO meeting. Please provide this report to the City Council. I do not plan on presenting in person at the May City Council meeting.</p> <p>Thank you! Debbie Maryanov</p>	<p>Majority support <i>(see Attachment C)</i></p>
<p>Fri, 5/3/2013 10:14 AM</p> <p>cphill9@comcast.net [mailto:cphill9@comcast.net]</p>	<p>Nicole, Can you please send me a copy of the proposed ordinance? Also, what is the deadline for input to the Council for the May 28th meeting?</p>	<p>Request for copy of draft ordinance.</p>
<p>Sun 5/5/2013 1:47 PM</p> <p>Maile Thomas [mailethomas@hotmail.com]</p>	<p>Tualatin City Council- We have neighbors that had chickens and we had no issue with their habitation in our neighborhood. We do believe that in most cases, people can truly benefit from backyard chickens. We truly do believe that it is a great learning opportunity for children. They learn animal care, work ethic, sustainability, healthy eating, and much more. Families are able to save money, recycle, add to their livelihood, and eat a more complete and clean diet. These are all things that Tualatin residents desire in a functional, well adjusted community. Please consider allowing this healthy practice back into our community.</p> <p>Maile Thomas 503-393-2010</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
<p>Sun 5/5/2013 9:12 PM Doug Ulmer [doug_ulmer@comcast.net]</p>	<p>Cindy, Would like to submit the findings with backyard chickens for the May 28th council meeting agenda. We also have a survey currently available on survey monkey which I'll submit those results as we get closer to the meeting.</p> <p>Doug Ulmer President CIO2</p>	<p>Submitting comments on Ordinance for CIO2. (see Attachment C)</p>
<p>Mon 5/6/2013 9:50 AM Janienne Alexander [Janiennea@ohca.com]</p>	<p>Dear City Council, I have been a resident of Tualatin for 12 plus years and am writing to urge you to approve the proposed ordinance concerning backyard chickens. Specifically, I am asking that you add the new proposed Chapter 12-2, titled, "Keeping of Chickens in Residential Areas," to the Tualatin Municipal Code.</p> <p>This issue is not new to Tualatin. On June 14, 2010, City Council requested that the Tualatin Planning Commission (TPC) discuss the issue of backyard chickens. City Staff presented TPC with information for purposes of discussion on July 6, 2010. Staff presented draft code language on August 3, 2010, which TPC approved. The draft code language was then presented to the City Council during the October 25, 2010, work session, which resulted in "no action" by City Council.</p> <p>Two years later, during the public comment period at the November 13, 2012, City Council meeting, it was requested that City Council reconsider the backyard chickens issue. City Staff were directed to return to the December 10, 2012, work session to discuss the issue. After discussion, City Council decided to remand the backyard issue to the community through the Community Involvement Organizations.</p> <p>This issue has been fully debated in Tualatin, as the long history outlined above demonstrates. It is a process that began over two years ago! There's no longer any reason to delay approval of the new proposed Chapter 12-2. It is time that Tualatin approved backyard chickens. It's time for City Council to approve the draft language.</p> <p>Not surprisingly, the issue has also been fully debated in other communities across Oregon and the United States. Those debates have led to the approval of backyard chicken ordinances in many cities around Tualatin, including Beaverton (approved in 2010), Forest Grove (approved in 2009), Gresham (approved in 2010), and Portland (approved in 2008). Still other communities have had backyard chicken ordinances in place for decades, and have not seen any reason to repeal them, including Lake Oswego (in place since the 1980's), Oregon City (in place since the 1990's), and Sherwood (in place since the 1980's).</p> <p>The backyard chicken debate has even reached the front page of the <i>Wall Street Journal</i>, where, in the July 15th, 2009, edition an article detailed the long process Salem, Oregon, was undergoing at the time. This process resulted in approval of backyard chickens, as has been the case in many communities throughout the nation, time and again.</p> <p>I feel the issue should be settled for Tualatin residences, and backyard chickens should be allowed through the approval of the new proposed Chapter 12-2. The draft language addresses the number of birds allowed based on the size of the single-family residential area (12-2-030(1)), regulates chicken coop sanitation and storage of feed (12-2-</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
	<p>040), and a process by which neighbors can register complaints that, once confirmed by the Code Enforcement Office, result in non-compliant backyard chicken owners being fined (12-2-050).</p> <p>The proposed language is complete, fair, easily enforced, and reasonable. Again, I urge you to approve the proposed ordinance allowing backyard chickens in Tualatin.</p> <p>Sincerely, Janienne Alexander, CPS 20852 SW 84th Ave Tualatin OR 97062</p>	
<p>Thu 5/9/2013 7:30 PM</p> <p>John Schuler [johnschuler@comcast.net]</p>	<p>All, If for no other reasons, one might opt for having Backyard Chickens to:</p> <p>A. Help the Wildflowers Butterflies, Birds and the Bees - by feeding organic grain to Backyard Chickens, thus having organic fertilizer for flowers as a by-product of producing wholesome organic eggs.</p> <p>B. Improve one's own Health - by eating one of Nature's great and complete foods - an Organic Egg.</p> <p>C. Save Money - today at Whole Foods Market, a dozen organic free-range eggs (the kind they All used to be in the early 1900s) costs \$7.99 (66 cents per egg)</p> <p>Special Health Notes: (Chickens are perhaps the easy part these days): * GMO - With Monsanto (can you spell out GMO?) at the wheel of the commercial grain ship (including chicken feed), informed people will never eat one of the ~ \$3/dozen commercial white ones. * Fluorides - Now is also a good time for our Tualatin Council to take a firm stand to protect our drinking water which passes thru Portland on its way to us. Let's hope we don't have to buy \$1,000 home filters to remove the fluorides from our (and our Backyard Chickens') drinking water.</p> <p>Warm Regards, John Clifford Schuler Goals & Strategy Consultant 20850 SW 103rd Dr. Tualatin, Oregon, 97062 Direct Contact #: 503-709-5017 johnschuler@comcast.net</p>	<p>Support</p>
<p>Thu 5/9/2013 9:01 PM</p> <p>Tonya Peterson [tonyapeterson@yahoo.com]</p>	<p>Hi!</p> <p>I am writing to express my support for Tualatin to allow backyard chickens. Chickens are a great source of healthy food, entertainment and environmentally friendly pest control and yard care. I think that it is time that Tualatin catch up to the other cities in our area and allow those residents that would like to, to add chickens to their brood.</p> <p>Thank you for your time, Tonya Peterson</p>	<p>Support</p>
<p>Thu 5/9/2013 10:53 PM</p> <p>Mark Taft [taftms@designbinstudio.com]</p>	<p>Hi Cindy!</p> <p>I was unable to attend the CIO meetings on this topic, so I wanted to weigh in... As you know from our neighborhood conversations, I am encouraged when the city tries as hard as this to protect responsible, individual liberty! Thank you for working this issue.</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
	<p>A few years ago I was saddened to tell the kids that they couldn't start a little internal family business by maintaining chickens and selling the eggs to the family store (our fridge). I thought it would be a great lesson in responsibility and work ethic. Minimum wage locks a lot of young kids out of this early experience. It kind-of stunts the desire to do well in school and "find their gift" and better themselves.</p> <p>Nevertheless, I would like to see the city accept the raising of backyard chickens unless there are 2 or more written complaints from at least two neighbors in a given year. Does that sound feasible? If you have a better plan that easily handles the abuse of this freedom, I hope we will pursue it. Denying the right to all citizens of the city is pretty harsh. If it remains this way, we should have a clear reason why.</p> <p>When I learned of the restriction, my heart sank as I truly felt a depreciation in the value of living in Tualatin. I couldn't be sure if it was (a) that we couldn't be trusted to be neighborly with such a liberty, or (b) that we were not as free as I expected... (or both).</p> <p>I sure hope we get this resolved soon. - Mark Taft Working in Tualatin since 1989. Designed/built our home in Tualatin in 2004.</p>	
<p>Fri 5/10/2013 12:04 AM</p> <p>Wegotjc [wegotjc@comcast.net]</p>	<p>Dear City Council,</p> <p>Thank you for taking the time to consider this ordinance. This ordinance is well written and would continue to maintain the good neighbor standards that being a member of the Tualatin community my family and I have enjoyed. On May 28th when this ordinance comes to a vote I ask that each member of the city council would choose to vote 'Yes!' This 'Yes!' vote would allow for our family and others the option to have chickens on their property. Thank you.</p> <p>Sincerely, Anneliese Chapman</p>	<p>Support</p>
<p>Fri 5/10/2013 7:04 AM</p> <p>Kathy Swift [KSwift@cpbank.net]</p>	<p>Hello,</p> <p>My name is Kathy Swift and I live at 20528 SW 86th Ave in Tualatin. I have a large backyard with several raised beds so that I can grow my own organic vegetables and berries. I really would like to have 3 chickens to be able to have organic, fresh eggs and to control insects in my raised beds. I believe that this number of chickens in my backyard will not produce any noise or smell issues for my neighbors, and if it did, I believe that the process already in place for nuisance noises and noxious weeds could be adapted to incorporate removal of any future backyard chickens whose owner who did not properly site or care for their chicken coop.</p> <p>Thank you for your consideration. Kathy Swift <i>Senior Vice President & Client Service Officer</i> 805 SW Broadway, Suite 780, Portland, OR, 97205 direct 503.542.8549 main 503.796.0100 fax 503.542.8507 kswift@cpbank.net www.capitalpacificbank.com Capital Pacific Bank Getting it done.®</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
<p>Fri 5/10/2013 12:01 PM David Shumard [dshumard@gmail.com]</p>	<p>Dear Members of the Council: We support the ordinance change to allow backyard chickens. We are situated in a Tualatin neighborhood where it may not be feasible to support chickens in our own yard, but we support the right of our neighbors to have chickens (no roosters) in their yards with the following conditions met: We would expect that our neighbors would meet the necessary criteria to keep the animals safe and healthy and their yards and gardens clean. We would always expect that all animals would be treated humanely at all times. We too prefer organic gardening and would like access to local fresh wholesome chicken eggs.</p> <p>Cheryll Hottman and David Shumard of Tualatin</p>	<p>Support</p>
<p>Fri 5/10/2013 5:17 PM cphill9@comcast.net</p>	<p>Here is the comment form.[Riverpark CIO]</p>	<p>Majority support (see Attachment C)</p>
<p>Sun 5/12/2013 7:02 PM Doug Ulmer [doug_ulmer@comcast.net]</p>	<p>Cindy, I know your were looking for a Friday deadline to submit the survey results. John was the administrator for the survey and was ill last week so were a day late. Is there any chance for the survey results to be included in the city packet for the 28th.</p> <p>Doug Ulmer CIO2</p>	<p>Majority oppose (see Attachment C)</p>
<p>Sun 5/12/2013 7:42 PM Matthew Cunnington [matthew.cunnington@yahoo.com]</p>	<p>Cindy, Here's my letter of support as requested in the email below.</p> <p>Regards, -Matthew</p>	<p>Support (see letter following this table)</p>
<p>Mon 5/13/2013 9:11 AM Endre Richards [endrerichards@gmail.com]</p>	<p>To Whom It May Concern-</p> <p>It is my understanding that there is a pending vote by our city council on the matter of allowing backyard chickens in the city of Tualatin. I would like to add my voice in support of such an ordinance.</p> <p>Backyard hens make excellent family pets and are no more a noise or odor nuisance than a dog (and less than an outdoor cat) when properly cared for. They can be easily and humanely kept in a variety of space and housing conditions unlike large breed dogs which, although generally unsuitable for close quarters, routinely live in apartments and other small dwellings without incident.</p> <p>In addition, they provide natural pest control for their surroundings, and (most importantly) a low cost, high protein food source for their owners. This is especially important to families in our community who for either philosophical or financial reasons find it prudent to rely on homegrown food.</p> <p>Having said this, I believe It is reasonable to place limits on any type of animal ownership in suburban areas. The Tualatin ordinance as it is currently proposed limits the size of the standard flock to 4 hens, bans roosters and includes guidelines for flock security and cleanliness. These provisions ensure that those who choose to keep hens do so in a responsible and community friendly manner.</p> <p>Allowing small backyard flocks will bring us in line with many of our surrounding neighbors, including Tigard and Portland who have</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
	<p>permitted such animal ownership for some time now with great community success. I urge you to vote in support of providing the citizens of Tualatin with increased options for nutritious, local food and to expand our appeal as a forward thinking, problem solving community.</p> <p>Please feel free to contact me if necessary. Endre Richards 21105 SW 84th Ave</p>	
<p>Mon 5/13/2013 5:32 PM</p> <p>Tamara Baldry [tlynnbaldry@gmail.com]</p>	<p>Hi, I'm pleased to hear that my City Council members will soon be discussing and hopefully voting in favor of backyard chickens in Tualatin. I live in a quiet cul-de-sac, where we all take great pride in keeping our homes and yards in great shape. I enjoy every minute I spend outside tending to my organic vegetable garden and wouldn't choose to live anywhere else. The only thing that could be better is the freedom to keep a few egg-laying hens in a clean coop beside my raised beds.</p> <p>A couple months ago my husband and I attended our very first CIO meeting after reading online that backyard chickens were being discussed. We were delighted to meet lots of new folks. When it came to vote on the topic, everyone's hands shot up in favor of backyard chickens. There was no hesitation in the room--I had no idea so many of my neighbors felt so positive about backyard chickens.</p> <p>I urge each and every City Council member to vote in favor of the very well thought-out proposed ordinance. The language is complete, fair, easily enforced and reasonable (IMHO).</p> <p>Kind regards, Tamara Baldry Tualatin Resident since 1998</p>	<p>Support</p>
<p>Tue 5/14/2013 9:37 AM</p> <p>Robert Kellogg [robertekellogg@yahoo.com]</p>	<p>Cindy- Please find attached the Ibach CIO's comment form for the Council's pending discussion on the proposed backyard hen ordinance.</p> <p>Best regards- Robert E. Kellogg President, Ibach CIO (971) 235-6908</p>	<p>Majority support (see Attachment C)</p>
<p>Tue 5/14/2013 9:40 PM</p> <p>Amy Scott [amy.scott.mail@gmail.com]</p>	<p>Hello, As a Tualatin resident, it is my request that you adopt the backyard chicken ordinance. Thank you for your time.</p> <p>Sincerely, Amy Scott</p>	<p>Support</p>
<p>Wed 5/15/2013 3:25 PM</p> <p>Jennifer Bosket [jenniferbof3@yahoo.com]</p>	<p>I don't personally want chickens for myself, but I feel that it is okay to allow others to own chickens provided there is a limit on the number AND provided there is the allowance for removal of the chickens should someone NOT follow the guidelines for ownership.</p> <p>Jennifer Bosket, Tualatin Resident</p>	<p>Support</p>
<p>Wed 5/15/2013 3:29 PM</p> <p>Daniel Alexander [daniel.alexander@ctx-xerox.com]</p>	<p>Hello Cindy. I don't have backyard chickens at this time and I have no immediate interest in getting backyard chickens but I want to let you know I would like the right to have backyard chickens should I choose to. I went to the meeting about a month ago and heard the pros and cons and I</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
	<p>think the ordinance if written as the Wrights and Christensens wrote it, the oversight will make sure that the chickens are handled properly and humanely.</p> <p>I vote for backyard chickens.</p> <p>Daniel Alexander Director, Managed Print Services Copytronix / Xerox (w) 503-968-0365 (m) 503-421-5729 (F) 503-620-1730</p>	
<p>Wed 5/15/2013 3:32 PM</p> <p>Laurie Jarmer [artisticmachinequilting@gmail.com]</p>	<p>Hi Cindy</p> <p>This email is to support the backyard chicken ordinance that has been proposed by the city several years ago. I feel the proposed ordinance address all of the issues regarding maintaining a small flock of chickens.</p> <p>A close friend of mine who lives in Lake Oswego in an upscale neighborhood has had 4 hens and 1 rooster for many years (Lake Oswego allows both hens and roosters in backyard chickens). She has never had a complaint about the chickens from any neighbors and in fact said one neighbor has said how much their family enjoys hearing the rooster in the morning.</p> <p>Our backyard chicken support group, when contacting Lake Oswego about their chicken ordinance, was told by the enforcement officer that they have never had any complaints about backyard chickens. We have also contacted some realtors in the area who have told us that having backyard chickens does not in any way lower a property's value and one even said in recent years there are many young families choosing a home based on whether or not they could have some backyard chickens.</p> <p>Backyard chickens are a lot less troublesome than cats or dogs. They don't go into other people's yards (unlike cats who cannot be prevented from visiting all the neighbors yards) and their noise is like a whisper compared to the barking most of us endure from neighborhood dogs. As far as smell, a coop and run that is kept clean has virtually no odor. A few hens make less excrement than an average sized dog in one day (though neither bury what's left behind). Chickens are good for families. They produce far better quality eggs than what can be purchased commercially. They also allow for a steady supply of eggs at a time when the cost of groceries just continues to rise.</p> <p>I hope that the city council will see that the majority of Tualatin residents would like to see this ordinance passed. Thank you for adding this email to the packet of information that will be given to the city council.</p> <p>Laurie Jarmer Backyard Chicken Advocate and resident of Tualatin for 21 years</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
<p>Wed 5/15/2013 3:40 PM</p> <p>randyjw@juno.com</p>	<p>Hi Cindy, Just want you to know we support "Back yard Chickens" in Tualatin neighborhoods. Thank you for your efforts to make this happen.</p> <p>Sincerely, Randy and Julie Wellborn 22885 SW Vermillion Dr Tualatin</p>	<p>Support</p>
<p>Wed 5/15/2013 4:19 PM</p> <p>Kelly Gregg [kellygregg73@comcast.net]</p>	<p>Dear Cindy Hahn, I'm sending you this email to let you and city leaders know that my family and I are <i>for</i> Tualatin allowing backyard chickens. My family and I are vegetarians and try to eat as healthy as possible. We would like to be able to have fresh eggs available to us daily. We are also animal lovers and would truly enjoy the companionship and entertainment they would provide. Chickens are also very valuable in the war against pesky insects. I hear some Tualatin residents oppose backyard chickens due to the attraction of mice and rats. Well, if you choose to feed wild birds and/or squirrels, you will be attracting mice and rats as well. And, you have no control over your neighbors feeding wild critters, so why should it matter if we are feeding pet chickens or wild birds?</p> <p>Thanks for letting me add my two cents! Kelly Gregg</p>	<p>Support</p>
<p>Wed 5/15/2013 5:54 PM</p> <p>Don Peerman [d.peerman@gmail.com]</p>	<p>Adopt the backyard chicken ordinance, I don't see the problem. I don't wish to have any but I have no issues with someone who does.</p>	<p>Support</p>
<p>Wed 5/15/2013 6:14 PM</p> <p>Dawnelle Breum [dawnellebreum@gmail.com]</p>	<p>We love backyard chickens and would love to support neighbors who would love to have them, and would love to have a few ourselves. It's a sustainable, healthy way to cut food costs and provide fresh products for our families.</p> <p>Thanks, Dawnelle Breum</p>	<p>Support</p>
<p>Wed 5/15/2013 6:16 PM</p> <p>Dave Nelson [dnelson757@yahoo.com]</p>	<p>Hi Cindy, Just a quick note to say I support the move to make backyard chickens legal in Tualatin. They are a nice hobby to have and are a way to diversify the food chain and keep basic agricultural skills as a part of our social fabric.</p> <p>Having had chickens, I would say that a limit of four, which is plenty, and no roosters, which are noisy, would suffice for the ordinance.</p> <p>Thanks, David Nelson 503 804-0262 503 213-5875 fax dnelson757@yahoo.com</p>	<p>Support</p>
<p>Wed 5/15/2013 7:23 PM</p> <p>Barbara Lofgren [holadebarb@gmail.com]</p>	<p>As a resident of Tualatin for 32 years; an organic gardener and a supporter of sustainability and local food, I'm writing to urge you to approve the proposed ordinance concerning backyard chickens. Specifically, I am asking that you add the new proposed Chapter 12-2, titled, "Keeping of Chickens in Residential Areas," to the Tualatin Municipal Code</p> <p>This issue is not new to Tualatin. On June 14, 2010, City Council</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
	<p>requested that the Tualatin Planning Commission (TPC) discuss the issue of backyard chickens. City Staff presented TPC with information for purposes of discussion on July 6, 2010. Staff presented draft code language on August 3, 2010, which TPC approved. The draft code language was then presented to the City Council during the October 25, 2010, work session, which resulted in "no action" by City Council.</p> <p>Two years later, during the public comment period at the November 13, 2012, City Council meeting, it was requested that City Council reconsider the backyard chickens issue. City Staff were directed to return to the December 10, 2012, work session to discuss the issue. After discussion, City Council decided to remand the backyard issue to the community through the Community Involvement Organizations</p> <p>This issue has been fully debated in Tualatin, as the long history outlined above demonstrates. It is a process that began over two years ago! There's no longer any reason to delay approval of the new proposed Chapter 12-2. It is time that Tualatin approved backyard chickens. It's time for City Council to approve the draft language</p> <p>Not surprisingly, the issue has also been fully debated in other communities across Oregon and the United States. Those debates have led to the approval of backyard chicken ordinances in many cities around Tualatin, including Beaverton (approved in 2010), Forest Grove (approved in 2009), Gresham (approved in 2010), and Portland (approved in 2008). Still other communities have had backyard chicken ordinances in place for decades, and have not seen any reason to repeal them, including Lake Oswego (in place since the 1980's), Oregon City (in place since the 1990's), and Sherwood (in place since the 1980's).</p> <p>The backyard chicken debate has even reached the front page of the Wall Street Journal, where, in the July 15th, 2009, edition an article detailed the long process Salem, Oregon, was undergoing at the time. This process resulted in approval of backyard chickens, as has been the case in many communities throughout the nation, time and again.</p> <p>I feel the issue should be settled for Tualatin residences, and backyard chickens should be allowed through the approval of the new proposed Chapter 12-2. The draft language addresses the number of birds allowed based on the size of the single-family residential area (12-2-030(1)), regulates chicken coop sanitation and storage of feed (12-2-040), and a process by which neighbors can register complaints that, once confirmed by the Code Enforcement Office, result in non-compliant backyard chicken owners being fined (12-2-050). The proposed language is complete, fair, easily enforced, and reasonable. Again, I urge you to approve the proposed ordinance allowing backyard chickens in Tualatin.</p> <p>Sincerely, Barbara Lofgren Tualatin Resident</p>	
<p>Wed 5/15/2013 7:37 PM</p> <p>Matthew Cunnington [matthew.cunnington@yahoo.com]</p>	<p>Here's the letter of support from my daughter.</p> <p>-Matthew</p>	<p>Support (see drawings following this table)</p>

Date/From	Comment	Support or Oppose?
<p data-bbox="191 260 456 285">Wed 5/15/2013 7:53 PM</p> <p data-bbox="191 312 464 369">Rachel Engstrom [engstrom5@yahoo.com]</p>	<p data-bbox="516 260 1268 831">Dear City Councilors, I am a resident of Tualatin and am writing to urge you to approve the proposed ordinance concerning backyard chickens. Specifically, I am asking that you add the new proposed Chapter 12-2, titled, "Keeping of Chickens in Residential Areas," to the Tualatin Municipal Code. This issue is not new to Tualatin. On June 14, 2010, City Council requested that the Tualatin Planning Commission (TPC) discuss the issue of backyard chickens. City Staff presented TPC with information for purposes of discussion on July 6, 2010. Staff presented draft code language on August 3, 2010, which TPC approved. The draft code language was then presented to the City Council during the October 25, 2010, work session, which resulted in "no action" by City Council. Two years later, during the public comment period at the November 13, 2012, City Council meeting, it was requested that City Council reconsider the backyard chickens issue. City Staff were directed to return to the December 10, 2012, work session to discuss the issue. After discussion, City Council decided to remand the backyard issue to the community through the Community Involvement Organizations. This issue has been fully debated in Tualatin, as the long history outlined above demonstrates.</p> <p data-bbox="516 863 1247 968">It is a process that began over two years ago! There's no longer any reason to delay approval of the new proposed Chapter 12-2. It is time that Tualatin approved backyard chickens. It's time for City Council to approve the draft language.</p> <p data-bbox="516 999 1263 1377">Not surprisingly, the issue has also been fully debated in other communities across Oregon and the United States. Those debates have led to the approval of backyard chicken ordinances in many cities around Tualatin, including Beaverton (approved in 2010), Forest Grove (approved in 2009), Gresham (approved in 2010), and Portland (approved in 2008). Still other communities have had backyard chicken ordinances in place for decades, and have not seen any reason to repeal them, including Lake Oswego (in place since the 1980's) and Oregon City (in place since the 1990's). The backyard chicken debate has even reached the front page of the Wall Street Journal, where, in the July 15th, 2009, edition an article detailed the long process Salem, Oregon, was undergoing at the time. This process resulted in approval of backyard chickens, as has been the case in many communities throughout the nation, time and again.</p> <p data-bbox="516 1409 1260 1650">I feel the issue should be settled for Tualatin residences, and backyard chickens should be allowed through the approval of the new proposed Chapter 12-2. The draft language addresses the number of birds allowed based on the size of the single-family residential area (12-2-030(1)), regulates chicken coop sanitation and storage of feed (12-2-040), and a process by which neighbors can register complaints that, once confirmed by the Code Enforcement Office, result in non-compliant backyard chicken owners being fined (12-2-050). The proposed language is complete, fair, easily enforced, and reasonable.</p> <p data-bbox="516 1682 1166 1734">Again, I urge you to approve the proposed ordinance allowing backyard chickens in Tualatin.</p> <p data-bbox="516 1766 703 1818">Sincerely, Rachel Engstrom</p>	<p data-bbox="1300 260 1390 285">Support</p>

Date/From	Comment	Support or Oppose?
<p>Wed 5/15/2013 8:14 PM</p> <p>Rachel Martin [shamusluv@yahoo.com]</p>	<p>I believe that the City of Tualatin should allow backyard chickens! Please consider making that a possibility.</p> <p>Thanks Rachel Martin</p>	<p>Support</p>
<p>Wed 5/15/2013 8:29 PM</p> <p>Michael Wright [aeromike@live.com]</p>	<p>Hello, I am writing to ask you to pass our support for Backyard Chickens on to the City Council.</p> <p>Our Family believes that a handful of chickens being raised in the urban enviroment is a positive movement in education, subsistance or at least learning of subsistance, chemical free weed control, chemical free bug control, healthy food choices, and the respect of animals. We have had urban hens in the past and our neighbors liked them, laughed at them, petted them, and enjoyed many eggs. Please consider our entire family of 5 supporting Backyard Chickens.</p> <p>Mike, Lisa, Emma, Jordyn, and Dylan Wright 8360 SW Chelan Street Tualatin, OR 97062 503-880-1631</p>	<p>Support</p>
<p>Wed 5/15/2013 8:38 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Dear Ms. Hahn, Please add this letter to the packet for the City Councilors concerning the proposed backyard chicken ordinance in Tualatin. Thank you.</p> <p>Sincerely, Anna Christensen</p>	<p>Support (<i>see letter following this table</i>)</p>
<p>Wed 5/15/2013 8:42 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Dear Ms. Hahn, Attached you will find a letter in support of backyard chickens in Tualatin. Please add it to the packet for City Council on this issue.</p> <p>Thank you, Kip Christensen</p>	<p>Support (<i>see letter following this table</i>)</p>
<p>Wed 5/15/2013 8:56 PM</p> <p>Jodie Krivens [jkrivens@gmail.com]</p>	<p>Hi Cindy, I'm a Tualatin resident (I live on 107th Avenue) and I support the ability to keep backyard chickens.</p> <p>Thank you, Jodie Krivens</p>	<p>Support</p>
<p>Wed 5/15/2013 9:36 PM</p> <p>Roger White [whitefamily3@gmail.com]</p>	<p>Please allow us to have chickens. We are a family of 3 and would like to have 3 chickens. Please allow us to raise our own food just for us. Growing our own food is like printing our own money and everything we can do for ourself really helps. We have been here for 19 yrs. and we still have hope that we can have chickens some day.</p> <p>Regards, Roger White</p>	<p>Support</p>
<p>Wed 5/15/2013 10:03 PM</p> <p>Jeff Wiren [jwiren@remax.net]</p>	<p>Councilors, I am writing to ask that you add the new proposed Chapter 12-2, titled, "Keeping of Chickens in Residential Areas", to the Tualatin Municipal Code. As a Tualatin resident, and a local real estate broker, I support the decision to allow backyard chickens. I do not believe that there is any negative impact on property values in communities that allow backyard chickens. In fact, I regularly have buyers ask whether or not they will have the ability to keep chickens if they choose to. Many neighboring cities allow chickens, and property values in those communities does not seem to have suffered. The best example of</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
	<p>this is the City of Lake Oswego, which has allowed backyard chickens for decades and has one of the highest average sale prices of any city in the State of Oregon.</p> <p>For many legitimate reasons, people are more concerned about knowing where their food comes from. Many more homeowners are growing vegetable gardens which is there right. It is my opinion that allowing backyard chickens is on the same parallel. Homeowners should have the right to raise chickens on their land, subject to appropriate rules and regulations that protect the common interest.</p> <p>Thank you for your consideration, Jeffrey D Wiren, Principal Broker RE/MAX equity group Direct: (503) 270-4512 E-Fax: (503) 270-4612 Cell: (503) 869-3513 Jwiren@remax.net</p>	
<p>Wed 5/15/2013 10:13 PM chellie11@comcast.net</p>	<p>To the Council members; I would at this time ask you to support the proposed ordinance before you concerning backyard chickens. Although I do not raise Chickens myself, my three neighbors next to me do. The owner of the property adjoining mine has a good business selling eggs and he has a lot of chickens, in all the years he has been in business, I've never had any problem with odor, or the chickens coming onto my property. What I have heard from the neighbors, is how much they love getting eggs there.</p> <p>So please, lets put this issue to rest once and for all and support the ordinance.</p> <p>Sincerely, Rochelle Martinazzi 10050 SW Hazelbrook Rd Tualatin, Oregon</p>	<p>Support</p>
<p>Wed 5/15/2013 10:36 PM Chris krivens [ckrivens@gmail.com]</p>	<p>Local, safe, quiet, friendly, Chickens. Kids can learn lot's about responsibility and where life and food meet each other.</p> <p>Chris Krivens</p>	<p>Support</p>
<p>Wed 5/15/2013 11:22 PM tmpgarden@comcast.net</p>	<p>Dear Ms. Hahn; I would like to be counted among the supporters of the proposed backyard chicken ordinance. I have reviewed the details of the proposal and believe that any possible objections to raising chickens in a backyard have been satisfactorily answered. I am supportive of those interested in raising chickens in their backyard to be allowed to do so within the restrictions of the proposed ordinance.</p> <p>Sincerely yours, Tammy Palumbo Tualatin Resident CIO 3</p>	<p>Support</p>
<p>Wed 5/15/2013 11:24 PM dchogans@juno.com</p>	<p>Cindy: We have become aware of the proposed ordinance in Tualatin regarding the keeping of backyard chickens. We are VERY supportive of this ordinance because we are big advocates of self reliance and see this as a great way to provide for a family's needs. Anything the city can do to support and encourage this type of sustainable living is sending the right message to our citizens.</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
	<p>For us, as I am sure is true for many people who desire chickens, it is out of financial reach to own rural property in this area. Allowing backyard chickens gives responsible citizens an opportunity for provident living.</p> <p>We appreciate the support of the city council in this matter.</p> <p>Shauntel and David Hogan 21920 SW 106th Ave Tualatin, OR</p>	
<p>Thu 5/16/2013 7:13 AM</p> <p>Jerry Burton [mapleburtons@gmail.com]</p>	<p>I support the proposed ordinance allowing backyard chickens.</p> <p>Jerrold Burton 17805 S.W. Chippewa Trail Tualatin</p>	Support
<p>Thu 5/16/2013 7:24 AM</p> <p>Jeff Glasser [glasser_jeff@yahoo.com]</p>	<p>We support backyard chickens and encourage the Tualatin City Council to approve the draft proposal.</p> <p>Jeff & Geeta Glasser 11035 SW Lucas Drive Tualatin, OR 97062</p>	Support
<p>Thu 5/16/2013 8:28 AM</p> <p>Katie Gates [kate.gates@gmail.com]</p>	<p>Please approve the draft for the backyard chicken ordinance.</p> <p>Thank you!</p>	Support
<p>Thu 5/16/2013 8:34 AM</p> <p>Jeff Wiren [thewirens@frontier.com]</p>	<p>Dear Councilor,</p> <p>I am a resident of Tualatin and am writing to urge you to approve the proposed ordinance concerning backyard chickens. Specifically, I am asking that you add the new proposed Chapter 12-2, titled, "Keeping of Chickens in Residential Areas," to the Tualatin Municipal Code. This issue is not new to Tualatin. On June 14, 2010, City Council requested that the Tualatin Planning Commission (TPC) discuss the issue of backyard chickens. City Staff presented TPC with information for purposes of discussion on July 6, 2010. Staff presented draft code language on August 3, 2010, which TPC approved. The draft code language was then presented to the City Council during the October 25, 2010, work session, which resulted in "no action" by City Council.</p> <p>Two years later, during the public comment period at the November 13, 2012, City Council meeting, it was requested that City Council reconsider the backyard chickens issue. City Staff were directed to return to the December 10, 2012, work session to discuss the issue. After discussion, City Council decided to remand the backyard issue to the community through the Community Involvement Organizations.</p> <p>This issue has been fully debated in Tualatin, as the long history outlined above demonstrates. It is a process that began over two years ago! There's no longer any reason to delay approval of the new proposed Chapter 12-2. It is time that Tualatin approved backyard chickens. It's time for City Council to approve the draft language.</p> <p>Not surprisingly, the issue has also been fully debated in other communities across Oregon and the United States. Those debates have led to the approval of backyard chicken ordinances in many cities around Tualatin, including Beaverton (approved in 2010), Forest Grove (approved in 2009), Gresham (approved in 2010), and Portland (approved in 2008). Still other communities have had backyard chicken ordinances in place for decades, and have not seen any reason to</p>	Support

Date/From	Comment	Support or Oppose?
	<p>repeal them, including Lake Oswego (in place since the 1980's), Oregon City (in place since the 1990's), and Sherwood (in place since the 1980's).</p> <p>The backyard chicken debate has even reached the front page of the Wall Street Journal, where, in the July 15th, 2009, edition an article detailed the long process Salem, Oregon, was undergoing at the time. This process resulted in approval of backyard chickens, as has been the case in many communities throughout the nation, time and again.</p> <p>I feel the issue should be settled for Tualatin residences, and backyard chickens should be allowed through the approval of the new proposed Chapter 12-2. The draft language addresses the number of birds allowed based on the size of the single-family residential area (12-2-030(1)), regulates chicken coop sanitation and storage of feed (12-2-040), and a process by which neighbors can register complaints that, once confirmed by the Code Enforcement Office, result in non-compliant backyard chicken owners being fined (12-2-050).</p> <p>The proposed language is complete, fair, easily enforced, and reasonable. Again, I urge you to approve the proposed ordinance allowing backyard chickens in Tualatin.</p> <p>Sincerely, Ann Wiren</p>	
<p>Thu 5/16/2013 9:00 AM</p> <p>Julia Stimson [honeymom83@gmail.com]</p>	<p>Hi my name is Julia Stimson I love at 20695 SW Tualatin. In district 4 I believe. I am writing to let you know I am in favor of having backyard chickens. I think having them would be wonderful for everyone to be more self sufficient with producing their own eggs and to have as pets. Especially for those families with children. thanks, u can reach me at this email or at 3608208961.</p>	<p>Support</p>
<p>Thu 5/16/2013 9:09 AM</p> <p>Stimson, Max [Max.Stimson@lamresearch.com]</p>	<p>Hi, My name is Maxwell Stimson; I live at 20695 SW Shoshone ave. I'm writing in regards to the issue of backyard chickens, I am IN FAVOR of this bill being passed. I strongly believe it to be a great learning tool for our future. Plus the benefits and simple rewards of having a sustainable food source. So please count my vote as a yes to having backyard chickens.</p> <p>Thanks, Maxwell E. Stimson Air Products and Chemicals LAM research NW Megasys Team Phone: 1-503-885-6617 Cell: 1-503-329-4799 Duty PGR: 1-800-717-2298 (all onsite technicians) EMAIL: Max.Stimson@Lamresearch.com</p>	<p>Support</p>
<p>Thu 5/16/2013 11:06 AM</p> <p>Jeff Valdes [jeff@hmtc.com]</p>	<p>Dear Cindy: As residents of Tualatin for the past 10 years, we have seen many wonderful changes to our city. We love our community and vision that has been set forth to make this a wonderful place to live and raise our 4 children.</p> <p>It has been a mystery to us, therefore, why the city has been behind every other local city (Lake Oswego, Beaverton, West Linn, Wilsonville, Portland, Hillsboro, Gresham, etc) in allowing us to raise a few backyard chickens.</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
	<p>In the past, we have raised them as pets - they knew their names and would sit our our children's laps. They provided the freshest, best tasting eggs and they were a great educational tool for our kids. They each had their own personality and helped our kids learn important responsibilities.</p> <p>They were never smelly nor noisy. In fact, our neighbors on both sides of us have dogs that make much more noise than any chicken ever could.</p> <p>We STRONGLY encourage our city council to adopt the necessary legislation to allow families to opportunity to raise backyard chickens.</p> <p>Jeff, Erin, Ranger, Bella, Andie & Drew Valdes 17845 SW 106th Ave</p>	
<p>Thu 5/16/2013 11:09 AM</p> <p>Del Blanchard [del@global-support.us]</p>	<p>Cindy,</p> <p>This message to indicate my support for the City of Tualatin allowing backyard chickens. While I don't have the room or time to care for chickens myself, any noise the chickens might make would be a pleasant interlude between the lawnmowers, pressure washer and leaf blower I can hear from my home right now.</p> <p>Best Regards, Del Blanchard 10310 SW Susquehanna Dr.</p>	<p>Support</p>
<p>Thu 5/16/2013 11:30 AM</p> <p>Mike Davis [mdavis@waggenredstr om.com]</p>	<p>I am in full support of back-yard chickens/roosters in Tualatin. I have been a resident for 10 years and would find this a welcome direction for Tualatin. Funny that Tualatin was farming until suburbs and industry sprang up but I believe this would allow for residents to choose something that is good for the community by empowering our local community. I really see no difference with allowing dogs or cats frankly having had all 3 types of animals in the past.</p> <p>Thank you for your consideration. Mike Davis 20944 SW 103rd Drive Tualatin, OR 97062</p>	<p>Support</p>
<p>Thu 5/16/2013 11:43 AM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to the city council. Thanks, Anna</p> <p>----- Forwarded message ----- From: Jonathan Crane <Jon@tualatinlife.com> Date: Thu, Dec 6, 2012 at 7:47 AM Subject: Backyard Chickens To: kip.anna.c@gmail.com</p> <p>Hi Anna, I support the proposed ordinance allowing backyard chickens, assuming the conditions you listed are met. I think it's a great idea!</p> <p>Jonathan 21890 SW 103rd Court Tualatin, OR 97062</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
<p>Thu 5/16/2013 11:44 AM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to the city council. Thanks, Anna</p> <p>----- Forwarded message ----- From: Chris Krivens <ckrivens@gmail.com> Date: Thu, Dec 6, 2012 at 8:09 AM Subject: Support of hens in Tualatin residence. To: kip.anna.c@gmail.com</p> <p>To whom it may concern, I Chris Krivens, resident of Tualatin support the proposed ordinance to allow backyard hens in Tualatin.</p> <p>I am a resident at; 22464 sw 107th st. Tualatin, OR 97062</p> <p>Thank you.</p>	<p>Support</p>
<p>Thu 5/16/2013 11:45 AM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to the city council. Thanks, Anna</p> <p>----- Forwarded message ----- From: Jodie Krivens <jkrivens@gmail.com> Date: Thu, Dec 6, 2012 at 9:05 AM Subject: backyard hens To: kip.anna.c@gmail.com</p> <p>My name is Jodie Krivens and I live at 22464 SW 107th Avenue. I support the proposed ordinance to allow backyard hens in Tualatin.</p>	<p>Support</p>
<p>Thu 5/16/2013 12:16 PM</p> <p>Carolyn Becker [becker.carolyn.3@gmail.com]</p>	<p>I support the request to allow backyard chickens in Tualatin.</p> <p>Carolyn Becker 8295 SW Shenandoah Way Tualatin, OR 97062 503-885-9794</p>	<p>Support</p>
<p>Thu 5/16/2013 12:22 PM</p> <p>Eric Chapman [ripalip@comcast.net]</p>	<p>Dear city council, I think it's a great idea for the city to adopt an ordinance allowing chickens. Please vote yes Sincerely</p> <p>Eric Chapman</p>	<p>Support</p>
<p>Thu 5/16/2013 1:12 PM</p> <p>Geoff Scott [geoff.scott.mail@gmail.com]</p>	<p>Cindy, I have attached two PDFs related to the proposed backyard chicken ordinance. The first file is a summary of emails collected by residents of Tualatin from residents of Tualatin voicing their support for the proposed backyard chicken ordinance. In total, there are 14 emails.</p> <p>I am requesting that this material be included in the Staff Report to City Council.</p> <p>Thank you, Geoff Scott Tualatin Resident</p>	<p>Support (see <i>summary list and emails following this table</i>)</p>

Date/From	Comment	Support or Oppose?
<p>Thu 5/16/2013 1:03 PM</p> <p>Geoff Scott [geoff.scott.mail@gmail.com]</p>	<p>Cindy, I am submitting the attached to be included in the Staff Report to Council on the backyard chicken issue. Attached are 179 signatures of Tualatin Residents who have signed a petition requesting City Council to adopt the proposed backyard chicken ordinance. The signatures were collected by a group of volunteers, all of whom are Tualatin residents.</p> <p>Thank you, Geoff Scott Tualatin Resident</p>	<p>Support (see <i>signed petition pages following this table</i>)</p>
<p>Thu 5/16/2013 1:24 PM</p> <p>bzmom20@comcast.net</p>	<p>I am writing in support of passing the ordinance to allow backyard chickens in Tualatin. I think residents should have the opportunity to enjoy this self sustaining activity. It seems that appropriate safeguards for keeping neighbors happy are in place making this a win/win for everyone. Like gardening and bee keeping, this activity can be easily supported in a suburban environment and offer a healthy lifestyle choice for those who choose to do so. Thank you in advance for your support of backyard chickens in Tualatin.</p> <p>Beth Zbinden resident of Tualatin for 18 years</p>	<p>Support</p>
<p>Thu 5/16/2013 1:27 PM</p> <p>Geoff Scott [geoff.scott.mail@gmail.com]</p>	<p>Cindy, I have included below screen shots of a "surveymonkey" survey conducted through the NextDoor website for CIO 6 on the Backyard Chicken issue. I am requesting that the feedback collected in the survey detailed below, be included in the Staff Report to City Council.</p> <p>I have CC'd Willie Fischer, as he is the President of CIO 6. I am not an officer, and would not want to have my role in the CIO misconstrued. I discussed the survey with Willie prior to posting it on the NextDoor website for CIO 6. I would hope that, as Willie and/or others see fit, that these results help flesh out the report from CIO6 on this issue.</p> <p>There were 10 respondents in total and the survey was up for roughly 2 days. I am sending the results now in hopes of making the Staff Report deadline.</p> <p>Geoff</p>	<p>Majority oppose (see <i>Attachment C</i>)</p>
<p>Thu 5/16/2013 1:33 PM</p> <p>CONNIE CANALES PRECI [ccanales10@msn.com]</p>	<p>Please include my letter, with the other letters, regarding BACKYARD CHICKENS.</p> <p>Connie Canales Preci http://www.conniecanalespreci.stampinup.net Scrapin' & Stampin! www.liasophia.com/conniepreci Fashion Jewelry @ it's Finest! www.ccanales10@msn.com 971-409-7094</p>	<p>Support (see <i>letter following this table</i>)</p>
<p>Thu 5/16/2013 1:34 PM</p> <p>Gerry & Christine Tunstall [famtunstall1@frontier.com]</p>	<p>To the City leaders Kay Nyberg, my mother, kept 200 chickens on our Nyberg Century Farm where Nyberg Woods is now. We raised chicks, kept layers, and sold eggs weekly at my uncle's Piggly Wiggly store in Oak Grove. We also provided eggs to other Tualatin residents for years. I have many wonderful memories of caring and preparing our eggs for market. I learned at an early age how to feed, water, care for chickens and gather, clean, candle and grade eggs. We also grew a plentiful garden fertilized by the chicken manure.</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
	<p>I would also like to point out that the Avery Family provided thousands of eggs and chicks to growers throughout the region for many years. The Avery Chicken Hatchery, built in 1939, is included in the Tualatin Development Code's Landmark Inventory. Tualatin has a long history of chicken residents, lets continue the practice. As long as there are no roosters, why not allow people in our community the opportunity to raise chickens and gather eggs for their personal use and to share with their neighbors? This is another opportunity to keep this a livable community.</p> <p>Thank you for your consideration, Christine Nyberg Tunstall</p>	
<p>Thu 5/16/2013 2:27 PM Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Here is a scanned copy of a petition with email signatures collected in support of the proposed backyard chicken ordinance. Please add it to the packet for submission to the City Council. I am working on forwarding you the actual emails to print and include as well.</p> <p>Thank you, Anna Christensen</p>	<p>Support (see <i>signed petition following this table</i>)</p>
<p>Thu 5/16/2013 2:28 PM Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council.</p> <p>----- Forwarded message ----- From: Sarah Prinslow Frempong <sarahpf81@gmail.com> Date: Tue, Dec 4, 2012 at 9:58 PM Subject: Fwd: [Martinazzi Woods CIO] Fwd: Tualatin citizen petition--time sensitive! To: kip.anna.c@gmail.com</p> <p>Yes, I support the proposed ordinance to allow backyard hens.</p> <p>Sarah Prinslow 8640 SW Seminole Trl Tualatin, OR 97062</p>	<p>Support</p>
<p>Thu 5/16/2013 2:29 PM Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thanks, Anna</p> <p>----- Forwarded message ----- From: Jan Giunta <jan.giunta@gmail.com> Date: Thu, Dec 6, 2012 at 3:26 PM Subject: Backyard Chickens in Tualatin To: kip.anna.c@gmail.com</p> <p>I support the effort by citizens to have City Council hear the issue of backyard chickens in Tualatin.</p> <p>Jan Giunta Phone: 503-612-9170</p>	<p>Support</p>
<p>Thu 5/16/2013 2:29 PM Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thanks, Anna</p> <p>----- Forwarded message ----- From: Bartlett, Ed <ed_bartlett@mentor.com> Date: Thu, Dec 6, 2012 at 3:29 PM Subject: "Yes, I support the effort and encourage City Council to hear the proposed ordinance." To: "kip.anna.c@gmail.com" <kip.anna.c@gmail.com></p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
	<p><u>name:</u> Ed Bartlett <u>address:</u> 10200 SW Anderson Ct. Tualatin, OR 97062 and a <u>simple statement of support</u> that says: "Yes, I support the effort and encourage City Council to hear the proposed ordinance."</p>	
<p>Thu 5/16/2013 2:30 PM Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thanks, Anna</p> <p>----- Forwarded message ----- From: <kirley@comcast.net> Date: Thu, Dec 6, 2012 at 3:30 PM Subject: backyard chicken petition To: kip.anna.c@gmail.com</p> <p>I am writing in support of a request to the Tualatin City Council to hear a citizen petition on the subject of raising backyard chickens.</p> <p>Karen Riley Tualatin resident</p>	<p>Support</p>
<p>Thu 5/16/2013 2:31 PM Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the report to City Council. Thank you, Anna</p> <p>----- Forwarded message ----- From: <suera@comcast.net> Date: Thu, Dec 6, 2012 at 4:17 PM Subject: chickens To: kip.anna.c@gmail.com</p> <p>I do support back yard chickens Sue Raxter Paws and Tails Pet Sitting 503-692-6068 In home small dog boarding *Couches not Kennels*</p>	<p>Support</p>
<p>Thu 5/16/2013 2:31 PM Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: Toni Anderson <intanderson@reachone.com> Date: Thu, Dec 6, 2012 at 4:20 PM Subject: RE: Citizen Driven Petition-Backyard Chickens To: "CIO (Citizen Involvement Organization)" <tualatincitizens@gmail.com> Cc: kip.anna.c@gmail.com</p> <p>Ann & Kip - I have signed your petition and certainly agree you must have the right to keep chickens that do not disturb your neighbors peace and let you economize for your family during our difficult financial times. None of our citizens should be denied this means of economizing and more than being denied planting a vegetable garden or growing fruit trees. Thanks for your hard work in bringing you neighbors and town together.</p> <p>Toni Anderson, CIO River Park officer</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
<p>Thu 5/16/2013 2:32 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: Gerry & Christine Tunstall <famtunstall1@frontier.com> Date: Thu, Dec 6, 2012 at 4:52 PM Subject: tualatin Chicken Ordinance To: "kip.anna.c@gmail.com" <kip.anna.c@gmail.com></p> <p>Sorry Anna, I did not send you my address or phone:</p> <p>Christine Nyberg Tunstall 503-789-9143 17400 SW Cheyenne Way, Tualatin</p> <p>I am a strong supporter of backyard chickens in Tualatin. I grew up in Tualatin with chickens in our backyard. They are lots of fun!</p>	<p>Support</p>
<p>Thu 5/16/2013 2:32 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: dolores <dohurtad@hevanet.com> Date: Thu, Dec 6, 2012 at 8:48 PM Subject: ordinance to allow chickens To: kip.anna.c@gmail.com</p> <p>Dear Anna I am writing to support your efforts to get Tualatin City Council to adopt a new ordinance to allow backyard chickens in Tualatin. I have friends in other communities that allow chickens in their backyards, and they report that the experience of having neighbors with chickens in their backyards appears to benefit these residents without creating problems for others in the neighborhood. I think it would be helpful for Tualatin to join the forward-looking cities which permit their residents to maintain chickens in their controlled backyards.. I hope our City Council will take action to approve this ordinance.</p> <p>Dolores Hurtado 8685 S W Chinook St. Tualatin, OR 97062</p>	<p>Support</p>
<p>Thu 5/16/2013 2:33 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: Ata Saedi <atasaedi@hotmail.com> Date: Thu, Dec 6, 2012 at 9:41 PM Subject: Backyard Chickens To: kip.anna.c@gmail.com</p> <p>Yes, I support the effort and encourage City Council to hear the proposed ordinance.</p> <p>Ted Saedi 18397 SW 135th Ter Tualatin, OR 97062</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
<p>Thu 5/16/2013 2:36 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: Ken Calder <kencalder@yahoo.com> Date: Fri, Dec 7, 2012 at 7:29 AM Subject: Backyard Chickens To: "kip.anna.c@gmail.com" <kip.anna.c@gmail.com></p> <p>Yes, I support the effort and encourage City Council to hear the proposed ordinance.</p> <p>Sincerely, Ken Calder 17335 SW Cheyenne Way Tualatin, OR 97062</p>	<p>Support</p>
<p>Thu 5/16/2013 2:37 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to the City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: <lauraleeallen@comcast.net> Date: Fri, Dec 7, 2012 at 9:21 AM Subject: Backyard Chickens To: kip.anna.c@gmail.com</p> <p>Hi Anna, Yes, I support the effort to allow backyard chickens in Tualatin and encourage City Council to hear the proposed ordinance.</p> <p>Laura White 17880 SW Cheyenne Way Tualatin, OR 97062</p>	<p>Support</p>
<p>Thu 5/16/2013 2:37 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: Catherine Holland <catherine.p.holland@gmail.com> Date: Fri, Dec 7, 2012 at 11:33 AM Subject: Chickens To: kip.anna.c@gmail.com</p> <p>Hi Anna - I support and ordinance allowing backyard chickens. A number of my friends near Reed College have backyard chickens and they are fantastic pets. They are good neighbors, help with bug control, and are fun to watch. If one of the nicest neighborhoods in Portland allows backyard chickens, Tualatin should as well.</p> <p>Cathy Holland 10740 SW Lucas Dr Tualatin, OR 97062</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
<p>Thu 5/16/2013 2:38 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: Tom Gile <tgile85@gmail.com> Date: Sat, Dec 8, 2012 at 12:13 PM Subject: Backyard Hens To: kip.anna.c@gmail.com</p> <p>I support the ordinance on backyard hens.</p> <p>Tom Gile 10140 SW Coquille Dr Tualatin, OR 97062</p>	<p>Support</p>
<p>Thu 5/16/2013 2:39 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: edward hannevig <ehannevig@gmail.com> Date: Sat, Dec 8, 2012 at 2:52 PM Subject: chickens To: kip.anna.c@gmail.com</p> <p>put my name on that list thanks</p>	<p>Support</p>
<p>Thu 5/16/2013 2:39 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: Meg Alvey <doc.meg.2009@gmail.com> Date: Sat, Dec 8, 2012 at 3:40 PM Subject: Support of backyard chickens To: kip.anna.c@gmail.com</p> <p>I am very much in support of tualatin residents being allowed to have a small number of laying hens (<8). No roosters, though. Feel free to contact me at my email (doc.meg.2009@gmail.com) or by phone (5037235694).</p> <p>Thank you, Meg Boden Alvey, Pay.D. 20900 SW Teton Ave.</p>	<p>Support</p>
<p>Thu 5/16/2013 2:40 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: dchogans@juno.com <dchogans@juno.com> Date: Sun, Dec 9, 2012 at 6:50 AM Subject: Backyard Hens To: kip.anna.c@gmail.com</p> <p>Shauntel Hogan, 21920 SW 106th Avenue, Tualatin</p> <p>Yes, I support the proposed ordinance to allow backyard hens in Tualatin.</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
<p>Thu 5/16/2013 2:41 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: Matthew Cunnington <matthew.cunnington@yahoo.com> Date: Sun, Dec 9, 2012 at 4:21 PM Subject: Chickens To: "kip.anna.c@gmail.com" <kip.anna.c@gmail.com></p> <p>Matthew Cunnington 9285 SW Apache dr</p> <p>Yes, I support the effort and encourage City Council to hear the proposed ordinance.</p>	<p>Support</p>
<p>Thu 5/16/2013 2:41 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: Kathleen <kcrismor@yahoo.com> Date: Sun, Dec 9, 2012 at 7:38 PM Subject: Chickens To: "kip.anna.c@gmail.com" <kip.anna.c@gmail.com></p> <p>Kathleen Cunnington @ 9285 SW apache drive, Tualatin. <u>503-720-3972</u></p> <p>"Yes, I support the effort and encourage City Council to hear the proposed ordinance. Sent from my iPhone</p>	<p>Support</p>
<p>Thu 5/16/2013 2:42 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: Andrea Cornette <andreacornette@hotmail.com> Date: Mon, Dec 10, 2012 at 1:40 PM Subject: The proposed ordinance to allow backyard hens To: kip.anna.c@gmail.com</p> <p>Hello there, Please accept this email as my support on the effort to allow backyard hens in the City of Tualatin and encourage City Council to hear the proposed ordinance.</p> <p>Andrea Cornette 9585 SW Arikara Drive Tualatin, OR 97062</p> <p>Thank you.</p>	<p>Support</p>
<p>Thu 5/16/2013 2:43 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: <famtunstall1@frontier.com> Date: Mon, Dec 10, 2012 at 3:28 PM</p>	<p>Support</p>

Date/From	Comment	Support or Oppose?
	<p>Subject: Chickens To: "kip.anna.c@gmail.com" <kip.anna.c@gmail.com></p> <p>I support chickens in Tualatin, but no roosters.</p> <p>Gerry Tunstall 17400 SW Cheyenne Way</p>	
<p>Thu 5/16/2013 2:44 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: <tmppgarden@comcast.net> Date: Tue, Dec 11, 2012 at 10:36 PM Subject: backyard chickens To: kip.anna.c@gmail.com</p> <p>Hi Anna, Yes, I support the effort and encourage City Council to hear the proposed ordinance for backyard chickens.</p> <p>My name is Tammy Palumbo and my address is 9510 SW Siuslaw Ln, Tualatin. Tammy Palumbo</p>	Support
<p>Thu 5/16/2013 2:44 PM</p> <p>Kip & Anna Christensen [kip.anna.c@gmail.com]</p>	<p>Please include in the packet to City Council. Thank you, Anna Christensen</p> <p>----- Forwarded message ----- From: cori_oregon@frontier.com <cori_oregon@frontier.com> Date: Fri, Dec 14, 2012 at 4:08 PM Subject: To: "kip.anna.c@gmail.com" <kip.anna.c@gmail.com></p> <p>Hello, I love chickens! Please add my name to your petition. Wonderful article in the Tualatin News!</p> <p>Lets get back to good food and healthy happy people. count me in!</p> <p>Cori Conway 17977 SW 115th Ave #3 503 612-0652</p>	Support
<p>Thu 5/16/2013 3:56 PM</p> <p>Kris Mante [krismante2@hotmail.com]</p>	<p>We would like to voice our support of backyard chickens prior to the 5/28 City Coucil meeting. Please consider the fact that this proposal has strong community support when voting whether to allow backyard chickens or not.</p> <p>Sincerely, Tom and Kris Mante</p>	Support
<p>Thu 5/16/2013 8:51 PM</p> <p>Willie [willie.fisher@gmail.com]</p>	<p>Hi Cindy,</p> <p>This is Willie Fisher President of CIO6 and I'd like to confirm Geoff was acting in a sub-committee role to the board and we sanction the survey results.</p> <p>Willie Fisher</p>	Clarification related to CIO6 survey results.

Dear Councilor,

I have been a resident of Tualatin for nearly a decade, and I urge you to approve the proposed ordinance concerning backyard chickens. I ask that you add the proposed Chapter 12-2, titled "Keeping of Chickens in Residential Area," to the Tualatin Municipal Code.

This issue has been before the city council for over three years. On June 14, 2010, City Council requested that the Tualatin Planning Commission discuss the issue of backyard chickens. As a result of this request, the Planning Commission presented draft code language on August 3, 2010. Since creation of this draft code, the issue has been the subject of working sessions and has been remanded to the Community Involvement Organizations. The issue of backyard chickens has been rigorously debated and it's time for the City Council to approve the draft language.

Several communities across the state already allow backyard chickens. In the last decade, Portland, Beaverton, Gresham, and Forest Grove have approved backyard chicken ordinances. Lake Oswego, Oregon City, and Sherwood have allowed backyard chickens for decades and have seen no reason to repeal them.

The debate over backyard chickens is often made into a larger issue than it really is. It's not a way of life or grand statement about the world. Backyard chickens are just another type of pet. While they are more useful than many pets, they are just pets. It is inconsistent to prohibit chickens but allow cats and dogs off the owner's property. I don't own a cat or a dog, but weekly I must remove dog feces from the front yard and cat feces from my kids' sandbox. To those that say chickens can be a nuisance, I would argue dogs and cats can be equally annoying. I kept backyard chickens as a child and the only nuisance they created were neighbors asking for eggs. My experience is that any well-kept pet, including chickens, will have a positive impact on the community.

It is time to stop treating chickens different from other pets. This issue should be settled for Tualatin residents with the approval of the new proposed Chapter 12-2. The draft language addresses the number of birds allowed based on lot size, regulates sanitation and feed storage, and defines a process by which neighbors can register complaints.

The proposed language is complete, fair, easily enforced, and reasonable. I urge you to approve the proposed ordinance allowing backyard chickens in Tualatin.

Sincerely,

Matthew Cunnington

I would like to have chickens
my horses. Eli's age 8



The
Queen
of
Chickens

TW



The
King
of
Chickens

Dear Councilors,

I am a resident of Tualatin and am writing to urge you to approve the proposed ordinance concerning backyard chickens. Specifically, I am asking that you add the new proposed Chapter 12-2, titled, "Keeping of Chickens in Residential Areas," to the Tualatin Municipal Code.

This issue is not new to Tualatin. On June 14, 2010, City Council requested that the Tualatin Planning Commission (TPC) discuss the issue of backyard chickens. City Staff presented TPC with information for purposes of discussion on July 6, 2010. Staff presented draft code language on August 3, 2010, which TPC approved. The draft code language was then presented to the City Council during the October 25, 2010, work session, which resulted in "no action" by City Council.

Two years later, during the public comment period at the November 13, 2012, City Council meeting, it was requested that City Council reconsider the backyard chickens issue. City Staff were directed to return to the December 10, 2012, work session to discuss the issue. After discussion, City Council decided to remand the backyard issue to the community through the Community Involvement Organizations.

This issue has been fully debated in Tualatin, as the long history outlined above demonstrates. It is a process that began over two years ago! There's no longer any reason to delay approval of the new proposed Chapter 12-2. It is time that Tualatin approved backyard chickens. It's time for City Council to approve the draft language.

Not surprisingly, the issue has also been fully debated in other communities across Oregon and the United States. Those debates have led to the approval of backyard chicken ordinances in many cities around Tualatin, including Beaverton (approved in 2010), Forest Grove (approved in 2009), Gresham (approved in 2010), and Portland (approved in 2008). Still other communities have had backyard chicken ordinances in place for decades, and have not seen any reason to repeal them, including Lake Oswego (in place since the 1980's), West Linn, and Oregon City (in place since the 1990's).

The backyard chicken debate has even reached the front page of the *Wall Street Journal*, where, in the July 15th, 2009, edition an article detailed the long process Salem, Oregon, was undergoing at the time. This process resulted in approval of backyard chickens, as has been the case in many communities throughout the nation, time and again.

I feel the issue should be settled for Tualatin residences, and backyard chickens should be allowed through the approval of the new proposed Chapter 12-2. The draft language addresses the number of birds allowed based on the size of the single-family residential area (12-2-030(1)), regulates chicken coop sanitation and storage of feed (12-2-040), and a process by which neighbors can register complaints that, once confirmed by the Code Enforcement Office, result in non-compliant backyard chicken owners being fined (12-2-050).

The proposed language is complete, fair, easily enforced, and reasonable. Again, I urge you to approve the proposed ordinance allowing backyard chickens in Tualatin.

Sincerely,

Anna Christensen

Dear Councilors,

I am a resident of Tualatin and am writing to urge you to approve the proposed ordinance concerning backyard chickens. Specifically, I am asking that you add the new proposed Chapter 12-2, titled, "Keeping of Chickens in Residential Areas," to the Tualatin Municipal Code.

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The proposed language is complete, fair, easily enforced, and reasonable. Again, I urge you to approve the proposed ordinance allowing backyard chickens in Tualatin.

Sincerely,

Kip Christensen

Email Support from Tualatin Residents

I, being a Tualatin Resident, urge the city to approve the previously drafted change to TDC 40.020 to allow Chicken Hens at residences within the city limits.

	Date	Signature	Street Address	Verify Tualatin Resident	Support
1	11/26	Annechese Chapman	9650 SW Killacrey Lane	X	X
2	11/26	Dan & Carolyn Harris	8533 SW Sandison Dr.	X	X
3	11/26	Jennifer Bostet		X	X
4	11/26	Jerry Burtons		X	X
5	11/27	Marissa Cody		X	X
6	12/5	Tom Radomski		X	X
7	12/6	John Schuler		X	X
8	12/7	Beth Zbinden		X	X
9	12/7	Cherryl Hottman		X	X
10	12/6	Endre Richards		X	X
11	12/6	Jeff Valdes	17845 SW 106 th Ave.	X	X
12	12/6	Marshall Friend	21472 SW Umpqua Ct	X	X
13	12/6	Julie Welborn		X	X
14	12/6	Kathy Swift	20528 SW 86 th Ave.	X	X
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Laurie Jarmer <artisticmachinequilting@gmail.com>

Yes we want Chickens in Tualatin

A Chapman Family <kidsgotjc@comcast.net>
To: Laurie Jarmer <artisticmachinequilting@gmail.com>

Mon, Nov 26, 2012 at 12:30 PM

Dear City Council,

Thank you in advance for the work that has gone into the proposed ordinance concerning chickens in Tualatin. I support the change to allow chickens in Tualatin.

Thank you,

Anneliese Chapman
9650 SW Killamey Lane
Tualatin, Oregon 97062



Laurie Jarmer <artisticmachinequilting@gmail.com>

Backyard Chickens

Dan & Carolyn Harris <dcharris2@frontier.com>
To: Laurie Jarmer <artisticmachinequilting@gmail.com>

Mon, Nov 26, 2012 at 1:07 PM

Dear City Council,

We are in favor of an ordinance to allow backyard chickens. We would not mind if our neighbors had some. As the economy gets worse more people are going to growing their own food. This is a good thing. Let's pass the ordinance and promote healthier life styles, as well as teaching children about agriculture.

Chickens are much less bother than dogs that bark all day and cats that use our flower beds for a toilet.

Dan and Carolyn Harris
8533 SW Santiam Dr
Tualatin, Or



Laurie Jarmer <artisticmachinequilting@gmail.com>

Backyard Chickens

Jennifer Bosket <jenniferbof3@yahoo.com>

Mon, Nov 26, 2012 at 2:10 PM

To: Laurie Jarmer <artisticmachinequilting@gmail.com>

I will support it!

Jennifer Bosket

Sent from my iPad

[Quoted text hidden]



Laurie Jarmer <artisticmachinequilting@gmail.com>

chickens

Jerry Burton <mapleburtons@gmail.com>

Mon, Nov 26, 2012 at 9:01 PM

To: Laurie Jarmer <artisticmachinequilting@gmail.com>

I support a city ordinance to allow chickens in residential areas. Jerry Burton, 17805 S.W. Chippewa Trail, Tualatin.



bruno d'ama <artisticmachinequilting@gmail.com>

Petition

Marissa Backous <mbackous@hotmail.com>
To: artisticmachinequilting@gmail.com

Tue, Nov 27, 2012 at 7:27 AM

I would like to see city council change the ordinance to allow for backyard chickens.

Marissa Cody



Laurie Jansen <artisticmachinequilting@gmail.com>

Back Yard Chickens

Tom Radomski <tradomsk@aol.com>
To: artisticmachinequilting@gmail.com

Wed, Dec 5, 2012 at 8:28 PM

Laurie,

Please add my name to your list/petition for the December 10 work meeting. I want to be able to have chickens in my back yard.

If you have any questions or if I can help let me know.

Thank you,

Tom Radomski



Laurie Jaarner <artisticmachinequilting@gmail.com>

Kudos on your fine BACKYARD CHICKENS article in Tualatin Life

John Schuler <johnschuler@comcast.net>
Reply-To: John Schuler <johnschuler@comcast.net>
To: artisticmachinequilting@gmail.com

Thu, Dec 6, 2012 at 7:02 PM

Laurie,
Good Job !
I'm glad you got Jonathan Crane to print your article.
One wonders if Portland or Tualatin Councils ever read their
inboxes of emails. ;-)
I've sent a few including 2 re: the Toxic Aspects of
Fluoridation - no answers.
But if YOU think it might help, Laurie, I'll send the
Tualatin Council an email re: Chickens.
Warm Regards,
John

Above Message Sent By

John Clifford Schuler, Founder
Chief Business Strategist
OEM SOLUTIONS GROUP
Tualatin (Portland), OR, USA
Cell / Mobile: 1.503.709.5017

Applying The Communications Benefits of LEAN
To Operations & Sales - Without Complex Math.

View John's Client Letter, Papers and eBooks at:
http://www.scribd.com/Johns_and_Wealth_Blog
Email: johnschuler@comcast.net

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delete
this message.
Thank you. ***



chickens

bzmom20@comcast.net <bzmom20@comcast.net>
To: artisticmachinequilting@gmail.com

Fri, Dec 7, 2012 at 9:51 AM

Laurie,

I enjoyed your article in the Tualatin paper about advocating to allow chickens in the city limits. I am writing to voice my support for this ordinance. I agree that farming chickens in local backyards has many nutritional and environmental benefits as well as supporting families and neighbors connecting with each other. With adequate safeguards written in the ordinance, such as no roosters, and addressing the conditions needed for responsible tending of the chickens and keeping neighborly relations friendly, I believe such an ordinance would be wonderful.

I grew up with chickens and enjoyed the benefits of great fresh eggs and a garden that was enriched with chicken fertilizer. Of course tending chickens isn't for everyone and those who choose not to should not have to endure the irresponsible actions of some chicken owners.

The practice of local sustainable food sourcing is very on trend in the Northwest and affords a better quality of life for those who choose to do so. It can also enhance one's community connections. I have a friend who has shared her abundance of chicken eggs with me since I am not able to "grow" my own and also friends who share their garden bounty around when gardens are in high season. This is the essence of community, each sharing with others. Some neighbors can trade services, others can trade goods. But it all builds community.

I hope this ordinance is put into place for Tualatin. It would enhance our community and give people more choices for taking care of their families the way they want to.

Sincerely,

Beth Zbinden



Laurie Larmer <artisticmachinequilting@gmail.com>

Backyard Chickens

Cherryl Hottman <cherrylorama@gmail.com>
To: artisticmachinequilting@gmail.com

Fri, Dec 7, 2012 at 12:02 PM

Dear Laurie –

My husband and I would most definitely sign your backyard chicken petition, but we will not be able to attend the city council work session. How or where can we sign?

Cherryl



Laurie Jarmet <artisticmachinequilting@gmail.com>

backyard chicken petition

Endre Richards <endrerichards@gmail.com>
To: artisticmachinequilting@gmail.com

Thu, Dec 6, 2012 at 2:24 PM

to artisticmachin.

Hi Laurie-

I read your piece in support of allowing backyard chicken flocks in Tualatin in Tualatin Life yesterday. My husband and I are in complete agreement. We owned a small backyard flock when we lived in Tigard and believe that they are the best domestic pets a family could own. Our children helped care for them, they provided us with a low cost high protein food source and were a natural form of pest control all while being less mess or nuisance to our neighbors than an outdoor dog or cat.

We would both like to sign the petition in favor of the proposed ordinance. Is there a website established to do so? Thank you for laying out such a good case for such a worthwhile cause.

Endre Richards
Tualatin resident



Laurie Jansen <artisticmachinequilting@gmail.com>

chickens

Jeff Valdes <jeff@hmtc.com>
To: artisticmachinequilting@gmail.com

Thu, Dec 6, 2012 at 5:36 PM

Hi Laurie:

Thanks for the article in the Tualatin Life. We had chickens several years ago until we had a grumpy neighbor anonymously report us as being illegal - which I did not realize. I am in support of chickens in our community so please add me to your email.

Jeff Valdes
17845 SW 106th Ave
Tualatin, OR 97062
[504.887.4921](tel:504.887.4921)



Laurie Janner <artisticmachinequilting@gmail.com>

chicken ordinanceapproval

ChoiceMar@comcast.net <ChoiceMar@comcast.net>
To: artisticmachinequilting@gmail.com

Thu, Dec 6, 2012 at 5:41 PM

Re news paper(chicken)article

I have lived in Tualatin over 30 years (same street,same house) and I wanted to let you know that I fully support what you are trying to do re the chicken ordinance.

I am willing to lend my voice,but because I am now retired I will not be able contribute any funds.

GOOD LUCK---I will be watching your progress.

Marshall Friend
choicemar@comcast.net

21472 sw. umpqua ct.



Laurie Jenner <artisticmachinequilting@gmail.com>

backyard chickens

randyiw@juno.com <randyiw@juno.com>
To: artisticmachinequilting@gmail.com

Thu, Dec 6, 2012 at 9:31 PM

Hi Lori,

'Hope you and your family are doing well. Just read your article in the Tualatin Life paper, "great job" and I totally support your grass roots effort to get the city ordinance changed to allow chickens.

I didn't know that backyard chickens were not allowed. I've seen a house on Martinazzi with chickens roaming around

and figured it was okay. I would be happy to sign a petition.

Thanks for your work on this project!

Julie Welborn

Frenzy Over New Diet Pill

Stores Across U.S. Sold Out of This New 'Miracle' Weight Loss Pill.

HLifestyles.com



Laurie Jamer <artisticmachinequilting@gmail.com>

Backyard Chickens in Tualatin

Kathy Swift <KSwift@cpbank.net>

Thu, Dec 6, 2012 at 9:03 AM

To: "artisticmachinequilting@gmail.com" <artisticmachinequilting@gmail.com>

I'm a firm supporter of allowing Backyard Chickens in Tualatin. I live at 20528 SW 86th Ave. in Tualatin. I would like to have 3 hens similar to what I had in Portland when I lived there, and feel it is a great organic method of insect control for my yard, as well as a great way to have fresh eggs. Please add my name to your petition.

Regards,

Kathy Swift

Senior Vice President & Client Service Officer

805 SW Broadway, Suite 780, Portland, OR, 97205

direct 503.542.8549 | main 503.796.0100 | fax 503.542.8507

kswift@cpbank.net | www.capitalpacificbank.com

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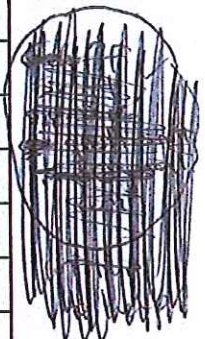
I, being a Tualatin Resident, urge the city to approve the previously drafted change to TDC 40.020 to allow Chicken Hens at residences within the city limits.

	Date	Signature	Street Address	Verify Tualatin Resident	Support
1	11/17/12	Callie Barcellos	9050 SW Avery St.	X	X
2	11/17/12	Wendy Berth	9050 SW Avery St.	X	X
3	11/20/12	Andrey Bluis	8875 SW Umatilla St	X	X
4	11/25/12	Kimberly Hillman	20543 SW Elk Horn Ct	X	X
5	11/25/12	Cheryl Langston	20908 SW Winema Dr, Tual.	X	X
6	11/25/12	Lucretia H. Jones	8533 SW SANTIAM DR.	X	X
7	11/25/12	Edy G. Young	18485 SW Pacific Dr #18	X	X
8	11/25/12	Janece Young	18485 SW Pacific Dr #18	X	X
9	11/25/12	Anna B. Young	10195 SW Alsea Ct.	X	X
10	11/25/12	Becky Grandin	10522 SW Elk Horn Ct.	X	X
11	11/25/12	Melinda Spier	20929 SW Winema Dr	X	X
12	11/25/12	Patricia	20924 SW Winema DR	X	X
13	12/8/12	Terri White	20601 SW Colville Ct	X	X
14	12/9/12	Laurie Garner	20578 SW Colville Ct.	X	X
15	12/9/12	Pack Garner	20578 SW Colville Ct. Tu.	X	Yes
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L

I, being a Tualatin Resident, urge the city to approve the previously drafted change to TDC 40.020 to allow Chicken Hens at residences within the city limits.

	Date	Signature	Street Address	Verify Tualatin Resident	Support
1	12/1/12	Anna Christensen	20756 SW 8th Ave.	Yes	Yes!
2	12/8/12	Donna R. Peerman	8605 S.W. Mandan DR Ave	Yes	Yes
3	12/8/12	EVAN W. [unclear]	8600 SW Mandan Dr	Yes	Yes
4	12/8/12	Mary M. Ortiz	8541 SW Mandan Dr	Yes	Yes
5	12/8/12	[unclear]	8576 SW Mandan Dr.	Yes	Yes
6	12/8/12	Ormy Scott	8576 SW mandan Dr.	Yes	Yes
7	12/8/12	Jan Buchanan	21801 S.W. Creek DR	Yes	Yes
8	12-8-12	Jan Buchanan	21801 SW Creek Dr.	YES	YES
9	12-8-12	Paula Suller	21467 SW DAKOTA CIR	Yes	Yes
10	12-8-12	David A. Carr	21637 SW Dakota Cir	Yes	Yes
11	12/8/12	Janita L Carr	21637 SW Dakota Circle	Yes	Yes
12	12/8/12	Rita Murphy	21623 SW Dakota Cir	Yes	Yes
13	12/8/12	Gary Lander	21527 SW MARTINAZZI	Yes	Yes
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Andy

I, being a Tualatin Resident, urge the city to approve the previously drafted change to TDC 40.020 to allow Chicken Hens at residences within the city limits.

	Date	Signature	Street Address	Verify Tualatin Resident	Support
1	12/18	[Signature]	21767 SW Dakota dr.	✓	yes
2	12/18	[Signature]	21914 SW Newdow Ct.	✓	yes
3	12/18	[Signature]	21884 SW Mandan Ct.	✓	YES
4	12/18	[Signature]	21884 SW Mandan Ct.	✓	yes
5	12/18	[Signature]	8606 SW Talawa Dr	✓	yes
6	12/18	[Signature]	20756 SW 84th Ave	✓	yes
7	12/19	[Signature]	8285 SW Chelan St	✓	yes
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I, being a Tualatin Resident, urge the city to approve the previously drafted change to TDC 40.020 to allow Chicken Hens at residences within the city limits.

	Date	Signature	Street Address	Verify Tualatin Resident	Support
1	11.18.12	<i>Mason [Signature]</i>	17455 SW Cheyenne way	✓	✓
2	11/18/12	<i>[Signature]</i>	20852 SW 84th Ave	✓	✓
3	11/20/12	<i>John A. Mann</i>	8311 SW Chelan St.	✓	✓
4	11/20/12	<i>Marianne Mann</i>	8311 S.W. Chelan St.	✓	✓
5	11/28/12	<i>[Signature]</i>	8467 SW Blake St	✓	✓
6	11/20/12	<i>[Signature]</i>	8320 SW Chelan St	✓	✓
7	11/20/12	<i>[Signature]</i>	4399 SW Tygh Ln.	✓	✓
8	12/9/12	<i>[Signature]</i>	8311 SW Chelan St Tualatin	✓	✓
9	12/9/12	<i>Hendersom</i>	8311 SW Chelan St.	✓	✓
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I, being a Tualatin Resident, urge the city to approve the previously drafted change to TDC 40.020 to allow Chicken Hens at residences within the city limits.

	Date	Signature	Street Address	Verify Tualatin Resident	Support
1	12/8	<i>[Signature]</i>	9447 SW Alsea Dr.	✓	✓
2	12/8	Charles A Hallerstadt	20735 SW 90th Ave	✓	✓
3	12/8	<i>[Signature]</i>	9278 SW Chelan	✓	✓
4	12/8	<i>[Signature]</i>	8360 SW Chelaw St	✓	✓
5	12/8	<i>[Signature]</i>	8419 SW Chelan Ct Tualatin	✓	✓
6	12/8	Satya Sin	2527 SW 84TH CT Tualatin	✓	✓
7	12/8	<i>[Signature]</i>	18755 SW 90th Ave ^{#525} Tualatin	✓	✓
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I, being a Tualatin Resident, urge the city to approve the previously drafted change to TDC 40.020 to allow Chicken Hens at residences within the city limits.

	Date	Signature	Street Address	Verify Tualatin Resident	Support
1	12-10-12	Ed Lambson	20977 SW 86th Ave		yes
2	12-10-12	Kay + Mike Herr	20846 S.W. 86th Ave		yes
3	12-10-12	Carl R. Brown	20801 SW 86th Ave		yes
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I, being a Tualatin Resident, urge the city to approve the previously drafted change to TDC 40.020 to allow Chicken Hens at residences within the city limits.

	Date	Signature	Street Address	Verify Tualatin Resident	Support
1	12.01.12	[Signature]	20695 SW 84 th Ave, Tualatin	Yes	Yes
2	12.01.12	[Signature]	20695 SW 84 th Ave, Tualatin	Yes	Yes
3	12/1/12	[Signature]	20653 SW 84 th Ave, Tualatin	YES	YES
4	12/1/12	[Signature]	20692 SW 84 th Ave	Yes	Yes
5	12/1/12	[Signature]	20788 SW 84 th Ave Tualatin	Yes	Yes
6	12/1/12	[Signature]	20820 84 Ave Tualatin	Yes	Yes
7	12/1/12	[Signature]	" "	Yes	Yes
8	12/1/12	[Signature]	20775 SW 84 th Ave	Yes	Yes
9	12/1/12	[Signature]	20916 SW 84 th Ave	Yes	Yes
10	12/1/12	[Signature]	20905 SW 84 th Ave	Yes	Yes
11	12/1/12	[Signature]	20945 SW 50 th Ave	Yes	Yes
12	12/1/12	[Signature]	20945 SW 50 th Ave	Yes	Yes
13	12/1/12	[Signature]	20969 SW 84 th Ave	Yes	Yes
14	12/1/12	[Signature]	20977 SW 84 th Ave	Yes	Yes
15	12/1/12	[Signature]	20977 SW 84 th Ave	Yes	Yes
16	12/1/12	[Signature]	21044 SW 84 th Ave	Yes	Yes
17	12/1/12	[Signature]	21044 SW 84 th Ave	Yes	Yes
18	12/1/12	[Signature]	20989 SW 84 th Ave	Yes	Yes
19	12/1/12	[Signature]	20628 SW 84 th Ct.	Yes	Yes
20	12/1/12	[Signature]	20596 SW 84 th Ct.	Yes	Yes
21	12/1/12	[Signature]	20564 SW 84 th Ct.	Yes	Yes
22	12/1/12	[Signature]	20527 SW 84 th Ct.	Yes	Yes
23	12/1/12	[Signature]	20564 SW 84 th Ct.	Yes	Yes
24	12/1/12	[Signature]	8922 SW CHELAN CT	Yes	Yes
25	12/1/12	[Signature]	8122 SW CHELAN CT	Yes	Yes

hens only
Hens only

I, being a Tualatin Resident, urge the city to approve the previously drafted change to TDC 40.020 to allow Chicken Hens at residences within the city limits.

	Date	Signature	Street Address	Verify Tualatin Resident	Support
1	11/18/12	[Signature]	22934 SW Cowlitz Dr. Tualatin	✓	✓
2	11/18/12	[Signature]	22865 SW Cowlitz Dr Tualatin	✓	✓
3	11/18/12	[Signature]	22763 SW Cowlitz Dr Tualatin	✓	✓
4	11/18/12	[Signature]	22657 SW Cowlitz Dr Tualatin	✓	✓
5	11/18/12	[Signature]	22445 SW Cowlitz Dr. Tualatin	✓	✓
6	11/18/12	[Signature]	22923 SW Cowlitz Dr. Tualatin	✓	✓
7	11/18/12	[Signature]	16946 SW Brown St, Tualatin, OR	✓	✓
8	11/18/12	[Signature]	10910 SW Brown St Tualatin	✓	✓
9	11/18/12	Manna Mortensen	10806 SW Brown St 97062 Tualatin OR	✓	✓
10	11/18/12	[Signature]	9616 SW Giletz Dr	✓	✓
11	11/18/12	Muhelb Smaragum	10849 SW Brown St. Tualatin 97062	✓	✓
12	11/18/12	[Signature]	10849 SW Brown St 97062	✓	✓
13	11/18/12	[Signature]	10903 SW Brown St. 97062	✓	✓
14	11/18/12	[Signature]	10959 SW Brown St 97062	✓	✓
15	11-18-12	Mary Maresman	17895 S.W. Sioux Ct. 97062	✓	✓
16	11-18-12	[Signature]	17860 S.W. Sioux Ct 97062	✓	✓
17	11/18/12	[Signature]	17870 SW Sioux Ct 97062	✓	✓
18	11/18/12	[Signature]	17900 SW Sioux Ct 97062	✓	✓
19	11/18/12	Paula Horn	17920 SW SIoux Ct	✓	✓
20	11/18/12	[Signature]	17965 SW SIoux Ct	✓	✓
21	11/18/12	[Signature]	17920 SW Cheyenne Way	✓	✓
22	11/18/12	[Signature]	17340 SW Cheyenne Way	✓	✓
23	11/18/12	Mary Calder	17335 SW Cheyenne Way	✓	✓
24	11/18/12	[Signature]	17455 SW Cheyenne Way	✓	✓
25	11/18/12	Alisa Conklin	17485 SW Cheyenne Way	✓	✓

I, being a Tualatin Resident, urge the city to approve the previously drafted change to TDC 40.020 to allow Chicken Hens at residences within the city limits.

	Date	Signature	Street Address	Verify Tualatin Resident	Support
1	11/18/12	Ton Cough	22790 SW Carlitz Dr	✓	✓
2	11/18/12	DJS	22843 SW 112th Ave	✓	✓
3	11/18/12	[Signature]	22843 SW 112th Ave	✓	✓
4	11/18/12	John C. Long	10974 SW 109th Ave	✓	✓
5	11/18	[Signature]	11144 SW Brown St.	✓	✓
6	11/18	Melinda Lish	17455 SW Cheyenne Way	✓	✓
7	11/18	Andrea Henry	17515 S.W. Cheyenne Way	✓	✓
8	11/18	Amie Robinson	17535 SW CHEYENNE WAY	✓	✓
9	11/19	Larionna Alder	20852 SW 84th	✓	✓
10	11/25	Robert Beckler	17585 SW Chippewa Trail	✓	✓
11	11/25	[Signature]	17780 SW Chippewa Trl.	✓	✓
12	11/25	Kimberly Beck	17865 SW Chippewa Trail	✓	✓
13	11/25	[Signature]	17895 SW chippewa TRL	✓	✓
14	11/25	[Signature]	17955 SW CHIPPEWA TRAIL	✓	✓
15	11/25	[Signature]	17840 SW chippewa Trl	✓	✓
16	11/25	[Signature]	17750 SW CHIPPEWA TRAIL	✓	✓
17	11/25	[Signature]	17620 SW Chippewa Trail	✓	✓
18	11/25	George Butcherbaugh	17570 SW Chippewa Trail	✓	✓
19	11/25	Anna M Rocha	17845 S.W. Sirex Ct. Tualat	✓	✓
20	11/25	Dr. Mayer	182785 W Cheyenne Way Trl.	✓	✓
21	11/25	Jane Lander	18210 W Cheyenne	✓	✓
22	11/25	[Signature]	18210 SW Shavnee Trail	✓	✓
23	11/25	Susan Walcott	18180 SW Cheyenne W	✓	✓
24	11-25	[Signature]	18090 SW Cheyenne Trl	✓	✓
25	11/25	Jerry [Signature]	18000 SW Cheyenne Way	✓	✓

I, being a Tualatin Resident, urge the city to approve the previously drafted change to TDC 40.020 to allow Chicken Hens at residences within the city limits.

	Date	Signature	Street Address	Verify Tualatin Resident	Support
1	11/25/12	Darlene Mahall	17656 SW Cheyenne Way	✓	✓
2	11/25/12	[Signature]	9805 SW Pawnee	✓	✓
3	11/25/12	Kimberly Reid	9790 SW Pawnee Path	X	X
4	11/25/12	Kathy Dejez	9770 SW Pawnee Path	✓	✓
5	11/25/12	Elbert [Signature]	17765 SW Cheyenne Way	✓	✓
6	11/25/12	Andi [Signature]	17435 SW 110th Ave	✓	✓
7	11/25/12	[Signature]	8225 SW Mohawk #1073	✓	✓
8	12-11-2012	[Signature]	12029 SW Tualatin Rd	✓	✓
9	12-8/12	B. [Signature]	12029 SW Tualatin Rd	✓	✓
10	12-8/12	Sebastian [Signature]	503-984-6206	✓	✓
11	12-12	Debbie Wightman	503-749-6889 [Signature]	✓	✓
12	12/12	Nichole [Signature]	19355 SW 66th Ave Tualatin OR	✓	✓
13	12/12/12	[Signature]	18440 SW Boones Ferry Rd 97224	✓	✓
14	12/12	[Signature]	18440 SW Boones Ferry Rd. 97224	✓	✓
15	12/8	[Signature] 691-0349	20735 SW 90th Ave	✓	✓
16	12/8	[Signature]	9301 SW Sagert St	✓	✓
17	12/8	[Signature]	27420 SW Grandmas Fry Rd	✓	✓
18	12/8	Bob Campbell	22538 SW Prima Ave	✓	✓
19	12/8	Onesimo Perez	11983 SW Tualatin Rd	✓	✓
20	12/8	[Signature]	6905 SW Nyberg Apt 203	✓	✓
21	12/8	David Gay	18410 SW Boones Ferry Rd	✓	✓
22	12/8	Elizabeth Mideh	22590 SW 93rd Ter Tualatin	✓	✓
23	12/8	Kyle [Signature]	21539 SW Canyon Ct	✓	✓
24	12/8	[Signature]	21522 SW Martmazzi	✓	✓
25	12/8	[Signature]	8665 SW UMATILLA ST	✓	✓

Passed Committee

0

I, being a Tualatin Resident, urge the city to approve the previously drafted change to TDC 40.020 to allow Chicken Hens at residences within the city limits.

	Date	Signature	Street Address	Verify Tualatin Resident	Support
1	11/25	Doc Sanders	18210 Cheyenne Way	✓	✓
2	11/25/12	J. Aidman	17790 SW Cheyenne Way	✓	✓
3	11/25/12	T. Beck	17730 SW Cheyenne Way	✓	✓
4	11/25	Wm. K. [unclear]	17650 SW Cheyenne Way	✓	✓
5	11/25	Marshall [unclear]	17695 SW Cheyenne Way	✓	✓
6	11/25	My [unclear]	9745 SW Pawnee Path	✓	✓
7	11/25	[unclear]	11865 SW Tualatin Blvd	✓	✓
8	11/25/12	Lynette Alvord	9775 SW Tualatin Path	✓	✓
9	11/25	Kathleen [unclear]	9805 SW Pawnee Path	✓	✓
10	11/25	Alan Smith	9810 SW Pawnee Path	✓	✓
11	11/25	Alexander [unclear]	9797 SW Pawnee Path	✓	✓
12	11/25	Jim [unclear]	9770 SW Pawnee Path	✓	✓
13	11/25	[unclear]	9750 SW Pawnee Path	✓	✓
14	11/25	[unclear]	17875 SW Cheyenne Way	✓	✓
15	11/25	[unclear]	17935 SW Cheyenne Way	✓	✓
16	11/25	Martha Bailey	17965 SW Cheyenne Way	✓	✓
17	11/25	Steve [unclear]	18055 SW Cheyenne Way	✓	✓
18	11/25	BEVERLY SMITH	18115 SW Cheyenne Way	✓	✓
19	11/25	Maureen Perry	18195 Cheyenne Way	✓	✓
20	11/25	GINA GORZALY	18250 SHAWNEE TRAIL	✓	✓
21	11/25	Tara [unclear]	18210 Shawnee Trail	✓	✓
22	11/25	HERB PETERSON	18190 S.W. SHAWNEE TRAIL	✓	✓
23	11/25	Eric Krumland	18140 SW Shawnee Trail	✓	✓
24	11/25	[unclear]	18110 SW Shawnee Trail	✓	✓
25	11/25	Wanda [unclear]	18020 SW Shawnee Trail	✓	✓

May 16, 2013

Dear Ms. Hahn,

The local residents have full support from my husband, Joseph, and myself in regards to Tualatin joining many other cities that allow and encourage "Backyard Chickens". Backyard chickens provide tastier and healthier eggs, they keep the flea, slug and other unwanted insect population down. Many residents, like us grow some of our own food and do not want to use chemicals to keep insect destruction to a minimum in our gardens. The children of Tualatin will get to experience and learn about where our food comes from. It never hurts for our children to learn and be part of providing care for our pets and food sources.

The only real complaint I heard at my CIO was a concern about rats. Rats and Raccoons will come for bird food, too. Chickens will not chase songbirds away as an elderly woman worried about.

It is up to responsible chicken owners to take care of their flock and there are many people, myself included, who would volunteer their time to help regulate and care for those who are new to chickens or need assistance.

Sincerely,

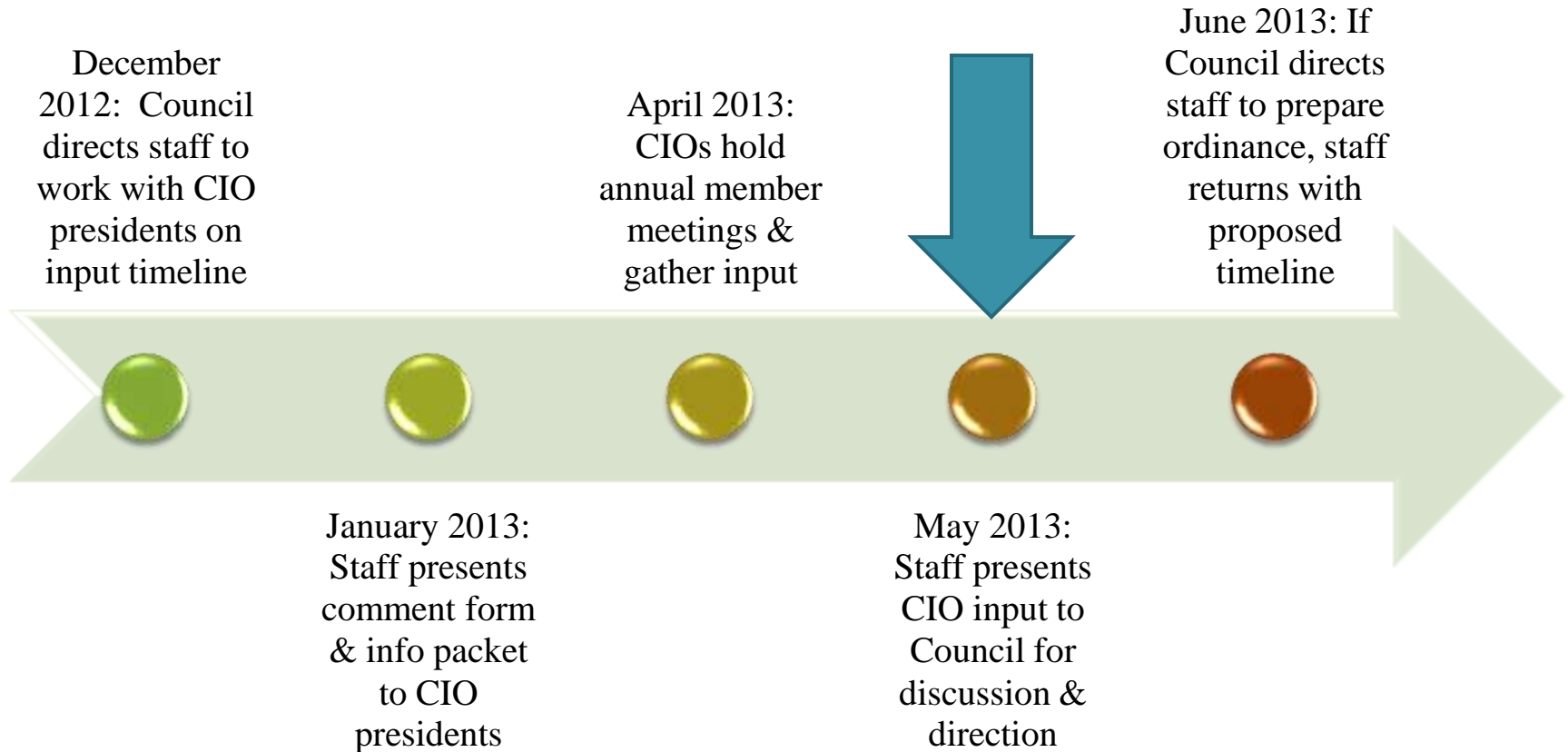
Connie E Preci

Email support signatures. (26 total, this page)

I, being a Tualatin Resident, urge the city to approve the previously drafted change to TDC 40.020 to allow Chicken Hens at residences within the city limits.

	Date	Signature	Street Address	Verify Tualatin Resident	Support
	12/6/12	Jonathan Crane	21890 SW 103 rd Court	✓	yes
	12/6/12	Chris Krivens	22464 SW 107 th St.	✓	yes
	12/6/12	Jodie Krivens	22464 SW 107 th St.	✓	yes
	12/4/12	Sarah Prinslow	8640 SW Seminole Trl.	✓	yes
	12/6/12	Jan Giunta	Phone: 503-612-9170	✓	yes
	12/6/12	Ed Bartlett	10200 SW Anderson Ct.	✓	yes
	12/6/12	Karen Ryley ^{Riley}		✓	yes
	12/6/12	Sue Raxter	Phone: 503-692-6068	✓	yes
*	12/6/12	Christine Nyberg	17400 SW Cheyenne Way	✓	yes
X		Tunstall			
*	12/6/12	Rochelle Martinuzzi	1005D SW Hazelbrook Rd.	✓	yes
	12/6/12	Dolores Hurtado	8685 SW Chinook St	✓	yes
	12/6/12	Ted Saedi	18397 SW 135 th Ter.	✓	yes
	12/7/12	Ken Calder	17335 SW Cheyenne Way	✓	yes
	12/7/12	Laura White	17880 SW Cheyenne Way	✓	yes
	12/7/12	Cathy Holland	10740 SW Lucas Drive	✓	yes
	12/8/12	Donna Young	10335 SW Tawasa Ct.	✓	yes
	12/8/12	Jerry Young	10335 SW Tawasa Ct.	✓	yes
	12/6/12	Del Blanchard	103110 SW Susquehanna Dr.	✓	yes
	12/8/12	Carolyn Tucker		✓	yes
	12/8/12	Tom Gile		✓	yes
	12/9/12	Edward Hannevig		✓	yes
	12/8/12	Meg Alvey	20900 SW Teton Ave	✓	yes
	12/9/12	Shauntel Hogan	21920 SW 106 th Ave	✓	yes
	12/9/12	Matthew Cunningham	9285 SW Apache Dr.	✓	yes
	12/9/12	Kathleen Cunningham	9285 SW Apache Dr.	✓	yes
+	12/10/12	Tim Foster	17524 SW Shasta	✓	yes

Project Update - Chickens



CINDY HAHN

From: Sherilyn Lombos
Sent: Monday, May 20, 2013 11:59 AM
To: Don Silverthorne
Cc: COUNCIL; Alice Rouyer; CINDY HAHN
Subject: RE: No Chickens Please

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Chickens

Hi Don,

Thank you for your input. This issue will be on the Council agenda on May 28 (the meeting starts at 7pm) for the Council to hear about input that has been received from the Citizen Involvement Organizations around town. There will not be a vote that night, but there will be folks at the meeting providing input to the Council.

Sherilyn Lombos

City Manager
City of Tualatin I Administration
503-691-3010

From: Don Silverthorne [mailto:don_silverthorne@yahoo.com]
Sent: Monday, May 20, 2013 11:09 AM
To: COUNCIL
Subject: No Chickens Please

I heard that the city council will be voting soon on whether to allow "backyard chicken" in the city. Please DON'T! I live on Talawa Ct and someone on Talawa Dr already has chickens. I know this because they have been out in the street near the intersection of Talawa and Martinazzi several time in the last several months. Several of the homes in my little neighborhood are rentals and I've had issues over the years with renters that can't even keep their dogs in their yards.

I have lived in Tualatin for over 20 years and have always been grateful that the city is not "weird" like Portland. Please do not turn this nice, quiet community into Portland.

If you do vote to allow chickens I hope that you include restriction on the number allowed and require some sort of licensing that can be revoke by the city. Don't leave it up to Washington County Animal Control.

Thank You,

Donald Silverthorne
9236 SW Talawa Ct.

CINDY HAHN

From: CINDY HAHN
Sent: Tuesday, May 21, 2013 11:34 AM
To: 'Roy Loop'
Cc: AQUILLA HURD-RAVICH; Sara Singer
Subject: RE: Bckyard Chickens

Hi Roy,

The information collected from the CIOs will be presented under General Business during the May 28 Council meeting. A summary of the information has been included in the [staff report \(scroll to page 67 of the packet to find the first page of the report\)](#) and the CIO reports attached so Council can review prior to the meeting. I will be presenting the staff report and do not expect individual CIOs to present their findings.

The city's current policy about chickens is that they are not allowed because they are not considered normal household pets. A discussion of the city's policy is included in the [October 25, 2010 staff report, which also is in the May 28 Council packet \(scroll to page 75\)](#).

If you have questions about any of this, please let me know.

Thank you,

Cindy

Cindy L. Hahn, AICP

Associate Planner

City of Tualatin | Community Development Department

Phone: 503.691.3029 | Fax: 503.692.0147

chahn@ci.tualatin.or.us

www.tualatinoregon.gov

From: Roy Loop [<mailto:roy@rueckco.com>]

Sent: Friday, May 17, 2013 7:40 PM

To: CINDY HAHN

Subject: Bckyard Chickens

Hi Cindy

Per the Tualatin CIO web site, I see that during the City Council meeting on May 28th, that the information that was collected from the various CIO's will be presented to the City Council.

Will the presentations be made by each individual CIO or is this information already available to the Council?

Also, can you direct me to where can I find the City's current policy regarding Back Yard Chickens?

Thank you in advance.

Roy Loop

VP CIO4 Martinazzi Woods

roy@rueckco.com
(office): [503-644-8363](tel:503-644-8363)
Fax (office): [503-641-5252](tel:503-641-5252)
Cell: [503-969-2701](tel:503-969-2701)

CINDY HAHN

From: CINDY HAHN
Sent: Tuesday, May 21, 2013 12:08 PM
To: 'Stefan Feuerherdt'
Cc: AQUILLA HURD-RAVICH; Sara Singer
Subject: RE: Chickens! discussion at CIO-3

Hi Stefan,

Thank you for submitting this information to me about CIO-3's discussion of allowing chickens in residential areas of the city. I will be sure to present your information to Council on May 28 when I give my staff report.

Best regards,

Cindy

Cindy L. Hahn, AICP
Associate Planner
City of Tualatin | Community Development Department
Phone: 503.691.3029 | Fax: 503.692.0147
chahn@ci.tualatin.or.us
www.tualatinoregon.gov

-----Original Message-----

From: Stefan Feuerherdt [<mailto:stefan@feuerherdtlaw.com>]
Sent: Monday, May 20, 2013 1:56 PM
To: CINDY HAHN
Subject: Chickens! discussion at CIO-3

Cindi-

Sara Singer asked me to relay information to you about the topic of backyard chickens as it was discussed at our Midwest CIO (CIO-3) meeting on January 17, 2013. Sara asked me to get this to you by Friday- I apologize I'm just now getting to you, but in case you can still use it, here it is:

We had approximately 12-15 people at the meeting that evening at Tualatin Elementary.

Representatives from CIO-4, supporters of the backyard chickens initiative, were in attendance as guests and to speak to the topic of "backyard chickens." After their opening remarks about proposed language of ordinances before the City, our members engaged in some discussion and questions. At the conclusion of the discussion, we surveyed the group: all in attendance were in favor of the City adopting the proposal to allow chickens, subject to the limitations we understand were in the proposed ordinances, related to number of chickens, minimum lot size, distance from residences, etc. We felt the Ordinance previously written should be implemented as it stands unless you would like to lower the Yard Square Footage requirement down from 5000 SF.


I hope this is helpful- please let me know if you need more.
Thanks for your work on this

Stefan L Feuerherdt
Attorney at Law
8215 SW Tualatin-Sherwood Rd, Suite 200

Tualatin, OR 97062
(503) 737-5995

CINDY HAHN

From: Tualatin Citizen Involvement Organization [tualatincitizens@gmail.com]
Sent: Tuesday, May 21, 2013 11:55 AM
To: CINDY HAHN
Subject: News from Tualatin CIOs



Citizen Involvement Organization Newsletter


Citizen Voices Making A Difference May, 2013

In This Issue

CIO Annual Meetings

CIO Preference Results
Proposed Chicken
Ordinance

CIO News



CIO News

Midwest CIO: Formerly known as CIO 3 - has a new name!

East Tualatin CIO: Formerly known as CIO 2-has a new name.

SW Corridor/ Linking Tualatin Community Planning Forum

"Better Transit Options in

Dear Cindy,


Busy, busy time of the year. Thanks for taking your valuable time to read this Newsletter and a big THANKS to all of you who participated in your CIOs' annual meeting!!

Jan Giunta, CIO - Citizen Involvement Organization

CIO Annual Meetings Update

The 7 organized CIOs held their annual meetings in April-as per their bylaws. Each of the residential CIO discussed the pros and cons of having chickens in Tualatin with a non-binding vote or consensus following the discussions.

The Commercial CIO held their meeting at the library with attendance of nearly 50 business persons. Past officers were unanimously re-elected for another 2 year term: Jonathan Crane, Catherine Holland and Cheryl Dorman.



Riverpark CIO with nearly 50 residents attending unanimously re-elected Jan Giunta, Cindy Phillips, and Reba Tobey. Additionally, 5 residents volunteered to be part of the Community Connections committee including Adam Butts, Annie Vigileos, LuAnne Wells, Ted Saedi and Virginia Green.

CIO6 held their meeting with good attendance, having the police and fire staff give presentations, debuted NextDoor.com, and discussed transportation items relevant to the CIO6 neighborhoods.

Martinazzi Woods elected a new president, Kay Dix and Roy Loop as VP and discussed and approved a major project for their "grant fund" application.

1

Attachment F - page 6

Tualatin

May 23, 2013 6:00-8:00 PM
Tualatin Library

[Contact Us](#)
[CIO Website](#)



East Tualatin CIO adopted their new name and discussed the City report from City engineer, Kaaren Hofman, regarding traffic issues in their neighborhoods. New officers were elected: President is Doug Ulmer, and VP/Land Use Officer is Charlie Benson and Alex Sanders as Secretary.

CIO Results of the Proposed Chicken Ordinance

The Tualatin City Council referred to the residential CIOs the issue of whether to allow chicken hens to be kept by Tualatin residents within the City's boundaries.



Each CIO presented the pros and then the cons, followed by a discussion and then a non-binding vote or consensus. All but one of the CIOs recommends

to City Council to allow chicken hens within the city limits. Preference votes were as follows:

Riverpark CIO: 24 in favor and 11 against

Ibach CIO: 32 in favor and 1 against

Martinazzi Woods: majority in favor

Midwest CIO: majority in favor

CIO 6: Approx 50% in favor and 20% against (Taken by Survey Monkey)

East Tualatin CIO: a consensus against the proposed ordinance as currently suggested with a lot size of 5,000 SF. However, President Doug Ulmer reports that if the lot size requirement were increased, then more residents seemed to be in favor.

[Forward email](#)



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Citizen Involvement Organization | 17655 SW Shawnee Trail | Tualatin | OR | 97062