

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 18-01(AM)**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL AMEND WASILLA MUNICIPAL CODE SECTION 16.04.070, DEFINITIONS, TO ADD DEFINITIONS FOR “BEEHIVES”, “EXOTIC ANIMAL”, “PET ANIMAL”, “POULTRY”, AND “WILD ANIMAL”; AMEND SECTION 16.04.070, DEFINITIONS, TO REVISE THE DEFINITIONS FOR “AGRICULTURE”, “ANIMAL HUSBANDRY”, AND “FARM ANIMAL”; AMEND 16.16.060, SPECIFIC APPROVAL CRITERIA, TO REVISE THE CRITERIA THAT REGULATES FARM ANIMALS, POULTRY, AND BEEHIVES; AMEND SECTION 16.20.020, DISTRICT USE CHART, TO IDENTIFY THE APPROPRIATE ZONING DISTRICTS AND PERMIT TYPES FOR BEEHIVES, EXOTIC ANIMALS, POULTRY, AND WILD ANIMALS; AND OTHER MINOR REVISIONS.

WHEREAS, the Planning Commission is required to make recommendations to the Wasilla City Council for amendments to Title 16 of the Wasilla Municipal Code; and

WHEREAS, the public hearing date and time was publicly advertised; and

WHEREAS, on February 13, 2018, the Wasilla Planning Commission held a public hearing on the proposed amendments; and

WHEREAS, the Wasilla Planning Commission deliberated on this request taking into account the current provisions of the Wasilla Municipal Code and the 2011 City of Wasilla Comprehensive Plan; and

WHEREAS, after due consideration, the Wasilla Planning Commission determines that the proposed amendment is appropriate and is consistent with the goals and objectives of the Wasilla Municipal Code and the 2011 City of Wasilla Comprehensive Plan;

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33 NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission
34 hereby approves this resolution recommending that the City Council adopt the following:

35 **Amendment of section.** WMC 16.04.070, Definitions, is hereby amended as
36 follows:

37 **16.04.070 Definitions.**

38 When used in this title, the following words and phrases shall have the meanings set
39 forth in this section:

40 "Agriculture" is a use involving the commercial growing of vegetation or the
41 raising, controlled breeding, management, or keeping of beehives, farm animals, or
42 poultry. Animals may be bred and raised for utility (e.g. meat, milk, eggs, fur), sport,
43 pleasure, and research.

44 "Beehive" means a man-made housing structure for the keeping of bee colonies
45 and production of honey.

46 "Exotic animal" means any animal not otherwise identified in the definitions
47 provided in this section that is native to a foreign country or of foreign origin or
48 character, or was introduced from abroad and is not native to the state of Alaska. This
49 term specifically includes animals such as, but not limited to, lions, tigers, leopards,
50 elephants, camels, antelope, anteaters, kangaroos, alligators, and water buffalo, and
51 species of foreign domestic cattle, such as Ankole, Gayal, and Yak and any animals
52 regulated by the State of Alaska Department of Fish and Game. Exotic animals that are
53 typically kept as indoor pets are exempt from this definition.

54 "Farm animal" means any domestic species of cattle, sheep, swine, goat, horse,
55 mule, donkey, llama, and alpaca, which are normally and have historically been kept

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56 and raised on farms in the United States and used or intended for use as food or fiber,
57 or for improving animal nutrition, breeding, management, or production efficiency. This
58 term also includes animals such as rabbits, mink, and chinchilla, when they are used
59 solely for purposes of meat or fur.

60 "Pet animal" means any animal that has commonly been kept as a pet in family
61 households in the United States, such as, but not limited to, dogs, cats, guinea pigs,
62 rabbits, and hamsters. This term excludes farm, exotic, and wild animals as defined in
63 this section.

64 "Poultry" means chickens, doves, ducks, geese, grouse, ptarmigan, pigeons,
65 quail, swans, guinea fowl, peacocks, and turkeys.

66 "Wild animal" means any animal which is now or historically has been found in
67 the wild, or in the wild state, within the boundaries of the United States, its territories, or
68 possessions. This term includes, but is not limited to, animals such as: Moose, caribou,
69 elk, mink, Dall sheep, deer, bear, coyote, squirrel, fox, and wolf. Also included are any
70 animals regulated by the State of Alaska Department of Fish and Game.

71 **Amendment of section.** WMC 16.16.060, Specific approval criteria, is hereby
72 amended as follows:

73 **16.16.060 Specific approval criteria.**

74 The following uses are subject to the preceding general approval criteria and these
75 additional approval standards:

76 E. *Farm Animals, Poultry, and Beehives* . Farm animals, poultry, and beehives are
77 allowed as indicated in the District Use Chart in Section 16.20.020(A), as an accessory
78 use subject to the standards below. The uses identified in this section are not subject to

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79 the provisions in Title 7. The keeping of these uses consistent with the terms of this
80 Title does not in and of itself constitute a nuisance or a disturbance.

81 1. Farm animals. The keeping of farm animals is subject to the following
82 standards:

83 a. Farm animals are prohibited on lots with a total lot area of less than
84 40,000 square feet;

85 b. A suitable fence must be provided to safely contain the farm
86 animal(s);

87 c. Stables or buildings used as shelter or storage of food for farm
88 animals must be a minimum of 25 feet from any exterior lot line;

89 d. All fenced areas, pens, enclosures, stables, shelters, or other
90 similar buildings or uses for a farm animal must be a minimum of 75 feet
91 from the high-water mark of any water course or body of water, excluding
92 man-made ponds on private property;

93 e. All facilities shall be kept in good repair, maintained in a clean and
94 sanitary condition, and be free of vermin, obnoxious smells and
95 substances, to the greatest extent feasible. The facilities may not create a
96 nuisance or disturb neighboring residents due to excessive noise, odor,
97 damage, or threats to public health. No storage of manure or other waste
98 materials shall be permitted within 50 feet of any exterior lot line;

99 f. On lots with a minimum lot area of 40,000 square feet or more in
100 the RR, R1, or R2 zoning districts, the following farm animals are allowed.

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101 Additional farm animals in the quantities indicated below may be allowed
102 for each additional 20,000 square feet of lot area:

103 i. One farm animal (with an adult weight of 250 pounds or
104 greater); or

105 ii. Ten or fewer rabbits or similarly sized farm animals; or

106 iii. Three or fewer goats; or

107 iv. Three or fewer sheep; or

108 v. Three or fewer of other types of farm animals similar in size
109 to a goat or sheep.

110 g. In the Industrial zoning district, farm animals are only allowed as an
111 accessory use to a primary industrial use; and

112 h. If the applicant does not own the property, written proof of the
113 owner's consent must be submitted with the application.

114 2. Poultry. The keeping of poultry is allowed as an accessory use to a
115 residential dwelling and must meet the following standards:

116 a. Excessively noisy poultry including, but not limited to, roosters,
117 turkeys, guinea fowl, peacocks, or geese are prohibited unless the total lot
118 area is a minimum of 80,000 square feet and the animals and supporting
119 structures and pens are a minimum of 100 feet from an adjoining lot;

120 b. All poultry must be contained by a suitable structure, fenced
121 enclosure, and/or pen that safely contains the poultry at all times and is
122 designed to be predator proof. All structures, enclosures, and pens must
123 meet the following dimensional standards:

- 124 i. Maximum height of structures, coops, enclosures, or runs is
125 15 feet in height;
- 126 ii. All facilities shall be kept in good repair, maintained in a
127 clean and sanitary condition, and be free of vermin, obnoxious
128 smells and substances. The facility will not create a nuisance or
129 disturb neighboring residents due to excessive, noise, odor,
130 damage, or threats to public health; and
- 131 iii. Chicken coops or other shelters may not be located in a front
132 yard or side yard that abuts a street in the R1, R2, and RM zoning
133 districts.
- 134 c. No storage of manure shall be permitted within 50 feet of the
135 exterior lot line; and
- 136 d. If the applicant does not own the property, written proof of the
137 owner's consent must be submitted with the application.
- 138 e. All structures, runs, and enclosures must be a minimum of 25 feet
139 from residential dwellings on neighboring lots. For lots with more than one
140 dwelling on the same lot, the structures, runs, and enclosures must also
141 be a minimum of 25 feet from all other dwellings on the lot except the
142 poultry owners' dwelling.
- 143 f. On lots with a total area less than 40,000 square feet, the following
144 additional standards apply:
- 145 i. Maximum of 6 poultry (six months of age or older) on lots up
146 to 20,000 square feet and a maximum of 12 poultry (six months of

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147 age or older) on lots greater than 20,000 square feet and less than
148 40,000 square feet;

149 ii. Free-ranging within fenced yards is only allowed under direct
150 supervision by the poultry owner and with consent of all tenants
151 and/or property owners who have legal access to the premises at
152 the time of permit application;

153 g. On lots with a total area of 40,000 square feet or greater, the
154 following additional standards apply:

155 i. Maximum of 15 poultry (six months of age or older) on lots
156 between 40,000 square but less than 50,000 square feet; an
157 additional three poultry (six months of age or older) are allowed for
158 each additional full 10,000 square feet of lot area. No proration of
159 the number of poultry is allowed for lots with less than a full 10,000
160 square feet of lot area.

161 h. In the Industrial zoning district, poultry is only allowed as an
162 accessory use to a primary industrial use.

163 3. Beehives. The following standards apply:

164 a. Beehives are allowed in all zoning districts as an accessory use;

165 b. Four beehives are allowed per 10,000 square feet of lot area. No
166 proration of the number of beehives is allowed for lots with less than a full
167 10,000 square feet of lot area;

168 c. Bee colonies shall be managed in such a manner that the flight
169 path to and from the hive will not bring the bees into contact with people
170 on adjacent lots by utilizing one of the methods described below:

171 i. A six-foot high flyway for bees to fly upward vs. toward
172 adjacent lots); or

173 ii. Beehive entrances are oriented away from adjacent lots or
174 are placed behind a solid fence with a minimum height of six feet
175 that extends a minimum of 10 feet beyond the hive in both
176 directions; or

177 iii. Any other method that accomplishes the purpose above.

178 d. Beehives must be at least 25 feet from any exterior lot line;

179 e. The maximum height for a beehive at ground level is eight feet
180 measured from the base of the beehive, inclusive of any temporary or
181 permanent stand or foundation. Beehives are permitted on rooftops or
182 elevated decks provided that the beehive does not exceed five feet in
183 height above the surface of the rooftop or deck and the rooftop or deck is
184 a minimum of eight feet above ground level;

185 f. If the applicant does not own the property, written proof of the
186 owner's consent must be submitted with the application; and

187 g. All beekeeping shall comply with applicable laws and regulations.

188 **Amendment of section.** WMC 16.20.020, District use chart, is hereby amended

189 as follows:

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191 **16.20.020 District use chart.**

192 A. The following chart summarizes the uses allowed and the standard of review for
 193 each use. In the commercial and industrial districts, more than one building housing a
 194 permissible principal use may be erected on a single lot; provided, that each building
 195 and use shall comply with all applicable requirements of this chapter and other borough,
 196 state or federal regulations.

AA = Administrative approval UP = Use permit CU = Conditional use EX = Excluded Blank = No city approval necessary							
Districts	RR Rural	R1 Single- Family	R2 Residential	RM Multi- family	C Commercial	I Industrial	P Public
Uses							
Accessory Uses	AA	AA	AA	AA	AA	UP	AA
Agriculture	UP	EX	EX	EX	EX	EX	EX
Beehives ¹	AA	AA	AA	UP	UP	UP	EX
Exotic Animals	EX	EX	EX	EX	EX	EX	EX
Farm Animals ¹	AA	UP	UP	EX	EX	AA	EX
Poultry ¹	AA	AA	AA	UP	UP	CU	EX
Wild Animals	EX	EX	EX	EX	EX	EX	EX

197 ¹Must comply with specific approval criteria in Section 16.16.060.

198 NOW, THEREFORE BE IT RESOLVED that the Wasilla Planning Commission

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199 approves of these code amendments and enactment of the proposed new code and
200 hereby forwards their support for adoption to the Wasilla City Council and to take effect
201 upon adoption by the Wasilla City Council.

202 APPROVED by the Wasilla Planning Commission on February 13, 2018.

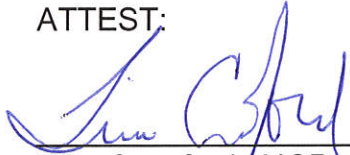
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APPROVED:



Brian Mayer, Vice-Chairman Date 2-21-18

ATTEST:



Tina Crawford, AICP, City Planner

VOTE: Passed Unanimously