

Planning and Public Works Committee
June 19th, 2012
Summary and Motions

CM Bill Farmer chaired the meeting and called it to order at 1:02pm. All Committee members were present.

Animal Ordinance

Beard began a discussion on the origin of the draft animal ordinance. He stated that he had received a complaint of a horse being kept in the backyard of a home on Tacoma. The horse had escaped and did not have adequate water or grazing space. He said that the horse has since been moved to an appropriate location. Because of the attention the horse issue received, other instances came to light regarding pigs and goats.

Beard told Committee members that the sub-committee formed to review this matter had met and they prepared the draft ordinance that was included in the packet.

Kay told the Committee members that the timing was coincidental, because he had also been approached by members of the community with an interest in urban farming. He said that they had decided to separate horses out of the draft ordinance and focus solely on the keeping of hogs, goats (pygmy, dwarf, or miniature) and pigs (potbelly or miniature).

Kay said that goats, hogs, and pigs are currently prohibited and the draft ordinance would now allow them. They would not be allowed to create significant problems for neighboring properties. Kay went on to say that the husbandry of goats is growing nationally.

Lawless asked Kay about chickens and roosters. Kay told her that they are not included in the draft ordinance.

Gorton asked Kay about noise, housing standards, and provisions for unwanted and abandoned animals. Kay said that the noise issue would be enforced by the Division of Police. He said that the space requirements and animal size limitations are spelled out in the ordinance. He said that slaughter must be out of the view of neighbors and noted that there is a slaughter ordinance already on the books.

Susan Malcolm, the President of the Lexington Humane Society, said that Animal Care and Control has limited space to house abandoned animals. Malcolm said that although they have not had to deal with more than five pigs or goats over the past few years, the passing of the ordinance could increase that number and more money may be required

to handle the increase in animals. She did say, however, that goats pose a limited distraction to people.

Henson was called to speak and said that she had many concerns. She mentioned abandoned animals and also the increase in animal waste. Henson asked Kay about the number of goats or pigs a resident could have. (No more than six goats and no more than two pigs.)

Martin asked Kay if these animals would be allowed in commercial areas. Martin said that as the ordinance is written, nothing would prevent a commercial area from keeping these animals. Martin also requested the space between property lines and expressed concern that the animals could be living right up against property lines.

Martin also suggested an overlay district as an alternative to the proposed ordinance.

Lawless said that she doesn't see a need to have male goats because they do not produce milk and she said rarely are these types of animals slaughtered, as they are usually kept as pets. Lawless also mentioned the smell of urine on the beards of male goats.

Gorton asked Kay if the sub-committee discussed these types of animals as pets or food. Kay said that they discussed both uses. She asked sub-committee members if they entertained the idea of having these types of animals in the urban service area as a conditional use. Kay said no.

Martin said that there are zones in Fayette County for a specific reason and again suggested a ND-1 overlay for neighborhoods that may want to allow goats and pigs.

Henson stated that there are responsible owners out there, but she said that the ordinance is wide open and stands available for abuse.

Blues said that he could not support moving it on to the full Council to deliberation.

Public Comment

Juanita Gallivan, Lara Doth de Martinez, Donna Martinez, Devin Doth, and Jeremy Porter spoke.

Beard made a motion to keep the animal ordinance in the Planning and Public Works Committee. Lawless seconded the motion. The motion passed 8-2.

Martin and Ellinger voted no.

Design Excellence Update

Blues gave an update on the Design Excellence Task Force. Blues said that there have been significant developments since the January 24th, 2012 report he gave to the Committee.

Blues said that Mayor Gray included \$50,000 in Commissioner Paulsen's budget for a consultant to write design guidelines and draft related ordinances governing the downtown core that the Task Force has selected as their focus area. Blues mentioned the studies focused on downtown: Downtown Master Plan, Courthouse Area Design Guidelines, and the Downtown Lexington Building Inventory.

Blues said that the sub-groups will:

- Conduct a detailed inventory and analysis of downtown B-2 zones.
- Review and analyze our current Courthouse Area Design Guidelines to assess strengths, weaknesses, and gaps.
- Recommend the selection of a consultant, which will involve the drafting and publishing of an RFT and the evaluation of responses.
- In the future, a group will begin drafting zoning text amendments and administrative permitting procedures.

Blues asked to be placed on the November 20th, 2012 meeting agenda to present another Design Excellence Task Force update.

Items in Committee

No discussion.

Martin made a motion to adjourn. Gorton seconded the motion. The motion passed without dissent.

Respectfully submitted by Jenifer Benningfield, Council Administrative Specialist.