

ORDINANCE NO. 1897

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON ADDING A NEW FIFE MUNICIPAL CODE SECTION 19.06.357 AND AMENDING FIFE MUNICIPAL CODE SECTIONS 19.06.420, 19.14.030, 19.20.030, 19.24.030, 19.36.030, 19.40.030, 19.44.030, 19.48.030 AND 19.68.080 RELATED TO HOBBY FARMS

WHEREAS, from time to time, it is appropriate to review development regulations as deemed necessary, and improve the efficiency of the regulations and the development review process ; and

WHEREAS, the public health, safety and welfare is advanced by allowing hobby farms in the City; and,

WHEREAS, in accordance with RCW 36.70A.106 the proposed Hobby Farm development regulation amendment were sent to and received by State agencies on September 5th, 2014 for review and comment; and

WHEREAS, in accordance with RCW 36.70A.106 (3)(b), the City of Fife requested 14-day expedited review from State agencies with said expedited review having been granted on September 23rd, 2014 with no comments from State agencies received; and

WHEREAS, the City of Fife has a rich agricultural heritage and tradition with many properties still being used for farming; and

WHEREAS, there is a great deal of interest at the national and local level in urban agriculture uses; and

WHEREAS, the Fife Municipal Code does not currently define hobby farms nor provide clear direction on the siting and appropriate development standards for such uses; and

WHEREAS, the City of Fife Planning Commission held a public hearing on the proposed amendments on September 8, 2014, and recommended approval of the amendments; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) was issued on September 5, 2014 with no comments having been received and no appeal filed; and

WHEREAS, on October 14, 2014, the Fife City Council held a public hearing on the proposed amendments; and

WHEREAS, the City of Fife has fulfilled all procedural requirements for the adoption of the development regulations; now therefore

THE CITY COUNCIL OF THE CITY OF FIFE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Fife Municipal Code Chapter 19.06 is hereby amended to add a new section 19.06.357 entitled “Hobby Farm” as follows.

19.06.357 Hobby Farm

“Hobby Farm” means a small scale commercial business involving livestock animals.

Section 2. Fife Municipal Code (FMC) section 19.06.420 entitled “Livestock” is hereby amended as follows.

19.06.420 Livestock.

“Livestock” includes, but is not limited to, sheep, goats, oxen, cows, cattle, horses, llamas, alpacas, donkeys, mules, pigs, swine, ostriches, emus, rheas and all other animals not mentioned above or below which are included in the either the bovid, equid, or suid families; ferrets, minks, exotic or poultry birds and rabbits which are raised for commercial purposes; snakes, lizards, turtles, frogs and all other reptilia, which are raised for commercial purposes; commercial fish; and all other animals not mentioned above which are raised for commercial purposes

Section 3. Fife Municipal Code section 19.14.030 “Accessory uses” in the Single-Family Residential District (SFR), is hereby amended as follows,

19.14.030 Accessory uses.

Accessory uses in the SFR district are:

- A. Accessory dwelling unit (see Chapter 19.80 FMC);
- B. Family day-care provider’s home facility (see Chapter 19.68 FMC);
- C. Home occupation (see Chapter 19.68 FMC);
- D. Microcell for residential use. Excluded from front yard;
- E. Amateur and citizen band transmitter, support structure and antenna array (see FMC 19.68.020(B));

- F. Livestock or Hobby Farm as an accessory to an existing residence (see Chapter 19.68 FMC);
- G. Residential accessory use or structure which is subordinate and incidental to a permitted residential dwelling unit. Residential accessory uses and structures may include, but are not limited to, garage, carport, storage shed, noncommercial greenhouse, fence (six feet or less in height) and the accessory uses listed above. Accessory structures constructed after the effective date of the ordinance codified in this title shall be less than or equal to 65 percent of gross floor area of the primary residence or 1,200 square feet, whichever is greater, and less than or equal to 20 feet in height;
- H. Golf course, pool, tennis court, community sport or playfield or other active recreational area within a PRD;
- I. Temporary accessory structures and uses (see Chapter 19.68 FMC);
- J. Electric vehicle charging station equipped with Level 1 or Level 2 battery charging station equipment only;
- L. Other accessory use or structure which is subordinate and incidental to a principally permitted use, as determined by the director.

Section 4. Fife Municipal Code section 19.20.030 “Accessory uses” in the Small Lot Residential (SLR) District, is hereby amended as follows,

19.20.030 Accessory uses.

Accessory uses in the SLR district are:

- A. Accessory dwelling unit (see Chapter 19.80 FMC);
- B. Family day-care provider’s home facility (see Chapter 19.68 FMC);
- C. Home occupation (see Chapter 19.68 FMC);
- D. Microcell for residential use. Excluded from front yard;
- E. Amateur and citizen band transmitter, support structure and antenna array (see FMC 19.68.020(B));
- F. Golf course, pool, tennis court, community sport or playfield or other active recreational area within a PRD;
- G. Livestock or Hobby Farm as an accessory to an existing residence (see Chapter 19.68 FMC);

- H. Residential accessory use or structure which is subordinate and incidental to a permitted residential dwelling unit. Residential accessory uses and structures may include, but are not limited to, garage, carport, storage shed, noncommercial greenhouse, fence six feet or less in height and the accessory uses listed above. Accessory structures constructed after the effective date of the ordinance codified in this title shall be less than or equal to 65 percent of gross floor area of the primary residence or 1,200 square feet, whichever is greater, and less than or equal to 20 feet in height;
- I. Electric vehicle charging station equipped with Level 1 or Level 2 battery charging station equipment only;
- J. Other accessory use or structure which is subordinate and incidental to a principally permitted use, as determined by the director.

Section 5. Fife Municipal Code section 19.24.030 "Accessory uses" in the Medium Density Residential (MDR) District, is hereby amended as follows,

19.24.030 Accessory uses.

Accessory uses in the MDR district are:

- A. Accessory dwelling unit (see Chapter 19.80 FMC);
- B. Family day-care provider's home facility (see Chapter 19.68 FMC);
- C. Day-care facility for use solely by residents of a multifamily development;
- D. Home occupation (see Chapter 19.68 FMC);
- E. Microcell for residential use. Excluded from front yard;
- F. Amateur and citizen band transmitter, support structure and antenna array (see FMC 19.68.020(B));
- G. Livestock or Hobby Farm as an accessory to an existing residence (see Chapter 19.68 FMC);
- H. Residential accessory use or structure which is subordinate and incidental to a permitted residential dwelling unit. Residential accessory uses and structures may include, but are not limited to, garage, carport, storage shed, noncommercial greenhouse, fence six feet or less in height and the accessory uses listed above. Accessory structures constructed after the effective date of the ordinance codified in this title shall be less than or equal to 65 percent of gross floor area

of the primary residence or 1,200 square feet, whichever is greater, and less than or equal to 20 feet in height;

- I. Golf course, pool, tennis court, community sport or playfield or other active recreational area within a PRD;
- J. Temporary accessory structures and uses (see Chapter 19.68 FMC);
- J. Electric vehicle charging station equipped with Level 1 or Level 2 battery charging station equipment only;
- L. Other accessory use or structure which is subordinate and incidental to a principally permitted use, as determined by the director.

Section 6. Fife Municipal Code section 19.36.030 "Accessory uses" in the Neighborhood Commercial (NC) District, is hereby amended as follows,

19.36.030 Accessory uses.

Accessory uses in the NC district are:

- A. Accessory dwelling unit (see Chapter 19.80 FMC);
- B. Family day-care provider (see Chapter 19.68 FMC);
- C. Home occupation (see Chapter 19.68 FMC);
- D. Microcell for residential use. Excluded from front yard;
- E. Amateur or citizen band transmitter, support structure and antenna array (see FMC 19.68.020(B));
- F. Residential accessory use or structure which is subordinate and incidental to a permitted residential dwelling unit. Residential accessory uses and structures may include, but are not limited to, garage, carport, storage shed, noncommercial greenhouse, fence (six feet or less in height), and the accessory uses listed above. Accessory structures constructed after the effective date of the ordinance codified in this title shall be less than or equal to 65 percent of the gross floor area of the primary residence or 1,200 square feet, whichever is greater, and less than or equal to 20 feet in height;
- G. Employee recreation facility and play area;
- H. Temporary accessory structures and uses (see Chapter 19.68 FMC);
- I. Co-location on WCF support structure;

- J. Hobby Farm as an accessory to an existing residence (see Chapter 19.68 FMC);
- K. Other accessory use or structure which is subordinate and incidental to a principally permitted use, as determined by the director.

Section 7. Fife Municipal Code section 19.40.030 “Accessory uses” in the Community Commercial (CC) District, is hereby amended as follows,

19.40.030 Accessory uses.

Accessory uses in the CC district are:

- A. Accessory dwelling unit (see Chapter 19.80 FMC);
- B. Family day-care provider’s home facility (see Chapter 19.68 FMC);
- C. Home occupation (see Chapter 19.68 FMC);
- D. Microcell for residential use. Excluded from front yard;
- E. Amateur and citizen band transmitter, support structure and antenna array (see FMC 19.68.020(B));
- F. Residential accessory use or structure which is subordinate and incidental to a permitted residential dwelling unit. Residential accessory uses and structures may include, but are not limited to, garage, carport, storage shed, noncommercial greenhouse, fence (six feet or less in height) and the accessory uses listed above. Accessory structures constructed after the effective date of the ordinance codified in this title shall be less than or equal to 65 percent of gross floor area of the primary residence or 1,200 square feet, whichever is greater, and less than or equal to 20 feet in height;
- G. Employee recreation facility and play area;
- H. Employee cafe or cafeteria operated in conjunction with a principally permitted use;
- I. Food and/or espresso cart as an accessory to a permitted use;
- J. Temporary accessory structures and uses (see Chapter 19.68 FMC);
- K. Co-location on WCF support structure;

- L. Hobby Farm as an accessory to an existing residence (see Chapter 19.68 FMC);
- M. Other accessory use or structure which is subordinate and incidental to a principally permitted use, as determined by the director.

Section 8. Fife Municipal Code section 19.44.030 "Accessory uses" in the Regional Commercial (RC) District, is hereby amended as follows,

19.44.030 Accessory uses.

Accessory uses in the RC district are:

- A. Accessory dwelling unit (see Chapter 19.80 FMC);
- B. Family day-care provider's home facility (see Chapter 19.68 FMC);
- C. Home occupation (see Chapter 19.68 FMC);
- D. Microcell for residential use. Excluded from front yard;
- E. Amateur and citizen band transmitter, support structure and antenna array (see FMC 19.68.020(B));
- F. Residential accessory use or structure which is subordinate and incidental to a permitted residential dwelling unit. Residential accessory uses and structures include, but are not limited to, garage, carport, storage shed, noncommercial greenhouse, fences (six feet or less in height) and the accessory uses listed above. Accessory structures constructed after the effective date of the ordinance codified in this title shall be less than or equal to 65 percent of the gross floor area of the primary residence or 1,200 square feet, whichever is greater, and less than or equal to 20 feet in height;
- G. Employee recreation facility and play area;
- H. Shooting range;
- I. Food and/or espresso cart as an accessory to a permitted use;
- J. Temporary accessory structures and uses (see Chapter 19.68 FMC);
- K. Co-location on WCF support structure;
- L. Hobby Farm as an accessory to an existing residence (see Chapter 19.68 FMC);

M. Other accessory use or structure which is subordinate and incidental to a principally permitted use, as determined by the director.

Section 9. Fife Municipal Code section 19.48.030 entitled "Accessory Uses" in the Industrial (I) District is hereby amended as follows,

19.48.030 Accessory uses.

Accessory uses in the I district are:

- A. Accessory dwelling unit for permitted existing dwelling unit (see Chapter 19.80 FMC);
- B. Family day-care provider's home facility within existing dwelling unit (see Chapter 19.68 FMC);
- C. Home occupation for existing dwelling unit (see Chapter 19.68 FMC);
- D. Limited service and repair operations for products described as principally permitted uses;
- E. Dwelling unit, limited to one per site, for site security or maintenance personnel and their families;
- F. Employee recreation facility and play area;
- G. Employee cafe or cafeteria operated in conjunction with a principally permitted use;
- H. Child day-care facility as an accessory use to a site's principal employment establishment. The day-care facility shall be, at least in part, for the children of employees located on-site;
- I. Temporary accessory structures and uses (see Chapter 19.68 FMC);
- J. On-site hazardous waste treatment and storage facilities; provided, that:
 - 1. The hazardous waste treatment and storage facilities meet the state siting criteria adopted pursuant to the requirements of RCW 70.105.210; and
 - 2. A geotechnical report, prepared in compliance with the Seismic Hazard Areas Ordinance (FMC 17.13.040), demonstrates that there exists no risk of release of hazardous waste as the result of a seismic event in excess of that risk which would exist in a nonseismic hazard area;
- K. Co-location on WCF support structure;

L. Hobby Farm as an accessory to an existing residence (see Chapter 19.68 FMC);

M. Other accessory use or structure which is subordinate and incidental to a principally permitted use, as determined by the director.

Section 10. Fife Municipal Code section 19.68.080 entitled "Livestock allowance" is hereby amended as follows,

19.68.080 Livestock allowance and hobby farms.

Hobby farms and the keeping of all livestock shall be in accordance with this section.

A. Livestock Categories. The three livestock categories below are created to identify animals that require a sufficient area for such purposes as grazing or to identify animals that may be a nuisance to surrounding property.

1. Large area animals: Oxen, cows, cattle, horses, llamas, donkeys, mules, pigs, swine and other similar animals;
2. 2. Medium area animals: Sheep, goats, alpacas, ostriches, emus, rheas and other similar animals;
3. 3. Small area animals: Ferrets, minks, exotic or poultry birds, rabbits, snakes, lizards, turtles and other similar animals.

B. Livestock Density Chart.

Livestock Density Chart		
Animal Type	Minimum Lot Size see FMC section 19.68.080(D)(4) for minimum lot size for Hobby Farms)	Maximum Animal Density (see FMC section 19.68.080(D)(1) for Animal Density for Hobby Farms)
Small area	.75 acre minimum	1,750 square feet for each of the first 20 small animals and 500 square feet for each additional small animal thereafter
Medium area	1 acre minimum	5 animals per acre

Large area	1 acre minimum	1 animal per acre
For fish and other aquatic animals, pond size may be up to 1/4 of lot size but not greater than 300 square feet		
Calculations resulting in a fraction shall be rounded to the nearest whole number with greater than or equal to .50 being rounded up		

C. Offspring. If offspring of allowed animals exceed the allowed number of the density chart, the offspring may remain on-site until independent or weaned.

D. Hobby Farms.

Where permitted, hobby farms shall comply with the following requirements.

1. The animal density may be up to 20 percent greater than the livestock density identified in FMC 19.68.080(B).
2. The hobby farm shall only be operated by persons who reside on the property and are members of the immediate family, and one other person, who may or may not reside on the property.
3. The hobby farm is required to conform to the City's business license regulations and is exempt from the requirement for a home occupation permit.
4. The hobby farm shall consist of either a single lot or contiguous lots under the same ownership, with a minimum of one (1) acre. Leasing of lots of adjacent lots are acceptable.
5. Limited retail and/or processing activity, directly associated with hobby farm activities or materials, is allowed subject to the following:
 - i. The retail and/or processing activity may be located in the principal single family residential building or in an accessory structure Subject to the provisions below
 - ii. If the retail and/or processing activity is located in the principal single family residential building, then it shall not involve the use of more than 25 percent of the gross floor area of the principal residential building (excluding garage).


- iii. If the retail or processing activity is located in an accessory building, then it shall not involve the use of more than 25 percent of the gross floor area of the accessory building or 1,000 square feet, whichever is greater.
- iv. No more than one accessory building shall be used for a retail and/or processing activity.
6. No offensive noise, vibration, smoke, dust, odor, heat, glare or unusual or excessive traffic to and from the premises shall be produced or generated by the hobby farm.
7. Maximum lot coverage shall be that of the underlying zoning district.
8. Minimum setback shall be that of the underlying zoning district. Barns and stables shall setback a minimum of 15 feet from the perimeter of the hobby farm.
9. The hobby farm shall not engage in slaughtering, rendering or other similar activity.
10. Hobby farm special events shall be subject to the special events requirements pursuant to FMC Chapter 10.32.

Section 11. Each and every provision of this Ordinance shall be deemed severable. If any provision of this ordinance should be deemed to be unconstitutional or otherwise contrary to law by court of competent jurisdiction, then it shall not affect the validity of the remaining sections so long as the intent of the Ordinance can be fulfilled without the illegal section.

Section 12. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced the 13th day of Jan, 2015.

Passed by the City Council on the 10th day of Feb, 2015.



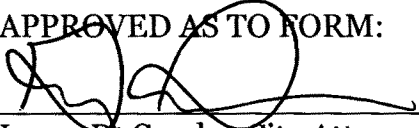
Subir Mukerjee, City Manager

ATTEST:



Carol Etgen, City Clerk

APPROVED AS TO FORM:



Loren D. Combs, City Attorney
assisted by atty

Published: Feb 12, 2015
Effective Date: Feb 17, 2015