



Eugene City Council

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EUGENE CITY COUNCIL AGENDA

April 25, 2018

12:00 p.m. CITY COUNCIL WORK SESSION
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

Meeting of April 25, 2018;
Her Honor Mayor Lucy Vinis Presiding

Councilors

Mike Clark, President
Greg Evans
Emily Semple
Jennifer Yeh

Betty Taylor, Vice President
Chris Pryor
Claire Syrett
Alan Zelenka

12:00 p.m. CITY COUNCIL WORK SESSION
Harris Hall, 125 East 8th Avenue

Mayor: *I call the April 25, 2018, meeting of the Eugene City Council to order.*

**A. WORK SESSION: Climate Recovery Ordinance Update and
Sustainability Commission Proposal - Electric Vehicle Ready Homes**

B. WORK SESSION: Wildlife Feeding

City Council President: *I move to direct the City Manager to schedule a public hearing on an ordinance concerning rodents and prohibiting the feeding of wildlife.*

Call for vote.

Adjourn.

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

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EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Climate Recovery Ordinance Update and Sustainability Commission Proposal - Electric Vehicle Ready Homes

Meeting Date: April 25, 2018
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Chelsea Clinton
Contact Telephone Number: 541-682-5649

ISSUE STATEMENT

The purpose of this work session is to provide Mayor Vinis and City Council with an update on the Climate Recovery Ordinance (CRO) with an emphasis on progress of the Community Climate Action Plan Update. In addition, staff will present information on the Electric Vehicle (EV) Ready Homes proposal originally submitted by the Sustainability Commission in October 2017.

BACKGROUND

CRO Update

In July 2016, Eugene City Council approved an update to the 2014 CRO by revising the adopted climate recovery goals and adding new targets and benchmarks. The key goals and milestones, and the reporting requirements are outlined in the table below.

2016 CRO Goal	Milestones	Reporting-2 Yr	Reporting-5 Yr
Internal GHG Emissions	By 2020, zero ghg emissions from operations or offset with 15% annual ghg emissions reductions	Status Update 2018, 2020, 2022, etc.	Comprehensive Review 2021, 2026
Fossil Fuel Use a) Internally b) Community Wide	By 2030, reduce fossil fuel use from 2010 levels by 50%, with 2.5% annual reduction.	Status Update 2018, 2020, 2022, etc.	Comprehensive Review 2021, 2026
Reduce Community Wide GHG Emissions	By 2100, total community emissions equate 350PPM level, with 7.6% annual reduction.	Status Update 2018, 2020, 2022, etc.	Comprehensive Review 2021, 2026

In November 2017, staff presented updates on the Internal Climate Action Plan (ICAP) and the proposal for the Community Climate Action Plan update (CAP 2.0), endorsed by the Mayor's CRO Ad Hoc Work Group. As part of the FY18 Supplemental Budget, City Council allocated funding to begin work on the CAP 2.0 and continue with other CRO implementation efforts outlined in the CAP 2.0 plan. Attached to this AIS are: Attachment A-CRO Implementation Update and Attachment B-Responses to City Council Questions from 11/15/17 CRO Work Session.

EV Ready Homes Proposal

In October 2017, the Eugene Sustainability Commission submitted a request to the City Council which proposes that, "the Eugene City Council direct the City Manager to work with the State of

Oregon Building Codes Division to adopt a local rule change to the State Building Code for Eugene requiring that all new single family and duplex homes be made EV-Ready.”

Widespread electric vehicle adoption is seen as one of the key action items towards reaching the Climate Recovery Ordinance (CRO) goals of reducing fossil fuel use by 50 percent in 2030 and meeting annual greenhouse gas (ghg) reductions of 7.6 percent annually.

In the Sustainability Commission’s EV Ready Homes proposal (Attachment C), the identified challenge to overcome residential adoption for EV use is, ‘a lack of adequate circuits and wiring impedes Electric Vehicle (EV) adoption by residents of Eugene.’ The Commission’s proposed solution is, ‘Establish a change in the residential building code that would require every new single-family home and duplex to be made EV-Ready for one parking space per dwelling unit.’

In Oregon, the building code is adopted at the state level and administered by local jurisdictions. The process for the City of Eugene to adopt a new building code amendment as proposed by the Sustainability Commission is authorized under ORS 455.030 and related OAR 918-020-0370 Local Amendment Requests (Attachment D). This is a fairly intensive process and has been utilized only a handful of times in the state, and never in Eugene.

In November 2017, Oregon Governor Brown issued Executive Order 17-20, ‘Accelerating Efficiency of Oregon’s Built Environment to Reduce Greenhouse Gas Emissions and Address Climate Change’, that includes direction to the State’s Building Codes Division to, “...conduct code amendment of the state building code to require that parking structures for all newly constructed residential and commercial buildings are ready to support the installation of at least a level 2 EV charger by October 1, 2022.” (Attachment E). It is expected that the Residential Specialty Code update in 2020 will include a residential requirement for EV charging infrastructure, thus meeting the Sustainability Commission’s proposed outcome.

TRIPLE BOTTOM LINE

The Triple Bottom Line (TBL) continues to be a guiding principle in all the CRO implementation work. The CRO implementation inherently has a strong focus on environmental health. In addition, the cost of actions are considered whenever possible in the ICAP and CAP 2.0 to allow staff and community to choose the most cost-effective pathway forward. Finally, social equity is addressed in the ICAP and CAP 2.0, with particular emphasis placed on engagement of and outcomes for marginalized communities.

As related to the EV Homes Proposal, the increased cost to install charging infrastructure during the construction process is marginal and is the most cost efficient opportunity.

COUNCIL OPTIONS

1. Direct the City Manager to initiate a local code amendment process for adopting an electric vehicle ready homes ordinance.
2. Direct the City Manager to support Executive Order 17-20, via participation within the 2020 Residential Specialty Code Boards work groups.
3. Take no action.

CITY MANAGER'S RECOMMENDATION AND SUGGESTED MOTION

No council action or motions are suggested. This item is informational only.

ATTACHMENTS

- A. CRO Implementation Update
- B. Responses to City Council Questions from 11/15/17 CRO Work Session
- C. Sustainability Commission EV Ready Homes Proposal.
- D. OAR 918-020-0370 Local Amendment Requests
- E. Oregon Governor Brown Executive Order 17-20

FOR MORE INFORMATION

Staff Contact: Chelsea Clinton

Telephone: 541-682-5649

Staff E-Mail: chelsea.d.clinton@ci.eugene.or.us

Memorandum

Date: April 25, 2018
To: Mayor Vinis and Eugene City Council
From: Chelsea Clinton, Sustainability Analyst
RE: **Climate Recovery Ordinance (CRO) Implementation Updates**

This memo provides an update on staff efforts in implementing the Climate Recovery Ordinance.

- **Large Lever Shareholder Engagement.** The Sustainability Analyst, Assistant City Manager, and IGR Manager have met with executives and senior staff from the UO, Eugene Chamber, LCC, LTD, EWEB, NW Natural Gas, and MWMC over the past 3 months to discuss the goals and process for the CAP 2.0 process. Additional outreach to Lane County staff and 4J and Bethel SD are being planned. The City will convene executives from all the Large-Lever Shareholder organizations in May to formally kick-off the CAP 2.0.
- **Equity Initiatives.** The CAP 2.0 includes three equity initiatives in addition to inclusive outreach. These include 1) building organizational and community capacity, 2) developing an 'equity panel' that will increase participation and representation of marginalized communities, and 3) hosting an Equity Fellow Internship this summer-as a pilot project for replication.
- **CRO Analyst Hired.** The CRO Analyst was hired and began work in April.
- **Technical and Communications consultants onboard.** CMO hired two local companies to provide consulting services for the CAP 2.0 project, Good Company (technical) and Drawn (communications). Additionally, we are working with the Community Service Center (CSC) at the University of Oregon, to provide project management support and potential student assistance with community outreach.
- **Inclusive Outreach.** Sustainability staff are working with staff from Human Rights and Neighborhood Involvement and Parks and Open Space to incorporate best practices for recent city initiative outreach efforts, while aligning these efforts with findings from DRAWN communications work. As initiative details are finalized, Sustainability staff will provide more updates to Mayor and City Council.
- **ICAP Update Completed.** Facilities, Fleet, and Fire service areas finalized plans that outline specific projects, associated costs, and co-benefits to achieve the operational CRO goals. These plans are now utilized by the various service units as they prepare their strategic plans and capital requests.
- **Greenhouse Gas Inventory.** Updated community and organizational ghg inventories will be completed in 2018 in alignment with the CRO reporting requirements.

Memorandum

Date: April 19, 2018

To: Eugene City Council

From: Chelsea Clinton, Sustainability Analyst

Subject: Responses to City Council Questions from 11/15/17 CRO Work Session

This memorandum provides responses to questions asked by City Councilors during November 22, 2017 CRO Work Session.

*Please note that the City is transitioning the name of the “Community Climate and Energy Action Plan (CEAP)” to the “Community Climate Action Plan (CAP)” to align our plan name with the national norm. This does not reflect any substantive change in the content of the plan.

1. Is the City applying rules on no idling for contractors contracting with the City for Public Works projects? (Councilor Syrett)

The City’s No Idle, No Top Off Policy comes from the City’s Fleet and Radio Communications Services Policy and Procedures Manual. It only applies to City-owned and City-leased vehicles. This policy can be found on the City’s website at: <https://www.eugene-or.gov/1296/No-Idle-No-Top-Off>.

The City applies the following specification for from the Oregon Standard Specifications for Construction (2015), sub-section 00290.30(c), to contractors who contract with Public Works.

(c) Air Pollution Control Measures - Comply with ORS 468, ORS 468A, OAR 340-014, OAR 340-200 through OAR 340-268, and all other applicable Laws.

(1) Vehicle and Equipment Idling - Establish truck staging areas for diesel-powered vehicles located where truck emissions have a minimum impact on sensitive populations, such as residences, schools, hospitals and nursing homes.

Limit idling of trucks and other diesel powered equipment to 5 minutes, when the equipment is not in use or in motion, except as follows:

- When traffic conditions or mechanical difficulties, over which the operator has no control, force the equipment to remain motionless.*
- When operating the equipment's heating, cooling or auxiliary systems is necessary to accomplish the equipment's intended use.*
- To bring the equipment to the manufacturer's recommended operating temperature.*
- When the outdoor temperature is below 20 °F.*

- *When needed to repair equipment.*
- *Under other circumstances specifically authorized by the Engineer.*

2. **How many FTE have been allocated to sustainability historically, since 2004 if possible? (Councilor Syrett)**

The summary below reflects budgeted FTE in the Sustainability Office since FY04. Beginning in FY16, 0.5 FTE has been left vacant. The savings from this FTE have been used to support other parts of the Sustainability Program, such as external contractual services. In addition, the current Sustainability Manager came onboard in FY16 in a dual role in the City Manager's Office. That FTE is not accounted for in this report.

Fiscal Year/s	Regular FTE	Limited Duration	Total FTE
		FTE	
Prior to FY08	0.0		0.0
FY08-11	1.0		1.0
FY12	2.0		2.0
FY13-17	1.5		1.5
FY18	1.5	1.0	2.5

There are a number of other positions in the City organization that provide services that advance the City's sustainability goals including but not limited to Public Works (Parks and Open Space, Transportation, Stormwater, Wastewater, etc.), Planning & Development (Green Building and Waste Prevention Program), and Central Services Departments (Facilities).

3. **How much money do the actions described save? (Councilor Semple)**

The Internal Climate Action Plans for the Fire, Fleet and Facilities Service areas include a detailed list of actions that can be taken to reduce greenhouse gas emissions. These reports also include cost estimates, operational feasibility, and co-benefits for each action listed. As noted in each report, few actions result in a net savings.

There are several exceptions that do save the City money and reduce greenhouse gas emissions. For example, Figure 6.2 in the Fleet Division and Fire Department Internal Climate Action Plan shows that converting mid-sized sedans to electric vehicles using current state and federal tax credits to purchase vehicles leads to an overall savings of \$205 per MT CO₂e.

Other actions provide strong co-benefits, with budget benefits that are difficult to measure. For example, diesel-fueled vehicles can be fueled with three types of fuel: regular diesel, biodiesel, or renewable diesel. It appears that using renewable diesel fuel, as opposed to regular diesel or biodiesel, decreases the amount of vehicle maintenance needed. It is difficult to track this benefit using data due to the variables involved with fleet vehicles, their use, and maintenance requirements. However, fleet personnel believe the cost savings from decreased maintenance is non-trivial.

As the Facilities Internal Climate Action Plan and Fleet Division and Fire Department Internal Climate Action Plan reports show, most actions that reduce emissions come with a net cost to the City.

Fleet Division and Fire Department Internal Climate Action Plan:

<https://www.eugene-or.gov/DocumentCenter/View/38211>

Facilities Internal Climate Action Plan: <https://www.eugene-or.gov/DocumentCenter/View/37360>

4. Who are the Large-Lever Shareholders? (Councilor Semple)

The CAP 2.0 project team defined Large-Lever Shareholders as “organizations in Eugene who have significant oversight and impact on community-wide fossil fuel use and greenhouse gas emissions or have the ability to effect or alter systems that will enable the community to adapt and prepare for climate change.”

Examples of Large-Lever Shareholders include the City of Eugene, EWEB, Northwest Natural Gas, the University of Oregon, Lane Community College, Lane Transit District, Eugene Chamber of Commerce, Metropolitan Wastewater Management Commission, Lane Regional Air Pollution Agency, and Oregon Department of Environmental Quality.

5. What’s the difference between the market based and location-based accounting methods? And the Sector and consumption based inventories? (Councilor Semple)

Please see the City of Eugene 2016 Operational Greenhouse Gas Inventory, page 4 for more information on the differences between market-based and location-based accounting.

URL: <https://www.eugene-or.gov/DocumentCenter/View/37231>

Please see the City of Eugene Community Greenhouse Gas Inventory: Sector-Based Inventory for 2010-2015, Consumption-Based Inventory for 2013, page 3 for information on the difference between a sector-based and consumption-based inventory.

URL: <https://www.eugene-or.gov/DocumentCenter/View/31137>

6. How are different groups more impacted by climate change? (Councilor Semple)

In a May 2016 report titled “Climate Change, Health, and Environmental Justice”, the EPA wrote

“... certain groups of people in the United States are disproportionately affected by climate change and are less able than others to adapt to or recover from climate change impacts. These groups include people of color, low-income communities, immigrants, and people who are not fluent in English. There are many factors that can affect someone’s ability to prepare for, respond to, and cope with the impacts of climate change on health. These include:

- *living in areas particularly vulnerable to climate change (like communities along the coast)*
- *coping with higher levels of existing health risks when compared to other groups*
- *living in low income communities with limited access to healthcare services*

- *having high rates of uninsured individuals who have difficulty accessing quality healthcare*
- *having limited availability of information and resources in a person's native language*
- *less ability to relocate or rebuild after a disaster “*

Source: <https://www.cmu.edu/steinbrenner/EPA%20Factsheets/ej-health-climate-change.pdf>

Additional sources demonstrating the impact of climate change on marginalized communities include:

“Special Focus: Climate Change and Worker Health.” Public Health Institute/ Center for Climate Change and Health. 2016. <http://climatehealthconnect.org/wp-content/uploads/2016/09/Workers.pdf>

Krause, Eleanor and Richard V. Reeves. “Hurricanes Hit the Poor the Hardest”. Brookings Institute: Social Mobility Memos. December 7, 2017. <https://www.brookings.edu/blog/social-mobility-memos/2017/09/18/hurricanes-hit-the-poor-the-hardest/>.

7. Provide a list of projects underway that contribute to reaching the CRO. What's the net result? What was the cost and savings in terms of dollars? (Councilors Taylor and Zelenka)

The following reports list projects that contribute towards reaching the City's CRO goals. A final progress report of the CEAP 1.0 will be completed as part of the baseline assessment for the CAP 2.0 project.

- 2015 Climate Recovery Progress Report
URL: <https://www.eugene-or.gov/DocumentCenter/View/18818>
- 2013 CEAP Progress Report
URL: <https://www.eugene-or.gov/Archive.aspx?ADID=2385>
- 2011 CEAP Progress Report
URL: <https://www.eugene-or.gov/DocumentView.aspx?DID=1058>

The Sustainability Program does not have the resources to retroactively analyze the cost and savings of each project. We plan to incorporate metrics that estimate this type of information for projects included in the CAP 2.0 where possible.

8. Provide the communications plan from the Mayor's CRO Ad Hoc Work Group. (Councilor Semple)

Please see the attached 'Climate Recovery Ordinance Communications Foundation'.

Climate Recovery Ordinance Communications Foundation

Input from the Ad Hoc Committee regarding the DRAFT CRO Communications Plan highlighted that there are too many specific messages, audiences, and channels to activate and that having one simple plan is not realistic. Therefore staff will be seeking assistance from a professional marketing/public relations/communications firm to create a comprehensive CRO communications plan that phases efforts based on available resources and communication priorities. The following information will provide the foundation of the development of the plan.

Key concepts to communicate

Why is action needed?

- Need for action to address ghg emissions levels
- Impacts on a changing climate

What is Eugene doing about it?

- Passed the CRO
- Zero emissions internally
- 50% reduction in fossil fuel by 2030 compared to 2010
- 7.6% annual reduction

How are we going to achieve our goals?

- Actions taken by the City and the community
- CRO goals
- CAP 2.0
- Transportation System Plan, Envision Eugene, LTD, River Road Planning
- Behavior change program

What can I do?

- Public participation
- Behavior change campaign (Task 6 in CAP 2.0)

Audiences (to be further developed with input from Ad Hoc Committee and others).

- City Council
- Interested Parties
- General public
- Schools and students

Communication Channels (to be further developed with input from Ad Hoc Committee)

- City's Sustainability Website
- City Council Newsletter
- City Social Media Accounts
- Other City newsletters
- Email lists (E.g. sustainability commission's interested parties list)
- Partner channels (e.g. EWEB newsletter)

Memorandum

Date: October 18, 2017

To: Eugene City Council

From: Sustainability Commission

Subject: Proposal regarding EV-Ready Homes

The Sustainability Commission of the City of Eugene proposes that the Eugene City Council direct the City Manager to work with the State of Oregon Building Codes Division to adopt a local rule change to the State Building Code for Eugene requiring that all new single family and duplex homes be made EV-Ready. This change would facilitate the adoption of electric vehicles by residents in Eugene, thereby helping the community meet its greenhouse gas reduction goals, as stated in the Climate Recovery Ordinance.

One way to approach this action would be to ask the State of Oregon Building Codes Division to establish Eugene as a Pilot Project for this rule change, the results of which could then be evaluated and possibly extended later. The State Building Codes Division recently adopted a rule change requiring 5% of commercial parking spaces, including for R-2 developments, to be made EV-Ready in certain Oregon cities, including Eugene. The rule change proposed here would extend that rule change to new single family homes and duplexes.

Please see the attached fact sheet and copy of the State of Oregon action.

Thank you for your consideration in this matter.

Electric Vehicle-Ready Home Proposal Fact Sheet

October 18, 2017

Problem

A lack of adequate circuits and wiring impedes Electric Vehicle (EV) adoption by residents of Eugene.

Proposed Solution

Establish a change in the residential building code that would require every new single-family home and duplex to be made EV-Ready for one parking space per dwelling unit. Every single-family home or duplex undergoing expansion or remodeling that increases its overall floor area by more than 50 percent would be required to be made EV-Ready, as well.

Background

In 2016, the Eugene City Council updated its Climate Recovery Ordinance (CRO), setting the goal of reducing community fossil fuel use by 50 percent from 2010 levels by the year 2030. EV adoption is growing rapidly, with automotive companies investing in new and more affordable electric vehicle and plug-in hybrid options. Given that over 90% of the energy delivered by EWEB is from renewable, green sources, electric vehicle use is an effective means for reducing Eugene's carbon emissions. Currently, about 80 percent of a typical EV's charging occurs at home. To encourage electric vehicle use, this ordinance would require new construction to be EV-Ready.

Benefits

Owner: It eliminates much of the cost and disruption that installing an upgraded electrical service panel and a wiring conduit would require for an existing home.

Builder: It has minimal cost, adds value, demonstrates the builder's commitment to the environment, and supports a prospective owner's future transportation choices.

Community: Adoption of electric vehicles, especially in Eugene where our electrical supply has low dependence on carbon-based sources, will reduce greenhouse gas emissions that affect climate change and would contribute to reaching our greenhouse gas emission goals.

Expected Construction Costs

The cost to make a new home EV-Ready is expected to be less than \$150. A 240V breaker is \$20; 50 feet of conduit is less than \$30; expect labor to be less than \$100. For a \$300,000 home, the added cost would be less than one-twentieth of one percent. For a home of 1200 sq. ft, the cost would be about 12 cents per square foot

Triple Bottom Line Analysis

Environmental Health: As noted above, this action would enable easier adoption of electric vehicle use.

Economic Prosperity: EV-ready homes will have increased value as electric vehicle use increases.

Social Equity: This action would remove financial barriers for less affluent home buyers to adopt electric vehicles.

Appendix

Definitions

An EV-Ready home is one that makes it economical to provide easy, safe access to a dedicated power supply for the purpose of charging an electric vehicle. A home will be considered EV-Ready if it has the following two elements that are necessary to install a Level 2 charging station:

1. a 2-pole breaker for a dedicated 240 volt circuit that can provide at least 40 amps continuous supply; and
2. a wiring conduit running from the breaker to a suitable connector location in a garage or carport plus the wiring.

A Level 2 charging station uses 240 volts, which is similar to a large appliance such as a clothes dryer, and offers relatively fast charging (i.e., approx. 5 times faster than 110-volt charging) for electric vehicles. A suitable connector location is one that ensures that overhead doors and other garage elements do not interfere with the ability to plug in an electric vehicle and that the location does not require a charging cord to be wrapped around or draped over the vehicle.

Related Ordinances

Fremont, CA and Palo Alto, CA.

4.106.4.1 New one- and two-family dwellings and town-houses with attached or adjacent private garages or carports. For each dwelling unit, install a listed raceway, associated overcurrent protective device and the balance of a dedicated 208/240-volt branch circuit rated at 40 amperes minimum. The raceway shall not be less than trade size (nominal 1-inch inside diameter). The raceway shall originate at the main service or unit subpanel and shall terminate into a listed cabinet, box or other enclosure in close proximity to the proposed location of an EV charger. Raceways are required to be continuous at enclosed, inaccessible or concealed areas and spaces. All electrical circuit components and EVSE, including a receptacle or box with a blank cover, shall be installed in accordance with the California Electrical Code.

San Francisco, CA

This 100 percent EV Ready ordinance requires all new (multi-family) residential and commercial buildings to configure 10 percent of parking spaces to be “turnkey ready” for EV charger installation, and an additional 10 percent to be “EV flexible” for potential charging and upgrades. The remaining 80 percent of parking spaces will be “EV capable,” by ensuring conduit is run in the hardest to reach areas of a parking garage to avoid future cost barriers

State of Oregon (Eugene, Portland, Salem, Gresham)

Permanent Rule Change to State Building Code effective 1 October, 2017 -- 5% of newly constructed commercial parking spaces (including R-2 and S-2 parking) must be EV-Ready. (See Attached.)

OAR 918-020-0370

Local Amendment Requests

(1) A local municipality may request under ORS 455.040 a local amendment relating to matters covered under the building code, by submitting to the division, in writing, a local amendment application. The application must include:

- (a) The reason for the request;
- (b) The name of, and contact information for, the building official responsible for submitting the request and enforcing and interpreting the local amendment if approved;
- (c) A copy of the municipality's proposed local ordinance or administrative rule; and
- (d) A copy of the report required by section (2)(b) of this rule.

(2) Prior to submitting a request for a local amendment under ORS 455.040, a municipality must:

(a) Provide for a public hearing or public meeting in the manner required by applicable municipal or state law; and

(b) Submit a report to the division. The report must:

(A) Summarize comments received;

(B) Outline the impacts of the local amendment;

(C) Explain how the municipality responded to the substantive concerns and issues raised during the public input period;

(D) Identify the financial or regulatory incentives provided by the municipality to businesses or contractors impacted by the local amendment request;

(E) Estimate the fiscal impact of the local amendment.

(i) If the proposed amendment impacts residential construction, identify the additional construction cost per square foot to develop a 6,000 square foot parcel and to construct a 1,200 square foot detached single family dwelling on that parcel; or

(ii) If the proposed amendment impacts commercial construction, identify the additional construction cost per square foot to develop a 20,000 square foot parcel and to construct a 10,000 square foot B or M occupancy type. If the proposed amendment does not impact B or M occupancy structures, then the local jurisdiction shall identify the structure type and provide similar construction cost information for the impacted type of structure to the extent it applies to the above parameters.

(F) Describe the stakeholder outreach, summarize groups communicated with and the result of that communication; and

(G) Identify any other communities the municipality discussed the proposed amendment with and whether a regional solution was considered.

(3) Local amendments shall not contain a severance clause. The content of the local amendment as interpreted and approved by the division represents the terms and conditions of the approval. Where one or more provisions are deemed invalid, the entire local amendment is invalidated.

(4) Once the local amendment request is received, the division will review the request and the municipality's proposed amendment, and either approve the proposed local amendment in whole or in part, or deny the request. The division may approve the local amendment with conditions.

(5) Once the local amendment's provisions are approved by the division they cannot be changed. If a municipality wishes to change the provisions, they must submit a new amendment request for the division's approval.

(6) The building official for the municipality, identified in subsection (1)(b) of this rule, requesting the local amendment will be responsible for enforcing and interpreting the amendment once it is approved.

(7) The division may, upon written request, issue a directive to the building official to ensure that the local amendment is being administered according to the terms and conditions of the approval.

(8) A local amendment may be reviewed occasionally by the division to determine if it continues to be viable.

(9) The division reserves the right to terminate approval of the local amendment based on new information, including but not limited to, changes in technology, conflicts with model codes, changes in accepted practices under the applicable model codes, and failure of the building official to uphold the terms, conditions, or any directives related to the local amendment.

Stat. Auth. ORS 455.030

Stats. Implemented: ORS 455.040

Hist.: BCD 28-2008, f. 12-31-08, cert. ef. 1-1-09; BCD 8-2013(Temp), f. 9-27-13, cert. ef. 10-1-13 thru 3-30-14; BCD 10-2013, f. 12-16-13, cert. ef. 1-1-14

**EXECUTIVE ORDER NO. 17-20****ACCELERATING EFFICIENCY IN OREGON'S BUILT ENVIRONMENT
TO REDUCE GREENHOUSE GAS EMISSIONS AND ADDRESS
CLIMATE CHANGE**

WHEREAS, climate change presents a significant threat to our livelihoods, economic security, environment, health, and well-being.

WHEREAS, there has been an increase in extreme weather events, including more frequent and intense heat waves and wildfires. According to the Oregon Climate Change Research Institute and other regional studies, the best available science indicates Oregon is at risk of serious impacts to its natural resources due to climate change.

- Water resources are being affected by decreased winter snowpack, changes to seasonal runoff patterns, decreased precipitation in Eastern Oregon, and increased intensity and occurrence of flooding.
- Agricultural resources are being affected by increases in temperatures.
- Ocean acidification is increasing and there are changes in ocean currents.
- Significant parts of the Oregon coastal region, stretching 363 miles, will be impacted by an expected rise in sea level up to 1 to 4 feet by 2100, incurring billions of dollars of damages and losses to roadways and structures.
- Climate change impacts threaten the State's agricultural, fishing, timber, recreation, and tourism industries, thereby threatening the livelihood of the State's residents and an important source of Gross State Product for the state.

WHEREAS, energy efficiency leads to significant greenhouse gas reductions that are essential to meeting our state greenhouse gas reduction goals and addressing climate change.

WHEREAS, Oregon is committed to meeting the international Paris Agreement targets to reduce greenhouse gas emissions by 26 to 28 percent below 2005 levels by 2025.

WHEREAS, Oregon has adopted goals to reduce greenhouse gas emissions to 10 percent below 1990 levels by 2020 and at least 75 percent below 1990 levels by 2050 as described in ORS 468A.20.



EXECUTIVE ORDER NO. 17-20

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WHEREAS, saving energy by using less energy in buildings is one of the least cost ways to achieve emissions reductions in the energy system – often with a net financial savings over the life of these energy efficiency measures, in particular as energy efficiency technology continues to improve.

WHEREAS, studies have found that building codes in Oregon have had a 97 percent compliance rate; and as building codes become more energy efficient, we will continue to strive toward excellence in construction and building codes, which are applicable statewide and provide uniformity and predictability for building owners and contractors and equity for residents and businesses.

WHEREAS, Oregon is an international leader in energy efficiency, has in-state energy efficiency expertise, and a skilled workforce to continue to be a leader; and Oregon can build on its reputation through emphasis on state leadership, building codes for newly constructed buildings, and retrofits for existing buildings.

WHEREAS, energy efficiency is a critical and growing portion of the State's clean energy economy. Investments in energy efficiency sustain a workforce of over 40,000 jobs statewide; 70 percent of these are small businesses with 11 employees or fewer. Investments in energy efficiency result in an average annual increase of gross state product of over \$132 million, and the resulting reduction in energy costs generates an additional \$32 million per year.

WHEREAS, low income and other underserved communities often struggle to access energy efficiency programs that will save them money and improve housing quality over the long-term and the State can take steps to implement policies that increase the availability of energy efficiency to these residents.

WHEREAS, state government has a responsibility to lead by example in its adoption of energy efficiency to achieve a more cost-effective and clean energy future.

WHEREAS, energy efficiency actions increase the health, safety, and resiliency of Oregon's buildings and homes, resulting in lower health care costs borne by the State and its residents.



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WHEREAS, an energy system with distributed generation, energy efficiency, and storage capacity can build resiliency in the face of climate change related disruptions and other disasters.

NOW, THEREFORE, IT IS HEREBY DIRECTED AND ORDERED:

1. **Definition.** For purposes of this Executive Order, “state agency” shall be defined as any agency within the Executive Department as defined in ORS 174.112, other than the Oregon Secretary of State, Oregon State Treasury, Oregon Department of Justice, and Oregon Bureau of Labor and Industries.
2. **Statement of Policy.** It is the policy of the State of Oregon to establish an aggressive timeline to achieve net zero energy ready buildings as a standard practice in buildings across the state. Review and regular improvements to the energy provisions of the state building code will occur on at least a three-year cycle for residential and commercial buildings. Directives in this Executive Order related to energy efficiency, electric vehicle readiness, and solar installation readiness are essential to meeting this policy, as is a focus on retrofitting older, less-efficient buildings and demonstrating energy efficiency leadership in state-owned and state-leased buildings.
3. **Energy Efficiency Leadership in State Buildings**
 - A. High Performance Energy Targets for Existing State Buildings. State agencies will use high performance energy use targets for remodels in all existing state-owned buildings. Department of Administrative Services (DAS) and Oregon Department of Energy (ODOE) are directed to consider ASHRAE 100 Standard pathways and work with all state agencies to adopt targets for any remodels that begin after the date of this executive order. State agencies that are not meeting energy use targets will work with ODOE and DAS to undertake energy retrofits to increase the efficiency of their buildings. ODOE is directed to report on and track all state-owned building energy use to guide agencies to implement tactical and achievable energy use reductions. ODOE will work with all agencies to benchmark and identify buildings for retrofits. A database of all eligible state-owned buildings will be created by June 1, 2018.



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- B. Carbon-Neutral Operations for New State Buildings. DAS and ODOE are directed to work with state agencies to ensure that new state owned buildings permitted after January 1, 2022 and used primarily for office and other commercial work space are designed to be able to operate as carbon-neutral buildings defined with full fuel-cycle considerations that are inclusive of, but not limited to, off-site renewable energy and other provisions of ASHRAE standard 189.1. In addition, DAS and ODOE are directed to analyze feasible options with the Department of Environmental Quality that would lower the embodied carbon of building materials in new construction of state buildings.
 - C. Statewide Plug-Load Strategy. DAS and ODOE are directed to develop a statewide plug-load management strategy and strategies for other occupant behavior changes to reduce energy uses not regulated by codes and standards. DAS and ODOE will develop a plug load strategy by January 1, 2019, and DAS will update policies for behavior-based efficiency by January 1, 2020.
 - D. Energy Efficient Equipment. DAS, with support from ODOE, is directed to ensure that all equipment purchased by the state meets high-efficiency energy and water use specifications by incorporating efficiency standards into procurement requirements. DAS and ODOE will develop procurement requirements in the 2018-19 fiscal year.
 - E. Lifecycle Cost Analysis. ODOE is directed to analyze state building costs, including lifecycle energy and water use costs or savings, when considering energy and water upgrades for state buildings. By January 1, 2019, ODOE, working with DAS, will develop analysis tools that can inform the high performance energy use targets and carbon neutral requirements for state buildings referenced above.
- 4. Increasing Energy and Water Efficiency in New Construction Across the State**
- A. Solar Ready Building Construction. The appropriate advisory board(s) and the Department of Business and Consumer Services Building Codes Division (BCD) are directed to conduct code amendment of the state



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building code to require all newly constructed buildings will be ready for the installation of solar panels and related technologies by October 1, 2020 for residential structures and October 1, 2022 for commercial structures. BCD may establish limited specific exemptions to this solar-ready policy for buildings where solar applications are infeasible.

- B. Electric Vehicle Ready Building Construction. The appropriate advisory board(s) and BCD are directed to conduct code amendment of the state building code to require that parking structures for all newly constructed residential and commercial buildings are ready to support the installation of at least a level 2 EV charger by October 1, 2022. BCD may establish limited specific exemptions related to types of parking lots, such as temporary parking lots.
- C. Zero-Energy Ready Homes. The appropriate advisory board(s) and BCD are directed to conduct code amendment of the state building code to require newly constructed residential buildings to achieve at least equivalent performance levels with the 2017 U.S. Department of Energy Zero Energy Ready Standard by October 1, 2023.
- D. Increasing Energy Efficiency in Commercial Construction. The appropriate advisory board(s) and BCD are directed to conduct code amendment of the state building code to require, by October 1, 2022, that newly constructed commercial buildings, averaged across building types, will exceed International Energy Conservation Code and ASHRAE 90.1 by achieving at least equivalent performance levels with the measurable prescriptive energy efficiency portions of the most current version of ASHRAE 189.1 that are construction-related.
- E. Helping Key, Expanding Industries to Save Costs by Reducing their Energy Footprint. ODOE, in consultation with BCD, is directed to work with industry stakeholders to identify key high-energy use industries that have the potential to realize significant cost savings and energy savings through building code amendments as it relates to their industrial building types. ODOE and BCD are directed to provide the Governor with a report of its analysis and findings by January 1, 2019.





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- F. Improved State Standards for Appliances. ODOE is directed to work with appliance industry stakeholders to identify categories of appliances for improved efficiency standards, while considering appliance standards of other states, potential efficiency gains, potential costs, and supply chains for the regional market for appliances. ODOE is directed to provide the Governor with a report of its analysis and identify categories of appliances for improved efficiency by November 1, 2018.
- G. High Efficiency Water Fixtures. The appropriate advisory board(s) and BCD are directed to conduct code amendment of the state building code to require high-efficiency water fixtures in all new buildings by January 1, 2020.
- H. Increased Water Efficiency in On-Site Reuse. The appropriate advisory board(s) and BCD are directed to conduct code amendment of the state building code to require water efficiency improvements in all newly constructed commercial buildings through standards for capture and safe reuse of water for irrigation purposes by October 1, 2025.

5. Increasing Energy Efficiency through Retrofits of Existing Buildings Across the State

- A. Energy Trust of Oregon Pilot Programs. Oregon Public Utility Commission (PUC) is directed to work with the Energy Trust of Oregon and interested stakeholders to expand meter-based savings pilot programs, including pay-for-performance pilot programs, by January 1, 2019. PUC shall consider inclusion of pilot programs, which do not significantly raise energy efficiency delivery costs, and that focus on existing single family homes, multi-family residential buildings, commercial buildings, and methods to incentivize energy efficiency in building stock that is significantly below current building code requirements.
- B. Prioritizing Energy Efficiency in Affordable Housing to Reduce Utility Bills. ODOE, PUC, and Oregon Housing and Community Services (OHCS) are directed to work together to assess energy use in all affordable housing stock and develop a ten-year plan for achieving



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maximum efficiency, as well as a continuum of efficiency levels up to maximum efficiency in affordable housing across the state by January 1, 2019. As part of the assessment, the agencies shall consider new resources and best practices and shall seek assistance from Energy Trust of Oregon and Bonneville Power Administration. OHCS is directed to expand its existing multi-family energy program and green energy path requirements, including a manufactured home replacement program through pilot programs and initiatives, while considering multiple values from energy efficiency improvements, such as health and habitability.

C. Coordination of Data. ODOE and PUC are directed to support and assist private sector partners in efforts to coordinate sharing of data that shows projected energy use reductions in the region. This data will be made available to the public to inform energy efficiency policies, as appropriate, by January 1, 2020.

D. Evaluation of Energy and Resiliency Efforts. ODOE and PUC are directed to evaluate the state's distributed energy resources and the efficiency of energy systems needed to improve Oregon's recovery from a disaster situation. ODOE and PUC are directed to provide the Governor with a report of their analysis and findings by January 1, 2019.

6. **Analysis of Cost.** State agencies are expected to implement this Executive Order using the least cost methods available. ODOE and BCD, in consultation with DAS, PUC, and OHCS, are directed to adopt a cost-analysis tool through a process that involves meaningful public input by December 1, 2019. State agencies shall use this cost analysis tool to determine whether any directive in this Executive Order should be deferred for one year or, if specific to a building code related directive, to the next building code cycle, due to significant cost at the time of implementation of that directive. All state agency processes for determining deferment of a directive in this Executive Order must include at least one public meeting that allows interested stakeholders to provide input.



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7. **Implementation.** The implementation of this Executive Order shall be coordinated through a Built Environment Efficiency Working Group, which will also identify any structural barriers or barriers to information sharing that may slow the progress of any directive in this Executive Order. The Built Environment Efficiency Working Group will review directives in this Executive Order, seek input from interested stakeholders, and recommend opportunities to provide equitable access to clean energy by removing barriers to achieving energy efficiency in the built environment to the Governor and state agencies. The Built Environment Efficiency Working Group shall include the following agencies: DAS, ODOE, BCD, PUC, and OHCS. Agencies shall implement each directive in this Executive Order using their existing internal processes and established rulemaking procedures, including recommendations from any boards. This Executive Order is intended to be consistent with obligations under federal and state law and shall be interpreted as to not violate any requirement of federal or state law.
8. The Governor encourages the Secretary of State, the State Treasurer, the Attorney General, and the Commissioner of the Bureau of Labor and Industries to adopt policies and practices to accelerate efficiency in the built environment consistent with measures in this Executive Order. DAS and ODOE are directed to assist the above-mentioned officials and entities of state government in accomplishing these objectives as they may request.

Done at Portland, Oregon, this 6th day of November, 2017.



Kate Brown
GOVERNOR

ATTEST:

Dennis Richardson
SECRETARY OF STATE

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Wildlife Feeding

Meeting Date: April 25, 2018
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 2
Staff Contact: Rachelle Nicholas
Contact Telephone Number: 541-682-5495

ISSUE STATEMENT

This work session provides an opportunity for City Council to further discuss and provide feedback on proposed ordinance language that would address a growing concern regarding the increase in turkeys and rats. The purpose of the proposed code is to add code language that would prohibit the feeding of “wildlife” and provide examples of prohibited conditions attracting rodents.

BACKGROUND

The City of Eugene over the last few years has seen a rise in the number of rat-related complaints in neighborhoods and homes. Based on field experience, we know there is at least some link between the increase in rats and the growing popularity of urban agriculture, composting and gardening which create an opportune food source for rats. At the February 28, 2018, work session, City staff discussed the educational outreach and code compliance work that has been happening in response to the concerns.

In addition to concerns related to an increase in rats, there’s been a growing community concern regarding the number of wild turkeys in neighborhoods. During the February work session, City staff and Christopher Yee, District Biologist with Oregon Department of Fish and Wildlife provided information on what other communities may be doing to address this concern.

Based on this information, City Council directed the City Manager to bring back an ordinance that prohibits feeding wildlife if the feeding causes damage to neighboring property or attracts rats. Staff researched 32 cities in Oregon and found that none of the cities has code provisions prohibiting wildlife feeding that causes property damage to a neighborhood. Of the 32 cities, ten had code provisions regulating wildlife feeding. At the April 11, 2018, work session staff provided a summary of three examples of wildlife feeding code, from three other Oregon cities including Corvallis, Medford and Philomath. At that work session, councilors indicated they wanted to ensure the City had adequate code language to address the rat problem in addition to the growing population of turkeys and showed general support for the City of Medford’s code.

The draft ordinance attached to this Agenda Item Summary adds a new section to the City’s nuisance code that prohibits the feeding of wildlife, including deer, raccoon, wild turkey, bear,

cougar, coyote, and wolf. Additionally, the draft ordinance provides examples of prohibited conditions that attract rodents, such as open compost piles and accumulated garbage. The conditions attracting rats provided as examples in the draft ordinance are already prohibited in existing code language included in Chapter 6.010, 6.015, 6.050, 6.055, 6.815 and 9.5250, however, inclusion of the conditions in the rodent control section of the City Code is intended to be responsive to the Council's discussion at the April 11 work session. Also in response to Council's discussion, the draft ordinances includes a cross-reference to the City's urban animal keeping standards.

RELATED CITY POLICIES

Eugene Code Chapter 6.015: Rodent Control - Conditions Attracting Rats Prohibited -
Eugene Code Chapter 9.5250: Urban Animal Keeping Standards

COUNCIL OPTIONS

1. Direct the City Manager to schedule a public hearing on a draft ordinance amending rodent control and prohibiting the feeding of wildlife.
2. Take no action at this time.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends Option 1 above: Direct the City Manager to schedule a public hearing on a draft ordinance amending rodent control and prohibiting the feeding of wildlife.

SUGGESTED MOTION

Move to direct the City Manager to schedule a public hearing on an ordinance concerning rodents and prohibiting the feeding of wildlife.

ATTACHMENTS

- A. Draft Ordinance Concerning Rodents and Prohibiting the Feeding of Wildlife
- B. Eugene Code Chapter 9.5250 Urban Animal Keeping Standards

FOR MORE INFORMATION

Staff Contact: Rachelle Nicholas
Telephone: 541-682-5495
Staff E-Mail: rachelle.d.nicholas@ci.eugene.or.us

ORDINANCE NO. _____

AN ORDINANCE CONCERNING RODENTS AND PROHIBITING THE FEEDING OF WILDLIFE; AMENDING SECTIONS 6.005 AND 6.015 OF THE EUGENE CODE, 1971; AND ADDING A NEW SECTION 6.020.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 6.005 of the Eugene Code, 1971, is amended to add the following definitions:

6.005 Definitions. For purposes of sections 6.005 to 6.845, the following words and phrases mean:

Feed. To place, deposit, distribute, store or scatter food, garbage or any other attractant so as to constitute a lure, attraction, or enticement for wildlife.

Wildlife. Deer, raccoon, wild turkey, bear, cougar, coyote, and wolf.

Section 2. Section 6.015 of the Eugene Code, 1971, is amended to provide:

6.015 Rodent Control - Conditions Attracting Rats Prohibited.

- (1)** No owner or person in charge of property shall allow conditions to exist thereon or therein, which attract or are likely to attract, feed or harbor rats or mice. The conditions prohibited by this section are nuisances subject to abatement as provided in this code. ***Conditions prohibited by this section include, but are not limited to:***
 - a. Open compost piles;***
 - b. Accumulated garbage, recycling or animal waste not stored in containers compliant with EC 6.055(2);***
 - c. Animal feed not stored in compliance with subsection (3) of this section; and,***
 - d. Overgrown vegetation that is used for habitation by rodents.***
- (2)** All portions of every building or other structure, other than residences, in which handling, storing or keeping any substance on which rats and mice can feed shall be rodent-proof.
- (3)** All food for chickens, horses, mules, cows, goats, pigs or other domestic animals shall be kept and stored ***in accordance with EC 9.5250 (Urban Animal Keeping Standards)*** and either in a building, structure, part thereof, or container that is rodent-proof.
- (4)** All garbage or refuse consisting of waste material upon which rats or mice may feed shall be placed in covered rodent-proof containers of a type prescribed by the city manager or the manager's designee, until collected by garbage haulers.

- (5) All premises improved or unimproved, and all open lots, streets, sidewalks, alleys and other areas in the city shall be kept clean and free from all rubbish, as well as from loose material that might serve as a harbor for rats and mice. All lumber, boxes, barrels, loose iron and material that might harbor rats shall be placed upon supports in such manner as to provide no refuge for rats and mice.
- (6) All improvements, repairs, construction and maintenance of a building or structure, or any equipment or fixtures therein shall comply with this section.
- (7) The city manager or the manager's designee is hereby authorized and empowered to make inspection of the exterior, interior and underneath any building or structure or premises in the city. It shall be unlawful for an owner or person in charge of property to fail to permit such inspection when requested to do so in accordance with law.

Section 3. A new section 6.020 is added to Eugene Code, 1971, to provide:

6.020 Wildlife – Feeding Prohibited. No person shall feed wildlife within the city.

Section 4. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

_____ day of April, 2018

City Recorder

Approved by the Mayor this

_____ day of April, 2018

Mayor

9.5250

Urban Animal Keeping Standards.

- (1) **Purpose.** The purpose of these standards is to allow for increased opportunities for residential urban animal keeping and farming within the city limits, while encouraging compatibility within the urban environment. Animal keeping is the practice of raising domesticated animals that are used primarily as food or product sources.
- (2) **Application of Standards.** In addition to applicable provisions contained elsewhere in this land use code, where this land use code allows Urban Animal Keeping, all of the standards in this section apply.
- (3) **General Standards.**
 - (a) Animals not addressed in this section are not permitted under the "Urban Animal Keeping" use category.
 - (b) Except for an animal kept on-site by an educational or religious institution, the person responsible for keeping an animal shall reside on or adjacent to the development site on which the animal is kept.
 - (c) In addition to applicable provisions contained in this land use code, the keeping of one or more animals under these provisions shall also comply with all other applicable provisions of the Eugene Code, including but not limited to sections 4.083 through 4.084 Noise Disturbance, section 4.335 Animal Abuse, section 4.340 Animal Neglect, and section 4.430 Continuous Annoyance.

(4) Animals Allowed.

- (a) On development sites of less than 20,000 square feet and located in a zone that allows "Urban Animal Keeping," any two of the following four categories of animals are allowed:
 1. Chickens and Domestic Fowl. Up to 6 of any combination of chickens and domestic fowl over six months of age and up to 6 of any combination of chickens and domestic fowl under six months of age. For purposes of EC 9.5250, "domestic fowl" means quails, pheasants, ducks, pigeons, and doves. Roosters, geese, peacocks, and turkeys are prohibited.
 2. Rabbits. Up to 6 over six months of age and up to 6 under six months of age.
 3. Miniature Goats. Up to 3 miniature goats, commonly known as pygmy, dwarf, and miniature goats, provided that males are neutered.
 4. Miniature Pig. No more than one miniature pig, up to 150 pounds in weight.

In addition to the above, Honey Bees are allowed (up to 3 hives) provided that they are located at least 5 feet from all property lines and the opening of the hive is pointed toward the center of the property and a water source is provided on site within 15 feet of each hive.

- (b) On development sites 20,000 square feet or greater and located in a zone that allows "Urban Animal Keeping," all of the following are allowed:
 1. Chickens, Rabbits, and Domestic Fowl. Limited by the area requirement in section (8) below. Roosters, geese, peacocks, and turkeys are prohibited.
 2. Miniature Goats. Up to 3 miniature goats, commonly known as pygmy, dwarf, and miniature goats, provided that males are

neutered. Additional miniature goats are allowed subject to the area requirement in section (8) below.

3. Miniature Pig. No more than one miniature pig, up to 150 pounds in weight.
 4. Cows, miniature cows, horses, miniature horses, sheep, goats, emus, alpacas, and llamas. Limited by the area requirement in section (8) below.
 5. Honey Bees. Up to 4 hives, provided that they are located at least 25 feet from all property lines and a water source is provided on site within 15 feet of each hive.
- (5) **Sanitation.** Proper sanitation shall be maintained for all animals at all times to prevent any condition which may be dangerous or detrimental to the health of the public or animals, or constitute a nuisance. Proper sanitation includes:
- (a) Disposing of animal waste matter and not allowing it to accumulate;
 - (b) Compost piles that contain animal waste matter shall be located at least 5 feet from all property lines and be within a container or bin enclosed on all sides and covered to deter rodents, flies, and other pests;
 - (c) Ensuring odors resulting from the animals are not detectable beyond property lines; and
 - (d) Storing all animal food in metal or other rodent-proof containers.
- (6) **Fencing.** Fencing is required and shall be designed and constructed to confine all animals to the site on which the animal is kept. The fence location and height are those required for fences in the applicable base and overlay zone.
- (7) **Enclosures.**
- (a) An enclosure is required and shall be designed and constructed to provide shelter from the weather for all animals kept outdoors on the development site.
 - (b) The enclosure shall be roofed and have at least two solid sides.
 - (c) The enclosure shall comply with the required height for accessory structures in the applicable base and overlay zone.
 - (d) All structures designed and used to provide shelter for all animals shall be located at least 10 feet from all property lines, except where an adjacent property owner authorizes in writing that an enclosure can be located closer to the neighbor's property.
- (8) **Area Requirement for Animals.** Minimum area of development site per animal over 6 months of age is as follows:
- (a) Cows and horses: 10,000 square feet per animal.
 - (b) Miniature cows, miniature horses, sheep, miniature goats, goats, emus, alpacas, and llamas: 5,000 square feet per animal.
 - (c) Chickens, Rabbits, and Domestic Fowl: 1,000 square feet per animal.
- (9) **Harvesting.**
- (a) Only chickens, domestic fowl, or rabbits can be harvested on site.
 - (b) Harvesting shall occur only on the development site on which the animals are kept, and shall not occur in view from any public area or any adjacent property owned by another.
 - (c) Harvesting shall be done in a humane and sanitary manner.
 - (d) No commercial slaughterhouse shall be allowed.
- (10) **Enforcement.** Failure to adhere to the standards required under this section shall constitute a violation subject to the enforcement provisions of section 9.0000 through 9.0280 General Administration.