



# ***Marion County***

## **OREGON**

### **PLANNING COMMISSION MINUTES**

#### **PLANNING COMMISSION**

Carla Mikkelson – Chair  
Dennis Person – Vice Chair  
Stanley Birch  
Chris Enquist  
George Grabenhorst  
Mike Long  
Rick Massey  
Gary Monders  
Britany Randall

**DATE:** August 20, 2019  
**TIME:** 6:30 p.m.  
**PLACE:** Senator Hearing Room, 555 Court St. NE, Salem

Present: Carla Mikkelson, Stanley Birch, Dennis Person, Gary Monders,  
Mike Long, Britany Randall

Absent: Chris Enquist, Rick Massey, George Grabenhorst

Chair Mikkelson called the meeting to order.

1. Public hearing on proposed amendments to the Urban and Rural Zone Codes to allow beekeeping in residential zones.

Joe Fennimore, Planning Director, handed out information submitted to the Planning Division prior to the meeting. He then briefly explained that the Planning Commission had reviewed this request during a work session in October, 2018. At the end of the work session, the Planning Commission recommended allowing up to five hives in residential zones. At the same time, the City of Salem was also reviewing this issue. He took the PC recommendation to the Board of Commissioners, and the Board chose to hold off taking action until the issue was resolved at the City of Salem. The argument was that it would be better to wait until the city adopted standards and review those. The Board adopted a resolution referring the matter to the PC for a public hearing and formal recommendations. Mr. Fennimore added a dual path will be taken: amend the zone codes to allow beekeeping and adopt an ordinance, if there are standards, that will be in the county code where chicken and dog regulations are. The purpose of this public hearing is to take testimony and then decide whether or not to recommend allowing beekeeping and, if so, under what standards. He referenced the sheet he handed out with Salem standards.

Ralph Rodia, 4194 12<sup>th</sup> St. Cutoff, SE, Salem, testified that he is with the Oregon Beekeeping Association that has worked with the City of Salem and their standards are from recommendations from Oregon State University. The intent of the rules is to reduce conflict with neighbors. He disputed that lot size reduces conflict and added that the city allows up to 7 hives to allow someone to take a hive that has been picked up. He complained about the amount of time it has taken for the county to review this issue. He prefers the rules proposed to the PC last fall but would also support similar rules for the county that the city has.

Stan Birch asked about size of hives and Mr. Rodia explained the size of a standard box and 90% are stacked. Mr. Person asked about the enforcement case with the county from 2018 and Mr. Rodia replied the property owner will be testifying tonight.

Harry Vanderpool, 7128 Skyline Rd., S, Salem, testified he and Mr. Rodia and others from the Beekeeping Association have made themselves available to jurisdictions. They have asked to be contacted if there are questions or issues but none of the jurisdictions have contacted them. He referenced the cities that allow beekeeping and there hasn't been a problem. He indicated the bees are already in the county as most property owners don't know about the regulations. He feels there won't be any problems and hasn't been an outpouring of issues anywhere.

Mr. Person asked about bees moving around and Mr. Vanderpool responded 99% of beekeepers attend bee school and want to do it without causing problems. OSU guidelines give some flexibility on hive location and explained about the use of a screen by the hive which forces bees leaving the hive to fly up and over the structure.

Kathy Rogers, (requested address not be provided), testified that she is opposed to residential beekeeping and has gone door-to-door in her area. She submitted written testimony and a petition. She indicated quite a few neighbors do not want bees either due to allergic reactions, many water features that attract even more bees, livability in a backyard, etc. She suggested the county survey the community first, allow beekeeping only on property 1 acre or larger, require hives to open facing the beekeeper's property, allow only in backyards and not side yards, maintain sufficient water source, no selling of honey or honeycomb and allow only Mason bees that do not sting.

David Lindquister, 4603 Goldenrod Ave NE, Salem, testified that he is the person who had the enforcement case in 2018 from a neighbor with whom he had issues. He had 2 hives at that time but didn't know it was against regulations. Previously, when he started keeping hives, he had contacted his adjacent neighbors and none of them were opposed. He makes sure he has an adequate water source and feels bees are a good thing for the environment, pollinate crops, and provide food. They have a 2 mile foraging range provided there is sufficient water. Even though he removed his hives, he has seen quite a few in the area and they are out there. Bees are helping farm areas nearby helping pollinate, and there is farmland close to his area. He enjoys the enthusiasm of beekeepers and the hobby and most beekeepers want to abide by regulations.

Gail Elliott, 3941 Camishaun Ct. NE, Salem, testified she supports beekeeping in residential zones. She complained about the alleged amount of time it has taken the county to review this issue even though her taxes went up \$200 last year and has paid more money. She responded to the previous person who testified that she has been stung once when a bee got caught in her hair, but bees die after stinging. Bees are easy going, she spent 30 years overseas and has found everyone wants to blame others for their problems, allergies are personal problems and those allergic should carry medicine, bees use her water feature but don't sting, and the person should get educated rather than whipping up opposition.

Mr. Fennimore suggested the PC read the written suggestions presented. Ms. Mikkelson responded the members will look at them. There being no further testimony, a motion was made and seconded to close the public hearing. The motion passed, 6-0.

The PC then began deliberations by reviewing the suggestions presented by Ms. Rogers – Ms. Mikkelson read them outloud. Mr. Person suggested including some type of wall or structure to require the bees to fly out and up from the hive. The group discussed using this standard rather than a setback. Mr. Person indicated his concern is the 10 foot barrier be located away from the property line to possibly reduce the potential for conflict. The group discussed how this would work versus having a 25 foot setback, requiring hives to be located 10 feet up in the air or higher, not locating hives near a property line, and the OSU guidelines. Mr. Person reiterated his intent is to try and reduce possible conflicts by requiring either a barrier or setback. Brittany Randall expressed concern on adding regulations that might be difficult for the county to enforce and doesn't seem necessary. Mr. Long suggested sticking with Salem standards as the area will eventually be annexed into city limits. Ms. Randall concurred and adding that is how the PC handled ADU standards.

The PC then discussed what action is necessary and Mr. Fennimore reminded them it will be a recommendation to the Board of Commissioners. Mr. Long made a motion to recommend to the Board that a beekeeping ordinance be enacted similar to that of the City of Salem. The motion died for lack of a second. Mr. Fennimore asked if the PC wants to use the same standards, such as the one allowing beekeeping at governmental agencies, community gardens, etc. Discussion followed on tailoring it similar to Salem by reviewing each Salem standard.

Gary Monders made a motion to recommend to the Board of Commissioners the draft amendments and proposed ordinance as drafted by staff, with the addition, under Section 4. Standards, of standards #1-7 from the City of Salem Ordinance #619, under section 50-720, Section C. The motion passed, 5-1.

2. Adjournment.

There being no further business, the meeting was adjourned.