

Sec. 701-D (11.1)

**11.1 Keeping of Domestic Animals (Except Chickens) \*MODIFIED SECTION**

The keeping of domestic animals may be permitted with standards when compliant with the following regulations and any other applicable sections of this resolution:

- (A) Domestic animals shall not be harbored on any lands in the R-3 and R-4 Residential Districts.
- (B) Domestic animals, with the exception of goats, shall not be kept on any lot with an area less than two acres.
- (C) There shall be a maximum of two domestic animals permitted on any lot with two acres of lot area. One additional domestic animal may be permitted for each additional one-half acre of land over two acres.
- (D) There shall be a maximum of two goats permitted on any lot with 1 acre of lot area. One additional goat may be permitted for each additional one-half acre of land over the one acre.
- (E) The keeping of domestic animals shall only be for the ~~enjoyment~~ personal use of the property owner or lessee thereof and their respective family, without the payment of any fee.
- (F) Riding academies and the keeping, training, and otherwise harboring of domestic animals for a fee, shall be permitted in business zoning districts only.
- (G) The animals shall be properly housed in structures that are maintained in sanitary conditions.
- (H) The keeping of exotic animals is prohibited.
- (I) At a minimum, all permitted animals shall be confined within the building setback lines of the premises. Fences and other similar structures shall conform to Section 801: Fencing, Walls, Hedges, and Similar Structures.
- (J) Keeping of pigs, hogs, or mink, whether harbored for agricultural or any other purpose, is prohibited except when the building, yards, and all other confinements for said animals are set back a minimum of 300 feet from any building used for human habitation or occupancy, other than the residence of the owner, manager, or caretaker of these animals, and at least 100 feet from all lot lines, reservoirs, public ways, streets, or roads. Keeping of horses, fowl, and other animals, except pigs, hogs, and mink, whether harbored for agricultural or any other purpose, is permitted only when the building, yards, and all other confinements for said animals are set back a minimum of 100 feet from any building used for human habitation or occupancy, other than the residence of the owner, manager, or caretaker of these animals.
- (K) A nuisance shall be defined as loud and frequent or habitual sounds from livestock that causes serious annoyance or disturbance to other persons.
- (L) In no instance shall the keeping of any animal be allowed to become ~~public or private~~ a nuisance or present a health concern.
- (M) All buildings and structures, except fencing, associated with an agricultural use on lots larger than one acre in area but smaller than five acres shall be set back a minimum of 100 feet from any residential dwelling unit and 50 feet from all lot lines. No building shall exceed the height of the principal building.

Sec. 701-D (11.2)

**11.2 Keeping of Chickens \*NEW SECTION**

The keeping of chickens may be permitted with standards when compliant with the following regulations and any other applicable sections of this resolution:

- (A) Chickens shall not be harbored on any lands in the R-4 Residential District.
- (B) The number of chickens per household shall be limited to the following:
  - Under 1/3 acre – 0 chickens
  - 1/3 acre to 1/2 acre – 3 chickens
  - 1/2 acre to 1 acre – 5 chickens
  - 1 acre to 5 acres – 10 chickens
- (C) The keeping of roosters is prohibited in all zoning districts.
- (D) The keeping of chickens shall only be for the personal use of the property owner or lessee thereof and their respective family, without the payment of any fee.
- (E) The chicken coop shall be considered an accessory structure and the chicken coop and all associated structures (i.e. enclosure, hutch, pen, and run) shall be located in the rear yard. All coops and associated structures related with the keeping of chickens on lots shall be setback a minimum of 50' from side and rear property lines. No coop and associated structures shall exceed the height of the principle building.
- (F) All coops and associated structures shall be screened from neighboring properties and the road rights of way by either landscaping or fencing that conforms to Section 801: Fencing, Walls, Hedges, and Similar Structures.
- (G) The chickens shall be properly housed in structures that are maintained in safe and sanitary conditions.
- (H) The chicken run shall be graveled or shall be moved to different locations on the property periodically not less than once per month.
- (I) Chicken manure and other refuse shall be removed from the coop and associated structures and shall be properly and lawfully disposed or composted no less than once per week.
- (J) A nuisance shall be defined as loud and frequent or habitual sounds or noxious odors from livestock that causes serious annoyance or disturbance to other persons.
- (K) All coops and associated structures shall be maintained in an orderly fashion. In no instance shall the keeping of chickens be allowed to become a nuisance or present a health concern.
- (L) If the keeping of chickens and the associated structures or activities are deemed to be a nuisance the responsible party shall be subject to Article 15: Enforcement and Penalties of the Zoning Resolution.

**\*Add to TABLE 701-1: PERMITTED ACCESSORY USE TABLE**