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106.42.030 - Animal Keeping

Where allowed by Article 2 (Zoning Districts and Allowable Land Uses), animal keeping shall comply with the requirements of this Section.

- A. **Permit requirement.** No planning permit is required for animal keeping in compliance with this Section except as required by this Section.
- B. **Minimum site area.** Animal keeping shall occur only on a site that complies with the following minimum area requirements, or the minimum lot area requirements of the applicable zoning district, whichever is greater.
 - 1. **Stables.** The minimum site area for a private stable shall be 20,000 square feet.
 - 2. **Small animal keeping.** The minimum site area for the noncommercial keeping of small animals with a weight less than 75 pounds at maturity, other than pets, as an incidental use, shall be 10,000 square feet.
 - a. **Exception.** Subject to the keeping standards listed in Section 106.42.030.G, up to six hens may be kept on residentially zoned lots less than 10,000 square feet only if the property is developed with a detached single-family residence. Properties 10,000 square feet or larger, or within an RD-1 or RD-2 zoning district are not limited to six. Roosters shall be allowed only on a site of 20,000 square feet or larger, or within an RD-1 or RD-2 zoning district.
 - 3. **Large animal keeping.** The minimum site area for the keeping of animals other than those allowed by Subsection B.2 shall be 20,000 square feet.
- C. **Setback requirements.** Each barn, stable, or other structure used for the housing of animals other than household pets shall be set back as listed below.
 - 1. 25 feet from the front property line;
 - 2. 20 feet from side and rear property lines; and
 - 3. 20 feet from any habitable structure on an abutting parcel.
- D. **Height limits.** No structure for animal keeping or other agricultural use shall exceed one story, except for storage lofts, or more than 16 feet, with plate line not exceeding 10 feet.
- E. **Maintenance and operational standards.** All animal keeping shall comply with all of the following maintenance and operational standards, in addition to the requirements of Municipal Code Chapter 14 (Animals).
 - 1. **Odor and vector control.** All animal enclosures, including but not limited to pens, coops, cages and feed areas shall be maintained free from litter, garbage and the accumulation of manure, so as to discourage the proliferation of flies, other disease vectors and offensive odors. Manure shall also not be allowed to accumulate within setback areas. Each site shall be maintained in a neat and sanitary manner.
 - 2. **Containment.** All animals shall be effectively contained on the site, and shall not be allowed to run free on any parcel in a separate ownership or in a public right-of-way.
 - 3. **Erosion and sedimentation control.** In no case shall an animal keeping operation be managed or maintained so as to produce sedimentation on any public road, adjoining property, or in any drainage channel or other waterway. In the event sedimentation occurs, the keeping of animals outdoors on the site shall be deemed a nuisance and may be subject to abatement.
 - 4. **Noise control.** Animal noise shall comply with the City's Animal Care and Regulations Section 8-44.3.
- F. **Beekeeping standards.** Beekeeping shall comply with the following requirements.

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1. **Minimum site area.** Beekeeping shall only occur on a site of 20,000 square feet or larger, or within an RD-1 or RD-2 zoning district.
 2. **Owner occupancy.** A hive owner must be a resident in a dwelling located on the same parcel on which each hive is registered.
 3. **Nuisance requirements.** The location of each hive and physical set-up arrangement on the property shall comply with the setback requirements in Subsection C. In addition, nuisance behavior by bees may require the hive owner to take remedial actions upon notice by the City, in compliance with Subsection F.5. Failure to comply with specified remedial actions will constitute a violation of this Zoning Code for enforcement purposes.
 4. **Public health and safety.** Urban beekeeping is allowed only on property that has not been declared a location where bee hives are potentially a hazard to public health and safety, in compliance with Subsection F.5. The procedures of Subsection F.5 may require removal of all bee colonies from the property through no direct fault of the beekeeper but because a health or safety situation has been shown to exist. Once a site has been declared unsafe for urban beekeeping, it shall not be legal to maintain bees on that property until the Director determines that the status has been removed from the property.
 5. **Enforcement and revocation.** Urban beekeeping privileges may be withdrawn from any property by written notification to the property owner by the Director. Withdrawal must be done with cause; however, the cause need not be the fault of the beekeeper, nor be a factor that is under the control of the beekeeper. The Director may withdraw approval for any condition or combination of circumstances that jeopardizes, endangers or otherwise constitute an actual, potential or perceived menace to public health or safety. Once any property owner has been noticed of withdrawal of privileges to keep bees on a particular property, the privilege may be reestablished only upon written request.
 - a. Written documentation over a medical doctor's signature certifying that the medical condition caused by bee stings to a resident in the site vicinity would constitute a higher than normal health hazard will constitute sufficient cause to withdraw the privilege of urban beekeeping from any specific property.
 - b. Abnormally aggressive behavior by bees defending their hive beyond the property lines may constitute sufficient cause to withdraw the privilege of urban beekeeping from any specific property.
 6. **Performance standards.**
 - a. There shall be no more than two bee colonies established on the property, except two additional temporary colonies are allowed for hive separation or new swarm establishment purposes. Such temporary colonies shall be removed from the property within two weeks.
 - b. Colonies shall be placed in the rear yard of the property and in no case shall the hives be closer than setback requirements in Subsection C.
 - c. A permanent fresh water source shall be maintained within 15 feet of the hives.
- G. **Small lot Hen keeping standards.** In addition to the standards listed in 106.42.030.E, the keeping of hens on lots less than 10,000 square feet shall comply with the standards as listed below:
1. **Containment.** Hens shall be kept within a coop from sunset to sunrise. Hens may roam free within a fully fenced rear or side yard area during daylight hours.
 2. **Design.** The coop shall be designed and constructed such that hens are securely contained. The coop shall be designed with solid walls with openings for ventilation that will prohibit predators yet allow the flow of air.
 3. **Height Limit.** A coop shall have a maximum height of 6 feet.

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4. **Maintenance.** The coop shall be maintained in a clean and sanitary condition. All feed and other items associated with hen keeping shall be kept in secured metal containers to minimize contact with rodents.
5. **Noise.** Hens shall not produce continuous, excessive noise causing unreasonable disturbance to residents of adjacent properties, pursuant to the standards of the CHMC Section 8-44.3.
6. **Setback requirements.** Coops shall be confined to the rear and interior side yard with the minimum setbacks as listed below; greater distances are encouraged where practicable.
 - a. Minimum of 5 feet from side and rear property lines; and
 - b. Minimum of 20 feet from any habitable structure on an abutting parcel.
7. **Slaughter.** No hen shall be slaughtered on any developed lot used exclusively for residential purposes.