

2015-0205 TXT

DOMESTIC LIVESTOCK TEXT AMENDMENT

Planner:

Kaye Simonson, 970-255-7189, kaye.simonson@mesacounty.us

Request:

To amend Section 5.3.4, Animals, to allow a limited number of chickens and rabbits on lots less than one-half acre, and to provide clarification regarding the keeping of domestic livestock.

Details can be found at the following link:

<http://www.mesacounty.us/planning/landcode/proposed-text-amendments.aspx>

Red Highlighted and Underlined – added text
~~Black Highlighted Strike-through~~ – deleted text

5.3.4 | Animals

Unless otherwise expressly defined or identified as a principal use, the keeping of animals shall be considered an allowed accessory use, subject to the provisions of this section.

A. Household Pets

Household pets inclusive of, but not limited to, dogs and cats shall be permitted in all zoning districts allowing for residential use, provided that no more than five (5) animals over four (4) months of age are kept by the occupant of any residential unit. Kennels, boarding facilities, and commercial activities are not an allowed accessory use, except as permitted in Section 5.3.6.C, Home Occupations. This provision does not apply to tropical fish, small rodent animals, (e.g., gerbils, hamsters), and small birds kept as pets, unless raised for commercial purposes, kept outdoors, or kept in an accessory structure.

B. Prohibited Animals

The keeping of Nondomestic or Exotic Animals shall not be allowed as an accessory use. The keeping of Nondomestic or Exotic Animals is considered Animal Care/Boarding/Sales and is permitted in those zoning districts listed in Table 5.1 of this Code.

C. Domestic Livestock

The keeping of domestic livestock shall be considered an accessory use and shall be measured in terms of animal units (see definition of Animal Unit in Chapter 12).

1. Existing Properties in Urban Land Use Areas

On properties designated for urban land uses on the adopted Master Plan Future Land Use Maps, the keeping of domestic livestock may be allowed only on lots or parcels greater than one-half (½) acre in size except as provided for below in subsection a.

New domestic livestock pens, fenced corrals, round pens, turnout areas, buildings or other confined areas for keeping domestic livestock shall be set back a minimum distance of fifty (50) feet from the property lines along residences on properties next to these confined areas unless physically impossible, such as when lots or parcels are less than one hundred fifty (150) feet wide, in which case the Planning Director may approve an adjustment up to thirty percent (30%). Pastures, ~~arenas, round pens and turnout areas~~ as defined in Section 12.1 of this Code, are not considered confined areas.

a. On parcels of land less than one-half (½) acre in size in the urban zoning districts, chickens and rabbits that are kept outside the residence shall be allowed under the following conditions:

(1) No more than six (6) chickens or six (6) rabbits over two (2) months old, or any combination of the two animals, are allowed per dwelling unit. No other domestic livestock or fowl shall be permitted.

(2) For properties that have an accessory dwelling unit, each unit shall be permitted to have up to six (6) animals, for a total of twelve (12) animals total on the property. Chickens and/or rabbits shall not be permitted on properties with duplexes or multi-family dwellings.

(3) No roosters are allowed.

(4) All animals shall be confined by a fence, cage, or pen. Appropriate shelter shall be provided.

(5) Animals shall be kept no closer than twenty (20) feet from rear and side property lines whenever there is a residential use on the adjoining property.

(6) There shall be no confinement of animals in the front setback area.

(7) The coop, hutch, cage, pen and/or area where the animals are confined shall be kept in a clean and wholesome condition so that any offensive smell and human health issues are minimized. Food supplies shall be secured in animal-proof containers to deter nuisance animals and vermin.

2. Existing Properties in Rural Land Use Areas

On properties designated for rural land uses on the adopted Master Plan Future Land Use Maps, the following criteria apply:

- a. no new domestic livestock pens, fenced corrals, round pens, turnout areas, buildings or other confined areas for keeping domestic livestock shall be located nearer than one hundred (100) feet from dwellings existing on adjacent lots or parcels of land properties; and
- b. no new dwellings shall be constructed nearer than one hundred (100) feet from existing domestic livestock pens, fenced corrals, buildings or other confined areas for keeping domestic livestock existing on adjacent lots or parcels of land properties unless this requirement effectively renders the property unbuildable; in which case the Planning Director may approve an adjustment up to thirty percent (30%).
- c. Pastures, as defined in Section 12.1 of this Code, are not considered confined areas.

Note: Pastures, arenas, round pens and turnout areas are not considered confined areas if they meet the definition of pasture as stated in Chapter 12.

Any agricultural operation or practice that is historical, traditional, legitimate, and reasonable shall be protected. Any new or expanded agricultural operation or practice that is legitimate and reasonable shall be encouraged, as established in the "Right to Farm and Ranch" policy.

3. Confinement of Domestic Large Breeding Livestock

On any parcel of land under ten (10) acres in size, large animals of breeding age all domestic livestock shall be confined, fenced or controlled by the property owner in such a manner that no harm is likely to come to anyone that prevents the animal or fowl from running or being at large.

ALLOWED ANIMAL UNITS PER ACRE

Lot Area (Rural Zoning Districts)	Allowed Animal Units per Acre of Land to Keep the Animals
Urban Zoning District except RSF-R, greater than ½ acre	3
RSF-R and Rural Zoning District, Less than 10 acres	4
10+ acres in RSF-R, AFT and AF-35 Districts	4; may be subject to review by the Mesa County Agricultural Advisory Panel for compliance with the "Right to Farm and Ranch Policy"

* FOR PARCELS OF LAND 1/2 ACRE OR LARGER IN SIZE: Calculations are based on animal units x suitable area available for the keeping of domestic livestock (i.e. lot area minus areas used for dwellings, access, residential and accessory uses, areas where the keeping of animals are not permitted or are unsuited for use, etc.)

TABLE OF ANIMAL UNIT EQUIVALENTS:

Animal Species	Equivalency Factor Based on Animal Unit =1000 lb cow	4 animal units/acre (RSF-R, AFT, AF-35 Zoning Districts)	3 animal units/acre (All Other Urban Zoning Districts)	1,000 Animal Units Feedlot Threshold
Alpaca or Llama	0.50	8	6	2,000
Bison, buffalo (under 2 years old)	0.80	5	3.75	1,250

2015-0205 TXT – Domestic Livestock Text Amendment

Animal Species	Equivalency Factor Based on Animal Unit =1000 lb cow	4 animal units/acre (RSF-R, AFT, AF-35 Zoning Districts)	3 animal units/acre (All Other Urban Zoning Districts)	1,000 Animal Units Feedlot Threshold
Bison, buffalo	1.00	4	3	1,000
Bison, buffalo - cow w/calf	1.00	4	3	1,000
Burro, Donkey	1.00	4	3	1,000
Burro, Donkey - Miniature	0.50	8	6	2,000
Cattle, Beef Slaughter and Feed (under 2 years old)	0.80 (1-2 yrs)	5	3.75	1,250
Cattle, Beef - Slaughter and Feed	1.00 (>2 yrs)	4	3	1,000
Calves (under 6 months)	0.00	-	-	-
Cattle, Beef - cow w/calf	1.00	4	3	1,000
Cattle, Dairy (bulls or cows)	1.40 (>2 yrs)	2.9	2.1	714
Chickens, Broiler	0.02	200	150	50,000
Chickens, Layer	0.02	200	150	50,000
Elk, domestic (under 2 years old)	0.50	8	6	2,000
Elk, domestic	0.80	5	3.75	1,250
Elk, domestic - cow w/calf	0.80	5	3.75	1,250
Emu less than 100 lbs.	0.10	40	30	10,000
Emu more than 100 lbs.	0.20	20	15	5,000
Fallow Deer	0.50	8	6	2,000
Geese, ducks, swans, turkeys, fowl	0.03	133	100	33,333
Goat, feeder (less than 80 lbs.)	0.10	40	30	10,000
Goat, mature brood stock	0.20	20	15	5,000
Goat, nanny w/kids	0.20	20	15	5,000
Goat, miniature	0.05	80	60	20,000
Horses, mules	1.30	3.1	2.3	769
Horses - mare w/foal	1.00	4	3	1,000
Horses - miniature	0.50	8	6	2,000
Ostrich	0.30	13.3	10	3,333
Rabbit, fryer and mature	0.02	200	150	100,000
Sheep, feeder less than 80 lbs.	0.10	40	30	10,000
Sheep, feeder more than 80 lbs.	0.20 (1 yr+)	20	15	5,000
Sheep, mature brood stock	0.20	20	15	5,000
Sheep ewes w/lambs	0.20	20	15	5,000

2015-0205 TXT – Domestic Livestock Text Amendment

Animal Species	Equivalency Factor Based on Animal Unit =1000 lb cow	4 animal units/acre (RSF-R, AFT, AF-35 Zoning Districts)	3 animal units/acre (All Other Urban Zoning Districts)	1,000 Animal Units Feedlot Threshold
Swine, feeders (less than 50 lbs.)	0.10	40	30	10,000
Swine, feeders (50 lbs. to market)	0.20	20	15	5,000
Swine, mature brood stock	0.40	10	7.5	2,500
Swine, sow with litters	0.40	10	7.5	2,500

DRAFT