

Livestock regulation amendments

The following amendments are recommended in conjunction with amendments to Chapter 17.04.065:

1. Move definitions from Chapter 6.05 to Title 19
2. Remove 6.05.140.H (It is unlawful... To own or keep any livestock/poultry/farm animals within the city, which includes but may not be limited to horses, ponies, mules, cows, sheep, goats, chickens, ducks, geese, rabbits, or swine.)
3. Change allowed uses in relevant zones (Title 17)
4. Add to/amend definitions in Title 19

Chapter 19.10
General Provisions
December 6, 2011 DRAFT

The following additions and changes to definitions in Chapter 19.10 are proposed in conjunction with amendments to Chapter 17.04.065, Livestock. Proposed additions are underlined. Proposed deletions have been ~~struck through~~.

19.10.040 Definitions. – Add to Title 19

- ~~1.~~ ~~“Accessory structure building” means a subordinate structure, the use of which is incidental to the main use of the main building on the same lot.~~
- ~~2.~~1. “Barn” means a building for housing livestock, which may also be used for storing feed, bedding, tack, et cetera.
- ~~3.~~2. “Household pets” means small animals that are kept within a dwelling unit.
- ~~4.~~ “Large stock animal” means a horse, pony, mule, dairy cow, steer, sheep, goat, llama, alpaca, ostrich, emu, or other large animal domesticated by humans to live in a tame condition or fenced pasture, excluding any young under six months of age ~~or swine, excluding any young under three months of age.~~
3. “Livestock” means large stock animals and small stock animals. This definition does not include household pets.
- ~~5.~~4. “Open View”, for the purpose of the livestock ordinance provisions, means an area generally visible to view by any public citizen and includes, but is not limited to, any property owned by a public entity, any public right-of-way, any doorways, entrances to buildings or dwellings or the grounds enclosing those portions of private property visible from any lawful vantage point.

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~~6-5.~~ "Pasture" means land set aside for grazing, and shall not include that portion of a site used for residential purposes.

~~7-6.~~ "Rooster" means a male chicken over four months old.

~~8-7.~~ "Small stock animal" means a rabbit, guinea pig, ferret, or similar type animal over the age of three months; or a chicken, duck, goose, or similar domestic fowl over the age of three months; or a pig or lamb in its first year of life.

~~9.~~ "Structure" means that which is built or constructed. This definition includes an edifice or building of any kind or any piece of work artificially built up or completed of parts joined together in some definite manner, including pens, runs, coops, or other enclosures for the keeping of animals, but not including residential fences, retaining walls of equal to or less than four feet in height, rockeries and similar improvements of a minor character.

Chapter 17.04.065
Livestock and Poultry
December 6, 2011 DRAFT

A. Intent. This section is intended to provide for the keeping of livestock under conditions that will prevent trespass; control noise and odor; ensure adequate living conditions for livestock; reduce the impact of livestock on the environment, particularly with regard to their impacts on water quality; preserve compatibility among neighboring properties; and support development at urban densities.

B. General provisions.

1. Keeping of livestock for personal use is permitted where allowed by this section, subject to the following criteria:

a. Livestock keeping is subject to all applicable City and State regulations, including Chapter 6.05 CMC (Animal Control), Chapter 8.26 CMC (Nuisances), and Chapter 14.10 CMC (Critical Areas) and to applicable health district regulations.

b. Livestock keeping shall not cause excessive noise that will tend to disturb the peace, quiet, and comfort of persons within the neighborhood in which the livestock are kept.

c. Adequate measures shall be taken to properly dispose of animal wastes.

d. Said use may be revoked when found that continuing the use will endanger public health, safety, or welfare, as determined by the Administrator.

2. Keeping of livestock for any commercial use isis the following are prohibited:

~~a. Commercial slaughter houses, rendering plants, manure composting, and feed lots for cattle, swine chickens, other livestock or poultry.~~

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~~b. Keeping of livestock for any commercial use.~~

~~c. Swine.~~

~~2-d. Intact male horse or intact male cattle.~~

~~3. Commercial slaughter houses, rendering plants, manure composting, and feed lots for cattle, swine, chickens, other livestock or poultry shall not be permitted.~~

~~4. No person shall kill butcher or slaughter any animal or fowl in open view within the city.~~

~~i. Exception for Injured or Vicious Animals. Nothing in this section shall prohibit a person from dispatching or destroying injured or vicious animals or fowl by any humane method, as defined by RCW 16.50 as now or hereafter amended;~~

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~~3-ii. Exception for Regilious Acts. Nothing in this section shall prohibit, abridge or in any way hinder the ritual slaughter of animals or fowl.~~

~~4-5. Violation of the provisions of this section shall constitute a nuisance, and shall be subject to the enforcement provisions of Chapter 8-26 CMC6.05.~~

C. Large stock animals.

~~1. Large stock animals for personal use are permitted as a conditional use appurtenant to single family residences in R-1 and T-A in all zoning districts, with the following provisions:~~

~~a. If the area adjacent to and within 300 feet of the site on which livestock keeping is proposed is more than 50 percent urban in nature (four or more units per acre average, or characterized by commercial/retail businesses), then keeping large stock animals will not be permitted.~~

~~b-a. Large stock animals will not be allowed in existing and proposed subdivisions having an average lot size of less than one acre. Livestock legally in residence prior to the date of adoption of the ordinance codified in this section are allowed to remain and continue as long as they do not constitute a nuisance.~~

~~e-b. In case of any future division of property, all provisions of this section shall apply to each individual lot or parcel, including the original parcel of record.~~

~~d.c.~~ Development of a farm management plan that incorporates best management practices for grazing and pasture management, manure management, watering and feeding area management, and shoreline management shall be encouraged.

2. Pastures.

a. Pasture must be provided as follows, with additional young animals not included in determining the minimum pasture area:

- i. One-half acre for each horse, pony, mule, cow, llama, alpaca or other similar size animal, over and above the minimum residential lot area; and
- ii. One-third acre for each ostrich, emu, or other similar size bird, over and above the minimum residential lot area; and
- iii. One-quarter acre for each sheep, goat or other similar size animal, over and above the minimum residential lot area; and

~~iv. One acre for each swine, over and above the minimum residential lot area.~~

b. All pastures must be securely fenced.

c. Pastures shall be maintained with a permanent, uniform vegetative top cover and shall be kept free of noxious weeds. Vegetative cover shall be maintained in a healthy, growing condition during the growing season.

3. ~~No more than three swine are permitted appurtenant to any single family residence.~~

4. Barns.

a. Large stock animals shall be provided with adequate barns constructed to protect the animals against varying weather conditions.

b. Barns shall be kept in a good order and shall not be deemed unsightly from any public right-of-way, as determined by the Administrator.

c. Barns or other accessory structures used for the purposes of housing or keeping large stock animals shall be located a minimum of fifty feet from any property line. Existing barns, as of April 30, 2012, shall be governed by Chapter 17.68 Non-conforming Uses. ~~or one hundred feet from any off-premises residential dwelling, whichever distance is greater.~~

5. Manure storage.

- a. Accumulations of animal waste may not be stored closer than one hundred feet from any property line and/or any wells. ~~Waste from swine shall be prohibited within two hundred feet of any domestic or irrigation well.~~
- b. Manure storage areas shall be managed as follows:
 - i. Surface flows and roof runoff shall be diverted away from manure storage areas.
 - ii. All manure stockpiled within 200 feet of any stream or wetland shall be covered during the winter months (October 15th to April 15th) in a manner that excludes precipitation and allows free flow of air to minimize fire danger.
 - iii. Manure piles shall not be closer than 50 feet from any wetland edge, the ordinary high water mark of any stream, or any ditch to which the topography would generally direct runoff from the manure, nor in any stream buffer.
 - iv. Manure piles shall not be closer than 200 feet from Lake Chelan.
6. Pastures, barns, and manure storage areas must be so situated as to prevent any chance of groundwater or surface water contamination, or any other threat to public health.
7. No barn, pasture, or manure storage area shall occupy any portion of a front yard.

D. Small stock animals.

1. Small stock animals for personal use are permitted appurtenant to single family residences and duplex residences in all zoning districts.
 - a. On lots less than one acre in size, the number of small stock animals shall not exceed four in any combination.
 - b. On lots of one acre or more in size, the number of small stock animals shall not exceed 12 in any combination, provided, that in case of any future division of property, all provisions of this section shall apply to each individual lot or parcel, including the original parcel of record.
2. The keeping of roosters or peafowl is prohibited.
3. Small stock animals shall be kept in well-ventilated, enclosed structures constructed to protect the animals against varying weather conditions and predators.
4. Accessory structures used for housing or keeping small stock animals.

- a. On any site on which four or fewer small stock animals are kept, all such structures shall be set back a minimum distance of 5 (five) feet from any side property line. No setback is required from rear property lines or alleys.
- b. On any site on which more than four small stock animals are kept, all such structures shall be located a minimum of 10 feet from any property line and 25 feet from any off-premises residential dwelling.
- c. No such structure shall occupy any portion of a front yard.
- d. All such structures shall be kept in a good working condition and shall not be deemed unsightly from any public right-of-way, as determined by the Administrator.