WHITEWATER TOWNSHIP PLANNING COMMISSION
AGENDA FOR SPECIAL MEETING, March 21, 2018
6:00 PM, Whitewater Township Hall
5777 Vinton Road, Williamsburg, MI 49690
Phone 231-267-5141/Fax 231-267-9020

1. Call to Order/Pledge Allegiance
2. Roll Call of Commission Members
3. Set/Adjust Meeting Agenda
4. Declaration of Conflict of Interest

5. **Public Comment:** Any person shall be permitted to address a meeting of the Planning Commission. Public comments shall be carried out in accordance with the following rules and procedures:
    a. Comments shall be directed to the Commission, with questions directed to the Chair.
    b. Any person wishing to address the Commission shall speak from the lectern and state his/her name and address.
    c. Persons may address the commission on matters that are relevant to township planning and zoning issues.
    d. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer Commission members' questions.
    e. Public comment shall be limited to 3 minutes.

6. Public Hearing: None
7. Minutes: None
8. Correspondence: None
9. Reports/Presentations/Announcements/Comments
    a. Zoning Administrator, Habedank
    b. Chair, Mangus
    c. Township Board Representative, Lawson
    d. ZBA Representative, Hooper

10. Unfinished Business:
    c. Article 10, Ag – 3rd review

11. New Business:
    a. Article 37, Animals – 1st review

12. Next Meeting Agenda
13. Public Comment
14. Commission Discussion/Comments
15. Continuing Education
16. Adjournment

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities who are planning to attend. Contact the township clerk at 231-267-5141 or the TDD at 800-649-3777.

The following text is a DRAFT under review by the WWTS Planning Commission.

Goal: Use standard format, repair notice issues, and review district standards.
Related Items: Animals, Event Barns?

NEW EXISTING NOTES/NEEDS ATTENTION

PROPOSED

10.00 ARTICLE X
AGRICULTURAL A-1

10.01 INTENT:
It is the intent of the Agricultural District to provide a dedicated location for general farming operations, and compatible residential uses. It is to be acknowledged that all residential dwellings should expect to encounter the smells, noise, and activity customary to farming practices within this district.

10.02 GENERAL STANDARDS

A. All uses permitted within this zoning district shall conform with the entirety of this ordinance except those land uses, which predate the effective date of this ordinance or any portion thereof, or its subsequent amendments.
B. All properties and uses shall conform to Article 15, Sanitation.
C. All Special Uses shall be subject to Article 25, Site Plan Review.

10.10 PERMITTED USES
Permitted Uses include the following:

A. All uses permitted in Residential District R-1 and R- 2
B. Farming of all types subject to the standard in Article 37, Supplemental or 10.13?
D. Riding academies and stables, veterinarian hospitals and kennels subject to the standard Article 37, Supplemental.
~~**E.** Roadside stands for the sale of locally grown products~~
F. Agricultural dumps subject to the standard in 10.13A.
G. Farm markets for the sale of locally grown products subject to the standards in Article 37, Supplemental?
H. Private Family Campgrounds subject to Article 37.50.

0. Stand-alone storage buildings, pole barns, and garages. Primary Use.

~~11.12~~ 10.11 USES PERMITTED BY SPECIAL USE PERMITS

The following text is a DRAFT under review by the WWTS Planning Commission.

The following additional uses may be permitted subject to review and approval of the Planning Commission in accordance with procedures of Article 25. Any use including the following shall require a Special Use Permit: (Commercial wording)

A. Commercial Campgrounds subject to Article XXV, Section 25.21 D.
B. ~~C.~~ Golf courses.

0. Event Barns or similar public venues on parcels of land in excess of 80 acres?
0. Commercial endeavors directly related to agriculture or agricultural products or production.

O. Any other use would be by special use permit as approved by the Planning Commission.
(Moved from 7.12 G)

A. ~~Planned Unit Development~~ (Redundant to R1)

10.12 BUILDING SIZES, LOT SIZES AND YARD REQUIREMENTS:

All structures, lots and structure set-back from property lines shall comply with the regulations established in Article 12 of this Ordinance.

10.13 SUPPLIMENTARY STANDARDS

Move to Article 37?

~~**10.10B.**~~ **Farming** of all types, including the construction and maintenance of migrant worker's quarters, provided that yard requirements are met and provided further, that no enclosure or space for the permanent housing of livestock, poultry or other animals shall be located less than one hundred (100) feet from any adjoining property line, nor less than one hundred (100) feet from any highway right-of-way. (Not consistant with A37 – Poultry 40' – Dogs 200' - Do we want to list migrant workers with livestock housing?)

~~**10.10E. Roadside stands** for the sale of fresh and/or processed fruits and vegetables, raw forest products, cut flowers, and potted plants that are grown or produced on said property, provided the following conditions are met.~~

~~1. Shall not exceed twenty-five (25) square feet in area.~~
~~2. Shall have no more than one (1) double-sided temporary sign, not to exceed 3 square feet in area.~~
~~3. Shall not be closer than twelve (12) feet to any road right-of-way.~~

10.13 A.

~~**10.10F.**~~ The Planning Commission may permit **agricultural dumps** when the same are in a land area of not less than twenty (20) acres and are located at least three hundred (300)

The following text is a DRAFT under review by the WWTS Planning Commission.

from the nearest lot line and at least one hundred (100) feet from the nearest right-of-way line and provided that they are utilized only for junk or refuse of the owner and from farming activities and provided that the Planning Commission shall impose as one of the conditions of usage that no bulky items be deposited in said dump.

Move to Article 37?

~~**10.10G.**~~ **Farm markets** for the sale of locally grown fresh and/or processed farm produce, raw forest products, cut flowers, potted plants, and other agricultural products, provided the following conditions are met.

1. Structure shall not exceed six hundred (600) square feet in area and shall be set back at least fifteen (15) feet from the road right-of-way. Or shall not exceed six hundred (600) square feet of sales area in a larger structure that has additional space for storage or similar farming operation use in that same structure and shall comply with setbacks of the Agricultural A-1 district.

~~2. Shall be operated in conjunction with a farm operation.~~

~~3. Shall be deemed to be an agricultural accessory use.~~

~~4. A majority of the agricultural products offered for sale shall be grown premises. Other agricultural products may be sold, but must be grown in Michigan.~~

3. ~~5.~~ An area not to exceed twenty-five percent (25%) of the total square footage of the structure may be devoted to non-farm products.
4. ~~6.~~ Adequate entrance, exit, and off-street parking shall be provided.
5. ~~7.~~ All signage shall adhere to the guidelines in Article 30, Signs.

EXISTING

10.00 ARTICLE X
AGRICULTURAL A-1

10.10 USES PERMITTED.

No building or structure or any part thereof shall be erected, altered or used, or land or premises used, in whole or in part for other than one or more of the following specified uses, viz:

A. All uses permitted and as regulated in Residential District R- 2, except that each dwelling or main building shall be located on a lot or parcel of land containing not less than forty

thousand (40,000) square feet of area unbroken by any public road, street or thoroughfare and having a minimum width of two hundred (200) feet.

B. Farming of all types, including the construction and maintenance of migrant worker's quarters, provided that yard requirements are met and provided further, that no enclosure or space for the permanent housing of livestock, poultry or other animals shall be located less than one hundred (100) feet from any adjoining property line, nor less than one hundred (100) feet from any highway right-of-way.

C. Golf courses.

D. Riding academies and stables, veterinarian hospitals and kennels, provided that no enclosure or space for the permanent housing of animals shall be located less than one hundred (100) feet from any adjoining property line, nor less than one hundred (100) feet from any highway right-of-way.

E. Roadside stands for the sale of fresh and/or processed fruits and vegetables, raw forest products, cut flowers, and potted plants that are grown or produced on said property, provided the following conditions are met.

1. Shall not exceed twenty-five (25) square feet in area.
2. Shall have no more than one (1) double-sided temporary sign, not to exceed 3 square feet in area.
3. Shall not be closer than twelve (12) feet to any road right-of-way.

F. The Planning Commission may permit agricultural dumps when the same are in a land area of not less than twenty (20) acres and are located at least three hundred (300) from the nearest lot line and at least one hundred (100) feet from the nearest right-of-way line and provided that they are utilized only for junk or refuse of the owner and from farming activities and provided that the Planning Commission shall impose as one of the conditions of usage that no bulky items be deposited in said dump.

G. Farm markets for the sale of locally grown fresh and/or processed farm produce, raw forest products, cut flowers, potted plants, and other agricultural products, provided the following conditions are met.

1. Structure shall not exceed six hundred (600) square feet in area and shall be set back at least fifteen (15) feet from the road right-of-way. Or shall not exceed six hundred (600) square feet of sales area in a larger structure that has additional space for storage or similar farming operation use in that same structure and shall comply with setbacks of the Agricultural A-1 district.
2. Shall be operated in conjunction with a farm operation.
3. Shall be deemed to be an agricultural accessory use.

The following text is a DRAFT under review by the WWTS Planning Commission.

4. A majority of the agricultural products offered for sale shall be grown on premises. Other agricultural products may be sold, but must be grown in Michigan.
5. An area not to exceed twenty-five percent (25%) of the total square footage of the structure may be devoted to non-farm products.
6. Adequate entrance, exit, and off-street parking shall be provided.
7. Sign Restrictions
    a. One of the following shall be chosen for on-premise signs:
        (1) One (1) sign, double-sided, not exceeding twenty-four (24) square feet in area, designating a farm market or farm, and two (2) double-sided temporary signs, not to exceed twelve (12) square feet.
        (2) One (1) sign, double-sided, not to exceed thirty-two (32) square feet.
    b. Five (5) off-premise temporary signs directing traffic toward the farm market, each sign not exceeding twelve (12) square feet and not more than two signs visible on the same road by a given farm market.
    c. All signs shall be set back at least five (5) feet from the public right-of-way.
    d. All temporary signs shall be removed at the end of the selling season (May 1 to December 31).

H. Private Family Campgrounds subject to Article XXXVII, Section 37.50.

10.11 USES PERMITTED BY SPECIAL USE PERMITS

A. Planned Unit Development
B. Commercial Campgrounds subject to Article XXV, Section 25.21 D.

The following text is a DRAFT under review by the WWTS Planning Commission.

Goal: Review standards, address questionable notices, remove inconsistencies.
Note: Should we establish and Article 38, Animals?

EXISTING ARTICLE 37

37.20 Raising and Keeping of Animals

A. The keeping of domestic animals shall be allowed provided that the animals are maintained so as to not constitute a public nuisance. Dogs shall be limited to three (3).
B. The keeping of livestock, including horses and poultry shall be allowed provided that the same are kept on a parcel of land of not less than two and one-half (2 1\2) acres and provided further that all livestock and poultry be properly housed and fenced so as not to be a public nuisance and provided that no enclosure or space for the permanent housing of livestock or poultry shall be located nearer than one hundred (100) feet from any adjoining property line or highway right-of-way.
C. The keeping of female poultry and rabbits is permitted on parcels of land less than two and one-half (2 ½) acres provided that the female poultry is properly housed and adequately contained within the property so as not to be a public nuisance and provided that no enclosure or space for permanent housing shall be located nearer than forty (40) feet from any adjoining property line or highway right-of-way.

37.30 Dog Kennels

Dog kennels shall be subject to the following conditions:

A. The parcel of land upon which such activity is conducted shall be no less that ten (10) acres in area.
B. All enclosures for breeding, rearing, shelter or other uses in conjunction with the harboring of dogs, shall be hard surfaces and provide proper drains for washing with water pressure.
C. All breeding areas, runs and shelter areas shall not be located nearer than two hundred (200) feet from any adjoining property line or highway right-of-way.
D. The entire facility including breeding areas, shelters and runs shall be enclosed by a visual screen or sound reducing wall or fence six (6) feet in height.

PROPOSED

38.00 **ARTICLE XXXVIII**
ANIMALS

38.10 Purpose

The following text is a DRAFT under review by the WWTS Planning Commission.

To establish standards for the care and housing of animals that will define minimum expectations, prevent nuisances, and protect the health, safety, and welfare of township residents. In the event that this ordinance is not in conformity with the current Generally Acceptable Agricultural and Management Practices (GAAMP) or the Right to Farm Act (RTFA), the GAAMP and RTFA shall control.

38.20 ~~Dog Kennels~~ Domestic Pets

The keeping of domestic animals shall be allowed provided that the animals are maintained so as to not constitute a public nuisance or health concern.

~~1. Dogs shall be limited to three (3).~~

A. Domestic Pets shall be adequately housed, maintained, and managed at all time.

B. Rescue organizations with greater that (?8?) dogs shall be addressed as a kennel.

C. Dog kennels shall be subject to the following conditions:

1. The parcel of land upon which such activity is conducted shall be no less that ten (10) acres in area.
2. All enclosures for breeding, rearing, shelter or other uses in conjunction with the harboring of dogs, shall be hard surfaces and provide proper drains for washing with water pressure.
3. All breeding areas, runs and shelter areas shall not be located nearer than two hundred (200) feet from any adjoining property line or highway right-of-way.
4. The entire facility including breeding areas, shelters and runs shall be enclosed by a visual screen or sound reducing wall or fence six (6) feet in height.

D. The emanation of pet odor to the outside of a residence shall be deemed a public nuisance,
regardless of the species of animal.

37.30 Raising and Keeping of Poultry and Rabbits.

The keeping of female poultry and rabbits is permitted provided that the animals are properly housed and adequately contained within the property so as not to be a public nuisance.

A. All male poultry shall be housed in a manner that does not constitute a public nuisance.

B. Any enclosure or space for the housing of rabbits or poultry shall adhere to the setback restrictions of their respective district and be a minimum of 50ft from any neighboring residential dwelling. (currently 40' and 100' from lot line)

37.40 Raising and Keeping of ~~Animals~~ Livestock

The keeping of livestock shall be subject to the following restrictions:

A. The keeping of livestock including but not limited to horses, sheep, goats, and cattle shall be allowed provided that the animals are properly housed, fenced, controlled, and maintained so as to not constitute a public nuisance or potential safety hazard.

B. All livestock shall be kept on a parcel of land not less than two and one-half (2 1\2) acres.

The following text is a DRAFT under review by the WWTS Planning Commission.

C. All structures for the housing of livestock shall adhere to the setback restrictions of their respective district and be a minimum of 75' from any residential well and 100' from any neighboring residential dwelling. (Kalkaska)
D. Fenced pastures shall be permitted to the property line or road right-of-way. (Kal)

37.41 Equine Care, Boarding, and Stables

37.50 The Raising and Keeping of Wild or Potentially Dangerous Animals

A. No wild or potentially dangerous exotic animals shall be kept permanently or temporarily in any district except in a facility accredited by the American Association of Zoological Parks and Aquariums, the U.S. Department of Agriculture, or the Michigan Department of Natural Resources (MDNR), in a licensed veterinary care facility, or by Special Use Permit. (Kal)
B. Any animal which is known or should be expected to be dangerous to the general public which is inadequately housed or out of control.

OTHER EXISTING ANIMAL TEXT

10.10 USES PERMITTED (AG)

B. Farming of all types, including the construction and maintenance of migrant worker's quarters, provided that yard requirements are met and provided further, that no enclosure or space for the permanent housing of livestock, poultry or other animals shall be located less than one hundred (100) feet from any adjoining property line, nor less than one hundred (100) feet from any highway right-of-way.

10.10D (AG) and 11.10D (RC). Riding academies and stables, veterinarian hospitals and kennels, provided that no enclosure or space for the permanent housing of animals shall be located less than one hundred (100) feet from any adjoining property line, nor less than one hundred (100) feet from any highway right-of-way.

12.11 Schedule of Regulation

100 foot setbacks for all animals except domestic pets.

Local Sample of Animal Ordinance

Acme

l. Riding Horses: Keeping of riding horses for the use of residents of the property PROVIDED the parcel of land shall contain not less than five acres.

a. Chickens: The keeping of up to 6 chickens (no roosters) for personal use. Subject to the following: b. A maximum of 6 chickens (hens) may be kept per parcel. Roosters are prohibited.

c. Chickens shall be confined/housed within a fenced area in the rear yard.

d. Enclosures shall be located at least 25 feet from any dwelling on a neighboring parcel and 10 feet from the rear and side property line.

e. No chicken shall be kept on parcels with more than one dwelling.

m. Customary Agricultural Operations: Including general farming, truck gardening, fruit orchards, nursery greenhouses not selling at retail on the premises, and the usual farm buildings, subject to the following:

Acme Township Zoning Ordinance. Adopted 11/18/08. Effective 12/01/08. Amended through 10/24/16.

1. That the raising or keeping of small animals such as rabbits, poultry and goats, other than household pets, or the raising or keeping of livestock such as cattle, hogs, and sheep shall not occur on a parcel of land less than ten acres in area.

2. The carrying out of such practices shall not generate any noise, odor, pollution or other environmental impact which will have an adverse effect on adjacent properties.

3. No storage or unusual accumulation of manure or odor or dust producing materials shall be permitted within100 feet of any property line.

4. No building for storage of mechanical equipment for agricultural purposes or housing of animals shall be permitted closer than100 feet of any property line.

5. No products shall be publicly displayed or offered for sale from the roadside.

As to any specific property on which commercial farm products are produced within the meaning of MCL 286.472(a), if any applicable Generally Accepted Agricultural Management Practice (GAAMP) approved by the Michigan Department of Agriculture conflicts with any standard listed above, the GAAMP shall control.

Blue Lake

Section 3.03 – Animals

1. The keeping of poultry, pigs, horses and other livestock is permitted in the Agricultural, Conservation Resource, and Rural Residential districts provided the parcel of land is fifteen (15) acres or greater in size.

2. Except in the Agricultural district, such animals or animal waste shall not be kept closer than seventy five (75) feet from a neighboring residential structure. In all districts, such animals shall be fenced, managed, and the animal waste be managed in accordance with Generally Accepted Agricultural Management Practice Standards (GAAMPS), so as not to be a nuisance.

Eastbay TWSH

SECTION 233. KEEPING OF CHICKENS (Revised 5/5/12) 1. In the LDR, MDR and LA districts a maximum of four (4) hens may be kept per parcel, if kept in accord with this section. Roosters are prohibited. 2. Slaughtering chickens outdoors shall be prohibited. 3. Chickens shall be provided, and maintained within, a fully enclosed shelter located within the rear yard. Such enclosure shall be located in accord with rear setback standards for the respective districts but shall not be located closer than 25 feet to any side lot line.

EAST BAY TOWNSHIP A RTICLE II ZONING ORDINANCE A RTICLE II-55 GENERAL PROVISIONS

4. No chickens shall be kept on parcels with more than one dwelling. 5. In the NA, RR, BR and AG districts, the keeping of chickens shall be permitted, if conducted in accordance with Generally Accepted Agricultural Management Practices as promulgated by the Department of Agriculture.

Elk Rapids

Section 2.10 - ANIMALS IN ZONED AREAS It shall be unlawful to keep animals such as horses, cattle, pigs, goats or poultry on any premises in an "R" - Residential, "E" - Environmental, "C" – Commercial, or "M" - Manufacturing zone provided that the keeping of such animals shall be permitted in an "R-1", "R-2" and "E" zone and residential .

lots in the "A" - Agricultural zone where the size of the lot upon which the same shall be kept shall be not less than five (5) acres in area with a minimum width of two hundred (200) feet and where a total enclosure of fencing is provided. This restriction shall not prohibit the keeping of ordinary household pets in any zone.

Kalkaska

P. COMMERCIAL EQUINE ESTABLISHMENTS

1. Location Requirements: An equine breeding facility, equine boarding stables and equine training facilities are permitted by Special Use Permit in the ..... Equine riding academies, time rental riding facilities, and other commercial equine establishments are permitted by Special Use Permit in the .....

2. Site Requirements:

   a. All lots shall have a minimum of three (3) acres for the first horse with one (1) additional acre per each additional horse. (Not applicable to young equines below one (1) year of age.

   b. No equine structure shall be located closer to an off premises residential dwelling unit than one-hundred (100) feet.

   c. No equine structure shall be kept closer than seventy-five (75) feet to any water well.

3. Buffering Requirements:

   a. A greenbelt shall be provided.
   b. The outdoor storage of trash or rubbish shall be screened

4. Performance Standards: The keeping of equine in a commercial equine establishment shall be subject to the following development standards:

   e. Maintenance: All stalls, corrals and structures shall be continuously maintained with preservatives, fasteners and other materials so as to maintain appearance and prevent deterioration and equine escapement.

   f. Loafing Shed/Lean-To: In conjunction with paddocks/pastures, a roofed area shall be provided in the absence of other acceptable shelter.

   g. Water Facilities: Running water facilities shall be provided and each equine shall have access to fresh water.

   h. Containment Devices: Substantial and acceptable locking or latching devices shall be provided and installed on all gates and doors to equine areas located thereon in such a manner so as to be inaccessible to equine and small children for the prevention of equine escape and unauthorized entry, as per Public Act 351 of 1994.

   j. Drainage: All areas adjacent to any pen, coop, stable, stall, barn, corral, grazing or work-out or training areas, or other building structures and areas where equine are kept and maintained, shall be graded to drain away from such facilities so as to prevent ponding and insect harborage.

   k. Dust Control: All areas used as arenas for exercising, training, or exhibition of animals shall be maintained in a dust-free manner by an approved and acceptable means for the prevention of detrimental and nuisance effects of dust emission to surrounding properties.

   l. Compliance With Health Regulations Required: The keeping and maintenance of equine, as provided for in this Section, shall comply with all regulations and provisions of the health and sanitation laws of the County and State. All premises and facilities upon which animals are permitted to be kept shall be maintained in a clean, orderly and sanitary condition at all times.

All manure shall be removed or spread so as not to constitute a nuisance and in accord with Michigan Department of Agriculture and State and County Health Department regulations. All premises and facilities shall be treated with biologically, ecologically and environmentally approved pesticides for the control of odors, insects and rodents, which in any way can be considered a clear and present nuisance or detriment to the health safety, comfort, welfare, peace and/or tranquility of the general public. All animals shall be maintained in a healthy condition and carefully handled. The facility shall be constructed and maintained so that dust and drainage will not create a nuisance or hazard to adjoining property or uses.

m. Commercial equine establishments shall provide off-street parking at a minimum of one parking space per _____ animals, based on the number of horse stalls or maximum number of horses that can be accommodated in the stables.

n. Enclosed riding arenas associated with commercial equine establishments shall not exceed 10,000 square feet in gross floor area on a minimum of ten (I0) acre site, except that an additional 1,500 square feet of floor area may be permitted for each additional full acre in a lot area. The following standards also apply:

   1) No living quarters shall be located in any arena building or boarding stable.

   2) Special events for which a fee is paid, such as shows, exhibitions, and contests shall be permitted only after a Temporary Zoning Permit has been secured.

o. All lighting must be shielded to prevent glare on abutting properties or roads pursuant to the requirements of Section 21.19.

Q. COMMERCIAL KENNELS

1. Location Requirements: Commercial kennels are permitted by Special Use Permit in the..... on parcels with less than ten (10) acres of land.

2. Site Requirements: Commercial kennels shall have a minimum lot size of one (1) acre for the first eleven (11) animals and an additional one-third (1/3) acre for each animal thereafter.

3. Buffering Requirements:

   a. Buildings where animals are kept, runs, and exercise areas shall not be located nearer than one hundred feet (100) to any adjacent residential lot line or any adjacent building used by the general public and shall not be located between the right-of-way and the front building line.
   b. The Planning Commission may require a berm, buffer strip, fence/wall or greenbelt pursuant to Section 18.03, 18.04, 18.05 and 18.06 respectively, if analysis shows that such a buffer is necessary to minimize nuisances on abutting property.

4. Performance Standards:

   a. All kennels shall be operated in conformance with all applicable county, state and federal regulations.

b. The main kennel building used to house the animals shall be insulated in such a manner that animal noises are minimized.

c. Habitual barking or unusual noise from the kennel which results in a nuisance to neighboring land owners or residents is prohibited.

d. The intensity level of sounds shall not exceed seventy (70) decibels (dBA) at the lot line of industrial uses; sixty five (65) decibels at the lot line of commercial uses and fifty-five (55) decibels at the common lot line when adjacent to residential uses and residential districts. The sound levels shall be measured with a type of audio output meter approved by the United States Bureau of Standards.

e. Exercise yards, when provided for training or exercising shall not be used between the hours of 10:00 p.m. and 7:00 a.m. Animals shall be kept confined and not allowed to run at large on the property, except as part of supervised training.

h. The outside perimeter of the run and/or exercise area of a commercial kennel shall prohibit the escape of animals.

i. All animals must be licensed and maintained in a healthy condition.

j. Outdoor runs and breeding areas in commercial kennels shall have concrete surfaces, suitable for cleaning by high-pressure water, and shall be provided with an adequate septic system.

k. The premises shall be kept in a clean and sanitary manner to prevent the accumulation of flies, the spread of disease or offensive odor.

l. Animal odors shall not be detectable beyond the lot lines of the property in which the kennel is located.

m. Dust and drainage from the kennel enclosure shall not create a nuisance or hazard to adjoining property or uses.

n. All lighting must be shielded to prevent glare on abutting properties or roads.

B. Farm Animals and Farm Buildings

Except as otherwise provided herein, the provisions of this Ordinance shall not apply to the erection, repair or use of customary accessory farm buildings and structures, such as barns, pens, sheds, fences and the like in the Agricultural-Residential (A-R), Forest-Recreational (F-R), and Resort-Residential (R-R) [1] Districts provided that no building or structure other than open fences, through which there shall be clear vision, shall hereafter be erected, moved or maintained less than thirty (30) feet from any highway right-of-way line abutting the premises. Farm animals and farm buildings shall be permitted in the Agricultural-Residential (A-R), Forest-Recreational (F-R), and Resort-Residential (R-R) Districts if in conformance with the following requirements except those in compliance with Generally Acceptable Agricultural and Management Practices[2] (GAAMP) and the Right to Farm Act (RTFA)[3]:

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[1] Ordinance #120, Amendment #141 adopted on November 14, 2006
[2] Ordinance #144, Amendment #165 adopted on October 10, 2012
[3] Ordinance #139, Amendment #160 adopted on January 27, 2010

1. Front and side yard setbacks for pens and structures shall be two (2) times regular setback requirements.
2. Rear yard setback shall conform to regular setback requirements.
3. Fenced pasture shall be permitted to the property line or road right-of-way.
4. Visual barriers are preferred for pens and structures.
5. Reserved for future use.
6. Farm animals and agricultural crops are permitted if Generally Acceptable Agricultural and Management Practices[4] (GAAMP) by the State Department of Agriculture is used.[5]
7. On less than three (3) acres of land a maximum of fifty (50) rabbits or poultry of singular or combined species are allowed. On three (3) to ten (10) acres a maximum of one hundred (100) of singular or combined species are allowed. No limit on number of rabbit or poultry with over ten (10) acres of land.[6]
8. One (1) hoofed animal shall be permitted on less than three (3) acres of land. Ten (10) hoofed animals shall be permitted on three (3) to ten (10) acres of land. No limit of hoofed animals with over ten (10) acres of land.[7]
9. Said animals, at all times, shall be properly housed, fenced, maintained and controlled, so as not to be objectionable or offensive.
10. Buildings more than 1,200 square feet shall be permitted as per the following conditions:
    a. Front and side yard setbacks shall be two (2) times the minimum Table 15-1 [8] requirements.[9]
    b. If the building is on a bona fide farm where evidence of farming activity is presented, the Zoning Permit fee will be waived upon presentation of the federal Schedule F tax form.

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[4] Ordinance #144, Amendment #165 adopted on October 10, 2012
[5] Ordinance #139, Amendment #160 adopted on January 27, 2010
[6] Ordinance #114, Amendment #135 adopted on November 12, 2002
[7] Ordinance #114, Amendment #135 adopted on November 12, 2002
[8] Ordinance #134, Amendment #155 adopted on August 12, 2008
[9] Ordinance #139, Amendment #160 adopted on January 27, 2010