

## ANIMAL AGRICULTURE

*On August 19<sup>th</sup>, 2013, the City Council voted to approve the following changes to the zoning ordinance to allow “traditional farm animals” as an accessory use in residential districts under the following standards:*

### 3.5.2-5 Animal Agriculture – Residential Districts

- (A) Within all Single-Family and Two-Family Residential Districts the following regulations shall apply:
- (1) The raising and keeping of livestock (personal pleasure) on a lot owned or leased by the owner of the livestock shall only be allowed in each single-family and two-family residential zoning classification on tracts of two (2) acres or more, limited to one (1) animal per acre, except as provided in this Section. The keeping and maintenance of livestock shall be for non-commercial purposes in all residential districts. The placement of livestock on any tract shall be kept within appropriate fencing. Barns or accessory structures associated with said livestock shall be set back at least seventy-five (75) feet from any property line.
  - (2) On all lots less than 2 acres, the following shall apply with regards to livestock:
    - a) Goats shall not exceed 24 inches in height (at the withers) or 80 pounds in weight. No more than two (2) goats per property are permitted.
    - b) Miniature pigs shall not exceed 22 inches in height or 125 pounds in weight. No more than two (2) pigs per property are permitted.
  - (3) Backyard chickens raised for the purpose of providing food (eggs) or companionship as a pet (*Gallus gallus domesticus*) shall have the following regulations:
    - a) Total number of hens per lot shall be as follows:
      - i. 0 – 0.5 acre lot = 4 hens
      - ii. 0.5 – 1.0 acre lot = 8 hens
      - iii. 1.01 + acre lot = 1 additional hen per acre above the original eight to a maximum of 12
    - b) No roosters or crowing hens shall be permitted.
    - c) No free range chickens shall be permitted.
    - d) All chickens shall be maintained in the rear yard only within a covered enclosure, containing an area of not less than 10 square feet per chicken, and set back a minimum of ten (10) feet from all property lines and no less than twenty five (25) feet from any residential structure on an adjacent property.
    - e) Within the fenced enclosure, a well-maintained structure (henceforth referred to as a coop) shall be required for the chickens. The coop must be less than 12 feet in height and impermeable to rodents, wild birds, and predators, including dogs and cats, and must contain 2 square feet per hen.
    - f) The coop and fenced area shall provide adequate ventilation, adequate sun and shade.

- g) The coop and area within the fenced enclosure must be clean and odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.
  - h) The enclosure shall include an area darkened for roosting and sleeping with the intent to minimize or eliminate noise at night.
  - i) Odors from chickens, chicken waste, or other chicken-related substances shall not be perceptible at the property boundaries.
  - j) Coops and feed are to be secured at all times to prevent any potential nuisance with mice or other pests.
  - k) Provision must be made for the storage and removal of droppings and any dead birds. All stored droppings shall be covered by a fully enclosed structure with a roof or lid over the entire structure. All other droppings not used for composting or fertilizing shall be removed by placing in a waterproof container and disposed of with the household trash. In addition, the coop, enclosure and surrounding area must be kept free from trash and accumulated droppings. Dead chickens must be disposed of in a sanitary manner.
  - l) Manure composted and applied directly onsite must be done in such a way as to prevent nuisance and polluted stormwater runoff.
  - m) Chickens must be provided with access to feed and clean water at all times. All stored food must be kept indoors or in a weather resistant container designed to prevent access by animals.
  - n) No breeding of chickens shall occur on the property.
  - o) No chicken shall be used or trained for the purpose of fighting for amusement, sport or financial gain.
  - p) The sale of animal products including, but not limited to meat, eggs, and manure shall be prohibited.
  - q) No slaughtering of any animal is permitted.
  - r) Any animal that attacks, injures or kills a chicken not on the chicken keeper's property shall not be deemed a "dangerous animal" nor shall the owner of such animal be charged with Dangerous Animal pursuant to Section 14-93 of the Code of Ordinances of the City of Holly Springs. It is the sole responsibility of chicken keepers to ensure their chickens do not leave their property.
- (B) Vacant undeveloped lots shall not be permitted for animal agriculture use within the residential districts. A principal structure must be located on the lot.
- (C) Properties are subject to compliance with all other City Codes and Ordinances where not in conflict with this section.
- (D) If a property is found to have more than the allowable number of animals as specified in this section or if the animals are not cared for or contained in the manner specified in this section, or the animals are creating a nuisance, the property owner or resident shall be issued a citation and be required to remove all of the animals in excess of the maximum allowable number specified and/or care for and contain the animals in accordance with all codes and laws.
- (E) If a property owner or resident is cited more than three (3) times within a 365 day period for violating the conditions of this section, in addition to any fine the municipal court may also ban the property owner or resident from having any said animals on the subject property for a period up to one (1) year.