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**4.9 PERMITTED LIVESTOCK REQUIREMENTS AND ANIMAL UNITS FOR RAR-1 ZONE**

In addition to the requirements regarding livestock in the Town's Watershed Protection Ordinance 96-1, the raising, care, and keeping of livestock shall be considered a permitted use provided that a density of no more than one and one-half (1.5) animal units per acre shall be allowed on each legally platted lot as determined from the chart in this section. Livestock not listed in this chart may be allowed through a conditional use permit. Also, no more than 8 large sized animals, or 30 medium sized animals, or 100 small sized animals shall be allowed on each legally platted lot as determined from the chart in this section. One acre of land on each legally platted lot shall be deemed as a residential housing acre and shall be excluded from the total acreage available for animal unit calculations. (Example: 5 acre lots would have 4 acres available for animal unit calculation: 4 acres x 1.5 animal units per acre = 6 animal units per 5 acre lot)

Livestock shall not be allowed on a lot where the owner or resident caretaker of such livestock does not reside, or on a lot that is contiguous with a lot where the owner or resident caretaker does not reside, except when rented, hired or borrowed for not more than thirty (30) days for weed or insect control. Livestock shall be maintained in such a way to minimize dust, odors, noise, loss of vegetation and loss of topsoil due to erosion, or other nuisances. Best management practices are conservation and land management practices that reduce or prevent leaching and runoff of pollutants to surface and groundwater. Proper management of animal waste shall implement best management practices through regular removal of manure from the lot, safe storage, application as a soil amendment, spread on unoccupied pastures to sun cure, or through composting of manure. Surface drainage from animal waste shall not be permitted to drain off the lot, into a natural stream, or into a drainage way that drains into a natural stream. Sufficient water rights to support the use of such livestock must be obtained.

**4.9.1 General Operating Requirements**

One acre of land on each legally platted lot shall be deemed as a residential housing acre and shall be excluded from the total acreage available for animal unit calculations.

The Land Use Authority may set conditions to ensure that facilities are present and that appropriate and best management practices are being employed regarding:

- A. Prevention of surface or ground water contamination.
- B. Prevention of excessive manure accumulation – best management practices employed to ensure that regular mucking of manure occurs and shall be kept in areas that will not drain into a natural stream or into a drainage way that drains into a natural stream.
- C. Prevention of excessive insect accumulation through the use of organic methods.
- D. Prevention of odor, noise, or other nuisances – the number of certain types of male livestock may be limited such as limiting roosters due to noise or limiting male goats due to odor.
- E. Prevention of the loss of vegetation and loss of topsoil due to erosion. In some areas due to the fragile soils and sparse vegetative cover, property owners may be required to keep all livestock to an enclosed area. The Land Use Authority may also designate the areas of the lot suitable for maintenance of livestock.
- ~~A-F. Reserved~~At least one half acre of pasture shall be available and utilized for each large

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~~animal exceeding one and one-half animal units per acre. The terrain and slope of the property must be suitable for such additional animals. When pasture is not appropriate for the type of animal, or when not available due to water quality, an outside area of at least one-half (1/2) acre shall be provided for each large animal exceeding one and one-half (1.5) animal units per acre.~~

G. Barn areas for medium sized animals shall provide a minimum of 15 square feet per animal.

H. An outside area of at least one-tenth (1/10) acre shall be provided and utilized for each medium sized animal (2,000 sq ft).

I. An outside area of at least ten (10) square feet per fowl shall be provided and utilized.

J. Coop areas for fowl shall provide a minimum of four square feet of habitable area per fowl.

K. Sufficient water rights to support the use of such livestock must be obtained.

L. Determination of appropriate animal unit equivalency factor for livestock not listed on the chart in section 4.9 of this land use ordinance based on livestock of similar weight and size listed on the chart. The animal unit equivalency factor determined shall be used when calculating the total number of animal units allowed per legally platted lot.

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**4.9.1-4.9.2 Fencing Requirements for livestock**

All livestock shall be properly fenced so as to be confined to the property and to prevent any trespassing of livestock upon the premises of another or to run at large within the town. The owner or caretaker of any livestock shall not allow the animal to graze on public property, or to be staked out on public property.

**4.9.2-4.9.3 Barn, Stable, Coop, Animal Shed**

Barns, corrals, pens, coops, and sheds for the keeping of livestock shall be located at least 70 feet from property lines between contiguous lots and at least 100 feet from any existing dwelling on a neighboring lot or parcel. This setback is not required for fenced pastures. Such structures shall also be 20 feet from any open waterway; and any surface drainage from such structures shall not be permitted to drain off the lot, into a natural stream, or into a drainage way that drains into a natural stream. Best management practices shall be employed to ensure that enclosures and coops are maintained in a clean and sanitary condition.

**4.9.3-4.9.4 Animal Units**

Animal units are a unit of measurement used to establish an equivalent density for various species of livestock. The animal unit capacity on any legally platted lot is determined by multiplying the number of animals of each species by the appropriate equivalency factor from the following chart and summing the resulting totals for all animal species contained in the operation.

**4.9.4-4.9.5 Animal Unit Chart** (An animal and offspring shall be considered to be one animal until six months after the birth of the offspring.)

**Large Sized Adults Over 6 months of Age** (No more than 8 large sized animals from this category shall be allowed as a permitted use and no more than 12 large sized animals

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from this category shall be allowed as a conditional use on each legally platted lot).

- Bison, buffalo (under 2 years old) 0.50
- Bison, buffalo 1.00
- Burro, donkey 1.00
- Cattle, beef – slaughter and feed (under 2 years) 0.50
- Cattle, beef – slaughter and feed 1.00
- Cattle, dairy (bulls or cows 1.00)
- Horses, mules 1.00
- Horses – miniature 0.50
- Swine, mature broodstock 0.60

**Medium Sized Adults Over 6 Months of Age** (No more than 30 medium sized animals from this category shall be allowed as a permitted use and no more than 50 medium sized animals from this category shall be allowed as a conditional use on each legally platted lot).

- Alpaca or Llama 0.20
- Burro, donkey -- miniature 0.40
- Emu, less than 100 lbs. 0.10
- Emu, more than 100 lbs. 0.20
- Goat, mature broodstock 0.10
- Goat, feeder (less than 80 lbs.) 0.05
- Goat, miniature 0.05
- Ostrich 0.20
- Sheep feeder (less than 80 lbs.) 0.10
- Sheep, feeder (more than 80 lbs.) 0.20
- Sheep, mature broodstock 0.40
- Swine, feeders (less than 50 lbs.) 0.10
- Swine, feeders (50 lbs. to market) 0.20

**Small Sized Adults Over 6 months of Age** (No more than 100 small sized animals from this category shall be allowed as a permitted and no more than 150 small sized animals from this category shall be allowed as a conditional use on each legally platted lot).

- Chickens, Broiler or Layer 0.02
- Geese, ducks, swans, turkeys, peafowl 0.03
- Rabbit, fryer and mature 0.02

**Example 1 of Maximum Animals Allowed as a Permitted Use:**

3 Horses =	3 Animal Units
2 Cows =	2 Animal Units
5 Goats=	.5Animal Units
25 Chickens =	.5 Animal Units
<b>Total</b>	<b>6 Animal Units per legally platted 5 acre lot</b>

**Example 2 of Maximum Large Animals Allowed as a Permitted Use:**

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2 Cows =	2 Animal Units
6 Miniature Horses =	3 Animal Units
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<b>8 Large Animals</b>	<b>5 Animal Units</b>

**Example 3 of Maximum Medium Animals Allowed as a Permitted Use:**

2 Cows =	2 Animal Units
30 Goats =	3 Animal Units
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<b>30 Medium Animals</b>	<b>5 Animal Units</b>

**4.10 SPECIFIC REVIEW CRITERIA FOR CONDITIONAL USE PERMITS FOR LIVESTOCK EXCEEDING ONE AND ONE HALF (1.5) ANIMAL UNITS PER ACRE FOR RAR-1 Zone**

The purpose of this section is to allow for a greater number of animal units per acre through the application and approval of a conditional use permit. The intent is to insure a balance of sustainable livestock practices for personal and business uses while preserving the quality of life for adjacent neighbors and protection of the Town's unconfined aquifer. Sustainable livestock practices ensure that the demands placed on the natural environment do not exceed or endanger the current supply of resources needed to sustain such practices. Also, it is the intent of this section to insure that animals have a humane environment under conditions and care that limit stress and are able to live in an appropriate and comfortable environment that includes sufficient space, proper facilities, shelter, and resting areas.

The following requirements have been put in place to assist the designated land use authority in making well-informed decisions whether to grant, grant with conditions, or deny conditional use permits for livestock of more than one and one half (1.5) animal units per acre, and for livestock not listed on the chart in section 4.9 of this land use ordinance, at their discretion based on the potential impact on the surrounding residential community and natural environment.

**4.10.1 General Operating Requirements**

Livestock of more than one and one-half (1.5) animal units per acre on each legally platted lot shall be allowed as a conditional use. Livestock not listed on the chart in section 4.9 of this land use ordinance shall also be allowed as a conditional use. One acre of land on each legally platted lot shall be deemed as a residential housing acre and shall be excluded from the total acreage available for animal unit calculations. A conditional use which allows more than one and one half (1.5) animal units per acre shall not exceed three (3) animal units per acre as determined from the chart in section 4.9 of this land use ordinance. Also, no more than 12 large sized animals, or 50 medium sized animals, and 150 small sized animals shall be allowed as a conditional use on each legally platted lot as determined from the chart in section 4.9 of this land use ordinance. (Example: 5 acre lots would have 4 acres available for animal unit calculation: 4 acres x 3 animal units per acre = 12 animal units per 5 acre lot).

**Example 1 of Maximum Animals Allowed as a Conditional Use Permit:**

6 Horses =	6 Animal Units
4 Cow =	4 Animal Units
10 Goats=	1 Animal Units
25 Chickens =	1 Animal Units
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<b>Total</b>	<b>12 Animal Units per legally platted 5 acre lot</b>

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**Example 2 of Maximum Large Animals Allowed as a Conditional Use Permit:**

4 Cows = 4 Animal Units  
8 Miniature Horses = 4 Animal Units  

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12 Large Animals 8 Animal Units

**Example 3 of Maximum Medium Animals Allowed as a Conditional Use Permit:**

4 Cows = 4 Animal Units  
50 Goats = 5 Animal Units  

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50 Medium Animals 9 Animal Units

All approved conditional use permits for livestock exceeding one and one-half (1.5) animal units per acre shall comply with the permitted livestock requirements in section 4.9 of this ordinance and the general operating requirements of this section, in addition to any specific conditions imposed as part of the conditional use permit approval process. A lower number than three (3) animal units per acre may be granted as a conditional use for the first year. This number may be increased at the time of renewal in subsequent years if the owner requests such an increase and if he or she is able to demonstrate that appropriate facilities and practices are being employed.

The Land Use Authority may set conditions to ensure that facilities are present and that appropriate and best management practices are being employed regarding:

- ~~B.A.~~ Prevention of surface or ground water contamination.
- ~~C.B.~~ Prevention of excessive manure accumulation – best management practices employed to ensure that regular mucking of manure occurs and shall be kept in areas that will not drain into a natural stream or into a drainage way that drains into a natural stream.
- ~~D.C.~~ Prevention of excessive insect accumulation through the use of organic methods.
- ~~E.D.~~ Prevention of odor, noise, or other nuisances – the number of certain types of male livestock may be limited such as limiting roosters due to noise or limiting male goats due to odor.
- ~~F.E.~~ Prevention of the loss of vegetation and loss of topsoil due to erosion. In some areas due to the fragile soils and sparse vegetative cover, property owners may be required to keep all livestock to an enclosed area. The Land Use Authority may also designate the areas of the lot suitable for maintenance of livestock.
- ~~G.F.~~ At least one half acre of pasture shall be available and utilized for each large animal exceeding one and one-half animal units per acre. The terrain and slope of the property must be suitable for such additional animals. When pasture is not appropriate for the type of animal, or when not available due to water quality, an outside area of at least one-half (1/2) acre shall be provided for each large animal exceeding one and one-half (1.5) animal units per acre.
- ~~H.G.~~ Barn areas for medium sized animals shall provide a minimum of 15 square feet per animal.
- ~~I.H.~~ An outside area of at least one-tenth (1/10) acre shall be provided and utilized for each medium sized animal (2,000 sq ft).
- ~~J.I.~~ An outside area of at least ten (10) square feet per fowl shall be provided and utilized.
- ~~K.J.~~ Coop areas for fowl shall provide a minimum of four square feet of habitable area per fowl.

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| ~~L-K.~~ Sufficient water rights to support the use of such livestock must be obtained.

| ~~M-L.~~ Determination of appropriate animal unit equivalency factor for livestock not listed on the chart in section 4.9 of this land use ordinance based on livestock of similar weight and size listed on the chart. The animal unit equivalency factor determined shall be used when calculating the total number of animal units allowed per legally platted lot.