

## **Final Draft 11-25-20 - Proposed changes in red**

### **Section 7.12 Horses/Ponies and Home Animal Agriculture**

---

#### **7.12.1 Home Animal Agriculture**

- A.** Home animal agriculture includes animals bred, raised or kept for non-commercial purposes including but not limited to horses and ponies, cattle, swine, sheep, goats, rabbits, poultry and fowl, and bees, but excluding common household pets such as (but not limited to) cats and dogs.
- B.** Home animal agriculture may be conducted in all A, AA and RR residential districts.
- C.** A zoning compliance permit must be obtained from the Zoning Enforcement Officer.
- D. Criteria for Evaluating Home Animal Agriculture Applications**
  - 1. The number of animals shall not exceed those established in Table 7.12.1A or 7.12.2A.
  - 2. The land on which the animals are to be kept is capable of safely supporting the number and type of animals proposed.
  - 3. The animals will be kept in a manner so as to not create a hazard to themselves or the environmental quality of the neighborhood.
  - 4. The animals are to be kept for non-commercial purposes.
  - 5. The animals are kept in a manner that conforms to all applicable regulations of the Public Health Code, the Department of Environmental Protection, the Connecticut Department of Agriculture, and the General Statutes of Connecticut.
- E. Required Standards for Home Animal Agriculture**

Prior to approving any application for a zoning permit for Home Animal Agriculture, the Zoning Enforcement Officer shall consider each application with regard to the criteria set forth in Table 7.12.1A or Table 7.12.2A and shall also determine whether such proposed activity shall conform to the following standards:

- 1. Number of Animals Per Acre
  - a. The minimum lot size on which animals may be kept shall be 1 acre which may include a dwelling; with the exception of chickens/hens and bees. Property owners may have 16 chickens/hens on properties with less than an acre in the A-20 and A-30 zones. Bees may be kept on lots of all sizes.
  - b. No more than 1 animal unit shall be kept on each acre owned up to a total of 3 animal units on 3 acres. More than 3 animal units shall be considered Commercial Animal Agriculture and subject to the regulations governing such use.
  - c. The number and type of animals constituting an animal unit as well as the number of animals permitted by lot size is as follows:

**Table 7.12.1A – Animal Units**

Type of Animal	Number of Animals Per Animal Unit	No. of Animals Permitted on		
		1 acre	2 acres	3 acres
Horse, pony, mule, donkey, dairy or beef cow, alpaca, llama	1	1	2	3
Sheep or goats	5	5	10	15
Pigs (excluding 1 litter under 3 months)	2 mature pigs plus 1 litter (3 months or less)	2 plus 1 litter	4 plus 1 litter	6 plus 1 litter
Rabbits	25	25	50	75
Chickens	32	32	64	96
Ducks	16	16	32	48
Geese, turkeys	8	8	16	24
Bee Hives	See Table 7.12.2A			

- d. No roosters are permitted in A-20, A-30, or AA-30 zones. Roosters are only allowed in the A-40 and Rural Residential zones, on lots 1 acre or larger.
- e. Combinations of different animals and fowl are permitted provided the total number of permitted animal units are not exceeded for the available acreage. For example, 2 sheep and 16 chickens would be permitted on 1 acre; however, 1 cow and 16 chickens would not be allowed.
- f. All animals must be contained on the owner's property.

## 2. Beehive Density

**Table 7.12.2A – Hive Units**

Acreage	Number of Hives Permitted	Number of Nucs Permitted
< 1/4 - 1/4	2	2
1/4 - 1	6	4
> 1	No limit, follow placement guidelines	No limit, follow placement guidelines

Limitations will not be imposed under the following two conditions:

- a. If hives are situated more than 200 feet from a property line; or
- b. If the adjoining property is permanently protected as undeveloped land.

## 3. Space Standards

- a. Each animal will have free access to shelter in a building, which will provide shade and protection from wind, rain and snow. A minimum of 100 square feet of interior floor space shall be provided for each animal unit **or part thereof. All such buildings shall be constructed and all food products kept as to prevent offensive odors and the presence of pest and predators.**
- b. Fences **must** be of sufficient height, strength, pole diameter, gauge of wire, and density to **assure** that such animals shall not escape. Barbed wire fences ~~will~~ **shall** not be used. Electric fencing is permitted provided it is installed and maintained in accordance with manufacturer and/or industry standards. Signs and/or other markers identifying the electric fence must be installed.
- c. Large and medium-sized animals including horses, cattle, sheep, goats, and swine shall have access to exercise and living space compatible with their age and size. A minimum of 1,000 square feet of fenced exterior exercise area shall be provided for each animal unit of large and medium sized animals kept.
- d. **All structures housing animals must meet the established setback for the applicable zone or be a minimum of 15 feet from the property line, whichever is greater.**
- e. **Bee hives should be placed in a quiet part of the yard. The hive entrance should be placed facing the hive owner's property. The hive must be at least 15 feet from a property line, and there should be either a fixed wall or a dense vegetative barrier of at least six (6) feet in height between the hives and the property line (unless placed greater than 25 feet from the property line). A water source shall be made available.**

#### 4. Site Suitability

Ideal sites for animal shelters and animal keeping areas are those reasonably high and well-drained yet level enough to accommodate barn and fence construction and level paddocks or exercise areas.

- a. Slope: Sites with slopes greater than 15% should be avoided or improved to avoid heavy surface water runoff, soil erosion, sedimentation or hazardous conditions for keeping animals.
- b. Drainage: Proper drainage shall be provided to avoid the collection of water. Water shall be diverted from animal keeping areas; however, such water shall not pollute surface or sub-surface water supplies.
- c. Wetlands: Wetlands may be used for pasture during the grazing season but shall be avoided when constructing shelters and exercise areas.
- d. Septic System: Animal keeping areas shall not be permitted directly over land containing an on-site sewage disposal system.
- e. Natural or Man-Made Hazards: Sites containing excessive bedrock outcroppings, large boulders or numerous stones or other natural or man-made obstructions that might be hazardous to the animals shall be avoided.

#### 5. Environmental Impact

- a. Animals shall be kept in a manner as to minimize noise, odor and dust generation and to avoid air and water pollution.

- b. Shelters and keeping areas shall not be a breeding place for rodents or flies.
- c. Manure storage shall be a minimum of 20 feet from the property line.

#### **F. Advisory Opinions**

- 1. The Zoning Enforcement Officer may refer the application to the University of Connecticut Cooperative Extension Service or any other applicable organization for review and advisory opinion.

#### **G. Application for Home Animal Agriculture Permit**

- 1. Where 1 animal unit consists of multiple animals, the keeping of animals comprising 10% or less of the total animals in an animal unit is permitted as of right, **except for chickens/hens which require a permit regardless of number**. Where the keeping of animals will exceed the 10% allowance in paragraph 1 above, **or to keep chickens/hens (and/or hens) on your property**, the owner of the land on which the animals are to be kept shall submit to the Zoning Enforcement Officer the following:
  - a. A sketch map (using the best available boundary/site data) showing:
    - i. The boundaries of the property on which the animals are to be kept and the names of the abutting owners;
    - ii. Location of existing structures including dwellings on abutting properties, on-site wells and sewage disposal systems;
    - iii. Location of proposed animal shelter and keeping areas, including fences;
    - iv. Number and type of animals to be kept;
    - v. Location of watercourses, waterbodies and wetlands; and
    - vi. Areas of slope in excess of 15%; Town of South Windsor topography maps may be used to determine slope.
  - b. A narrative describing:
    - i. The total acreage of the site on which animals are to be kept;
    - ii. The general nature and scope of the proposed use; and
    - iii. The provisions for storage of feed, grain, hay and animal excrements.
- 2. **Beekeepers must submit documentation of annual registration to the State of Connecticut Entomologist in accordance with CGS 22-89.**

#### **Add to Section 10 – Definitions**

**Animal Agriculture, Commercial:** Animals including but not limited to horses, cattle, swine, sheep, goats, rabbits, poultry, fowl, dogs, cats, bees, fish and furbearing animals that are bred, raised or kept for commercial purposes, **or kept in a sanctuary or rehabilitation facility.**

**Apiary** – A place where bee hives are kept

Beekeeping – The management and stewardship of honey bees.

Hive – One colony of bees, with one queen. It can range in size from one box to many boxes in height.

Nuc – A 4-5 starter colony that is used to establish new colonies or replace colonies that have died over the winter.

### **7.12.2 Commercial Animal Agriculture or Home Agriculture in Excess of 3 Acres/Animal Units**

Land, buildings, and other structures may be permitted as a Special Exception by the Commission for commercial use involving the following animal agriculture activities:

1. Boarding and training stables for horses;
2. Private club riding stables;
3. Breeding stock farms;
4. Animal agriculture involving more than 3 animal units;
5. Animal sanctuaries (both commercial or non-profit); and
6. Animal rehabilitation facilities.

In addition to the standards of Section 7.12.1, the following conditions must be met;

1. The land shall be zoned RR or A-40.
2. This acreage shall be fenced, in whole or in part. Such fence shall contain the animals within the property; except any land to be used exclusively for riding trails, which shall be owned by the applicant, shall not ordinarily be required to be fenced.
3. There shall be sufficient off-street parking facilities provided to accommodate all users and visitors to the property, including spectators. The roads for entering and leaving the property shall be located in such a manner as to not create a pedestrian or vehicular traffic hazard on any public street. A minimum of 1 parking space per each 5 users or visitors to the property shall be required.
4. The keeping of animals for other than personal use shall be restricted to the rear yard of the premises, as defined in Section 3.1.2. The accessory buildings that are used to shelter or feed the horse shall be located at a minimum distance of 125 feet from any street line, 40 feet from any side or rear property line and, in addition, 100 feet from any dwelling located on an adjacent property. Outside feed troughs shall be located at the same minimum distance from all property lines as are accessory buildings.
5. The number of animals to be kept on-site in a sanctuary or rehabilitation facility shall be limited to Best Management protocols to ensure adequate shelter and exercise space.
6. Any portion of the land which is used as a riding ring or corral shall be placed within the front, rear and side yard lines of Section 3.1.2 Residential Area, Density, and Dimensional Requirements.

7. Manure shall not accumulate to cause any health hazard and shall be subject to inspection by the Environmental Health Officer. Any manure storage area shall be screened. Particular attention shall be paid to the location of any manure storage. Adequate fly control measures shall be required.
8. Fire control facilities for the barns and other accessory buildings shall be required where the public is allowed admission. Such control facilities shall be subject to review of the Fire Marshal.
9. The use of public address systems, the conduct of the instruction of riders, training of horses, and the spectator participation in any type of competition shall be modulated and continuously controlled in order to avoid becoming a nuisance to the surrounding neighbors. All public activity shall cease at 8:00 p.m. and shall not begin prior to 7:00 a.m., unless permission for such activity is specifically granted by the Commission.
10. The use of temporary buildings or trailers for the stabling of animals in excess of 7 days is prohibited. Trailers must be placed in accordance with Section 7.19 Trailers and Camping Vehicles.
11. The area shall be landscaped to harmonize with the character of the neighborhood. The land shall be so maintained that it will not create a nuisance as determined by the Commission. All lighting must meet the requirements of Section 6.3 Outdoor Lighting.