

**STILLWATER TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
ORDINANCE 181**

**AN ORDINANCE AMENDING THE STILLWATER TOWNSHIP
ZONING ORDINANCE, CHAPTER 2, PART 3, SECTION 2.14
CONCERNING LIVESTOCK AND LIVESTOCK OPERATIONS**

THE BOARD OF SUPERVISORS OF THE TOWN OF STILLWATER ORDAINS:

SECTION 1. Stillwater Township's Zoning Ordinance Chapter 2, Part 3, section 2.14 is hereby amended as follows:

2.14 Livestock and Livestock Operations

(1) Required Permits.

(A) In all districts, livestock may be raised or bred without a permit provided there are less than eleven (11) animal units on the property that the number of animals, density, and other characteristics of the use comply with the Performance Standards in this section.

(B) In the SCR District, grazing of livestock is allowed however no buildings or structures are allowed.

(C) Any person owning or conducting a livestock operation containing 11-49 animal units in the, A-4 district shall obtain a certificate of compliance.

(C) Any person owning or seeking to conducting a livestock operation with eleven (11) or more animals units in the SCR districts or over 49 animal units in the AG district shall obtain a conditional use permit a higher density (number of animals per grazable acre) than permitted by the Performance Standards in this section shall obtain a Conditional Use Permit. The CUP application shall include a manure management plan.

(D) Any person owning or seeking to operate a Feedlot in the Township shall obtain a Conditional Use Permit. The CUP application shall include a manure management plan.

(2) Other Requirements. Livestock and livestock operations must comply with all rules and regulations of Federal, State, County and local agencies.

(3) Performance Standards. Livestock and livestock operations must comply with all of the following standards regardless of the number of animal units on the property or whether a permit is required:

(A) Minimum Lot Size. No livestock, with the exception of domestic fowl, shall be placed on any site of less than five (5) acres. For purposes of this section, five (5) acres may include the road right-of-way.

(B) Required Setbacks for Domestic Farm Animals.

1. The following shall be the minimum setback requirements for feedlots: Accessory structures used to shelter domestic farm animals on properties 5 (five) acres in size or larger shall meet the following setback requirements:-

a) County Parks Any.....300 feet property line – 100 feet

b) DNR protected water course or lakes 300 feet Any existing well or residential structure on the same parcel – 50 feet

c) Wetlands.....75 feet

d) Private Well.....100 feet Any lake, stream or wetland – 200 feet

(C) Animal equivalents. The following equivalents shall apply when determining animal units and animal densities per acre:

1. one mature dairy cow.....1.4

2. one slaughter steer or heifer.....1.0

3. one horse.....1.0

4. one swine over 55 pounds.....0.4

5. one goose or duck.....0.2

6. one goat or sheep.....0.1

7. one swine under 55 pounds.....0.05

8. one turkey.....0.018

9. one chicken.....0.01

For animals not listed above, the number of animal units shall be defined as the average weight of the animal divided by one thousand (1,000) pounds.

(D) Animal density. A minimum of two (2) grazable acres shall be provided for each animal unit or its equivalent. Grazable acres shall be defined as open, non-treed acreage currently providing enough pasture or other agricultural crops capable of supporting summer grazing at the density stated above.

The keeping of livestock in greater density than allowed as stated above shall require a conditional use permit. To obtain such permit, the applicant must demonstrate that facilities are present and appropriate practices are being employed to preclude surface or ground water contamination, excessive manure accumulation, odor, noise and other nuisances.

(E) Feedlots

1. Required setbacks. The following shall be the minimum setback requirements for feedlots.

a) County Parks.....300 feet

b) DNR protected water course or lakes.....300 feet

c) Wetlands.....75 feet

d) Private Well.....100 feet

2. The construction of an earthen waste storage basin is permitted provided a certificate of compliance is issued.

a) The structure shall not be used for the storage of animal manure for a period in excess of 12 months or the time period for which it was designed

b) The design of the structure shall be prepared and designed by a registered Professional Engineer or staff from the Washington Conservation District qualified in the design of earthen structures or prepared by other professionals specializing in the design of such structures and with the proper training for such design and signed by a registered Professional Engineer.

3. Earthen waste storage basins, feedlots, and manure storage areas shall not be placed on slopes which exceed 13%.

(F) Pastures. Livestock may graze within sShoreland and bluff impact zones provided permanent vegetation is maintained or a conservation plan has been submitted to the Township and the County Zoning Administrator which is consistent with the technical guides of the Washington Conservation District.

(G) Bees. Honeybees are considered a domestic farm animal. A person may keep honeybees on parcels in the Agriculture Zoning District. Hives shall meet the livestock setback requirements of this ordinance. The colony shall be maintained in good order and shall not be nuisance to any member of the public.

(E)(H) The minimum acreage and animal density requirements in Section 2.14 are waived for keeping of domestic fowl (chickens, turkeys, geese or ducks) on lots smaller than 5 acres provided that the standards in Section 2.15 are met.

2.15 Domestic Fowl on Lots Smaller than Five (5) Acres

(1) The keeping of up to five (5) domestic fowl on a lot that is smaller than five (5) acres does not require a Township permit.

(2) The total number of domestic fowl may not exceed 5 fowl per acre on a parcel that is less than five (5) acres in size.

(3) The principal use of the property shall be single-family residential and contain a single-family residential structure. Domestic fowl shall not be permitted on vacant properties or those containing multi-family residential uses. Coop structures used to house domestic fowl that are greater than 120 square feet in size shall comply with the Accessory structure limitations on the number and size of residential accessory structures permitted by Chapter 2, Section 3.2 of the Development Code.

(4) The keeping of domestic fowl on lots smaller than five (5) acres shall comply with the following standards:

(A) Hen chickens are permitted and roosters are prohibited.

(B) All chickens shall be of the subspecies Gallus gallus domesticus, and shall be tolerant of local climate conditions. All fowl species kept on parcels smaller than five (5) acres shall be domesticated varieties.

(C) Guinea fowl are prohibited (members of the Family Numididae, genus Agelastes, Numida, Guttera, or Acryllium).

(D) All domestic fowl shall be contained within the owner's parcel at all times.

(E) Domestic fowl shall not be kept inside the principal structure.

(E) Fowl may be slaughtered on the property in locations that are not visible to the public or adjacent properties.

(F) Coops and attached exercise pens shall be provided for all domestic fowl. Coops and pens shall be fully-enclosed including overhead areas, and shall be constructed of durable materials. The coop shall have sufficient windows for natural light. The floor area of the coop must equal at least two (2) square feet per fowl and the combination of the floor area and pen area must equal at least ten (10) square feet of area per domestic fowl.

(G) If the coop is larger than 200 square feet, the owner shall obtain a building permit. If electricity is to be provided for hearing or lighting, the owner shall obtain an electrical permit.

(H) Coops, pens and other structures for domestic fowl shall meet the structure setback requirements of the zoning district where the parcel is located, plus all structures shall maintain a minimum setback of twenty (20) feet from dwellings on adjacent properties, and shall be located in rear yards only.

(I) No person may allow domestic fowl to range freely without fencing or without a mobile pen.

(J) All food stored for domestic fowl shall be kept in rodent-proof containers stored inside coops or other buildings.

(K) Structures and areas in which domestic fowl are kept or maintained, including coops and pens, shall be kept reasonable clean from filth, garbage, and any substances which attract rodents. All feces shall be collected regularly and properly disposed of on a regular basis as fertilizer, composted, or transported off the premises.

(L) Domestic fowl shall not be kept in such a manner as to constitute a public nuisance as defined by the Township.

(M) The Township may enter and inspect any property, including the coop and back yard, at any reasonable time for the purpose of investigating a reported violation or to ascertain compliance or noncompliance with the City Code and Certificate of Compliance.

SECTION 2. This Ordinance shall be effective immediately upon its passage and publication.

ADOPTED by the Board of Supervisors of Stillwater Township this 14th day of July, 2016.

STILLWATER TOWNSHIP

BY:

Its Chairperson

ATTEST:

Kathy Schmoeckel, Township Clerk

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