

SECTION 906: A-1 AGRICULTURAL DISTRICT

A district designed to provide for larger lot or land areas on which the dominant or primary use is of an agricultural nature, and ordinarily for the purpose of generating profit.

The A-1 District is distinguished from the R-R District in that A-1 is predominantly agricultural in nature, intended for a more rural setting, while R-R is predominantly residential in nature and intended to serve as a transitional zone between rural areas and traditional single family subdivision development.

ADOPTED 7/12/2016

906.1 Permitted Uses:

single family dwellings

mobile homes (*permitted on appeal only*) in accordance with Section 1007

modular homes, only as defined in this Ordinance and permitted on appeal only

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apiary

aviary

dairy

dog kennel with outside runs (no retail sales)

general (including commercial) farming

greenhouse and nursery (wholesale only)

poultry farm

rabbit and other animal farms

ranching

customary accessory buildings or structures in accordance with Articles 10 and 11

906.2 Area and Dimensional Requirements:

Minimum Floor Area:

600 sq.ft. (one story)

Minimum Lot Sizes:

5 acres total area or less*

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150-foot minimum width

*Any future division of land shall have the Minimum Lot Sizes specified.

Minimum Yards:

50-foot front yard set-back

50-foot rear yard set-back

15-foot side yard set-backs

906.3 Additional Requirements:

In an A-1 (Agricultural) district, the minimum set-back of livestock barns and chicken houses shall be:

- 100 feet from adjoining property lines;
- 300 feet from road right-of-way lines.

No livestock barn (or fowl house, etc.) shall be built closer than 300 feet to the nearest then existing residence other than that of the owner.

Swine shall not be housed, fed and/or watered within 100 feet of any adjoining property line, or within 300 feet of any road or road right-of-way.

SECTION 905: R-R RURAL RESIDENTIAL DISTRICT

A district designed to provide primarily for the development and use of land for single family residential purposes, but also to allow limited agricultural use(s) in conjunction with an established residence *provided* such use(s) does not substantially alter the residential character of the property or surrounding residential areas.

It is the express intent of this District to promote the health, safety and welfare of the animals kept on the R-R-zoned property while simultaneously recognizing and preserving the rights of adjoining property owners to the enjoyment of their own properties. The keeping of animals on R-R properties must be kept compatible with, and never impose adverse effects upon, the use and enjoyment of adjoining properties for residential purposes.

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905.1 Permitted Uses:

single family residences*

customary accessory buildings or structures in accordance with Articles 10 and **11**

livestock kept for personal use only (i.e., not for commercial purposes)

customary accessory buildings or structures
incidental to the keeping of the above livestock

non-commercial farming**

home occupations (*permitted on appeal only*) in accordance with Article 15

modular homes, only as defined in this Ordinance and permitted on appeal only

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*The primary use of the property shall be residential, with any non-residential uses to be permissible only after the primary (residential) use has been established.

**"Hobby" farms whose expected agricultural income is incidental to the total household income of the occupants.

905.2 Area and Dimensional Requirements:

Minimum Floor Area:

- 900 sq.ft. (one story)
- 800 sq.ft. (first floor)
- 1,000 sq.ft. (total for two stories)

Minimum Lot Sizes:

- 1 acre (43,560 sq.ft.) total area or less*
- 100-foot minimum width

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*Any future division of land shall have the Minimum Lot Sizes specified.

Minimum Yards:

- 35-foot front yard set-back
- 35-foot rear yard set-back
- 15-foot side yard set-backs

905.3 Additional Requirements:

The minimum set-back of livestock barns (fowl houses, etc.) shall be:

- 100 feet from adjoining property lines;
- 300 feet from road right-of-way lines.

No livestock barn (or fowl house, etc.) shall be built closer than 300 feet to the nearest then existing residence other than that of the owner.

Swine shall not be housed, fed and/or watered within 100 feet of any adjoining property line, or within 300 feet of any road or road right-of-way.

905.4 Livestock Density Restrictions:

The number of animals permitted in an R-R (Rural Residential) district shall be determined by a system of "animal unit equivalents" that shall be assigned to each individual animal as follows:

horse = 1 unit
cow = 0.5 unit
goat = 0.2 unit

swine = 1 unit
sheep = 0.5 unit

all fowl = 0.067 unit (each)
rabbit = 0.025 unit

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Off-spring with the mother present shall be considered included in the mother's unit until reaching breeding age.

Unit equivalents for other animals shall be defined by the Sylvan Springs Planning Commission.

The maximum density of animals in an R-R (Rural Residential) district shall be one (1) animal unit per family *or* one (1) animal unit per acre.

905.5 Limitations on the Amount of Livestock:

For the purposes of protecting the residential character of development in this residential district, there shall be a maximum amount of livestock that will be allowable under an R-R Rural Residential classification. As determined by the table in the preceding Item (905.4), a total of no more than five (5) animal units shall be permitted in an R-R zoning district; any total number of units in excess of the five (5) units permitted herein will require an A-1 (Agricultural) zoning classification.

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SECTION 1012
LIMITATIONS ON ANIMALS

- 1012.1** No person shall keep or maintain in connection with any residential dwelling unit more than three (3) dogs aged six (6) months or older, except in the A-1 Agriculture District.
- 1012.2** The keeping or maintaining of horses, mules, cattle, sheep, goats, hogs, fowl or any other such “farm” or “livestock” animal shall be prohibited throughout the Town, except in (and in accordance with the regulations of) the A-1 Agriculture and R-R Rural Residential Districts, and as otherwise provided in Section 1012.3 herein below.
- 1012.3** Within all single family zoning districts, or a single family portion of a Planned Unit Development, the keeping of chickens (*gallus domesticus*) is allowed but only under the following terms and conditions:
- a. the minimum lot size of the property is 10,000 square feet.
 - b. the principal use of the property is a single family dwelling.
 - c. the number of chickens does not exceed:
 - four (4) on lots 10,000 square feet to 19,999 square feet; or,
 - six (6) on lots 20,000 square feet or greater.
 - d. no roosters shall be allowed.
 - e. the chickens shall be kept in the rear yard only.
 - f. the chickens shall be provided with secure indoor accommodations in the form of a henhouse, coop or similar enclosed structure, raised above the surface of the ground and allowing a minimum of two (2) square feet per bird.
 - g. the structure of Item (f) above shall be contained within, or made a part of, a securely protected enclosure or fenced outdoor area containing a minimum four (4) square feet per bird.
 - h. no part of the chicken housing areas encompassed by Items (f) and (g) above shall extend into any side yard area, nor closer to the rear property

line than the minimum standard setback for the zoning district in which the property is located; all required chicken housing areas must be located directly behind the residence.

- i. the chickens may be allowed an expanded outdoor forage area beyond that required in Item (g) above, however provisions must be made (fencing, etc.) such that they shall not be allowed to roam beyond the property lines of the parcel on which their permanent housing (of Items (f) and (g) above) is located.
- j. the enclosures (both indoor and outdoor) shall be kept in a neat and sanitary condition at all times, and must be cleaned on a regular basis so as to prevent offensive odors.
- k. feed shall be stored in a rat-proof container.
- l. the chicken owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites.
- m. there shall be no outside slaughtering of the chickens.
- n. there shall be no breeding of chickens or production of fertilizer for commercial purposes.
- o. PERMIT REQUIRED: Persons wishing to keep chickens in a residential district under this Section must first obtain a permit from the Town by submitting a dimensioned site plan showing the size, location and orientation of the chicken housing areas. The Town will issue a permit upon verification of the property's zoning and the compliance of the housing facilities with the requirements of this Section, and remittance of a \$15.00 permit fee.
- p. PERMIT REVOCATION: Any permit issued for the keeping of chickens in a residential district/development may be revoked for the following reasons:
 - an owner allowing any chicken(s) to become a nuisance to any neighbors, including but not limited to noxious odors from the animals or their enclosure, or noise of a loud and persistent and habitual nature; or,
 - violation of any of the terms or conditions this Section.

- q. This Sub-Section (1012.3) is not intended to apply to ducks and geese, nor to indoor birds kept as pets (such as, but not limited to, parrots or parakeets), nor to the lawful transportation of fowl through the corporate limits of the Town. Neither shall it apply to poultry kept in areas of the Town which are zoned A-1 Agriculture or R-R Rural Residential (which have their own governing regulations).
- r. Fowl currently existing in residentially-zoned areas of the Town shall not be "grandfathered" or permitted to remain after the effective date of this Section; however, owners of the poultry will have ninety (90) days from the effective date to come into compliance with this Section.

1012.4 No person shall breed or maintain any wild animal or reptile that, in the opinion of the Zoning Officer, poses a threat to human safety in Sylvan Springs. Excluded from this restriction are zoos, pet shops, animal shelters, medical or scientific facilities, or other locations where the showing or maintenance of such animals is a permitted use under the provisions of this Ordinance.