



Planning & Building Department

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SMALL FARM ANIMALS

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Purpose.

The purpose of this article is to maintain the semi-rural quality of Lafayette and promote sustainability by allowing small farm animals in single-family residential zoning districts while protecting the health, safety and general welfare of the community.

Definitions.

In this article, unless the context otherwise requires the following definitions shall apply:

- (a) "Animal Farming" means the raising and keeping of Small Farm Animals.
- (b) "Beehive" shall mean any container made or prepared for the intended use of bees or a container of which bees have taken possession.
- (c) "Small Farm Animals" means small un-hooved animals including chickens, turkeys, doves, pigeons, quail, game birds, rabbits and honey bees (*Apis mellifera*). Small farm animals do not include:
 - (1) Companion animals, also known as pets, kept primarily for a person's company or protection, including dogs, cats, hamsters, parakeets, and exotic animals.
 - (2) Livestock as defined in §6-334.

6-592 Applicability

This article applies to all single-family residential zoning districts within the city. Individuals must comply with the more restrictive of federal, state or local law with respect to the topics covered in this article.

6-593 Standards

The keeping of Small Farm Animals, with the exception of bees, is permitted subject to the following standards:

- (a) Small Farm Animals shall be kept for personal enjoyment or home consumption;
- (b) Small Farm Animals and small farm animal products shall not be sold for commercial purposes;
- (c) Small Farm Animals may be kept on parcels in the R-6, R-10, R-12, R-15, R-20, R-40, R-65, R-100, LR-5 or LR-10 zoning districts; and
- (d) Excepting bees, the number of Small Farm Animals permitted on a given parcel, based on gross lot area, is:

(1) Parcels 6,000 sq.ft. – 10,000 sq.ft.	maximum of 4
(2) Parcels 10,001 sq.ft. – 20,000 sq.ft.	maximum of 6
(3) Parcels 20,001 sq.ft. – 40,000 sq.ft.	maximum of 8
(4) Parcels > 40,000 sq.ft.	maximum of 16

6-594 Prohibited

- (a) Roosters, waterfowl, peacocks, guinea hens and other animals which produce undue noise and/or create a nuisance to neighboring residents are prohibited.

6-595 Beekeeping

- (a) Beekeeping Permit Required.

- (1) A beekeeping permit is required prior to placement of beehives on a property.
- (2) An application for beekeeping permit shall be submitted to the Planning & Building Department along with the required fee set by City Council resolution and submittal requirements set forth on the application form.
- (3) Staff shall provide notice of the application to all property owners within 300-ft. of the subject property a minimum of 10 days prior to taking action on the application.
- (4) The Zoning Administrator shall approve the application for beekeeping permit if all of the standards in subsection (b) below are met.

- (b) Beekeeping Standards

- (1) Number: The number of beehives permitted on a given parcel, based on gross lot area, is:
 - i. Parcels 6,000 sq.ft. - 40,000 sq.ft. maximum of 2
 - ii. Parcels 40,001 sq.ft. - 5 acres maximum of 6
 - iii. Parcels > 5 acres maximum of 12
- (2) Size: Notwithstanding any support structure, a beehive shall not exceed 2' x 2' x 6'. A beehive, including any support structure, shall not exceed 6' in height or length.
- (3) Location: Beehives shall be located in the rear yard and shall comply with the setbacks applicable to the primary residence, but in no case less than 15-ft. from a property line.
- (4) Orientation: Beehives shall be placed so the opening is oriented away from the nearest neighboring residence or outdoor living area (e.g. patio, deck, pool).
- (5) Flyway Barrier: Wherever a beehive is less than 100-ft. from a neighboring residence or outdoor living area a flyway barrier is required. The flyway barrier shall be:
 - i. A minimum 6-ft. high, consisting of a solid wall or fence or dense vegetation, and
 - ii. A minimum of 20-ft. long, centered on and perpendicular to the shortest line that could be drawn between the hive and the neighbor's residence or outdoor living area.
- (6) Water: A convenient source of water shall be made available to the bees at all times during the year so that the bees are not encouraged to visit swimming pools, hose bibs, pet watering bowls, or other water sources where they may cause human or domestic pet contact.

- (7) Minimal Risk to Neighbors: A beehive or hives may not be installed if a neighbor with a residence or outdoor living area within 300-ft. of a proposed hive location demonstrates a serious health risk associated with bees (for example, a letter from a doctor stating the neighbor has a systemic allergic reaction to bee stings, submitted prior to the Zoning Administrator taking action on the permit application).

6-596 Enclosure

- (a) Small Farm Animals, with the exception of bees, shall be kept within a structure or fenced area at all times to ensure against trespass onto neighboring or public property.
- (b) Small Farm Animals shall have access to a coop, cage, or similar structure, which:
- (1) Provides protection from the elements and predators; and
 - (2) Is located in the rear or side yard; and
 - (3) Does not exceed 8-ft. in height as defined in Section 6-1903(b), and
 - (4) Meets the minimum front, side and rear setbacks required for the primary residence.
- Structures to house Small Farm Animals do not qualify for reduced side or rear yard setbacks for accessory buildings or structures.

6-597 Maintenance

- (a) Enclosures, animal products and manure storage must be maintained to be free from odor, and prevent a breeding place for flies, pests or vermin.
- (b) Animal feed shall be stored in a rodent and predator proof container.

6-598 Slaughtering

Slaughtering of small farm animals is permitted on any parcel where the keeping of small farm animals is permitted, provided that:

- (a) Slaughtering shall take place in the privacy of the property, taking necessary precautions to ensure the privacy of neighbors and shall not be seen from adjoining properties; and
- (b) Remains shall be disposed of in accordance with local waste regulations and in a timely manner to prevent deterioration of the remains and odor.

6-599 Exceptions

- (a) An application seeking an exception from 6-593(d), 6-594, 6-595(b) or 6-596 may be filed on a form prescribed by the city, along with the required fee.
- (b) Notification to neighbors shall be provided at least 10 calendar days prior to the decision on the application consistent with Section 6-211(a)(3).
- (c) The burden is on the applicant to demonstrate that potential impacts are adequately mitigated.

- (d) The Director may deny, approve, approve subject to conditions, or refer the application to the Planning Commission.
- (e) The Director or Planning Commission shall consider the potential for noise, odor, safety, health and other impacts to neighboring properties, and whether the impacts are adequately mitigated.
- (f) The Director may impose reasonable conditions to protect the health, safety and general welfare of the community.



ORDINANCE 631 • EXHIBIT “B”

AMENDMENTS TO §6-334 LMC “LIVESTOCK” AND §6-524 LMC “ANIMAL STRUCTURES”

6-334 Livestock.

“Livestock” means domestic farm animals such as horses, cows, sheep, goats, ostrich and emu. (Ord. 221 § 4 (part), 1980)

6-524 Animal structures.

Notwithstanding the setback, side yard and rear yard provisions in the single-family residential land use districts, the following provisions shall apply to the location of animal structures in all such districts, provided such structures are permitted at all:

- (a) Barns, stables and similar accessory structures used to shelter livestock shall be located in the rear yard of the principal structure.
- (b) Barns, stables and similar accessory structures used to shelter livestock shall be set back not less than 60 feet from the front property line and from any street line and shall be not less than 55 feet from any point on an adjoining parcel of land, at which point the exterior wall of a dwelling unit either exists or could legally be constructed.
- (c) Fenced pasture, paddocks or other enclosures for livestock shall not be located nearer than ten feet to any property line.
- (d) Variance permits to modify subsections (a), (b) and (c) of this section may be granted in accordance with the applicable provisions of Chapter 6-2 of this title.

