

**Table 4.03.02(I)****Standards for Commercial Livestock, Swine and Poultry Operations**

**This Table 4.03.02(I) applies to Commercial Livestock, Swine and Poultry Operations which are defined as having enclosures for housing, keeping, and feeding animals (including cattle barns, stables, hog pens and poultry houses) that are built or designed to contain more than 100 livestock or swine and more than 250 poultry or chickens.**

<i>Development Feature</i>	<i>Standard</i>
Minimum land area	15 acres for 1-3 enclosures (including cattle barns, stables, and hog pens designed to hold more than 100 animals or poultry houses designed to hold more than 250 animals) For operations with more than 3 major livestock enclosures, there shall be an additional minimum land area requirement of 5 acres per major livestock enclosure.
Livestock allowed	Poultry (chicken coops), swine, bovine, goats, sheep, and equine
Buildings and structures associated with agricultural use, excluding livestock shelter structures, that are adjacent to residential zoning districts or properties used primarily for residential purposes	Minimum setback of 100 feet from all property lines.
Buildings and structures for the keeping of livestock and poultry as defined in this section 4.03.02(I).	Minimum setback of 200 feet from all property lines and a minimum setback of 500 feet from any neighboring residential dwelling. <i>In addition, there shall be an evergreen or natural buffer between the major livestock enclosure and any property line within 200 feet as more fully described below.</i>

Buildings used for public commercial livestock uses (e.g. auction barn)	Minimum setback of 200 feet from all property lines and a minimum setback of 500 feet from any neighboring residential dwelling.
Buildings used for storage of animal waste or dead animals	Minimum setback of 300 feet from all property lines and a minimum setback of 750 feet from any neighboring residential dwelling
Odor and pests related to the keeping of livestock and poultry	Property owner shall have a management plan for odor and pest control
Fences	The parcel shall be fenced if free roaming livestock is kept

LDC4:58

Rules Applicable to Natural Buffers

When a property located within the Agriculture District proposes to engage in commercial livestock or poultry operations adjacent to properties located within the Rural Residential, Suburban Residential, or Manufactured Home Park districts, or if properties located within these residential districts propose to develop adjacent to commercial livestock operations, either property or both properties (when both are initially undeveloped) will be subject to a 150-foot vegetated buffer from the adjoining property line, as outlined below. This vegetative buffer shall extend along the entire portion of the property line abutting the commercial livestock facilities plus 50 feet in each direction beyond the facilities as shown in the following illustration.

- All buffers required by this article shall conform to the following specifications:

1. Prior to development, a buffer plan shall be required to show the types and locations of all plantings within a required buffer. If a site plan is required, a buffer plan shall be incorporated as part of the site development plan.

2. Landscaping within buffer areas shall be used to screen objectionable views or nuisances, such as parking and service areas, refuse containers, air conditioning units and transformers.

3.

Existing on-site trees may be credited as meeting the requirements of this article if the land development officer determines that such plant materials achieve the purposes of this article.

#### **Location of buffers.**

Buffers shall be located on the outer perimeter of a lot or parcel along all lot lines adjoining dissimilar districts including adjacent property lines, which may be separated by an existing or proposed public right-of-way.

Buffers shall not be located on any portion of existing, dedicated, or reserved public or private street right-of-way.

#### **Variations.**

The requirements of this article may be waived by the appropriate agency under any of the following conditions:

1. If it is clearly demonstrated that the existing topography and/or vegetation will achieve the purposes of this article.

2. If it is clearly demonstrated that for topographic reasons, no required screening device could possibly screen the ground level activities of the use from the first floor view of the residential structure abutting the use.

3. The adjoining property owners mutually agree in writing that the required buffer is not necessary for satisfactory use and enjoyment of their property rights. or

4. It is clearly demonstrated that an existing (or proposed) public right-of-way separation between adjoining properties will achieve the purposes of this article.

### **Maintenance of Buffers**

The responsibility for maintenance of buffers shall remain with the owner of the property. Any required plant that has died shall be replaced. Maintenance of planted areas shall consist of mowing, removal of litter and dead plant materials, and necessary pruning. Fences and walls shall be kept in a condition that meets the requirements of this article.

### **Other considerations:**

- Fire Hydrants;
- Paved entrance or other type to keep mud off streets;
- Require a site development plan to be provided for departmental review to determine if improvements to roads, entrances, buffers, fire protection, etc. are necessary. Developer would be notified of required improvements before the structures would receive approval for electrical connection and a final inspection;
- Require a separate zoning classification for major livestock production including chicken houses. This would require public hearings at the planning commission and BOC before the structures are approved for review and permitting.