

Ordinance No. 2015-__

The City Council of the City of Hermantown does ordain:

**AN ORDINANCE RELATED TO SMALL SCALE AGRICULTURAL ACTIVITIES
AMENDING SECTION 650 OF THE CITY CODE “NON-DOMESTIC ANIMALS” AND
AMENDING CHAPTER 5 “LAND USE REGULATIONS”**

Section 1. Purpose and Intent. The purpose of this Ordinance is to amend certain provisions of the City Code and of the Zoning Code to allow for Small Scale Agricultural Activities in certain residential districts of the City and to create reasonable regulations for the same to protect the health, safety, and welfare of the community.

Section 2. Amendments to Section 650 of the City Code. The following provisions of Section 650 of the Hermantown City Code are hereby amended:

Section 2.1 Section 650.02.4. is hereby created to read as follows:

“650.02.4. “Small Farm Animals” shall mean bees, geese, ducks, hen chickens, goats, sheep, rabbits, pot-bellied pigs, and pigeons.”

Section 2.2. Section 650.02.2.3. is hereby amended as follows:

“650.02.2.3. **Small Farm Animals;** ~~Farm animals, including bees, geese, ducks, chickens, Vietnamese pot-bellied pigs and pigeons, provided that no more than three Vietnamese pot-bellied pigs and no more than ten pigeons can be kept on any one lot or premises;~~

Section 2.3. Section 650.07. is hereby created to read as follows:

“**650.07. Small Farm Animals.** Keeping of Small Farm Animals shall be subject to the regulations of the City’s Zoning Ordinance. No person shall keep Small Farm Animals on any premise within the City without issuance of a Zoning Certificate granting such authority.”

Section 3. Amendments to Section 200 of the Zoning Code. The following provisions of Section 200 of the Hermantown Zoning Code are hereby amended:

Section 3.1 Section 200.01.48 is hereby created and inserted as follows:

“200.01.48. “Livestock” shall mean horses, cows and cattle of all types, llamas, and any other domesticated farm animals as generally defined, except Small Farm Animals.”

Section 3.2 Section 200.01.93 is hereby created and inserted as follows:

“200.01.93. “Small Farm Animals” shall mean bees, geese, ducks, hen chickens, goats, sheep, rabbits, pot-bellied pigs, and pigeons.”

Section 3.3 Section 200.01.94 is hereby created and inserted as follows:

“200.01.94. “Small Scale Agricultural Activities” shall mean the keeping of Small Farm Animals as an Accessory Use on single family residential premises within the City.

Section 3.4 Subsequent definitions of Section 200 shall be renumbered following insertion of the provisions of Sections 3.1 and 3.2.

Section 4. Amendments to Chapter 5 of the Zoning Code. The following provisions of Chapter 5 of the Hermantown Zoning Code are hereby amended:

Section 4.1 Section 500.06.6 is hereby created to read as follows:

“500.06.6 Small Scale Agricultural Activities shall be permitted as an Accessory Use, subject to the following provisions:

500.06.6.1 **Zoning Certificate.** No person shall keep Small Farm Animals without first obtaining a Zoning Certificate from the Zoning Officer. The application for Zoning Certificate shall include a site plan depicting the location for keeping Small Farm Animals. A copy of the application shall be mailed to adjacent property owners by the Zoning Officer at least ten days before the Zoning Certificate is issued. Comments, if received from neighbors during such ten-day period, will be considered in setting conditions for the Zoning Certificate. The applicant may alternatively provide written permission from neighbors as part of the application.

500.06.6.2 **Ownership; Two or more Dwelling Unit Properties.** The owner of the Small Farm Animals shall live in the dwelling on the property. Small Farm Animals are not allowed on properties with two or more dwelling units.

500.06.6.3 **Limitation.** Owners of Small Farm Animals shall have at least one acre per animal or beehive, except that chickens, geese, or ducks may be kept at a ratio of five chickens per acre, and rabbits may be kept at a ratio of two rabbits per acre.

500.06.6.4 **Prohibitions.**

500.06.6.4.1. No person shall keep roosters, or adult male chickens, on any property within the City.

500.06.6.4.2. The slaughter of Small Farm Animals is prohibited.

500.06.6.4.3. The raising of Small Farm Animals for breeding purposes is prohibited.

500.06.6.4.4. Small Farm Animals shall not be kept inside a dwelling or garage.

500.06.6.5. Shelter and Enclosures. Small Farm Animals shall be properly protected from the weather and predators in a shelter or coop, and have access to the outdoors in an enclosure or fenced area. The shelter and/or enclosure shall be set back a minimum of 50 feet from any adjacent property line.”

Section 4.2 Section 505.06.6 is hereby created to read as follows:

“505.06.6 Small Scale Agricultural Activities shall be permitted as an Accessory Use, subject to the provisions set forth for such use in the S-1 Zone District.”

Section 4.3 Section 515.06.6 is hereby created to read as follows:

“515.06.6 Small Scale Agricultural Activities shall be permitted as an Accessory Use, subject to the provisions set forth for such use in the S-1 Zone District.

515.06.6.1. Exception. In the R-3 zone district, this ordinance shall not prohibit the keeping of up to five chickens, two rabbits, or one beehive on a lot of one-half acre or larger.

Section 5. Added to Zoning Code. The terms and provisions of this ordinance shall be amended in the appropriate place in the Hermantown City Code and Zoning Code, after adoption and becoming effective.

Section 6. Effective Date. The provisions of this Ordinance shall be effective after adoption immediately upon publication once in the official newspaper of the City of Hermantown and upon recording with the St. Louis County Recorder’s Office.

Dated: _____

Mayor

Attest:

City Clerk

Adopted: _____

Published: _____

Effective Date: _____