

**CITY OF SELDOVIA
ORDINANCE 17-05**

Introduced: 10-26-2016
Posted: 10-21-2016
Public Hearing: 11-9-2016
Adopted: 11-9-2016

**AN ORDINANCE OF THE CITY OF SELDOVIA AMENDING TITLE 18 TO PROVIDE
FOR THE ADOPTION OF REGULATIONS PERTAINING TO THE KEEPING OF
LIVESTOCK WITHIN THE CITY OF SELDOVIA**

WHEREAS, the City of Seldovia has had an increase in the desire of its citizens to keep livestock for personal use within the City; and

WHEREAS, it is in the best interest of the City to create regulations for the keeping of livestock to satisfy this desire and maintain the intent of the zones within the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SELDOVIA:

SECTION 1. CLASSIFICATION. This ordinance is permanent in nature and shall become a part of the Municipal Code of the City of Seldovia.

**SECTION 2.- AMENDING TITLE 18 REMOVING LANGUAGE IN STRIKEOUT AND
ADDING LANGUAGE IN HIGHLIGHT TO READ AS FOLLOWS:**

Adding:

18.20.096 Livestock. Livestock is generally accepted as large (over 250 pounds) and small (under 250 pounds) outdoor farm animals (i.e., cows, goats, horses, pigs, barnyard fowl, etc.). This definition does not include cats, dogs, other common household pets, or bee keeping.

18.20.023 At large. At large means an animal is at large when it is off the premises of the owner or keeper and is not in the company of or under the control of the owner or keeper, a member of his family or other person to which the animal has been entrusted, by leash, cord or chain; provided, however, that such animal shall be deemed to be under control when under competent voice control while actively engaged in an organized activity which requires that the animal not be physically restrained.

18.20.024 Bee Keeping. Bee Keeping means the keeping of stinging winged insects that collect nectar and pollen, produce wax and honey, and are kept in large communities (hives).

Removing:

18.32.030 Conditional Uses. Line K. ~~Keeping of Horses (Ord.02-02)~~

18.28.010: Line ~~21-86-010~~ **Compliance**

Adding:

18.28.010 Compliance.

A. Except as otherwise provided in this zoning code, all land and structures within the city shall be constructed, used, occupied or altered in conformance with the requirements of the zoning district in which they are located. Failure to comply with the conditions set forth in Title 18 may result in a \$500.00 fine.

RG 18.32.030 Conditional Uses.

K. Keeping of livestock may be permitted provided the provisions set forth in Chapters 18.32, 18.68, 18.72 are satisfied. (Ord. 02-02 repealed 2016)

RSM 18.36.020 Conditional Uses.

C. Keeping of livestock may be permitted provided the provisions set forth in Chapters 18.36, 18.68, 18.72 are satisfied.

WCR 18.40.100 Conditional Uses.

B. Keeping of livestock may be permitted provided the provisions set forth in Chapters 18.40, 18.68, 18.72 are satisfied.

C 18.44.030 Conditional Uses.

E. Keeping of livestock may be permitted provided the provisions set forth in Chapters 18.44, 18.68, 18.72 are satisfied.

I 18.48.030 Conditional Uses

D. Keeping of livestock may be permitted provided the provisions set forth in Chapters 18.48, 18.68, 18.72 are satisfied.

CM 18.52.100 Conditional Uses

B. Keeping of livestock may be permitted provided the provisions set forth in Chapters 18.52, 18.68, 18.72 are satisfied.

CR 18.56.90 Conditional Uses

B. Keeping of livestock may be permitted provided the provisions set forth in Chapters 18.56, 18.68, 18.72 are satisfied.

18.72.020 General Conditions.

~~F. Livestock as defined in section 18.20.095 are allowed in accordance of this chapter subject to the following provisions:~~

F. In approving a conditional use for Livestock as defined in section 18.20.095 , the Commission may impose such conditions on the use as may be deemed necessary to ensure the proposal does and will continue to satisfy the applicable review criteria. Such conditions may include, but are not limited to, one or more of the following:

(1) Lot size may not be less than 20,000 square feet per large animal, or not less than 5,000 square feet for every small animal (excluding chickens and rabbits).

(2) Livestock fencing shall not be encroaching into zoning setbacks.

(3) A drainage plan showing that runoff from the livestock corral or pen will not adversely impact neighboring property or streams.

(4) A manure storage and disposal plan shall be submitted with a conditional use permit application. The manure storage pile shall not be closer than 25 feet from any property line.

(5) Up to seven chickens (6 hens and 1 Rooster) or rabbits are allowed (on properties of 5,000 square feet of property)

(6) Chicken or rabbit coops and enclosures are required and must meet a minimum setback of 25 feet from neighboring homes.

(7) Private stables and the keeping of larger animals not usually considered pets, including paddocks or similar structures or enclosures utilized for keeping of such animals as an accessory use incidental to a primary residential use; such use shall be conditioned on not causing unreasonable disturbance or annoyances to occupants of neighboring property, and on sufficient land to harbor such animals.

G. Bee Keeping; No person may keep honey bees, *Apis mellifera*, in a manner that is inconsistent with the following requirements or that is inconsistent with any other section of this code.

(1) Colonies shall be managed in such a manner that the flight path of bees to and from the hive will not bring the bees into contact with people on adjacent property. To that end, colonies shall be situated at least twenty-five feet (25') from any lot line not in common ownership; or oriented with entrances facing away from adjacent property; or placed at least eight feet (8') above ground level; or placed behind a fence at least six feet (6') in height and extending at least ten feet (10') beyond each hive in both directions.

(2) No person shall keep more than four (4) hives on a lot of ten thousand (10,000) square feet or smaller, nor shall any person keep more than one (1) additional hive for each additional two thousand four hundred (2,400) square feet over ten thousand (10,000) on lots larger than ten thousand (10,000) square feet.

(3) It shall be a violation for any beekeeper to keep a colony or colonies in such a manner or in such a disposition as to cause any unhealthy condition to humans or animals.

(4) Beekeepers shall take appropriate care according to best management practices when transporting hives of bees. Bees being transported shall have entrance screens or be secured under netting.

(5) The term "hive" as used in this section means the single structure intended for the housing of a single bee colony. The term "colony" as used in this section means a hive and its equipment and appurtenances, including bees, comb, honey, pollen, and brood.

(H) Lots on which livestock are kept on the effective date of the ordinance codified in this section which are not eligible for the keeping of livestock under this section shall be considered a non-conforming use of land under SMC 18.72.020. No new or replacement livestock may be kept or

introduced on such lots after the effective date of the ordinance codified in this section. Offspring of livestock allowed as a non-conforming use under this section may be kept on such lots only until they are old enough to be relocated to a site conforming to this section or outside of the city limits.

18.72.040 Procedures.

A. If the application is in order, the City Manager shall schedule a public hearing of the proposal as specified in Chapter 18.96.

B. The Planning Commission will review and may approve, approve with conditions, or deny an application for conditional use permit. The application shall not be approved unless it is established that the proposal, with conditions if necessary, satisfies the applicable review criteria.

~~B.~~ C. Approval of any conditional use permit shall require a concurring majority plus one vote of the City Planning Commission.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective upon adoption by the Council.

ADOPTED by a duly constituted quorum of the City Council of the City of Seldovia this 9 day of NOV. 2016.

ATTEST:



Lisa Stanish, City Clerk



APPROVED:



Dean Lent, Mayor

Vote:
ROJAS- Absent
LETHIN- Y
SWEATT- Y
COLBERG- Absent
PATRICK- Y
MORRISON- Y