

6.10.010 Existing animal uses.

The keeping of any animal which existed lawfully prior to the effective date of the ordinance codified in this title which is not allowed under this title may be continued as a nonconforming use, except that if the nonconforming use is discontinued for one year or more it shall then be deemed abandoned and any future keeping of animals shall be in conformity with this title. [Ord. [O-12-2017](#) § 2 (Exh. A)].

6.10.020 General animal regulations for all zones.

All areas to be used by animals shall be adequately fenced so as to prevent their escape. No more than six birds or other flying animals shall be kept on any lot within 1,000 feet of an airport. Available fenced animal areas shall be located in rear or side yards and may include barns, corrals, pens, or other facilities directly related to the care, shelter or feeding of the animals, but shall not include the home or other accessory buildings. [Ord. [O-12-2017](#) § 2 (Exh. A)].

6.10.030 General animal regulations for the agriculture zone.

Livestock may be kept in the agriculture zone on lots greater than five acres in size, but shall be maintained in conditions that are healthy and do not pose a nuisance due to smell, noise, or unsightly trash or dilapidated buildings. [Ord. [O-12-2017](#) § 2 (Exh. A)].

6.10.040 General animal regulations for the commercial zones.

It shall be unlawful to possess livestock or other animals in the commercial zones, except in approved pet stores, boarding or grooming kennels, or as otherwise provided in this chapter. [Ord. [O-12-2017](#) § 2 (Exh. A)].

6.10.050 General animal regulations for the industrial zone.

It shall be unlawful to possess livestock or other animals in the industrial zone, except as otherwise provided in this chapter. [Ord. [O-12-2017](#) § 2 (Exh. A)].

~~**6.10.060 General animal regulations for the airpark zone.**~~

~~It shall be unlawful to possess livestock or other animals in the airpark zone, except in approved pet stores or as otherwise provided in this chapter. [Ord. [O-12-2017](#) § 2 (Exh. A)].~~

6.10.070-060 General animal regulations for the residential zones – Permitted uses.

Table 6.10.090080, Residential Zones Livestock Requirements, identifies the minimum lot size, area requirements, number and type of livestock that may be kept as a permitted use within the residential zone. [Ord. [O-12-2017](#) § 2 (Exh. A)].

6.10.080-070 General animal regulations for the residential zones – Conditional uses.

The planning commission may consider exceptions to Table 6.10.090080, Residential Zone Livestock Requirements, through a conditional use permit process.

A. The planning commission shall review conditional use permits in accordance with the standards contained in Chapter [17.95](#) EMMC, Conditional Uses.

B. The planning commission shall conduct a public hearing in accordance with Chapter [17.95](#) EMMC, Conditional Uses.

C. If an approved plan is violated or causes situations that become a nuisance to adjoining property owners, the conditional use shall be subject to revocation by the code enforcement or animal control officer. [Ord. [O-12-2017](#) § 2 (Exh. A)].

6.10.090-080 Residential zones livestock requirements.

A residential property may have a mix of the permitted animals so long as the required fencing area is provided. ([Chickens, Ducks, and similar fowl are exempted from these regulations and are allowed per 17.25.030 Residential Land Use Table](#))

Table 6.10.090 – Residential Zone Livestock Requirements*

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Animal	1/2 to .991 Acre	Max. Number Allowed on Lots			Available Fenced Area per Animal	Setback from Residence or Other Periodically Inhabited Building ¹	Minimum Lot Size
		1 to 1.99 Acres	2 to 3 Acres	More than 3 or more Acres			
Horse/Mule	0**	4	8	12	22,000 s.f. per 1–4 animals 2,500 s.f.	50	1 Acre**
Buffalo	0	2	4	6	22,000 s.f. per 1–4 animals 2,500 s.f.	150	1/2 Acres
Cattle	2	4	8	12	2,500 s.f.	50	1/2 Acre
Donkey	2	4	8	12	2,500 s.f.	50	1/2 Acre
Llama	2	4	8	12	2,500 s.f.	50	1/2 Acre

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Animal	1/2 to .991 Acre	Max. Number Allowed on Lots			Available Fenced Area per Animal	Setback from Residence or Other Periodically Inhabited Building ¹	Minimum Lot Size
		1 to 1.99 Acres	2 to 2.99 Acres	3 or more Acres			
Emu/Ostrich	4	8	12	16	500 s.f.	50	1/2 Acre
Sheep/Goat	4	8	12	16	500 s.f.	50	1/2 Acre
Pig (all kinds)	22	04	6	8	500 s.f.	150	1/22 Acres

¹—The setback requirement is measured from the closest point of the available fenced animal area to a residence or building on an adjacent lot.

* Exceptions to these standards must be presented by the property owner through an alternative animal management plan to be heard by the planning commission. Approval of the plan by the commission shall be considered a conditional use and shall be subject to all required conditions. If an approved plan is violated or causes situations that become a nuisance to adjoining property owners, the conditional use shall be subject to revocation by the code enforcement or animal control officer.

** 2 Horses/Mules allowed on 1/2 acre + properties with the Equine Overlay Zone

*** Any animal that a reasonable person would define as a 1/2 size (or smaller) animal shall count as a 1/2 unit including offspring and miniature animals. Pigs shall not count towards maximum animal numbers until weaned.

[Ord. O-12-2017 § 2 (Exh. A)].

6.10.100-090 Definitions.

For the purposes of this title, each of the following words and phrases shall have the following meaning:

“Animal” means birds, reptiles, and mammals other than the species Homo sapiens. ~~An animal's offspring shall be considered a separate unit upon completion of weaning.~~

“Hobby breeder kennel” means a dog or cat breeder that has been given conditional use approval to keep a limited number of animals, as approved in a conditional use permit, in a residential area, subject to all provisions of Chapter 6.05 EMMC and this chapter.

“Kennel” means any lot, building, structure, enclosure or premises whereupon or wherein five or more dogs over four months of age are kept or maintained for any purpose, including boarding, breeding, buying, grooming, letting for hire, training for fee, or selling.

Commented [TJ1]: Minatures, Pot belly pigs etc shall only be subject to different standards with a CUP and an Animal Management Plan

“Livestock” means all animals of the equine, bovine, or swine class, including goats, sheep, mules, horses, hogs, cattle, and other grazing animals, and all ratites, including, but not limited to, ostriches, emus, and rheas.

“Wild animals” means any animals of a species that in their natural life are wild, including hybrids and animals which, as a result of their natural or wild condition, cannot be vaccinated effectively for rabies. These animals, however domesticated, shall include but not be limited to:

1. Alligators and crocodiles;
2. Bears (Ursidae). All bears, including grizzly bears, brown bears, black bears, etc.;
3. Cat family (Felidae). All except the commonly accepted domesticated cats, and including cheetah, cougar, leopard, lion, lynx, panther, mountain lion, tiger, wildcat, etc.;
4. Dog family (Canidae). All except domesticated dogs, and including wolf, part wolf, fox, part fox, coyote, part coyote, dingo, etc.;
5. Porcupine (Erethizontidae);
6. Primate (Nonhuman). All subhuman primates;
7. Raccoon (Procyonidae). All raccoons, including eastern raccoon, desert raccoon, ringtailed cat, etc.;
8. Skunks;
9. Venomous fish and piranha;
10. Venomous snakes and lizards;
11. Weasels (Mustelidae). All including weasels, martens, wolverines, badgers, otters, ermine, mink, mongoose, etc.

A complete list of other definitions related to animal control may be found in Chapter [6.05](#) EMMC. [Ord. [O-12-2017](#) § 2 (Exh. A)].