

**CITY OF SCANDIA
ORDINANCE NO. 199**

**AN ORDINANCE AMENDING
ORDINANCE NO. 122, THE SCANDIA DEVELOPMENT CODE,
CHAPTER 2, SECTION 4.15 REGARDING LIVESTOCK AND LIVESTOCK
OPERATIONS AND SECTION 3.2 REGARDING ACCESSORY STRUCTURES**

The City Council of the City of Scandia, Washington County, Minnesota hereby ordains:

Section 1. Amendment. Ordinance No. 122, the City of Scandia Development Code (“Development Code”, or “Code”), Chapter Two, Section 4.15, Livestock and Livestock Operations, shall be amended to read as follows:

4.15 Livestock and Livestock Operations

- (A) Animal Density. Livestock and livestock operations shall comply with all of the following standards regardless of the number of animal units on the property or whether a permit is required:
- (B) No livestock, with the exception of fowl, shall be placed on any site of less than 5 acres. For purposes of this section, 5 acres may include the road right of way.
- (C) The following equivalents shall apply when determining animal units:

	Animal Units
1. one mature dairy cow	1.4
2. one slaughter steer or heifer	1.0
3. one horse	1.0
4. one swine over 55 pounds	0.4
5. one goose or duck	0.02
6. one goat or sheep	0.1
7. one swine under 55 pounds	0.05
8. one turkey	0.018
9. one chicken	0.01
10. one llama	0.5

For animals not listed above, the number of animal units shall be defined as the average weight of the animal divided by 1,000 pounds.

- (D) A minimum of 2 acres shall be required for each animal unit or its equivalent on parcels that are five (5) acres in size or larger. The keeping of livestock in greater density than allowed as stated above shall require an interim use permit. To obtain such permit, the applicant shall demonstrate that facilities are present and appropriate practices are being employed to preclude surface or ground water contamination, excessive manure accumulation, odor, noise and other nuisances.
- (E) The minimum acreage and animal density requirements above are waived for the keeping of domestic fowl (chickens, turkeys, geese or ducks) on lots smaller than five (5) acres provided that the standards in Section 4.16 are met. The minimum lot size of parcels in

Shoreland Areas includes only the area of the parcel that is above the Ordinary High Water Level (OHWL).

4.16 Domestic Fowl on Lots Smaller Than Five Acres

- (A) The keeping of up to five (5) domestic fowl on a lot that is smaller than five (5) acres does not require a City permit.
- (B) The total number of domestic fowl may not exceed ten (10) fowl per acre on a parcel that is between one (1) and five (5) acres in size. Up to five (5) domestic fowl are permitted on a parcel that is less than one (1) acre in size.
- (C) The principal use of the property shall be single-family residential and contain a single-family residential structure. Domestic fowl shall not be permitted on vacant properties or those containing multi-family residential uses. Coop structures used to house domestic fowl that are greater than 120 square feet in size shall comply with the Accessory structure limitations on the number and size of residential accessory structures permitted by Chapter 2, Section 3.2 of the Development Code.
- (D) The keeping of domestic fowl on lots smaller than five (5) acres shall comply with the following standards:
 - 1. Hen chickens are permitted and roosters are prohibited on parcels that are less than five (5) acres in size.
 - 2. All chickens shall be of the subspecies *Gallus gallus domesticus*. All fowl species kept on parcels smaller than five (5) acres shall be domesticated varieties.
 - 3. Guineafowl are prohibited (members of the Family *Numididae*, genus *Agelastes*, *Numida*, *Guttera*, or *Acryllium*) and Peafowl (Peacocks) are prohibited (*Pavo cristatus*, *Pavo muticus*, and *Afropavo congensis*).
 - 4. Fowl may be slaughtered on the property in locations that are not visible to the public or adjacent properties.
 - 5. If the coop is larger than 120 square feet, the owner shall obtain a building permit. If electricity is to be provided for heating or lighting, the owner shall obtain an electrical permit.
 - 6. Coops, pens and other structures for domestic fowl shall meet the structure setback requirements of the zoning district where the parcel is located, plus all permanent coop structures shall maintain the following minimum setbacks from dwellings on adjacent properties regardless of lot size:

Number of chickens	Required setback from dwellings on adjacent properties
1-10	20 feet
11-20	40 feet

21-30	60 feet
31-40	80 feet
41-50	100 feet

7. Coops, pens and other structures for domestic fowl shall be located in rear yards only. If the physical characteristics of the property do not permit the coop to be located within the rear yard, the property owner may request approval of an Administrative Permit to locate the coop in the front or side yard.
8. No person may allow domestic fowl to range outside her/his property boundaries.
9. Structures and areas in which domestic fowl are kept or maintained, including coops and pens, shall be kept reasonable clean from filth, garbage, and any substances which attract rodents.
10. Domestic fowl shall not be kept in such a manner as to constitute a public nuisance as defined by the City Code. The City may revoke a permit if the animals become a nuisance.
11. The City may enter and inspect any property, including the coop and back yard, at any reasonable time for the purpose of investigating a reported violation or to ascertain compliance or noncompliance with the City Code.

Section 2. Ordinance No. 122, the City of Scandia Development Code (“Development Code”, or “Code”), Chapter Two, Section 3.2, Accessory Structures, shall be amended to read as follows:

- (1) Residential and Agricultural Accessory Structures. The following additional standards apply to all residential and agricultural accessory structures:
 - (A) Accessory structures may not include a dwelling unit unless it meets the standards of Section 4.2 Accessory Dwelling Units of this Development Code. Accessory structures or portions of structures that meet the standards of Section 4.2 may be rented or leased. Other accessory structures shall not be rented, leased, or sold separately from sale of the primary single-family dwelling on the lot.
 - (B) Accessory structure height is limited to the permitted building height in each zoning district.
 - (C) The permitted total square footage and number of all accessory structures is as follows:

<i>Lot Size****</i>	<i>Residential Accessory Structures (non-agricultural) *</i>		<i>Agricultural and Rural Buildings</i>	
	<i>Number of Structures*</i>	<i>Total Square Footage</i>	<i>Number of Structures</i>	<i>Total Square Footage</i>
Parcels less than 1 acre	1	720 sq. ft.	None	None
1.0 to less than 3.0 acres	1	1,000 sq. ft.		
3.00 acres to less than 5.00 acres	2	2,500 sq. ft.		
5.00 acres to less than 10.00 acres	2	3,000 sq. ft.	1 rural use building*** (3 total)	4,000 sq. ft. including non-agricultural buildings
10.00 acres to less than 20.00 acres	2	3,500 sq. ft.	2 agricultural buildings (4 total)	6,000 sq. ft. including non-agricultural buildings.
20.00 acres to less than 30.00 acres	2	4,500 sq. ft.	No limit provided structures are agricultural buildings.	No limit provided structures are agricultural buildings
30.00 acres to less than 40.00 acres	2	5,500 sq. ft.		
40.00 acres to less than 60.00 acres	2	6,000 sq. ft.		
60.00 acres to less than 80.00 acres	2	7,000 sq. ft.		
80.00 acres and larger	2	8,000 sq. ft.		

* If the property has no attached garage, one detached garage up to 24'x 36' in size is permitted in addition to the number of accessory structures listed in Section (C) above. This exception is intended to permit a garage only, and the square footage of the garage may not be added to the number or square footage of accessory structures that are permitted on the property by the table above. The total area of structures including the garage shall meet the lot coverage requirements. The property owner must demonstrate that there is adequate space available on the parcel for a primary and secondary septic system that meet Washington County SSTS ordinance requirements outside the area proposed for the garage.

** One single story shed of 120 square feet or less is permitted in addition to the number of accessory structures listed in Section (C), above. Ice fishing houses stored on parcels of land during non-winter months shall be deemed to be the permitted shed.

*** One rural accessory structure to shelter domestic farm animals or to provide storage for rural/farm uses is permitted on lots between 5.0 and 10.00 acres.

**** The lot size of parcels within Shoreland areas shall include only the area of the lot that is above the Ordinary High Water Level (OHWL).

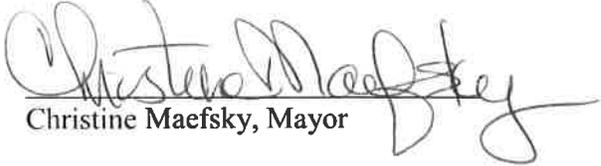
- (D) All detached accessory structures are to be used for personal use or agricultural use only. No commercial use or commercial- related storage is allowed in these structures.
- (E) No land shall be subdivided so as to have a larger structure and/or exceed the total number of structures as permitted by this Development Code.
- (F) Domestic Farm Animals. Accessory structures used to shelter domestic farm animals, except as provided in Chapter 2, Section 4.16 shall meet the following requirements:
 1. All domestic farm animal structures, feedlots and manure storage sites shall be setback as follows:

Natural/ Man-Made Features	Horizontal Setbacks
(a) Any property line	100 feet
(b) Any existing well or residential structure on the same parcel	50 feet
(c) Any seasonal or year-round wetland, lake or stream	200 feet

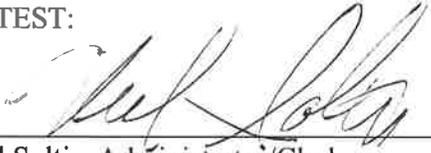
2. Said structure, feedlot or manure storage shall not be placed on slopes which exceed 13%.

Section 3. Effective Date. This ordinance shall be in full force and effect upon its adoption and publication according to law.

Passed and adopted by the City Council of the City of Scandia this 16th day of October, 2018.


Christine Maefsky, Mayor

ATTEST:


Neil Soltis, Administrator/Clerk