

# Memorandum

To: Coldwater Planning Commission  
Date: December 16, 2020  
From: Robert Hawley, Zoning Administrator  
RE: Section 2-10 Keeping of Farm Animals

## Section 2-10 Keeping of Farm Animals

- A. *Minimum Acreage.* Keeping farm animals is permitted in the AG, R-2, GB and I Zoning Districts, provided there is a minimum lot size of one (1) acre. ~~Farm animals shall be confined to prevent trespass onto adjacent properties.~~ Farm animals are prohibited in the R-3 and R-4 Zoning Districts.
- Fencing. Farm animals shall be confined to prevent trespassing onto adjacent properties. Fences or enclosures are required to keep farm animals from leaving a property. Fences are subject to Section 2-19.
  - Manure and Waste from keeping of Animals. Manure and waste storage areas shall be at least 50 feet from all property lines and 150 feet from non-farm dwellings<sup>1</sup>. In addition, manure and waste shall comply with subsection D. of this section.
- B. *Minimum Acreage.* Chickens and rabbits may be kept on AG and R-2 zoned lots of less than one (1) acre, subject to the following requirements:
- No more than six (6) chickens and six (6) rabbits are permitted. Participants in the 4H program or similar activities/programs, may be permitted to have over six (6) chickens and six (6) rabbits with Township approval, however, those animals in excess of the maximum shall be removed by October 31 of the same year of the 4H event or program.
  - Roosters are prohibited.
  - Chickens and rabbits must be kept in the rear yard and must have a covered enclosure for shelter and a fenced area of confinement.
  - Enclosures, coops and cages are subject to a 25-foot property line setbacks.
  - Disposal of waste material from chickens or rabbits must be done in such a way that does not create a nuisance.
- C. *Wild Animals.* Wild animals shall not be kept by any property owner or occupant on any property in the Township.
- D. *Farms.* The State of Michigan Department of Agriculture and Rural Development (MDARD) regulates and oversees keeping of animals on farms. Farms are permitted in the AG district and on any portion of land determined by MDARD as Category 1, 2 or 3 that is not considered "primarily residential" as classified by the latest Generally Accepted Agricultural and Management Practices for Site Selection and Odor Control for New and Expanding Livestock Facilities manual.

**Commented [ZA1]:** It was suggested that if we could have the manure and waste be placed on the property in a way that would prevent a nuisance.

This could be possible but would be left open for interpretation on the location of the "stockpile", additionally it would not be allowed and closer than the amended requirements due to GAMMPs guideline, that I confirmed with MDARD.

## Footnotes

This is a reference from GAMMPs:

- Farmstead Stockpiling:** Stockpiling manure at a farmstead is an acceptable practice that should be protective of the environment and mindful of neighbors. Manure should be stockpiled on a hard surface pad (such as concrete or asphalt) with sides to prevent leachate and runoff. Stockpiling manure on the ground is also an acceptable practice with appropriate management such as rotating locations and complete periodic removal of

manure from the location annually or more frequently, records documenting timing of removal and location used, and seeding of the previous location after removal to allow for vegetation to take up the nutrients that have accumulated in the soil. Stockpile locations should remain vegetated without stockpiled manure for a minimum of three years before reusing the site. In addition, the stockpile should be in a location that does not allow for runoff to flow onto neighboring property or into surface waters. The location should also consider odors and pests if the stockpile is in close proximity to homes, schools or other high use areas. Practices such as covering stockpiled manure with a tarp, fleece blanket, straw, woodchips or other materials, or additives such as lime, can be used to help reduce odors and pests. Unless a tarp, fleece blanket, or straw cover is maintained, manure stockpiles need to be kept at least 50 feet away from property lines or 150 feet away from non-farm homes.