

ORDINANCE NO. 16-005
CITY OF ROMULUS
APPENDIX A – ZONING
AMENDMENT 1.226

AN ORDINANCE AMENDING SECTION 11.15, ANIMAL/AGRICULTURAL; SECTIONS 3.02, 6.02, 7.02, AND 8.02, SCHEDULE OF USES; AND SECTIONS 24.02, 24.07, 24.12, 24.19, AND 24.22, DEFINITIONS of the CITY OF ROMULUS ZONING ORDINANCE TO AMEND REGULATIONS REGARDING ANIMAL AND AGRICULTURAL USES.

THE CITY OF ROMULUS ORDAINS:

I. Section 11.15, Animal/Agricultural is amended to read as follows:

Section 11.15 Animal/Agricultural

(a) Farms, Farm Operations, and Agricultural Activities

(1) Farm and farm operations as defined in the Michigan Right to Farm Act are not regulated by this section.

(2) Agricultural activities that do not qualify as a farm or farm operation under the Michigan Right to Farm Act shall be subject to the following provisions:

a. In residential districts, agricultural activities are permitted as an accessory use on land outside a platted or condominium subdivision for non-commercial purposes with the exception of roadside stands or for sales at farmer's markets.

b. Agricultural activities are allowed after special land use approval in industrial districts.

(3) The keeping of animals shall be subject to the pertinent provisions of Section 11.15 (b).

(4) A temporary building for a roadside stand shall be permitted by the Building and Safety Director in any residential district where farms or agricultural activities are permitted for not more than three (3) months.

a. The temporary building shall not be more than one (1) story high and a floor area less than four hundred (400) square feet.

b. Adequate area shall be provided for off-street parking and vehicular circulation that will not require vehicles to back into the public road right-of-way.

c. Signs associated with the roadside stand shall be temporary, and shall be removed when the stand is not in use. No sign shall be placed within a public

right-of-way.

(b) Keeping of Animals

(1) The keeping of animals shall be allowed in single-family residential districts as an accessory use for noncommercial purposes (pets or as a source of food) only except as noted under agricultural activities above. All animals shall be owned and managed by the occupants of the residence on the lot as follows:

Animal	Zoning District	Minimum Lot Area for First Animal	Lot Area for Each Additional Animal
Bees	RCO, RE as special land use		
Chickens, ducks, turkeys (roosters are prohibited)	RCO, RE, R-1A, R-1B	1½ acres	10 per acre
Rabbits	RCO, RE	½ acre	10 per acre
Horses, ponies, equine, donkeys, mules, burros, llamas and alpaca	RCO, RE	1½ acres	1 acre
	R-1A, R-1B	5 acres	1 acre
Sheep and goats	RCO, RE	3 acres	½ acre
	R-1A, R-1B	5 acres	1 acre
Cattle, bison, swine (pigs), ostriches or elk	RCO, RE	10 acres	1 acre

- (2) Notwithstanding the above maximum animal density requirements, newly born large and medium-sized animals may be maintained on said parcel for up to one (1) year. Smaller newly born animals, such as fowl and rabbits, may not be kept on said parcel for more than sixty (60) days.
- (3) The keeping of animals in the M-1, M-2 or M-T Districts requires special land use approval.
- (4) The occupants of the premises shall keep the odor, sounds and movement of the animals from becoming a nuisance to adjacent properties.
- (5) All animal facilities shall be constructed and maintained so that dust and drainage from the facilities shall not create a nuisance or hazard to adjoining property or uses.
- (6) All feed and other items associated with the keeping of animals likely to attract rats, mice or other rodents or vermin shall be secured and protected in sealed

containers.

- (7) All raising and keeping or killing and dressing of poultry and animals processed upon the premises shall be for the use or consumption by the occupants of the premises or as otherwise addressed under agricultural activities. The outdoor slaughtering of animals shall be prohibited.
- (8) A corral or pen with a fence sufficient to contain the animals on the site shall be provided.
- (9) In single-family residential districts, all buildings, structures and pavement areas including fenced enclosures and pens shall be located in the rear yard and set back a minimum of fifty (50) feet from the side and rear lot line. All buildings, structures, and pens shall be set back at least one hundred (100) feet from any dwelling on an adjacent lot.
- (10) In industrial districts, all buildings, structures and pavement areas must be set back at least thirty-five (35) feet from a public right-of-way. Building and structures in side and rear yards with the exception of fences shall be set back a minimum of twenty (20) feet from all lot lines.
- (11) No storage of manure, odor or dust producing materials shall be permitted within one hundred (100) feet of any lot line.
- (12) The keeping of exotic animals not normally considered livestock, fowl, or household pets, is prohibited.
- (13) The keeping, maintaining, and/or raising of animals shall comply with all local, County, State, and Federal regulations.

(c) **Kennels**

- (1) Private kennels and commercial kennels must be located on a lot at least one and one-half (1 ½) acres in area and may not be located within a platted subdivision or site condominium.
- (2) Private kennels and commercial kennels must be licensed in accordance with the City Animal Ordinance.
- (3) All animals must be kept in sanitary conditions and in accordance with State law.
- (4) Commercial kennels shall also meet the following requirements:
 - a. A housing area and dog run of at least one hundred twenty (120) square feet per animal shall be provided and shall include an adequate area for shade from the sun.
 - b. Setbacks for commercial kennels and associated runs and animal enclosures in residential districts shall comply with the required setbacks for the keeping of animals noted above. Setbacks for commercial kennels buildings, dog

runs, parking and enclosures in nonresidential districts shall equal the front setback of the district and be at least fifteen (15) feet from any side or rear lot line unless adjacent to a residential use.

- c. All enclosures for breeding, rearing, shelter, or other uses in connection with harboring of animals, shall be hard surfaces and provided with proper drains for washing with water pressure.
- d. Animals shall not be permitted to remain outdoors overnight.
- e. Kennel facilities shall be subject to other conditions and requirements necessary to ensure against the occurrence of any possible nuisance (i.e., fencing, sound-proofing, sanitary requirements).
- f. A landscape buffer zone A, in accordance with Section 13.02 shall be provided between any kennel building or dog run and an adjacent residential lot.

(d) Pet day care

- (1) A housing area and dog run of at least one hundred twenty (120) square feet per animal shall be provided and shall include an adequate area for shade from the sun. The pens and dog runs shall not be in the front yard.
- (2) An on-site drive shall be provided for drop-offs. This drive shall be arranged to allow one-way flows for drop off lanes with no stacking in the right-of-way.
- (3) Any outdoor play area shall be located in the interior side yard or rear yard.
- (4) A maximum eight (8) foot high fence enclosure is required around the play area and the surface must be easy to maintain.
- (5) All animal waste shall be removed from the outdoor play area daily and disposed of in a sanitary manner.
- (6) A landscape buffer zone B, in accordance with Section 13.02 shall be provided between any building or dog run and an adjacent residential lot.

(e) Boarding stables

- (1) Boarding stables for private purpose are subject to the standards for the keeping of animals above.
- (2) Boarding stables are considered special land uses as follows:
 - (a) A commercial boarding stable shall not be established on any lot less than ten (10) acres in area.
 - (b) Commercial boarding stables shall provide off-street parking at a minimum of one parking space per two (2) animals, based on the number of horse stalls or maximum number of horses that can be accommodated in the stable.

- (c) Commercial boarding stables shall not be located in platted subdivisions or condominium subdivisions unless specifically designed as an equestrian community.
- (d) Stables and buildings housing horses shall be set back in accordance with the setbacks for the keeping of animals noted above.
- (e) A landscape buffer zone A, in accordance with Section 13.02 shall be provided between any kennel building or dog run and an adjacent residential lot.
- (f) The commercial boarding facility shall be constructed and maintained so that dust and drainage from the stable will not create a nuisance or hazard to adjoining property or uses.
- (g) Manure shall be removed and/or applied in accordance with the Michigan Commission on Agriculture's Generally Accepted Agricultural management Practices and County Health Department regulations.
- (h) The commercial boarding stable shall not be utilized as a riding stable unless permitted in accordance with this ordinance.

II. Sections 3.02, 6.02, 7.02, and 8.02, Schedule of Uses are amended to read as follows:

Section 3.02 Schedule of Uses

Table 3.02 Schedule of Uses				
Use	RE	R-1A	R-1B	Other Requirements
Animal/Agricultural				
Agricultural activity as an accessory use	P	P	P	11.15(a)
Farms or farm operations	P	P	P	11.15(a)
Keeping of animals	P	P	P	11.15(b)
Keeping of Bees	SLU	RCO - SLU	RCO - SLU	11.15(b)
Kennels, commercial	SLU	SLU	SLU	11.15(c)
Kennels, private	P	P	P	11.15(c)
Stables, boarding	SLU	SLU	SLU	11.15(e)

Section 6.02. Schedule of Uses

Table 6.02 Schedule of Uses				
Use	CBD-1	CBD-2	CBD-3	Other Requirements
Animal/Agricultural				
Pet grooming and obedience training with no boarding or daycare	P	P	P	
Veterinary hospitals and clinics	P	P	P	

Section 7.02 Schedule of Uses

Table 7.02 Schedule of Uses						
Use	O-1	C-1	C-2	C-3	C-4	Other Requirements
Animal/Agricultural						
Pet day care		SLU	SLU	SLU	SLU	11.15(d)
Kennels, commercial			SLU	SLU		11.15(c)
Pet grooming and obedience training with no boarding or daycare		P	P	P	P	
Veterinary hospitals and clinics	P	P	P	P	P	

Section 8.02 Schedule of Uses

Table 8.02 Schedule of Uses				
Use	O-R	M-1	M-2	Other Requirements

Animal/Agricultural					
Bee keeping		P	P	P	11.15(b)
Agricultural activity		SLU	SLU	SLU	11.15(a)
Farms or farm operations	P	P	P	P	11.15(a)
Keeping of animals		SLU	SLU	SLU	11.15(b)
Greenhouses and nurseries, including retail sales		P	P	P	
Pet day care		P	P	P	11.15(d)
Kennels, commercial		P	P	P	11.15(c)
Kennels, private		P	P	P	11.15(c)
Processing and refining of animal products			SLU	SLU	
Boarding stables		SLU	SLU	SLU	11.15(e)
Veterinary hospitals and clinics	P	P	P	P	

III. Sections 24.02, 24.07, 24.12, 24.19, and 24.22, Definitions are amended to read as follows:

Section 24.02 Definitions "A"

Agricultural

(a) **Agricultural Activity or Use:** Any agricultural activity or the raising of livestock or small animals that does not qualify as a farm or farm operation under the Michigan Right to Farm Act.

Animals:

(a) **Domestic:** Any animal customarily kept by humans for companionship, including but not limited to dogs, cats, birds, fish, rabbits, ferrets, gerbils, hamsters, turtles, and the like.

(b) **Exotic:** Any species of animal not considered domestic or livestock, including but not limited to alligators, badgers, bears, beavers, bobcats, cheetah, chinchilla, chipmunks, cougars, coyotes, crows, doves, dog-wolves, eagles, elk, foxes, hawks, jaguars, kangaroos, lions, lynx, monkeys, mink, opossums, owls, porcupines, potbelly pigs, prairie dogs, raccoons, skunks, squirrels, tigers, wild turkeys, wolverines, wolves, wild hybrids or the offspring of any animals that have been bred to a wild animal, poisonous and nonpoisonous reptiles, spiders and insects and endangered species.

(c) **Livestock:** Cattle, sheep, goats, and other domestic animals normally kept or raised on a farm. Wild, vicious or exotic animals shall not be considered livestock

Section 24.07 Definitions "F".

Farm Building: A structure on farm land designed, constructed, and used to house farm implements, livestock, or agricultural produce or products used by the owner, lessee, or sub-lessee or their immediate families, their employees, and persons engaged in the pick up or delivery of agricultural produce or products grown or raised on the premises. The term "farm building" shall not include dwellings.

Farm or Farm Operations: The land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products. Farm operations must conform to generally accepted agricultural and management practices according to policy determined by the Michigan Commission of Agriculture and it must have existed before a change in land use that prohibited farm use and would have been a permitted use prior to that change. All such farm operations must be in compliance with the Michigan Right to Farm Act, as amended.

Section 24.12 Definitions "K".

Kennel:

(a) **Private Kennel:** Any lot or premises on which four (4) to five (5) dogs, cats, or other domestic animals age four (4) months or older are kept, either permanently or temporarily, for hobby, sporting activity, protection or pets, foster or rescue care, and are not kept for breeding or sale.

(b) **Commercial Kennel:** Any lot or premises on which:

(1) Six (6) or more dogs, cats, or other domestic animals age six (6) months or older are kept, either permanently or temporarily, for hobby, sporting activity, protection, foster or rescue care or pets; or,

(2) Any number of dogs, cats, or other domestic animals four (4) months or older are kept for sale, boarding, breeding, training, grooming, transfer or handling.

Section 24.19 Definitions "S".

Stable, Boarding: A structure, building or use on the premises wherein horses, ponies or other equine are kept for boarding, breeding, rearing, or training purposes for a fee or for sale.

Stable, Private: An accessory building in which horses are kept for private use and not

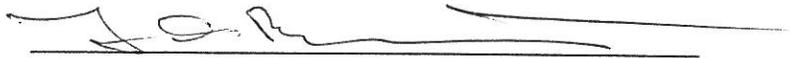
for remuneration, hire or sale.

Stable, Riding: A commercial facility or equestrian center providing boarding, training, horse shows, training exhibitions, or any other activity typically characterized by the gathering of spectators or observers. See "Commercial Recreation"

Section 24.22 Definitions "V".

Veterinary Clinic: An institution which is licensed by the Michigan Department of Health to provide for the care, diagnosis, and treatment of sick or injured animals, including those in need of medical or surgical attention. A veterinary clinic may include customary pens or cages for the overnight boarding of animals and such related facilities as laboratories, testing services, and offices.

ADOPTED, APPROVED, AND PASSED by the City Council of the City of Romulus this 9th day of May, 2016.

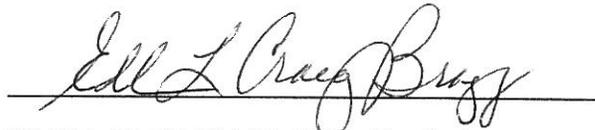


LEROY BURCROFF, Mayor



ELLEN L. CRAIG-BRAGG, CMC, City Clerk

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Council of the City of Romulus at a regular Council Meeting held in the City Council Room in said City on the day of May 9, 2016.



ELLEN L. CRAIG-BRAGG, CMC, City Clerk

I further certify that the foregoing was published in The Eagle, a newspaper of general circulation in the City of Romulus, on the 2nd day of June, 2016.



ELLEN L. CRAIG-BRAGG, CMC, City Clerk

Within forty-five (45) days after publication of any ordinance duly passed by the Council, a petition may be presented to the Council protesting against such ordinance continuing in effect. Said petition shall contain the text of such ordinance and shall be signed by not less than six percent (6%) of the registered electors registered at the last preceding election at which a Mayor of the City was elected. Said ordinance shall thereupon and thereby be suspended from operation and the Council shall immediately reconsider such ordinance.

Introduced: May 2, 2016
Adopted: May 9, 2016
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