

§ 190-65 Agricultural uses.

A. Purpose

The purpose of these regulations is to preserve and encourage a diversity of agriculture in Mansfield while promoting a healthy, sustainable environment for people, livestock, plants, and wildlife through appropriate standards and permitting processes.

B. Definition

Agriculture: agriculture is considered to be the growing of crops, the raising of livestock and the storing, processing and sale of livestock and horticultural products and commodities, including those defined in Connecticut General Statutes Section 1-1q, as incidental to agricultural operations.

C. Standards

1. Production: The growing of all agricultural crops is permitted as of right.
2. Farm Stands: The display and sale of farm products on the subject property shall be permitted provided that:
 - a) Signs shall be subject to the requirements of Article 9.
 - b) A significant portion of all products offered for sale shall have been grown or produced on the subject property or on other land owned or leased. Limited non-related items or accessory items may be sold, but if a majority of products are not produced on-site or in the Town of Mansfield, the retail space will not qualify as a Farm Stand under this section.

Examples of accessory products include but are not limited to wreaths or tree stands associated with a Christmas tree farm; jams, jellies, herb vinegars or cider associated with a fruit or vegetable farm; maple syrup associated with a sugar bush; and seeds, fertilizers, peat moss and other soil amendments.

Any questions regarding whether the display and sale of agricultural products is in compliance with the intent of these regulations, or the provisions listed below shall be resolved by the Planning and Zoning Commission

- c) Parking spaces for at least two (2) cars shall be provided behind the street right-of-way line. Safe and adequate sightlines must be provided, and driveway and parking must facilitate the ability of the customer to turn around onsite.

In situations where product sales, pick-your-own operations, parking areas, or access driveways are within one 100 feet of an adjacent lot containing a residence, buffering by the use of fencing, berming or vegetative screening shall be required, where appropriate, to help minimize neighborhood impacts.

- d) The sale of farm products shall be conducted from a portable structure only utilized during periods when agricultural or horticultural products are harvested onsite as described in Section C.2(b); or from a permanent building located at least 25' from the front yard setbacks and 30' from other lot lines.

e) Farm stores which operate consistently for more than six months per year are required to obtain a Special Use Permit from the Planning and Zoning Commission.

3. Keeping of Farm Animals

a) Primary Use: The keeping, breeding, or raising of beef or dairy cows, sheep, poultry, swine, goats, horses, and other animals for either commercial or non-commercial purposes, and accessory buildings and facilities, are permitted by right as a primary use when the subject parcel is a minimum of five acres in size, provided the standards in section c below are met.

b) Accessory Use: The keeping, breeding, or raising of beef or dairy cows, sheep, poultry, swine, goats, horses and other animals for accessory and primarily, non-commercial purposes, and accessory buildings and facilities, on lots not meeting the lot size provisions of above are permitted by right, provided the standards in section c below are met.

c) Standards for the Keeping of Animals:

- i. All animals shall be provided with safe and adequate shelter in accordance with the Best Management Practices provided by the Connecticut Department of Agriculture.
- ii. Best management practices shall be utilized for all manure piles. Surface water flows shall be diverted away from manure piles, stables, barns and outside keeping areas such as corrals or pens. Manure piles, stables, barns, and outside animal keeping areas (such as corrals or pens but excluding fenced pastures, portable small animal enclosures that are regularly moved to maintain ground cover and animal shelters less than 200 square feet in area) shall be a minimum of 60 feet from front property lines, 100 feet from side or rear property lines and a minimum of 75 feet from any well. Standard setbacks as per the applicable dimensional tables shall be met for animal shelters less than 200 square feet in area.
- iii. There are no setback requirements for pastures or portable small animal enclosures that are regularly moved to maintain ground cover.
- iv. Animal Category Chart: For lots less than 5 acres, animals may be kept only in accordance with the chart below:

ACCESSORY/SECONDARY USE CHART FOR THE KEEPING OF FARM ANIMALS ON RESIDENTIAL LOTS	
<u>ANIMAL CATEGORY</u>	<u>SQUARE FOOTAGE</u>
Large animals including Beef or Dairy Cows, Horses, Ponies, Mules, Buffalo, Donkeys and similar sized animals*	One (1) animal per 40,000 sq. ft.
Medium animals including Sheep, Goats, Ostriches, Alpacas, Llamas and similar sized animals	Five (5) animals per 40,000 sq. ft.
Swine	Two (2) breeding sows plus litter (3 months or less) per 40,000 sq. ft
Small poultry including Chickens, Ducks, Roosters on lots between 3-5 acres, Guinea Fowl on lots between 2-5 acres.	Eight (8) birds per 0 - 20,000 sq. ft. lot Sixteen (16) birds per 40,000 sq. ft. lot.

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	For lots over 40,000 square feet and up to five (5) acres, one (1) additional poultry per additional 2500 square feet of land area.
• <i>Roosters**</i>	<i>Not Permitting on lots less than 120,000 sq. ft.</i>
• <i>Guinea Fowl</i>	<i>Not Permitting on lots less than 80,000 sq. ft.</i>
Large poultry including Geese and Turkeys	Zero (0) on lots less than 20,000 sq. ft. Four (4) on lots 20,000- 40,000 sq. ft. Eight (8) birds per 40,000 sq. ft. For lots over 40,000 square feet and up to five (5) acres, one (1) additional large poultry per 5,000 square feet of land area.
Rabbits	Twenty-five (25) animals per 40,000 sq. ft.
Other Animals	As determined by the Zoning Agent consistent with this chart
Combinations consistent with this chart are permitted as determined by the Zoning Agent. Livestock offspring shall not apply to the animal unit calculation until after weaning.	
* Male animals in this category shall be neutered on or before one (1) year of age. Non- neutered males over the age of one (1) are not authorized by this use provision.	
**Residents may apply for a Zoning Permit for the keeping of roosters on less than 120,000 sq. ft. lots. The decision by the Zoning Agent to grant said Zoning Permit will be based on specific site characteristics of the lot and upon consultation from the Animal Control Officer.	

4. 4H, FFA or other similar student educational projects permitted by right.
Student projects involving the temporary keeping of farm animals are authorized by right, on a temporary basis, provided a Statement of Use and animal management plan is provided which comprehensively describes the proposed project, including shelter provisions, outside keeping areas and manure management, and is found acceptable with respect to animal welfare and potential environmental and neighborhood impacts by the 4H Club Agent of the Cooperative Extension Service or a qualified school instructor or project manager. A timeframe for project completion shall be provided.
5. Manure/compost. Any excess manure and/or compost produced on an agricultural site may be sold for off-site use. However, compost that is primarily from materials not generated on the subject site shall not be sold unless a Special Use Permit approval is obtained in accordance with § 190-74. (Any questions regarding this provision shall be referred to the Agriculture Committee and resolved by the Planning and Zoning Commission.)
6. Other commercial agricultural uses. Any other agricultural use that is not specially authorized above or by other provisions of these Regulations may be permitted provided Special Use Permit approval is obtained in accordance with § 190-74.

D. Permitting

All Agricultural Uses other than agricultural crop production shall be permitted in accordance with the standards below:

1. A zoning compliance review may be required for all agricultural uses except agricultural crop production. A plan showing the location of any structures described above, setbacks from property lines, manure locations, parking, etc. must be shown on the plan.

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2. If the review is for the keeping of animals, the type and number of animals must be provided along with locations for manure, fencing, and structure(s).
3. An inspection is required by the Zoning Agent prior to establishing any of the above uses except agricultural crop production.
4. A zoning permit is required for all structures over 200 square feet which shall comply with all setbacks required by the zoning district.

Items for Removal:

- (12) **Temporary structures:** may be authorized by the Zoning Agent through the issuance of a Zoning Permit, provided the following conditions are met:
The provisions of this section may be applied to allow the continuing occupancy of an existing residence during the period when a replacement residence is being constructed on the same lot provided suitable arrangements are made to ensure the removal of the existing residence within 60 days of the occupancy of the new residence.
- (19) **Temporary construction trailers.** Construction trailers may be used for the following purposes with a proper Zoning permit issued by Zoning Enforcement Officer.
- (a) Field offices accessory to an active construction site but each such use shall not extend to a real estate or sales office connected with the sale of land and/or buildings;
 - (b) Storage for use on active construction sites, issued for a period of 12 months, renewable upon application for successive six-month periods as shown on an approved site plan.