



Zoning Use Permit Application –
 Bona Fide Farm
 (Plot Plan Required)

Street # _____ N,S,E,W _____ Street Name _____ AV, RD, ST, etc. _____ Suite _____

Project/Subdivision Name: _____ Phase: _____ Section: _____

PLEASE CHECK TYPE OF FARM:

Bona-Fide Farm. Any tract of land containing at least three acres which is used for dairying or for the raising of agricultural products, forest products, livestock, or poultry, and which may include facilities for the sale of such products from the premises where produced. The definition of “farm” and “bona-fide farm” shall **not** include agricultural industries. Additionally, any tract of land qualified to be a bona fide farm as above defined and which is located **within the corporate limits of the Town and is in a Rural or Transitional Residential district** may conduct educational programs or activities limited to farming technique, animal husbandry and seasonal farming activities. (Article 12, Huntersville Zoning Ordinance).

● **Article 2.1.2.a:** Huntersville zoning regulations “shall not apply to bona-fide farms, as defined in Article 12, except that non-farm uses on farms shall be regulated herein, and land within the Mountain Island Lake Watershed Overlay District shall comply with the regulations of Articles 3.3.2 and 3.3.3.”

Horse Farm. Any tract of land of three or more acres, which is principally used for the breeding, training, riding and/or maintenance of horses, and those uses which are accessory thereto, including up to one dwelling unit per each five acres and facilities for the sale of horses raised or maintained on the immediate premises. (Article 12, Huntersville Zoning Ordinance)

● **Article 2.1.2.b:** Huntersville zoning regulations “shall not apply to horse farms on three or more acres, as defined in Article 12, except that uses on premises not accessory to horse farms shall be regulated herein, and land with the Mountain Island Lake Watershed Overlay District shall comply with the regulations of Articles 3.3.2 and 3.3.3.”

Riding Academy. A facility the principle use of which is the provision of lessons in horseback riding on a non- profit or for profit basis.

Riding Academies do **not** qualify as a bona-fide farm. They are permitted in the Rural and Transitional Districts, with conditions found in Article 9.33 of the Huntersville Zoning Ordinance as follows:

Riding academies are permitted in the Rural and Transitional District if the following standards are met.

1. All buildings and structures related to the care of animals and to the conduct of the academy must be located at least 100 feet from property boundaries.
2. Maximum number of horses is 2 per acre.
3. Off-street parking, service areas, and buildings which are not used for residential purposes, farm purposes, or the stabling of horses, shall be separated by an opaque screen from the view from any street and from abutting properties.

Agricultural Industry. Commercial poultry or swine production, cattle or swine feed lots, fur bearing animal farms, commercial plant production (not retail nurseries) commercial fish or poultry hatcheries, and other similar activities.

Agricultural Industries do **not** qualify as a bona-fide farm. They are permitted in the Rural and Transitional Districts with a Special Use Permit and the conditions found in Article 9.3 of the Huntersville Zoning Ordinance as follows:

Agricultural Industry, limited to the production of commercial poultry or small livestock in enclosed buildings, according to the procedures of Article 11.4.10. The Town Board shall issue a Special Use Permit for the production of commercial poultry or small livestock in enclosed buildings in the Rural and Transitional District if, but not unless, the evidence presented at the Special Use Permit hearing establishes:

1. That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and
2. That the proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property; and
3. That no part of the proposed use will be located or operated so as to emit dust, noise, fumes, or odors in concentrations or amounts that would constitute a nuisance to persons of ordinary sensitivities on nearby properties; and
4. That there will be a separation of no less than 250 feet between structures housing the agricultural industry and any property located in a residential district or developed for residential or mixed use purposes; and
5. That the proposed use shall be located on a lot of no less than ten acres.

Agricultural Industries are permitted by right in the Special Purpose district subject to commercial review.

Current Property Use(s):	
Description of Proposed Use(s):	

TOTAL FARM ACREAGE _____ **CULTIVATED and/or PASTURE ACREAGE** _____

CROP	ACERAGE OF CROP	ANIMAL	# OF ANIMALS
Corn		Goats	
Barley		Hogs	
Soybeans		Cattle	
Tobacco		Sheep	
Wheat		Horses	
Cotton		Poultry	
Grain Sorghum		Other:	
Other:			

HOW MANY YEARS HAVE YOU LIVED ON THIS FARM? _____ STATE FARM NUMBER _____

NUMBER OF EMPLOYEES/TRAINERS _____ # OF EXISTING FARM STRUCTURE(S) _____

Will this farm be used by any person outside the farmer and his immediate family? Yes No

If so, for what purpose? (Riding, Training, Boarding, Shows) _____

Huntersville Code of Ordinances

§ 94.46 LIVESTOCK.

- (A) No person, firm or corporation shall keep, possess or maintain, within the corporate limits of the town, any livestock, including horse, mule, pony, cow, cattle, hog, swine (except potbellied pigs considered to be domestic pets), sheep, goat or any rabbits or fowl, (with the exception of pet birds maintained within a residence), except in compliance with this chapter.
- (B) Large animals, such as horses, cows or pigs, shall be kept on tracts of two acres or more, and the total number shall not exceed one such animal per acre, except that for riding academies permitted under the Huntersville zoning ordinance, the standards of the zoning ordinance shall control.
- (C) Small animals, such as goats or sheep, shall be kept only on tracts of one acre or more, and the total number shall not exceed one animal per 1/2 acre.
- (D) Domestic fowl, such as chickens, turkeys, ducks and the like and rabbits shall be kept only in appropriate coops, fowl houses or hutches, and no more than 20 such fowl or rabbits shall be kept or maintained per acre. The number of fowl or rabbits should be proportionate to the acreage. For agricultural industry in Residential Districts, as permitted under the Huntersville zoning ordinance, the standards of the zoning ordinance shall control.
- (E) Shelters for large livestock such as cows and horses shall be kept at a minimum distance of 75 feet from any property line. Shelters for small livestock and hutches, coops or pens for fowl and rabbits shall be kept at a minimum of 25 feet from any property line. No such stall, stable, shed, barn or coop or hutch shall be closer than 100 feet to the nearest point of any adjoining residence or other building used for the purpose of human habitation or any public meeting place, such as schools, churches, recreation areas or the like. Notwithstanding the foregoing, for riding academies and for agricultural industry in residential districts, as permitted under the Huntersville zoning ordinance, the standards of the zoning ordinance shall control.
- (F) No animals covered by this section shall be permitted to run at large and shall at all times be confined within proper fencing or other enclosures, except when under the physical control of the owner or other person. All fencing for any livestock must be constructed in such a manner that the animals may not reach legs, necks, wings or other body parts on to a neighbor's property or to any shrub or growing plant on a neighbor's property. Fencing shall be constructed in a manner reasonably expected to confine the animal and prevent it from leaving the owner's property.
- (G) Venomous reptiles and wild or exotic animals shall not be kept in the Town of Huntersville except in connection with recognized zoological parks, academic institutions, museums, raptor center, pet shops, veterinarians holding such animals for medical treatment, wildlife rehabilitators with proper permits and similar facilities, provided that such animals are maintained in quarters so constructed and maintained as to prevent escape. A wild or exotic animal shall be defined as one which would ordinarily be confined to a zoo or one which would otherwise cause a reasonable person to be fearful of significant destruction of property or bodily harm and the latter includes but is not limited to such animals as monkeys, raccoons, squirrels, ocelots, bobcats, wolves, hybrid wolves and other such animals or one which causes zoonotic diseases. Such animals are further defined as being those mammals or nonvenomous reptiles weighing over 50 pounds at maturity, which are known at law as ferae naturae. Wild or exotic animals specifically do not include animals of a species customarily used in North Carolina as ordinary house

pets, animals of a species customarily used in North Carolina as domestic farm animals, fish confined in an aquarium, birds or insects.

- (H) These regulations shall not be construed to restrict the present operation of any bonafide farm, dairy farm or horse farm in existence at the time of the adoption of this chapter or which comes into the town because of subsequent annexations.
- (I) Any new annexations into the Town of Huntersville shall have 180 days from the date of annexation to bring their property and maintenance of their livestock into compliance with this section; provided, however, such annexation shall not affect any bonafide farm, horse farm or dairy farm existing within the area annexed at the time of annexation; provided, further, those annexes not in compliance as to the number of animals permitted or for whom it would be impossible to relocate existing shelters or fencing because of the size of the property shall not be required to do so, but shall not replace any animals on their property until such time as the number are in compliance with this chapter and shall thereafter not exceed the permitted numbers nor make any additions to construct any new shelter except in compliance with this chapter.
- (J) Persons maintaining such animals shall not permit the same to become a nuisance to neighbors, and neighbors shall not be limited to actions to abate a nuisance, subject to the provisions of G.S. § 106-701.

Applicant

Printed Name _____ Phone _____

Corporation Limited Liability Company Trust Partnership Other: _____

By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant the use will comply with all regulations of Article 9.11 as related to the above use as indicated within the Town of Huntersville Zoning Ordinance.

Signature _____ Date _____

Title _____ Email _____

Address of Applicant _____

Property Owner (if different than applicant)

Printed Name _____ Phone _____

Corporation Limited Liability Company Trust Partnership Other: _____

By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant the use will comply with all regulations of Article 9.11 as related to the above use as indicated within the Town of Huntersville Zoning Ordinance.

Signature _____ Date _____

Title _____ Email _____

Address of Property Owner _____

* Property owner hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

If signed by an agent on behalf of the Owner, this application MUST be accompanied by a notarized Limited Power of Attorney signed by the property owner (s), specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION. **If additional space is needed for signatures, attach the Town of Huntersville Signature Addendum Form.**

For Planning Department Use Only					
Parcel ID: _____	Zoning: _____ <input type="checkbox"/> Huntersville <input type="checkbox"/> Mecklenburg				
Minimum Setbacks: Front _____	Left Side _____ Right Side _____ Rear _____ Corner Lot <input type="checkbox"/>				
Lot#: _____	Map#: _____ Page#: _____ Req'd Parking#: _____ Screening _____				
Mecklenburg County Health Department Approval _____	Plot Plan _____ Zoning Inspection _____				
Permit Conditions					

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