

- a. Location. Agricultural employee housing shall be located at least 50 feet from barns, pens or other structures that house livestock. The housing shall be located off of prime and productive agricultural land, unless no other alternative locations exist on the site.
3. Housing shall be constructed and maintained to conform to the State Department of Housing and Community Development regulations for employee housing. Housing for five or more agricultural employees is subject to the permitting requirements of the California Housing Employee Act. The property owner shall obtain and maintain all required permits from the California Housing and Community Development (HCD) Department.
4. Mobile homes used specifically for such housing shall be maintained in compliance with the applicable requirements of the Manufactured Housing Act (Health and Safety Code Section 18000, et seq.). For purposes of zoning, manufactured homes utilized for agricultural labor housing shall not be considered a mobile home park.
5. Temporary housing facilities. The use of tents, recreational vehicles, mobile camping equipment or other temporary facilities approved for human habitation for agricultural employees may be allowed upon approval of an Administrative Use Permit. In addition to the criteria stated above, temporary housing facilities for agricultural employees shall meet the following requirements:
  - a. Use of temporary housing facilities is limited to a maximum duration of 90 days per calendar year in one location (cumulative) unless a longer time period is approved through approval of an Administrative Use Permit;
  - b. Shall be located a minimum of 100 feet from public right of ways, property lines, and season or permanent water ways;
  - c. Shall obtain clearances from the Environmental Health Department for the provisions of water; waste water, solid waste; and any proposed food facilities.

### 11.32.050 Animal Raising and Keeping

It is the intent of the following regulations to keep and maintain domestic, farm/livestock, and exotic animals on their private property in a manner that will protect the health, safety and welfare of nearby residents, and to protect the health, safety, and welfare of animals.

#### A. Regulations Pertaining to Livestock

1. **Enclosure Location (County-wide).** No barn, coop, stable, or corral shall be located closer than 50 feet to any abutting dwelling, except for caretaker quarters and shall be a minimum of 100 feet from any well or year round creek or river.
  - a. *The raising and keeping of animal livestock is prohibited within the front yards of properties within the Valley Growth Boundary.*
2. **Minimum Parcel Size.** Within the Valley Growth Boundary, parcels shall be a minimum of one acre in size.
  - a. **Educational Project Exemption.** Temporary education projects, including, but not limited to FFA, 4-H, and school projects, conducted by students (living at the subject property) through the twelfth grade plus one year thereafter and under the direct supervision of a qualified, responsible adult advisor or instructor may apply

for a Waiver to the minimum lot size or zone district which do not otherwise permit the raising and keeping of such animals pursuant to Chapter 11.60, Waivers and Modifications. The Zoning Administrator may only approve a waiver after consultation with the agricultural commissioner and a determination that adverse impacts to neighboring residents are effectively mitigated. Waivers shall be valid for a 12 month period and may be renewed annually.

b. *The raising of animals on a Residential parcel located within the Valley Growth Boundary that has not established a primary use is not permitted.*

3. **Maximum Number of Animals:** Within the Valley Growth Boundary, the number of animals permitted is based on the zone district, acreage of the site and type of animals calculated by animal unit equivalent.

a. *Animal Unit (AU).* For purposes of this Code, an animal unit is a unit of measure indicating the ability of land to support a specific density of livestock as well as maintain the intended character of the zone district. For calculation purposes only livestock are counted. See Table 11.32.050-A(3)(A1) for animal calculations.

| TABLE 11.32.050-A(3)(A1): NUMBER OF LIVESTOCK PER ANIMAL UNIT (AU) |                                |
|--|--------------------------------|
| Type of Livestock  | Number of Livestock per one AU |
| Horses, cattle, camels & similar                                   | 1                              |
| Swine & similar  | 2                              |
| Sheep, goats, llamas, alpacas & similar                            | 4                              |
| Chickens, game fowl, turkeys, peacocks, squab, rabbits & similar   | 20                             |
| Ostrich, emus & similar  | 4                              |

b. *Specific Type of Animals Permitted.* The following requirements apply to the keeping or raising of livestock. More than one type of animal may be kept on a single site so long as the number of animal units per acre and maximum number of animal units per parcel is not exceeded. For example a parcel designated as RS that is 1 acre in size is allowed a total of one animal unit equivalent (1 AU) which could be comprised of one horse (1 AU) or two sheep and 13 chickens (1 AU), or two goats, eight chickens, and eight rabbits (1 AU).

| TABLE 11.32.050-A(3)(B): PERMITTED LIVESTOCK UNITS  |                        |                                  |
|---|------------------------|----------------------------------|
| Zone District   | Number of AUs per Acre | Maximum Number of AUs Per Parcel |
| RS, RM, RH  | 1                      | 3                                |
| RE within VGB   | 1                      | 5                                |
| 1. No roosters are permitted<br>2. Swine. The keeping of swine shall not include more than one brood sow. Any additional brood sows shall constitute a hog farm. New Hog farms, dairies, and feed lots are prohibited within the Valley Growth Boundary.<br>3. The keeping of livestock owned by others, or offering training, therapy, boarding or other commercial services is considered a boarding or equestrian facility and is not permitted within the Valley Growth Boundary. |                        |                                  |

- c. *Exceptions.* Increases in the maximum number of Animal Units allowed per acre or parcel may be allowed through approval of a Waiver when the increase is less than 25 percent, an Administrative Use Permit for increases up to 50 percent, or a Minor Conditional Use Permit for increases greater than 50 percent.
  - i. The decision-making authority may only approve an increase in the number of livestock after consultation with the Agricultural Commissioner, Environmental Health Department and a determination that adverse impacts to neighboring residents are effectively mitigated.
- d. *Fuel Reduction (Brush and Vegetation).* The temporary use of sheep and goats to reduce the amount of on-site brush and vegetation is permitted on sites greater than one acre in size, but shall not exceed a total of two weeks within any 12 month period.

4. ***Operation and Maintenance Standards (County-wide).***

- a. *Odor and Vector Control.* Except parcels designated as AE or AI, Pastures agricultural accessory structures and animal enclosures, including but not limited to pens, coops, cages, barns, corrals, paddocks and feed areas shall be maintained free from excessive litter, garbage and the accumulation of manure, so as to discourage the proliferation of flies, other disease vectors, and offensive odors. Sites shall be maintained in a neat and sanitary manner.
- b. *Erosion and Sedimentation Control.* In no case shall any person allow keeping of livestock to cause significant soil erosion, or to produce sedimentation on any public road, adjoining property, or in any drainage channel.
- c. If the keeping of livestock on the site is not maintained in compliance with the provisions of this section it shall be deemed a public nuisance and may be subject to abatement as set forth in Section 11.67.020, Enforcement of this Code and Titles VII (Health and Sanitation) and VII (Public Peace & Safety) of the County Code.

- B. **Regulations Pertaining to Outdoor Aviaries.** Within the Valley Growth Boundary, the keeping of domestic or exotic birds primarily, other than those classified as livestock (game fowl and chickens, squab, ostriches, emus, peacocks, turkeys, and similar birds), is permitted pursuant to Table 11.32.050-B(2). Any species of domestic or exotic bird(s) (except livestock) which is raised or kept inside of a residence is considered a household pet and is otherwise regulated by the provisions in subsection 11.32.050(E) of this Section. The keeping of imported birds may also require approval by: U.S. Department of Agriculture, Fish and Wildlife Service, U.S. Department of Public Health, California Department of Fish and Wildlife, and/or the California Department of Food and Agriculture, in addition to any approval required by this code.

1. ***Bird Classes.***

- a. *Class 1.* Canaries, Parakeets, Finch and similar small songbirds
- b. *Class 2.* Cockatiels, Quail, Doves, Pigeons , and similar types of birds
- c. *Class 3.* Cockatoos, Parrots and similar types of birds

2. **Number of birds permitted.** Outdoor aviaries are permitted in all agricultural districts and as an incidental and accessory use to a permitted residence when no commercial activity is involved in all applicable zone districts that allow for a residence. The number of birds allowed is based on the net acreage of the parcel the aviary is located on.

| <b>TABLE 11.32.050-B(2): NUMBER OF BIRDS PERMITTED IN OUTSIDE AVIARIES</b> |                                |                   |   |
|--|--------------------------------|-------------------|---|
| <i>Parcel Size</i>   | <i>Maximum Number of Birds</i> | <i>Bird Class</i> | <i>Distance from adjacent residences (feet)</i> |
| Less than 5,000 sq. ft.  | 12                             | 1                 | 10  |
|  | 6                              | 2                 |   |
| 5,001 to 10,000 sq.ft.   | 24                             | 1                 | 15  |
|  | 12                             | 2                 |   |
|  | 3                              | 3                 |   |
| 10,001 to 20,000 sq. ft.   | 48                             | 1                 | 30  |
|  | 24                             | 2                 |   |
|  | 6                              | 3                 |   |
| Over 20,0001 sq. ft.   | 96                             | 1                 | 50  |
|  | 48                             | 2                 |   |
|  | 12                             | 3                 |   |

3. **Exceptions.** Increases in the maximum number of birds is allowed through approval of a Waiver when the increase is less than 25 percent, an Administrative Use Permit for increases up to 50 percent, or a Minor Conditional Use Permit for increases greater than 50 percent.
  4. **Operation and Maintenance Standards.** The standards specified in Subsection 11.32.050A.4 above shall apply to outdoor aviaries.
- C. **Regulations Pertaining to Apiaries/Bee Keeping.** The keeping of bees shall not be permitted within the Valley Growth Boundary except on existing agricultural properties. Where bees are permitted they are subject to the requirements of the Agricultural Commissioner.
- D. **Regulations Pertaining to Wild Animals (County-wide).** The keeping of wild animals shall be limited to wildlife sanctuaries or wildlife rehabilitations facilities. All such facilities shall obtain approval of an Administrative Use Permit and any required licenses from Yuba County Animal Care Services and the California Department of Fish and Wildlife.
- E. **Regulations Pertaining to Household Pets (County-wide).** When conducted within the house or within a residential accessory structure on the same site, the keeping of common household pets, including but not limited to: dogs, cats, guinea pigs, hamsters, rabbits, domestic or exotic birds (except livestock breeds), non-poisonous reptiles and amphibians, fish, and/or the keeping of other small domesticated or caged small animals incidental and accessory to a permitted residential use when no commercial activity is involved is permitted in all applicable zone districts.
1. **Operation and Maintenance Standards.**
    - a. **Odor and Vector Control.** The premises where household pets are kept shall be maintained in a clean and sanitary manner by the removal of waste, litter or garbage,

so as to discourage the proliferation of flies, other disease vectors, and offensive odors.

- b. *Erosion and Sedimentation Control.* In no case shall any person allow animal keeping to cause significant soil erosion, or to produce sedimentation on any public road, adjoining property, or in any drainage channel. In the event such sedimentation occurs, the keeping of animals outdoors on the site shall be deemed a public nuisance and may be subject to abatement as set forth in Section 11.67.020, Enforcement of this Code and Titles VII (Health and Sanitation) and VII (Public Peace & Safety) of the County Code.
  - c. *Nuisance Declared.* Where it is found by the Environmental Health Director that the keeping of household pets in such a number or manner is injurious to the health, safety, or welfare of the inhabitants of the home, the household pets, or adjacent residences, the Environmental Health Director may through written findings declare the keeping of such pets a public nuisance subject to the procedures listed in Chapter 11.67, Enforcement and Abatement Procedures.
  - d. *Hobby and Commercial Kennels.* Hobby and commercial kennels are also subject to any permits and requirements established by the Environmental Health Department.
2. **Dogs.** The keeping of dogs and similar animals (pygmy goats, pot-bellied pigs, etc.) for personal purposes (pets) including the temporary fostering of such animals is permitted in all zone districts that allow for a residence or where guard dogs are permitted. The number of dogs and similar animals permitted is based on the zone district as identified in Table 11.32.050(E)(2) of this Chapter. Dogs kept for personal purposes are limited to no more than one litter per 12 month period regardless of the number of dogs owned/permitted. The breeding of dogs in excess of one litter per 12 month period is considered a commercial kennel and is only allowed in those districts that allow for commercial kennels subject to any required permits including but not limited to a kennel permit from the Environmental Health Department.
- a. Dogs over four months of age in excess of the number principally permitted may be allowed as a hobby kennel with approval of an Administrative Use Permit.
  - b. The keeping of dogs over four months of age in excess of the number allowed as a hobby kennel will be considered a commercial kennel and is only allowed in those districts that allow for kennels subject to any required permits.
  - c. The keeping of dogs and similar animals owned by others, or offering training, grooming, therapy, boarding or other services is considered a commercial kennel or pet service and is only allowed in those districts where kennel, pet grooming, and animal services are listed as a permitted or conditionally permitted use.
  - d. *Agricultural operations.* Dogs used in herding livestock or other permitted agricultural use are excluded from the provisions in Table 11.32.050(E)(2) below.
  - e. *Guard dogs.* In non-residential areas, up to two guard dogs are permitted per business establishment. Additional guard dogs may be authorized through a Waiver from the Zoning Administrator where it can be demonstrated that additional guard dogs are needed to adequately secure the facility.

| <b>TABLE 11.32.050-(E)(2): NUMBER OF DOGS PERMITTED BY ZONE DISTRICT</b>   |  |                                      |
|--|--|--------------------------------------|
| <i>Zone District</i>   | <i>Number of Dogs<br/>(over 4 months of age)</i> | <i>Discretionary Permit Required</i> |
| RS, RM, RH (per unit)  | Up to 4  | None                                 |
|  | 5-8 (hobby kennel)                               | Administrative Use Permit            |
| RE, AR, RR, RC, AI, AE, TPZ, RPR less than 5 acres in size   | Up to 6  | None                                 |
|  | 7-15 (hobby kennel)                              | Administrative Use Permit            |
| RE, AR, RR, RC, AI, AE, TPZ, RPR greater than 5 acres in size  | Up to 8  | None                                 |
|  | 9-20 (hobby kennel)                              | Administrative Use Permit            |
| 1. All other zone districts: Keeping (boarding, breeding, sale) of dogs or similar animals is considered a commercial kennel or pet store and is subject to the requirements and permitted uses of the specific zone district.<br>2. The decision-making authority may only approve an increase in the number of animals after consultation with the Environmental Health Department and Animal Control and a determination that the property has adequate space to allow for additional animals and any adverse impacts to neighboring residents are effectively mitigated. |  |                                      |

- F. **Non-Conforming Animal Keeping.** The keeping of types or numbers of animals not allowed in a particular zoning district may be continued provided that:
1. The number of animals existing on the site was legally permitted prior to the adoption of this Development Code.
  2. The number of animals legally existing on the site on the effective date of this Development Code shall not be increased unless allowed pursuant to the requirements of this Section.
  3. New offspring of legally existing animals may be retained on-site until four months of age or until weaned, after which the new animals are to be removed.
  4. Deceased animals shall not be replaced.
  5. Animals that are relocated to another location for a period greater than 90 days shall not be replaced or brought back to the non-conforming site.
  6. Owners of non-conforming animals shall also be subject to the management practices of this chapter.

**11.32.060 Automobile/Vehicle Sales and Services**

Automobile/Vehicle Sales and Service establishments shall be located, developed and operated in compliance with the following standards.

- A. **Landscaping and Screening.** Within the Valley Growth Boundary, landscaping and screening shall be provided as follows:
1. A masonry wall at least six feet in height shall be provided along all lot lines adjacent to a residential district for parcels located in the Valley Growth Boundary.
  2. A landscaped planter with a minimum inside width of eight feet and enclosed within a six-inch-high curb shall be provided along the front and street side property lines, except for vehicular circulation openings. A landscaping buffer with a minimum inside width of at least six feet shall be provided along all other property lines that abut a residential district.