
CHAPTER 3: USE REGULATIONS

Any text with an italic yellow background is intended to be descriptive caption text only and will not be visible in the amended Code.

Unless otherwise specified, "XX-XX-XXXX" and "Month XX, YYYY" shall refer to the effective date of this Zoning Ordinance Amendment.

3.1. PURPOSE AND ORGANIZATION

No changes.

3.2. TABLES OF ALLOWED USES

3.2.1. Tables Organization [AMENDED 04-07-2016]

No changes.

3.2.2. Explanation of Table Abbreviations

No changes.

3.2.3. Use for Other Purposes

No changes.

3.2.4. Uses Not Provided in the Tables [AMENDED 02-24-2017][AMENDED 05-11-2017]

No changes.

3.2.5. Allowed Uses in All Zoning Districts [AMENDED 09-09-2022][AMENDED 06-06-2024]

Table 3.1 Allowed Uses

No changes.

Only the portions of Tables 3.2 and 3.3 being modified by this Zoning Ordinance Amendment are shown below.

TABLE 3.2: ALLOWED ACCESSORY USES' [AMENDED 02-24-2017][AMENDED 05-11-2017][AMENDED 06-22-2017][AMENDED 12-01-2017][AMENDED 05-11-2018][AMENDED 01-12-2019][AMENDED 06-20-2019][AMENDED 09-18-2019][AMENDED 07-16-2020][AMENDED 01-15-2021][AMENDED 09-09-2022][AMENDED XX-XX-XXXX]

KEY

P = Permitted Primary Use UPP = Conditional Use Permit by the Grey Boxes = Refer to Applicable
UPM = Minor Use Permit Planning Commission Use Standards in Sections Identified
UPZ = Use Permit by the Zoning Administrator A = Permitted Accessory Use

Zoning Districts	Agricultural			Agricultural Residential		Residential					Recreation			Mixed Use			Commercial			Industrial			Use Standard
	AG-20 through AG-160	UR	IR	AR-10 AR-5	AR-2 AR-1	RD-1 RD-2	RD-3 RD-4	RD-5 RD-7 RD-10	RD-15 through RD-40	RM-2	RR	O	C-O	NMC	CMC	CMZ	BP	LC ⁴³	GC ⁴⁴	MP	M-1	M-2	
H. Incidental Agricultural Accessory Structures ⁴⁶ , Uses, and <u>or</u> Keeping of Animals	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	3.9.3.G

⁴⁶ Residential Accessory Structures, Home Occupations, ~~and/or~~ Incidental Agricultural Accessory Structures, **Uses, and/or Keeping of Animals** are only applicable to properties developed with a primary dwelling **including multifamily and nonresidential zones with no more than one existing legal non-conforming primary dwelling.**

⁴³ Includes former SC zone; interim standards for SC zone should refer to Title IV of the Code.

⁴⁴ Includes former AC and TC zones; interim standards for AC and TC zones should refer to Title IV of the Code.

TABLE 3.3: ALLOWED TEMPORARY USES⁴⁸ [AMENDED 04-07-2016][AMENDED 07-16-2020] [AMENDED XX-XX-XXXX]

KEY

A = Permitted Accessory Use

TUZ = Temporary Use Permit by the
Zoning Administrator

Grey Boxes = Refer to Applicable
Use Standards in Sections Identified

T = Temporary Use Permitted by right

Zoning Districts	Agricultural			Agricultural Residential		Residential					Recreation			Mixed Use			Commercial			Industrial			Use Standard
Use, Service or Facility	AG-20 through AG-160	UR	IR	AR-10 AR-5	AR-2 AR-1	RD-1 RD-2	RD-3 RD-4	RD-5 RD-7 RD-10	RD-15 through RD-40	RM-2	RR	O	C-O	NMC	CMC	CMZ	BP	LC ⁴⁹	GC ⁵⁰	MP	M-1	M-2	
G. DELETED [07-16-2020] Temporary Keeping of Animals	I	I	I	I	I	I	I	I			I			I	I	I							3.10.3.M

⁴⁸ All temporary uses are subject to the general temporary use standards in Section 3.10.2., in addition to the specific standards cited in this table.

⁴⁹ Includes former SC zone; interim standards for SC zone should refer to Title IV of the Code.

⁵⁰ Includes former AC and TC zones; interim standards for AC and TC zones should refer to Title IV of the Code.

3.3. USE STANDARDS, GENERALLY

No changes.

3.4. AGRICULTURAL USE STANDARDS

No changes.

3.5. RESIDENTIAL USE STANDARDS

No changes.

3.6. PUBLIC, CIVIC, AND INSTITUTIONAL USE STANDARDS

No changes.

3.7. COMMERCIAL USE STANDARDS

No changes.

3.8. INDUSTRIAL USE STANDARDS

No changes.

3.9. ACCESSORY USE STANDARDS [AMENDED 05-11-2018]**3.9.1. Purpose**

No changes.

3.9.2. General Regulations for All Accessory Uses and Structures [AMENDED 05-11-2018]

No changes.

3.9.3. Use-Specific Standards for Accessory Uses [AMENDED 05-11-2018]

The specific standards of this Section shall apply in addition to the general standards of Section 3.9.2. In the event of conflict, the more restrictive standard in the opinion of the Planning Director shall apply.

3.9.3.A. through 3.9.3.F.

No changes.

3.9.3.G. Incidental Agricultural Accessory Structures, Uses, and/or Keeping of Animals [AMENDED 02-24-2017][AMENDED 12-01-2017][AMENDED XX-XX-XXXX]

Incidental agricultural accessory structures, uses and/or keeping of animals is allowed, ~~except in multifamily and RM-2 zoning districts unless developed as a duplex or halfplex,~~ subject to the regulations contained in this section. These provisions apply only to small-scale, non-commercial agricultural activities that are incidental and accessory to the primary residential use of the property.

All new incidental agricultural accessory structures, uses/and or keeping of animals established after Month XX, YYYY shall comply with the applicable standards in Section 3.9.3.G.1 through 3.9.3.G.4.

Any incidental agricultural uses and/or keeping of animals established prior to Month

XX, YYYY have until Month XX, YYYY (three months from the effective date of the ordinance) to come into compliance with applicable standards in this section pertaining to the maximum number of animals that may be kept unless they obtain a Certificate of Nonconforming Use prior to Month XX, YYYY (three months from the effective date of the ordinance).

1. General Standards

- a. The keeping of animals must be incidental to a permitted residential use.
- b. The conditions, standards, and requirements of Title 8 of the SCC are met to the satisfaction of the Chief of Animal Control.
- c. ~~All areas devoted to such uses shall comply with the standards applicable to stables and corrals related to dust, odor, flies and other nuisances included in Section 3.4.6.C. These standards are applicable to the incidental keeping of animals.~~ **All areas devoted to such uses shall not allow dust, odor, or flies to cause nuisance or annoyance to any considerable number of persons in the neighborhood or the public and at a minimum shall comply with the following:**
 - i. All areas shall be maintained so as to be sufficiently dust-free so that no visible quantity of dust is observable at the property lines of the parcel. This shall be done by maintaining sufficient natural vegetation, by watering down the area as often as necessary to prevent dust problems, or by utilizing other more effective dust prevention methods.
 - ii. The operator shall take every reasonable precaution to prevent the breeding of flies or the emission of dust or odors into the neighborhood. Reasonable precautions shall include:
 1. Routine manure and bedding clean out of animal enclosures (i.e., stalls, pens, coops) and routine cleanup of manure deposited on the property.
 2. Disposal of animal wastes, such as:
 - a. Properly drying or composting away from neighboring properties.
 - b. Burying to a minimum depth of two feet.
 - c. Removal to approved disposal site.
 - iii. All areas shall be maintained in a sanitary condition and in compliance with the following standards:
 - a. Water usage and drainage shall not mix with manure accumulations and shall not be disposed of contrary to local and state requirements.
 - b. Animal feed shall be stored and utilized in a manner that will not encourage rodent populations.
- d. The provisions of these use standards shall not apply to public or private stables (see Section 3.4.6.C), or where such animals are kept as a general **or commercial** agricultural use.
- e. Animals allowed pursuant to this Section must be kept in an area separate from where crops intended for sale or consumption are grown.

2. Development Standards for Structures [AMENDED 01-15-2021]

Structures used for incidental agriculture and the incidental keeping of animals shall be consistent with the development standards found in Section 5.3.2.C. for Agricultural and Agricultural-Residential zoning districts (Table 5.6) and Section 5.4.5.A in Residential zones (Table 5.10.B). Incidental Agricultural Accessory Structures are limited to private stables and corrals, barns used primarily for agricultural purposes, aviaries, and chicken coop.

3. Lot Area

The minimum lot area for any lot used for an incidental agricultural use or for public or private boarding or riding stables as defined in this Code shall be as follows. The lot area may be decreased subject to the issuance of a Special Development Permit by the Zoning Administrator **unless otherwise provided for in this Section (3.9.3.G).**

- a. For any commercial or public stable the minimum lot area shall be three acres.
- b. For any private stable, the minimum lot area shall be 20,000 square feet.
- c. **Where permitted by Table 3.2, the minimum lot area for the keeping of small animals (animals less than 75 pounds), (other than pets as defined in Chapter 7.3) including crowing fowl (except roosters), on a noncommercial scale as an incidental use, shall be 10,000 square feet. The keeping of roosters is subject to the following restrictions:**
 - i. **In AG, UR, IR, RR and AR zones, the keeping of roosters as incidental agricultural use shall be limited to three rooster per acre (14,520 square feet per rooster), with a maximum of 5 roosters total on any property.**
 - ii. **In RD-1 through RD-10 zones, the keeping of roosters as incidental agricultural use may be allowed with a Temporary Use Permit as provided in Section 3.10.3.M and Section 6.5.7. The number of roosters is limited to one rooster per 14,520 square feet of gross lot area, with a maximum of 2 roosters total on any property.**
 - iii. **Rooster are not permitted on parcels less than 14,520 gross square feet in size except as provided in Section 3.9.3.G.3.e.**
~~The keeping of crowing fowl as an incidental agricultural use shall be allowed in all zones other than RD-10 through RD-40, RM-2, O, Mixed Use, and M-2.~~
- d. On lots less than 10,000 square feet, the keeping of egg-laying **fowl, not classified as crowing fowl, such as chickens, non-quacking ducks, pigeons, and quails,** ~~are chickens and ducks is~~ allowed subject to the following restrictions:
 - i. Animals must be kept in rear yard areas only.
 - ii. Residentially zoned parcels may have one of these animals for every 1,000 square feet of parcel area or one for every 200 square feet of rear yard area, whichever is less.
 - iii. Nonresidentially zoned parcels **that are developed with a legally established single family dwelling** may have one of these animals for every 400 square feet of parcel area or one for every 200 square feet of rear yard area, whichever is less.
 - iv. A covered coop with a roof and four sides must be provided for chickens to voluntarily retreat to and roost at night.

- v. These animals must be kept in a structure or fenced area at least 20 feet from all neighboring residential dwellings at all times.
- vi. 10 square feet of space shall be available for each animal for foraging and roaming.
- e. The keeping of goats, sheep, steer, **fowl**, and **other** similar animals may be temporarily allowed on parcels less than **the minimum lot sizes or in greater number than specified in Section 3.9.3.G.3.a through 3.9.3.G.3.d under the following standards: 20,000-square feet, and hogs on lots greater than two acres, with a Minor Use Permit if part of a Future Farmers of America or, 4-H Club educational program or, if kept by independent exhibitors as defined by the California Department of Food and Agriculture.**
 - i. **Educational Programs, Animals kept as part of recognized educational programs, such as Future Farmers of America, or 4-H Club may be raised on parcels smaller than the minimum lot sizes specified in Section 3.9.3.G.3.a through 3.9.3.G.3.d. Only animals participating in an educational program are permitted under this provision.**
 - ii. **Hobbyists and Breeders, Legitimate poultry hobbyists or breeders, as determined by the Agricultural Commissioner, must obtain a Minor Use Permit. The Minor Use Permit will determine the appropriate standards for incidental animal keeping such as but not limited to number of allowed animals, coop size, foraging space, and setbacks.**
Only animals kept as part of a market program are allowed.
 - iii. Structures utilized for the keeping of animals is subject to the development standards found in Section 5.3.2.C. for Agricultural and Agricultural-Residential zoning districts (Table 5.6) and Section 5.4.5.**A. B.** in Residential Zones (Table 5.10.**B** ~~—Agricultural Accessory Structures~~).
 - iv. **The keeping of animals under this Section is subject to all applicable County codes, including but not limited to prohibited conduct as specified in Title 8 of the SCC. Failure to comply with County Code, the standards of this Section, or any conditions of the Minor Use Permit may result in enforcement action and/or the revocation of the Use Permit pursuant to Section 6.4.1.G.**
- f. For any other incidental agricultural use, the minimum lot area shall be 20,000 square feet.

4. Enforcement

As provided for by Section 6.6, ~~of the Code, incidental egg-laying chicken and duck-keeping~~ **any** privileges **or allowances granted under this section** may be withdrawn from any property by written notification to the property owner by the Planning Director. Withdrawal must be done with cause.

Any condition or combination of circumstances that, in the opinion of the Director, **in consultation with applicable County agencies,** creates problems contrary to public health, safety, or general welfare or so as to constitute a public nuisance or is in conflict with this Section, **any sections referenced herein, or Title 8 of the SCC,** will be **deemed considered** a violation of ~~this the Code and valid cause to~~ **grounds for** withdrawal **of privileges or allowances granted under this Section.** ~~egg-laying chicken and duck-~~

~~keeping privileges.~~ Once any property owner has been ~~noticed~~ **notified** of the withdrawal of privileges to keep animals on a particular property, such privileges may be reestablished only upon written request and approval of the Director, **in consultation with applicable County agencies.** A Director's Determination may be appealed to the **Board of Zoning Appeals** ~~Board of Supervisors~~. Where privileges are withdrawn, all animals, structures, fencing and appurtenances related to animal-keeping shall be abated as provided for in Section 6.6.9. of the Code.

3.9.3.H. through 3.9.3.CC.

No changes.

3.9.4. Prohibited Accessory Uses

No changes.

3.9.5. [DELETED 07-16-2020]

No changes.

3.10. TEMPORARY USE STANDARDS

3.10.1. Purpose

No changes.

3.10.2. General Requirements for all Temporary Uses and Structures [AMENDED 01-12-2017]

No changes.

3.10.3. Additional Standards for Specific Temporary Uses

3.10.3.A. through 3.10.3.L

No changes.

3.10.3.M Temporary Keeping of Roosters [ADDED XX-XX-XXXX]

In RD-1 through RD-10 zones, the keeping of roosters as an incidental agricultural use may be allowed with a Temporary Use Permit, subject to the minimum lot area and number of roosters listed in Section 3.9.3.G.3.c.ii. The Temporary Use Permit shall be valid for a period of up to three years at the discretion of Zoning Administrator and annual verification may be required. Failure to comply with the provisions of Section 3.9.3.G shall result in permit revocation pursuant to Section 6.6 of this Code.

CHAPTER 7: DEFINITIONS AND ACRONYMS

This section clarifies interpretation of common wording and language issues that may occur in this Code.

7.1. WORD USAGE AND CONSTRUCTION OF LANGUAGE

No changes.

7.2. INTERPRETATIONS

No changes.

7.3. CODE TERMS AND USE DEFINITIONS

This Section defines the terms used in this Code and the uses contained in Chapter Three, Use Regulations.

Only terms being modified by this Zoning Ordinance Amendment are shown below.

Agricultural Uses, General/Commercial [AMENDED 03-09-2016][AMENDED XX-XX-XXXX]

The primary use of ~~the premises a lot~~ for ~~agriculture~~ **agricultural purposes**, including **but not limited to:** the cultivation of the soil for the production and harvesting ~~of crops~~, the care and breeding of livestock, **and** poultry, pastureland, horticulture, dairying, viticulture, aquaculture, silviculture (timber management), floriculture, apiaries (beekeeping), **whereas such use constitutes the lot's principal dedicated activity and/or the primary source of income for on-premises residents. This definition also includes the ancillary** ~~and the~~ storage and minor repair of agricultural vehicles and equipment used for the processing and transportation of the products **grown produced** on the premises.

Incidental Agricultural Uses, Incidental [AMENDED 02-24-2017]

Row crop cultivation and animal husbandry other than kennels, hog farms, feedlots, and the keeping of pets, provided the activity is conducted on a hobby-type basis for personal use or consumption; ~~or,~~ for urban agricultural purposes and further provided that such activity is not a primary use of the premises.

Incidental Keeping of Animals [AMENDED 02-24-2017][AMENDED XX-XX-XXXX]

Any animal husbandry activity conducted on a hobby-type basis for personal use or consumption; ~~or,~~ for urban agricultural purposes other than kennels, hog farms, feedlots, and the keeping of pets; and which is not the primary use of the premises. ~~The keeping of crowing fowl is not included as incidental keeping of animals.~~

Structure, Incidental Agricultural Accessory [ADDED 05-11-2018] [AMENDED XX-XX-XXXX]

A structure that supports agricultural activity ~~or~~ animal husbandry, **or incidental keeping of animals** conducted on a hobby-type basis for personal use or consumption; ~~or~~ for urban agricultural purposes. ~~and f~~Further provided that such activity is not a primary use of the premises. Incidental Agricultural Accessory Structures are limited to private stables and corrals, barns used primarily for agricultural purposes, **hog barns/pens**, and aviaries/chicken coops (**shelter for fowl**).

7.4. ACRONYMS

No changes.