

Section L-II 3.4 Animal Keeping and Raising

- A. Purpose.** The purpose of this Section is to provide standards for the keeping and raising of animals. It is the intent of this Section to encourage the use and protection of agricultural lands, maintain and enhance the County's pastoral character and rural lifestyle, and minimize potential adverse effects on adjoining property from the establishment of incompatible uses related to the keeping and raising of animals.
- B. Definitions.**
- 1. Animals, Large** - Horses, mules, donkeys, cattle, goats, sheep, swine, llamas, alpacas, and/or similar livestock.
 - 2. Animals, Small** - Common household domestic pets readily classifiable as being customarily incidental and accessory to a permitted residential use when no commercial activity is involved, including, but not limited to, rabbits, guinea pigs, hamsters, fish, snakes, lizards, and small amphibians and reptiles.
 - 3. Poultry** - Domesticated birds kept for eggs or meat.
- C. Standards.** The keeping and raising of animals shall meet the standards as provided in Table 3.4. All animals shall be cared for in a manner that does not create a public health problem or a public nuisance, or interfere with the public welfare of surrounding properties. All animal enclosures, pens, and cages shall be maintained so as to discourage the proliferation of flies, other disease vectors, and offensive odors. (Ord. #2223)

Table L-II 3.4.€A

Animal Keeping And Raising Standards				
Animal Type	AG, AE, FR, REC, IDR, PD, TPZ, P & OS	RA	R1, R2, R3	Commercial ⁽¹⁾ & Industrial Districts
Large Animals	No Limit	⁽²⁾	Not Allowed	
Small Animals	No Limit			
Dogs and/or Cats ⁽³⁾	No Limit		Not more than 3	
Game fowl, Poultry, and Rabbits	No Limit	⁽⁴⁾	Not Allowed	
<u>Backyard Chickens</u>	<u>No Limit</u>	<u>Allowed on parcels less than 0.5-acre per Section L-II 3.4.1. Parcels larger than 0.5-acre see footnote ⁽⁴⁾</u>	<u>Allowed in R1 per Section L-II 3.4.1. Not Allowed in R2 and R3</u>	<u>Not Allowed</u>
Aviaries	No Limit ⁽⁵⁾			
Apiaries ⁽⁶⁾	No Limit ⁽⁶⁾	Not more than 20 colonies per acre ⁽⁶⁾		Not Allowed
Chinchillas, Minks, & animals of a similar size	No Limit	⁽⁷⁾	Not Allowed	
Wild, exotic, or non-domestic animals ⁽⁸⁾	Use Permit		Not Allowed	
Wildlife Rehabilitation Facilities	Administrative Permit ⁽⁹⁾		Not Allowed	

- (1) Applies to residential uses associated with a mixed-use project within commercial and industrial districts. Does not apply to commercial and industrial uses within these districts.
- (2) The keeping of large animals is not allowed on parcels of less than 0.5 acres in size. On parcels of 0.5 acres to 3 acres, not more than one mature large animal shall be kept for each 0.5 acres of land. This standard may be exceeded subject to approval of a Use Permit. On parcels of more than 3 acres, there is no limit on the number of large animals. There is no limit for occasional mob or rotation grazing where a large number of livestock are confined to a small area for a short period time and moved regularly to keep weeds out and grass down. This table does not apply to commercial stables which require a use permit in rural districts, as allowed by the land use tables.
- (3) Where a maximum number of dogs and cats is listed, any combination of these animals is permitted but may not exceed the total as shown in the Table. On parcels of 0.5 acres or less in size, the maximum is not more than 6 animals, not to exceed 3 dogs, regardless of zoning. Maximums apply to dogs and cats over 6 months of age. This table does not apply to commercial kennels which require a use permit as allowed in rural, commercial, and industrial districts, as required by the land use tables. In addition to the provisions of this Chapter, commercial and private kennels as defined in the Nevada County General Code, Chapter IV, Article 1, section 1.37 require a kennel license from the Nevada County Department of Animal Control.
- (4) The keeping of game fowl, poultry and rabbits is not allowed on parcels of less than 0.5 acres in size. These animals shall be limited to 50 mature animals (over the age of 6 months) per 0.5 acre, except that

1,500 square feet per mature animal (over the age of 12 months) is required for emus, ostriches, peacocks, or other large fowl.

- (5) Aviaries shall not create odor, noise, or any type of public nuisance noticeable to neighbors.
- (6) No apiary shall be located within 100' of any other property boundary without the consent of the adjacent parcel's owner. Apiary locations are further defined in LUDC Chapter XIV, Section 2.3
- (7) The following standards shall apply within the RA District:
 - a. All chinchillas, minks and similar-sized animals shall be maintained in cages or pens and shall not be allowed to run free on-site.
- (8) Wild, exotic, or non-domestic animals are subject to special authorization from the Department of Animal Control. See Nevada County General Code Section G-IV 1.55 for details. Such animals may also be subject to special authorization from the California Department of Fish and Game. Specific wild or non-domestic animals may be kept for rehabilitation purposes as shown in Note 9 and further defined in LUDC Section 3.26.
- (9) Wildlife rehabilitation facilities are allowed subject to an administrative permit if it meets the standards shown in LUDC Section 3.26.

DRAFT

Section L-II 3.4.1 Backyard Chicken Keeping

- A. Purpose.** To provide opportunities for the onsite raising of domestic chickens in single-family residential (R1) neighborhoods and residential agricultural (RA) zoned properties with lot size less than 0.5 acres.
- B. Definitions.** For purposes of this ordinance, Backyard Chicken shall mean a domestic chick or hen kept on a property and does not include roosters, guinea hens or loud exotic varieties.
- C. Standards.** The keeping of backyard chickens shall be allowed in the RA and R1 Zoning Districts based on compliance with the following requirements and standards:
1. The raising of backyard chickens shall be allowed only on properties containing a single-family dwelling with a fenced rear yard area. Backyard chickens and their eggs are for domestic purposes only with no commercial sales allowed at the property.
 2. All backyard chicken coops shall maintain the following setbacks:
 - a. Property line: 10 feet
 - b. Adjacent Residence: 30 feet
 3. All chicken feed shall be kept within an enclosed container to prevent the attraction of vermin.
 4. All chicken manure produced from backyard chickens shall be managed in a manner that prevents odors, flies and pests.
 5. The following minimum lot size and corresponding maximum number of chickens shall apply:

TABLE 3.4.1.A

PROPERTY SIZE/MAXIMUM NUMBER OF CHICKENS

<u>Base Zoning District</u>	<u>Minimum Lot Size</u>	<u>Maximum Number of Chickens</u>
<u>R1</u>	<u>6,000 sq. ft</u>	<u>4</u>
<u>&</u>	<u>10,000 sq. ft</u>	<u>8</u>
<u>RA*</u>	<u>20,000 sq. ft</u>	<u>14</u>

* RA parcels of less than 0.5 acres in size