

Article 4

Standards for Specific Land Uses

18.42.040- Animal Keeping

Animal keeping within the City shall comply with requirements of this Section, and shall occur only where allowed by Article 2 (Zoning Districts and Allowable Land Uses) and this Section. The provisions of this Section are intended to assist in ensuring that animal keeping does not create adverse impacts on adjacent properties by reason of bright lights, dust, insect infestations, noise, odor, or visual blight.

A. Pre-existing uses. Any legally established animal keeping use that became nonconforming upon adoption of this Section shall be permitted to continue subject to Chapter 18.90 (Nonconforming Uses, Structures, and Parcels).

B. Allowable animal keeping activities and permit requirements.

1. Activities and permit requirements. Animal keeping, including related animal husbandry activities (breeding, judging, etc.) is allowed only in compliance with the limitations on use and permit requirements in Table 4-1, and the animal keeping standards in Subsection C. The keeping of imported animals may require approval by the U.S. Department of Agriculture Fish and Wildlife Service, U.S. Department of Public Health, California Department of Fish and Game, and/or the California Department of Food and Agriculture, and the Mendocino County Agricultural Commissioner, in addition to any City approval required by this Section.

Table 4-1 - ALLOWABLE ANIMAL-KEEPING AND PERMIT REQUIREMENTS

| Type of Animal | Permit Requirement by Zoning District | | | |
|--|---------------------------------------|------------------|------------------|--|
| | RR & RS | RL & RM | RH, RVH | <u>Commercial & Industrial Districts</u> |
| Beekeeping | <u>P or MUP*</u> | <u>P or MUP*</u> | <u>P or MUP*</u> | <u>P or MUP*</u> |
| Fowl, poultry, aviary (except roosters) | P | P | MUP | = |
| Hogs and swine | P | - | - | = |
| Two or fewer horses and cows | MUP | - | - | = |
| Household pets | P | P | P | = |
| Roosters | MUP | - | - | = |
| Other large animals (defined in Table 4-2) | P | MUP | - | = |
| Other small animals (defined in Table 4-2) | P | P | P | = |

Key to permit requirements:

| | |
|------------------|--|
| P | Permitted animal keeping, no City approval required for the animal keeping activity, provided that it complies with the standards in Subsections C. through F. |
| <u>P or MUP*</u> | Beekeeping, as a permitted use, is limited to one <u>two</u> hives per parcel without a Minor Use Permit . A <u>Minor Use Permit</u> is required for more than two <u>one</u> hives per parcel in in any residential and commercial zoning districts. <u>Bee hives are not permitted within one mile of MacKerricher State Park's Glass Beach Headlands, due to potential impacts on endangered native bees in this area.</u> <u>All parcels that establish non-native bee colonies shall also plant native flowering vegetation that is a known source of nectar, pollen and food for bees.</u> |

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| MUP | Minor Use Permit approval required in compliance with Section 18.71.060. |
| - | Type of animal or activity not allowed. |

2. Minor Use Permit review. Where Table 4-1 requires a Minor Use Permit for keeping a specified animal type, the purpose of the discretionary review shall include evaluation of how the proposed animals will be housed and/or confined, and whether the location, size, and design of the area on the site for animal keeping will be adequate to allow compliance with the other standards of this Section without unreasonable effort on the part of the animal manager. In approving a Minor Use Permit in compliance with this Section, the review authority may limit the maximum number of animals allowed on the site as appropriate to the characteristics of the site, the surrounding land uses, and the species of animals proposed.

C. Animal keeping standards. All animal keeping shall comply with the standards in Table 4-2, where allowed by Subsection B., Table 4-1, except that more animals may be allowed by Minor Use Permit.

Table 4-2 - ANIMAL-KEEPING STANDARDS

| Type of Animal or Facility | Maximum Number of Animals per Site (1) | Minimum Lot Area (2) | Minimum Setbacks (3) | |
|---|---|----------------------|-------------------------------|----------------------------|
| | | | From Side/Rear Property Lines | From Streets and Dwellings |
| Dogs and cats | 5 animals total on a site less than 1 acre; 5 of each species on a site of 1 acre or more | None required | None required | None required |
| Fowl, poultry, aviary | 6 for parcels less than 10,000 SF; 12 per acre for larger parcels | 6,000 SF | 10 ft | 25 ft |
| Hogs and swine | 1 per acre | 2 acres | 50 ft | 100 ft |
| Horses and cows | 2 per acre | 1 acre | 25 ft | 25 ft |
| Other small animals - Including chinchillas, rabbits, non-poisonous reptiles, rodents, and other non-poisonous small animals. | 6 animals total on a site less than 10,000 SF; 20 animals per acre for larger sites, where allowed by Table 4-1. | None | 10 ft | 25 ft |
| Other large animals - Emus, goats, llamas, miniature horses and donkeys, ostriches, pot belly pigs, sheep, and similar sized animals. | 4 per acre | 1 acre | 25 ft | 25 ft |

Notes:

- (1) Offspring allowed in addition to maximum number until market-ready.
- (2) Minimum lot area required for the keeping of animals.
- (3) Minimum setbacks from all property lines for barns, shelters, pens, coops, cages, and other areas and structures where animals are kept in concentrated confinement; but not including areas continuously maintained as pasture. Animals shall not be kept in any required front yard setback except in pasture areas.

D. Maintenance and operational standards. All animal keeping shall comply with all of the following maintenance and operational standards.

- 1. Odor and vector control.** All animal enclosures, including but not limited to pens, coops, cages and feed areas shall be maintained free from litter, garbage and the accumulation of manure, so as to discourage the proliferation of flies, other disease vectors and offensive odors. Manure shall also not be allowed to accumulate. Each site shall be maintained in a neat and sanitary manner.
 - 2. Containment.** All animals shall be effectively contained on the site, and shall not be allowed to run free off the parcel or in a public right-of-way.
 - 3. Waterway protection.** The keeping of horses, cattle, hogs or other large animals within 50 feet of any waterway shall first require Director approval of a good housekeeping plan to protect the waterway from the polluting effects of runoff from the animal keeping area. The plan shall provide for regular manure removal, the maintenance of pasture vegetation to minimize the exposure and potential erosion of bare soil, site grading to direct runoff to detention and settling areas rather than the waterway, and/or other measures approved by the Director.
 - 4. Erosion and sedimentation control.** In no case shall an animal keeping operation be managed or maintained so as to produce sedimentation on any public road, adjoining property, or in any drainage channel or other waterway. In the event sedimentation occurs, the keeping of animals outdoors on the site shall be deemed a nuisance and may be subject to abatement.
 - 5. Noise control.** Animal keeping shall comply with the Municipal Code Chapter 9.44.
- E. Animal husbandry project exception.** The keeping or raising of a calf, horse, goat, sheep, hog, chickens, rabbits, birds or other animals (excluding roosters) as a 4-H or Future Farmers of America (FFA) project shall comply with the following requirements.
- 1. Minimum site area.** A minimum of one acre of site area shall be required for the keeping of horses, cows, or other large animals.
 - 2. Setback requirements.** The project animals shall be confined in a pen or fenced area that is located no closer than 25 feet to any dwelling other than on the project site; except that a hog or swine shall not be located closer than 100 feet from any dwelling other than on the project site.
 - 3. Maximum number of animals.** The number of animals shall comply with the limitations in Subsection C.
 - 4. Maintenance.** The animal keeping shall comply with all standards in Subsection D.
- F. Kennels and animal boarding.** Each kennel and other small animal boarding facility shall comply with the following standards.
- 1. Minimum site area.** An animal boarding facility may be approved only on a parcel of 2 acres or larger.
 - 2. Enclosure within building.** All animal boarding (sleeping and night-time confinement) shall occur within an entirely enclosed building.
 - 3. Noise control.** The building used for animal boarding shall be insulated, or otherwise constructed and maintained so that no noise from animals within the building is audible to an average person at the property line of the site.
 - 4. Management.** A manager of the facility shall be present on the site at all times.