

#### § 84.04.090 Animal Keeping Allowed as Accessory Use.

Animal keeping allowed as an accessory use to primary residential uses shall be subject to the regulations in this Section.

(a) *Structures for Animal Maintenance and Care.* Each animal keeping land use shall include all structures necessary to maintain and care for the animals (e.g., barn, coops, corral, pens, stables, etc.). The structures shall comply with the development standards identified in Division 2 (Land Use Zoning Districts and Allowed Land Uses) and in this Section.

(b) *Setbacks.*

(1) *Distance from Structures for Human Habitation or Assembly.* All animals, other than cats, dogs, canaries or birds of the psittacinae family, shall be maintained at least 70 feet, measured in a straight line, away from any structure or area used for human habitation or public assembly (e.g. parks, churches, etc.) on adjoining property. The area of human habitation shall not include cabanas, patios, attached or detached private garages or storage buildings.

(2) *Distance from Property Lines and Rights-of-Way.* Animals shall be maintained at least five feet away from interior side and rear property lines, and 15 feet away from side street rights-of-way, excepting an alley or bridle path, unless they comply with the Subdivision (3) (Enclosure), below.

(3) *Enclosure.* Animals may be maintained by a fence at least five feet high and made of either chain link, wood with horizontal members no less than six inches apart, solid masonry or other appropriate solid screening and confining materials.

(4) *Distance from Water Well.* Animals shall be kept at least 100 feet away from any domestic water well.

(c) *Newborn Animal Exception.* Offspring of animals maintained on the same property in compliance with applicable laws and regulations that are less than four months old or that have not been weaned, whichever is longer, shall not be subject to the maximum density or number limitations established by this Chapter.

(d) *Parcel Area for Qualifying Number or Density of Animal Type.* Parcel area used to qualify one animal type shall not be reused to qualify another animal type.

(e) *Manure Management.* Proper manure management shall be carried out in compliance with Title 3 (Health and Sanitation and Animal Regulations) of the County Code.

(f) *Compliance with Health Regulations.* Animal keeping land uses shall comply with public health laws regarding proper care and maximum number of animals.

(g) *Conditional Use Permit Requirement for Different Densities and Animal Types.* Accessory animal keeping of densities greater than, or of animal types different from, those listed in Table 84-5 (Animal Keeping Allowed as Accessory Use) shall be subject to a Conditional Use Permit (e.g., educational animal projects, temporary grazing operations, etc.).

(h) *Standards.* The standards in Table 84-5 (Animal Keeping Allowed as Accessory Use) shall apply to all animal keeping allowed as an accessory use. Densities shall be based upon the total area of the subject property regardless of structures on-site or setback requirements.

(i) *Additional Standards for Animal Keeping as Accessory Use to Primary Single-family Dwelling Unit.* In addition to the requirements in this Section, the following provisions shall apply for animal keeping as an accessory use to a primary single-family dwelling unit only:

(1) *Combinations of Animal Types.* Combinations of the animal types shall be allowed, provided:

(A) The total number of animals in each category is not exceeded.

(B) Where a density ratio of animals per parcel area is specified, the parcel area is allocated only once, to either a primary or accessory animal keeping use. Parcel area used to qualify one animal type shall not be reused to allow another animal type.

(C) Animal types that are limited only by a maximum number per parcel are allowed in addition to any other accessory or primary animal keeping use.

(D) Parcels with multi-family residential structures shall be limited to the following animals for lots less than 7,200 square feet in size:

(I) Any combination of two dogs, cats, and/or pot-bellied pigs (under 50 pounds) shall be allowed per unit.

(II) Any combination of two chickens (or similar fowl—hens only) or rabbits or other similar small animals.

(2) *Confined Animals.*

(A) Animals that are normally maintained in aquariums, terrariums, vivariums, birdcages, or similar devices shall be allowed as an accessory animal keeping use, provided that the structure or device in which animals are kept shall be:

(I) A maximum of 50 cubic feet; and

(II) Maintained within an enclosed building.

(B) The maximum number or density limitations for these confined animal types shall comply with public health regulations.

(j) *Additional Agriculture (AA) Overlay.* See Chapter 82.07 Additional Agriculture (AA) Overlay for additional animal keeping regulations.

| Table 84-5                                    |                                  |                              |
|-----------------------------------------------|----------------------------------|------------------------------|
| Animal Keeping Allowed as Accessory Use       |                                  |                              |
| Animal Type                                   | All single-family dwelling units |                              |
| Table 84-5                                    |                                  |                              |
| Animal Keeping Allowed as Accessory Use       |                                  |                              |
| Animal Type                                   | All single-family dwelling units |                              |
|                                               | Minimum Parcel Area<br>(Sq. Ft.) | Maximum Density or<br>Number |
| A combination of dogs and/or cats             | Less than 7,200                  | 2/parcel or unit             |
|                                               | 7,200 - 9,999                    | 3/parcel                     |
|                                               | 10,000 - 19,999                  | 4/parcel                     |
|                                               | 20,000 or more                   | 5/parcel <sup>(1)</sup>      |
| Pot bellied pigs (under 200 lbs.)             | Less than 7,200                  | 2/parcel                     |
|                                               | 7,200 - 9,999                    | 3/parcel                     |
|                                               | 10,000 - 19,999                  | 4/parcel                     |
|                                               | 20,000 or more                   | 5/parcel <sup>(1)</sup>      |
| Aviary, apiary, or similar small animal farms | 20,000 or more                   | Not allowed                  |
| Fish raising                                  | 20,000 or more                   | Not allowed                  |

|                                                        |                                              |                                                                   |
|--------------------------------------------------------|----------------------------------------------|-------------------------------------------------------------------|
| Poultry                                                |                                              |                                                                   |
| Female                                                 | Less than 7,200                              | 2/parcel                                                          |
|                                                        | 7,200 - 9,999                                | 3/parcel                                                          |
|                                                        | 10,000 - 19,999                              | 4/parcel                                                          |
|                                                        | 20,000 or more                               | 1/2,000 sq. ft.                                                   |
|                                                        |                                              | Maximum 9 of each genus/parcel                                    |
| Poultry                                                |                                              |                                                                   |
| Male                                                   | 1 acre                                       | Maximum 9 per parcel but no more than 2 of any genus              |
| Rabbits and chinchillas                                | Less than 7,200                              | 2/parcel or unit                                                  |
|                                                        | 7,200 - 9,999                                | 3/parcel                                                          |
|                                                        | 10,000 - 19,999                              | 4/parcel                                                          |
|                                                        | 20,000 or more                               | 1/2,000 sq. ft.                                                   |
|                                                        |                                              | Maximum 9 of each genus/parcel                                    |
| Sheep, female goats, and other similar small livestock | Less than 7,200                              | Not allowed                                                       |
|                                                        | 7,200 - 19,999                               | 1/5,000 sq. ft.                                                   |
|                                                        | 20,000 or more                               | 1/5,000 sq. ft.                                                   |
|                                                        |                                              | Cumulative total of sheep and goats = 9 per parcel                |
| Male adult goats                                       | 20,000 or more                               | 1 parcel                                                          |
| Cattle, buffalo, or similar large domesticated animals | 20,000 sq. ft. with 60 foot minimum frontage | 1/10,000 sq. ft.                                                  |
|                                                        |                                              | Cumulative total of all large domesticated animals = 9 per parcel |
| Horses                                                 | 20,000 sq. ft. with 60 foot minimum frontage | 1/10,000 sq. ft.                                                  |
|                                                        |                                              | Cumulative total of all large domesticated animals = 9 per parcel |
| Hogs                                                   | Not allowed                                  | Not allowed                                                       |
| Emus, Ostriches                                        | 1 acre                                       | 1/10,000 sq. ft.                                                  |
|                                                        |                                              | Maximum of 9 animals                                              |
| Alpacas, Llamas                                        | Less than 7,200                              | Not allowed                                                       |
|                                                        | 7,200 - 19,999                               | 1/5,000 sq. ft.                                                   |
|                                                        | 20,000 or more                               | 1/5,000 sq. ft.                                                   |
|                                                        |                                              | Cumulative total of alpacas and llamas = 9 per parcel             |
| <b>Notes:</b>                                          |                                              |                                                                   |

- (1) Five or more dogs and/or cats constitute a private kennel or cattery, which is subject to regulations in § 84.04.060 (Private Kennels and/or Catteries).
- (2) Lot area used to qualify one animal type shall not be reused to allow another animal type.
- (3) Animal types that are limited only by a maximum number per lot are allowed in addition to any other accessory or primary animal keeping use.
- (4) For the purposes of this Section, lots with attached multiple residential structures shall be limited to a combination of dogs and/or cats, pot bellied pigs, poultry, rabbits and chinchillas.

(Ord. 4011, passed - -2007; Am. Ord. 4043, passed - -2008; Am. Ord. 4341, passed - -2018)