

ORDINANCE NO. 2016

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
TEHAMA AMENDING TITLE 17 OF THE TEHAMA COUNTY CODE RELATING TO
POULTRY FARMS IN AGRICULTURAL ZONING DISTRICTS**

THE BOARD OF SUPERVISORS OF THE COUNTY OF TEHAMA ORDAINS
AS FOLLOWS:

SECTION 1. Purpose – This ordinance seeks to balance Tehama County's strong agricultural heritage and right to farm with the growing impacts of large scale poultry operations in Tehama County. To continue to promote the values of the community, any poultry operation or use which would otherwise be regulated by this Ordinance, that was legally established prior to January 7, 2015, shall be able to continue such preexisting operations or use without the requirement of a permit and without violation of this ordinance; unless after the enactment of this ordinance such operation or use is expanded in any manner which would require a permit or otherwise violate this ordinance.

SECTION 2. Section 17.04.340 of the Tehama County Code is hereby repealed.

SECTION 3. Chapter 17.04.340 is hereby added to the Tehama County Code to read:

17.04.340 Light Agriculture. "Light agriculture" shall mean:

- A. Farms devoted to the hatching, raising, butchering or marketing on a small scale of rabbits, fish, frogs, mink, chinchilla, or other small animal farms (excluding poultry) of a similar nature, provided that not more than one hundred such animals per acre, shall be kept, fed, or maintained on a premises of less than five acres;
- B. Nurseries, greenhouses, orchards, aviaries, apiaries, or the raising of field crops, trees and tree crops, berry or bush crops, vineyards, row crops, U-Pick operations or vegetable, flower or herb gardening on a commercial scale;
- C. The grazing of cattle, horses, sheep, goats, hogs or other farm stock or animals on a commercial scale, including the supplementary feeding thereof; on parcels of less than twenty acres, not more than two such animals per acre shall be kept or maintained; for the grazing of sheep or goats the permissible number of animals per acre may be multiplied by three; in no event shall there be any limit of the permissible number of sheep which may be grazed per acre where such grazing operation is

conducted on fields for the purpose of cleaning up unharvested crops and, further, where such grazing operation is not conducted for more than four weeks in a six months' period; nor shall it limit the numbers of animals kept for agricultural activities associated with 4-H and/or FFA or similar projects;

- D. In all cases the permissible number of animals per acre shall be computed upon the basis of the nearest equivalent ratio;
- E. Farms or establishments for the selective or experimental breeding of cattle, horses, sheep, goats, hogs and other farm stock or animals and the raising and/or training of such animals and stock under the same conditions and provisions as set forth in subsection C of this section;
- F. Community auction and sale yard;
- G. A temporary or permanent stand for the display and sale of the products of any permitted use, produced upon the premises upon which such stand is located or upon lands owned or leased by the occupant of such premises;
- H. Accessory buildings and accessory uses, such as, barns, private stables, farm equipment shelters, and other out buildings.
- I. Farms devoted to the hatching, raising, butchering or marketing of poultry, poultry eggs, or other poultry products on a small scale, provided that no more than one hundred (100) such animals may be kept, fed, or maintained on a premises no matter the size of the premises.

SECTION 4. Chapter 17.04.461 is hereby added to the Tehama County Code to read:

17.04.462 Poultry. "Poultry" shall mean chickens, turkeys, ducks, game birds, pigeons, or any other similar fowl.

SECTION 5. Chapter 17.04.464 is hereby added to the Tehama County Code to read:

17.04.464 Premises. "Premises" shall mean a single, legal parcel of property. Where contiguous legal parcels are under common ownership or control, such contiguous legal parcels shall be counted as a single "premises" for purposes of this chapter.

SECTION 6. Section 17.04.490 of the Tehama County Code is hereby repealed.

SECTION 7. Chapter 17.04.490 is hereby added to the Tehama County Code to read:

17.04.340 Semi-heavy agriculture. "Semi-heavy agriculture" shall mean:

- A. Any use defined under light agriculture without limitation as to number of animals, except for poultry farms;
- B. Feed yards, commercial riding academies;
- C. Hog ranches;
- D. Menageries, animal hospitals, commercial kennels as defined in Section 7.04.050, and dairies;
- E. Fruit and vegetable packing and processing plants, wineries and similar uses;
- F. Any accessory agricultural purpose.

SECTION 8. Section 17.10.020 of the Tehama County Code is hereby repealed.

SECTION 9. Chapter 17.10.020 is hereby added to the Tehama County Code to read:

17.10.020 Uses Permitted. Except as provided in Section 17.10.080, uses permitted in an AG-1 districts shall be as follows:

- A. The primary use of lands in this district is for the grazing of livestock.
- B. Secondary uses for lands in this district include tree, row, and field crops; farming; animal husbandry; nurseries and greenhouses for the propagation of plants, and semi-heavy agricultural uses as defined by Section 17.04.490, where the use does not require a use permit pursuant to Section 17.10.030
- C. Residential uses accessory to agricultural and permitted commercial recreation operations. Except as otherwise provided in this title, including without limitation Sections 17.08.012, 17.08.050, and 17.10.030, such accessory residential uses shall be limited to the principal residence of the owner or operator.
- D. Mineral exploration which will not permanently interfere with the principal uses of the lands for agricultural purposes on parcels forty acres or greater.
- E. Home occupations as defined in Section 17.04.280
- F. Outdoor recreation uses such as agritourism, agri-nature tourism, collaborative agri-nature tourism events, and environmental learning tourism meeting the

standards and requirements of Chapter 17.81

- G. Agricultural homestays meeting the standards and requirements of Chapter 17.81, provided that such agricultural homestays are in conjunction with the primary agriculture production use of the property.
- H. Farms devoted to the hatching, raising, butchering or marketing of poultry, poultry eggs, or other poultry products meeting the standards and requirements of Chapter 17.82.

SECTION 10. Section 17.10.030 of the Tehama County Code is hereby repealed.

SECTION 11. Chapter 17.10.030 is hereby added to the Tehama County Code to read:

17.10.030 Uses Requiring Use Permits. Except as provided in Section 17.10.080, the following uses shall be permitted in an AG-1 district upon securing a use permit:

- A. Heavy agricultural uses as defined by Section 17.04.330
- B. Dairies and commercial cattle and hog feed lots.
- C. Youth ranches, educational or religious institutions, or similar uses.
- D. Additional farm labor or caretaker housing.
- E. Employee and farmworker housing exceeding the limits set pursuant to Section 17.08.012
- F. Soil amendment projects for the treatment of "non-hazardous petroleum contaminated soils" as defined by state law and regulations.
- G. Commercial shooting ranges as defined in Section 17.04.180
- H. Outdoor recreation uses such as agritourism, agri-nature tourism, collaborative agri-nature tourism events, and environmental learning tourism exceeding the standards and requirements of Chapter 17.81
- I. Temporary, seasonal collaborative sales of agricultural products in accordance with state and federal standards, such as farmers' markets.
- J. Commercial and industrial uses of primary and essential service to the agricultural use of the surrounding area, including, but not limited to, the sale of fertilizers and pesticides; the sale and repair of farm equipment

and machinery, and the limited manufacture of agricultural equipment and machinery.

- K. Mineral exploration which will not permanently interfere with the principal uses of the lands for agricultural purposes on parcels less than forty acres.
- L. Non-commercial wind generators exceeding eighty feet.
- M. Farms devoted to the hatching, raising, butchering or marketing of poultry, poultry eggs, or other poultry products exceeding the standards and requirements of Chapter 17.82.

SECTION 12. Section 17.11.020 of the Tehama County Code is hereby repealed.

SECTION 13. Chapter 17.11.020 is hereby added to the Tehama County Code to read:

17.11.020 Uses Permitted. Except as provided in Section 17.11.080, uses permitted in an AG-2 districts shall be as follows:

- A. The primary use of lands in this district is for the production of tree, row and field crops; and nurseries and greenhouses for the propagation of plants.
- B. Secondary uses for lands in this district include the grazing of livestock; animal husbandry; and semi-heavy agricultural uses as defined by Section 17.04.490, where the use does not require a use permit pursuant to Section 17.11.030
- C. Residential uses accessory to agricultural and permitted commercial recreation operations. Except as otherwise provided in this title, including without limitation Sections 17.08.012, 17.08.050, and 17.11.030, such accessory residential uses shall be limited to the principal residence of the owner or operator.
- D. Mineral exploration which will not permanently interfere with the principal uses of the lands for agricultural purposes on parcels forty acres or greater.
- E. Home occupations as defined in Section 17.04.280
- F. Outdoor recreation uses such as agritourism, agri-nature tourism, collaborative agri-nature tourism events, and environmental learning tourism meeting the standards and requirements of Chapter 17.81

- G. Agricultural homestays meeting the standards and requirements of Chapter 17.81, provided that such agricultural homestays are in conjunction with the primary agriculture production use of the property.
- H. Farms devoted to the hatching, raising, butchering or marketing of poultry, poultry eggs, or other poultry products meeting the standards and requirements of Chapter 17.82.

SECTION 14. Section 17.11.030 of the Tehama County Code is hereby repealed.

SECTION 15. Chapter 17.11.030 is hereby added to the Tehama County Code to read:

17.11.030 Uses Requiring Use Permits. Except as provided in Section 17.11.080, the following uses shall be permitted in an AG-2 district upon securing a use permit:

- A. Heavy agricultural uses as defined by Section 17.04.330
- B. Dairies and commercial cattle and hog feed lots.
- C. Youth ranches, educational or religious institutions, or similar uses.
- D. Additional farm labor or caretaker housing.
- E. Employee and farmworker housing exceeding the limits set pursuant to Section 17.08.012
- F. Soil amendment projects for the treatment of "non-hazardous petroleum contaminated soils" as defined by state law and regulations.
- G. Commercial shooting ranges as defined in Section 17.04.180
- H. Outdoor recreation uses such as agritourism, agri-nature tourism, collaborative agri-nature tourism events, and environmental learning tourism exceeding the standards and requirements of Chapter 17.81
- I. Temporary, seasonal collaborative sales of agricultural products in accordance with state and federal standards, such as farmers' markets.
- J. Commercial and industrial uses of primary and essential service to the agricultural use of the surrounding area, including, but not limited to, the sale of fertilizers and pesticide; the sale and repair of farm equipment and machinery, and the limited manufacture of agricultural equipment and machinery.

- K. Mineral exploration which will not permanently interfere with the principal uses of the lands for agricultural purposes on parcels less than forty acres.
- L. Non-commercial wind generators exceeding eighty feet.
- M. Farms devoted to the hatching, raising, butchering or marketing of poultry, poultry eggs, or other poultry products exceeding the standards and requirements of Chapter 17.82.

SECTION 16. Section 17.12.020 of the Tehama County Code is hereby repealed.

SECTION 17. Chapter 17.12.020 is hereby added to the Tehama County Code to read:

17.12.020 Uses Permitted. Except as provided in Section 17.12.100, uses permitted in an AG-3 districts shall be as follows:

- A. The primary use of lands in this district is for the production of tree, row and field crops; and nurseries and greenhouses for the propagation of plants.
- B. Secondary uses for lands in this district include the grazing of livestock; animal husbandry; and light agricultural uses as defined by Section 17.04.340, where the use does not require a use permit pursuant to Section 17.12.030
- C. On parcels twenty acres or larger, semi-heavy agricultural uses as defined in Section 17.90.490 are permitted, where the use does not require a use permit pursuant to Section 17.12.030
- D. Rural residential one-family dwellings, including private garages, guest cottages, and accessory buildings and uses. Except as otherwise provided in this Title, including without limitation Sections 17.08.012, 17.08.050, and 17.12.030, such one-family dwellings shall be limited to one per pre-existing legal parcel.
- E. Poultry and rabbit farming; provided, that such operations for commercial purposes shall be confined within enclosed structures on parcels of five acres or less, and further provided that poultry farms meet the standards and requirements of Chapter 17.82.
- F. Home occupations as defined in Section 17.04.280
- G. Outdoor recreation uses such as agritourism, agri-nature tourism,

collaborative agri-nature tourism events, and environmental learning tourism meeting the standards and requirements of Chapter 17.81

- H. Agricultural homestays meeting the standards and requirements of Chapter 17.81, provided that such agricultural homestays are in conjunction with the primary agriculture production use of the property.

SECTION 18. Section 17.12.030 of the Tehama County Code is hereby repealed.

SECTION 19. Chapter 17.12.030 is hereby added to the Tehama County Code to read:

17.12.030 Uses Requiring Use Permits. Except as provided in Section 17.12.100, the following uses shall be permitted in an AG-3 district upon securing a use permit:

- A. Heavy agricultural uses as defined by Section 17.04.330
- B. Semi-heavy agricultural uses, as defined in Section 17.90.490, on parcels of less than twenty acres.
- C. Dairies and commercial cattle and hog feed lots.
- D. Youth ranches, educational or religious institutions, or similar uses;
- E. Additional farm labor or caretaker housing.
- F. Employee and farmworker housing exceeding the limits set pursuant to Section 17.08.012.
- G. Soil amendment projects for the treatment of "non-hazardous petroleum contaminated soils" as defined by state law and regulations.
- H. Commercial shooting ranges as defined in Section 17.04.180
- I. Outdoor recreation uses such as agritourism, agri-nature tourism, collaborative agri-nature tourism events, and environmental learning tourism exceeding the standards and requirements of Chapter 17.81.
- J. Temporary, seasonal collaborative sales of agricultural products in accordance with state and federal standards, such as farmers' markets.
- K. Commercial and industrial uses of primary and essential service to the agricultural use of the surrounding area, including, but not limited to, the sale of fertilizers and pesticides; the sale and repair of farm equipment

and machinery, and the limited manufacture of agricultural equipment and machinery.

- L. Mineral exploration which will not permanently interfere with the principal uses of the lands for agricultural purposes.
- M. Non-commercial wind generators exceeding eighty feet.
- N. Farms devoted to the hatching, raising, butchering or marketing of poultry, poultry eggs, or other poultry products exceeding the standards and requirements of Chapter 17.82.

SECTION 20. Section 17.13.020 of the Tehama County Code is hereby repealed.

SECTION 21. Chapter 17.13.020 is hereby added to the Tehama County Code to read:

17.13.020 Uses Permitted. Except as provided in Section 17.13.080, uses permitted in an AG-4 district shall be as follows:

- A. The primary use of lands in this district is for the production of tree, row and field crops; and nurseries and greenhouses for the propagation of plants.
- B. Secondary uses for lands in this district include the grazing of livestock; animal husbandry; and semi-heavy agricultural uses as defined by Section 17.04.490, where the use does not require a use permit pursuant to Section 17.13.030.
- C. Residential uses accessory to agricultural and permitted commercial recreation operations. Except as otherwise provided in this Title, including without limitation Sections 17.08.012, 17.08.050, and 17.11.030, such accessory residential uses shall be limited to the principal residence of the owner or operator.
- D. Home occupations as defined in Section 17.04.280.
- E. Outdoor recreation uses such as agritourism, agri-nature tourism, collaborative agri-nature tourism events, and environmental learning tourism meeting the standards and requirements of Chapter 17.81
- F. Agricultural homestays meeting the standards and requirements of Chapter 17.81, provided that such agricultural homestays are in conjunction with the primary agriculture production use of the property.

- G. Farms devoted to the hatching, raising, butchering or marketing of poultry, poultry eggs, or other poultry products meeting the standards and requirements of Chapter 17.82.

SECTION 22. Section 17.13.030 of the Tehama County Code is hereby repealed.

SECTION 23. Chapter 17.13.030 is hereby added to the Tehama County Code to read:

17.13.030 Uses Requiring Use Permits. Except as provided in Section 17.13.080, the following uses shall be permitted in an AG-4 district upon securing a use permit:

- A. Heavy agricultural uses as defined by Section 17.04.330
- B. Dairies and commercial cattle and hog feed lots.
- C. Youth ranches, educational or religious institutions, or similar uses.
- D. Additional farm labor or caretaker housing.
- E. Employee and farmworker housing exceeding the limits set pursuant to Section 17.08.012
- F. Soil amendment projects for the treatment of "non-hazardous petroleum contaminated soils" as defined by state law and regulations.
- G. Commercial shooting ranges as defined in Section 17.04.180
- H. Outdoor recreation uses such as agritourism, agri-nature tourism, collaborative agri-nature tourism events, and environmental learning tourism exceeding the standards and requirements of Chapter 17.81
- I. Temporary, seasonal collaborative sales of agricultural products in accordance with state and federal standards, such as farmers' markets.
- J. Commercial and industrial uses of primary and essential service to the agricultural use of the surrounding area, including, but not limited to, the sale of fertilizers and pesticides; the sale and repair of farm equipment and machinery, and the limited manufacture of agricultural equipment and machinery.
- K. Mineral exploration which will not permanently interfere with the principal uses of the lands for agricultural purposes.

- L. Non-commercial wind generators exceeding eighty feet.
- M. Farms devoted to the hatching, raising, butchering or marketing of poultry, poultry eggs, or other poultry products exceeding the standards and requirements of Chapter 17.82.

SECTION 24. Section 17.48.020 of the Tehama County Code is hereby repealed.

SECTION 25. Chapter 17.48.020 is hereby added to the Tehama County Code to read:

17.48.020 Uses Permitted. Uses permitted in an A district shall be as follows:

- A. All uses permitted in the particular district with which the A district is combined;
- B. Animal husbandry and livestock farming, as follows: not more than one horse, cow, or similar livestock per acre of land area;
- C. Poultry and rabbit farming; provided, that such operations for commercial purposes shall be confined within enclosed structures, and further provided that poultry farms meet the standards and requirements of Chapter 17.82.
- D. Sale of agricultural products produced on the premises and sign of not more than four square feet advertising such sales.

SECTION 26. Section 17.48.030 of the Tehama County Code is hereby repealed.

SECTION 27. Chapter 17.48.030 is hereby added to the Tehama County Code to read:

17.48.030 Uses Requiring Use Permits. Uses requiring use permits in an A district shall be as follows:

- A. Veterinary hospitals, commercial kennels, riding stables, nurseries and retail sales of products;
- B. Agricultural supply and equipment sales and servicing;
- C. The keeping of more livestock than otherwise permitted herein, on parcels of more than one acre.
- D. Farms devoted to the hatching, raising, butchering or marketing of poultry,

poultry eggs, or other poultry products exceeding the standards and requirements of Chapter 17.82.

SECTION 28. Chapter 17.82 is hereby added to the Tehama County Code to read:

Chapter 17.82

ADMINISTRATIVE PERMIT FOR LIMITED POULTRY OPERATIONS

Sections:

17.82.010 - Purpose

17.82.020 - Administrative permit–Process.

17.82.030 - Administrative permit–Notice and appeals.

17.82.040 - Administrative permit–Time limits.

17.82.050 - Administrative permit–General provisions.

17.82.060 - Administrative permit–Development and performance.

17.82.010 Purpose. The purpose of this Chapter is to limit and regulate commercial poultry operations in Tehama County within the AG-1, AG-2, AG-3, AG-4, and Animal Raising Combining zoning districts, where such operations maintain, feed, or keep, between 101 and 2,999 poultry. The ministerial administrative permit process is intended to allow the proper integration of such uses into the community, only if such uses are designed or arranged on the site in accordance with established development standards of this title. This chapter is intended to implement the 2009-2029 Tehama County General Plan Policies LU-1.4, LU 2.2, ED-3.4, and ED-6.2.

17.82.020 Administrative permit–Process.

- A. Applicants may be issued an administrative permit for commercial poultry operations keeping, feeding, or maintaining of between 101 and 2,999 poultry, on lands within the AG-1, AG-2, AG-3, AG-4, and the A; Animal Raising Combining zoning districts, if such use is consistent with the administrative permit application requirements and administrative permit standards and criteria set forth in this Chapter. In the event that the proposed use or activity exceeds the standards and requirements of this chapter, the applicant shall be required to obtain a use permit under Chapter 17.70.
- B. Application for an administrative permit shall be made in writing by the owner or authorized occupant of the property on a form prescribed by the Director of Planning. The application shall be accompanied by a fee, as set by the Board of Supervisors, and plans showing the details of the site and the proposed use or activity.

- C. Prior to issuance of any administrative permit, the proposed use or activity and site plans shall be reviewed by the affected county departments and other affected public agencies to ascertain compliance with all applicable laws, policies, codes and regulations.
- D. Administrative permits under this chapter shall be issued upon a determination by the Director of Planning that the use described in the application for the permit and the plans filed therewith conform to the requirements of this Chapter and other applicable laws, regulations, and ordinances, and that the fee has been paid.

17.82.030 Administrative permit–Notice and appeals.

- A. A public hearing shall not be required on any application for an administrative permit prior to action being taken by the Director of Planning to approve or deny the application.
- B. Upon the Director of Planning's action to approve or deny an administrative permit pursuant to this Chapter, all property owners within one thousand (1,000) feet of the project parcel and the applicant shall be notified by mail of the Director of Planning's action. The notice shall include the location and general description of the proposed use that may be established upon the issuance of the administrative permit. The notice shall inform the property owners and Applicant of their right to appeal the final approval of the administrative permit to the Planning Commission.
- C. Appeal of the action by the Director of Planning to approve or deny an administrative permit under this Chapter shall be made in writing to the Planning Commission and submitted to the Planning Department within twenty (20) days of the date the notification is mailed to the property owners and Applicant pursuant to Subdivision (B). The written appeal shall be accompanied by an appeal fee prescribed by the Board of Supervisors.
- D. Following a public meeting, notice of which shall be given in the manner provided in Subdivision (B), the Planning Commission may affirm, modify, or reverse the action of the Director of Planning, based upon the standards and requirements set forth in this Chapter.
- E. The decision by the Planning Commission to affirm, modify, or reverse the action of the Director of Planning may be appealed to the Board of Supervisors within ten (10) days of such action. The appeal shall be submitted in writing to the Clerk of the Board and accompanied by an appeal fee prescribed by the Board of Supervisors.
- F. Following a public meeting, notice of which shall be given in the manner provided in Subdivision (B), the Board of supervisors may affirm, modify,

or reverse the action of the Planning Commission. Action by the Board of Supervisors on the appeal of an administrative permit shall be final. Failure to appeal to the Planning Commission and thereafter the Board of Supervisors shall be construed as a failure to exhaust administrative remedies.

17.82.040 - Administrative permit--Time limits.

- A. In any case where an administrative permit has not been used within one year after the date of granting thereof, then, without further action by the Director of Planning, the administrative permit granted shall be null and void.
- B. In any case where an active administrative permit has been abandoned for a period of six months, without further action by the Director of Planning, the administrative permit granted shall be null and void.
- C. The Director of Planning may approve one extension of the time limits set forth in this section for an approved administrative permit, for up to eighteen additional months after notice is given in the same manner as the original approval, if the Director finds that such extension is consistent with the purposes of this Chapter.

17.82.050 - Administrative permit--General Provisions. An administrative permit may

be issued under this Chapter for the following use:

- A. The keeping, feeding, or maintaining of between 101 and 2,999 poultry, on lands within the AG-1, AG-2, AG-3, AG-4, and the A; Animal Raising Combining zoning districts, for the purpose of hatching, raising, butchering, or marketing, of said animals or animal products, in accordance with the development standards established by this Chapter, shall be permitted.

17.82.060 - Administrative permit--Development and Performance Standards.

Any person keeping, feeding, or maintaining of between 101 and 2,999, poultry, as permitted under this Chapter shall comply with the following standards:

- A. The primary use of the parcel on which the use is located shall be a farm, as defined in Food and Agricultural Code section 52262 that produces agricultural products as its primary source of income. Uses under this chapter may constitute the primary commercial agricultural production use of the property.
- B. The amount of land allowed for the permanent physical improvements (infrastructure and structural improvements) related to any use or activity

permitted under this Chapter shall be no more than ten (10) acres of total land area. Permanent physical improvements do not include other permitted uses allowed by the district wherein the proposed use is located. If the permitted use or activity is conducted on multiple parcels, the maximum percentage of permanent physical improvement shall be separately calculated for each parcel on which the improved facilities are located, and there shall be no more than ten (10) acres cumulative physical improvement allowed on all of the parcels combined.

- C. The use shall not employ more than ten (10) total employees on-site at any one time. This limit does not include family members, as defined in Section 1.04.205, or employees solely of other agricultural operations taking place on the project parcel. The Director of Planning may grant limited exceptions to the number of employees allowed at an operation on a case by case basis, through the administrative permit process, for specific uses which may occasionally require more employees, when the Director of Planning makes the finding that the increased number of employees will not adversely impact the neighbors or public.
- D. Permitted uses or activities shall be limited to the parcel or parcels identified in the application.
- E. Uses confining poultry shall fully comply with the requirements of The Prevention of Farm Animals Cruelty Act of 2008, Health & Safety Code § 25990 et. seq.
- F. The use or activity shall have adequate provisions for potable water as determined by the Tehama County Department of Environmental Health.
- G. The use or activity shall have adequate on-site parking for all employees.
- H. Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall not be visible off site.
- J. If the use or activity generates more than fifteen (15) Average Daily Trips (ADTs), the following road access and maintenance requirements shall apply:
 - 1. The permitted use or activity shall have access from a public or private road or roads which have adequate capacity for existing traffic and the traffic generated by the activity or use, as set forth in the Tehama County Land Development and Engineering Design Standards. If the use or activity is proposed to have access from a county maintained road that does not full meet the standards set forth in the Tehama County Land Development and Engineering

Design Standards, then the use or activity may only occur if the road is improved by the Applicant to provide adequate capacity as described above.

2. The use or activity shall have access from roads which are maintained. If primary access is not from a county maintained road or state highway, then the operator of the use or activity shall participate in any existing active road maintenance organization for all privately maintained access roads. If no road maintenance organization exists, then the Applicant and any other parties whose consent is legally required shall develop, execute, and record a road maintenance agreement which provides for maintenance of drainage and erosion control devices, fuel modification, and upkeep of road surfaces from at least the Applicant's property to the nearest county maintained road or state highway. The road maintenance agreement provisions shall be developed by the Applicant and shall:

- i. Be in effect for the life of the use, unless said maintenance is taken over the by the county, a special district, other governmental entity, or another recorded private road maintenance association with the approval of the county.
- ii. Provide for annual maintenance and the immediate correction of emergency and hazard situations.
- iii. Be in a form approved by the Director of Planning and County Counsel.

K. All uses or activities shall comply with the following general standards:

1. The Applicant shall submit a plan demonstrating best practices in the management of supplemental feeds, manure, bedding and nesting materials to lessen any potential adverse impacts that the operation might have on neighbors or the larger community and ensure that the operation is not likely to become a nuisance to surrounding property owners or the community and that no health and safety problems will arises due to its operation. The plan shall describe policies and procedures that:
 - i. Regulate, control or prohibit the accumulation of manure.
 - ii. Prevent accumulation of spoiled feed or vegetable matter in which fly larvae exist or any accumulation of filth or sources of foulness hazardous to health or comfort of people.
 - iii. Prevent pollutants, drainage, and storm water, from entering the creeks, streams, drainage ditches or groundwater supplies.
 - iv. Prohibit any nuisance, offensive matter, foul or noxious

- odors.
 - v. Ensure that stray birds do not trespass onto adjacent public rights-of-way or private lands.
2. For confined and free range, and/or caged free poultry operations, maintain a setback of no less than 500 feet from any building permitted for human occupancy.
- L. In the event that a use or activity permitted hereunder is proposed in an area where applications of pesticide may occur, the Director of Planning shall consider during the project review process the location of the use or activity. The permitted location shall include no less than 500 feet setback from the property line to provide an adequate buffer between the use or activity and any application of a pesticide.
- M. Phased projects that would ultimately result in the maintaining, feeding, or keeping, of more than 2,999 poultry do not qualify for an administrative use permit and must obtain a use permit pursuant to Chapter 17.70.

SECTION 29. This ordinance shall take effect thirty (30) days from the date of its adoption, and prior to the expiration of fifteen (15) days from the adoption thereof shall be published at least one time in the *Red Bluff Daily News*, a newspaper of general circulation in Tehama County.

The foregoing ordinance was duly passed and adopted by the Board of Supervisors of the County of Tehama, State of California, at a regular meeting of the Board of Supervisors on the 20th day of October, 2015 by the following vote:

AYES: Supervisors Williams, Carlson, Garton, Chamblin and Bundy

NOES: None

ABSENT OR NOT VOTING: None


CHAIRMAN, Board of Supervisors

STATE OF CALIFORNIA)
) ss
COUNTY OF TEHAMA)

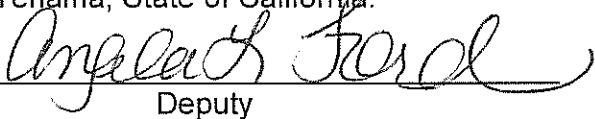
I, JENNIFER A. VISE, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California, hereby certify the above and

foregoing to be a full, true and correct copy of an ordinance adopted by said Board of Supervisors on the 20th day of October, 2015.

DATED: This 20th day of October, 2015.

JENNIFER A. VISE, County Clerk and ex-officio
Clerk of the Board of Supervisors of the County
of Tehama, State of California.

By

A handwritten signature in cursive script, appearing to read "Angela K. Ford", written over a horizontal line.

Deputy