

Appendix A

Animal Keeping Standards

(adopted 1/1/2011)



**STANDARDS FOR THE KEEPING OF ANIMALS IN THE RESIDENTIAL ZONES OF THE
FAIRVIEW UNINCORPORATED AREA OF ALAMEDA COUNTY**

APPROVED JANUARY 11, 2011

The intent of these Standards is to address the unique issues related to the keeping of animals in the Fairview Community. The impact and efficacy of these Standards will be evaluated by the Sheriff before they are considered for application in other areas of the unincorporated County.

I. ANIMAL FANCIERS PERMIT:

A. Permit Required: Section 5.12.010 of the General Code states that "no person shall keep more than two dogs or keep more than two cats, or keep any livestock as accessory to any dwelling located in any R zoning district ... except in accordance with the provisions of a valid animal fanciers permit...."

B. Exemption: Any livestock in a combining L district owned by an individual who is a member of a nonprofit youth organization formed primarily for agricultural purposes {for example, 4-H or Future Farmers of America (FFA)} and raised by that individual as part of the regular activities of the organization may be granted a waiver from the Animal Fanciers Permit for up to one (1) year and are exempt from paying the permit fee.

II. MINIMUM LOT SIZE AND MAXIMUM NUMBER OF ANIMALS:

A. For Horses, Steers and/or Cows:

1. Combining L District: On a minimum lot of 40,000 square feet, the combining L district allows one (1) cow, or one (1) horse, or one (1) other similar domestic animal, or any combination thereof, for each 20,000 square feet of lot area when accessory (subordinate and secondary) to the principal use of the parcel.
2. Residential (R) District: On a minimum lot of 40,000 square feet, the R district allows one (1) horse, one (1) cow, or one (1) other similar large domestic animal, or any combination thereof, for each 20,000 square feet of available space per animal.

B. For Sheep, Goats, Potbelly Pigs, Pygmy Goats, Llamas, Alpacas, or Similar Animals:

1. Combining L District: On a minimum lot of 40,000 square feet, the combining L district allows two (2) sheep, or two (2) goats, or two (2) similar domestic animals, or any combination thereof, for each 20,000 square feet of lot area when accessory (subordinate and secondary) to the principal use of the parcel.
2. Residential (R) District: On a minimum lot of 40,000 square feet, the R district allows two (2) sheep, or two (2) goats, or two (2) similar domestic animals for each twenty thousand (20,000) square feet of available space per animal.

C. For Fowl (chicken, duck, goose, turkey)

1. Combining L District On a minimum lot of 40,000 square feet, the combining L district allows fifty (50) fowl (chicken, duck, goose, turkey) or similar birds when accessory (subordinate and secondary) to the principal use of the parcel.

2. Residential (R) District: With no minimum lot size, the R district allows one (1) fowl for each 200 square feet of available space up to a total of fifty (50) fowl (chicken, duck, geese, turkey or similar birds).

D. For Rabbits (or more than 5 Chinchillas or 5 Guinea Pigs) or Similar Small Animals:

1. Combining L District: On a minimum lot of 40,000 square feet, the combining L district allows fifty (50) rabbits, guinea pigs, or similar small animals when accessory (subordinate and secondary) to the principal use of the parcel.
2. Residential (R) District: With no minimum lot size, the R district allows one (1) adult rabbit or similar small animal for each 200 square feet of available space up to total of fifty (50) such small animals.

E. For Pigeons:

1. Combining L District: On a minimum lot of 40,000 square feet, the combining L district allows fifty (50) pigeons when accessory (subordinate and secondary) to the principal use of the parcel.
2. Residential (R) District: With no minimum lot size, the R district allows one (1) pigeon for each 50 square feet of available space up to a total of fifty (50) pigeons. During breeding season, an increase of 20% in the number of pigeons allowed on a given lot is allowable for a period not to exceed ninety (90) days.

F. For Bees:

1. Combining L District: With no minimum lot size, the combining L district allows one colony (one hive body) for each 10,000 square feet of space when accessory (subordinate and secondary) to the principal use of the parcel.
2. Residential (R) District: With no minimum lot size, the R district allows one colony (one hive body) for each 10,000 square feet of available space.

III. CONDITIONAL USE PERMITS:

- A. Combining L District: The keeping of animals in a combining L district in excess of the number allowed in Section II (above) is permitted only if approved by the board of zoning adjustments in a conditional use permit (CUP).
- B. Residential (R) District: The zoning ordinance does not allow a CUP to be used to authorize the keeping of additional animals in the R district.

IV. PERFORMANCE STANDARDS FOR THE KEEPING OF ANIMALS IN ALL RESIDENTIAL (“L” AND “R” DISTRICTS

A. For Horses, Steers *and/or* Cows:

1. Any accessory structure used to shelter or enclose an animal (such as a corral or stable) must be located in a manner that complies with applicable zoning requirements. Accessory structures should be in the rear half of the lot and at least forty (40) feet from the front lot line. However, this restriction will not be applied to require the structure to be

more than seventy-five (75) feet from the front lot line. Accessory structures should be at least forty (40) feet from any dwelling on an adjacent lot.

2. Manure should be removed daily from corral, stable, paddock or other holding areas. Manure should be removed from pasture or grazing areas when necessary to prevent the production of flies or unreasonable odors. Manure not removed from the premises on a daily basis must be stored in fly-tight containers, cans or holding boxes and removed from the containers to an approved disposal site at least once each week.
 3. Watering troughs must be constructed and located so that they do not overflow in the stall, corral or paddock area.
 4. Hay must be stored in such a manner so as not to become a nesting place for rodents (for example, in rodent-resistant buildings or stored at least 6" off the floor on pallets and away from walls, other material or equipment).
 5. Grain feeds shall be stored in rodent-resistant containers or buildings (for example, in metal cans or rodent-resistant feed cribs).
 6. The entire area set aside for the animals, including exercise areas, shall be maintained clear of all rubbish and debris.
- B. For Sheep, Goats, Potbelly Pigs, Pygmy Goats, Llamas, Alpacas, or Similar Animals:
1. Any structure used to shelter or enclose an animal (such as a corral or stable) must be located in a manner that complies with applicable zoning requirements. Accessory structures should be in the rear half of the lot and at least forty (40) feet from the front lot line. However, this restriction will not be applied to require the structure to be more than seventy-five (75) feet from the front lot line. Accessory structures should be at least forty (40) feet from any dwelling on an adjacent lot.
 2. Manure should be removed daily from corral, stable, paddock or other holding areas. Manure should be removed from pasture or grazing areas when necessary to prevent the production of flies or unreasonable odors. Manure not removed from the premises on a daily basis must be stored in fly-tight containers, cans or holding boxes and removed from the containers to an approved disposal site at least once each week.
 3. Watering troughs must be so constructed and located that they do not overflow in the stall, corral or paddock area.
 4. Hay must be stored in such a manner so as not to become a nesting place for rodents (for example, in rodent-resistant buildings or stored at least 6" off the floor on pallets and away from walls, other material or equipment).
 5. Grain feeds shall be stored in rodent-resistant containers or buildings (for example, in metal cans or rodent-resistant feed cribs).
 6. The entire area set aside for the animals shall be maintained clear of all rubbish and debris.
 7. No male sheep or goats shall be kept in a residential area unless castrated. Castrated animals (raised for food) may be kept for a period not to exceed seven (7) months.

- C. For Rabbits (or more than five (5) Chinchillas or five (5) Guinea Pigs) or Similar Small Animals:
1. Any accessory structure used to shelter or enclose the animals, such as a rabbit hutch, must be located in a manner that complies with applicable zoning requirements. Accessory structures should be in the rear half of the lot and at least forty (40) feet from the front lot line. However, this restriction will not be applied to require the structure to be more than seventy-five (75) feet from the front lot line. Accessory structures should be at least forty (40) feet from any dwelling on an adjacent lot.
 2. All hutches and the area under them should be cleaned on a regular basis so as not to create an odor or fly problem. Daily cleaning is mandatory if worm beds are not maintained under the hutches.
 3. All feed must be stored in vermin resistant containers.
 4. Litters may be kept for a period not to exceed ten (10) weeks after birth.
- D. For Fowl (including Chickens, Turkeys, Guinea Fowl, Ducks and Geese):
1. Any accessory structure used to shelter or enclose fowl, such as a pen or coop, must be located in a manner that complies with applicable zoning requirements. Accessory structures should be located on rear half of the parcel and at least forty (40) feet from the front lot line. However, this restriction will not be applied to require the structure to be more than seventy-five (75) feet from the front lot line. Accessory structures should be at least forty (40) feet from any dwelling on an adjacent lot.
 2. All feed must be stored in vermin resistant containers.
 3. The area under any roost must be cleaned daily with manure stored in flytight containers with disposal at an approved dump at least once a week.
 4. No roosters or gobblers may be kept in any residential zone.
- E. For Pigeons:
1. Any accessory structure used to shelter or enclose the pigeons, such as a pigeon loft, must be located in a manner that complies with applicable zoning requirements. Accessory structures should be located on rear half of the parcel and at least forty (40) feet from the front lot line. However, this restriction will not be applied to require the structure to be more than seventy-five (75) feet from the front lot line. Accessory structures should be at least forty (40) feet from any dwelling on an adjacent lot.
 2. Lofts must be cleaned daily with manure stored in fly-tight containers with disposal at an approved dump at least once a week.
 3. All feed must be stored in vermin resistant containers.
 4. Birds may be exercised a maximum of one (1) hour per day immediately prior to feeding.

F. For Bees:

1. All aplanes must be registered with the Alameda County Agricultural Commissioner in the manner required by Food and Agricultural Code sections 29040-29046.
2. No apiary shall be located:
 - a. on any land without the written consent of the owner or person in possession of the land; or
 - b. closer than eighty (80) feet from any public street, sidewalk or other public thoroughfare; or
 - c. closer than forty (40) feet from any residence or property line unless the adjoining property owner gives their written consent to a lesser distance, but in no case shall the apiary (hive body) be closer than twenty-five (25) feet from any residence or property line.
3. If the person maintaining the apiary does not reside on the premises then the apiary must be identified by signage in the manner required by Food and Agricultural Code section 29046.
4. A water supply adequate in quantity for the apiary must be provided and maintained.

V. PROCEDURE FOR REMOVAL AND DISPOSAL OF ANIMAL WASTE. Manure shall be removed and disposed of in compliance with Alameda County General Code Section 5.12.100, unless the County Health Officer has approved an alternative removal or disposal procedure.

VI. DEFINITIONS:

The definitions contained in Section 5.04.010 of the General Code apply to these Standards and, unless it is plainly evident from the context that a different meaning is intended, certain additional terms used in these Standards are defined as follows:

"Adequate" means an amount necessary given the specific environmental circumstances and biological needs of an animal or insect.

"Apiary" includes bees, comb, hives, appliances, or colonies, wherever they are kept, located or found.

"Appliance" means any implement or other device used in handling or manipulating bees or comb, any container of bees or comb, or any other equipment used in the practice of apiculture.

"Available Space" means the net exterior square footage of a lot, which is calculated by reducing the gross exterior square footage of the lot by the footprint of all built-out space on the lot (including, for example, the residential structure, any attached or detached garage, swimming pools, and similar uses).

"Bees" means honey-producing insects of the genus *Apis* and includes all stages of the insects.

"Colony" means one hive and its contents, including bees, comb, and appliances.

"Comb" includes all materials which are normally deposited into hives by bees. It does not include extracted honey or royal jelly, trapped pollen, and processed beeswax.

"Corral" means an enclosure or pen for confining livestock.

"Hive" means any receptacle or container which is made or prepared for the use of bees, or which is inhabited by bees.

"Paddock" means a small field or fenced area usually near a stable, barn or house for grazing or pasturing livestock.

"Pasture" means land for grazing livestock.

"Stable" means a building in which livestock, especially horses, are kept and which may be divided into separate stalls for individual animals.

VII. KEEPING MULTIPLE SPECIES

A. Different species of animal may be combined on a given lot as long as they do not exceed the total number of animals allowed by the zoning district and these Standards.

1. Combining L District: For example, in the L district a 40,000 square foot lot would permit the following combinations of animals:
 - One horse OR one cow AND two sheep OR two goats
 - One cow AND one horse
 - One horse OR one cow AND one sheep AND one goat
 - Two horses OR two cows
 - Four sheep OR four goats
 - Two sheep AND two goats
 - One sheep AND three goats

These examples do not show all possible combinations that may be allowed in the L district. In each example above, the L district zone would also allow up to fifty (50) fowl (which may consist of varying combinations of chickens, ducks, geese, turkeys) or rabbits, guinea pigs or similar small animals.

2. Residential (R) District: For example, in the R district a 40,000 square foot lot with 10,000 square feet of space being used for structures (houses, garages, etc.), leaving 30,000 square feet of available space for use by animals would permit the following combinations of animals:
 - One horse OR one cow
 - Two sheep OR two goats
 - Two potbelly pigs OR two pygmy goats
 - One horse, 25 rabbits AND 25 chickens
 - Two sheep AND one apiary
 - One sheep, one goat AND 50 chickens

These examples do not show all possible combinations that may be allowed in the R district.

VIII. IMPLEMENTATION:

The holder of a current, valid Animal Fancier permit, or an applicant pending issuance of a renewed Animal Fancier permit, issued prior to the modification of these Standards on January 11, 2011, will have until January 11, 2014 to come into compliance with Article II of these Standards (Article II establishes the minimum lot size and maximum number of animals allowed on each lot or parcel). All new applicants for Animal Fancier permits must comply with these Standards as of July 31, 2011.

