

## Chapter 17.36

### AGRICULTURAL DISTRICTS

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### I. AGRICULTURAL (A) DISTRICTS

17.36.010 Purpose. The purpose of A districts is to provide for the orderly development of land having sufficient space and natural conditions compatible to horticultural and agricultural pursuits and to promote and encourage these pursuits by providing additional opportunities for the sale, packing, processing, and other related activities which tend to increase their economic viability and to provide for the protection from encroachment of unrelated uses tending to have adverse effects on the development of the area. (Ord. 3826 (part), 1988: prior code §9415(a))

17.36.020 Applicability. The regulations set forth in Sections 17.36.030 through 17.36.050 shall apply in all A agricultural districts and shall be subject to the provisions of Chapters 17.14, 17.16 and 17.18. (Ord. 3826 (part), 1988: prior code §9415(b))

17.36.030 Uses permitted by right. The following uses are allowed by right, without special use permit or variance:

- A. One-family detached dwelling:
  - 1. The renting of one room within the dwelling,
  - 2. Guest house, not to exceed four hundred square feet as an accessory use to an existing dwelling,
  - 3. Accessory use and structures including but not limited to garage, swimming pool, pumphouse, boathouse,
  - 4. Home occupations such as accountant, advisor, appraiser, architect, artist, attorney, author, broker, dressmaker, draftsman, dentist, handicrafts, insurance, photographer, physician, therapist, musician, teacher and other similar occupations normally conducted by mail or telephone on the premises where the activities do not create a traffic problem; provided, that instruction is not given to groups in excess of four and concerts or recitals are not held and no display of goods is visible from the outside of the property, such use must be carried on in the main building and be incidental to the residential use of the premises and be carried on by a resident thereon;
- B. Raising and grazing of livestock and other animals;
- C. Growing of trees, fruits, vegetables, flowers, grains and other crops;
- D. Packing and sale of agricultural products produced on the premises without changing the nature of the product;
- E. Any structure or use incidental or accessory to any of the foregoing uses;
- F. Excavation of earth and the drilling of wells exclusively for agricultural or residential purposes on the premises;

- G. One unlighted sign located on-site advertising authorized activities. The sign's display area shall not exceed sixteen square feet on either sign face with a total no greater than thirty-two square feet for a double-faced sign. Freestanding signs shall not exceed twelve feet in height. Grower association signs, such as Farm Trails, Apple Hill, Winery, Farm Bureau, 4-H or any other grower associations representing a group of growers, shall be exempt from these provisions;
- H. Packing, processing and sale of agricultural products and edible byproducts grown on-site;
- I. The packing, processing and sale of agricultural products grown off-site in conjunction with the processing or sale of products produced on site; (Ord. 4573 (part), 2001; Ord. 3826 (part), 1988; Ord. 3606 §48, 1986; Ord. 3366 §37, 1983; Ord. 3364 §33, 1983; prior code §9415(c))

17.36.040 Uses requiring special use permit. The following uses are allowed only after obtaining a special use permit therefor from the planning commission or zoning administrator:

- A. The processing, and/or sale of agricultural products produced off-site and any accessory structures on parcels less than twenty acres;
- B. The commercial slaughtering of animals;
- C. The excavation of earth with processing plants for building material other than for on-premises purposes;
- D. The mining or drilling of minerals or petroleum;
- E. The deposition onto land, into the atmosphere, or into water, of solid waste as defined by Public Resources Code Section 40191, as from time to time amended, or the operation of a solid waste facility as defined by Public Resources Code Section 40194, as from time to time amended, or the operation of a load screening program as required by applicable state law, or the operation of a household hazardous waste collection program as required by applicable state law;
- F. The construction of schools, churches, cemeteries and golf courses and public utility buildings;
- G. Recreational buildings and uses;
- H. Other sign sizes and applicable general provisions as itemized in Chapters 17.14, 17.16 and 17.18;
- I. Airports, heliports, landing strips and their accessory uses and structures;
- J. Home occupations not listed in subsection A4 of Section 17.36.030 which require special consideration, such as power tools, accessory buildings, noise, and will not change the residential character of the premises, or adversely affect the other uses permitted in a residential area;
- K. Kennel, as defined in subsection 18 of Section 6.04.020;
- L. Single-family and multifamily dwellings, including dormitories, for agricultural labor housing where the contiguous ownership of properties used for agricultural purposes contain ten acres or more. Applications for agricultural labor housing may be approved only upon a favorable recommendation from the agricultural commission that the activities conducted on the property or contiguous properties under the same ownership satisfy the criteria for an agricultural operation. (Ord. 4573 (part), 2001; Ord. 4169 §1, 1991; Ord. 3826 (part), 1988; Ord. 3606 §49, 1986; Ord. 3439 §7, 1984; Ord. 3419 §11, 1984; Ord. 3366 §38, 1983; Ord. 3364 §34, 1983; prior code §9415(d))

17.36.050 Development standards. The following building provisions shall apply in the A agricultural districts unless and until a variance is obtained from the planning commission or zoning administrator:

- A. Minimum lot area of ten acres;
- B. No maximum building coverage;
- C. Minimum lot width of one hundred fifty feet;
- D. Minimum yard setbacks: front and rear, thirty feet (30'); sides, thirty feet (30'), except the side yard shall be increased one foot for each additional foot of building height in excess of twenty-five feet (25'). (Ord. 4236, 1992)
- E. Minimum agriculture structural setbacks of fifty feet on all yards;
- F. Maximum building heights of forty-five feet (45'); (Ord. 4236, 1992)
- G. Development Standards. The development of new agricultural enterprise structures or uses shall be located one hundred feet from any noncompatible use, i.e.:
  - 1. Residential structures,
  - 2. Nursing homes,
  - 3. Public schools,
  - 4. Playgrounds,
  - 5. Swimming pools,
  - 6. Ponds, and
  - 7. Churches. (Ord. 3826 (part), 1988: Ord. 3606 §50, 1986: Ord. 3366 §§39, 40, 1983; prior code §9415(e))

## II. EXCLUSIVE AGRICULTURAL (AE) DISTRICTS

17.36.060 Applicability. The regulations set forth in Sections 17.36.070 through 17.36.100 shall apply only to those lands subject to the Land Conservation Act of 1965. Such lands known as AE districts shall be subject to the provisions of Chapters 17.14, 17.16 and 17.18. No building or structure shall be erected, structurally altered or enlarged, nor shall any building, structure or land be used except as follows. (Ord. 3827 (part), 1988: prior code §9415.5(part))

17.36.070 Uses permitted by right. The following uses are allowed by right, without special use permit or variance if for commercial purposes:

- A. Raising and grazing of livestock, poultry and other animals;
- B. Growing of trees, fruits, vegetables, flowers, grains and other crops;
- C. Growing and harvesting of timber and other forest products;
- D. One single-family detached dwelling within each AE preserve, or one mobile home within the AE preserve for the property owner; provided, however, that the location of the mobile home shall be subject to the approval of the zoning administrator in the same manner and subject to the same review as applicable to approvals of the zoning administrator relating to special use permits;
- E. One unlighted sign in view of the public roadway, not exceeding thirty-two square feet of display area on any one sign, and not more than sixty-four square feet total display area, and not more than twelve feet above ground level, advertising authorized agriculture activities on the premises. Grower association signs, such as Farm Trails, Apple Hill, Winery, Farm Bureau, 4-H or any other grower associations representing a group of growers, shall be exempt from these provisions. Signs warning against trespass, hunting or shooting on the

premises not more than one hundred sixty-eight square inches in size and not less than two hundred feet apart.

- F. Excavation of earth and the drilling of wells exclusively for agricultural uses and other authorized uses on the premises;
- G. Barns, corrals and other outbuildings and structures accessory to the foregoing uses;
- H. Packing, processing and sale of agricultural products and by products grown on the site;
- I. The packing, processing and sale of agricultural products and by products grown off-site in conjunction with the processing or sale of products grown on site.
- J. Ranch marketing activities pursuant to the provisions of Section 17.14.180.
- K. Wineries and wine tasting facilities, pursuant to the provisions of Section 17.14.190. (Ord.4573 (part), 2001; Ord. 3826 (part), 1988: Ord. 3606 §51, 1986: Ord. 3364 §35, 1983; prior code §9415.5(a))

17.36.080 Uses requiring special use permit. The following uses are allowed only after obtaining a special use permit from the planning commission or zoning administrator with recommendation of the agricultural commission:

- A. The packing, processing, and/or sale of agricultural products produced off-site and any accessory structures on parcels containing less than twenty acres;
- B. Uses compatible with the intent of the Land Conservation Act of 1965;
- C. Private noncommercial aircraft landing fields for use of the agricultural pursuits thereon and such accessory buildings as needed to provide shelter, maintenance and storage to the equipment thereon;
- D. Gas and oil wells;
- E. Other sign sizes and applicable general provisions as itemized in Chapters 17.14, 17.16 and 17.18;
- F. Kennel, as defined in subsection 18 of Section 6.04.020;
- G. Use of special attractions for commercial purposes, such as, but not limited to, music festivals, carnivals, flags, banners, or other nonagricultural activities;
- H. Single-family and multifamily dwellings, including dormitories, for agricultural labor housing where the contiguous ownership of properties used for agricultural purposes contain ten acres or more. Applications for agricultural labor housing may be approved only upon a favorable recommendation from the agricultural commission that the activities conducted on the property or contiguous properties under the same ownership satisfy the criteria for an agricultural operation.
- I. Ranch marketing activities not permitted under Section 17.36.230, as set forth in Section 17.14.180;
- J. Wine tasting facilities not permitted under Section 17.36.230 as set forth in Section 17.14.190. (Ord. 4573 (part), 2001; Ord. 3827 (part), 1988: Ord. 3606 §52, 1986: Ord. 3440 §2, 1984: Ord. 3364 §36, 1983; prior code §9415.5(b))

17.36.090 Development standards. The following area and building regulations shall apply in AE districts unless a variance is first obtained from the planning commission or zoning administrator:

- A. Buildings and structures shall not exceed fifty feet (50') in height from the ground floor, except that water tanks, silos, granaries, barns and similar structures, or necessary mechanical appurtenances, may exceed fifty feet in height, provided they do not violate the height regulations imposed by any AA airport approach district;

- B. Notwithstanding any other provision of Sections 17.36.060 through 17.36.100, no mobile home, building or structure shall be erected, structurally altered or enlarged, or placed on the property for purposes of human habitation on any parcel of land created by a land division which takes place after the effective date of the amendment which adds this subsection. For purposes of this subsection, land division includes the division of any real property, improved or unimproved, or portion thereof shown on the latest equalized county assessment roll as a unit or contiguous units which are divided for the purpose of sale, lease or financing whether immediate or future. This subsection shall not apply to any parcel created by a land division which independently meets the criteria now or hereafter established by the board of supervisors for the establishment of agricultural preserves and as to which, after its creation, the owner has entered into a contract with the county for the establishment of an agricultural preserve;
- C. Minimum parcel area, twenty acres; provided, however, an agricultural preserve may consist of a parcel or contiguous parcels of between ten (10) and twenty (20) acres if the property meets all of the special criteria therefor as established by the county in that certain resolution establishing Williamson Act criteria, as from to time amended, and the parcel was, or contiguous parcels were, in existence as of March 23, 1993. (Ord. 4286, 1993)
- D. Minimum parcel width, two hundred feet;
- E. Minimum yard setbacks: front and rear, thirty feet (30'); sides, thirty feet (30'), except the side yard shall be increased one foot for each additional foot of building height in excess of twenty-five feet (25'). (Ord. 4236, 1992)
- F. Minimum agriculture structural setbacks of fifty feet on all yards;
- G. Maximum building coverage, none;
- H. Locations of the parcel in relation to surrounding land use: The success and stability of agricultural enterprises can be influenced by the zone and use of immediately adjacent lands. Land that is within an agricultural area or adjacent to agriculturally zoned lands may be recommended for agricultural zoning. A buffer area as established by Ordinance No. 3371, July 12, 1983, will be required. Variances to the above will be reviewed by the agricultural commission.

The development of new agricultural enterprise structures or uses shall be located one hundred feet from any noncompatible use, i.e.:

1. Residential structures,
2. Nursing homes,
3. Public schools,
4. Playgrounds,
5. Swimming pools,
6. Ponds, and
7. Churches. (Ord. 3827 (part), 1988: Ord. 3606 §53, 1986: Ord. 3366 §§41, 42, 1983; prior code §9415.5(c))

17.36.100 Applicability. The regulations contained in Sections 17.36.060 through 17.36.090 shall also apply to lands zoned AE but which are not encumbered by Agricultural Preserve Contracts. This section is not a change of but is declaratory of existing law. (Ord. 3827 (part), 1988: prior code §9415.6)

### III. PLANNED AGRICULTURAL (PA) DISTRICTS

17.36.110 Purpose. The purpose of the PA districts is to provide for the orderly development and protection of lands having sufficient space and conditions compatible to horticulture, husbandry and other agricultural pursuits and to promote and encourage these pursuits by providing additional opportunities for the sale, packing, processing, and other related activities which tend to increase their economic viability and to provide for the protection from encroachment of unrelated and incompatible land uses tending to have adverse effects on the development or use of these so designated lands.

17.36.120 Applicability. The regulations set forth in Sections 17.36.130 through 17.36.160 shall apply in all PA planned agricultural districts, and shall be subject to the provisions of Chapters 17.14, 17.16 and 17.18. Any amendment to zone boundaries proposing to add or remove lands from planned agricultural zoning districts shall be reviewed by the agricultural commission.

17.36.130 Uses permitted by right. The following uses are allowed by right without special use permit or variance:

- A. One single-family detached dwelling:
  - 1. Accessory uses and structures including, but not limited to, garage, swimming pool, pumphouse, boathouse,
  - 2. The renting of one room within the dwelling,
  - 3. One guest house, not for rent or lease, and not to exceed four hundred square feet of floor space as an accessory use to an existing dwelling. No guest house shall contain kitchen facilities;
- B. Home occupations such as accountant, advisor, appraiser, architect, artist, attorney, author, broker, dressmaker, draftsman, dentist, engineer, handicrafts, insurance, photographer, physician, therapist, musician, teacher and other similar occupations conducted on the premises or by mail or telephone where the activities do not create a traffic problem; provided, that instruction is not given to groups in excess of four and concerts or recitals are not held and no display of goods is visible from the outside of the property, such use must be carried on in the residence and be incidental to the residential use of the premises and be carried on by a resident thereon;
- C. One unlighted sign in view of the public roadway, not exceeding thirty-two square feet of display area on any one sign, and not more than sixty-four square feet total display area, and not more than twelve feet above ground level, advertising authorized agriculture activities on the premises. Grower association signs, such as Farm Trails, Apple Hill, Winery, Farm Bureau, 4-H or any other grower associations representing a group of growers, shall be exempt from these provisions;
- D. Raising and grazing of livestock and other animals;
- E. Growing and harvesting of trees, fruits, vegetables, flowers, grains and other crops;
- F. Packing, processing and sale of agricultural products and by products grown on the site;
- G. Any structure or use incidental or accessory to any of the foregoing uses;
- H. Excavation of earth exclusively for agricultural or residential purposes on the premises where the excavation will not create significant erosion and/or pollution;
- I. The drilling of wells exclusively for agricultural or residential purposes on the premises;
- J. The packing, processing and sale of agricultural products and by products grown off-site in conjunction with the processing or sale of products grown on site.

- K. Ranch marketing activities pursuant to the provisions of Section 17.14.180.
- L. Wineries and wine tasting facilities, pursuant to the provisions of Section 17.14.190. (Ord. 4573 (part), 2001)

17.36.140 Uses requiring special use permit. The following uses are allowed only after obtaining a special use permit therefor from the planning commission or zoning administrator:

- A. The packing and processing, and/or sale of agricultural products produced off-site and any accessory structures on parcels containing less than twenty acres;
- B. The commercial slaughtering of animals;
- C. The excavation and processing of building materials for other than on-premises purposes;
- D. The mining or drilling of minerals or petroleum;
- E. The deposition onto land, into the atmosphere, or into water, of solid waste as defined by Public Resources Code Section 40191, as from time to time amended, or the operation of a solid waste facility as defined by Public Resources Code Section 40194, as from time to time amended, or the operation of a load screening program as required by applicable state law, or the operation of a household hazardous waste collection program as required by applicable state law;
- F. The construction of fire stations and public utility buildings;
- G. Other sign sizes and applicable general provisions as itemized in Chapters 17.14, 17.16 and 17.18;
- H. Private noncommercial aircraft landing fields for use of the agricultural pursuits thereon and such accessory buildings as needed to provide shelter, maintenance and storage to the equipment thereon;
- I. Home occupations not listed in subsection B of Section 17.36.130 which require special consideration, such as use of power tools, accessory building, noise, and will not change the agricultural character of the premises, or adversely affect the other uses permitted in an agricultural area;
- J. Kennel, as defined in subsection 18 of Section 6.04.020;
- K. Single-family and multifamily dwellings, including dormitories, for agricultural labor housing where the contiguous ownership of properties used for agricultural purposes contain ten acres or more. Applications for agricultural labor housing may be approved only upon a favorable recommendation from the agricultural commission that the activities conducted on the property or contiguous properties under the same ownership satisfy the criteria for an agricultural operation.
- L. Ranch marketing activities not permitted under Section 17.36.230, as set forth in Section 17.14.180;
- M. Wine tasting facilities not permitted under Section 17.36.230 as set forth in Section 17.14.190.. (Ord. 4573 (part), 2001; Ord. 4169 §2, 1991; Ord. 3828 (part), 1988; Ord. 3606 §55, 1986; Ord. 3440 §3, 1984; Ord. 3366 §44, 1983; Ord. 3364 §38, 1983; prior code §9429(d))

17.36.150 Development standards. The following provisions shall apply in all PA planned agricultural zoning districts unless and until a variance is obtained from the planning commission or zoning administrator upon recommendation of the agricultural commission. The establishment of agricultural zoning shall be based upon one or more of the following three criteria:

- A. Capability of the Land for Agricultural Production.  
 The "Soil Survey of El Dorado Area, California" issued April 1974 by the U.S.D.A. Soil Conservation Service, or other comparable state or federal criteria, will be used as the basis for defining soil sites particularly for agricultural uses.
1. Choice\* agricultural land, zero to thirty percent slope, includes some lands in classes II, III, IV and VI, which are suitable for orchard, vineyard and woodland;
  2. Choice\* rangeland, includes some lands in classes IV, VI and VII with range site indices of 1, 2 and 3, suitable for range use;
  3. Choice\* woodland, includes some lands in classes IV, VI and VII with woodland site indices of 1 through 6, which are suitable for woodland use.
- B. Present Land Use. Lands that are not included in one of the above soil groupings but are being actively used agriculturally will be considered for agricultural zoning when the land in question meets three of the four criteria for an agricultural preserve as defined in Resolution 72-72 (Agricultural Exclusive). Additionally, when lands do not qualify as agricultural under capability criteria 1, or the above, they may be zoned agricultural if recommended by the agricultural commission.
- C. Location of the Parcel in Relation to Surrounding Land Use. The success and stability of agricultural enterprises can be profoundly influenced by the zoning and use of immediately adjacent lands. Land that is within an agricultural area or adjacent to agriculturally zoned lands may be recommended for agricultural zoning. A buffer area as established by Section 17.06.150 will be required. Variances to the above will be considered upon recommendation of the agricultural commission. The development of new agricultural enterprise structures or uses shall be located one hundred feet from any noncompatible use, i.e.:
1. Residential structures;
  2. Nursing homes;
  3. Public schools;
  4. Playgrounds;
  5. Swimming pools;
  6. Ponds; and
  7. Churches. (Ord. 3828 (part), 1988: prior code §9429(e))

17.36.160 Parcel size. The following minimum parcel sizes are established for lands in PA zoning districts:

- A. All agricultural lands exclusive of rangeland or woodland designations, twenty acres or such larger minimum parcel as the board of supervisors determines to be consistent with the purposes of this chapter;
- B. Agricultural lands designated rangeland or woodland, sixty acres;
- C. Minimum lot width, three hundred thirty feet;
- D. Minimum yard setbacks: front and rear, thirty feet (30'); sides, thirty feet (30'), except the side yard shall be increased one foot for each additional foot of building height in excess of twenty-five feet (25'); (Ord. 4236, 1992)
- E. Minimum agricultural structural setbacks of fifty feet on all yards; existing agricultural buildings in use as of the effective date of the ordinance codified in this chapter may continue to be used until they are removed or otherwise destroyed. Such existing agricultural structures may be improved under a building permit, not to exceed fifty percent of their appraised value at the time the permit is used;

\* Choice refers to best land in relation to El Dorado County, not to the criteria as set forth in Section 16142(b) of the Government Code.

- F. Buildings and structures shall not exceed forty-five feet (45') in height from the ground floor except that water tanks, silos, granaries, barns and similar structures or necessary mechanical appurtenances may exceed forty-five feet (45') in height, provided they do not violate the height regulations imposed by any AA airport approach districts. (Ord. 4164 §1, 1991: Ord. 3828 (part), 1988: Ord. 3606 §56, 1986: Ord. 3366 §§45, 46, 47, 1983; prior code §9429(f); Ord. 4236, 1992)

#### IV. SELECT AGRICULTURAL (SA-10) DISTRICT

17.36.210 Purpose. The purpose of the SA district is to provide for the protection of orderly agricultural development of lands having sufficient area and conditions compatible to horticulture, husbandry and other agricultural uses and to promote and encourage these pursuits by providing additional opportunities for the sale, packing, processing, and other related activities which tend to increase their economic viability. (Ord. 3829 (part), 1988: Ord. 3512 §1(part), 1985)

17.36.220 Applicability. The regulations set forth in Sections 17.36.210 through 17.36.260 shall apply in all SA- 10 districts and shall be subject to the provisions of Chapters 17.14, 17.16 and 17.18. Any amendment to the SA-10 zone district which proposes to remove lands from the SA-10 zone district shall be reviewed by the agricultural commission and a recommendation forwarded to the planning commission. (Ord. 3829 (part), 1988: Ord. 3512 §1(part), 1985)

17.36.230 Uses permitted by right. The following uses are allowed by right without special use permit or variance:

- A. One single-family detached dwelling:
1. Accessory uses and structures including, but not limited to, garage, swimming pool, pumphouse,
  2. The renting of one room within the dwelling,
  3. One guesthouse, not for rent or lease, and not to exceed four hundred square feet of floor space as an accessory use to an existing dwelling. No guesthouse shall contain kitchen facilities;
- B. Home occupations, such as accountant, advisor, appraiser, architect, artist, attorney, author, broker, dressmaker, draftsman, dentist, handicrafts, insurance, photographer, physician, therapist, musician, teacher, and other similar occupations normally conducted by mail or telephone on the premises where the activities do not create a traffic problem; provided, that instruction is not given to groups in excess of four and concerts or recitals are not held and no display of goods is visible from the outside of the property, such use must be carried on in the main building and be incidental to the residential use of the premises and be carried on by a resident thereon;
- C. One unlighted sign located on-site advertising authorized activities. The sign's display area shall not exceed sixteen square feet on either sign face with a total no greater than thirty-two square feet for a double-faced sign. Freestanding signs shall not exceed twelve feet in height. Grower association signs, such as Farm Trails, Apple Hill, Winery, Farm Bureau, 4-H or any other grower associations representing a group of growers, shall be exempt from these provisions;
- D. Raising and grazing of livestock and other animals;
- E. Growing and harvesting of trees, fruits, vegetables, flowers, grains and other crops;
- F. Packing, processing and sale of agricultural products and by products grown on the site;

- G. Any structure or use incidental or accessory to any of the foregoing uses, except additional permanent dwellings;
- H. The drilling of wells for agricultural or residential purposes on the premises;
- I. The packing, processing and sale of agricultural products and by products grown off-site in conjunction with the processing or sale of products grown on site.
- J. Ranch marketing activities pursuant to the provisions of Section 17.14.180.
- K. Wineries and wine tasting facilities, pursuant to the provisions of Section 17.14.190. (Ord. 3829 (part), 1988: Ord. 3606 §68, 1986: Ord. 3512 §1(part), 1985)

17.36.240 Uses requiring special use permit. The following uses are allowed only after obtaining a special use permit therefor from the planning commission or zoning administrator:

- A. The packing, processing and/or sale of agricultural products produced off-site and any accessory structures on parcels containing less than twenty acres;
- B. The mining and/or drilling for minerals or petroleum;
- C. The construction of fire stations and public utility buildings;
- D. Other sign sizes and applicable general provisions as itemized in Chapters 17.14, 17.16 and 17.18;
- E. Home occupations not allowed by right under subsection B of Section 17.36.230, and which will require special consideration resulting, for example, from the use of power tools or accessory buildings, or where excessive noise will be created, provided such home occupation uses will not change the agricultural character of the premises, or adversely affect the other uses permitted in an agricultural area;
- F. Ranch marketing activities not permitted under Section 17.36.230, as set forth in Section 17.14.180;
- G. Wine tasting facilities not permitted under Section 17.36.230 as set forth in Section 17.14.190.
- H. Single-family and multifamily dwellings, including dormitories, for agricultural labor housing where the contiguous ownership of properties used for agricultural purpose contain ten acres or more. Applications for agricultural labor housing may be approved only upon a favorable recommendation from the agricultural commission that the activities conducted on the property or contiguous properties under the same ownership satisfy the criteria for an agricultural operation. (Ord. 3829 (part), 1988: Ord. 3606 §69, 1986: Ord. 3512 §1(part), 1985)

17.36.250 Criteria for establishing SA-10 zone. The following provisions shall apply in all SA-10 zoning districts unless and until a variance is obtained from either the zoning administrator or the planning commission upon recommendation of the agricultural commission. The establishment of SA-10 zoning districts shall meet the criteria of A or B below:

- A. Capability of land for agricultural production: The "Soil Survey of El Dorado Area, California," issued April 1974 by the USDA Soil Conservation Service, or other comparable state or federal criteria, will be used as the basis for defining soil sites particularly for agricultural uses.
  - 1. Choice\* agricultural land, zero to thirty percent slope, with some lands in classes II, III, IV and VI, which are suitable for orchard, vineyard and woodland;

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\* "Choice" refers to best land in relation to the county, not to the criteria as set forth in Section 16142(b) of the Government Code.

2. Choice\* rangeland, includes some lands in classes IV, VI and VII with range site indices of 1, 2 and 3, suitable for range uses;
  3. Choice\* woodland, includes some lands in classes IV, VI and VII with woodland site indices of 1 through 6, which are suitable for woodland use.
- B. Present land use: Lands that are not included in one of the soil groupings set out in subsection A of this section but are being actively used agriculturally will be considered for agricultural zoning when the land in question meets three of the four criteria for an agricultural preserve, as defined in Resolution 244-76, Criteria and Procedures for Establishing Williamson Act Contracts. Additionally, when lands do not qualify as agricultural under capability criteria 1, or the above, they may be rezoned agricultural if included in a county-initiated zoning recommendation. The agricultural commission shall make recommendations on such rezonings. (Ord. 3829 (part), 1988: Ord. 3512 §1(part), 1985)

17.36.260 Development criteria. The following minimum parcel size is established for lands in the SA-10 zoning district:

- A. Minimum parcel size, ten acres;
- B. Minimum yard setbacks: front and rear, thirty feet (30'); sides, thirty feet (30'), except the side yard shall be increased one foot for each additional foot of building height in excess of twenty-five feet (25'). (Ord. 4236, 1992)
- C. Minimum agricultural structural setbacks of fifty feet on all yards; existing agricultural buildings in use as of the effective date of the ordinance codified in this chapter may continue to be used until they are removed or otherwise destroyed. Such existing agricultural structures must be improved under a building permit;
- D. Buildings and structures shall not exceed forty-five feet (45') in height from the ground floor except that water tanks, silos, granaries, barns and similar structures or necessary mechanical appurtenances may exceed forty-five feet (45') in height, provided they do not violate the height regulations imposed by an AA, airport approach, district; (Ord. 4236, 1992)
- E. Reserved;
- F. Land coverage:
  1. The area devoted to residential and accessory uses, excluding driveways, etc., identified under Section 17.36.130 (A-1, -2 and -3) shall not exceed fifteen thousand square feet of area;
  2. Agricultural facilities, no maximum coverage established.
- G. Locations of the parcel in relation to surrounding land use: The success and stability of agricultural enterprises can be influenced by the zoning and use of immediately adjacent lands. Land that is within an agricultural area or adjacent to agriculturally zoned lands may be recommended for agricultural zoning. A buffer area as established by Ordinance No. 3371, July 12, 1983, will be required. Variances to this subsection will be reviewed by the agricultural commission.

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\* "Choice" refers to best land in relation to the county, not to the criteria as set forth in Section 16142(b) of the Government Code.

The development of new agricultural enterprise structures shall be located one hundred feet from any noncompatible use, i.e.:

1. Residential structures,
2. Nursing homes,
3. Public schools,
4. Playgrounds,
5. Swimming pools,
6. Ponds, and
7. Churches. (Ord. 3829 (part), 1988: Ord. 3606 §70, 1986: Ord. 3512 §1(part), 1985)

## V. AGRICULTURAL PRESERVE (AP) DISTRICTS

17.36.310 Applicability. The regulations set forth in Sections 17.36.310 through 17.36.340 shall apply only to those lands subject to the Land Conservation Act of 1965. Such lands known as AP districts shall be subject to the provisions of Chapters 17.14, 17.16, and 17.18. (Ord 4636, §6, 2003)

17.36.320 Uses permitted by right. All uses allowed by right in the Exclusive Agriculture (AE) Districts, Section 17.36.070 A through I. (Ord 4636, §6, 2003)

17.36.330 Uses requiring special use permit. All uses allowed only after obtaining a special use permit from the planning commission or zoning administrator with recommendation of the agricultural commission in the Exclusive Agriculture (AE) District, Section 17.36.080 A through H, and including I through J as follows:

- I. Ranch marketing activities pursuant to the provisions of Section 17.14.180.
- J. Wineries and wine tasting facilities, pursuant to the provisions of Section 17.14.190.  
(Ord 4636, §6, 2003)

17.36.340 Development Standards. The area and building regulations contained in the Exclusive Agriculture (AE) District, Section 17.36.090 A through H. (Ord 4636, §6, 2003)

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