

TO: TOWN COUNCIL

FROM: TOWN MANAGER



RE: PUBLIC HEARING  
ORDINANCE AMENDING ANIMAL KEEPING CODE

**ISSUE**

The Planning Commission is recommending certain changes to the animal keeping ordinance.

**RECOMMENDATION**

Hold public hearing and do first reading on the attached ordinance making certain changes to the animal keeping requirements.

**MONEY**

Cost to the Town will not change with the types of changes being recommended.

**CEQA**

Animal keeping regulations do not constitute a project and are therefore not affected by CEQA.

**DISCUSSION**

The Planning Commission has worked on changes to the animal keeping regulations. Council reviewed ordinance changes in September and is now asked to confirm the changes and hold first reading to adopt the attached ordinance.

**ATTACHED**

1. Proposed Ordinance (from Planning Commission)
2. Comparison with Nevada City and Grass Valley (Council requested)
3. Letter from Kathleen Giel (submitted 10/3/2011)



**TOWN OF LOOMIS**

ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE TOWN OF LOOMIS AMENDING SECTIONS 13.42.060, 13.28.030 OF THE MUNICIPAL CODE RELATING TO ANIMAL KEEPING STANDARDS AND PERMIT REQUIREMENTS.

Deleted: MUNICIPAL CODE  
Deleted: AMENDING  
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**RECITALS**

WHEREAS, the Town Council directed the Planning Commission to evaluate the Town's Animal Keeping Ordinance and the permit requirements and process as related thereto;

WHEREAS, the Planning Commission held public meetings on June 7<sup>th</sup> and July 5<sup>th</sup>, 2011, and took testimony from those in attendance;

NOW, THEREFORE, the Loomis Town Council does ordain as follows:

SECTION 1. Authority. The Town Council enacts this Ordinance in accordance with the authority granted to cities and towns by state law.

SECTION 2. Amendment to Section 13.42.060. Section 13.42.060 (Table 4-1) of the Loomis Municipal Code is hereby amended as follows:

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**FROM: TABLE 4-1 - ALLOWABLE ANIMAL-KEEPING AND PERMIT REQUIREMENTS**

Type of Animal	Permit Requirement by Zoning District				
	RA	RE	RR	RS	RM/RH
Aviary, fewer than 20 birds confined	P	P	P	P	—
Aviary, 20 or more birds confined	P	P	P	—	—
Beekeeping	P	P	P	—	—
Dog boarding kennels	UP	UP	—	—	—
Dog or cat breeding kennels	P	P	P	—	—
Fish farming	P	P	P	—	—
Fowl and poultry	P	P	P	MUP	—
Hogs and swine	P	P	—	—	—
Horses and cows	P	P	MUP	—	—
Household pets	P	P	P	P	P
Large animals <sup>(1)</sup>	P	P	P	MUP	—
Rabbit breeding	P	P	P	P	—
Small animals <sup>(1)</sup>	P	P	P	P	P
Worm farming	P	P	P	—	—

Notes:

(1) See Table 4-2 for definitions of small and large animals.

**TO: TABLE 4-1 - ALLOWABLE ANIMAL-KEEPING AND PERMIT REQUIREMENTS**

Type of Animal	Permit Requirement by Zoning District				
	RA	RE	RR	RS	RM/RH

Type of Animal	Permit Requirement by Zoning District				
	RA	RE	RR	RS	RM/RH
Aviary, fewer than 20 birds confined	P	P	P	P	—
Aviary, 20 or more birds confined	P	P	P	—	—
Beekeeping	P	P	P	—	—
Dog boarding kennels	UP	UP	—	—	—
Dog or cat breeding kennels	P	P	P	—	—
Fish farming	P	P	P	—	—
Fowl and poultry	P	P	P	<b>P(2)</b>	—
Hogs and swine	P	P	—	—	—
Horses and cows	P	P	MUP	—	—
Household pets	P	P	P	P	P
Large animals <sup>(1)</sup>	P	P	P	MUP	—
Rabbit breeding	P	P	P	P	—
Small animals <sup>(1)</sup>	P	P	P	P	P
Worm farming	P	P	P	<b>P</b>	—

Notes:

(1) See Table 4-2 for definitions of small and large animals.

**(2) Maximum of 4 hens allowed if property is under one-half (0.5) acre in size.**

**SECTION 2. Amendment to Section 13.42.060.** Section 13.42.060 (Table 4-2) of the Loomis Municipal Code is hereby amended as follows:

**FROM: TABLE 4-2 - ANIMAL-KEEPING STANDARDS**

Type of Animal or Facility	Max. No. of Animals per Site <sup>(1)</sup>	Minimum Lot Area <sup>(2)</sup>	Minimum Setbacks <sup>(3)</sup>	
			From Side/Rear Property Lines	From Streets and Dwellings
<b>Aviary for 20 or more birds other than fowl and poultry</b>	20 per acre	1/2 acre	25 ft	50 ft
<b>Dogs and cats</b>	4 animals total on a site less than 1 acre; 4 of each species on a site of 1 acre or more	None required	None required	None required
<b>Fowl and poultry</b>	12 per acre	1/2 acre	25 ft	50 ft
<b>Hogs and swine</b>	1 per acre	2 acres	50 ft	100 feet
<b>Horses and cows</b>	2 per acre	1 acre	25 ft	50 ft
<b>Other household pets and small animals -</b> Including birds, chinchillas, guinea pigs, hamsters, pot belly pigs (less than 80 pounds), rabbits, rodents, and other non-poisonous small animals, not raised for commercial purposes.	4 animals total on a site less than 1 acre;  4 of each species on a site of 1 acre or more, where allowed by Table 4-1.	None for 4 or fewer animals;  1 acre for 5 or more animals	None on a site of less than 1 acre;  10 ft on a site of 1 acre or more.	None on a site of less than 1 acre;  25 ft on a site of 1 acre or more.

Type of Animal or Facility	Max. No. of Animals per Site <sup>(1)</sup>	Minimum Lot Area <sup>(2)</sup>	Minimum Setbacks <sup>(3)</sup>	
			From Side/Rear Property Lines	From Streets and Dwellings
Large animals - Emus, goats, llamas, miniature horses and donkeys, ostriches, pot belly pigs of 80 pounds or more, sheep, and similar sized animals.	6 per acre	1/2 acre	25 ft	50 feet for accessory structure, none for pasture

**Notes:**

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

**TO: TABLE 4-2 - ANIMAL-KEEPING STANDARDS**

Type of Animal or Facility	Max. No. of Animals per Site <sup>(1)</sup>	Minimum Lot Area <sup>(2)</sup>	Minimum Setbacks <sup>(3)</sup>	
			From Side/Rear Property Lines	From Streets and Dwellings
Aviary for 20 or more birds other than fowl and poultry	20 per acre	1/2 acre	25 ft	50 ft
Dogs and cats	4 animals total on a site less than 1 acre; 4 of each species on a site of 1 acre or more	None required	None required	None required
Fowl and poultry (4) (5)	12 per acre	1/2 acre (5)	25 ft	50 ft
Hogs and swine	1 per acre	2 acres	50 ft	100 feet
Horses and cows	2 per acre	1 acre	25 ft	50 ft
Other household pets and small animals - Including pygmy goats (and other similar, small breeds), birds, chinchillas, guinea pigs, hamsters, pot belly pigs, rabbits, rodents, and other non-poisonous small animals, not raised for commercial purposes.	4 animals total on a site less than 1 acre; 4 of each species on a site of 1 acre or more, where allowed by Table 4-1.	None for 4 or fewer animals; 1 acre for 5 or more animals	None on a site of less than 1 acre; 10 ft on a site of 1 acre or more.	None on a site of less than 1 acre; 25 ft on a site of 1 acre or more.
Large animals - Emus, goats, llamas, miniature horses and donkeys, ostriches, sheep, and similar sized animals.	6 per acre	1/2 acre	25 ft	50 feet for accessory structure, none for pasture

**Notes:**

- (1) Offspring allowed in addition to maximum number until weaned.
- (2) Minimum lot area required for the keeping of animals.
- (3) Minimum setbacks from all property lines for barns, shelters, pens, coops, cages, and other areas and

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structures where animals are kept in concentrated confinement; but not including areas continuously maintained as pasture. Animals shall not be kept in any required front yard setback except in pasture areas.

- (4) **Guinea hens, peacocks, roosters, swans and geese are prohibited in the RS zoning district.**
- (5) **Maximum of 4 hens allowed if property is under one-half (0.5) acre in size.**

Deleted:

SECTION 3. Amendment to Section 13.42.060. Section 13.42.060 D of the Loomis Municipal Code is hereby amended to read as follows:

**FROM:**

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

1. **Odor and Vector Control.** All animal enclosures, including but not limited to pens, coops, cages and feed areas shall be maintained free from litter, garbage and the accumulation of manure, so as to discourage the proliferation of flies, other disease vectors and offensive odors. Each site shall be maintained in a neat and sanitary manner, and in compliance with Placer County Environmental Health Department and Animal Control standards.
2. **Containment.** All animals shall be effectively contained on the site, and shall not be allowed to run free on any parcel in a separate ownership or in a public right-of-way.
3. **Waterway Protection.** The keeping of horses or cattle within fifty feet of any waterway shall first require director approval of a good housekeeping plan to protect the waterway from the polluting effects of runoff from the animal keeping area.
4. **Erosion and Sedimentation Control.** In no case shall an animal keeping operation be managed or maintained so as to produce sedimentation on any public road, adjoining property, or in any drainage channel. In the event sedimentation occurs, the keeping of animals outdoors on the site shall be deemed a nuisance and may be subject to abatement.
5. **Noise Control.** Animal keeping shall comply with the noise standards established by Section 13.30.070.

**TO:**

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

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2. **Containment.** All animals shall be effectively contained on the site, and shall not be allowed to run free on any parcel in a separate ownership or in a public right-of-way.
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4. **Erosion and Sedimentation Control.** In no case shall an animal keeping operation be managed or maintained so as to produce sedimentation on any public road, adjoining property, or in any drainage channel. In the event sedimentation occurs, the keeping of animals outdoors on the site shall be deemed a nuisance and may be subject to abatement.
5. **Noise Control.** Animal keeping shall comply with the noise standards established by Section 13.30.070.
6. **Animals must be kept according to local and State animal control welfare laws.**

SECTION 4. Amendment to Section 13.42.060. Section 13.42.060 E of the Loomis Municipal Code is hereby amended to read as follows:

**FROM:**

**E. Animal Husbandry Project Exception.** The keeping or raising of a calf, horse, goat, sheep, hog, chickens, rabbits, birds or other animals as a 4-H or Future Farmers of America (FFA) project is not subject to the requirements of this section, provided that:

1. A minimum of one acre of site area shall be required for each large animal, hog or swine;
2. The project animals shall be confined in a pen or fenced area that is located not closer than twenty-five feet to any dwelling other than on the project site; except that a hog or swine shall not be located closer than one hundred feet from any dwelling other than on the project site;
3. The number of animals complies with the limitations in subsection C; and
4. The animal keeping complies with the maintenance and operational standards in subsection D.

**TO:**

**E. Animal Husbandry Project Exception.** The keeping or raising of a calf, horse, goat, sheep, hog, chickens, rabbits, birds or other animals as a 4-H or Future Farmers of America (FFA) project is not subject to the requirements of this section, provided that:

1. A minimum of one-half acre of site area shall be required for each large animal, hog or swine;
2. The project animals shall be confined in a pen or fenced area that is located not closer than twenty-five feet to any dwelling other than on the project site; except that a hog or swine shall not be located closer than one hundred feet from any dwelling other than on the project site;
3. The number of animals complies with the limitations in subsection C; and
4. The animal keeping complies with the maintenance and operational standards in subsection D.

SECTION 5. Amendment to Section 13.28.030. Section 13.28.030 Table 2-9 of the Loomis Municipal Code is hereby amended as follows:

**FROM:**

TABLE 2-9 Allowed Uses and Permit Requirements for Industrial and Public Zoning Districts	P Permitted Use, Zoning Clearance required				
	MUP	Minor Use Permit required			
	UP	Use Permit required			
	—	Use not allowed			
	S	Permit requirement set by Specific Use Regulations			
LAND USE <sup>(1)</sup>	PERMIT REQUIRED BY DISTRICT				Specific Use Regulations
	BP	ILT	IL	PI	
<b>AGRICULTURE AND OPEN SPACE USES</b>					
Plant nursery	—	P	P	—	
<b>INDUSTRY, MANUFACTURING AND PROCESSING, WHOLESALING</b>					

Agricultural product processing	—	—	P	—	
Artisan/craft product manufacturing	MUP	P	P	—	
Construction contractors	—	MUP	P	—	
Furniture and fixtures manufacturing, cabinet shop	—	MUP <sup>(3)</sup>	P	—	
Industrial research and development	P	—	P	—	
Laboratory - Medical, analytical, research and development	UP	P	P	—	
Laundry, dry cleaning plant	—	—	P	—	
Manufacturing/processing - Heavy	—	—	—	—	
Manufacturing/processing - Intensive	—	—	MUP	—	
Manufacturing/processing - Light	MUP	MUP	P	—	
Media production	P	MUP	P	—	
Printing and publishing	P	MUP	P	—	
Recycling - Scrap and dismantling yards	—	—	MUP	—	13.42.210
Recycling - Small collection facility	MUP	MUP	MUP	MUP	13.42.210
Storage - Outdoor	—	MUP <sup>(3)</sup>	P	—	13.42.190
Storage - Personal storage facility (mini-storage)	—	P	P	—	
Storage - Warehouse, indoor storage	P	P	P	—	
Wholesaling and distribution	P	P	P	—	
Winery	—	—	MUP	—	13.42.290
<b>RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES</b>					
Adult oriented business	—	—	S	—	13.40
Club, lodge, private meeting hall	—	UP	UP	UP	
Commercial recreation facility - Indoor	—	—	UP	—	
Community center	—	UP	UP	MUP	
Fitness/health facility	P	P	P	MUP	
Library, museum	—	—	—	MUP	
Religious facility	—	—	—	P	13.42.230
Religious facility - Incidental, not during business hours	—	—	P	P	13.42.230
School - Elementary, middle, secondary	—	—	—	UP	
School - Specialized education/training	MUP	MUP	MUP	UP	
Sports and active recreation facility	—	—	—	UP	
Studio - Art, dance, martial arts, music, etc.	—	P	P	MUP	
<b>RESIDENTIAL USES</b>					
Caretaker/employee unit	MUP	MUP	MUP	MUP	
Emergency shelter	—	—	—	UP	

Notes:

- (1) See Division 8 for land use definitions.
- (2) Use permit required when site abuts a residential zone.
- (3) The review authority shall ensure that proposed outdoor storage activities are compatible with any adjacent residential use.

\*\*Table 2-9 is continued on the next page (format error)

TABLE 2-9 Allowed Uses and Permit Requirements for Industrial and Public Zoning Districts	P	Permitted Use, Zoning Clearance required			
	MUP	Minor Use Permit required			
	UP	Use Permit required			
	—	Use not allowed			
	S	Permit requirement set by Specific Use Regulations			
LAND USE <sup>(1)</sup>	PERMIT REQUIRED BY DISTRICT				Specific Use Regulations
	BP	ILT	IL	PI	
<b>RETAIL TRADE</b>					
Accessory retail uses	P	P	P	P	13.42.030
Alcoholic beverage sales	—	—	P	—	13.42.050
Auto and vehicle sales and rental	—	MUP	P <sup>(2)</sup>	—	
Auto parts sales	—	P	P	—	
Building and landscape material sales - Indoor	—	P	P	—	
Building and landscape material sales - Outdoor	—	MUP	P	—	13.42.180
Construction and heavy equipment sales and rental	—	—	P	—	
Farm supply and feed store	—	—	P	—	
Mobile home, boat, or RV sales	—	—	MUP	—	
Office-supporting retail	P	P	P	—	
Restaurant	P	P	P	—	
<b>SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL</b>					
Accessory service uses	P	P	P	P	13.42.030
ATM	P	—	—	—	
Business support service	P	—	P	—	
Medical services - Clinic, urgent care	—	—	—	P	
Medical services - Extended care	—	—	—	P	
Medical services - Hospital	—	—	—	P	
Medical services - Laboratory	P	P	P	P	
Office - Accessory	P	P	P	P	
Office - Government	P	P	P	P	
Office - Processing	P	P	—	—	
<b>SERVICES - GENERAL</b>					
Adult day care	P	P	P	P	
Catering service	P	P	P	—	
Child day care center	P	MUP	MUP	P	13.42.080
Equipment rental	—	P <sup>(2)</sup>	P	—	13.42.180
Kennel, animal boarding	—	P <sup>(2)</sup>	P	P <sup>(2)</sup>	13.42.060
Maintenance service - Client site services	—	MUP	P	—	
Personal services - Restricted	—	—	MUP	—	
Public safety facility	UP	UP	UP	P	
Repair service - Equipment, large appliances, etc.	—	MUP	P	—	
Vehicle services - Major repair/body work	—	MUP <sup>(2)</sup>	MUP	—	
Vehicle services - Minor maintenance/repair	—	MUP <sup>(2)</sup>	P	—	
Veterinary clinic, animal hospital	P	P	P	P	
<b>TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE</b>					
Ambulance, taxi, or limousine dispatch facility	—	—	P	—	
Broadcasting studio	P	P	P	—	
Pipeline, utility transmission or distribution line	UP	UP	UP	UP	
Telecommunications facility	S	S	S	S	13.44
Transit station or terminal	UP	UP	UP	UP	

LAND USE <sup>(1)</sup>	PERMIT REQUIRED BY DISTRICT				Specific Use Regulations
	BP	ILT	IL	PI	
Truck or freight terminal	—	—	MUP	—	
Utility facility	MUP	MUP	MUP	MUP	
Utility infrastructure	P	P	P	P	
Vehicle storage	—	MUP <sup>(2)</sup>	MUP	—	

Notes:

- (1) See Division 8 for land use definitions.
- (2) Use permit required when site abuts a residential zone.

**TO:**

LAND USE <sup>(1)</sup>	PERMIT REQUIRED BY DISTRICT				Specific Use Regulations
	BP	ILT	IL	PI	
<b>AGRICULTURE AND OPEN SPACE USES</b>					
Plant nursery	—	P	P	—	
<b>INDUSTRY, MANUFACTURING AND PROCESSING, WHOLESALING</b>					
Agricultural product processing	—	—	P	—	
Artisan/craft product manufacturing	MUP	P	P	—	
Construction contractors	—	MUP	P	—	
Furniture and fixtures manufacturing, cabinet shop	—	MUP <sup>(3)</sup>	P	—	
Industrial research and development	P	—	P	—	
Laboratory - Medical, analytical, research and development	UP	P	P	—	
Laundry, dry cleaning plant	—	—	P	—	
Manufacturing/processing - Heavy	—	—	—	—	
Manufacturing/processing - Intensive	—	—	MUP	—	
Manufacturing/processing - Light	MUP	MUP	P	—	
Media production	P	MUP	P	—	
Printing and publishing	P	MUP	P	—	
Recycling - Scrap and dismantling yards	—	—	MUP	—	13.42.210
Recycling - Small collection facility	MUP	MUP	MUP	MUP	13.42.210
Storage - Outdoor	—	MUP <sup>(3)</sup>	P	—	13.42.190
Storage - Personal storage facility (mini-storage)	—	P	P	—	
Storage - Warehouse, indoor storage	P	P	P	—	
Wholesaling and distribution	P	P	P	—	
Winery	—	—	MUP	—	13.42.290
<b>RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES</b>					
Adult oriented business	—	—	S	—	13.40

Club, lodge, private meeting hall	—	UP	UP	UP	
Commercial recreation facility - Indoor	—	—	UP	—	
Community center	—	UP	UP	MUP	
Fitness/health facility	P	P	P	MUP	
Library, museum	—	—	—	MUP	
Religious facility	—	—	—	P	13.42.230
Religious facility - Incidental, not during business hours	—	—	P	P	13.42.230
School - Elementary, middle, secondary	—	—	—	UP	
School - Specialized education/training	MUP	MUP	MUP	UP	
Sports and active recreation facility	—	—	—	UP	
Studio - Art, dance, martial arts, music, etc.	—	P	P	MUP	
<b>RESIDENTIAL USES</b>					
Caretaker/employee unit	MUP	MUP	MUP	MUP	
Emergency shelter	—	—	—	UP	

Notes:

- (1) See Division 8 for land use definitions.
- (2) Use permit required when site abuts a residential zone.
- (3) The review authority shall ensure that proposed outdoor storage activities are compatible with any adjacent residential use.

\*\*Table 2-9 is continued on the next page (format error)

TABLE 2-9 Allowed Uses and Permit Requirements for Industrial and Public Zoning Districts	P	Permitted Use, Zoning Clearance required			
	MUP	Minor Use Permit required			
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	—	Use not allowed			
	S	Permit requirement set by Specific Use Regulations			
LAND USE <sup>(1)</sup>	PERMIT REQUIRED BY DISTRICT				Specific Use Regulations
	BP	ILT	IL	PI	
<b>RETAIL TRADE</b>					
Accessory retail uses	P	P	P	P	13.42.030
Alcoholic beverage sales	—	—	P	—	13.42.050
Auto and vehicle sales and rental	—	MUP	P <sup>(2)</sup>	—	
Auto parts sales	—	P	P	—	
Building and landscape material sales - Indoor	—	P	P	—	
Building and landscape material sales - Outdoor	—	MUP	P	—	13.42.180
Construction and heavy equipment sales and rental	—	—	P	—	
Farm supply and feed store	—	—	P	—	
Mobile home, boat, or RV sales	—	—	MUP	—	
Office-supporting retail	P	P	P	—	
Restaurant	P	P	P	—	
<b>SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL</b>					
Accessory service uses	P	P	P	P	13.42.030
ATM	P	—	—	—	
Business support service	P	—	P	—	
Medical services - Clinic, urgent care	—	—	—	P	
Medical services - Extended care	—	—	—	P	
Medical services - Hospital	—	—	—	P	
Medical services - Laboratory	P	P	P	P	
Office - Accessory	P	P	P	P	
Office - Government	P	P	P	P	
Office - Processing	P	P	—	—	
<b>SERVICES - GENERAL</b>					
Adult day care	P	P	P	P	
Catering service	P	P	P	—	
Child day care center	P	MUP	MUP	P	13.42.080
Equipment rental	—	P <sup>(2)</sup>	P	—	13.42.180
Kennel, animal boarding	—	(3) P	P	P <sup>(2)</sup>	13.42.060
Maintenance service - Client site services	—	MUP	P	—	
Personal services - Restricted	—	—	MUP	—	
Public safety facility	UP	UP	UP	P	
Repair service - Equipment, large appliances, etc.	—	MUP	P	—	
Vehicle services - Major repair/body work	—	MUP <sup>(2)</sup>	MUP	—	
Vehicle services - Minor maintenance/repair	—	MUP <sup>(2)</sup>	P	—	
Veterinary clinic, animal hospital	P	P	P	P	
<b>TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE</b>					
Ambulance, taxi, or limousine dispatch facility	—	—	P	—	
Broadcasting studio	P	P	P	—	
Pipeline, utility transmission or distribution line	UP	UP	UP	UP	
Telecommunications facility	S	S	S	S	13.44
Transit station or terminal	UP	UP	UP	UP	
Truck or freight terminal	—	—	MUP	—	
Utility facility	MUP	MUP	MUP	MUP	

LAND USE <sup>(1)</sup>	PERMIT REQUIRED BY DISTRICT				Specific Use Regulations
	BP	ILT	IL	PI	
Utility infrastructure	P	P	P	P	
Vehicle storage	—	MUP <sup>(2)</sup>	MUP	—	

Notes:

- (1) See Division 8 for land use definitions.
- (2) Use permit required when site abuts a residential zone.
- (3) Use not allowed if site abuts a residential zone.**

SECTION 6. Severability. If any provision of this chapter, or the application of any such provision to any person or circumstance shall be held invalid, the remainder of this chapter, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this end the provisions of this chapter are severable.

SECTION 7. Effective Date and Publication. This Ordinance shall take effect 30 days after its adoption. The Town Clerk shall cause this Ordinance to be published as required by law in the Loomis News, a newspaper of general circulation and posted at three (3) locations within fifteen (15) days after its passage; shall certify to the adoption and posting of this ordinance; and shall cause this ordinance and its certification to be entered in the Book of Ordinances of this Town.

Deleted: 6  
Deleted: Posting

The foregoing ordinance was introduced as a regular meeting of the Council of the Town of Loomis held on the 9<sup>th</sup> day of August and was adopted and ordered published and posted at a meeting of the Council held on the \_\_\_ day of \_\_\_, 2011, by the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

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Att. 2

Comparison of Proposed Loomis Revisions with Nevada City and Grass Valley, as requested by Council.

Column #	Loomis – PROPOSED REVISIONS	Nevada City	Grass Valley
1	Depending on type of Animal Keeping (fowl/poultry, hogs/swine, horses/cows, etc) may require a Use Permit or may be permitted. No Animal Keeping (other than household pets and small animal) is permitted in the RM/RH zoning districts.	Animal Keeping is permitted in their Rural Residential zone (RR). Animal Keeping is prohibited in the R-1 (single-family) & R-2 (multi-family) zoning districts, other than household pets (see column 7 below).	Animal Keeping in all *allowable residential zoning districts requires a Use Permit. *Animal Keeping is not permitted in their “multi-dwelling” residential zoning district (R-3).
2	RA/RE/RR – The keeping of fowl/poultry is permitted with no more than 12 per 1.0-acre. RS – The keeping of 4 hens is permitted if property is under 0.5-acre. If property is over 0.5-acre is the RS district, the 12-per acre limitation applies.	RR – Animal Keeping permitted but no more than one horse, two goats, mule, cow, steer, two swine for each 1.0-acre. Not more than twelve (2) fowl/poultry per 1.0-acre.	The keeping of four (4) “backyard” chickens is permitted with zoning clearance in all residential zoning districts.
3	No minimum lot size but must be located in the RA, RE, RR or RS-10 zoning districts.		Minimum lot size for four (4) “backyard” chickens is 5,000 sq.ft.
4	Coops/pens must comply with setback standards.	Coops/pens must comply with setback standards.	“Backyard” chicken coops/pens are to be located in the rear yard and shall not encroach on the side or rear setbacks.
5			“Backyard” chickens and their eggs are to be used for domestic uses only; no commercial sales are allowed on the property.
6	Guinea hens, peacocks, roosters, swans and geese are prohibited in the RS zoning district.		Roosters are prohibited.
7	Dogs/Cats – Four (4) total is on a site less than 1.0-acre. Four (4) of each species if on a site of 1.0-acre or more.	2 dogs and 2 cats allowed on all residential zoning districts (not to exceed a total of four).	2 dogs and 2 cats allowed on all residential zoning districts (not to exceed a total of four).



Att. 3

**Kathleen Giel**  
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**415-720-4430 Kathg101@gmail.com**

October 3, 2011

Loomis Town Council  
Town of Loomis  
3665 Taylor Road  
Loomis, CA 95650

Dear: Mayor Rhonda Morillas  
Mayor Pro-Term Sandra Calvert  
Councilman Gary Liss  
Councilman Walt Sherer  
Councilman Miguel Ucovich

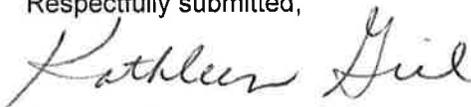
I wanted to send a brief letter to you as a follow up from comments at the Loomis Town Council meeting on September 13, 2011 regarding the Animal Keeping Ordinance.

At the meeting, the Town Council resurfaced again the issue of animal keeping on the three larger parcels in the residential zoned Humphrey Estates area and the possibility for special consideration for these lots. The Planning Commission considered this issue recommended keeping the current ordinance setback requirements in the proposed changes to the Animal Keeping Ordinance which I fully support. I wanted to again remind the Council that the three larger properties border a number of neighboring properties. My property, the Giel property, and the Zeri property on King Road share property lines with 7 properties; the Walden property shares property lines with 6 properties. If the current or proposed animal keeping ordinance were to be revised regarding setbacks, the Town would then allow large chicken coops and animals or animal enclosures from these larger properties to be located directly on neighboring property lines of small residential homes. Many residential homeowners who border these larger properties have patios, pools, animals, and outdoor areas adjacent to the property lines of these three larger properties; some of us owning the larger residential lots also have outdoor relaxation areas that border the larger properties. Due to the larger number of animals allowed on the larger properties, the potential smell, sight, vermin and other noxious elements of animal keeping would infringe on the enjoyment of homeowners of residential properties. Councilman Gary Liss visited my property on September 20<sup>th</sup> to better understand my concerns.

I encourage the Town Council to support the old and new ordinance language of requiring properties larger than a half acre to adhere to the minimum 25 foot setbacks from the side and rear property lines for fowl, poultry, aviary, horses, cows, and large animals. The three larger properties in question have adequate land area to meet the current and recommended ordinance setback requirements of a 25 foot setback from the property line. The proposed ordinance continues to ensure that there is a rural feel to our community but not a safety hazard, nuisance, or infringement of the right to enjoy one's property.

There were several comments from the public at the last Town Council meeting about the amount of time and tax dollars spent on the Animal Keeping Ordinance. Other "comparable-in-character" and local communities have Animal Keeping ordinances in place similar to ones the Planning Commission proposed that are fair, effective, and enforceable. It is time for the Animal Keeping Ordinance to be confirmed and administered for Loomis.

Respectfully submitted,



Kathleen Giel

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TOWN OF LOOMIS