

# H O R S E S

## USE REGULATIONS

22.68.010-22.68.040

lands, any administrative action taken or permit issued pursuant to zoning regulations previously affecting the land shall continue in effect only if the action or permit is equally permissible under the new regulations, except in the case of variances wherein the quantitative aspect of the regulation varied must be exactly the same in both cases. (Ordinance 1491 § 1, 1966).

### Chapter 22.68

## USE REGULATIONS

### Sections:

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**22.68.010 Accessory uses permitted in R districts.** The following accessory uses, in addition to those herein before specified, shall be permitted in any R district, provided that the accessory uses do not alter the character of the premises in respect to their use for the purposes permitted in such respective districts:

(a) The renting of rooms and/or the providing of table board in the main building on a lot as an incidental use to that of its occupancy as a dwelling of the character permitted in the respective district; but not when the use requires occupancy of an accessory building or is to the extent of constituting a hotel as defined in this title, unless permitted in the district;

(b) News and refreshment stands and restaurants in connection with passenger stations;

(c) Recreation, refreshment and service buildings in public parks and playgrounds. (Ordinance 1283 (part), 1963: Ordinance 264 § 14(a)(1), 1938).

**22.68.020 Keeping livestock in R districts.** On any lot in any R district, in addition to any livestock permitted in the district by the terms of this title, there may be kept not to exceed twelve fowl other than roosters, quacking ducks, geese, guinea fowl or pafowl and there may be kept not to exceed twelve rabbits or guinea pigs; provided that no livestock shall be maintained closer than forty feet to any dwelling now existing or hereafter erected; and provided, further that any livestock shall be kept on buildings or structures subject to the approval of the county health officer. (Ord. 264 § 14(a)(2), 1938).

**22.68.040 Horses, donkeys, mules, ponies.**

## 22.68.050 ZONING

### (a) Permitted Subject to Property Development Standards.

Horses, donkeys, mules or ponies kept for private use and housed on residential properties zoned R-1:BD (except that R-1:BD area of Sleepy Hollow covered by Ordinance 784), RA, A-2, RR, R-E, RSP, RMP, and O-A may be maintained upon the premises subject to the following property development standards:

(1) The minimum lot size for the keeping of one animal shall be fifteen thousand square feet for properties with one percent through fifteen percent slope. For each percent of slope over fifteen percent the minimum lot size shall be increased one thousand square feet.

(2) For properties over twenty-five percent in slope, an erosion and drainage plan shall be submitted and approved by the County of Marin Department of Public Works. No animals shall be permitted on slopes exceeding fifty percent.

(3) For each additional animal, there shall be provided an additional five thousand square feet of lot area.

(4) Stables or barns shall be at least ten feet from side property lines and on corner lots at least twenty-five feet from the street property line. Stables or barns shall be at least thirty feet from any existing dwelling(s) on that lot, and at least thirty feet from any building line on any adjoining lot.

(5) Corrals and grazing areas for such animals shall be at least thirty feet from any existing dwelling(s) on that lot, and at least thirty feet from any building line on any adjoining lot. Such areas shall be enclosed by a fence of suitable materials at least four feet high.

(6) Manure should be collected at least two times weekly and disposed of, composted, or removed from the premises.

(7) An adequate supply of fresh water must be available at all times.

### (b) Permitted Subject to the Securing of a Use Permit.

In any district, except an agricultural conservation district, not listed in this section, or on lots not meeting the minimum requirements stated in this section, horses, donkeys, mules or ponies kept for private use and housed on residential properties may be allowed subject to the provisions of Chapter 22.88 (Use Permit). The zoning administrator shall be advised by the Marin County Horsemen's Advisory Committee as appointed from time to time by the Board of Supervisors.

(c) Any residential property where horses, donkeys, mules or ponies are legally kept as of the date of the ordinance codified in this chapter shall be deemed to be conforming. Any expansion shall be subject to the provisions of this section. (Ord. 2144 § 1, 1975; Ord. 264 § 14(a)(4), 1938).

**22.68.050 Excavations of building.** Nothing in this title shall be deemed to prohibit the excavating of natural materials for the construction of a building permitted in the district in which it is to be located, which building is to be constructed on the same lot from which the material is excavated, and no use permit shall be required for such excavating. (Ord. 264 § 14(a)(5), 1938).