

PROPOSED AMENDMENTS TO TITLE 17 OF THE TUOLUMNE COUNTY ORDINANCE CODE

Chapter 17.04

Definitions

17.04.031 Agricultural by-product processing facility. “Agricultural by-product processing facility” means a facility for processing by-products from the growing, raising, harvesting or processing of agricultural products, for example composting facilities.

17.04.033 Agricultural hospitality facility. “Agricultural hospitality facility” means a facility that provides rest, relaxation or food to travelers or local residents for compensation and is located on a parcel that supports an agricultural use, including but not limited to transient lodging facilities and restaurants.

17.04.035 Agricultural laborer housing. “Agricultural laborer housing” means temporary or permanent accommodations for ~~twelve (12) or fewer~~ employees engaged in agricultural operations ~~or for the number of employees as otherwise provided by the Health and Safety Code.~~ on a working farm or ranch. The employees must obtain the majority of their compensation from the farm or ranch on which they reside during the time they reside there. Accommodations shall include any living quarters as provided ~~by~~ in the Health and Safety Code. Agricultural Labor Housing on Williamson Act contract land is subject to recommendation by the Agricultural Advisory Committee and approval by the board of supervisors.

17.04.037 Agricultural marketing. “Agricultural marketing” means a facility or activity that promotes the sale of agricultural products grown, processed or produced on the farm or ranch where the facility or activity is located, including but not limited to tasting rooms, accessory gift shops, retail sales of the agricultural products, retail sales of other agricultural products produced in Tuolumne County, accessory retail sales of food products not produced on the farm or ranch for on-site consumption, and farm or ranch tours.

17.04.040 Agricultural processing ~~plants~~ facility. “Agricultural processing ~~plants~~ facility” means ~~facilities~~ a facility for the preparation, processing, packing, canning or otherwise preparing agricultural products for sale or distribution. Agricultural processing facility includes water systems, on-site wastewater treatment and disposal systems, and other services related to the processing of the agricultural product.

17.04.050 Agricultural products. "Agricultural products" ~~means products are~~ commodities resulting from the practice of agriculture and value added products as a result of processing agricultural commodities.

17.04.055 Agricultural support services. "Agricultural support services" are land uses which support local agricultural land uses through providing services or supplies necessary to the operation of an agricultural land use.

17.04.060 Agriculture. "Agriculture" means the use of land for ~~agricultural purposes, the~~ production of food, feed, fiber, nursery and apiary commodities, and their necessary accessory uses.

17.04.073 Animal Processing Facility. "Animal processing facility" means a facility where animals are killed and/or their carcasses are cut and wrapped for consumption as food products. "Animal processing facility" does not include the on-ranch slaughtering of animals raised by the owner or tenant.

17.04.099 Auction yard. "Auction yard" means a yard, pen, corral, building or premise permanently devoted to assembling livestock for sale, resale, exchange or transfer, the primary purpose of which is to facilitate transfer of ownership of the livestock. "Auction yard" does not include a yard, pen, corral, building or premise on a farm or ranch used to sell livestock.

17.04.101 Bed and Breakfast. "Bed and Breakfast" means a dwelling unit which provides lodging and breakfast for temporary overnight occupants for compensation.

17.04.100~~3~~ Board. "Board" means the board of supervisors of the County.

17.04.32~~5~~2 Family day care home. "Family day care home" means a home which regularly provides care, protection, and supervision of children, under 18 years of age, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, and includes the following:

A. "Large family day care home" means a home which regularly provides day care to 7 to 12 children, inclusive, including children under the age of 10 years who reside at the home. A large family day care home may provide day care for more than 12 and up to 14 children if the criteria in Section 1597.465 of the Health and Safety Code are met.

B. "Small family day care home" means a home which provides family care to 6 or fewer children, including children under the age of 10 years who reside at the home. A small family day care home may provide day care for more than 6 and to up to 8 children if the criteria in Section 1597.44 of the Health and Safety Code are met.

17.04.324 Farmers market. "Farmers market" means a location where farmers may transport and sell to the public agricultural products that they produced. A certified farmer's market is a farmer's market that is approved by the Tuolumne County Agricultural Commissioner, is operated in accordance with regulations contained in the Food and Agriculture Code and where the agricultural products sold are exempt from the established grade, size, labeling, packaging and other such requirements for fruits, nuts and vegetables.

17.04.325 Farm or ranch tour. “Farm or ranch tour” means a visit to a farm or ranch, whether guided or not.

17.04.326 Farm stay. “Farm stay” means a farm or ranch which produces agricultural products as its primary source of income and which provides overnight transient accommodations as an accessory use to the commercial agricultural use so that members of the public may experience a rural lifestyle. Food service is limited to registered guests with the price of food included in the price of the overnight transient occupancy accommodation. The establishment can have no more than six guest bedrooms.

17.04.330 Feed yard. "Feed yard" means a confined area wherein large numbers of livestock are kept with limited space per animal, to prepare such for market, where sixty percent or more of the feed for such animals is not from grazing. Feed yard includes feed lot. “Feed yard” does not include a yard, pen, corral, building or premises on a farm or ranch used to sell livestock.

17.04.375 General farming and ranching. “General farming and ranching” means growing, cultivating, raising, breeding, or producing plants or animals for commercial or domestic purposes, including but not limited to, livestock, dairy, furbearing animals, poultry, aquaculture, apiculture, grains, herbs, vegetables, fruit, horticultural plants, and Christmas trees, and the accessory structures related to these activities, such as barns and greenhouses. “General farming and ranching” includes agriculture and agricultural production but does not include landscaping, gardens, or pets that are accessory to a residential use.

17.04.400 Guest ranch. “Guest Ranch” means a farm or ranch where the primary use is a commercial agricultural operation and where members of the public may stay for compensation to experience a rural lifestyle as an accessory use to the commercial agricultural use and where guest facilities, including but not limited to the lodge, bunkhouse or cottages, recreational activities, food and beverage service, and entertainment, are limited to use or consumption by registered overnight guests of the guest ranch ~~which is intended primarily to allow urban residents to experience a rural life style.~~

17.04.505 Mineral resources. "Mineral resources" means:

A. Small Scale Development. Prospecting for, or the extraction of, minerals for commercial purposes and the removal of overburden in total amounts of less than one thousand cubic yards in any one location of one acre or less;

B. Large Scale Development. Prospecting for, or the extraction of, minerals for commercial purposes and the removal of overburden in total amounts of one thousand cubic yards, or greater, ~~in any one location of one acre or less~~ or that disturbs more than one acre.

17.04.685 Rendering plant. “Rendering plant” means a processing facility where dead animals, except those raised on the farm or ranch, or their parts are recycled into products for beneficial purposes.

17.04.705 Roadside stand. "Roadside stand" means a structure located on a farm or ranch and used or intended to be used by the owner or tenant ~~for of~~ the farm or ranch for the sale of agricultural products ~~primarily grown or raised on the farm or ranch in Tuolumne County and adjacent counties.~~

17.04.770 Stable, ~~public commercial.~~ "Public Commercial stable" means a building or enclosed area where horses are offered for rent or boarded for compensation.

17.04.7780 Stable, private. "Private stable" means a building or enclosed area intended for occupancy by horses or similar animals for the exclusive use of the owner or tenant of the premises and their guests.

17.04.790 Stockyard. "Stockyard" means a fenced area ~~wherein permanently devoted to keeping~~ a large number of livestock ~~is kept~~ for brief periods with limited space per animal ~~that is managed or operated as a public market for livestock producers and buyers.~~ ~~"Stockyard" does not include a yard, pen, corral, building or premise on a farm or ranch used to sell livestock.~~

17.04.823 Timber harvesting, commercial. "Commercial timber harvesting" means the cutting or removal of timber for the purposes of sale for profit for wood product purposes, such as lumber or fire wood. Commercial timber harvest does not include the cutting or removal of timber for personal use of the wood by the property owner or for other non-commercial purposes.

17.04.838 U-Pick Operation. "U-Pick Operation" means a farm where members of the public can harvest and pay for their produce.

17.04.850 Use, accessory. "Accessory use" means ~~a use incidental to and on the same parcel as a principal use~~ a secondary or subordinate use related to and on the same parcel or parcels of land as the principal use and conducted so as to not significantly change the character, appearance or operation of the principal use.

17.04.870 Use, principal. "Principal use" means the predominant purpose for which land or premises or a structure thereon is designated, arranged, or intended, or for which it is or may be occupied or maintained.

~~**17.04.923 Winery.** "Winery" means an agricultural processing facility for the fermenting and processing of grape juice or other fruits into wine or the refermenting of still wine into sparkling wine for commercial purposes.~~

~~**17.04.925 Wine Marketing.** "Wine Marketing" means any activity that includes or promotes the sale of wine produced for commercial purposes in an on-site winery, including but not limited to retail sales of wine-related products, retail sales of food products, primarily for on-site consumption, and winery tours and retail sales and tasting of wine produced from grapes or other fruits not grown primarily on the same parcel as the winery is located. Wine marketing does not include the retail sales or tasting of wine produced from grapes or other fruits grown primarily on the same parcel as the wine is located.~~

Chapter 17.07

EXCLUSIVE AGRICULTURAL DISTRICT, ONE HUNDRED SIXTY ACRE MINIMUM OR (AE-160) DISTRICT

17.07.010 Purpose. The purpose of the exclusive agricultural, one hundred sixty acre minimum (AE-160) district is to provide for agricultural and resource production where commercial agricultural uses can exist without encroachment of incompatible uses and provide for the preservation and conservation of working landscapes and open space. Development in this zone must comply with Title 15 of this code relative to fire safety standards.

17.07.020 Permitted uses. Within any exclusive agricultural, one hundred sixty acre minimum (AE-160) district, the following uses are permitted unless otherwise provided in this chapter:

- A. One single-family dwelling per parcel;
- B. One additional single-family dwelling when the parcel is one hundred sixty acres or larger;
- C. One guesthouse per parcel;
- D. Agricultural laborer housing;
- E. General farming and ranching, including uses and land management activities authorized or required by an agricultural production management plan approved by the board of supervisors for land within an agricultural preserve in accordance with Tuolumne County Resolution 106-04, that are not listed as conditional uses;
- F. Agricultural processing facilities and activities related to the agricultural product grown on the property and not to exceed 10% of the property size or 10 acres, whichever is less;
- G. Agricultural marketing facilities or activities;
- H. Agricultural by-product processing facilities accessory to the agricultural operation on the property, including commercial composting facilities;
- I. U-pick operations;
- J. Growing and harvesting timber products;
- K. Sawmills for processing timber grown primarily on the same parcel as the sawmill is located and other parcels under the same ownership;
- L. Commercial stables, up to 20 stalls, and riding clubs including, but not limited to, accessory shows and clinics;
- M. Bed and breakfast establishments, within a permitted single-family dwelling, not to exceed six guest bedrooms;
- N. Farm stay, not to exceed six guest bedrooms;
- O. Guest ranch, not to exceed six guest bedrooms or accommodations for 20 persons, whichever is less;
- P. Public safety facilities;
- Q. Residential care homes, transitional housing, supportive housing or nursery schools, within a permitted single-family dwelling, for not more than eight persons;
- R. Small or large family day care home within a permitted or conditional use single-family dwelling, subject to the requirements of section 17.52.160;
- S. Small-scale development of mineral resources, provided surface development does not occur within two hundred feet of any exterior property line;
- T. Prospecting;

- U. Recreational uses without buildings, accessory to a primary agricultural use including, but not limited to, hiking, non-motorized biking, hunting, fishing, boating, swimming, horseback riding, wagon rides, picnicking, cattle drives and nature walks;
- V. The erection, construction, alteration, or maintenance of gas, water, sewer, electrical, communication or other public utility distribution facilities except as otherwise provided in this code;
- W. Storage of petroleum products for use in conjunction with a permitted agricultural use;
- X. Private airstrips and private heliports;
- Y. Educational workshops, craft demonstrations, or demonstration gardens accessory to the agricultural use of the parcel;
- Z. Educational workshops, craft demonstrations, or demonstration gardens not accessory to the agricultural use of the parcel subject to the requirements of Section 17.52.220;
- AA. Commercial events subject to the requirements of Section 17.52.220;
- BB. Seasonal activities including, but not limited to, crop mazes, pumpkin patches and berry harvests accessory to the agricultural use of the parcel;
- CC. Petting zoo accessory to the primary agricultural use of the parcel;
- DD. Private garages accessory to a single-family dwelling, or one private garage, not to exceed 4,000 square feet, as a primary use of the parcel;
- EE. Open space, including uses and land management activities authorized or required by a wildlife habitat management plan, submerged area plan, recreation master plan, scenic corridor management plan, or other plan for open space use approved by the board of supervisors for land within an agricultural preserve in accordance with Tuolumne County Resolution 106-04, that are not listed as conditional uses;
- FF. Roadside stand up to one-thousand five-hundred square feet in area;
- GG. Energy generating facilities accessory to the agricultural use on the farm or ranch;
- HH. Reservoirs for storage of water by a public utility;
- II. Accessory uses and structures appurtenant to permitted uses.

17.07.030 Conditional uses. Within any exclusive agricultural, one hundred sixty acre minimum (AE-160) district, the following uses are permitted subject to first securing a use permit. Conditional uses cannot be detrimental to surrounding agricultural operations, the primary agricultural use of the property or to neighboring properties.

- A. Additional single-family dwellings, one hundred sixty acres per unit maximum density;
- B. Agricultural support services;
- C. Agricultural processing facilities and activities for products not related to the agricultural product grown on the property or which exceed 10% of the parcel size or 10 acres, whichever is less;
- D. Roadside stand exceeding one-thousand five-hundred square feet in area;
- E. Agricultural by-product processing facilities not accessory to the agricultural operation on the property, including commercial composting facilities;
- F. Livestock feed yards, stockyards, auction yards, animal processing facilities, or rendering plants;
- G. Animal hospitals, veterinary clinics, kennels, or animal boarding facilities;
- H. Agricultural hospitality facilities;

- I. Large scale development of mineral resources or surface development of mineral resources within two hundred feet of any property line;
- J. Sawmills for processing timber other than that grown primarily on the same parcel as the sawmill is located and other parcels under the same ownership;
- K. Day care centers other than family day care homes;
- L. Schools;
- M. Places of worship;
- N. Cemeteries;
- O. Mausoleums, columbaria and crematoria when in conjunction with a cemetery;
- P. Recreational buildings and developments including, but not limited to, organized camps, campgrounds, recreational vehicle parks and picnic facilities;
- Q. Shooting/archery ranges and trap shooting;
- R. Off-road vehicle courses and trails;
- S. On and off-shore marina facilities;
- T. Tent revivals, circuses and carnivals;
- U. Museums;
- V. Commercial refuse and sewage sludge disposal sites and public water and sewer treatment plants;
- W. Public utility uses;
- X. Commercial alternative energy generating facilities, including, but not limited to, wind and solar power facilities;
- Y. Airports and heliports;
- Z. Educational workshops, craft demonstrations and demonstration gardens not accessory to the agricultural use of the parcel and not in compliance with the requirements of Section 17.52.220;
- AA. Commercial events not in compliance with the requirements of Section 17.52.220;
- BB. Zoo or exotic animal park;
- CC. Farmers markets;
- DD. Commercial stables with more than 20 stalls;
- EE. Guest ranch exceeding six guest bedrooms or accommodations for 20 persons, whichever is less;
- FF. Accessory uses and structures appurtenant to conditional uses.

17.07.040 Minimum parcel size. Within any exclusive agricultural, one hundred sixty acre minimum (AE-160) district, no parcel of real property shall be divided or reconfigured where any parcel so created will be less than one hundred sixty gross acres in area or will have an area to perimeter ratio of less than 210, as calculated or confirmed by the county surveyor. An existing parcel which does not meet the minimum parcel or area to perimeter ratio regulations may be reconfigured to a resulting parcel which does not meet the minimum parcel size or area to perimeter ratio provided the reconfiguration does not result in a decrease in the size of the existing parcel and in the area to perimeter ratio of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size and the area to perimeter ratio requirements.

17.07.045 Agricultural laborer housing. Notwithstanding section 17.07.040, a parcel of real property within an agricultural preserve may be divided to create a parcel of less than or equal to five (5) acres for sale or lease for agricultural laborer housing as provided in section 51230.2 of the California Government Code.

17.07.050 Building intensity. Within any exclusive agricultural, one hundred sixty acre minimum (AE-160) district, the maximum building intensity shall be two (2) dwellings per one hundred sixty (160) acres; however, additional units are possible for agricultural laborer housing in accordance with state law or through a density bonus for the provision of affordable housing in accordance with the California Government Code. The maximum ratio of the coverage of all buildings on a parcel, referred to as the floor area ratio (FAR), shall be 0.1.

Chapter 17.08

EXCLUSIVE AGRICULTURAL DISTRICT, EIGHTY ACRE MINIMUM OR (AE-80) DISTRICT

17.08.010 Purpose. The purpose of the exclusive agricultural, eighty acre minimum (AE-80) district is to provide for agricultural and resource production where commercial agricultural uses can exist without encroachment of incompatible uses and provide for the preservation and conservation of working landscapes and open space. Development in this zone must comply with Title 15 of this code relative to fire safety standards.

17.08.020 Permitted uses. Within any exclusive agricultural, eighty acre minimum (AE-80) district, the following uses are permitted unless otherwise provided in this chapter:

- A. One single-family dwelling per parcel;
- B. One additional single-family dwelling when the parcel is eighty acres or larger;
- C. One guesthouse per parcel;
- D. Agricultural laborer housing;
- E. General farming and ranching, including uses and land management activities authorized or required by an agricultural production management plan approved by the board of supervisors for land within an agricultural preserve in accordance with Tuolumne County Resolution 106-04, that are not listed as conditional uses;
- F. Agricultural processing facilities and activities related to the agricultural product grown on the property and not to exceed 10% of the property size or 10 acres, whichever is less;
- G. Agricultural marketing facilities or activities;
- H. Agricultural by-product processing facilities accessory to the agricultural operation on the property, including commercial composting facilities;
- I. U-pick operations;
- J. Growing and harvesting timber products;
- K. Sawmills for processing timber grown primarily on the same parcel as the sawmill is located and other parcels under the same ownership;
- L. Commercial stables, up to 20 stalls, and riding clubs including, but not limited to, accessory shows and clinics;
- M. Bed and breakfast establishments, within a permitted single-family dwelling, not to exceed six guest bedrooms;
- N. Farm stay, not to exceed six guest bedrooms;
- O. Guest ranch, not to exceed six guest bedrooms or accommodations for 20 persons, whichever is less;
- P. Public safety facilities;
- Q. Residential care homes, transitional housing, supportive housing or nursery schools, within a permitted single-family dwelling, for not more than eight persons;
- R. Small or large family day care home within a permitted or conditional use single-family dwelling, subject to the requirements of section 17.52.160;
- S. Small-scale development of mineral resources, provided surface development does not occur within two hundred feet of any exterior property line;
- T. Prospecting;
- U. Recreational uses without buildings, accessory to a primary agricultural use

- including, but not limited to, hiking, non-motorized biking, hunting, fishing, boating, swimming, horseback riding, wagon rides, picnicking, cattle drives and nature walks;
- V. The erection, construction, alteration, or maintenance of gas, water, sewer, electrical, communication or other public utility distribution facilities except as otherwise provided in this code;
 - W. Storage of petroleum products for use in conjunction with a permitted agricultural use;
 - X. Private airstrips and private heliports;
 - Y. Educational workshops, craft demonstrations, or demonstration gardens accessory to the agricultural use of the parcel;
 - Z. Educational workshops, craft demonstrations, or demonstration gardens not accessory to the agricultural use of the parcel subject to the requirements of Section 17.52.220;
 - AA. Commercial events subject to the requirements of Section 17.52.220;
 - BB. Seasonal activities including, but not limited to, crop mazes, pumpkin patches and berry harvests accessory to the agricultural use of the parcel;
 - CC. Petting zoo accessory to the primary agricultural use of the parcel;
 - DD. Private garages accessory to a single-family dwelling, or one private garage, not to exceed 4,000 square feet, as a primary use of the parcel;
 - EE. Open space, including uses and land management activities authorized or required by a wildlife habitat management plan, submerged area plan, recreation master plan, scenic corridor management plan, or other plan for open space use approved by the board of supervisors for land within an agricultural preserve in accordance with Tuolumne County Resolution 106-04, that are not listed as conditional uses;
 - FF. Roadside stand up to one-thousand five-hundred square feet in area;
 - GG. Energy generating facilities accessory to the agricultural use on the farm or ranch;
 - HH. Reservoirs for storage of water by a public utility;
 - II. Accessory uses and structures appurtenant to permitted uses.

17.08.030 Conditional uses. Within any exclusive agricultural, eighty acre minimum (AE-80) district, the following uses are permitted subject to first securing a use permit. Conditional uses cannot be detrimental to surrounding agricultural operations, the primary agricultural use of the property or to neighboring properties.

- A. Additional single-family dwellings, eighty acres per unit maximum density;
- B. Agricultural support services;
- C. Agricultural processing facilities and activities for products not related to the agricultural product grown on the property or which exceed 10% of the parcel size or 10 acres, whichever is less;
- D. Roadside stand exceeding one-thousand five-hundred square feet in area;
- E. Agricultural by-product processing facilities not accessory to the agricultural operation on the property, including commercial composting facilities;
- F. Livestock feed yards, stockyards, auction yards, animal processing facilities, or rendering plants;
- G. Animal hospitals, veterinary clinics, kennels, or animal boarding facilities;
- H. Agricultural hospitality facilities;
- I. Large scale development of mineral resources or surface development of mineral resources within two hundred feet of any exterior property line;

- J. Sawmills for processing timber other than that grown primarily on the same parcel as the sawmill is located and other parcels under the same ownership;
- K. Day care centers other than family day care homes;
- L. Schools;
- M. Places of worship;
- N. Cemeteries;
- O. Mausoleums, columbaria and crematoria when in conjunction with a cemetery;
- P. Recreational buildings and developments including, but not limited to, organized camps, campgrounds, recreational vehicle parks and picnic facilities;
- Q. Shooting/archery ranges and trap shooting;
- R. Off-road vehicle courses and trails;
- S. On and off-shore marina facilities;
- T. Tent revivals, circuses and carnivals;
- U. Museums;
- V. Commercial refuse and sewage sludge disposal sites and public water and sewer treatment plants;
- W. Public utility uses;
- X. Commercial alternative energy generating facilities, including, but not limited to, wind and solar power facilities;
- Y. Airports and heliports;
- Z. Educational workshops, craft demonstrations and demonstration gardens not accessory to the agricultural use of the parcel and not in compliance with the requirements of Section 17.52.220;
- AA. Commercial events not in compliance with the requirements of Section 17.52.220;
- BB. Zoo or exotic animal park;
- CC. Farmers markets;
- DD. Commercial stables with more than 20 stalls;
- EE. Guest ranch exceeding six guest bedrooms or accommodations for 20 persons, whichever is less;
- FF. Accessory uses and structures appurtenant to conditional uses.

17.08.040 Minimum parcel size. Within any exclusive agricultural, eighty acre minimum (AE-80) district, no parcel of real property shall be divided or reconfigured where any parcel so created will be less than eighty gross acres in area or will have an area to perimeter ratio of less than 210, as calculated or confirmed by the county surveyor. An existing parcel which does not meet the minimum parcel or area to perimeter ratio regulations may be reconfigured to a resulting parcel which does not meet the minimum parcel size or area to perimeter ratio provided the reconfiguration does not result in a decrease in the size of the existing parcel and in the area to perimeter ratio of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size and the area to perimeter ratio requirements.

17.08.045 Agricultural laborer housing. Notwithstanding section 17.08.040, a parcel of real property within an agricultural preserve may be divided to create a parcel of less than or equal to five (5) acres for sale or lease for agricultural laborer housing as provided in section 51230.2 of the California Government Code.

17.08.050 Building intensity. Within any exclusive agricultural, eighty acre minimum (AE-80) district, the maximum building intensity shall be two (2) dwellings per eighty (80) acres; however, additional units are possible for agricultural laborer housing in

accordance with state law or through a density bonus for the provision of affordable housing in accordance with the California Government Code. The maximum ratio of the coverage of all buildings on a parcel, referred to as the floor area ratio (FAR), shall be 0.1.

Chapter 17.089

EXCLUSIVE AGRICULTURAL DISTRICT, THIRTY-SEVEN ACRE MINIMUM OR (AE-37) DISTRICT

17.089.010 Purpose. The purpose of the exclusive agricultural, thirty-seven acre minimum (AE-37) district is to provide for agricultural and resource production where commercial agricultural uses can exist without encroachment of incompatible uses and provide for the preservation and conservation of working landscapes and open space. Development in this zone must comply with Title 15 of this code relative to fire safety standards.

17.089.020 Permitted uses. Within any exclusive agricultural, thirty-seven acre minimum (AE-37) district, the following uses are permitted unless otherwise provided in this chapter:

- A. One single-family dwelling per parcel;
- B. One additional single-family dwelling when the parcel is thirty-seven acres or larger;
- C. One guesthouse per parcel;
- ~~VD.~~ Agricultural laborer housing;
- ~~CE.~~ General farming and ranching, including uses and land management activities authorized or required by an agricultural production management plan approved by the board of supervisors for land within an agricultural preserve in accordance with Tuolumne County Resolution 106-04, that are not listed as conditional uses;
- ~~DF.~~ Agricultural processing facilities and activities and related accessory uses for products primarily from a farm or ranch located on the parcel or a combination of the parcel and other parcels under the same ownership all of which are located in the county related to the agricultural product grown on the property and not to exceed 10% of the property size or 10 acres, whichever is less;
- ~~E.~~ Roadside stand and other marketing and sales facilities for agricultural products primarily from a farm or ranch located on the parcel or a combination of the parcel and other parcels under the same ownership all of which are located in the county;
- G. Agricultural marketing facilities or activities;
- H. Agricultural by-product processing facilities accessory to the agricultural operation on the property, including commercial composting facilities;
- I. U-pick operations;
- ~~F.~~ Nurseries and greenhouses;
- ~~G.~~ Christmas tree farms;
- ~~UJ.~~ Growing and harvesting forest timber products;
- ~~HK.~~ Sawmills for processing timber grown primarily ~~from on~~ the same parcel as the sawmill is located and other parcels under the same ownership;
- ~~L.~~ Commercial stables, up to 20 stalls, and riding clubs ~~and guest ranches including, but not limited to, accessory shows and clinics;~~
- M. Bed and breakfast establishments, within a permitted single-family dwelling, not to exceed six guest bedrooms;
- N. Farm stay, not to exceed six guest bedrooms;
- O. Guest ranch, not to exceed six guest bedrooms or accommodations for 20 persons, whichever is less;
- ~~KP.~~ Firehouses and police stations; Public safety facilities;

- ~~LQ.~~ Residential care homes, transitional housing, supportive housing or nursery schools, within a permitted single-family dwelling, for not more than eight persons;
- ~~MR.~~ Small or large family day care home within a permitted or conditional use single-family dwelling, subject to the requirements of section 17.52.160;
- ~~JS.~~ Small-scale development of mineral resources, provided surface development does not occur within two hundred feet of ~~the any exterior~~ property line;
- ~~RT.~~ Prospecting;
- ~~S.~~ ~~Wineries and related accessory uses and facilities for processing grapes or other fruits grown primarily on the same parcel as the winery located;~~
- ~~T.~~ ~~Retail sales or tasting of wine produced from grapes or other fruits grown primarily on the same parcel as the winery is located;~~
- ~~YU.~~ Recreational uses without buildings, ~~incidental or~~ accessory to a primary agricultural use including, but not limited to, hiking, non-motorized biking, hunting, fishing, boating, swimming, horseback riding, wagon rides, picnicking, cattle drives and nature walks;
- ~~N.~~ Churches;
- ~~PV.~~ The erection, construction, alteration, or maintenance of gas, water, sewer, electrical, communication or other public utility distribution facilities except as otherwise provided in this code;
- ~~XW.~~ Storage of petroleum products for use in conjunction with a permitted agricultural use;
- ~~OX.~~ Private airstrips and private heliports;
- ~~Q.~~ Cemeteries;
- ~~Y.~~ Educational workshops, craft demonstrations, or demonstration gardens accessory to the agricultural use of the parcel;
- ~~Z.~~ Educational workshops, craft demonstrations, or demonstration gardens not accessory to the agricultural use of the parcel subject to the requirements of Section 17.52.220;
- ~~AA.~~ Commercial events subject to the requirements of Section 17.52.220;
- ~~BB.~~ Seasonal activities including, but not limited to, crop mazes, pumpkin patches and berry harvests accessory to the agricultural use of the parcel;
- ~~CC.~~ Petting zoo accessory to the primary agricultural use of the parcel;
- ~~ZDD.~~ Private garages accessory to a single-family dwelling, or one private garage, not to exceed ~~a building coverage of 25% of the parcel or~~ 4,000 square feet, ~~whichever is less,~~ as a primary use of the parcel;
- ~~WEE.~~ Open space, including uses and land management activities authorized or required by a wildlife habitat management plan, submerged area plan, recreation master plan, scenic corridor management plan, or other plan for open space use approved by the board of supervisors for land within an agricultural preserve in accordance with Tuolumne County Resolution 106-04, that are not listed as conditional uses;
- ~~FF.~~ Roadside stand up to one-thousand five-hundred square feet in area;
- ~~GG.~~ Energy generating facilities accessory to the agricultural use on the farm or ranch;
- ~~HH.~~ Reservoirs for storage of water by a public utility;
- ~~AAII.~~ Accessory uses and structures appurtenant to permitted uses.

17.089.030 Conditional uses. Within any exclusive agricultural, thirty-seven acre minimum (AE-37) district, the following uses are permitted subject to first securing a use permit. Conditional uses cannot be detrimental to surrounding agricultural operations.

the primary agricultural use of the property or to neighboring properties.

- A. Additional single-family dwellings, thirty-seven acres per unit maximum density;
- ~~T~~B. Agricultural support services;
- ~~C~~. Agricultural processing facilities and activities for products not related to the agricultural product grown on the property or which exceed 10% of the parcel size or 10 acres, whichever is less;
- ~~R~~D. Roadside stands for products not grown primarily on the parcel exceeding one-thousand five-hundred square feet in area;
- ~~E~~. Agricultural by-product processing facilities not accessory to the agricultural operation on the property, including commercial composting facilities;
- ~~O~~F. Livestock feedlots yards, stockyards, auction yards, or slaughterhouses animal processing facilities, or rendering plants;
- ~~Q~~G. Animal hospitals, veterinary clinics, kennels, or animal boarding facilities;
- ~~H~~. Agricultural hospitality facilities;
- I. Large scale development of mineral resources or surface development of mineral resources within two hundred feet of any exterior property line;
- J. Sawmills for processing timber other than that grown primarily on the same parcel as the sawmill is located and other parcels under the same ownership;
- ~~E~~K. Day care centers other than family day care homes;
- ~~F~~L. Schools;
- ~~M~~. Places of worship;
- ~~N~~. Cemeteries;
- ~~K~~O. Mausoleums, columbaria and crematoria when in conjunction with a cemetery;
- ~~L~~. Wineries and related accessory uses and facilities for processing grapes or other fruits not grown primarily on the same parcel as the winery is located;
- ~~M~~. Wine marketing facilities;
- ~~B~~P. Recreational buildings and developments including, but not limited to, organized camps, campgrounds, recreational vehicle parks and picnic facilities;
- ~~Q~~. Shooting/archery ranges and trap shooting;
- ~~R~~. Off-road vehicle courses and trails;
- ~~G~~S. On and off-shore marina facilities;
- ~~D~~T. Tent revivals, circuses and carnivals;
- ~~U~~. Museums;
- ~~G~~V. Commercial Refuse and sewage sludge disposal sites and public water and sewer treatment plants;
- ~~H~~W. Public utility uses;
- ~~X~~. Commercial alternative energy generating facilities, including, but not limited to, wind and solar power facilities;
- ~~N~~Y. Airports and heliports;
- ~~P~~. Bed and breakfast establishments, within a permitted single-family dwelling, six bedrooms or less;
- ~~S~~. Other enterprises compatible with agricultural resource utilization;
- ~~Z~~. Educational workshops, craft demonstrations and demonstration gardens not accessory to the agricultural use of the parcel and not in compliance with the requirements of Section 17.52.220;
- ~~AA~~. Commercial events not in compliance with the requirements of Section 17.52.220;
- ~~BB~~. Zoo or exotic animal park;
- ~~CC~~. Farmers markets;
- ~~DD~~. Commercial stables with more than 20 stalls;

EE. Guest ranch exceeding six guest bedrooms or accommodations for 20 persons, whichever is less;

UFF. Accessory uses and structures appurtenant to conditional uses.

7.089.040 Minimum parcel size. Within any exclusive agricultural, thirty-seven acre minimum (AE-37) district, no parcel of real property shall be divided or reconfigured where any parcel so created will be less than thirty-seven gross acres in area or will have an area to perimeter ratio of less than 210, as calculated or confirmed by the county surveyor. An existing parcel which does not meet the minimum parcel or area to perimeter ratio regulations may be reconfigured to a resulting parcel which does not meet the minimum parcel size or area to perimeter ratio provided the reconfiguration does not result in a decrease in the size of the existing parcel and in the area to perimeter ratio of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size and the area to perimeter ratio requirements.

17.089.045 Farm-Agricultural laborer housing. Notwithstanding section 17.08.040, a parcel of real property within an agricultural preserve may be divided to create a parcel of less than or equal to five (5) acres for sale or lease for agricultural laborer housing as provided in section 51230.2 of the California Government Code.

17.089.050 Building intensity. Within any exclusive agricultural, thirty-seven acre minimum (AE-37) district, the maximum building intensity shall be two (2) dwellings per thirty-seven (37) acres; however, additional units are possible for agricultural laborer housing in accordance with state law or through a density bonus for the provision of affordable housing ~~for households of very low or lower income and senior citizens~~ in accordance with the California Government Code. The maximum ratio of the coverage of all buildings on a parcel, referred to as the floor area ratio (FAR), shall be 0.1.

Chapter 17.10

GENERAL AGRICULTURAL DISTRICT, TWENTY ACRE MINIMUM, OR (A-20) DISTRICT

17.10.010 Purpose. The purpose of the general agricultural, twenty acre minimum (A-20) district is to provide for country-estate ~~type~~ living while maintaining large areas for the commercial production of food and fiber where such agricultural uses can exist without the encroachment of incompatible land uses. Development in this zone must comply with Title 15 of this code relative to fire safety standards.

17.10.020 Permitted uses. Within any general agricultural, twenty acre minimum (A-20) district, the following uses are permitted unless otherwise provided in this chapter:

- A. One single-family dwelling per parcel;
- B. One additional single-family dwelling or one guesthouse when the parcel is twenty acres or larger;
- ~~V~~C. Agricultural laborer housing;
- ~~E~~D. General farming and ranching;
- ~~D~~E. Agricultural processing facilities and activities ~~and related accessory uses for products primarily from a farm or ranch located on the parcel or a combination of the parcel and other parcels under the same ownership all of which are located in the county~~ related to the agricultural product grown on the property and not to exceed 10% of the parcel size or 5 acres, whichever is less;
- ~~E~~F. Roadside stand ~~and other marketing and sales facilities for agricultural products primarily from a farm or ranch located on the parcel or a combination of the parcel and other parcels under the same ownership all of which are located in the county~~ up to one-thousand five-hundred square feet in area;
- G. Agricultural marketing facilities or activities;
- H. Agricultural by-product processing facilities accessory to the agricultural operation on the property, including commercial composting facilities;
- I. U-pick operations;
- ~~F~~J. ~~Nurseries and greenhouses;~~
- ~~G~~K. ~~Christmas trees farms;~~
- UJ. Growing and harvesting ~~of forest~~ timber products;
- HK. Sawmills for processing timber grown only on the same parcel as the sawmill is located;
- JL. Commercial stables, up to 20 stalls, and riding clubs ~~and guest ranches including, but not limited to, accessory shows and clinics;~~
- ~~O~~M. Bed and breakfast establishments, within a permitted single-family dwelling, not to exceed six guest bedrooms ~~or less;~~
- N. Farm Stay, not to exceed six guest bedrooms;
- O. Guest Ranch, not to exceed six guest bedrooms or accommodations for 20 persons, whichever is less;
- MP. Residential care homes, transitional housing, supportive housing or nursery schools within a permitted single-family dwelling, for not more than eight persons;
- WQ. Small or large family day care home within a permitted or conditional use single-family dwelling, subject to the requirements of section 17.52.160;
- KR. Small-scale development of mineral resources, provided surface development does not occur within two hundred feet of ~~the~~ any exterior property line;

- ~~Q~~S. Prospecting;
- ~~T~~I. General recreational use without buildings, incidental accessory to the primary use of the parcel including, but not limited to, hiking, non-motorized biking, hunting, fishing, boating, swimming, horseback riding, wagon rides, picnicking, cattle drives, and nature walks;
- ~~L~~U. ~~Firehouses and police stations~~ Public safety facilities;
- ~~N~~. Churches;
- ~~P~~V. The erection, construction, alteration, or maintenance of gas water, sewer, electrical, communication or other ~~P~~ublic utility distribution facilities except as otherwise provided in this code;
- ~~R~~. Cemeteries;
- ~~S~~. ~~Wineries and related accessory uses and facilities for processing grapes or other fruits grown primarily on the same parcel as the winery is located;~~
- ~~T~~. ~~Retail sales or tasting of wine produced from grapes or other fruits grown primarily on the same parcel as the winery is located;~~
- ~~W~~. Educational workshops, craft demonstrations or demonstration gardens accessory to the agricultural use of the parcel;
- ~~X~~. Educational workshops, craft demonstrations, or demonstration gardens not accessory to the agricultural use of the parcel subject to the requirements of Section 17.52.220;
- ~~Y~~. Commercial events subject to the requirements of Section 17.52.220;
- ~~Z~~. Seasonal activities including, but not limited to, crop mazes, pumpkin patches and berry harvests accessory to the primary agricultural use of the parcel;
- ~~AA~~. Petting zoo accessory to the primary agricultural use of the parcel;
- ~~X~~BB. Private garages accessory to a single-family dwelling, or one private garage, not to exceed ~~a building coverage of 25% of the parcel or~~ 4,000 square feet, ~~whichever is less,~~ as a primary use of the parcel;
- ~~Y~~CC. Accessory uses and structures appurtenant to permitted uses.

17.10.030 Conditional uses. Within any general agricultural, twenty acre minimum (A-20) district, the following uses are permitted subject to first securing a use permit. The conditional uses cannot be detrimental to surrounding agricultural operations, the agricultural use of the property or to neighboring properties.

- ~~A~~. One additional single-family dwelling, ten acres per unit maximum density;
- ~~B~~. Agricultural processing facilities and activities for products not related to the agricultural product grown on the property or which exceed 10% of the parcel size or 5 acres, whichever is less;
- ~~C~~. Roadside stand exceeding one-thousand five-hundred square feet in area;
- ~~D~~. Agricultural by-product processing facilities not accessory to the agricultural operation on the property, including commercial composting facilities;
- ~~G~~E. Livestock feed~~lots~~ yards, stockyards, auction yards, ~~and slaughterhouses~~ animal processing facilities, or rendering plants;
- ~~R~~F. Animal hospitals, veterinary clinics, kennels, or animal boarding facilities;
- ~~G~~. Commercial stables with more than 20 stalls;
- ~~L~~H. Large scale development of mineral resources ~~and or~~ surface development of mineral resources within two hundred feet of any exterior property line;
- ~~M~~. Sawmills for processing timber not grown on the same parcel as the sawmill is located;
- ~~H~~J. Residential care homes, nursery schools and day care centers, other than family day care homes;

- ~~JK.~~ Schools, libraries, museums, art galleries, tourist information facilities;
- ~~L.~~ Places of worship;
- ~~M.~~ Cemeteries;
- ~~ON.~~ Mausoleums, columbaria and crematoria, when in conjunction with a cemetery;
- ~~DO.~~ Recreational buildings and developments including, but not limited to, organized camps, campgrounds, recreational vehicle parks and picnic facilities;
- ~~P.~~ Off-road vehicle courses and trails;
- ~~EQ.~~ On and off-shore marina facilities;
- ~~FR.~~ Tent revivals, circuses and carnivals;
- ~~S.~~ Museums;
- ~~G.~~ Health care facilities;
- ~~IT.~~ Temporary sales offices for parcels and residences;
- ~~KU.~~ Commercial Refuse and sewage sludge disposal sites and public water and sewer treatment plants;
- ~~NV.~~ Public utility uses;
- ~~W.~~ Commercial alternative energy generating facilities, including, but not limited to, wind and solar power facilities;
- ~~P.~~ Wineries and related accessory uses and facilities for processing grapes or other fruits not grown primarily on the same parcel as the winery is located;
- ~~Q.~~ Wine marketing facilities;
- ~~S.~~ Kennels;
- ~~BX.~~ Airports and heliports;
- ~~Y.~~ Educational workshops, craft demonstrations and demonstration gardens not accessory to the agricultural use of the parcel and not in compliance with the requirements of Section 17.52.220;
- ~~Z.~~ Commercial events not in compliance with the requirements of Section 17.52.220;
- ~~AA.~~ Guest ranch exceeding six guest bedrooms or accommodations for 20 persons, whichever is less;
- ~~BB.~~ Farmers markets;
- ~~CC.~~ Accessory uses and structures appurtenant to conditional uses.

17.10.040 Minimum parcel size. Within any general agricultural, twenty acre minimum (A-20) district, no parcel of real property shall be divided or reconfigured where any parcel so created will be less than twenty gross acres in area or have an average width of less than five hundred feet. An existing parcel which does not meet the minimum parcel size or average width regulations may be reconfigured to a resulting parcel which does not meet the minimum parcel size and average width requirements provided the reconfiguration does not result in a decrease in the size of the existing parcel and in the average width of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size and average width requirements.

17.10.050 Building intensity. Within any general agricultural, twenty acre minimum (A-20) district, the maximum building intensity shall be one (1) dwelling per ten (10) acres; however, additional units are possible for agricultural laborer housing in accordance with state law or through a density bonus for the provision of affordable housing ~~for households of very low or lower income and senior citizens~~ in accordance with the California Government Code. The maximum ratio of the coverage of all buildings on a parcel, referred to as the floor area ratio (FAR), shall be 0.2.

Chapter 17.12

GENERAL AGRICULTURAL DISTRICT, TEN ACRE MINIMUM, OR (A-10) DISTRICT

17.12.010 Purpose. The purpose of the general agricultural, ten acre minimum (A-10) district is to provide for country-estate ~~type~~ living on parcels less than twenty acres in area while maintaining areas for the commercial production of food and fiber where such agricultural uses can exist without the encroachment of incompatible land uses. Development in this zone must comply with Title 15 of this code relative to fire safety standards.

17.12.020 Permitted uses. Within any general agricultural, ten acre minimum (A-10) district, the following uses are permitted unless otherwise provided in this chapter:

- A. One single-family dwelling per parcel;
- B. One additional single-family dwelling or one guesthouse when the parcel is ten acres or larger;
- ~~UC.~~ Agricultural laborer housing;
- ~~CD.~~ General farming and ranching;
- ~~DE.~~ Agricultural processing facilities and activities ~~and related accessory uses for products primarily from the farm or ranch located on the parcel or a combination of the parcel and other parcels under the same ownership all of which are located in the county~~ related to the agricultural product grown on the property and not to exceed 10% of the parcel size or 2 acres, whichever is less;
- ~~EF.~~ Roadside stand ~~and other marketing and sales facilities for agricultural products primarily from a farm or ranch located on the parcel or a combination of the parcel and other parcels under the same ownership all of which are located in the county~~ up to one-thousand five-hundred square feet in area;
- ~~G.~~ Agricultural marketing facilities or activities;
- ~~H.~~ Agricultural by-product processing facilities accessory to the agricultural operation on the property;
- ~~I.~~ U-pick operations;
- ~~F.~~ Nurseries and greenhouses;
- ~~G.~~ Christmas tree farms;
- ~~TJ.~~ Growing and harvesting ~~of forest timber~~ products;
- ~~K.~~ Commercial stables, up to 20 stalls, and riding clubs including, but not limited to, accessory shows and clinics;
- ~~ML.~~ Bed and breakfast establishments, within a permitted single-family dwelling, not to exceed six guest bedrooms or less;
- ~~K.M.~~ Residential care homes, transitional housing, supportive housing or nursery schools within a permitted single-family dwelling, for not more than eight persons;
- ~~VN.~~ Small or large family day care home within a permitted or conditional use single-family dwelling, subject to the requirements of section 17.52.160;
- ~~IQ.~~ Small-scale development of mineral resources, provided surface development does not occur within two hundred feet of ~~the any exterior~~ property line;
- P. Prospecting;
- ~~HQ.~~ General recreational use without buildings, incidental accessory to the primary use of the parcel including, but not limited to, hiking, non-motorized biking, hunting, fishing, boating, swimming, horseback riding, wagon rides, picnicking, cattle drives, and nature walks;

- ~~JR.~~ ~~Firehouses and police stations~~ Public safety facilities;
- ~~L.~~ Churches;
- ~~OS.~~ The erection, construction, alteration, or maintenance of gas, water, sewer, electrical, communication or other ~~P~~ublic utility distribution facilities except as otherwise provided in this code;
- ~~NT.~~ Animal hospitals, indoors;
- ~~Q.~~ Cemeteries;
- ~~R.~~ Wineries and related accessory uses and facilities for processing grapes or other fruits grown primarily on the same parcel as the winery is located;
- ~~S.~~ Retail sales or tasting of wine produced from grapes or other fruits grown primarily on the same parcel as the winery is located;
- ~~U.~~ Educational workshops, craft demonstrations or demonstration gardens accessory to the agricultural use of the parcel;
- ~~V.~~ Seasonal activities including, but not limited to, crop mazes, pumpkin patches and berry harvests accessory to the primary agricultural use of the parcel;
- ~~W.~~ Petting zoo accessory to the primary agricultural use of the parcel;
- ~~X.~~ Farm stay within a permitted single-family dwelling, not to exceed six guest bedrooms;
- ~~Y.~~ Guest ranch within a permitted single-family dwelling, not to exceed six guest bedrooms or accommodations for 20 persons, whichever is less;
- ~~WZ.~~ Private garages accessory to a single-family dwelling, or one private garage, not to exceed ~~a building coverage of 25% of the parcel or~~ 4,000 square feet, ~~whichever is less,~~ as a primary use of the parcel;
- ~~VAA.~~ Accessory uses and structures appurtenant to permitted uses.

17.12.030 Conditional uses. Within any general agricultural, ten acre minimum (A-10) district, the following uses are permitted subject to first securing a use permit. The conditional uses cannot be detrimental to surrounding agricultural operations, the agricultural use of the property or to neighboring properties.

- ~~A.~~ One additional single-family dwelling, ten acres per unit maximum density;
- ~~B.~~ Agricultural processing facilities and activities for products not related to the agricultural product grown on the property or which exceed 10% of the parcel size or 2 acres, whichever is less;
- ~~C.~~ Roadside stand exceeding one-thousand five-hundred square feet in area;
- ~~D.~~ Agricultural by-product processing facilities not accessory to the agricultural operation on the property;
- ~~DE.~~ Livestock feed~~lots~~ yards, stockyards, auction yards, ~~and~~ slaughterhouses, or rendering plants;
- ~~JE.~~ Animal hospitals, outdoors, veterinary clinics, kennels, or animal boarding facilities;
- ~~G.~~ Commercial stables with more than 20 stalls;
- ~~PH.~~ Large scale development of mineral resources ~~and or~~ surface development of mineral resources within two hundred feet of any exterior property line;
- ~~GI.~~ Sawmills;
- ~~IJ.~~ Residential care homes, nursery schools and day care centers, other than family day care homes;
- ~~LK.~~ Schools, libraries, museums, art galleries, tourist information facilities;
- ~~L.~~ Places of worship;
- ~~M.~~ Cemeteries;

- ~~Q~~N. Mausoleums, columbaria and crematoria, when in conjunction with a cemetery;
- ~~E~~O. Recreational buildings and developments including, but not limited to, organized camps, campgrounds, recreational vehicle parks and picnic facilities;
- ~~P~~. Off-road vehicle courses and trails;
- ~~F~~Q. On and off-shore marina facilities;
- ~~G~~R. Tent revivals, circuses and carnivals;
- ~~S~~. Museums;
- ~~H~~. Health care facilities;
- ~~K~~. Kennels;
- ~~M~~T. Temporary sales offices for parcels and residences;
- ~~N~~U. Commercial Refuse and sewage sludge disposal sites, and public water and sewer treatment plants;
- ~~V~~. Commercial composting facilities;
- ~~Q~~W. Public utility uses;
- ~~X~~. Commercial alternative generating facilities including, but not limited to, wind and solar power facilities;
- ~~B~~Y. Airports and heliports;
- ~~R~~. ~~Wineries and related accessory uses and facilities for processing grapes or other fruits not grown primarily on the same parcel as the winery is located;~~
- ~~S~~. ~~Wine marketing facilities;~~
- ~~Z~~. Farm stay, not to exceed six guest bedrooms other than within a permitted single-family dwelling;
- ~~T~~AA. ~~Commercial stables, riding clubs and g~~uest ranches other than within a permitted single-family dwelling or exceeding six guest bedrooms or accommodations for 20 persons, whichever is less;
- ~~B~~B. Educational workshops, craft demonstrations and demonstration gardens not accessory to the agricultural use of the parcel;
- ~~C~~C. Commercial events;
- ~~D~~D. Farmers markets;
- ~~U~~EE. Accessory uses and structures appurtenant to conditional uses.

17.12.040 Minimum parcel size. Within any general agricultural, ten acre minimum (A-10) district, no parcel of real property shall be divided or reconfigured where any parcel so created will be less than ten gross acres in area. An existing parcel which does not meet the minimum parcel size regulation may be reconfigured to a resulting parcel which does not meet the minimum parcel size provided the reconfiguration does not result in a decrease in the size of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size requirement.

17.12.050 Building Intensity. Within any general agricultural, ten acre minimum (A-10) district, the maximum residential building intensity shall be one (1) dwelling per five (5) acres; however, additional units are possible for agricultural laborer housing in accordance with state law or through a density bonus for the provision of affordable housing ~~for households of very low or lower income and senior citizens~~ in accordance with the California Government Code. The maximum ratio of the coverage of all building on a parcel, referred to as the floor area ratio (FAR), shall be 0.2.

Chapter 17.24

RESIDENTIAL ESTATE, ONE ACRE MINIMUM DISTRICT, OR (RE-1) DISTRICT

17.24.010 Purpose. The purpose of the residential estate, one acre minimum (RE-1) district is to provide for residential neighborhoods with a country-like character in which limited agricultural pursuits and the keeping of livestock are permitted. The RE-1 district is intended to provide for a suburban-style family living on a variety of parcel sizes at least one acre in area. Development in this zone must comply with Title 15 of this code relative to fire safety standards. Development to a density of one unit per less than two acres must be served by paved roads and public water. ~~D~~development to a density of one unit per one-third acre or less must be served by public sewer.

17.24.020 Permitted uses. Within any residential estate, one acre minimum (RE-1) district, the following uses are permitted unless otherwise provided in this chapter:

- A. One primary single-family dwelling per parcel;
- B. Mobilehome parks, not to exceed a density of one dwelling unit per acre;
- C. One guesthouse or one detached secondary single-family dwelling, not exceeding one thousand two hundred (1,200) square feet of living area, when the parcel complies with the requirements of section 17.52.200, or one attached secondary single-family dwelling unit, not exceeding one thousand two hundred (1,200) square feet of living area;
- D. General farming and ranching that is not detrimental to neighboring properties;
- ~~E.~~ Nurseries and greenhouses for domestic use;
- ~~FE.~~ General recreational use incidental-accessory to the primary use of the parcel;
- ~~F.~~ Agricultural processing facilities and activities for the agricultural product grown on the parcel and not to exceed 20% of the parcel size or one-half acre, whichever is less;
- ~~G.~~ Agricultural by-product processing facilities accessory to the agricultural operation on the property;
- ~~GH.~~ Firehouses and police stations Public safety facilities;
- ~~KI.~~ Small or large family day care home within a permitted or conditional use single-family dwelling, subject to the requirements of section 17.52.160;
- ~~HJ.~~ Residential care homes, transitional housing, supportive housing or nursery schools within a permitted single-family dwelling, for not more than eight persons;
- ~~K.~~ Private stables;
- ~~L.~~ The erection, construction, alteration or maintenance of gas, water, sewer, electrical, communication or other Ppublic utility distribution facilities except as otherwise provided in this code;
- ~~M.~~ Growing and harvesting timber products;
- ~~JN.~~ Prospecting;
- ~~LO.~~ Private garages accessory to a single-family dwelling, or one private garage, not to exceed a building coverage of 25% of the parcel or 4,000 square feet, whichever is less, as a primary use of the parcel; **(BOSPC)**
- ~~MP.~~ Accessory uses and structures appurtenant to permitted uses.

17.24.030 Conditional uses. Within any residential estate, one acre minimum (RE-1) district, the following uses are permitted subject to first securing a use permit:

- QA. One guesthouse or one detached secondary single-family dwelling, exceeding one thousand two hundred (1,200) square feet of living area, when the parcel complies with the requirements of section 17.52.200, or one attached secondary single-family dwelling unit, exceeding one thousand two hundred (1,200) square feet of living area;
- ~~A.~~ ~~Agricultural processing facilities and activities and related accessory uses for products primarily from the farm or ranch located on the parcel or a combination of the parcel and other parcels under the same ownership all of which are located in the county;~~
- ~~B.~~ ~~Agricultural processing facilities and activities not for the agricultural product grown on the parcel or that exceed 20% of the parcel size or one-half acre, whichever is less;~~
- ~~C.~~ ~~Agricultural marketing facilities or activities;~~
- ~~BD.~~ ~~Roadside stand and other marketing and sales facilities for agricultural products primarily from the farm or ranch located on the parcel or a combination of the parcel and other parcels under the same ownership all of which are located in the county;~~
- ~~E.~~ ~~U-pick operations;~~
- ~~F.~~ ~~Educational workshops, craft demonstrations or demonstration gardens accessory to the agricultural operation on the property;~~
- ~~G.~~ ~~Seasonal activities including, but not limited to, crop mazes, pumpkin patches and berry harvests;~~
- ~~G.~~ ~~Nurseries and greenhouses for commercial use;~~
- ~~DH.~~ Sawmills for processing timber grown only on the same parcel as the sawmill is located, for a period not to exceed sixty days;
- ~~EI.~~ On and off-shore marina facilities;
- ~~FJ.~~ Tent revivals, circuses and carnivals;
- ~~GK.~~ Development of mineral resources;
- ~~HL.~~ Health care facilities;
- ~~IM.~~ Residential care homes, nursery schools and day care centers, other than family day care homes;
- ~~JN.~~ Schools, churches places of worship, libraries, museums, art galleries, tourist information facilities;
- ~~KO.~~ Bed and breakfast establishments, within a permitted single-family dwelling, six quest bedrooms or less;
- ~~LP.~~ Animal hospitals, indoors;
- ~~MQ.~~ Temporary sales offices for parcels and residences;
- ~~NR.~~ Public utility uses;
- ~~OS.~~ Water treatment plants;
- ~~T.~~ Commercial alternative energy generating facilities including, but not limited to, wind and solar power facilities;
- ~~P.~~ Christmas tree farms;
- ~~RU.~~ Accessory uses and structures appurtenant to conditional uses.

17.24.040 Minimum parcel size. Within any residential estate, one acre minimum (RE-1) district no parcel of real property shall be divided or reconfigured where any parcel so created will be less than one net acre in area or less than one hundred feet in width at the front setback line except as otherwise provided herein. An existing parcel which does not meet the minimum parcel size or width at front setback regulations may be reconfigured to a resulting parcel which does not meet the minimum parcel size or width at front setback regulations provided the reconfiguration does not result in a decrease in

the size of the existing parcel and in the width at front setback of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size and width at front setback requirements.

17.24.050 Building intensity. Within any residential estate, one acre minimum (RE-1) district, the maximum residential building intensity shall be one (1) dwelling unit per acre; however, additional units are possible for ~~attached~~ secondary single-family dwelling units, or through a density bonus for the provision of affordable housing ~~for households of very low or lower income and senior citizens~~ in accordance with the California Government Code. The maximum ratio of the coverage of all building on a parcel, referred to as the floor area ratio (FAR), shall be 0.5.

17.24.060 Minimum residential density. Residential development within any residential estate, one acre minimum (RE-1) district shall require a minimum density of one (1) dwelling unit per two (2) acres, exclusive of areas zoned Open Space or Open Space-1, designated for park or recreational facilities, or encumbered by or proposed for deeded or dedicated easements, unless the property owner can demonstrate and the board of supervisors determines that physical or environmental constraints on the property make development to the minimum density infeasible.

Chapter 17.26

RESIDENTIAL ESTATE, TWO ACRE MINIMUM DISTRICT, OR (RE-2) DISTRICT

17.26.010 Purpose. The purpose of the residential estate, two acre minimum (RE-2) district is to provide areas where persons may enjoy rural residential living while engaging in limited agricultural pursuits or maintaining livestock. The RE-2 district, being lower in population density than the RE-1 district, is intended to occur where fewer municipal services are available. Development in this zone must comply with Title 15 of this code relative to fire safety standards.

17.26.020 Permitted uses. Within any residential estate, two acre minimum (RE-2) district the following uses are permitted unless otherwise provided in this chapter:

- A. One primary single-family dwelling per parcel;
- B. Mobilehome parks, not to exceed a density of one dwelling unit per two acres;
- C. One guesthouse or one detached secondary single-family dwelling, not exceeding one thousand two hundred (1,200) square feet of living area, when the parcel complies with the requirements of section 17.52.200, or one attached secondary single-family dwelling unit, not exceeding one thousand two hundred (1,200) square feet of living area;
- D. General farming and ranching that is not detrimental to neighboring properties;
- ~~E.~~ Agricultural processing facilities and activities for the agricultural product grown on the parcel and not to exceed 20% of the parcel size or one-half acre, whichever is less;
- ~~F.~~ Agricultural by-product processing facilities accessory to the agricultural operation on the property;
- ~~E.~~ Nurseries and greenhouses for domestic use;
- ~~FG.~~ General recreational use incidental accessory to the primary use of the parcel;
- ~~GH.~~ Firehouses and police stations Public safety facilities;
- ~~KI.~~ Small or large family day care home within a permitted or conditional use single-family dwelling, subject to the requirements of section 17.52.160;
- ~~HJ.~~ Residential care homes, transitional housing, supportive housing or nursery schools within a permitted single-family dwelling, for not more than eight persons;
- ~~K.~~ Private stables;
- ~~L.~~ The erection, construction, alteration or maintenance of gas, water, sewer, electrical, communication or other Ppublic utility distribution facilities except as otherwise provided in this code;
- ~~M.~~ Growing and harvesting timber products;
- ~~JN.~~ Prospecting;
- ~~O.~~ Bed and breakfast establishments, within a permitted single-family dwelling, six guest bedrooms or less;
- ~~LP.~~ Private garages accessory to a single-family dwelling, or one private garage, not to exceed a building coverage of 25% of the parcel or 4,000 square feet, whichever is less, as a primary use of the parcel;
- ~~MQ.~~ Accessory uses and structures appurtenant to permitted uses.

17.26.030 Conditional uses. Within any residential estate, two acre minimum (RE-2) district, the following uses are permitted subject to first securing a use permit:

- A. One guesthouse or one detached secondary single-family dwelling, exceeding one thousand two hundred (1,200) square feet of living area, when the parcel complies with the requirements of section 17.52.200, or one attached secondary single-family dwelling unit, exceeding one thousand two hundred (1,200) square feet of living area;
- ~~B. Agricultural processing facilities and activities and related accessory uses for products primarily from the farm or ranch located on the parcel or a combination of the parcel or other parcels under the same ownership all of which are located in the county;~~
- ~~B. Agricultural processing facilities and activities not for the agricultural product grown on the parcel or that exceed 20% of the parcel size or one-half acre, whichever is less;~~
- ~~C. Agricultural marketing facilities or activities;~~
- ~~GD. Roadside stand and other marketing and sales facilities for agricultural products primarily from the farm or ranch located on the parcel or a combination of the parcel and other parcels under the same ownership all of which are located in the county;~~
- ~~E. U-pick operations;~~
- ~~F. Educational workshops, craft demonstrations or demonstration gardens accessory to the agricultural operation on the property;~~
- ~~G. Seasonal activities including, but not limited to, crop mazes, pumpkin patches and berry harvests;~~
- ~~D. Nurseries and greenhouses for commercial use;~~
- ~~EH. Sawmills for processing timber grown only on the same parcel as the sawmill is located, for a period not to exceed sixty days;~~
- ~~FI. On and off-shore marina facilities;~~
- ~~GJ. Tent revivals, circuses and carnivals;~~
- ~~HK. Development of mineral resources;~~
- ~~IL. Health care facilities;~~
- ~~JM. Residential care homes, nursery schools and day care centers, other than family day care homes;~~
- ~~KN. Schools, churches places of worship, libraries, museums, art galleries, tourist information facilities;~~
- ~~L. Bed and breakfast establishments, within a permitted single-family dwelling six bedrooms or less;~~
- ~~MO. Animal hospitals, indoors;~~
- ~~NP. Temporary sales offices for parcels and residences;~~
- ~~OQ. Commercial Refuse and sewage sludge disposal sites, and public water and sewer treatment plants;~~
- ~~PR. Public utility uses;~~
- ~~S. Commercial alternative energy generating facilities including, but not limited to, wind and solar power facilities;~~
- ~~Q. Christmas tree farms;~~
- ~~RI. Airports and heliports;~~
- ~~SU. Accessory uses and structures appurtenant to conditional uses.~~

17.26.040 Minimum parcel size. Within any residential estate, two acre minimum (RE-2) district no parcel of real property shall be divided or reconfigured where any parcel so created will be less than two gross acres in area or less than one hundred feet in width at the front setback line. An existing parcel which does not meet the minimum parcel size or width at front setback requirements may be reconfigured to a resulting parcel

which does not meet the minimum parcel size and width at front setback requirements provided the reconfiguration does not result in a decrease in the size of the existing parcel and in the width at front setback of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size and width at front setback requirements.

17.26.050 Building intensity. Within any residential estate, two acre minimum (RE-2) district, the maximum residential building intensity shall be one (1) dwelling unit per two (2) acres; however, additional units are possible for ~~attached~~ secondary single-family dwelling units, or through a density bonus for the provision of affordable housing ~~for households of very low or lower income and senior citizens~~ in accordance with the California Government Code. The maximum ratio of the coverage of all building on a parcel, referred to as the floor area ratio (FAR), shall be 0.5.

Chapter 17.27

RESIDENTIAL ESTATE, THREE ACRE MINIMUM DISTRICT, OR (RE-3) DISTRICT

17.27.010 Purpose. The purpose of the residential estate, three acre minimum (RE-3) district is to provide areas where persons may enjoy country-estate type living while engaged in limited agricultural pursuits or maintaining livestock. The RE-3 district, being lower in population density than the RE-2 district, is consistent with the density standards of the Tuolumne County ~~ALUC airport land use policy plan~~ Airport Land Use Compatibility Plan for compatibility zones B2 and C. Public services such as public water and sewer need not be available nor is a demand for such services in these areas desired. Development in this zone must comply with Title 15 of this code relative to fire safety standards.

17.27.020 Permitted uses. Within any residential estate, three acre minimum (RE-3) district the following uses are permitted unless otherwise provided in this chapter:

- A. One primary single-family dwelling per parcel;
- B. Mobilehome parks, not to exceed a density of one dwelling unit per three acres;
- ~~C.~~ C. One guesthouse or one detached secondary single-family dwelling, not exceeding one thousand two hundred (1,200) square feet of living area, when the parcel complies with the requirements of section 17.52.200, or one attached secondary single-family dwelling unit, not exceeding one thousand two hundred (1,200) square feet of living area;
- ~~C~~D. General farming and ranching that is not detrimental to neighboring parcels;
- E. Agricultural processing facilities and activities for the agricultural product grown on the parcel and not to exceed 20% of the parcel size or one acre, whichever is less;
- F. Agricultural marketing facilities or activities;
- G. Agricultural by-product processing facilities accessory to the agricultural operation on the property;
- ~~D.~~ D. Nurseries and greenhouses for domestic use;
- ~~E~~H. General recreational use incidental accessory to the primary use of the parcel;
- ~~F~~I. Firehouses and police stations Public safety facilities;
- J. Small or large family day care home within a permitted or conditional use single-family dwelling, subject to the requirements of section 17.52.160;
- ~~G~~K. Residential care homes, transitional housing, supportive housing or nursery schools within a permitted single-family dwelling, for not more than eight persons;
- L. Private stables;
- ~~H~~M. The erection, construction, alteration or maintenance of gas, water, sewer, electrical, communication or other Public utility distribution facilities except as otherwise provided in this code;
- N. Growing and harvesting timber products;
- ~~I~~O. Prospecting;
- P. Bed and breakfast establishments, within a permitted single-family dwelling, six guest bedrooms or less;
- ~~K~~Q. Private garages accessory to a single-family dwelling, or one private garage, not to exceed a building coverage of 25% of the parcel or 4,000 square feet, whichever is less, as a primary use of the parcel;
- ~~M~~R. Accessory uses and structures appurtenant to permitted uses.

17.27.030 Conditional uses. Within any residential estate, three acre minimum (RE-3) district, the following uses are permitted subject to first securing a use permit:

- A. One guesthouse or one detached secondary single-family dwelling, exceeding one thousand two hundred (1,200) square feet of living area, when the parcel complies with the requirements of section 17.52.200, or one attached secondary single-family dwelling unit, exceeding one thousand two hundred (1,200) square feet of living area;
- ~~B. Agricultural processing facilities and activities and related accessory uses for products primarily from the farm or ranch located on the parcel or a combination of the parcel or other parcels under the same ownership all of which are located in the county;~~
- B. Agricultural processing facilities and activities not for the agricultural product grown on the parcel or that exceed 20% of the parcel size or one acre, whichever is less;
- ~~CC. Roadside stand and other marketing and sales facilities for agricultural products primarily from the farm or ranch located on the parcel or a combination of the parcel and other parcels under the same ownership all of which are located in the county;~~
- D. U-pick operations;
- E. Educational workshops, craft demonstrations or demonstration gardens accessory to the agricultural operation on the property;
- F. Seasonal activities including, but not limited to, crop mazes, pumpkin patches and berry harvests;
- ~~D. Nurseries and greenhouses for commercial use;~~
- EG. Sawmills for processing timber grown only on the same parcel as the sawmill is located, for a period not to exceed sixty days;
- FH. On and off-shore marina facilities;
- GI. Tent revivals, circuses and carnivals;
- HJ. Development of mineral resources;
- IK. Health care facilities;
- JL. Residential care homes, nursery schools and day care centers, other than family day care homes;
- KM. Schools, churches places of worship, libraries, museums, art galleries, tourist information facilities;
- ~~L. Bed and breakfast establishments, within a permitted single-family dwelling six bedrooms or less;~~
- MN. Animal hospitals, indoors;
- NO. Temporary sales offices for parcels and residences;
- OP. Commercial Refuse and sewage sludge disposal sites, and public water and sewer treatment plants;
- PQ. Public utility uses;
- R. Commercial alternative energy generating facilities including, but not limited to, wind and solar power facilities;
- ~~Q. Christmas tree farms;~~
- RS. Airports and heliports;
- ST. Accessory uses and structures appurtenant to conditional uses.

17.27.040 Minimum parcel size. Within any residential estate, three acre minimum (RE-3) district no parcel of real property shall be divided or reconfigured where any

parcel so created will be less than three gross acres in area or less than one hundred feet in width at the front setback line. An existing parcel which does not meet the minimum parcel size or width at front setback requirements may be reconfigured to a resulting parcel which does not meet the minimum parcel size and width at front setback requirements provided the reconfiguration does not result in a decrease in the size of the existing parcel and in the width at front setback of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size and width at front setback requirements.

17.27.050 Building intensity. Within any residential estate, three acre minimum (RE-3) district, the maximum residential building intensity shall be one (1) dwelling unit per three (3) acres; however, additional units are possible for ~~attached~~ secondary single-family dwelling units or through a density bonus for the provision of affordable housing ~~for households of very low or lower income and senior citizens~~ in accordance with the California Government Code. The maximum ratio of the coverage of all building on a parcel, referred to as the floor area ratio (FAR), shall be 0.5.

Chapter 17.28

RESIDENTIAL ESTATE, FIVE ACRE MINIMUM DISTRICT, OR (RE-5) DISTRICT

17.28.010 Purpose. The purpose of the residential estate, five acre minimum (RE-5) district is to provide a low density residential zoning classification offering country-estate type living conditions while maintaining large areas of open space dedicated to agricultural pursuits, grazing or left undisturbed. The RE-5 district is intended for areas where public services are limited. Development in this zone must comply with Title 15 of this code relative to fire safety standards.

17.28.020 Permitted uses. Within any residential estate, five acre minimum (RE-5) district the following uses are permitted unless otherwise provided in this chapter:

- A. One primary single-family dwelling per parcel;
- B. Mobilehome parks, not to exceed a density of one dwelling unit per five acres;
- C. One guesthouse or one detached secondary single-family dwelling, not exceeding one thousand two hundred (1,200) square feet of living area, when the parcel complies with the requirements of section 17.52.200, or one attached secondary single-family dwelling unit, not exceeding one thousand two hundred (1,200) square feet of living area;
- D. General farming and ranching that is not detrimental to neighboring properties;
- E. ~~Processing agricultural products primarily from the farm or ranch grown on the parcel~~ Agricultural processing facilities and activities for the agricultural product grown on the parcel and not to exceed 20% of the parcel size or two acres, whichever is less;
- F. Agricultural marketing facilities or activities;
- ~~FG.~~ Roadside stand and other marketing and sales facilities for agricultural products primarily from the farm or ranch located on the parcel or a combination of the parcel and other parcels under the same ownership all of which are located in the county up to one-thousand five-hundred square feet in area;
- H. Agricultural by-product processing facilities accessory to the agricultural operation on the property;
- I. U-pick operations;
- ~~G.~~ Nurseries and greenhouses;
- ~~HJ.~~ General recreational use incidental accessory to the primary use of the parcel;
- K. Growing and harvesting timber products;
- ~~IL.~~ Firehouses and police stations Public safety facilities;
- ~~RM.~~ Small or large family day care home within a permitted or conditional use single-family dwelling, subject to the requirements of section 17.52.160;
- ~~JN.~~ Residential care homes, transitional housing, supportive housing or nursery schools within a permitted single-family dwelling, for not more than eight persons;
- ~~KO.~~ Bed and breakfast establishments, within a permitted single-family dwelling, six quest bedrooms or less;
- ~~LP.~~ Animal hospitals, indoors;
- Q. Private stables;
- ~~MR.~~ The erection, construction, alteration or maintenance of gas, water, sewer, electrical, communication or other Ppublic utility distribution facilities except as otherwise provided in this code;
- NS. Prospecting;

- ~~O.~~ Cemeteries;
- ~~P.~~ Wineries and related accessory uses and facilities for processing grapes or other fruits grown primarily on the same parcel as the winery is located;
- ~~Q.~~ Retail sales or tasting of wine produced from grapes or other fruits grown primarily on the same parcel as the winery is located;
- T. Educational workshops, craft demonstrations or demonstration gardens accessory to the agricultural use of the parcel;
- U. Seasonal activities including, but not limited to, crop mazes, pumpkin patches and berry harvests, accessory to the agricultural use of the property;
- ~~SV.~~ Private garages accessory to a single-family dwelling, or one private garage, not to exceed ~~a building coverage of 25% of the parcel or~~ 4,000 square feet, ~~whichever is less,~~ as a primary use of the parcel;
- TW. Accessory uses and structures appurtenant to permitted uses.

17.28.030 Conditional uses. Within any residential estate, five acre minimum (RE-5) district, the following uses are permitted subject to first securing a use permit:

- A. One guesthouse or one detached secondary single-family dwelling, exceeding one thousand two hundred (1,200) square feet of living area, when the parcel complies with the requirements of section 17.52.200, or one attached secondary single-family dwelling unit, exceeding one thousand two hundred (1,200) square feet of living area;
- B. Sawmills for processing timber grown only on the same parcel as the sawmill is located, for a period not to exceed sixty days;
- C. Commercial stables; and, riding clubs ~~and guest ranches~~ including, but not limited to, accessory shows and clinics;
- D. On and off-shore marina facilities;
- E. Tent revivals, circuses and carnivals;
- F. Development of mineral resources;
- ~~G.~~ ~~Health care facilities;~~
- HG. Residential care homes, nursery schools and day care centers, other than family day care homes;
- IH. Animal hospitals, outdoors, veterinary clinics, kennels, or animal boarding facilities;
- J. Kennels;
- ~~KI.~~ Temporary sales offices for parcels and residences;
- ~~LJ.~~ Commercial Refuse and sewage sludge disposal sites, and public water and sewer treatment plants;
- K. Commercial composting facilities;
- ~~ML.~~ Public utility uses;
- M. Commercial alternative energy generating facilities including, but not limited to, wind and solar power facilities;
- N. Airports and heliports;
- ~~O.~~ ~~Christmas tree farms;~~
- ~~PQ.~~ Mortuaries, funeral homes, mausoleums, columbaria and crematoria, when in conjunction with a cemetery;
- P. Cemeteries;
- ~~QQ.~~ Schools, churches places of worship, libraries, museums, art galleries, tourist information facilities;
- ~~R.~~ ~~Wineries and related accessory uses and facilities for processing grapes or other fruits not grown primarily on the same parcel as the winery is located;~~

- ~~S.~~ ~~Wine marketing facilities;~~
- ~~R.~~ ~~Agricultural processing facilities and activities not for the agricultural product grown on the property or which exceed 20% of the parcel size or two acres, whichever is less;~~
- ~~TS.~~ ~~Roadside stand and other marketing and sales facilities for agricultural products not produced primarily on the parcel exceeding one-thousand five-hundred square feet in area;~~
- ~~T.~~ ~~Educational workshops, craft demonstrations and demonstration gardens not accessory to the agricultural use of the parcel;~~
- ~~U.~~ ~~Commercial events, such as lawn parties, weddings, or similar outdoor activities;~~
- ~~V.~~ ~~Petting zoo;~~
- ~~UV.~~ Accessory uses and structures appurtenant to conditional uses.

17.28.040 Minimum parcel size. Within any residential estate, five acre minimum (RE-5) district no parcel of real property shall be divided or reconfigured where any parcel so created will be less than five gross acres in area or less than two hundred feet in width at the front setback line. An existing parcel which does not meet the minimum parcel size or width at front setback requirements may be reconfigured to a resulting parcel which does not meet the minimum parcel size and width at front setback requirements provided the reconfiguration does not result in a decrease in the size of the existing parcel and in the width at front setback of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size and width at front setback requirements.

17.28.050 Building intensity. Within any residential estate, five acre minimum (RE-5) district, the maximum residential building intensity shall be one (1) dwelling unit per five (5) acres; however, additional units are possible for attached single-family dwelling units, or through a density bonus for the provision of affordable housing ~~for households of very low or lower income and senior citizens~~ in accordance with the California Government Code. The maximum ratio of the coverage of all building on a parcel, referred to as the floor area ratio (FAR), shall be 0.2.

Chapter 17.29

RESIDENTIAL ESTATE, TEN ACRE MINIMUM DISTRICT, OR (RE-10) DISTRICT

17.29.010 Purpose. The purpose of the residential estate, ten acre minimum (RE-10) district is to provide areas for country-estate type living conditions while maintaining large areas of open space dedicated to agricultural pursuits, grazing or left undisturbed. The RE-10 district is intended for areas where public services are limited. Development in this zone must comply with Title 15 of this code relative to fire safety standards.

17.29.020 Permitted uses. Within any residential estate, ten acre minimum (RE-10) district, the following uses are permitted unless otherwise provided in this chapter:

- A. One primary single-family dwelling per parcel;
- B. General farming and ranching that is not detrimental to neighboring properties;
- C. ~~Processing agricultural products primarily from the farm or ranch grown on the parcel~~ Agricultural processing facilities and activities for the agricultural product grown on the parcel and not to exceed 10% of the parcel size or two acres, whichever is less;
- ~~D.~~ Agricultural marketing facilities or activities;
- ~~DE.~~ Roadside stand and other marketing and sales facilities for agricultural products primarily from the farm or ranch located on the parcel or a combination of the parcel and other parcels under the same ownership all of which are located in the county up to one-thousand five-hundred square feet in area;
- F. Agricultural by-product processing facilities accessory to the agricultural operation on the property;
- ~~G.~~ U-pick operations;
- ~~E.~~ Nurseries and greenhouses;
- ~~FH.~~ General recreational use incidental accessory to the primary use of the parcel;
- ~~I.~~ Growing and harvesting timber products;
- ~~GJ.~~ Firehouses and police stations Public safety facilities;
- ~~OK.~~ Small or large family day care home within a permitted or conditional use single-family dwelling, subject to the requirements of section 17.52.160;
- ~~HL.~~ Residential care homes, transitional housing, supportive housing or nursery schools within a permitted single-family dwelling, for not more than eight persons;
- ~~IM.~~ Bed and breakfast establishments, within a permitted single-family dwelling, six guest bedrooms or less;
- ~~JN.~~ Animal hospitals, indoors;
- ~~O.~~ Private stables;
- ~~KP.~~ The erection, construction, alteration or maintenance of gas, water, sewer, electrical, communication or other Public utility distribution facilities except as otherwise provided in this code;
- ~~LQ.~~ Prospecting;
- ~~M.~~ Cemeteries;
- ~~N.~~ Wineries and related accessory uses and facilities for processing grapes or other fruits grown primarily on the same parcel as the winery is located;
- ~~R.~~ Educational workshops, craft demonstrations or demonstration gardens accessory to the agricultural use of the parcel;
- ~~S.~~ Seasonal activities including, but not limited to, crop mazes, pumpkin patches and berry harvests, accessory to the agricultural use of the property;

- ~~PT.~~ Private garages accessory to a single-family dwelling, or one private garage, not to exceed ~~a building coverage of 25% of the parcel or~~ 4,000 square feet, ~~whichever is less,~~ as a primary use of the parcel;
- ~~QU.~~ Accessory uses and structures appurtenant to permitted uses.

17.29.030 Conditional uses. Within any residential estate, ten acre minimum (RE-10) district, the following uses are permitted subject to first securing a use permit:

- A. Sawmills for processing timber grown only on the same parcel as the sawmill is located, for a period not to exceed sixty days;
- B. Commercial stables, ~~and,~~ riding clubs ~~and guest ranches including, but not limited to, accessory shows and clinics;~~
- C. On and off-shore marina facilities;
- D. Tent revivals, circuses and carnivals;
- E. Development of mineral resources;
- ~~F. Health care facilities;~~
- ~~GE.~~ Residential care homes, nursery schools and day care centers, other than family day care homes;
- ~~HG.~~ Animal hospitals, outdoors, veterinary clinics, kennels, or animal boarding facilities;
- ~~I. Kennels;~~
- ~~JH.~~ Temporary sales offices for parcels and residences;
- ~~KI.~~ Commercial Refuse and sewage sludge disposal sites, and public water and sewer treatment plants;
- ~~J. Commercial composting facilities;~~
- ~~LK.~~ Public utility uses;
- ~~L. Commercial alternative energy generating facilities including, but not limited to, wind and solar power facilities;~~
- M. Airports and heliports;
- ~~N. Christmas tree farms;~~
- ~~ON.~~ Mortuaries, funeral homes, mausoleums, columbaria and crematoria, when in conjunction with a cemetery;
- ~~O. Cemeteries;~~
- P. Schools, churches places of worship, libraries, museums, art galleries, tourist information facilities;
- ~~Q. Wineries and related accessory uses and facilities for processing grapes or other fruits not grown primarily on the same parcel as the winery is located;~~
- ~~R. Wine marketing facilities;~~
- ~~Q. Agricultural processing facilities and activities not for the agricultural product grown on the property or which exceed 10% of the parcel size or two acres, whichever is less;~~
- ~~SR.~~ Roadside stand ~~and other marketing and sales facilities for agricultural products not produced primarily on the parcel exceeding one-thousand five-hundred square feet in area;~~
- ~~S. Educational workshops, craft demonstrations and demonstration gardens not accessory to the agricultural use of the parcel;~~
- ~~T. Commercial events, such as lawn parties, weddings, or similar outdoor activities;~~
- ~~U. Petting zoo;~~
- ~~TV.~~ Accessory uses ~~s~~ and structures appurtenant to conditional uses.

17.29.040 Minimum parcel size. Within any residential estate, ten acre minimum (RE-10) district no parcel of real property shall be divided or reconfigured where any parcel so created will be less than ten gross acres in area. An existing parcel which does not meet the minimum parcel size regulation may be reconfigured to a resulting parcel which does not meet the minimum parcel size provided the reconfiguration does not result in a decrease in the size of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size requirement.

17.29.050 Building intensity. Within any residential estate, ten acre minimum (RE-10) district, the maximum residential building intensity shall be one (1) dwelling unit per ten (10) acres; however, additional units are possible through a density bonus for the provision of affordable housing ~~for households of very low or lower income and senior citizens~~ in accordance with the California Government Code. The maximum ratio of the coverage of all buildings on a parcel, referred to as the floor area ratio (FAR), shall be 0.2.

Chapter 17.42

TIMBERLAND PRODUCTION DISTRICT, OR (TPZ) DISTRICT

17.42.010 Purpose. The timberland production (TPZ) district is for the protection of timberland and in order to prevent encroachment upon it by incompatible uses of land, and for the general welfare of the county as a whole. This zone is intended to qualify its land pursuant to Z'berg-Warren-Keene-Collier Forest Taxation Reform Act of 1976 or such other legislative statutes or constitutional authorization as may be developed for defining a timberland preserve. Development in this zone must comply with Title 15 of this code relative to fire safety standards.

17.42.020 Permitted uses. Within any timberland production (TPZ) district, the following uses are permitted unless it is found that, in the specific instance, such a use would significantly detract from the use of the property for, or inhibit, growing and harvesting of timber:

- A. Christmas tree farms;
- B. A use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landings, and log storage areas;
- C. Management for watershed;
- D. Management for fish and wildlife habitat or hunting and fishing;
- E. Grazing;
- F. Prospecting;
- G. One single-family dwelling per parcel;
- H. Residential care homes, nursery schools and small family day care homes, within a permitted single-family dwelling, for not more than ~~six~~eight persons;
- I. Transitional housing or supportive housing within a permitted single-family dwelling;
- ~~J.~~ General farming and ranching incidental to the growing, harvesting and processing of forest products;
- ~~J~~K. Accessory uses and structures appurtenant to permitted uses.

17.42.030 Conditional uses. Within any timberland production (TPZ) district, the following uses are permitted subject to first securing a use permit if it is found that, in the specific instance, such a use would not significantly detract from the use of the property for, or inhibit, growing and harvesting of timber:

- A. Additional single-family dwellings, thirty-seven acres per unit maximum density;
- B. General farming and ranching;
- C. Agricultural processing facilities and activities and related accessory uses for products primarily from the farm or ranch located on the parcel or a combination of the parcel and other parcels under the same ownership all of which are located in the county;
- D. Roadside stand for the sale of agricultural products primarily from the farm or ranch located on the parcel or a combination of the parcel and other parcels under the same ownership all of which are located in the county;
- E. Nurseries and greenhouses;
- F. Sawmills;
- G. Development of mineral resources;
- H. Public safety facilities;
- I. Bed and breakfast establishments, six bedrooms or less, not to exceed the density standard shown in subsection A of this section;

- J. General recreational use incidental to the primary use of the parcel;
- K. On and off-shore marina facilities;
- L. Health care facilities;
- M. Refuse and sewage disposal sites and water and sewer treatment plants;
- N. Airports and heliports;
- O. The erection, construction, alteration or maintenance of gas, electric, water or communication transmission facilities;
- P. Employee housing;
- Q. Tent revivals, circuses and carnivals;
- R. Accessory uses and structures appurtenant to conditional uses

17.42.040 Rezoning land. Land may be rezoned as a timberland production (TPZ) district upon a finding that the criteria of Government Code Section 51113(c) have been met.

17.42.050 Additional regulations. The term of the TPZ district shall be as set forth in Government Code Section 51114.

17.42.060 Inclusion of additional lands. Additional lands may be zoned TPZ and added to an existing timberland preserve pursuant to Government Code Section 51113.5.

17.42.070 Minimum parcel size. Within any TPZ district, no parcel of real property shall be divided or reconfigured where any parcel so created will be less than one hundred and sixty gross acres in area, except as provided by Government Code Section 51119.5. An existing parcel which does not meet the minimum parcel size regulation may be reconfigured to a resulting parcel which does not meet the minimum parcel size provided the reconfiguration does not result in a decrease in the size of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size requirement.

17.42.075 Building intensity. Within any timberland production (TPZ) district, the maximum residential building intensity shall be one (1) dwelling per thirty-seven (37) acres; however, additional units are possible through a density bonus for the provision of affordable housing for households of very low or lower income and senior citizens in accordance with the California Government Code. The maximum ratio of the coverage of all buildings on a parcel, referred to as the floor area ratio (FAR), shall be 0.05.

17.42.080 Rezoning. Parcels zoned TPZ may be rezoned pursuant to Government Code Sections 51120 et seq., or 51130 et seq.

17.42.090 Minimum parcel size requirement. Property of less than ~~one hundred and sixty~~ thirty seven acres shall not be zoned TPZ unless the property adjoins either lands within an existing TPZ district or the Stanislaus National Forest.

Chapter 17.51

AGRICULTURAL PRESERVE COMBINING DISTRICT, OR (:AP) DISTRICT

17.51.010 Purpose. The purpose of the agricultural preserve (:AP) combining district is to implement the provisions of the California Land Conservation Act of 1965, also known as the Williamson Act, as adopted by the board of supervisors by resolution. The county seeks to promote agricultural productivity and the preservation and protection of agricultural or open space values from encroaching development and at the same time prevent inclusion of land in agricultural preserves that is not suitable for future use in the production of food, fiber, forage and livestock or wildlife habitat.

17.51.020 Criteria. For a parcel to be zoned agricultural preserve (:AP) combining district, it must meet the requirements for inclusion in an agricultural preserve or qualify for a land conservation contract as established by the board of supervisors by resolution 106-04.

17.51.025 Permitted uses in open space zoning. Where the agricultural preserve (:AP) combining district is combined with the open space (O) or open space-1 (O-1) zoning district, the following uses may be permitted subject to approval of a management plan by the board of supervisors in accordance with Tuolumne County Resolution 106-04 and provided that the uses are not listed as compatible or conditional uses:

- A. Uses and land management activities authorized or required by a wildlife habitat area management plan, submerged area plan, or other plan for open space use approved by the board of supervisors in accordance with Tuolumne County Resolution 106-04;
- B. Uses permitted in section 17.14.020 or 17.15.020 of this code.

17.51.027 Permitted uses in agricultural zoning. Where the agricultural preserve (:AP) combining district is combined with the ~~exclusive agricultural, thirty-seven acre minimum (AE-37)~~, AE-80 or AE-160 zoning district, the following uses may be permitted subject to approval of an agricultural management plan by the board of supervisors in accordance with Tuolumne County Resolution 106-04 and provided that the uses are not listed as compatible or conditional uses:

- A. General farming and ranching, including uses and land management activities authorized or required by an agricultural production management plan approved by the board of supervisors in accordance with Tuolumne County Resolution 106-04;
- B. Customary agricultural buildings and structures;
- C. Equipment necessary for the maintenance and support of the permitted uses listed herein;
- D. Livestock pastures and ranges;
- E. Poultry practices;
- F. Aquaculture facilities;
- G. Animal husbandry, including fur-bearing species;

- H. Operation of apiaries, tree, vine, row or field crops;
- I. Ornamental and agricultural nursery stock;
- ~~J.~~ ~~Commercial timber production or Christmas tree farm;~~
- ~~K.~~J. Fallow agricultural land;
- ~~L.~~K. Production, processing, packing, selling or shipping of agricultural products grown or raised on the ~~premises.~~ farm or ranch;
- ~~M.~~L. Accessory uses and structures appurtenant to permitted uses.

17.51.030 Compatible uses. Compatible uses refers to uses not in conflict with the principal agricultural use and which do not in themselves qualify the land for a Williamson Act contract. The following compatible uses, and those which in the opinion of the board of supervisors, after recommendation of the Agricultural Advisory Committee, may be substantially similar in nature thereto and which enhance or expand the qualifying use with little or no impact on the agricultural or open space characteristics and are otherwise in compliance with the principles of compatibility as set forth in section 51238.1 of the California Government Code, shall be permitted compatible uses for land in an agricultural preserve or under a land conservation contract, on which there is already a qualifying use, unless otherwise provided in this chapter:

- ~~A.~~ Agricultural processing facilities and activities for agricultural commodities not grown or raised on the farm or ranch, that are the same type as the agricultural commodity grown or raised on the farm or ranch or a commodity that is necessary to process the agricultural commodity grown or raised on the farm or ranch, not to exceed 10% of the property size or 10 acres, whichever is less;
- ~~B.~~ Roadside stand up to one-thousand five-hundred square feet in area for agricultural products primarily grown or produced on the farm or ranch;
- ~~A.C.~~ Airstrips for agricultural purposes only;
- ~~B.~~ ~~Product sales facilities for sale of produce primarily raised on the property;~~
- ~~C.D.~~ Animal rearing and training facilities;
- ~~D.E.~~ Agricultural laborer housing, subject to recommendation by the Agricultural Advisory Committee and approval by the board of supervisors;
- ~~F.~~ U-pick operations without accessory facilities;
- ~~E.G.~~ The erection, construction, alteration, or maintenance of gas, water, sewer, electrical, ~~or~~ communications or other public utility distribution facilities, except as otherwise provided in this code;
- ~~F.H.~~ Home occupations and cottage food operations, which use is clearly ~~incidental and secondary~~ accessory to the use of the structure for dwelling purposes and which use does not change the character thereof;
- ~~G.I.~~ Temporary film sets for not more than ninety days in a calendar year and not more than ninety consecutive days for any film production;
- ~~I.J.~~ Storage of petroleum products for use in conjunction with the commercial agricultural use on the premises;
- ~~J.K.~~ One single-family dwelling per parcel when the parcel meets the minimum acreage specified in section 17.51.060. Where all parcels under the same contract fail to meet the minimum acreage requirement, one single-family dwelling may be located on any one of the parcels under that contract. Any single-family dwelling constructed on the farm or ranch shall be for the furtherance of the operation of the qualifying agricultural use. Verification of the agricultural use shall be required prior to issuance of a Building Permit for the residence;

- L. ~~Open space, including uses and land management activities authorized or required by a wildlife habitat management plan, submerged area plan, recreation master plan, scenic corridor management plan, or other plan for open space use approved by the board of supervisors for land within an agricultural preserve in accordance with Tuolumne County Resolution 106-04, that are not listed as conditional uses;~~
- KM. Recreational uses ~~without buildings~~ accessory to and compatible with the agricultural use of the farm or ranch that comply with Government Code Section 51201(n), including but not limited to walking, hiking, picnicking, ~~camping~~, swimming, non-motorized biking, boating, fishing, hunting, horseback riding, wagon rides, cattle drives or nature walks, ~~or other outdoor games or sports subject to recommendation by the Agricultural Advisory Committee and approval by the board of supervisors~~ not involving construction of permanent structures and that do not attract more than an average of 25 persons per day. All recreational uses shall be provided for public participation without charge or with a reasonable charge that does not unduly limit use by the public as defined in Government Code section 51201(n);
- N. Farm or ranch tours for the purpose of agricultural education of college, high school, elementary school or nursery school students, or other persons interested in similar agricultural pursuits;
- O. Prospecting;
- ~~M. Development of mineral resources up to 1,000 cubic yards in any one location of one acre or less Small-scale development of mineral resources, including borrow pits and quarries with associated building, apparatus and appurtenances thereto, for noncommercial purposes related to an agricultural use, provided surface development does not occur within two hundred feet of any exterior property line.;~~
- P. Residential care homes or nursery schools, within a permitted single-family dwelling occupied by persons involved in the commercial agricultural use of the farm or ranch for not more than six persons;
- Q. Transitional housing or supportive housing, within a permitted single-family dwelling occupied by persons involved in the commercial agricultural use of the farm or ranch;
- R. Small or large family day care home within a permitted or conditional use single-family dwelling, subject to the requirements of section 17.52.160;
- S. Bed and breakfast establishments, within a permitted single-family dwelling occupied by persons involved in the commercial agricultural use of the farm or ranch, not to exceed six guest bedrooms;
- T. Farm stay within a permitted single-family dwelling occupied by persons involved in the commercial agricultural use of the farm or ranch, not to exceed six guest bedrooms;
- U. Guest ranch within a permitted single-family dwelling occupied by persons involved in the commercial agricultural use of the farm or ranch, not to exceed six guest bedrooms or accommodations for 20 persons, whichever is less;
- V. Growing and harvesting of timber, including Christmas trees;
- W. Processing timber grown on the farm or ranch provided no permanent structures or equipment are erected to accommodate such use;
- HX. Accessory uses and structures appurtenant and necessary to the operation of the compatible use, subject to recommendation by the Agricultural Advisory Committee and approval by the board of supervisors;

17.51.040 Conditional uses. The following uses may be permitted within the definition of compatible uses, where the use is consistent in compliance with section 51238.1 of the Government Code and the use shall not significantly impair the primary qualifying commercial agricultural use of the parcel(s), subject to first securing a use permit:

- A. Livestock ~~auction and sales yards~~ feed yards;
- B. ~~Raising of livestock in feed lots~~
- C. ~~Livestock slaughter houses~~;
- B. Agricultural processing facilities and activities for agricultural commodities not grown or raised on the farm or ranch that are the same type as the agricultural commodity grown or raised on the farm or ranch or a commodity that is necessary to process the agricultural commodity grown on the farm or ranch, that exceeds 10% of the property size or 10 acres, whichever is less;
- C. Agricultural marketing facilities or activities for the agricultural product grown, produced or processed on the farm or ranch;
- D. Agricultural by-product processing facilities accessory to the agricultural operation on the property, including commercial composting facilities;
- ~~DE.~~ The development of mineral resources for commercial purposes and the removal of overburden in total amounts of one thousand cubic yards or more in any one location of one acre Development of mineral resources, including borrow pits and quarries, associated buildings, apparatus and appurtenances thereto, provided surface development does not occur within two hundred feet of ~~the~~ any exterior property line. Development of such mineral resources shall be in compliance with all applicable requirements of the Surface Mining and Reclamation Act and Chapter 8.20 of this code;
- ~~EF.~~ Recreational uses accessory to and compatible with the agricultural use of the farm or ranch that comply with Government Code Section 51201(n), with buildings including, but not limited to, walking, hiking, picnicking, camping, swimming, non-motorized biking, boating, fishing, hunting, horseback riding, wagon rides, cattle drives, nature walks, and other outdoor games, as defined in Government Code section 51201(n) and the that attract more than an average of 25 persons per day. All structures must be in compliance with Government Code section 51238.1. All recreational uses shall provide for public participation without charge or with a reasonable charge that does not unduly limit use by the public as defined in Government Code section 51201(n);
- F. ~~Wine marketing facilities for processing grapes or other fruits not grown primarily on the same parcel as the winery is located;~~
- G. ~~Roadside stands for products not grown primarily on the parcel~~ exceeding one-thousand five-hundred square feet for agricultural products primarily grown or produced on the farm or ranch;
- H. ~~Film sets for more than ninety consecutive days~~ in a calendar year in compliance with Government Code Sections 51238.1 and 51220.5;
- I. ~~Agricultural support services provided that such services shall be no greater in operational size than that necessary to accommodate existing local agricultural needs, shall remain accessory to agricultural uses in the area and shall be operated in a manner not substantially detrimental to existing nonagricultural development in the vicinity;~~
- ~~J.~~ Animal hospitals, veterinary clinics, kennels, and animal boarding which is incidental accessory to the agricultural use;
- ~~KJ.~~ One additional single-family dwelling related to the agricultural use of the property or one guesthouse per contract when all parcels meet the minimum

acreage requirement as specified in Rule 4(A)(2) provided that in no case shall the acreage be less than 160 acres;

- K. Shooting/archery ranges and trap shooting that are in compliance with Government Code section 51201(n);
- L. Off-road vehicle courses/trails that are in compliance with Government Code section 51201(n);
- M. Wireless communications facilities;
- N. Commercial alternative energy generating facilities including, but not limited to, wind power facilities;
- O. U-pick operations including accessory facilities;
- P. Educational workshops, craft demonstrations, or demonstration gardens accessory to the agricultural use of the parcel;
- Q. Seasonal activities including, but not limited to, crop mazes, pumpkin patches and berry harvests, accessory to the agricultural use of the parcel;
- R. Petting zoo accessory to the agricultural use of the parcel;
- S. Commercial events, accessory to the commercial agricultural use of the farm or ranch, determined to be in compliance with Government Code Sections 51238.1 and 51220.5 by the Board of Supervisors following review and recommendation by the Agricultural Advisory Committee;
- LT. Any use ~~determined not to be compatible under Rule 8(B) of Tuolumne County Resolution 106-04~~ not specified in Section 17.51.030 that is determined to be compatible pursuant to Government Code sections 51238.1 and 51220.5;
- MU. Accessory uses and structures appurtenant to the conditional uses.

17.51.050 Division of land. There shall be no division of land within an agricultural preserve or under Williamson Act contract that will defeat the intent of the Williamson Act to preserve land in agriculture, open space, or recreational use. Divisions of land within an agricultural preserve or under contract shall be allowed only when done in compliance with the State Subdivision Map Act, Government Code Section 66474.4 in particular, and the following conditions are fulfilled:

- A. The proposed division will not impair the production of food, fiber, livestock or wildlife habitat;
- B. Each parcel created by the division shall conform to minimum acreages under section 17.51.060;
- C. The division conforms to the county general plan, state laws, and the county ordinance code and resolutions.

17.51.060 Minimum parcel size. No real property zoned agricultural preserve combining district (:AP) shall be divided or reconfigured where any resulting parcel will be less than the following minimum acreage provided for each use or where the land division or reconfiguration fails to conform with the approved management plan or with Rules 10 or 11 of Tuolumne County Resolution 106-04. All lands under a land conservation contract shall be devoted to agricultural use, although uses that satisfy the principles of compatibility in Government Code section 51238.1 may be allowed in addition to the agricultural use:

- A. Commercial agricultural uses:
 - 1. Dry land grazing, one hundred sixty (160) acres;
 - 2. Combination of dry land grazing with a minimum of 16 acres of and irrigated pasture, or a combination of nonprime agricultural uses,

- including dryland grazing, with a minimum of 40 acres in one type of use, eighty (80) acres;
3. All other nonprime agricultural uses ~~on nonprime agricultural land, excluding dryland grazing, or a combination of prime agricultural uses with nonprime agricultural uses, including dryland grazing with a minimum of 10 acres for the prime agricultural use with the balance nonprime agricultural use,~~ forty (40) acres;
 4. ~~All other agricultural uses on prime agricultural land, ten (10) acres~~
 - B. All open spaces uses, forty (40) acres;
 - C. All recreational uses, forty (40) acres;
 - D. ~~Combination of all uses listed above:~~
 1. ~~Combination of prime agricultural land with any other use, fifty (50) acres;~~
 2. Recreation or Open Space Use, combined with prime or nonprime agricultural use, excluding dryland grazing, 40 acre minimum for the Recreational or Open Space use, Combination of nonprime agricultural land with any other use, eighty (80) acres;
 - E. Agricultural laborer housing as described in section 51230.2 of the California Government Code, less than or equal to five (5) acres.

An existing parcel which does not meet the minimum parcel size may be reconfigured to a resulting parcel which does not meet the minimum parcel size provided the reconfiguration does not result in a decrease in the size of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size listed above.

17.51.070 Transfer of ownership to family member. Notwithstanding section 17.51.060, real property shall be permitted to be divided into parcels that do not meet the minimum parcel sizes as provided in section 17.51.060 only when such division is for the purpose of transferring ownership from one immediate family member to another in accordance with section 51230.1 of the Government Code.

Chapter 17.52

GENERAL PROVISIONS AND EXCEPTIONS

17.52.220 Commercial events on agricultural land

Commercial events are the use of land and/or facilities for meetings, gatherings and events, including, but not limited to, weddings, parties and similar uses, for which a fee is charged.

- A. Up to 40 commercial events may be held per calendar year for up to 300 guests on a parcel zoned AE-37, AE-80 or AE-160 subject to the standards in paragraph C.
- B. Up to two commercial events may be held per calendar year for up to 500 guests on a parcel zoned AE-37, AE-80 or AE-160 subject to the standards in paragraph C.
- C. Standards for commercial events:
 - 1. The event venue shall be located on a parcel that complies with the cul-de-sac road standards specified in Section 11.12.040 of this code.
 - 2. The event venue, excluding parking areas, shall be located at least 200 feet from the boundary of the nearest parcel zoned R or RE.
 - 3. The event parking areas shall be located at least 20 feet from the boundary of any parcel zoned R or RE.
 - 4. All events shall occur between the hours of 10:00 a.m. and 10:00 p.m. excluding set up and clean up time. If an event is held entirely within an enclosed building after 10:00 p.m., the event may continue until 2:00 a.m.
 - 5. Noise generated by the event shall not exceed a noise level of 60 dB Leg (1 hour) from 10:00 a.m. to 7:00 p.m. or 50 dB Leg (1 hour) from 7:00 p.m. to 2:00 a.m. as measured at a residence on any adjacent parcel.
 - 6. At least one drinking fountain or equivalent arrangement for potable water shall be provided at no cost to guests. If more than 100 guests are in attendance, two drinking fountains or equivalent arrangement shall be provided.
 - 7. At least one water closet and one urinal shall be provided for every 200 males or portion thereof in attendance at the event and one water closet shall be provided for every 100 females or portion thereof in attendance. For events with 50 or fewer guests in attendance, at least one water closet shall be provided.
 - 8. At least one off-street parking space shall be provided for each two guests in attendance at the event. Parking areas shall be surfaced with

gravel, asphalt or asphaltic concrete to reduce dust and be maintained free of vegetation. Alternatively, areas covered with grass or pasture areas may be used for parking provided the grass is trimmed to a height of no more than three inches.

9. On-site signage shall not exceed that necessary to identify the venue and direct traffic and shall be removed immediately following each event. On-site signage shall be in accordance with Chapter 17.62 of this code. Off-site signage shall comply with Chapter 17.62 of this code if the signage is located on private property. An encroachment permit shall be obtained prior to placing signage within a County road right-of-way.
 10. Lighting shall not exceed that necessary to provide for the safety of guests attending the event. All lighting shall be low level, low intensity and directed downward toward the area to be illuminated to avoid creating glare for residents of the area or passing motorists.
 11. A building permit shall be secured prior to erecting a temporary stage.
 12. Temporary power cords shall not be affixed to structures, extended through walls, or subjected to environmental or physical damage. Cords shall be secured to prevent tripping hazards. Large diameter cords shall be provided with cord bridges or ramps to facilitate the crossing of wheel chairs, strollers and similar wheeled equipment.
 13. If a commercial event utilizes a tent or membrane structure, the placement, construction and use of that structure shall adhere to all applicable provisions of the California Fire Code, California Building Code and this code.
 14. Receptacles for refuse and recyclable materials shall be provided for each event. All refuse and recyclables shall be collected the day following the event and shall be removed from the parcel within seven days following conclusion of the event.
 15. If food will be served, the event shall comply with the California Retail Food Code.
 16. If alcohol will be served, the event shall comply with the Alcoholic Beverage Control Act.
- D. A Use Permit shall be obtained prior to holding a commercial event in the AE-37, AE-80 or AE-160 district that exceeds the number of events or is not in compliance with the standards contained in paragraphs A through C of this Section.
- E. Up to 15 commercial events may be held per calendar year for up to 100 persons in the A-20 district subject to the standards contained in paragraph C of this section. A Use Permit shall be obtained prior to holding a commercial event in the A-20 district for more than 100 persons, not in compliance with the standards of paragraph C or holding more than 15 commercial events in a calendar year.

F. A Use Permit shall be obtained prior to holding any commercial event in the A-10, RE-5 or RE-10 districts.