

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: TLMA - Planning Department

SUBMITTAL DATE:
September 17, 2004

SUBJECT: MENAGERIES

RECOMMENDED MOTION: That the Board of Supervisors Approve and Adopt Ordinance No. 348.4220 clarifying Section 21.51b of Riverside County Ordinance No. 348.

BACKGROUND: The Planning Department, Code Enforcement, and Animal Control are called upon to deal with complaints regarding the keeping of wild, non-domestic animals on parcels used for residential purposes. Generally, a property owner is able to obtain a permit from the California Department of Fish and Game authorizing the individual to possess such an animal, but the permit is not site specific, nor does it address any land use issues concomitant with the keeping of the wild animal. This may include such things as parcel size, location, or density of adjacent development.

Section 21.51b. of Riverside County Ordinance No. 348 currently defines a menagerie to be "Any lot or premises on which more than one wild, non-domestic animal..may be kept". The keeping of a single wild, non-domestic animal falls outside of this definition and such animals may be kept in any zone within the County. A menagerie requires a Conditional Use Permit in the R-R, A-1, A-2, and W-2 zones, and a Plot Plan in the N-A zone. A menagerie may not be located within any other zone.

Robert C. Johnson

Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	n/a
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	n/a
	Annual Net County Cost:	\$ 0	For Fiscal Year:	n/a

SOURCE OF FUNDS: n/a	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: **APPROVE**

County Executive Office Signature

- Dep't Recomm.: Policy
- Per Exec. Ofc.: Policy
- Consent
- Consent

Prev. Agn. Ref.:

District: County

Agenda Number:

3.42

With continued development occurring within the County, and decreased lot sizes, the maintenance of single wild, non-domestic animals can pose a health, safety, and welfare issue for residents in the immediate neighborhood. To mitigate this concern and to proactively avoid land use conflicts we recommend that the language within Ordinance 348 Section 21.51b defining menageries be amended as show below. The change would require that the keeping of all wild, non-domestic animals fall within the definition, and zoning requirements for a menagerie.

REVISED LANGUAGE:

SECTION 21.51b. MENAGERIE

- a. Any lot on which ~~more than one~~ **one or more wild**, non-domestic animals of the following classifications are kept.
 - (1) Venomous reptiles.
 - (2) Non-venomous reptiles, not including turtles or tortoises, that weigh more than ten pounds.
 - (3) Birds or members of the Aves class, not including poultry, that weigh more than 20 pounds.
 - (4) Mammals that weigh more than 20 pounds.
- b. Any lot or premises on which wild, non-domestic animals of the following classifications are kept, regardless of weight, unless such animals are listed in a zone classification as a permitted agricultural use:
 - (1) Ten or more non-venomous reptiles.
 - (2) 25 or more mammals.
- c. A tamed or trained wild animal shall not be considered as a domestic animal.
- d. **As used in this section, "wild animal" means any animal of the class Aves (birds), class Mammalia (mammals), class Amphibia (frogs, toads, salamanders), class Osteichtyes (bony fishes), class Crustacea (crayfish) or class Gastropoda (slugs, snails) which is not normally domesticated in this state as determined by the State Fish and Game Commission.**



Tony Carstens
Agency Director

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY



Robert C. Johnson
Planning Director

Planning Department

Notice of Exemption

PROJECT CASE NO: Ordinance No. 348.4220
PROJECT SPONSOR: County of Riverside
PROJECT LOCATION: Countywide
PROJECT DESCRIPTION: This ordinance amendment will update the definition of menagerie in Riverside County Ordinance No. 348.

The Planning Department has found that the project is exempt from the provision of CEQA based on the following:

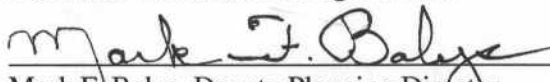
The Riverside County Planning Department has found that the project is exempt from the provisions (s) of CEQA based on the following CEQA Section:

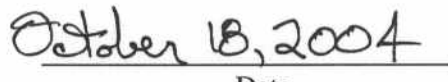
§15061(b)(3), the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Findings:

1. The ordinance amendment will update the definition of menagerie in the Riverside County Land Use Ordinance. (Section 21.51b, Ordinance No. 348)
2. The ordinance amendment itself is not a project that will cause a significant effect on the environment.

RIVERSIDE COUNTY PLANNING DEPARTMENT
Robert C. Johnson, Planning Director


Mark F. Balys, Deputy Planning Director


Date

FOR COUNTY CLERKS USE ONLY

Please charge deposit fee case # County initiated project