

ARTICLE 28

SEC. 21-28 REGULATIONS FOR THE AGRICULTURAL INDUSTRY OR “AI” COMBINING DISTRICT.

28.1 Purpose: To protect the County’s Intensive agricultural activities and soils by reducing the potential for conflicts between residential uses and intensive agricultural uses. Within the “AI” combining district, all uses of land shall comply with the regulations of the base zoning district and with the additional regulations of the “AI” combining district.

28.2 Applicability: This district is intended to be applied to properties that are intensively farmed such as, but not limited to, vineyards, orchards, nurseries, field and row crops; and this district may be applied to areas of prime soils Classes I through IV, capable of intensive cultivation; and this district should be applied where restricted agricultural chemicals, Classes I or II as defined in Title 3, Section 24.50 of the California Administrative Code are commonly used.

28.3 Uses permitted:

- (a) All those uses permitted by the base zoning district except bed and breakfasts and bed and breakfast inns.
- (b) All dwelling units or residential use types shall be subject to the regulations of Sections 28.4(a) and (b).

28.4 Dwelling clearance:

- (a) Agricultural clearance:
 - 1. Prior to application for a zoning clearance permit for any single-family dwelling, mobile home, agricultural family dwelling, farm labor quarters, residential second unit, granny unit, guest house or other dwelling unit or residential use type, application shall be made to the Agricultural Commissioner for an agricultural clearance report. Agricultural clearance application forms shall be provided by the Planning Department. Applications shall describe the existing or proposed agricultural operation for the subject parcel and shall justify the agricultural need for the dwelling(s) as permitted in this article.
 - 2. The Agricultural Commissioner shall review the application and report findings to the Planning Department. When reviewing the formal application for agricultural clearance, the Agricultural Commissioner shall determine:
 - i. The agricultural viability of the parcel proposed for the dwelling(s);
 - ii. The extent to which the dwelling(s) is necessary to support the farming operation; and

- iii. The extent to which the dwelling(s) will adversely affect existing agricultural operations on abutting properties.
3. Upon receipt and review of the Agricultural Commissioner's report, the Planning Director shall approve the permit upon the Director's determination that the dwelling(s) meet the purposes of this district and the following criteria:
- i. The single-family dwelling or farm labor quarters is necessary to support the farming operation.
 - ii. The agricultural family dwelling will not adversely affect existing agricultural operations on abutting properties.
- (b) Notice of farming practices: Where a building designed for residential occupancy is to be located on property within this district, prior to issuance of a zoning clearance permit, the owner(s) of the property shall be required to sign a statement of acknowledgement of the following statement on a form approved by the Planning Department:

“The property on which the proposed structure is to be built is adjacent to or within land utilized for agricultural purposes and residents of this property may be subject to inconvenience or discomfort arising from the use of agricultural chemicals, including, but not limited to, herbicides, insecticides, fungicides, rodenticides and fertilizers; and from the pursuit of agricultural operations including, but not limited to, cultivation, plowing, spraying, pruning, harvesting and crop protection from depredation which occasionally generate dust, noise, smoke, odor, flies and other insects. Lake County has established agricultural lands included therein, and residents of adjacent property or within the zoned areas should be prepared to accept such inconvenience or discomfort from normal, necessary farm operations.”