San Mateo County Planning and Building Department

San Mateo County Ordinance Code

Planning and Building Department

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CHAPTER 1. CONFINED ANIMAL REGULATIONS

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SECTION 7700.0. PURPOSE. The provisions of the Confined Animal Regulations are to:

- 1. Assure the proper and responsible care and management of confined animals in unincorporated San Mateo County.
- 2. Protect people from the potential health and safety impacts of confined animals.
- 3. Protect water quality, sensitive habitats, soil and other significant environmental resources from potential adverse impacts of confined animals.
- 4. Provide opportunities to keep large domesticated animals for riding, pleasure and companionship.
- 5. Promote exploration and enjoyment of San Mateo County's natural landscape by traditional animal transport.
- 6. Implement the San Mateo County General Plan and, in the Coastal Zone, the Local Coastal Program.

SECTION 7700.1. DEFINITIONS.

- 1. <u>Confined Animals</u>. Any domesticated animal, including, but not limited to, a horse, mule, donkey, llama, and pot belly pig, that is generally kept for pleasure, companionship, or traditional transport, and where all of the following criteria apply:
 - a. The animal's typical adult weight exceeds 300 pounds.

- b. The animal is generally not used for agriculture, i.e., the production of food, fiber, or flowers, nor is defined as an exotic animal by the County Ordinance Code.
- c. The animal is regularly kept in a confined animal structure, i.e., not solely in a pasture or range area.
- 2. <u>Confined Animal Structure</u>. A building or structure for keeping confined animals that is not located in a pasture or range area. A confined animal structure includes, but is not limited to, a stable, stall or barn (typically roofed), and/or corral, paddock, or pen (typically unroofed) that encloses an area that is no larger than 1/2 acre per animal.
- 3. Gross Acre. An acre of land located on any portion of a parcel.
- 4. Net Acre. An acre of land suitable for keeping confined animals. This area does not include: (a) land located within one-hundred (100) feet of wetlands; (b) land located within fifty (50) feet of lakes, and perennial creeks and streams, and thirty (30) feet of intermittent creeks and streams; (c) land with slopes exceeding fifty percent (50%).
- 5. Pasture or Range Area. A portion of the parcel that is larger than 1/2 acre per animal, where animals can freely roam, and is typically used for turnout, or grazing purposes. An animal structure located in a pasture or range area is not a "confined animal structure" for the purposes of this Chapter if the animal can freely roam from within the structure to anywhere in the pasture or range area.
- 6. Riparian Corridor. The limit of riparian vegetation (i.e., a line determined by the association of plant and animal species normally found near streams, lakes and other bodies of freshwater: red alder, jaumea, pickleweed, big leaf maple, narrow-leaf cattail, arroyo willow, broadleaf cattail, horsetail, creek dogwood, black cottonwood, and box elder). Such a corridor must contain at least a 50% cover of some combination of the plants listed.
- 7. Rural Area. The area designated by the General Plan as "Rural."
- 8. Sensitive Habitat. An environmentally sensitive area containing plant and animal species legally protected by federal or State law, or as defined in the California Coastal Act. Sensitive habitats include, but are not limited to: (1) land containing or supporting federal and State protected species; (2) riparian corridors; (3) marine and estuarine habitats; (4) lakes, creeks, streams and other wetlands; (5) sand dunes; (6) wildlife refuges, reserves, and scientific study areas; and (7) important nesting, feeding, breeding and spawning areas. An annually updated listing of protected species is maintained at the San Mateo County Planning and Building Division.
- 9. <u>Urban Area</u>. The area designated by the General Plan as "Urban."

SECTION 7700.2. APPLICABILITY. The provisions of this Chapter shall only apply when keeping confined animals in those zoning districts of unincorporated San Mateo County where the keeping of confined animals is a permitted use.

SECTION 7700.3. CONFINED ANIMAL PERMIT. The keeping of confined animals shall require a Confined Animal Permit except for:

- 1. Keeping confined animals in the rural area for less than thirty (30) consecutive days, or
- 2. Keeping confined animals at the level and location described below, subject to the issuance of a certificate of exemption (Section 7700.9):
 - a. Up to five (5) animals in the rural area on land designated Open Space, Agriculture, Timber Preserve or Public Recreation.
 - b. Up to two (2) animals in the urban area on land designated Open Space, Agriculture or Public Recreation.

The provisions of this Chapter shall govern the issuance of a Confined Animal Permit.

Application for a Confined Animal Permit shall require submittal of a site management plan which demonstrates that the proposed keeping of confined animals conforms to the criteria and standards of this Chapter. The site management plan shall include, but not be limited to:

- 1. <u>Description of Proposal</u>. A written description of the proposed confined animal operation, including the number of animals proposed to be kept on the property.
- 2. <u>Site Map</u>. A map showing the location of the following features, as applicable:
 - a. Parcel boundary lines for the parcel(s) where the animals would be kept.
 - b. Confined animal structures, e.g., stable, corral, paddock, pen, stall or barn.
 - c. Pasture or range areas.
 - d. Domestic wells and septic systems.
 - e. Lakes, creeks, and streams.
 - f. Sensitive habitats, including riparian corridors and wetlands, to the extent designated on maps maintained by the San Mateo County Planning and Building Division.
 - g. Roads, driveways and parking areas.

- 3. <u>Drainage Component</u>. A map, with commentary, showing the average slope of the confined animal areas, including feeding and washing areas, the direction of water flow, and proposed site drainage system, including ditches, channels, water bodies, and other natural and built improvements.
- Manure Management Component. A description of the method for, and frequency of collecting, processing, storing and disposing or using manure produced on the site.

It is the intent of this Chapter that the site management plan be prepared by the applicant without the need of professional consultants or assistance. Maps and aerial photographs showing: (1) property boundary and contour lines are available from San Mateo County Department of Public Works, and (2) water courses and designated sensitive habitats area available from San Mateo County Planning Division.

Facilities operating under an existing Stable Permit on the effective date of this Chapter, and that require a Confined Animal Permit by this Chapter shall apply for such permit, including preparation of a site management plan. Application would occur at the time when the permit expires. Such Confined Animal Permit application would be processed in a manner similar to permit review. In all cases, the decision making authority would be the Planning Director, and a public hearing would not be required.

SECTION 7700.4. CRITERIA AND STANDARDS. The criteria and standards governing the issuance of a Confined Animal Permit are as follows:

- 1. <u>Minimum Parcel Area</u>. The minimum parcel area required is one (1) gross acre.
- 2. <u>Maximum Number of Confined Animals</u>. The maximum number of confined animals allowed on a parcel is as follows:
 - a. <u>First Two Animals</u>. One (1) animal per one half (1/2) gross acre.
 - b. More Than Two Animals. For each additional animal, one (1) animal per one half (1/2) net acre of the remaining parcel area.
 - c. <u>More Than Ten Animals</u>. For the eleventh animal and each animal thereafter, the maximum number of confined animals may be increased to one (1) animal per one quarter (1/4) net acre.

If the fractional portion of the number of animals allowed is equal to or greater than .5, the total number of animals allowed shall be rounded up to the next whole number. If the fraction is less than .5, the fractional unit shall be deleted.

The provisions of this Section do not apply to confined animals less than two (2) years old that are the offspring of another animal on the property.

- 3. <u>Prohibited Locations</u>. Confined animal structures and animal use of the property, including pasture or range area, shall not occur in the following areas of the parcel:
 - a. Lakes, creeks and streams.
 - b. Land located within (1) fifty (50) feet of lakes, and perennial creeks and streams, and (2) thirty (30) feet of intermittent creeks and streams.
 - c. Sensitive habitats, including riparian corridors and wetlands.
 - d. Land located within fifty (50) feet of the outward boundary of riparian corridors.
 - e. Land located within one hundred (100) feet of wetlands.
 - f. Land used for a domestic well or septic tank, or located above leach lines.
 - g. Slopes exceeding thirty percent (30) for structures, and fifty percent (50%) for animal use.
- 4. <u>Minimum Setbacks</u>. Confined animal structures shall maintain the following minimum setbacks:

a. From front property line: 50 feet

b. From side and rear property lines: 30 feet

c. From a dwelling unit on the same parcel: 30 feet

d. From the nearest setback line required for a dwelling 80 feet unit on an adjacent parcel:

e. From a domestic well:

(1) Up to ten animals: 50 feet

(2) More than ten animals: 100 feet

A fence that encloses the pasture or range area, or any other area of the parcel not covered by confined animal structures would not be subject to these setback requirements.

5. Fencing. Confined animals shall be enclosed with a strong and substantial fence, with at least one gate, all of which are kept in good repair at all times. Fence height and materials shall be sufficient to contain the confined animals. A fence constructed in accordance with State Food and Agriculture Code Section 17121 would conform to this standard.

6. Drainage.

- a. All surface runoff, including rainwater that falls near or upon animal structures, shall not come into contact with stored animal manure. Energy dissipaters, gutters, ditches, berms and/or other diversion devices may be used to divert rainwater from confined animal areas.
- b. All liquids shall not drain closer than ten (10) feet from wells, septic tanks, and/or drainfields.
- c. Animal waste runoff and liquids used to clean confined animals shall not drain directly into a creek, stream, lake or similar water body. Runoff may be confined and diverted by various means, including maintaining the existing on-site filtering vegetation, planting new vegetation grass strips, installing filter fencing or straw bales/logs, and/or constructing earth berms, and sediment ponds.
- d. Standing water shall not be allowed to accumulate near confined animal structures.
- e. A minimum two percent (2%) downward slope shall be maintained on land that is within five (5) feet of confined animal structures to assure adequate drainage away from the structures.
- f. Facility drainage shall conform to the drainage component of the site management plan.

7. <u>Facility Management.</u>

- a. The keeping of confined animals shall not create a nuisance or be detrimental to human or animal health, safety or welfare.
- b. On-site manure management shall conform to the manure management component of the site management plan.
- c. All animal wastes, including soiled bedding, shall be collected daily from confined animal structures, and managed in a manner that is not conducive to the proliferation of insects, rodents and other disease-carrying creatures. Effective manure management methods include, but are not limited to, composting, mulching, spreading of manure, and covered storage. Stored animal waste for off-site use or disposal may not be kept on the site for longer than fourteen (14) days. Stored waste shall be covered and separated from the ground by an impermeable material. Surface water runoff in the manure management area shall not come into contact with stored animal wastes. Runoff may be diverted by various means, including constructing earth berms and/or installing straw bales/logs.

- d. Should active composting occur on the site, composted wastes shall be mixed or turned over often to increase aerobic bacteria activity and to keep the pile fully aerated and active. Should passive or static composting occur on the site, the proposed process shall be reviewed by the Director of Environmental Health to assure that odor and fly breeding problems are prevented.
- e. Animal feed shall be stored in appropriate facilities or containers such that it is kept dry and, to the maximum extent feasible, free of mold, rodents and insects.
- 8. <u>Supervisor or Caretaker</u>. This Chapter does not require that a full-time supervisor or caretaker reside on the site. Should a full-time resident supervisor or caretaker be desired, a dwelling unit for such purpose shall comply with zoning density limits applicable to the parcel. The Zoning Regulations include density bonus provisions in specified areas for affordable housing and second dwelling units.

SECTION 7700.5. PERMIT REVIEW PROCESS. Application for a Confined Animal Permit, including the site management plan required by Section 7700.3, shall be submitted to the Planning and Building Division for review and consideration.

Planning and Building Division staff shall distribute the plan for review and comment to the Environmental Health Division, the Confined Animal Technical Advisory Committee, and the local fire agency.

Based on plan review, a site visit, and the comments received, staff would evaluate whether the submitted plan complies with the criteria, standards and requirements of this Chapter.

The decision making authority and requirement of public hearing shall be as follows:

		Number		la Gestal nej
Urban/Rural	Land Use Designation	=of Animals=	Decision Maker	Required
Rural	Open Space, Agriculture, Timber Preserve, Public Recreation	6 – 15 16 or More	Planning Director Zoning Hearing Officer	No Yes
Urban	Open Space, Agriculture, Public Recreation	3 – 4 5 or More	Planning Director Zoning Hearing Officer	No Yes
Urban or Rural	Residential	1 – 2 3 or More	Planning Director Zoning Hearing Officer	No Yes

At least ten (10) calendar days prior to a decision on a Confined Animal Permit, written notice of the pending decision shall, at minimum, be sent by first class mail to:

- 1. Property owner and applicant.
- 2. The Environmental Health Division, Confined Animal Technical Advisory Committee, and local fire agency that reviewed the site management plan.
- 3. If no public hearing is required, all property owners within one hundred (100) feet of the project parcel boundary.
- 4. If a public hearing is required, all property owners within three hundred (300) feet of the parcel(s) where the confined animals are kept.

Written notice of the pending decision shall contain at least the following information:

- 1. The date, time and place where the decision will occur.
- 2. The site location.
- 3. The name of the property owner and applicant.
- 4. A short, general description of the proposal, including the number of animals.
- 5. The name of the staff person who may be contacted for additional information.

SECTION 7700.6. FINDINGS. In order to grant a Confined Animal Permit, the decision making authority shall make the following findings:

- 1. That the keeping of confined animals will not create a nuisance or be detrimental to human or animal health, safety or welfare.
- 2. That the keeping of confined animals will not degrade sensitive habitats and waterways, or increase soil erosion.
- 3. That the keeping of confined animals complies with all applicable requirements of the Zoning Regulations, including this Chapter.

The decision making authority may modify the site management plan as necessary to make the required findings of approval.

SECTION 7700.7. APPEALS. The decision making authority's action on a Confined Animal Permit may be appealed by any person, organization, or agency, provided that the appeal is filed in writing within ten (10) working days of such action.

All appeals would be made to the Planning Commission. An appeal of the Planning Commission's action would be made to the Board of Supervisors.

SECTION 7700.8. EXPIRATION, RENEWAL REVIEW AND AMENDMENT. An approved Confined Animal Permit shall expire six (6) years after the date of approval.

At expiration, the permit would automatically be renewed for another six (6) years, providing that the confined animal operation continues to conform with the terms of said permit.

An approved Confined Animal Permit shall be reviewed by the Planning Director every three (3) years for compliance with the conditions of approval. Such review shall involve (a) Planning and Building Division staff inspecting the site for zoning compliance, and (b) Environmental Health staff inspecting the site for manure management and drainage compliance. No public hearing is required for permit review.

If at any time the confined animal operation is found not to comply with the approved permit, the operator will be given a thirty (30) day period to comply with the terms of the permit, or apply for a permit amendment and pay applicable fees. The decision maker for the initial permit would consider permit amendment. Continued non-compliance may result in permit revocation, in accordance with Zoning Regulations Section 6505.

An approved Confined Animal Permit shall require amendment when there is a proposed increase in the number of confined animals located on the parcel. The permit amendment process shall be as follows:

- 1. If the proposed increase in the number of confined animals is 20% or less the number of animals approved in the existing permit, the decision making authority would be the Planning Director, and no public hearing would be required. Public notification would be as described in Section 7700.5 Permit Review Process.
- 2. If the proposed increase in the number of confined animals is more than 20% the number of animals approved in the existing permit, the decision making authority and requirement of public hearing and notification would be as described in Section 7700.5 Permit Review Process.
- 3. In order to approve a Confined Animal Permit amendment, the decision making authority shall make the findings described in Section 7700.6 Findings.

SECTION 7700.9. EXEMPTIONS AND EXCEPTIONS.

- 1. <u>Permit Exemption</u>. A certificate of exemption shall be required for keeping confined animals identified by Section 7700.3. Issuance of a certificate of exemption by the Planning and Building Division staff shall require demonstration that:
 - a. The keeping of confined animals conforms with the: (1) minimum parcel area, (2) maximum number of animals, (3) prohibited locations, and (4) minimum setbacks provisions of this Chapter (Section 7700.4).
 - b. Confined animal structures are not located within 300 feet of the inland extent of any beach, or of the mean high tide line of the sea where there is no beach.

- c. Confined animal structures are not located on land within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff, or within 50 feet of the outward extent of riparian corridors.
- d. Confined animal structures are not located on slopes of thirty percent (30%) or greater.
- e. Confined animal structures are not located within fifty (50) feet of a domestic well, or above a septic system.
- f. The keeping of confined animals will include runoff control and manure management measures that protect water quality, sensitive habitats and other significant environmental resources from potential adverse impacts.
- 2. <u>Criteria Exception</u>. An exception to any provision required by Section 7700.4 (Criteria and Standards) may be granted upon finding that:
 - a. Compliance with the requirement is not reasonably possible.
 - b. The proposal is as nearly in conformance with the requirement as is reasonably possible.
 - c. The exception will not adversely impact adjoining properties, be injurious to public health or welfare, or be detrimental to animal health.
 - d. The exception will not significantly degrade water quality or sensitive habitats.

The Planning Director is the decision making authority for an exception request, unless a public hearing is requested in accordance with the following procedure:

- a. At least ten (10) working days prior to the Planning Director acting on an exception request, written notice of the pending decision shall be sent by first class mail to all owners of property located within 300 feet of the parcel where the exception is proposed, the Confined Animal Technical Advisory Committee, and the local advisory council, as applicable.
- b. Written notice shall contain at least the following information:
 - (1) The date and time when the Planning Director's decision will be made.
 - (2) The location of the property where the proposed exception would occur.
 - (3) A short, general description of the proposed exception.

- (4) A statement informing that a public hearing may be requested in lieu of the Planning Director's decision, and that request must be received by the Planning and Building Division before the date and time when the decision will be made.
- c. Any member of the public, including surrounding property owners, and the Confined Animal Technical Advisory Committee, or its individual members, may submit a request in writing for a public hearing. The request shall be received by the Planning Director before the date and time when the decision would occur.

If a public hearing is requested, the Zoning Hearing Officer is the decision making authority for the exception request.

Planning and Building Division staff shall send a copy of the exception request to the Confined Animal Technical Advisory Committee for review and comment.

Based on evaluation of the exception request, and the comments received from the Technical Advisory Committee, Planning and Building Division staff shall prepare a recommendation to the decision maker indicating whether findings for approval can be made.

Any action by the decision maker on an exception request may be appealed to the Planning Commission, with subsequent appeal to the Board of Supervisors in accordance with the provisions of Section 7700.7.

<u>SECTION 7700.10.</u> NONCONFORMITIES. All zoning nonconformities, including nonconforming confined animal uses and non-conforming confined animal structures shall conform to the provisions of Zoning Regulations Chapter 4 – <u>Zoning Nonconformities</u>. If an existing confined animal operation complies with applicable County Regulations on the effective date of this Chapter, but does not conform with (1) the minimum parcel area, (2) the maximum number of animals, (3) the setback standards, or (4) other criteria or standards of this Chapter, such operation shall not be required to conform with said requirements of this Chapter, unless if it is shown to significantly degrade water quality or sensitive habitats, and adequate mitigation is not feasible. Abatement shall be in accordance with the procedure established in Section 7700.12 of this Chapter.

In summary, any facility operating under an approved Stable Permit would not be required to reduce the approved number of horses on the property, or remove or relocate existing structures, or otherwise change its operation, unless the operation is shown to significantly degrade water quality or sensitive habitats.

If a structure was built in accordance with applicable County building regulations, but does not conform with the locational criteria and/or setback requirements of this Chapter, the structure may continue at its present location, and be repaired or upgraded to the extent allowed by Zoning Regulation Chapter 4 – Zoning Nonconformities, unless

the structure is shown to significantly degrade water quality or sensitive habitats, and adequate mitigation is not feasible.

The provisions of this Section do not preclude action by another agency, e.g., State or federal when administering other enacted law.

SECTION 7700.11. TECHNICAL ADVISORY COMMITTEE. To assist in achieving the objectives of this Chapter, a nine-member Confined Animal Technical Advisory Committee is hereby established, its members to be appointed by the Board of Supervisors. The Committee shall be comprised of individuals who are knowledgeable in the keeping of confined animals, and the potential impacts of keeping such animals on surrounding properties and the environment, e.g., stable operators and resource protection advocates.

Specifically, the Confined Animal Technical Advisory Committee shall be constituted, as follows:

- 1. Five members, and one alternate member, with experience and proficiency in keeping and caring for confined animals. Preferred skills include a thorough understanding of animal behavior and needs, as well as facility management and operations. The five members shall include at least one commercial stable operator and one private stable operator.
- 2. Three members, and one alternate member, with an academic background or experience in environmental studies, environmental planning/land management, or resource protection. Preferred skills include: (1) water quality protection, (2) erosion and sediment control, and (3) animal waste management.
- 3. One member with knowledge and experience in protecting public health from potential impacts due to confined animals, i.e., environmental health expertise.

A five-member quorum is required for a Confined Animal Technical Advisory Committee meeting, with at least one member representing each of three categories identified above.

The duties of the Confined Animal Technical Advisory Committee are limited to (1) providing pre-application guidance to Confined Animal Permit applicants, (2) advising the Planning Commission and the Board of Supervisors on Confined Animal Permit applications, (3) reviewing site management plans and propose best management practices, (4) assisting in resolving illegal and non-conforming confined animal situations, and (5) providing general educational outreach on facility management.

Planning and Building Division staff shall refer the following matters to the Confined Animal Technical Advisory Committee (TAC) for review and comment in advance of consideration by the decision making authority.

- 1. Confined animal permit applications, including site management plans.
- 2. Requests for exception to the criteria and standards.
- 3. Abatement notices for operations shown to significantly degrade water quality or sensitive habitats.

The Confined Animal Technical Advisory Committee may suggest project conditions or modifications, including recommended conditions of approval, revisions to the site management plans, site management practices, or time frames for facility compliance.

The Technical Advisory Committee shall consider a referred matter for no more than two consecutive Committee meetings before providing its comments to the decision making authority.

If, after two meetings, the Technical Advisory Committee cannot attain a quorum to consider a referred matter, the Committee's input on the matter shall be deemed to be no comment.

SECTION 7700.12. IMPLEMENTATION.

1. <u>Enforcement</u>.

- a. <u>First Year</u>. For twelve (12) months after the effective date of this Chapter, whenever a violation is confirmed by the Planning and Building Division, the owner shall receive notice in writing of the following:
 - (1) The nature of the violation.
 - (2) The process to remedy the violation.
 - (3) That no further enforcement actions will occur, or fines levied, if the owner initiates corrective action, e.g., files a permit application within three months of the date of the notice, and demonstrates continued progress toward full compliance thereafter.
 - (4) If corrective action has not been initiated after three months of the date of the notice, the Planning Director may grant an extension of up to nine months providing that the owner demonstrates a reasonable basis for the extension, and provides his/her schedule for compliance. If corrective action has not been initiated after the extension period expires, or after three months of the notice if an extension is not granted, the case will be referred for possible legal action. Additional penalties may be levied and actions taken as allowed by law.

- b. After the First Year. After one year of the effective date of this Chapter, whenever a violation is confirmed by the Planning and Building Division, the owner shall receive notice in writing of the following:
 - (1) The nature of the violation.
 - (2) The process to remedy the violation.
 - (3) That fees will be doubled to offset the costs of investigation, and no further enforcement actions will occur if the owner initiates corrective action, e.g., files a permit application within three months of the date of the notice, and demonstrates continued progress toward full compliance thereafter.
 - (4) If corrective action has not been initiated after three months of the date of the notice, the case will be referred for possible legal action. Additional penalties may be levied and actions taken as allowed by law.
- 2. <u>Strive for Reasonable Conformance</u>. When evaluating confined animal operations, Planning and Building Division staff shall promote conformance with the requirements of this Chapter. Where strict conformance is not possible, staff should encourage the exception remedy established by Section 7700.9 of this Chapter, i.e., that the operation is as nearly in conformance with the requirements as is reasonably feasible.
- 3. Require Abatement of Significant Impacts. Any existing structure, activity or situation which has been shown to significantly degrade water quality or sensitive habitats, and for which adequate mitigation is not feasible, shall be abated. The procedure for abatement shall be as follows:
 - a. The Planning Director shall send a notice to the property owner that abatement is required by a reasonable date, unless the owner presents evidence to show that the operation does not significantly degrade water quality or sensitive habitats.
 - b. The Planning Director shall refer a copy of the abatement notice to the Confined Animal Technical Advisory Committee for review and comment, particularly the feasible time frame for facility compliance.
 - c. The owner may request a hearing before the Zoning Hearing Officer. To the extent feasible, the hearing would be scheduled for a date after the Technical Advisory Committee submitted its comments on the abatement, including a recommended time frame.

- d. At the hearing, the owner may: (1) present evidence showing that the operation does not significantly degrade water quality or sensitive habitats, or (2) request a longer abatement period based on demonstrated hardships that would result from complying with the prescribed date.
- e. The Zoning Hearing Officer shall consider the facts made by the owner and the comments of the Confined Animal Technical Advisory Committee, and determine whether to proceed with abatement, and under what time frame.
- f. If abatement shall proceed, and the property owner does not comply with the abatement order under the time frame prescribed by the final decision making, the violation shall be deemed to constitute a public nuisance, and shall be abated as prescribed by the San Mateo County Ordinance Code.
- g. The Zoning Hearing Officer's decision may be appealed to the Planning Commission, with subsequent appeal possible to the Board of Supervisors.
- h. Violations of the provisions of this Chapter shall be a misdemeanor and shall be punishable as provided in the San Mateo County Ordinance Code.
- 4. Nothing in this Chapter shall effect, prevent or prejudice any other remedy, penalty or action authorized by law.

(Sections 7700.0 through 7700.12 - Amended by Ordinance No. 4074 - November 6, 2001)

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