

**ORDINANCE NO. 625  
(AS AMENDED THROUGH 625.1)  
AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 625  
PROVIDING A NUISANCE DEFENSE FOR CERTAIN AGRICULTURAL  
ACTIVITIES, OPERATIONS, AND FACILITIES AND PROVIDING PUBLIC NOTIFICATION  
THEREOF**

The Board of Supervisors of the County of Riverside Ordains as Follows:

Section 1. **SHORT TITLE.** This ordinance may be cited as the Riverside County Right-To-Farm Ordinance.

Section 2. **FINDINGS.** The Riverside County Board of Supervisors finds that where non-agricultural land uses extend into agricultural areas or exist side-by-side, agricultural operations often become the subject of nuisance complaints. As a result, some agricultural operations are forced to cease or curtail operations, others are discouraged from making investments in farm improvements, and efficient agricultural production is generally discouraged due to burdensome litigation against farmers.

Section 3. **INTENT.** It is the intent of Riverside County to conserve, protect, and encourage the development, improvement, and continued viability of its agricultural land and industries for the long-term production of food and other agricultural products, and for the economic well-being of the County's residents. It is also the intent of the County to balance the rights of farmers to produce food and other agricultural products with the rights of non-farmers who own, occupy, or use land within or adjacent to agricultural areas. It is the intent of this ordinance to reduce the loss to the County of its agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance. Nothing in this ordinance shall be construed to limit the right of any owner of real property to request that the county consider a change in the zoning classification of his property in accordance with the procedures set forth in the Riverside County Land Use Ordinance, Ordinance No. 348.

Section 4. **DEFINITIONS.** For the purposes of this ordinance, the following words and phrases are defined and shall be construed as having the following meanings:

- a. **AGRICULTURAL ACTIVITY, OPERATION, OR FACILITY, OR APPURTENANCES THEREOF.** The phrase "agricultural activity, operation, or facility, or appurtenances thereof" shall include, but not be limited to, the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural commodity, including timber, viticulture, apiculture, or horticulture, the raising of livestock, fur bearing animals, fish, or poultry, and any practices performed by a farmer or on a farm as incident to or in conjunction with such farming operations, including preparation for market, delivery to storage or to market, or to carriers for transportation to market.
- b. **LAND ZONED FOR PRIMARILY AGRICULTURAL PURPOSES.** The

phrase "land zoned for primarily agricultural purposes" means any land lying within any one of the following zone classification established by the Riverside County Land Use Ordinance, Ordinance No. 348:

- (1) A-1 Zone (Light Agriculture)
- (2) A-P Zone (Light Agriculture with Poultry)
- (3) A-2 Zone (Heavy Agriculture)
- (4) A-D Zone (Agriculture-Dairy)
- (5) C/V Zone (Citrus/Vineyard)

#### Section 5. POLICY

- a. No agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than three (3) years if it was not a nuisance at the time it began.
- b. This section shall not invalidate any provision contained in the Health and Safety Code, Fish and Game Code, Food and Agricultural Code, or Division 7 (commencing with Section 13000) of the Water Code of the State of California, if the agricultural activity, operation, or facility, or appurtenances thereof, constitutes a nuisance, public or private, as specifically defined or described in any such provision.
- c. This section is not to be construed so as to modify or abridge the state law set out in the California Civil Code relative to nuisances, but rather it is only to be utilized in the interpretation and enforcement of the provisions of county ordinances and regulations.

#### Section 6. NOTICE TO BUYERS OF LAND.

- a. The Planning Director shall cause the following notice to be included on an Environmental Constraints Sheet, pursuant to Riverside County Ordinance No. 460, for any tentative land division proposed that lies partly or wholly within, or within 300 feet of any land zoned for primarily agricultural purposes:

Lot(s) No. \_\_\_\_, as shown on this map, is (are) located partly or wholly within, or within 300 feet of, land zoned for primarily agricultural purposes by the County of Riverside. It is the declared policy of the County of Riverside that no agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained for commercial purposes in the unincorporated area of the County, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than three (3) years, if it was not a nuisance at the time it began. The term "agricultural activity, operation, or facility, or appurtenances thereof" includes, but is not limited to, the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural commodity, including timber, viticulture, apiculture, or horticulture, the raising of livestock, fur bearing animals, fish, or poultry, and any

practices performed by a farmer or on a farm as incident to or in conjunction with such farming operations, including preparation for market, delivery to storage or to market, or to carriers for transportation to market.

- b. The Road Commissioner shall cause the notice described in subsection (a) to be included on an Environmental Constraints Sheet, pursuant to Riverside County Ordinance No. 460, for any final land division proposed for recordation that lies partly or wholly within, or within 300 feet of, any land zoned for primarily agricultural purposes.

Section 7. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not effect the other provisions or applications of the provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared severable.

**Adopted:** 625 03/18/1986 (Eff: 04/17/1986)

**Amended:** 625.1 11/08/1994 (Eff: 12/08/1994)