

Chapter 17.09

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

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**17.09.010 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.

**17.09.020 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;
- 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 parcel and not to exceed 10% of the parcel 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 parcel, 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 where 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,

- M. accessory shows and clinics;  
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 the primary agricultural use of the parcel;
- X. Private airstrips and private heliports;
- Y. Educational workshops, craft demonstrations, or demonstration gardens accessory to the primary agricultural use of the parcel;
- Z. Commercial events subject to the requirements of Section 17.52.220;
- AA. Seasonal activities including, but not

- limited to, crop mazes, pumpkin patches and berry harvests accessory to the primary agricultural use of the parcel;
- BB. Petting zoo accessory to the primary agricultural use of the parcel;
- CC. Private garages accessory to a single-family dwelling, or one private garage, not to exceed four thousand (4,000) square feet, as a primary use of the parcel;
- DD. 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;
- EE. Roadside stand up to one thousand five hundred (1,500) square feet in area;
- FF. Energy generating facilities accessory to the primary agricultural use on the farm or ranch;
- GG. Reservoirs for storage of water by a public utility;
- HH. Accessory uses and structures appurtenant to permitted uses.

**17.09.030 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 substantially detrimental to surrounding agricultural operations, the primary agricultural use of the parcel or to neighboring parcels.

- A. Additional single-family dwellings, thirty-seven 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 parcel or which exceed 10% of the parcel size or 10 acres, whichever is less;
- D. Roadside stand exceeding one thousand five hundred (1,500) square feet in area;
- E. Agricultural by-product processing facilities not accessory to the agricultural operation on the parcel, 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

- J. resources or surface development of mineral resources within two hundred feet of any exterior property line;
- Sawmills for processing timber other than that grown primarily on the same parcel where 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. Commercial 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 primary agricultural use of the parcel;
- 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.

**7.09.040 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.

**17.09.045 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.

**17.09.050 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 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.  
(Ord. 3350 § 37, 2019)