

DEPARTMENT HEAD
ANNOUNCEMENT



PUBLIC NOTICE – JANUARY 21, 2025

**PLUMAS COUNTY CODE RIGHT TO FARM ORDINANCE
TITLE 9 PLANNING AND ZONING, CHAPTER 2 ZONING
ARTICLE 12.5 NUISANCE CLAIMS AGAINST AGRICULTURAL AND
TIMBER OPERATIONS**

Plumas County Code Sec. 9-2.1254 states the County Planning Director shall publish annually a notice advising “neighboring land owners” that agricultural and/or timber operations have rights under California Civil Code Section 3482.5 and Plumas County Code Article 12.5 (Nuisance Claims Against Agricultural and Timber Operations) or what is known as the “right to farm ordinance.” Pursuant to Plumas County Code Sec. 9-2.1252 “neighboring land owners” shall mean an owner of real property in Plumas County, which property is located adjacent to, or near to, or in the neighborhood of an agricultural or timber operation. In addition to the protection afforded by California Civil Code Section 3482.5, the purpose of the County’s “right to farm ordinance” is to protect agricultural and/or timber operations, as defined in California Civil Code Section 3482.5(e), from nuisance claims.

Plumas County is an agricultural and timber resources dependent county. Many parcels of real property are located adjacent or near to commercial operations based on agriculture and/or timber. Owners of such parcels, especially new owners; those seeking land use approvals of such parcels; and persons in the real estate business representing such parcels have a responsibility to know the laws, regulations, standards, and customs that apply to agricultural or timber operations. All should be aware that the use and enjoyment of these neighboring properties may be impacted by noise, odors, smoke, fumes, dust, storage and disposal of animal excretion, and the application of chemical fertilizers, pesticides, and soil amendments, due to the proximity of agricultural or timber operations.

Plumas County has determined that under County law the above-described impacts shall not constitute a nuisance, public or private, if the operations are lawful and utilize accepted or best management practices established by the industry. “Nuisance” shall be defined as set forth in California Civil Code Section 3479, recognizing that the term “nuisance” is broad enough to encompass almost any conceivable type of interference with enjoyment or use of land or property [Stoiber v. Honeychuck (1980) 101 Cal. App. 3d 903, 919]. This determination is based on the factual finding that agricultural and timber operations are essential to the economic health of the County and that food and fiber production in the County benefits society generally.

For more information, please contact Tracey Ferguson, AICP, Plumas County Planning Director at 530-283-6214 or traceyferguson@countyofplumas.com; Plumas-Sierra Agricultural Commissioner/Sealer of Weights and Measures, Willo Vieira at 530-283-6365 or willovieira@countyofplumas.com; and Tracy Schohr, UC Cooperative Extension, Livestock and Natural Resources Advisor for Plumas, Sierra, and Butte counties at 916-716-2643 or tkschohr@ucanr.edu.