



County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

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WORKSHOP ONLY

PLANNING COMMISSION STAFF REPORT

DECEMBER 9, 2010

FILE #2010-005: Workshop to consider the update of the zoning regulations for the agricultural zones (Article 3 of Chapter 2, Title 8 of the Yolo County Code).

APPLICANT: Yolo County

LOCATION: Agricultural parcels in the unincorporated area of Yolo County
GENERAL PLAN: Agriculture (AG)
ZONING: Agricultural zoning districts (A-P, A-1, AGI)

SUPERVISOR: all districts
FLOOD ZONE: various
SOILS: various
FIRE ZONE: various

ENVIRONMENTAL DETERMINATION: To be determined

REPORT PREPARED BY:

REVIEWED BY:

Stephanie Cormier, Associate Planner

David Morrison, Assistant Director

RECOMMENDED ACTION

That the Planning Commission:

- HOLD** a public workshop hearing, consider public comments, and give further direction to staff regarding the proposed update of the zoning regulations for the agricultural zones in the Yolo County Code (**Attachment A**); and
- RETURN** the item to the Planning Commission at a future hearing for further workshop session(s) and recommendations on the revised zoning regulations for the agricultural zones.

REASONS FOR RECOMMENDED ACTION

The updated Countywide 2030 General Plan was approved in November, 2009. Under state law, all development regulations (Title 8 of the Yolo County Code), must be amended to be in conformance with General Plan policies. The existing regulations dealing with agricultural zoning must be rewritten to incorporate specific policies and implementation actions in the new General Plan.

AGENDA ITEM 6.4

BACKGROUND

The Planning Commission considered a previous draft of the proposed agricultural zones at a workshop on September 9, 2010. The Commission was subsequently scheduled to review the updated agricultural zoning regulations at their meeting of November 11, 2010; however, the item was not considered due to lack of time.

As noted in the staff report prepared for the workshop on September 9, 2010, three implementation actions in the new General Plan require the County to update the agricultural zoning regulations:

- Action CC-A1 calls for the update of the County Zoning Code to reflect appropriate zoning consistent with each land use designation and to establish appropriate new zone categories and regulations to implement the goals and policies of the new General Plan;
- Action CC-A30 requires an amendment to the County Code to remove the Williamson Act as a basis for the Agricultural Preserve Zone; and
- Action AG-A22 requires an amendment to the Zoning Code to establish Use Permit criteria for any new home constructed on a parcel smaller than 20 acres within an antiquated subdivision. (This last implementation action will be more specifically addressed in Article 4, Special Agricultural Regulations, of the proposed update to the Zoning Code, not in Article 3.)

Staff has re-evaluated the role of the Williamson Act as it applies to agricultural zoning in Yolo County, since a majority of the agricultural lands are under contract and are included in the A-P zone. Removing agricultural zoning from the Williamson Act requirements will allow for a more “form-based” or practical zoning approach where zoning is applied in a more consistent and predictable pattern in relation to existing characteristics, i.e., based on soil quality, water availability, topography, etc. Williamson Act requirements will still be included in a separate section of the Zoning Code (Article 4), but will no longer be linked to any particular zone.

Staff has prepared a draft of the new agricultural zones, contained within Article 3, with the intent of simplifying the zoning code. This more “user-friendly” version groups agricultural operations by specific “Use Types.” The draft includes tables for ease of reference, avoiding the need to search through the entire zoning code to ensure all requirements for development will be met. At the September Planning Commission workshop, it was requested that staff provide distinctive definitions for various agricultural practices in order to clarify some of the County’s requirements. Additionally, at a recent meeting with the Ag Working Group, it was also requested that specific agricultural definitions be placed at the beginning of the section to simplify the user’s search for information. Subsequently, applicable definitions will be added to the proposed Article 3. These definitions will also be provided in the updated Definitions section (Article 16) of the Zoning Code for additional referencing purposes.

The two primary agricultural zones, A-P (Agricultural Preserve) and A-1 (Agricultural General), will be replaced by two new zones, A-N (Agricultural Intensive) and A-X (Agricultural Extensive), as discussed in the September workshop. The detailed draft of zoning regulations for these two new agricultural zones is the subject of this workshop. Staff is requesting that members of the public and the Planning Commission review the draft and give further direction to staff, noting items, definitions, or regulations that should be added or deleted. Staff will also consider formatting suggestions to ensure a zoning code that can be easily accessed by the public.

STAFF ANALYSIS

The Ag Zoning Regulations begin by defining specific “Use Types,” in which a broad use classification system identifies the most prevalent agricultural uses, and includes the full range of cultivated agriculture, such as on-site production of plant and animal products, agricultural

commercial uses, agricultural industrial uses, and agricultural residential uses. An accompanying agricultural land use table (see Table 8-2.1 in **Attachment A**) identifies specific examples of each Use Type category, and identifies uses that are allowed “by right,” with only a building permit, by non-discretionary Site Plan Review, by conditional Use Permit, and uses that are not allowed. In addition, the table references any other specific use regulations or performance standards that may apply to a proposed application, either through a section reference or specific use requirement. Similarly, a development requirement table (Table 8-2.2, **Attachment A**) identifies minimum parcel sizes, setbacks, and other requirements that must be met as a standard or condition for any issued building permit, Site Plan Review, or Use Permit.

~~There are a total of five new agricultural zones, including the A-N and A-X Zones, an Agricultural Commercial (AGC) Zone, Agricultural Industrial (AGI) Zone, and an Agricultural Residential (AGR) Zone. This last zone would be applied only to those lots created through a subdivision approved under the proposed Clustered Agricultural Housing Ordinance. Creation of the AGC Zone and continuation of the AGI Zone implement Land Use Policy 2.2 and Agricultural Policy AG-3.18 from the 2030 Countywide General Plan, which call for allowing additional agricultural commercial and agricultural industrial land uses in any designated agricultural area, where appropriate.~~

The new Agricultural Intensive (A-N) Zone would be applied to lands typically more dependent on higher quality soils, water availability, and relatively flat topography, such as those lands located on the valley floor where more intensive agricultural farming takes place. A range of minimum parcel sizes would be allowed based on whether or not the land is planted in permanent crops, such as orchards or vineyards, or annual crops, or is uncultivated. As discussed in the previous workshop, the minimum parcel sizes for newly created lots is proposed to be 40 acres for irrigated parcels primarily planted in permanent crops; 80 acres for irrigated parcels that are cultivated; and 160 acres for parcels that are uncultivated. Existing agricultural lots that don't meet these minimum parcel sizes would be “grandfathered in,” and become legal, non-conforming lots.

The new Agricultural Extensive (A-X) Zone would be applied to remaining agricultural lands that are typically less dependent on high soil quality and available water for irrigation. These lands and operations require larger parcel sizes to allow for profitable extensive agricultural activities such as livestock and ranching operations, and dry land farming. The minimum parcel size for newly created lots is proposed to be 160 acres for dry land farming, and 320 acres for rangeland, similar to the existing minimum parcel sizes for the A-P Zone.

The new AGC Zone would be applied to existing and planned commercial uses in the agricultural areas, which are defined as activities that are related, but incidental, to the primary agricultural use of the area. Minimum parcel size would be determined by the existing or proposed use.

The AGI Zone would continue to be applied to lands that support more intensive regional agricultural processing and industrial-type uses, which are directly related to the local agricultural industry. Minimum parcel size would be determined by the requirements of the use, typically at least five acres.

By request, a “Definitions” section has been inserted to clarify specific agricultural activities, appurtenances, and structures as they relate to agricultural uses. The intent is to simplify the user's quest for information, and not to burden with content. Most of the definitions have been taken from the existing zoning ordinance, with some additions. Keeping in mind this update is a working draft, staff recommends that the Planning Commission give direction to staff on continuing with the proposed format. Specific agricultural definitions will continue to be revised throughout the update.

OTHER AGENCY INVOLVEMENT

The revision of the zoning regulations for the agricultural zones has not yet been reviewed by any of the citizens' advisory committees. The committees will be asked for their comments following this Planning Commission workshop, after staff has incorporated any recommendations from the Planning Commission. The Ag Working Group reviewed a draft at its October 22, 2010, meeting. With only a few members present, suggestions were made to include more definitions to help clarify allowed uses.

ATTACHMENTS

A: Draft Zoning Regulations for the Agricultural Zones (Article 3 of Chapter 2, Title 8 of the County Code)

**Title 8 LAND DEVELOPMENT
YOLO COUNTY CODE**

CHAPTER 2: ZONING REGULATIONS

Article 3: Agricultural Zones

Sec. 8-2.301. Purpose

The purpose of the Agricultural Zones shall be to provide for land uses that support and enhance agriculture as the predominant land use in the unincorporated area of the county. Such uses shall be compatible with agriculture, and may include uses that support open space, natural resource management, outdoor recreation, and enjoyment of scenic beauty.

Sec. 8-2.302. Agricultural Use Types Defined

As required by Sec. 8-2.225 in Article 2 of this Chapter, a Use Classification System has been employed to identify agricultural Use Types. The most prevalent Use Types identified for each agricultural zone district are "principal" uses allowed by right, as well as "accessory" or "ancillary" uses, and conditional uses permitted through the issuance of a Use Permit. The agricultural Use Types include the full range of cultivated agriculture, such as the on-site production of plant and animal products by agricultural methods, as well as agricultural commercial uses, agricultural industrial uses, and agricultural residential uses, serving the rural areas. The descriptions of the Use Types in this chapter also contain individual specific uses that are classified within the Use Type. These specific typical uses are examples and are not meant to include all uses that may properly be classified within the Use Type.

(a) Agricultural Production Uses

This is the main Use Type for the agricultural zones and includes a wide range of agricultural land uses and operations to be used for the production of food and fiber. Typical uses include row crops, orchards, vineyards, dry land farming, livestock grazing, and other uses that are allowed uses, which do not require the application of any development or performance standards.

(b) Agricultural Accessory Uses and Structures

This Use Type includes accessory agricultural uses that are incidental or subordinate to the principal agricultural use of the property. Accessory uses include buildings or structures for the purposes of supply of goods, materials, or services that support agricultural uses. Accessory structures include barns, silos, farm offices, greenhouses, ancillary (second) housing units, farm labor or farm worker housing, private garages, work shops, storage buildings, sheds, pools, spas, cabanas, artist studios, arbors, and patio covers. Accessory structures are defined and regulated, by zone district, in Article 12 of this Chapter.

(c) Agricultural Processing Uses

This Use Type includes processing or packaging of harvested crops grown or produced primarily on the premises or in the local area, whether or not value is added, for the onsite preparation of market or for further processing and packaging elsewhere. These uses include, but are not limited to: alfalfa and hay cubing; corn shelling; drying of corn, rice, hay, fruits and vegetables; pre-cooling and packaging of fresh or farm-dried fruits and vegetables; grain cleaning and custom grinding; custom grist mills; custom milling of flour, feed and grain; sorting, grading and packing of fruits and vegetables; canning, freezing, or preserving fruits and vegetables; tree nut hulling and shelling; and alcohol fuel production. These uses do not include rendering, tanning, or reduction of meat.

(d) Animal Facilities and Animal Keeping Uses

This Use Type includes a wide array of activities including animal feedlots, dairies, fowl and poultry ranches, hog farms, veterinary facilities, private stables, apiaries and aviaries, aquaculture, kennels and animal shelters, as well as the keeping of farm animals and household pets.

(e) Agricultural Commercial Uses including Agri-Tourism and Services

This Use Type includes commercial uses incidental to the agricultural or horticultural operations of the area that preserve the rural lifestyle and stimulate the agricultural economy, such as wineries, commercial horse stables, "Yolo Stores," and farm-based tourism (i.e., working farms or ranches), which educate or entertain visitors, guests or clients, and generate income for the owner/operator. This includes using the land for special events, festivals, lodging, horseshows, crop-based seasonal events, ancillary restaurants, educational experiences, agricultural technical tours, garden/nursery tours, historical agricultural exhibits, ranch/farm tours, and winery/vineyard tours.

(f) Agricultural Industrial and Research Uses

This Use Type includes industrial or scientific uses subordinate to, and in support of agriculture, which may include product processing plants that provide regional serving opportunities, and agriculturally based laboratories or facilities for the production or research of food, fiber, animal husbandry or medicine, and may include administrative office space in support of the operation. Uses related to the agricultural industry may require more intensive methods such as warehousing, transportation facilities, crop dusting, agricultural chemical and equipment sales, and other agricultural related industries, which present more noise, odor, and traffic than general agricultural practices. Such uses may be applied to lands not suitable for intensive agriculture due to soil quality, topography, or water availability.

(g) Resource Extraction and Utilities Uses

This Use Type includes mineral extraction, wind and solar power, gas and oil wells, electrical utilities and yards, and wireless communication towers.

(h) Rural Recreation Uses

This Use Type includes commercial or non-commercial operations related to outdoor sporting or leisure activities that require large open space areas which do not have any detrimental impact on adjacent agricultural lands. Typical uses include, but may not be limited to, skeet and trap shooting; archery; hunting clubs; fishing; horseback riding and dude ranches; sport parachuting; picnicking; off-road vehicle courses; viewing natural or scenic areas; health resorts; rafting, hiking, backpacking, and bicycling touring; and camping.

Sec. 8-2.303. Agricultural Zones and Allowable Land Uses

Agricultural land is separated into five zoning districts, with specific Uses Types, minimum lot area, and other requirements, as described below.

(a) Agricultural Intensive (A-N) Zone

The Agricultural Intensive (A-N) Zone is applied to preserve lands best suited for intensive agricultural uses typically dependent on higher quality soils, water availability, and relatively flat topography. The purpose of the zone is to promote those uses, while preventing the encroachment of nonagricultural uses. Uses in the A-N Zone are primarily limited to intensive agricultural production and other activities compatible with agricultural uses. This includes allowing agriculturally-related support uses, excluding incompatible uses, and protecting the viability of the family farm. Minimum lot size for newly created parcels in the A-N Zone is 40 acres for irrigated parcels primarily planted in permanent crops; 80 acres for irrigated parcels that are cultivated; 160 acres for parcels that are uncultivated.

(b) Agricultural Extensive (A-X) Zone

The Agricultural Extensive (A-X) Zone is applied to protect and preserve lands that are typically less dependent on high soil quality and available water for irrigation. Such lands require considerably larger parcel sizes to allow extensive agricultural activities such as livestock and ranching operations, and dry land farming. These lands may also be used for open space functions that are often connected with foothill and wetlands locations, such as grazing and pasture land, and wildlife habitat and recreational areas. Minimum lot size for newly created parcels in the A-X Zone is 160 acres for dry land farming and 320 acres for rangeland.

(c) Agricultural Commercial (AGC) Zone

The Agricultural Commercial (AGC) Zone is applied to existing and planned small commercial uses in the agricultural areas. The commercial activities must be incidental to the primary agricultural use of the area. Minimum parcel size in the AGC Zone shall be determined by the existing or proposed use.

(d) Agricultural Industrial (AGI) Zone

The Agricultural Industrial (AGI) Zone is applied to land in the rural areas for more intensive processing and industrial-type uses, which are directly related to the local

agricultural industry. Minimum parcel size in the AGI Zone shall be adequate enough to support the use, normally a minimum of five (5) acres.

(e) Agricultural Residential (AG-R) Zone

The Agricultural Residential (AG-R) Zone shall be applied only to those lots created through a subdivision approved under the Clustered Agricultural Housing Ordinance. Minimum parcel size in the AG-R Zone shall be as approved. Maximum parcel size shall be 4 acres.

(f) Overlay Zones

In addition to the five zones identified above, there are ____ overlay zones that may be combined with the underlying agricultural zone districts. The overlay districts are described in Article 4 (Special Agricultural Regulations) and Article 8 (Overlay Combining Districts).

Sec. 8-2.304. Definitions

Agricultural Building or Structure

An uninhabited building or structure used to shelter farm animals, farm implements, supplies, products and/or equipment; and that contains no residential use, is not open to the public, and is incidental and accessory to the principal use of the premise. An agricultural building may contain processing activities as a direct result of the farming operation of the premises. (§ 2, Ord. 1244, eff. February 3, 2000)

Agricultural homestay or Farmstay

A form of agricultural tourism where a farmer hosts tourists at his/her farm to familiarize the visitors with the daily activities associated with farming.

Agricultural labor camp

Any living quarters, dwelling, boardinghouse, tent, bunkhouse, mobile home, or other housing accommodation maintained in connection with any work or place where work is being performed and the premises upon which such accommodations are situated, and/or the areas set aside and provided for the camping of six (6) or more employees by a labor contractor. "Labor camp" shall also mean a labor supply camp. "Labor supply camp" shall mean any place, area, or piece of land where a person engages in the business of providing sleeping places or camping grounds for five (5) or more employees or prospective employees of another. (§ 3.055, Ord. 488, as amended by § 2, Ord. 1244, eff. February 3, 2000)

Agricultural Processing Facility

A fixed establishment performing any processing or packaging of crops after harvest, whether or not value is added, for the onsite preparation of market or for further processing and packaging elsewhere, including but not limited to: alfalfa and hay cubing; corn shelling; drying of corn, rice, hay, fruits and vegetables; pre-cooling and packaging of fresh or farm-dried fruits and vegetables; grain cleaning and custom grinding; custom grist mills; custom milling of flour, feed and grain; sorting, grading and packing of fruits and vegetables; canning, freezing, or preserving fruits and vegetables; tree nut hulling and shelling; and alcohol fuel production. Does not include animal processing or "wineries" which are defined separately.

Agriculture

The use of land for the raising of crops, trees or animals, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, apiaries, and animal and poultry husbandry, and the necessary accessory uses thereto; provided, however, the operation of any such accessory uses shall be secondary to that of the normal agricultural activities. For the purposes of this section, "accessory use" shall mean supply, service, storage, and processing areas and facilities for any other agricultural land. The uses set forth in this section shall not include stockyards, slaughterhouses, hog farms, fertilizer works, or plants for the reduction of animal matter. (§ 3.006, Ord. 488, as amended by § 2, Ord. 1244, eff. February 3, 2000)

Ancillary Dwelling

A structure designed, intended, or used for residential purposes, as elsewhere provided for herein, and including "Granny Units," and be located appurtenant to, clustered with, and on the same parcel as the main residential facilities. It shall not include labor camps. (§ 2, Ord. 1244, eff. February 3, 2000)

Animal processing

The slaughtering and processing of animals for commercial purposes, including rendering plants.

Animal hospital

A building wherein the care and treatment of sick or injured dogs, cats, rabbits, birds, and similar small animals are performed.

Animal keeping

The keeping, feeding or raising of animals as a commercial agricultural venture, avocation, hobby or school project, either as a principal land use or subordinate to a residential use. Includes the keeping of common farm animals, small-animal specialties, bee farms, aviaries, worm farms, household pets, etc.

Bed and Breakfast (B&B)

Temporary, night-to-night lodging provided for paying guests in a dwelling, including accessory structures, containing a residential living unit, which serves as a residence. Rooms shall be located in the main residence, with access to each bedroom provided from within the residence, or exterior courtyard or patio. (§ 2, Ord. 1244, eff. February 3, 2000)

Campground

Land or premises which is used, or intended to be used, let, or rented for transient occupancy by persons traveling by automobile or otherwise, or by transient persons using tents, recreational vehicles, or similar quarters.

Caretaker units

A permanent residence, secondary and accessory to an existing main dwelling, for persons employed principally onsite for purposes of care and protection of persons, property, plants, animals, equipment, or other circumstances.

Composting facility

A commercial/industrial facility where organic matter is transformed into soil or fertilizer by biological decomposition. Composting activities accessory to an onsite residential or agricultural use are excluded from this definition.

Conservation easement

A nonpossessory interest in real property imposing limitations or affirmative obligations, the purpose of which includes retaining or protecting natural, scenic, or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; or maintaining air or water quality.

Cultivation

The growing and harvesting of agricultural produce for food and fiber. Crop cultivation includes farms, orchards, groves, greenhouses, and wholesale nurseries primarily engaged in growing crops, plants, vines, or trees and their seeds.

Dairy

A department, establishment, or facility concerned with the business of production of milk, butter, or cheese, including the sale or distribution of milk and milk products, from animals. The feeding and care for dairy stock may be by feed lot, pasture or grazing, or any combination thereof, as elsewhere provided for herein.

(§2, Ord. 1244, eff. February 3, 2000)

Dry land farming

The practice of crop production without irrigation. (§ 2, Ord. 1244, eff. February 3, 2000)

Farm dwelling

A dwelling for permanent year-round residents of a farm, such as the owner, lessee, foreman, or others whose principal employment is the operation of the farm. (§ 3.039, Ord. 488)

Farm office

A private administrative office within an enclosed building for the purpose of running a farming operation. (§ 2, Ord. 1244, eff. February 3, 2000)

Feed lot or animal feed yard

(a) "Feed lot" shall mean any premises used principally for the raising or keeping of animals in a concentration of more than 1,000 animal units in a confined feeding area.

(b) "Confined feeding area" shall mean any livestock feeding, handling, or holding operation or feed yard where animals are concentrated in an area:

(1) Which is not normally used for pasture or for growing crops and in which animal wastes may accumulate; or

(2) Where the space per animal unit is less than 600 square feet; or

(3) Dry Lot Feeding, where animals are confined in an enclosed area, and fed carefully mixed, high concentrate feed.

(c) "Feed lot" is not intended to otherwise preclude the raising of animals as part of a general farming and/or livestock operation or as an FFA, 4-H, or other student project in an agricultural zone.

(d) "General farming and/or livestock operation" shall mean one in which the confined feeding of animals is an incidental part of, or complimentary to the total livestock

operation. (§3.041, Ord. 488, amended by § 1, Ord. 488.159, eff. July 18, 1973, as amended by § 2, Ord. 1244, eff, February 3, 2000)

Grazing

The keeping of cattle, sheep, or other similar animals on fields for the purpose of grazing and feeding.

Greenhouse

An agricultural structure, or residential accessory structure, with transparent or translucent roof and/or wall panels intended for the raising of plants. (§ 2, Ord. 1244, eff. February 3, 2000)

Hog farm

Any premises used exclusively for the raising or keeping of three (3) or more hogs raised, fed, or fattened for the purposes of sale and consumption by other than the owner of the site. The term "hog farm" is not intended to otherwise preclude the raising of hogs as part of a general farming operation or as an F.F.A., 4-H, or other student project in an agricultural zone. (§ 3.049, Ord. 488)

Kennel

Any enclosure, premises, building, structure, lot or area, except where reasonably necessary to support an agricultural use (i.e., to contain herding dogs), where five (5) or more dogs or other small domestic animals, as defined in Title 8, which are not sick or injured and are ten (10) weeks in age or older are boarded for compensation, cared for, trained for compensation, kept for sale, or bred for sale, or ten (10) or more dogs or other small domestic animals that are ten (10) weeks of age or older which are kept and maintained as pets, "rescue" animals, or for any other non commercial purpose (Also see "Animal hospital," Section 8-2.210 of this article.)

Lodge

A residential structure with rooms for rent or hire, a common lobby, facilities which may include a restaurant, restaurant with bar, indoor hall, open courtyard areas, reception and assembly area; with access to each guest's bedroom through the common lobby or courtyard; and may include accessory commercial uses incidental to the principal use of the premise. (§ 2, Ord. 1244, eff. February 3, 2000)

Mining

Resource extraction establishments primarily engaged in mining, developing mines or exploring for minerals, or surface mines extracting crushed and broken stone, dimension stone or sand and gravel.

Minor co-generation facility

A facility which does not involve the generation of more than 500 kilowatts of electricity per day and does not create secondary uses on the site. (§ 2, Ord. 1244, Eff. February 3, 2000)

Nursery

Commercial agricultural establishments engaged in the production of agricultural and ornamental plants and other nursery products, grown under cover or outdoors. A Nursery can be wholesale, and retail incidental to agriculture, or a combination of both. (§ 2, Ord. 1244, Eff. February 3, 2000)

Off-Road Vehicle Courses

Rural areas set aside for the use of off-road vehicle enthusiasts including dirt bike, enduro, hill climbing, or other off-road motorcycle courses; also, rural areas for competitive events utilizing four-wheel drive vehicles. Does not include sports assembly facilities, or simple access roads which are usable by only four-wheel drive vehicles.

Oil and gas well drilling operation

Resource extraction establishments primarily engaged in recovering oil from oil sands and shales and producing natural gasoline and cycle condensate. Activities include exploration, drilling, oil and gas well operation and maintenance, operation of natural gas and cycle plants, the mining and extraction of oil from oil sand and shales, and on-site processing only to the extent necessary to permit extraction.

Open Space

Land subject to valid restrictions against housing or other urban development, the maintenance of which in its natural or protected states is necessary for the enhancement of living conditions in Yolo County. (§ 2, Ord. 1244, eff. February 3, 2000)

Pasturage

Primary dwelling

A structure designed, intended, and used for residential purposes, as elsewhere provided for herein. It shall not include Ancillary Dwelling; Secondary Dwelling; Guest House; or Living Quarters. (§ 3.086, Ord. 488, as amended by § 2, Ord. 1244, eff. February 3, 2000)

Quasi-public use

A use operated by a private nonprofit educational, religious, recreational, charitable, fraternal, or medical institution, association, or organization, such use having the purpose primarily of serving the general public, and including, but not limited to, such uses as churches, private schools, universities, community youth and senior citizen recreational facilities, meeting halls, private hospitals, and similar uses.

Roadside stand

A structure for the display and sale of agricultural products. (§ 3.095, Ord. 488, as amended by § 1, Ord. 488.182, eff. June 6, 1985, and § 1, Ord. 1010, eff. August 8, 1985)

Rural Recreation

Outdoor sporting or leisure activities that require large open space areas and do not have any significant detrimental impact on agricultural use of lands that are in the general vicinity of the rural recreation activity. Rural recreation activities shall include, but are not limited to: the shooting of skeet, trap, and sporting clays; archery; gun, hunting, or fishing, clubs; sport parachuting; riding; dude ranches; picnicking; nature study; viewing or enjoying historical, archaeological, scenic, natural or scientific sites; health resorts, rafting, hiking, backpacking, bicycling, or touring excursions; or camping. Rural Recreation shall also include commercial or non-commercial operations related to any outdoor sporting and leisure activities within the meaning of Rural Recreation as defined. (§ 2, Ord. 1244, eff. February 3, 2000, as amended by § 8, Ord. 1250, eff. August 24, 2000)

Setback

A minimum distance required by this chapter to be maintained between structures or between structures and property lines.

Site Plan

A "Site Plan" shall consist of at least the following: A legible drawing, to scale, with north arrow; property lines; easements; acreage; draining directions; existing and proposed, uses, structures and improvements; and current ownership and surrounding ownerships. (~~§ 3.100, Ord. 488, as amended by § 13, Ord. 652, eff. May 5, 1971, and amended by § 2, Ord. 1244, eff. February 3, 2000~~)

Site Plan Review

"Site Plan Review" shall consist of review by the appropriate authority for the purposes of determining if the applied for use is consistent with applicable codes and standards sufficient to be approved or referred for Minor or Major Conditional Use Permit approval. (§ 3.101, Ord. 488, as amended by § 14, Ord. 652, eff. May 5, 1971, and § 2, Ord. 1244, eff. February 3, 2000)

Slaughterhouse

Stable, private

Those facilities used for the shelter, breeding, and/or training of horses and similar equine animals for the use of the residents and their guests. Private stables may include the boarding of fifteen (15) or fewer equine animals that are not owned or leased pursuant to a written agreement, by either the property owner or resident. No more than six (6) shows, exhibitions, or other public/quasi-public events may be held per year. For the purposes of this section, a public/quasi-public event is defined as a gathering where an admission fee is charged, and/or where food and drink are sold onsite. Private stables holding public/quasi-public events shall require approval of a site plan review. Private stables that hold more than six (6) such events per year shall be considered a commercial stable, regardless of the number of horses boarded. (§ 3.104, Ord. 488, as amended by §2, Ord. 1212, eff. October 23, 1997)

Stable, commercial

A stable, other than a private stable, where sixteen (16) or more equine animals are boarded, that are not owned or leased pursuant to a written agreement, by either the property owner or resident. Commercial stables may include the retail or wholesale sales of tack, feed, and other equestrian products. Such sales shall be incidental to the operation of the stable. Shows, exhibitions, or other public/quasi events related to equine animals may be included as a part of the commercial stable. (§ 3.105, Ord. 488, as amended by §3, Ord. 1212, eff. October 23, 1997)

Stockyard

Tourism

That industry which promotes and accommodates the recreational touring, sight-seeking, leisure travel, and sojourns by individuals and groups within Yolo County, including eco-tourism and agri-tourism. (§ 3.116, Ord. 488, as amended by § 2, Ord. 1244, eff. February 3, 2000)

Use Permit, Major

A Conditional Use Permit, issued by the Planning Commission or Board of Supervisors. The review process shall include at least one public hearing, incorporating Site Plan, General Plan, Zoning, and environmental review. A Minor Use Permit may subsequently be issued where, in the opinion of the Zoning Administrator, requested modifications or changed uses to a previously issued Major Use Permit, are not significant, or are covered elsewhere herein.

(§ 2, Ord. 1244, eff. February 3, 2000)

Use Permit, Minor

A Conditional Use Permit, issued by the Zoning Administrator, Planning Director, or Director of Planning and Public Works, or his or her designee. The review process shall include at least one public hearing, incorporating Site Plan, General Plan, Zoning, and environmental review. (§ 2, Ord. 1244, eff. February 3, 2000)

Wetlands

The area and the plant communities that include fresh and salt water marshes, generally found in area of shallow, standing, or sluggishly moving water.

Wind energy conversion systems

A wind driven machine that converts wind energy into electrical power for the primary purpose of: (a) resale or off-site use, or (b) onsite use and not for resale.

Winery

A building, or portion thereof, used for the crushing of grapes, the fermenting and/or processing of grape juice, the aging, processing, storage, and bottling of wine, or the warehousing and shipping of wine. It shall also include accessory uses, such as: related office, laboratory, wholesale, and retail sales activities and wine tasting and winery tours. (§6, Ord. 1234, effective May 6, 1999)

Yolo Store

"Yolo Store" shall be a structure, wherein the majority of the items offered for sale are primarily grown or manufactured in Yolo County (e.g., out-of-county bottled wines, but made from Yolo grapes, or locally grown nursery products, etc.). (§ 2, Ord. 1244, eff. February 3, 2000)

Sec. 8-2.305. Table of Allowed and Conditional Agricultural Land Uses

The following Table 8-2.1 identifies the Use Types, as well as specific use examples, that are allowed by right, by non-discretionary Site Plan Review, by conditional Use Permit, or uses that are not allowed, in each of the agricultural zones.

Table 8-2.1

ALLOWED LAND USES AND PERMIT REQUIREMENTS FOR AGRICULTURAL ZONES

Key:

A = Allowed use, subject to zoning clearance***

SP = Site Plan Review

UP (m) = Minor Use Permit required

UP (M) = Major Use Permit required

N = Use Not Allowed

LAND USE TYPES/ Specific Uses	Land Use Permit Required by Zone					Specific Use Requirements or Performance Standards
	A-N	A-X	AGC	AGI	AG-R	

AGRICULTURAL PRODUCTION USES

	A-N	A-X	AGC	AGI	AG-R	
Crop production, orchards and vineyards	A	A	A	A	N	
Pasture, dry land farming, grazing	A	A	A	A	N	

AGRICULTURAL ACCESSORY USES AND STRUCTURES¹

	A-N	A-X	AGC	AGI	AG-R	
Barns and storage sheds, coolers and cold storage houses, dehydrators, grain elevators, hullers, silos	A	A	A	A	N	8-2.3404
Farm offices	A	A	A	A	A	8-2.3404
Greenhouses, commercial, up to 100,000 sq. ft.	A	A	A	A	N	8-2.3404
Greenhouses, commercial, over 100,000 sq. ft.	SP	SP	SP	A	N	Lighting may not impact adjoining parcels or public right-of-way
Gardening sheds, residential greenhouses	A	A	A	A	A	8-2.3404
Other accessory structures	A	A	A	A	A	8-2.3404
Privately-owned reservoirs or water retention basins, with associated on-site water transmission facilities ²	A	A	A	A	N	

LAND USE TYPES/ Specific Uses	Land Use Permit Required by Zone					Specific Use Requirements or Performance Standards
	A-N	A-X	AGC	AGI	AG-R	

AGRICULTURAL PROCESSING USES ³

	A-N	A-X	AGC	AGI	AG-R	
Alfalfa cubing, hay baling and cubing	A	A	A	A	N	
Custom canning, freezing, or preserving fruits and vegetables; pre-cooling and packaging of fresh or farm-dried fruits and vegetables; sorting, grading and packing of fruits and vegetables	A	A	A	A	N	
Corn shelling; drying of corn, rice, hay, fruits and vegetables	A	A	A	A	N	
Grain cleaning and custom grinding; custom grist mills; custom milling of flour, feed and grain	A	A	A	A	N	
Hay sales and distribution	SP	SP	SP	A	N	
Tree nut hulling and shelling	A	A	A	A	N	
Forestry	A	A	N	A	N	

LAND USE TYPES/ Specific Uses	Land Use Permit Required by Zone					Specific Use Requirements or Performance Standards
	A-N	A-X	AGC	AGI	AG-R	

ANIMAL FACILITIES AND ANIMAL KEEPING USES

	A-N	A-X	AGC	AGI	AG-R	
Keeping farm animals ⁴	A	A	A	A	N	Grazing and pasturing allowed as agricultural production uses
Animal feedlots, more than 1,000 animals in confined feeding area	UP(M)	UP(M)	N	UP(m)	N	
Stockyards	UP(m)	UP(m)	N	SP	N	
Dairies	UP(M)	UP(M)	N	UP(m)	N	
Fowl and poultry ranches	UP(m)	UP(m)	N	SP	N	
Hog farms or ranches, i.e., hogs raised for commercial purposes	UP(m)	UP(m)	N	SP	N	Does not apply to general raising of animals, FFA, 4H, or other student project

Small-animal specialties such as rabbit farms or other fur-bearing animals	SP	SP	UP(m)	SP	N	
Apiaries and aviaries	A	A	A	A	N	
Aquaculture	UP(m)	UP(m)	SP	SP	N	
Animal hospitals & veterinary medical facilities	UP(m)	UP(m)	UP(M)	SP	N	Not allowed on contracted land
Household pets & rescue, under 10 dogs or other small domesticated animal ⁴	A	A	A	A	A	Use Permit required for keeping 10 or more animals
Kennels & animal shelters, 5 or more dogs or other small domesticated animal	UP(m)	UP(m)	UP(M)	SP	N	Kennels are prohibited on contracted land
Petting zoos	UP(m)	UP(m)	SP	SP	N	
Private stables ⁵ , 15 or less boarded horses	A	A	SP	SP	N	
Private stable with six events per year ⁵	SP	SP	SP	SP	N	

LAND USE TYPES/ Specific Uses	Land Use Permit Required by Zone					Specific Use Requirements or Performance Standards
	A-N	A-X	AGC	AGI	AG-R	

AGRICULTURAL COMMERCIAL USES INCLUDING AGRI-TOURISM AND SERVICES

	A-N	A-X	AGC	AGI	AG-R	
Auction yards, outdoor sales	UP(M)	UP(M)	UP(m)	SP	N	Must be enclosed by an approved screen fence
Christmas trees and pumpkin patches	SP	SP	SP	SP	N	
Nurseries ⁶	UP(m)	UP(m)	SP	SP	N	
Roadside stands	SP	SP	SP	SP	N	Must be at least 30 feet from edge of right-of-way and provide for adequate ingress and egress Sec. 8-2.3404(b)(1)
Yolo Stores ⁶	UP(m)	UP(m)	SP	UP(m)	N	Majority of goods for sale must be grown and/or manufactured in Yolo County
Olive oil operations, including tastings & sales ⁶	UP(m)	UP(m)	SP	SP	N	
Large winery, with tasting room	UP(M)	UP(M)	UP(m)	SP	N	More than 21,000 cases per year

Small winery, with tasting room	UP(m)	UP(m)	SP	SP	N	21,000 cases or less and more than 7,500 cases per year
Winery (for processing only)	UP(m)	UP(m)	UP(m)	SP	N	Site Plan Review if producing less than 7,500 cases per year
	A-N	A-X	AGC	AGI	AG-R	
Special events, with permanent facilities ^{5,6} (i.e., weddings, wine tastings, seasonal festivals)	UP(m)	UP(m)	SP	SP	N	
Special events, without facilities ⁷ (i.e., no public use of structures)	SP	SP	SP	SP	N	
Commercial stables ^{5,6} , 16 or more boarded horses and/or more than 6 events per year	UP(m)	UP(m)	SP	SP	N	
Bed & Breakfast, up to 10 rooms	SP	SP	SP	N	N	
Agricultural homestays	SP	SP	SP	N	N	
Hotels & motels	N	N	N	N	N	
Lodges	UP(m)	UP(m)	SP	N	N	
Restaurants, appurtenant to agriculture	UP(M)	UP(M)	SP	SP	N	Must be appurtenant to the primary agricultural use of the area
Gas & service stations	N	N	N	N	N	
Junk yards	N	N	N	N	N	
Medical marijuana dispensaries	N	N	N	N	N	
Recreational vehicle parks	N	N	N	N	N	

LAND USE TYPES/ Specific Uses	Land Use Permit Required by Zone					Specific Use Requirements or Performance Standards
	A-N	A-X	AGC	AGI	AG-R	

AGRICULTURAL INDUSTRIAL AND RESEARCH USES

	A-N	A-X	AGC	AGI	AG-R	
Alcohol fuel production; biomass fuel manufacture	UP(m)	UP(m)	N	SP	N	
Agricultural chemical sales & storage; fertilizer works	UP(m)	UP(m)	UP(M)	SP	N	
Agricultural equipment sales & repair	UP(M)	UP(M)	UP(m)	SP	N	
Agricultural & seed research facilities	UP(m)	UP(m)	N	SP	N	
Agricultural warehousing	UP(m)	UP(m)	N	SP	N	
Canneries, industrial	UP(m)	UP(m)	N	SP	N	

Regional hulling; rice mills; other regional processing facilities	UP(m)	UP(m)	N	SP	N	
Composting, green waste facility	UP(M)	UP(M)	N	UP(m)	N	
Construction yards	N	N	N	N	N	
Crop dusting	UP(m)	UP(m)	N	SP	N	
Airports and heliports, private	UP(m)	UP(m)	UP(M)	SP	N	
Airports and heliports, public	UP(M)	UP(M)	N	UP(m)	N	
Explosive handling	N	N	N	UP(m)	N	
	A-N	A-X	AGC	AGI	AG-R	
Sewage treatment plant & disposal area	N	N	N	UP(m)	N	
Slaughterhouses	UP(M)	UP(M)	N	UP(m)	N	

LAND USE TYPES/ Specific Uses	Land Use Permit Required by Zone					Specific Use Requirements or Performance Standards
	A-N	A-X	AGC	AGI	AG-R	

RESIDENTIAL and OTHER USES

	A-N	A-X	AGC	AGI	AG-R	
Primary dwelling, if over 20 acres	A	A	N	N	A	Use Permit required if under 20 acres Sec. 8-2.306
Ancillary (second) dwelling, if 20 acres or more	SP	SP	N	N	N	Limited to 2,000 square feet of living space Sec. 8-2.306, Sec. 8-2.404 and 8-2.3404
Caretaker residence or group home	SP	SP	SP	SP	N	Requires Use Permit if 2 homes already exist Sec. 8-2.306 and 8-2.3404
Farm worker housing, up to 20 housing units or accommodations for up to 20 employees	UP(m)	UP(m)	N	UP(m)	N	
Residential care home, large	UP(m)	UP(m)	N	N	UP(m)	Not allowed on contracted land. Must benefit from the agricultural use of the area
Residential care home, small, up to 6 beds	A	A	N	N	A	
Day care center	N	N	N	N	N	
Large family day care, 7-14 children	N	N	N	N	UP(m)	
Small family day care, up to 8 children	A	A	N	N	A	
Garages, private use	A	A	A	A	A	Sec. 8-2.3404

Accessory (second) kitchen	SP	SP	N	N	SP	Sec. 8-2.3404
Vehicle storage, personal use only	SP	SP	N	N	N	Commercial storage uses not allowed
Home occupations	SP	SP	N	N	A	Sec. 8-2.307(a)
Pool houses (cabanas), artist studios	SP	SP	N	N	SP	Sec. 8-2.3404
Adult entertainment	N	N	N	N	N	
Emergency shelters	N	N	N	N	N	
Mobile Home Parks	N	N	N	N	N	
Parks	N	N	N	N	N	Must be zoned PR.
Golf courses and country clubs	N	N	N	N	N	Must be zoned PR
Hospitals	N	N	N	N	N	
Cemeteries, crematoriums, mausoleums, etc.	N	N	N	N	N	Must be zoned PQP
Private schools, churches, non-profit organizations, fraternal organizations	UP(M)	UP(M)	N	N	N	Not allowed on contracted land. Use must demonstrate a benefit from agricultural setting; otherwise, must be zoned PQP.

LAND USE TYPES/ Specific Uses	Land Use Permit Required by Zone					Specific Use Requirements or Performance Standards
	A-N	A-X	AGC	AGI	AG-R	

RESOURCE EXTRACTION AND UTILITIES USES

	A-N	A-X	AGC	AGI	AG-R	
Electrical distribution and transmission substations; communication equipment buildings; public utility service yards	UP(m)	UP(m)	N	SP	N	
Commercial power generation facilities, including solar and large wind energy	UP(M)	UP(M)	N	UP(m)	N	Sec. 8-2.2418
Small wind energy system for onsite use	SP	SP	SP	SP	SP	Sec. 8-2.2418
Private solar energy system, onsite use only	SP	SP	SP	SP	SP	Sec. 8-2.3404
Co-generation facilities	UP(m)	UP(m)	UP(M)	SP	N	Must be located so as to preserve land in agricultural production
Surface mining ⁸	UP(M)	UP(M)	N	SP	N	
Oil and gas well drilling operations	SP	SP	N	UP(m)	N	Sec. 8-2.307(b)
Wireless communication facilities	UP(M)	UP(M)	UP(M)	UP(M)	N	Sec. 8-2.307(c)

Commercial compost facility	UP(M)	UP(M)	UP(M)	SP	N	
Water pumping or other conversion of wind or solar energy to mechanical or thermal power used on-site	UP(m)	UP(m)	UP(M)	SP	N	

LAND USE TYPES/ Specific Uses	Land Use Permit Required by Zone					Specific Use Requirements or Performance Standards
	A-N	A-X	AGC	AGI	AG-R	

RURAL RECREATION USES

	A-N	A-X	AGC	AGI	AG-R	
Camping, with permanent facilities ⁹	UP(m)	UP(m)	UP(M)	N	N	
Camping, without permanent facilities	SP	SP	N	N	N	
Fisheries and game preserves with permanent structures; hunting, gun and fishing clubs ⁸	UP(m)	UP(m)	N	SP	N	
Off-road vehicle courses	UP(M)	UP(M)	N	SP	N	
Pools, ponds, or lakes used for commercial swimming or boating purposes	UP(M)	UP(M)	UP(m)	N	N	
Health resorts, spas	UP(M)	UP(M)	UP(m)	N	N	
Sport shooting facilities, including archery	UP(M)	UP(M)	N	SP	N	

*****An allowed use does not require a land use permit, but is still subject to requirements and permits designated by other Yolo County divisions such as Building, Environmental Health, and Public Works.**

- (1) A Site Plan Review shall be required in the A-N and A-X Zones if the building and/or use area exceeds 100,000 square feet.
- (2) Privately-owned reservoirs and/or water retention basins, with associated on-site water transmission facilities, are allowed as accessory uses in the Agricultural Zones, provided that such reservoir or retention facility is found to have a potential either to provide flood control, fire suppression, water supply, wildlife habitat improvement, groundwater recharge, or tailwater enhancement.
- (3) Regionally serving agricultural operations, including processing facilities, may require Site Plan Review or a Use Permit, at the Planning Director's discretion. Agricultural processing facilities and uses shall require a Minor Use Permit in the A-N and A-X Zones if the operations exceed 100,000 square feet of use area and/or 75 truck trips are generated per day.
- (4) The keeping, care or sheltering of animals, which requires a permit from the Department of Fish and Game pursuant to the Fish and Game Code, shall require a Minor Use Permit.
- (5) Any structures used by the public, i.e., barns, indoor riding arenas, etc., are required to be fully permitted, and shall be classified with respect to the occupancy group and the listed use, as determined by the Chief Building Official. Agriculturally exempt structures shall not be used by the public.
- (6) All contracted land in the A-N and A-X Zones shall require a Major Use Permit for commercial uses directly related to agri-tourism. Such uses shall be appurtenant to and incidental to agriculture, or directly dependent upon a unique natural resource or feature.

- (7) A Minor Use Permit is required in the A-N and A-X Zones if the special events occur more than four times per month, trigger more than 100 vehicle trips per event, include structures used by the public, or are determined to be conditional uses by the Director of Planning and Public Works.
- (8) Surface mining operations require approval of a Special Sand and Gravel Combining Zone pursuant to Article 23.1 of this Chapter. Surface mining operations may be allowed only when located within the Off-Channel Mining Plan area and/or when necessary for agriculture. Such use may include processing plants, batch plants, offices, equipment storage yards, and other facilities appurtenant to the surface mining operations.
- (9) All contracted land in the A-N and A-X Zones shall require a Major Use Permit for rural recreational uses with permanent facilities. Such uses shall be found to meet the following:
 - 1. The use will not substantially modify the land's natural characteristics or change them beyond those modifications already related to current or previous agricultural uses;
 - 2. The use will not require permanent cessation of agriculture on the subject lands or preclude conversion back to agriculture if desirable in the future; and
 - 3. The use will not be detrimental to surrounding agricultural uses in the area.

Sec. 8-2.306. Table of Development Requirements

The following Table 8-2.2 identifies the development requirements, including minimum parcel sizes, setbacks, and other standards that allowed and permitted uses in the agricultural zones must meet as a standard or condition of any issued building permit, Site Plan Review, or Use Permit.

Table 8-2.2
Development Requirements in
Agricultural Zones

AG ZONE	Minimum Lot Area (acres)	Front Yard Setback (feet)	Rear Yard Setback ² (feet)	Side Yard Setback ² (feet)	Height Restriction (feet)	Building Separation (feet)	Building Size (square feet)	Density (dwellings per acre)
A-N	40 acres, if irrigated and in permanent crops; 80 acres, if irrigated and cultivated; 160 acres, if uncultivated	20 feet from property line, or 50 feet from centerline of roadway, whichever is greater ¹ .	25 feet from property line	20 feet from property line	35 feet for residential uses; unrestricted for agricultural uses, except where required for conditional uses	250 feet max between dwellings; 20 feet between dwellings and agricultural structures; distance between accessory structures as per Uniform Building and Fire Codes.	No limit on primary dwelling; ancillary dwelling no greater than 2,000 square feet of living space.	One primary dwelling on parcels 20 acres or more, plus one ancillary (second) dwelling ^{3,4}
A-X	160 acres, if dry land farmed; 320 acres, if rangeland	20 feet from property line, or 50 feet from centerline of roadway, whichever is	25 feet from property line	20 feet from property line	35 feet for residential uses; unrestricted for agricultural uses, except where required	250 max between dwellings; 20 feet between dwellings and agricultural structures; distance between	No limit on primary dwelling; ancillary dwelling no greater than 2,000 square	One primary dwelling on parcels 20 acres or more, plus one ancillary (second) dwelling ^{3,4}

	greater .			for conditional uses	accessory structures as per Uniform Building and Fire Codes.	feet of living space.	
AG ZONE	Minimum Lot Area (acres)	Front Yard Setback (feet)	Rear Yard Setback² (feet)	Side Yard Setback² (feet)	Height Restriction (feet)	Building Separation (feet)	Density (dwellings per acre)
AGC	No minimum. Parcel size determined by use.	None, unless otherwise specified by Use Permit	None, unless specified by Use Permit or required ag buffer	None, unless specified by Use Permit or required ag buffer	40 feet, unless otherwise specified by Use Permit	As per Uniform Building and Fire Codes.	None, except as caretaker residence ⁵ .
AGI	No minimum. Parcel size must be adequate for use.						None, except as caretaker residence ⁵
AG-R							

Notes:

1. Yard abutting road is considered front. Properties abutting a major arterial require a 30-foot front yard setback, as measured from the edge of right-of-way.
2. The Director may approve the location of any standard accessory structure within the required side or rear yards, which must be at least five feet from the side and rear property lines, if a standard structure cannot be located within standard setbacks.
3. Ancillary dwelling must meet home siting criteria as set forth in Section 8-2.402.
4. A Use Permit is required for any home on parcels less than 20 acres.
5. Use Permit required for caretaker residence.

Sec. 8-2.307. Specific Use Requirements

The following specific use requirements may be applicable to some of the specific uses identified in the previous Table 8-2.1, and shall be applied to any issued building permits, Site Plan Review, or Use Permit for uses in the agricultural zones.

(a) Home Occupations on agriculturally zoned parcels

[Insert updated Home Occupation criteria related to agricultural and rural residences]

Home occupation, rural

A use which, as determined by the Commission, is customarily carried on within a dwelling or mobile home by the inhabitants thereof, which use is clearly incidental and secondary to the residential use of the dwelling or mobile home, and which use:

- (a) Is confined completely within the dwelling or mobile home and occupies not more than fifty (50%) percent of the gross area of one floor thereof;
- (b) Is operated by the members of the family occupying the dwelling or mobile home;
- (c) Produces no evidence of its existence in the external appearance of the dwelling, mobile home, or premises or in the creation of noise, odors, smoke, or other nuisances to a degree greater than that normal for the neighborhood in which such use is located;
- (d) Does not generate pedestrian or vehicular traffic beyond that normal in the neighborhood in which such use is located;
- (e) Meets the requirements of the Chief Building Inspector and fire district of jurisdiction; and
- (f) Requires no additions or extensions to the dwelling or mobile home.

Home occupations shall be permitted in mobile homes only if a use permit is granted and the mobile home is located in a mobile home park.

(§ 3.050, Ord. 488, as amended by § 1, Ord. 488.31)

(b) Oil and Gas Well Drilling Operations

1. No oil or gas drilling operation shall be established in the unincorporated area of the County until the Director of Planning and Public Works or his designee has approved the Site Plan for such operation, and the applicant agrees to operate/conduct the drilling operation in compliance with the below listed conditions.
2. The applicant shall post a performance bond or other good and sufficient surety approved by the County in the amount of not less than \$5,000.00 to secure compliance with the criteria and conditions imposed upon the approval of the oil and gas drilling operation Site Plan Certificate. The release of the performance bond shall not occur until the reclamation of land disturbed during the drilling operation and the removal of all equipment not necessary for the normal maintenance of the oil and gas well is complete.
3. The oil or gas well drilling operation shall not be located within ½ mile of any designated residential area shown on the adopted County General Plan and/or a City General Plan or a county and/or city residential zone district.
4. A Use Permit shall be required if the oil or gas well drilling operation cannot meet the following criteria:
 - (i) Except for drill stem testing and emergency procedures, no drilling operation shall result in an ambient noise level in excess of 60 decibels (measured as an LDN average), measured at the outside of the nearest residence at the bedroom window closest to the drilling site; unless, however, it can be demonstrated that

the ambient noise level at such location prior to the commencement of the drilling operation was 57 decibels or higher, then the noise standard shall be that the drilling operation does not result in the addition of more than three (3) decibels to the preexisting ambient noise level. *The noise level requirements may be waived if the applicant has received a written waiver from the resident of any residence at which the noise level would exceed the standards set forth in this subsection. If the dwelling is leased, the tenant shall execute the waiver, and the property owner shall be notified.*

- (ii) All lights on the drill site shall be erected/installed according to CAL-OSHA employee safety requirements and shall be shielded and/or directed so as to focus the direct rays from the lights onto the drilling site and away from the residences, except where required for aircraft warning purposes.
- (iii) All vehicle parking and maneuvering areas shall be treated in such a manner as to control dust. Such treatment may be accomplished by placing gravel on such areas and/or periodically watering the areas, or by other means approved by the Director.
- (iv) The drilling operation shall comply with the requirements of all other agencies having jurisdiction over the site and operation. Yolo County Planning and Public Works may require additional permits, including, but not limited to:
 - A. A grading permit if the drilling operation results in any ground disturbance;
 - B. A building permit for the erection of structures;
 - C. A flood elevation certificate if construction occurs in a FEMA designated 100-year flood zone; and
 - D. An encroachment permit if the construction of access roads connects to county right-of-way
- (v) The drilling operation shall be located no closer than the following distances from the specified uses if such uses are located:
 - A. Within 500 feet of any school;
 - B. Within 500 feet of any church or place of public worship;
 - C. Within 500 of any place of public assembly;
 - D. Within 500 feet of any dwelling (*applicant must show or state the distance to the nearest residence*), unless residents of such dwelling have filed a written waiver.
 - E. Within 100 feet of the property line to any county road or state highway; and
 - F. Within 250 feet of any levee owned by any public agency.

(c) Wireless Telecommunications Facilities Use Permit Review Criteria
[Insert cell tower siting criteria on agriculturally zoned lands]