

Allowed Land Uses and Permit Requirements - Table 8-2.504(a)

Zone R-L Land Uses	Permit Requirements	Specific Use Requirements or Performance Standards
Residential Uses		
Second or “granny” unit	A ^{1 and 2}	See Table 8-2.505 and Sec. 8-2.305(a)
Duplex, triplex, four-plex	SP ¹	See Table 8-2.505 and Sec. 8-2.506(c)
Multi-family (condominiums, townhouses, apartments)	SP/UP(m) ¹	
Group or co-housing	SP ²	
Shelters	SP/UP(m) ^{1 and 2}	See Sec. 8-2.506(d)
Home Occupation/Care		
Home Occupation	A ²	See Sec. 8-2.506(e)
Group/home care (<6 beds)	A ²	See Sec. 8-2.506(f)
Group/home care (6 beds or more)	SP/UP(m) ^{1 and 2}	
Child care (<9 children)	A ²	See Sec. 8-2.506(g)
Child care (9 to 14 children)	SP/UP(m) ^{1 and 2}	
Mixed Residential/Commercial Use		
Small ancillary commercial uses	SP	See Sec. 8-2.506(i)
Animal Keeping		
Large domestic animals (e.g., horses, mules, burros, cattle, swine, sheep and goats)	A ⁴	See Sec. 8-2.506(j)
Agricultural Uses		
Agricultural production	A	See Table 8-2.303(a)

¹ Subject to septic system space requirements in Willowbank

² Currently permissible under California law that preempts local zoning rules

³ Currently permissible in R-1 and R-S Zones

⁴ Currently permissible in R-S Zone

Glossary:

A = Allowed use, subject to zoning clearance

SP = Site Plan Review

UP (m) = Minor Use Permit

UP (M) = Major Use Permit

Residential Development Requirements for R-L Zone - Table 8-2.505

Minimum Lot Area	3,500 sq. ft. ¹
Front Yard Setback ⁽²⁾ (feet)	20 ft. from property line or curb strip ²
Rear Yard Setback ⁽²⁾ (feet)	15 ft. from property line ³
Side Yard Setback ⁽²⁾ (feet)	10 ft. from property line/0 or 5 ft. with Use Permit ⁴
Height Limits (feet)	35 ft./two stories, or 40 ft./three stories, with Use Permit ⁵
Building Size/Open Space, Lot Coverage (square feet)	No size limit; open space of 600 sq.ft. per unit and lot coverage limit of 25% for attached units
Density (dwellings per acre)	1.0 - 9.9 units per net acre

¹ Currently 7,000 sq. ft. for corner lots and 6,000 sq. ft. for interior lots in R-1 Zone and one-half acre in R-S Zone

² Currently 25 ft. in R-1 Zone and 35 ft. in R-S Zone

³ Currently 25 ft. in R-1 Zone and 40 ft. in R-S Zone

⁴ Currently 15 ft. for corner lots and 6 ft. or less for interior lots in R-1 Zone and 20 ft. for corner lots and 10 ft. for interior lots in R-S Zone

⁵ Currently 30 ft. for main building in R-1 Zone and 35 ft. for main building in R-S Zone

Manufactured Homes

Under Section 8-2.506(a), manufactured homes (e.g., mobile homes), in addition to traditional residential structures, are allowed in the R-L Zone.

Examples of How the New Rules Could Be Used

- Residential lots originally designed or used solely for single family residences could be subdivided into 3,500 sq. ft. lots for small sfrs consisting of traditional residential construction or mobile homes. The space required for septic systems would limit such development in Willowbank.
- Duplex, triplex, four plex and possibly some multi-family housing could be constructed on residential lots, provided that the project is designed to be compatible with adjoining single family residences and meets development standards. If compatibility issues arise or setbacks or other development standards are not met, the Planning Director may issue a use permit in his or her discretion. Again, the requirements for septic systems would limit such construction in Willowbank.
- Temporary or transitional shelters for homeless or displaced persons with less than 20 beds is already permitted by state law, provided that the project is designed to be

compatible with adjoining single family residences and requirements for septic systems are satisfied. Projects with 20 or more beds require use permits issued by the Planning Director.

- Group or home care for the main purpose of providing limited on-site medical and home care for elderly or disabled persons with less than six beds is presently allowed by state law, provided that the project is designed to be compatible with adjoining single family residences. Home care for six or more beds requires a Site Plan Review. If there are compatibility issues or a home with six or more beds, the Planning Director may issue a use permit in his or her discretion.
- Child care for eight children or less is presently allowed by state law. A child care facility for nine up to 14 children is also allowed, provided that the project addresses potential impacts related to density, traffic, parking and noise. If those impacts arise, the Planning Director may issue a use permit in his or her discretion.
- Small mixed commercial activities of less than 2,000 sq. ft. per business would be allowed subject to a site plan review, provided they do not cause unacceptable impacts, such as traffic, parking and noise issues for nearby residents. Permissible mixed uses could include: (a) small grocery and retail stores, (b) small offices for use by accountants, attorneys, real estate firms and medical/dental services and (c) small businesses such as hair dressers, dry cleaning and laundromats.
- The keeping of large domestic animals would be permitted on lots of one-half acre or more, but their numbers would be limited by the Animal Density Points attributable to the type of animal. Under the point system one or two mules, donkeys, burros or pigs could be allowed on lots of one-half acre to one acre. Greater numbers of sheep, goats, alpaca and the like could be allowed on lots of that size. There are additional requirements regarding fencing, enclosure and sanitation.

Key Issues and Recommendations

An obvious goal of the new General Plan and the related zoning regulations is to shape the nature and location of future growth in Yolo County. But El Macero and Willowbank are essentially fully developed residential subdivisions and their boundaries are permanently established. Because we cannot expand our borders, the smart growth policies or other rules designed for the future development of the rural areas in Yolo County should have limited application here.

Our conclusion is that many of the proposed uses and the development standards, especially the increased density rules and reduced setbacks, for the R-L Zone are incompatible and inappropriate for El Macero and Willowbank. Moreover and ignoring the possible impact of a subdivision's CC & Rs, the adoption of the proposed residential zoning rules could dramatically change the character of the El Macero and Willowbank neighborhoods over time. These changes could negatively impact the existing ambience and enjoyment of the neighborhoods and property values.

Our recommendations are twofold:

- The Committee should establish a dialogue with the representatives of the Planning Department, the Planning Commission and the Board of Supervisors, as appropriate, to discuss our concerns and to explore how we can preserve the character and ambience of our neighborhoods to the extent possible under applicable law, whether by an amendment to the General Plan or by neighborhood-specific qualifications to the R-L Zone regulations. In doing so, it must be realized that if a permissible use is state-mandated (e.g., “granny” units and small scale home occupation, group/home care and child care), the County cannot change it.

- The Committee should obtain a determination on whether or not as a matter of law and if so, under what circumstances, would a given subdivision’s CC & Rs preempt inconsistent or incompatible zoning regulations. For example, would a subdivision’s CC & Rs that restrict the use and development of a lot to traditionally constructed single family residences with specified setbacks prevail over County zoning regulations that allow duplexes or multi-family housing and reduced setbacks? Would a given subdivision’s CC & Rs that prohibit any subdividing of a residential lot preempt County zoning regulations that allow densities of up to nine units per acre?

We look forward to discussing the foregoing with the Committee at our November 13, 2012 meeting.