

An excerpt from the Yolo County Code zoning regulations (see <http://www.yolocounty.org/community-development/planning-public-works/planning-division/2014-zoning-code>):

Sec. 8-2.402 Siting Development Standards for New Homes in Agricultural Zones

(a) Purpose

Agricultural preservation is a key component of the Yolo County General Plan, which includes policies set forth to protect existing farm operations and prime farmland from impacts related to the encroachment of urban uses. The expansion of rural home sites in the agricultural zones has contributed to an increase in residential uses unrelated to farm- or ranch-oriented residential use. In order to preserve the long-term agricultural resources of the County, standards have been developed to address residential uses in the agricultural areas. This section outlines development standards for the siting and size of new residential uses in the two main agricultural zones, the A-N (Agricultural Intensive) and A-X (Agricultural Extensive) zones, where agriculture, such as crop production and animal husbandry, is the primary use.

(b) Definitions

Ancillary home or dwelling

A second residence used by a family member(s) or employee(s) of the farm or ranch operation. For purposes of complying with this section, if a manufactured home has been constructed or installed first on an agricultural parcel as the primary home, and a conventional “stick-built” home is then proposed to be built, the “stick-built” home may be considered the primary house and the manufactured house or residence may be considered the ancillary residence.

Conventional “stick-built” home

A traditional single family residence constructed on-site of lumber, not prefabricated materials.

Farm worker housing

Accommodations that are used solely for the purpose of providing cooking, sanitary, and sleeping facilities to house farm workers on a farm or ranch operation.

Flag lot

A lot whose general configuration is in the shape of an “L” or “T”, and which takes access from the road by means of a narrow strip which is part of the lot.

Lot line, front

In the case of an interior lot, the line separating the lot from the street right-of-way and, in the case of a corner lot, the shorter street frontage.

Manufactured home

A transportable prefabricated residential structure that has been partially or entirely constructed in a factory and then transported to the site for assembly. Manufactured homes include modular and mobile homes.

Primary home or dwelling

The first existing or proposed residence to be located on an agricultural parcel.

Residential accessory uses

Those uses customarily ancillary to the residential use of the property. Such structures or improvements may include, but are not limited to, decorative landscaping, garden greenhouses, pools, gardening sheds, detached garages or shops for personal storage and hobby work, carports, and artificial ponds not serving an agricultural use, but do not include long driveways to residence(s).

Residential footprint or building envelope

The area established for home site development, including ancillary uses. Such area may include a primary residence, an ancillary dwelling clustered with the primary home, any allowable accessory structures, and other improvements, such as driveway(s), landscaping, leach fields, etc. A residential footprint is assumed to be approximately two and one-half (2.5) acres per legal parcel. Domestic leach field areas, including any required replacement leach field area, must be contained within the building envelope.

(c) Permits required

A new primary or ancillary home in the agricultural zones is allowed “by right” with the issuance of a building permit, provided the home is located on a parcel that meets all of the development standards of this section. On agricultural parcels in the A-N and A-X zones, more than two dwelling units, as well as the legalization of existing units, may be permitted through the issuance of a Minor Use Permit, upon finding that the residential use is compatible and appurtenant with the principal agricultural use of the property.

(d) Development standards

The following standards have been established to minimize the impact of residential uses on agricultural operations and resources in the A-N and A-X Zones, without limiting the residential needs of farmers and ranchers or restricting agricultural activities. The intent of allowing residences in the agricultural areas is to provide dwellings for those directly involved in onsite farming activity, including agricultural employees, landowners, and their family members.

(1) Residential footprint or building envelope

Homes built on agricultural lands may include extensive residential accessory uses such as ancillary dwellings, parking areas, pools, detached garages or hobby shops, decorative landscaping, and gardening sheds/greenhouses that are included within the home site. To

protect productive farmland and ranchland, home site development shall be contained within a residential footprint or building envelope, as follows:

- (i) All proposed home sites, including all ancillary or accessory uses, shall be situated in close proximity to the dwelling unit(s) within a designated residential footprint that is no larger than two and one-half (2.5) acres. Residential accessory uses include detached garages for non-farm vehicles/storage, yards and other landscaping features, leach field areas, garden/storage sheds, swimming pools, etc., but do not include long driveways.
- (ii) Those parcels developed with farm worker housing are allowed an increased residential footprint of up to four (4) acres.
- (iii) Legal parcels containing 80 acres or more shall be exempt from the requirements of this section.

(2) Size of ancillary residence

The size of the primary dwelling unit is not regulated. The size of the ancillary residence is limited to 2,500 square feet or less, excluding garage space. For purposes of complying with this section, a manufactured home may be considered the ancillary unit even if it has been constructed or installed prior to the primary “stick-built” house.

(3) Siting of primary residences

The following development standards shall apply to new primary homes on parcels of 80 acres or less that are zoned A-N or A-X. These standards may be modified by the Planning Director according to the “exceptions” listed in Sec. 8-2.402(d)(5), below, or may be modified through the issuance of a variance by the Zoning Administrator or the Planning Commission upon adoption of findings.

- (i) To the extent feasible, all residences located on agriculturally-zoned property shall be located within the front portion of a legal parcel, and shall be sited to minimize the conversion of agricultural land and to minimize impacts to agricultural operations, including ground and aerial application of herbicides and pesticides.
- (ii) There is no maximum front yard setback for a new home on properties fronting along a County road.
- (iii) The minimum front yard setback from the front lot line shall be 20 feet or 50 feet from the centerline of a roadway, whichever is greater. Properties abutting a major arterial require a 30-foot front yard setback, as measured from the edge of right-of-way. The minimum back yard setback from the rear property line shall be 25 feet. The minimum side yard setback from the side property lines shall be 20 feet. However, these minimum setback requirements shall be increased to no less than 100 feet if adjacent agricultural

operations require a larger setback to accommodate agricultural spraying.

- (iv) Front yard setbacks on flag lots shall be measured from the rear lot line of the forward lot. If a parcel has more than one lot line with road frontage, the setback will be measured from one road frontage only, at the owner's choice.
 - (v) Where a private road provides access to a parcel(s), it shall be considered the same as a public right-of-way for purposes of determining setbacks. If access is via an easement across an adjoining parcel, setback measurements shall be taken from the point where the easement intersects with the subject parcel.
 - (vi) New homes shall be sited to retain existing natural features and avoid impacts to environmental resources to the extent feasible. Existing trees and vegetation and natural landforms shall be retained to the greatest feasible extent. Removal of trees with scenic or historic value shall be prohibited along scenic roadways. New homes shall be setback from watercourses, including "blue line" seasonal streams, a minimum of 100 feet. New homes shall be prohibited on or near the top of ridgelines where the Director determines it would adversely affect nearby views.
 - (vii) A 50-foot setback is required for all permanent improvements from the toe of any flood control levee.
 - (viii) Land uses proposed within 500 feet of the toe of any flood control levee shall be restricted (or prohibited) to the items listed below, unless site specific engineering evidence demonstrates an alternate action that would not jeopardize public health or safety:
 - A. Permanent unlined excavations shall be prohibited;
 - B. Large underground spaces (such as basements, cellars, swimming pools, etc) must be engineered to withstand the uplift forces of shallow groundwater;
 - C. Below-grade septic leach systems shall be prohibited;
 - D. Engineered specifications for buried utility conduits and wiring shall be required;
 - E. New water wells shall be prohibited;
 - F. New gas or oil wells shall be prohibited;
 - G. Engineered specifications for levee penetrations shall be required; and
 - H. Landscape root barriers within 50 feet of the toe shall be required.
- (4) Clustering and siting of ancillary residences

All ancillary residences in the agricultural zones shall be clustered adjacent to the existing primary residence in a configuration to minimize the conversion of agricultural land and to minimize impacts to agricultural operations, as follows:

- (i) The maximum separation between the primary and ancillary dwelling units on the same parcel shall be 250 feet, as measured from the nearest part of the primary dwelling. The siting of the ancillary dwelling shall meet the setback requirements of subsection (3), above, unless a modification of the setbacks is approved by the Planning Director in order to minimize agricultural impacts.
- (ii) Any new agricultural residence may be clustered in proximity to an existing residence(s) on an adjacent lot, if the clustering of the housing units will facilitate the protection of agricultural land. In such circumstances, the side lot setbacks for the residences on adjacent lots may be reduced accordingly, so long as placement of any new residence does not interfere with spraying operations or other agricultural operations.
- (iii) Placement of new residential structures shall comply with all applicable building and fire codes.

(5) Exceptions

The Planning Director may modify the setback and other development standards of this section if any one of the following exceptions applies to the specific characteristics of the parcel. A Site Plan Review approval shall be required prior to issuance of any building permit for a new agricultural residence that is subject to any of the following exceptions:

- (i) Portions of the property that have poor soils or are not farmable are more suitable for home site development and support a modification of standards.
- (ii) Clustering of an agricultural residence with agricultural buildings and uses is required for efficiency or security of agricultural operations.
- (iii) The location of easements for utilities, steep slopes, significant stands of trees, or watercourses with riparian setbacks supports a modification of standards.
- (iv) The location of a floodplain, areas of localized flooding, or other hazardous area on a portion of the parcel supports a modification of standards.
- (v) The location of existing agricultural industrial processing operations, or proximate oil and gas well operations, supports a modification of standards.
- (vi) The lack of water availability or the inability to site a leach field or other related sewerage facility supports a modification of standards.

(6) Right to Farm

Construction of a new agricultural residence shall require recordation of a deed acknowledging the County's Right-to-Farm Ordinance, prior to building permit issuance.

(7) Variances

In cases other than those included as "exceptions" in (5), above, where other individual characteristics of the property may warrant further or significant deviation from the required development standards of this section, variances to the standards may be considered by the Zoning Administrator or Planning Commission based upon adoption of findings, including a finding that the variance is needed to further the principle of limiting the impact on agricultural land and operations through the appropriate siting of residential structures and ancillary uses.