

# YOLO COUNTY ZONING CODE TITLE 8 LAND DEVELOPMENT

## CHAPTER 2: ZONING REGULATIONS

### Article 1: General Provisions

#### Sec. 8-2.101 Title and reference

This Chapter 2 shall be known as, and may be cited as, the “Zoning Regulations” or “Zoning Code” of Yolo County. Reference to section numbers herein is to the sections of this Title or Chapter. In any administrative action taken by any public official pursuant to the authority set forth in this chapter, the use of the term “Zoning Regulations” or “Zoning Code”, unless further modified, shall also refer to and mean the provisions of this Chapter. The accompanying development regulations in the other Chapters of Title 8 shall be known as, and may be cited as, the “Land Development Regulations” or “Development Regulations” of Yolo County.

#### Sec. 8-2.102 Adoption

There is hereby adopted a zoning plan for the County, as provided in Chapter 4 of Title 7 of the Government Code of the State. This Title constitutes a precise plan for the use of land in conformity with the adopted General Plan, any adopted Specific Plans and Area Community Plans, and all Plan standards.

#### Sec. 8-2.103 Scope

The provisions of this Title shall apply to all lands and all owners of lands within all of the unincorporated areas of the County and shall be applicable not only to private persons, agencies, and organizations but also to all public agencies and organizations to the full extent that such provisions may now or hereafter be enforceable in connection with the activities of any such public agency or organization.

#### Sec. 8-2.104 Purpose

The provisions of this Title are adopted to promote and protect the public health, safety, morals, comfort, convenience, and general welfare; to provide a plan for sound and orderly development; to ensure social and economic stability within the various zones established by the provisions of this Title; to implement the Yolo County General Plan; and to achieve the following objectives:

- (a) To implement the General Plan and to guide and manage the future growth of the county in compliance with the General Plan;
- (b) To regulate land use in a manner that will encourage and support the orderly development and beneficial use of lands in the county;
- (c) To minimize adverse impacts on the public from inappropriate location, use or design of building sites, land uses, or other forms of land development by providing appropriate standards for development;

- (d) To protect and enhance the significant agricultural, biological, natural, historic, archaeological, and scenic resources within the county;
- (e) To protect the members of the public and property from health and safety concerns such as flooding, earthquakes, fire and other dangers; and
- (f) To assist the public in identifying and understanding regulations affecting the use of land in the county.

## **Sec. 8-2.105 Authority**

This Title is adopted pursuant to the following authorities:

- (a) Local Ordinances and Regulations, California Constitution, Article XI, Section 7.
- (b) Planning and Land Use, California Government Code Title 7.
- (c) California Environmental Quality Act (CEQA), California Public Resource Code, Division 13, and CEQA Guidelines, Title 14 of the California Code of Regulations.
- (d) California Subdivision Map Act, California Government Code, Division 2.
- (e) State Mining and Reclamation Act, California Public Resources Code, Division 2, Chapter 9.

## **Sec. 8-2.106 Definitions**

### **(a) Scope**

For the purposes of this Title, unless otherwise apparent from the context, certain words and phrases used in this Title are defined in the individual Chapters, Articles, and Sections, and are cumulatively listed in Chapter 14 of this Title. The meaning and construction of words and phrases as set forth herein shall apply throughout this Title. If a word is not defined in this Title, the definition provided in the latest edition of the Uniform Building Code, as adopted by the County, shall be applicable. If said word is not defined in the latest edition of the Uniform Building Code, as adopted by the County, the definition provided in Merriam-Webster's Dictionary shall be used.

### **(b) Rules of construction**

The following general rules of construction shall apply to the textual provisions of this Title:

- (1) Chapter and Section References. "Chapter" means a chapter of the ordinance codified in this Title unless some other ordinance is specifically mentioned. "Section" means a section of the ordinance codified in this Title unless some other ordinance is specifically mentioned. "Subsection" means a subsection of the section in which the term occurs unless some other section is specifically mentioned.
- (2) Headings. Section and subsection headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any provision of this Title.
- (3) Illustrations. In case of any differences of meaning or implication between the text of any section or chapter and any illustration, the text shall control.
- (4) Gender. The masculine gender includes the feminine and neuter.
- (5) Number. The singular number includes the plural, and the plural the singular.
- (6) Tense. The present tense includes the past and future tenses, and the future tense includes the present tense.
- (7) Shall and May. "Shall" is mandatory and "may" is permissive.

## **Sec. 8-2.107 Consistency of chapter with General Plan and land use designations**

All actions, approvals, and procedures taken with respect to, or in accordance with, this Title and Chapter shall be consistent with the Yolo County General Plan. In the event this Title or Chapter becomes inconsistent with the Yolo County General Plan by reason of the adoption of a new General Plan or by amendment of the existing General Plan or any of its elements, this Title shall be amended within a reasonable time so that it is consistent with the newly adopted General Plan or remains consistent with the existing General Plan as amended. Additionally, all amendments to this Title and Chapter beyond those previously described, shall be consistent with the Yolo County General Plan.

The following table illustrates the consistency of the various zoning districts in this Chapter with the land use designations of the General Plan. In the event of a conflict between a land use designation of the General Plan and the underlying zoning of a property, the General Plan designation will prevail.

## **Sec. 8-2.108 Zoning maps**

A series of zoning maps, to be known collectively as the “Zoning Maps of the County of Yolo,” shall be maintained by the Community Services Department.

- (a) Contents. The zoning maps shall show the designations and boundaries of each zone and shall show any base data that the Director of the Community Services Department deems useful or that the Board of Supervisors directs;
- (b) Revisions. The Director shall revise the zoning maps to show amendments, including changes in designations, rezoning of property, and clarification of zone boundaries; and
- (c) Incorporation. The zoning maps and all notations, references, data, and other information contained therein are made a part of this Title and Chapter by reference herein.

## **Sec. 8-2.109 Zoning district boundary determinations**

Wherever any uncertainty exists as to the boundary of a zoning district as shown on the zoning map, the following rules shall apply:

- (a) Lot lines. Where a zoning boundary line follows or coincides approximately with a lot line or a property ownership line, the zoning boundary line shall be construed as following the lot line or property ownership line.

**Table 8-2.107**

**General Plan and Zoning Consistency**

| General Plan Land Use Designation (Symbol)  | Zoning Districts (Symbol)   |
|---|---|
| Agriculture (AG)  | Agricultural Intensive (A-N)<br>Agricultural Extensive (A-X)<br>Agricultural Commercial (A-C)<br>Agricultural Industrial (A-I)<br>Agricultural Residential (A-R)  |
| Residential Rural (RR)  | Residential Rural-5 acre (RR-5)<br>Residential Rural-2 acre (RR-2)  |
| Residential Low (RL)  | Low Density Residential (R-L)   |
| Residential Medium (RM)   | Medium Density Residential (R-M)  |
| Residential High (RH)   | High Density Residential (R-H)  |
| Commercial Local (CL)   | Local Commercial (C-L)<br>Downtown Mixed Use (DMX)  |
| Commercial General (CG)   | General Commercial (C-G)<br>Downtown Mixed Use (DMX)<br>Highway Service Commercial (C-H)  |
| Industrial (IN)   | Light Industrial (I-L)<br>Heavy Industrial (I-H)<br>Office Park Research and Development (OPRD)   |
| Parks and Recreation (PR)   | Parks and Recreation (P-R)  |
| Open Space (OS)   | Public Open Space (POS)   |
| Public/Quasi-Public (PQ)  | Public/Quasi-Public (PQP)   |
| Specific Plan (SP)  | Specific Plan (S-P)   |
| Natural Heritage Overlay (NHO)<br>Agricultural District Overlay (ADO)<br>Delta Protection Overlay (DPO)<br>Mineral Resource Overlay (MRO)<br><br>Tribal Trust Overlay (TTO) | Natural Heritage Overlay (NH-O)<br>Agricultural District Overlay (AD-O)<br>Delta Protection Overlay (DP-O)<br>Sand and Gravel Overlay (SG-O)<br>Sand and Gravel Reserve Overlay (SGR-O)<br>Tribal Trust Overlay (TT-O)<br>Airport Overlay (A-O)<br>Planned Development (PD) Overlay<br>Special Building (B) Overlay |

- (b) Where zone boundaries are indicated as approximately following street and alley lines or lot line, such lines shall be construed to be the boundary of the said zone, and the following shall apply:
  - (1) When two (2) zones are separated by a street or alley, the zone boundary shall be the centerline of the street or alley, unless otherwise specified, and
  - (2) When a residential zone is separated from any other zone by a street or alley, the residential zone boundary shall include the street or alley.
- (c) Where any public street or alley is officially vacated or abandoned, the regulations applicable to abutting properties shall apply to the centerline of such vacated or abandoned street or alley;
- (d) Where any private right-of-way or easement of any railroad, canal, transportation, or public utility company is vacated or abandoned, the regulations applicable to abutting property shall apply to the centerline of such vacated or abandoned property;
- (e) For unsubdivided property, or in instances where a zone boundary divides a lot, the location of the zone boundary shall be determined by the Director unless the zone boundary is indicated by dimensions.
- (f) Scale on the zoning map. Where a zoning boundary line does not coincide approximately with a lot line or property ownership line, the zoning boundary line shall be determined by the use of the scale designated on the zoning map.
- (g) Riverfront. Where a zoning boundary line follows the riverbank of the Sacramento River, old river channel, or Putah Creek, the zoning boundary line shall be construed as following the ordinary low water line of such riverbank.

### **Sec. 8-2.110 Minimum requirements**

The provisions of this Title are considered to be minimum requirements. The County may establish more stringent requirements where deemed necessary.

### **Sec. 8-2.111 Permits run with the land**

All development permits shall run with the land. Permits are not tied to individuals, including those persons who applied for the permit or who owned the property at the time the permit was issued.

### **Sec. 8-2.112 Statutory references, amendments, and additions**

Whenever reference is made to any portion of the ordinance codified in this Title, or of any other ordinance of this County or of any law of this State, the reference applies to all amendments and additions now or hereafter made.

### **Sec. 8-2.113 Interpretation, constitutionality, and severability**

- (a) Ambiguities. Unless otherwise provided, any ambiguity concerning the content or application of this Title shall be resolved by the Director.
- (b) Invalidity. If any section, subsection, sentence, clause, or phrase of this Title is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Title. The Board declares that it would have passed this Title and every section, subsection, clause, and phrase thereof, notwithstanding that one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

### **Sec. 8-2.114 Restrictions**

It is not intended by this Title to interfere with, abrogate, or annul any easement, covenant, or other agreement between parties. Where this Title imposes a greater restriction upon the use of buildings or land, or upon the height of buildings, or requires larger open spaces than are imposed or required by other ordinances, rules, or regulations, or by easements, covenants, or agreements, the provisions of this Title shall prevail.

### **Sec. 8-2.115 No relief from other provisions**

Except as otherwise specifically provided, no provision of this Title shall be construed as relieving any party to whom a use permit, variance, or other development approval has been issued from any other provision of state or federal law or from any provision, ordinance, rule, or regulation of the County requiring a license, franchise, or permit to accomplish, engage in, carry on, or maintain a particular business, enterprise, occupation, transaction, or use.

### **Sec. 8-2.116 Repealed by Ordinance 1541**