

FEB 10 2022

BY *Aurita Ramirez*  
DEPUTY CLERK OF THE BOARD

ORDINANCE NO. 1547

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YOLO  
ADOPTING THE 2022 ZONING CODE AMENDMENTS**

The Board of Supervisors (“Board”) of the County of Yolo, State of California, hereby ordains as follows:

**SECTION 1. PURPOSE AND FINDINGS.**

This ordinance includes text amendments to several separate sections of the Zoning Regulations (Chapter 1 and Chapter 2 in Title 8 of the Yolo County Code), as set forth below. The Board of Supervisors hereby adopts the amendments set forth herein to the respective sections of the Yolo County Code to bring the County Zoning Code into compliance with the recently approved Senate Bill 9 and for other reasons set forth in the staff report for this item.

**SECTION 2. AUTHORITY**

The Board of Supervisors has the authority to adopt this Ordinance pursuant to the general police power granted to counties by the California Constitution, as well as the provisions of the California Planning and Zoning Law (Government Code Section 65000 *et seq.*).

**SECTION 3. AMENDMENTS TO THE ZONING CODE**

Chapter 1, Article 3(Subdivision Map requirements), and Chapter 2, Article 5 (Residential Zones) and Chapter 14 (Definitions) of Title 8 are hereby amended:

**A. Edit Section 8-1.302 to read as follows:**

**Sec. 8-1.302. Parcel maps creating four or fewer lots.**

- (a) Except as otherwise provided in this chapter, a tentative parcel map and a parcel map shall be required for all subdivisions creating four or fewer lots, or four or fewer condominiums, or (in the case of community apartment projects) containing four or fewer apartments, or (in the case of conversions to a stock cooperative) involving four or fewer dwelling units.
- (b) A parcel map occurring within areas zoned R-L or R-M and defined by the United States Census Bureau as urbanized or an urban cluster shall be approved ministerially without a tentative parcel map being required if the following requirements are met:
  - (1) No more than two new parcels of approximately equal lot area (no less than 40% of the lot area) are created.
  - (2) The applicant for an urban lot split shall sign an affidavit stating that the applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of the approval of the

urban lot split unless the applicant is a “community land trust,” as defined in clause (ii) of subparagraph (C) of paragraph (11) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code, or is a “qualified nonprofit corporation” as described in Section 214.15 of the Revenue and Taxation Code.

(3) The lots created from the parcel map shall:

(i) have access to, provide access to, or adjoin County maintained public-of-way

(ii) provide easements required for the provision of public services and utilities.

**B. Edit Subsection 8-2.502(c) Low Density Residential (R-L) Zone and (d), Residential Zones, in Article 5 of Chapter 2 on page 147 of the Residential Zoning Regulations, to read as follows:**

**(c) Low Density Residential (R-L) Zone**

The Low Density Residential (R-L) Zone includes traditionally low density neighborhoods with primarily detached single family homes located in existing unincorporated towns such as Esparto, Knights Landing, Clarksburg, Madison, Dunnigan, Yolo, and Zamora. Some of these areas have public services including water and sewer, while others do not. Lot sizes in communities zoned R-L with no or limited public services are restricted in size to no less than two acres, in order to accommodate on-site wells and leachfields. Along with single family homes, the R-L Zone also allows duplexes (two family) and small multifamily housing such as “triplexes” (three family), and “four-plexes” (four family). The R-L Zone is the one zoning district that is consistent with the Residential Low (RL) land use designation set by the 2030 Countywide General Plan. The density allowed in the R-L Zone is between 1.0 and 10.0 housing units per net acre. The minimum lot size for newly created parcels in the R-L Zone is 1,200 square feet. The maximum lot size for newly created parcels with water and sewer services is one acre.

**(d) Medium Density Residential (R-M) Zone**

The Medium Density Residential (R-M) Zone includes parcels in neighborhoods with a mix of housing densities, including detached and attached single family homes, condominiums, townhouses, “garden” apartment complexes, and mobile home parks. The R-M zone is applied only in unincorporated towns that are served by some public water and/or sewer system, i.e. Esparto, Knights Landing, Madison, Dunnigan, and Yolo. Certain small compatible neighborhood-serving retail, office, and service uses are also allowed within the R-M Zone as “mixed use residential” activities. The R-M Zone is the one zoning district that is consistent with the Residential Medium (RM) land use designation set by the 2030 Countywide General Plan. The density allowed in the R-M Zone is between 10.0 and 20.0 housing units per net acre. The minimum lot size for newly created parcels in the R-M Zone is 1,200 square feet.

**C. Edit Subsection 8-2.503(a-c,e) Residential Use Types Defined, in Article 5 of Chapter 2 on page 148 of the Residential Zoning Regulations, to read as follows:**

**(a) Single Family Detached and Duplexes**

This Use Type includes housing that consists of detached single and second dwelling units, duplexes (two attached units), and accessory dwelling units. Manufactured or modular homes are also included in this Use Type. Single family homes may be found in all the residential zones, and new detached and attached housing is allowed in all zones except for the R-H zone, which is reserved for more dense housing types. Single family homes may be served by either on-site private services (well and septic) or public services.

**(b) Small Multifamily Residences (3-4 attached units)**

This Use Type includes small attached multi-family housing structures such as “triplexes” (three attached units), and “four-plexes” (four attached units). Small multi-family housing is allowed in R-M and R-H zones. Small multifamily residences are allowed within the R-L zone with a Site Plan Review. Attached homes are generally served by public water and sewer.

**(c) Large Multifamily Residences (5+ attached units)**

This Use Type covers a wide variety of housing products with five or more attached dwelling units including larger apartment complexes, condominiums, townhouses, “garden” apartments, and other forms of housing that share common walls and common open spaces. The Use Type includes both rental housing units as well as for sale units. This Use Type does not include group or temporary living situations (rooming, boarding or lodging houses; fraternities; co-housing; motels/hotels; farm labor housing; or shelters). Large multifamily residences are allowed in the R-M, and R-H zones and permitted in the R-L zone with a Site Plan Review. This Use Type may not be served by on-site private services (well and septic) and must be connected with public services.

**(e) Farm Labor Housing**

This Use Type includes multi-family housing specifically used by farm workers. This Use Type is regulated and licensed through the State of California when the structure or structures include twenty units or twenty employees, or more. Farm labor housing is allowed within all residential zones with the requirement that adequate land must be available for on-site services, e.g., leachfields, to accommodate the number of residents, if the project is not connected to public services.

- D. **Table 8-2.504(a) in Section 8-2.504, Tables of Residential Permit Requirements, Article 5 of Chapter 2, on page 151 of the Residential Zoning Regulations, to read as follows:**

**Table 8-2.504(a)  
Allowed Land Uses and Permit Requirements  
for Residential Zones**

<b>A = Allowed use, subject to zoning clearance*</b> <b>SP = Site Plan Review</b> <b>UP (m) = Minor Use Permit</b> <b>UP (M) = Major Use Permit</b> <b>N = Use Not Allowed</b>	Land Use Permit Required by Zone					Specific Use Requirements or Performance Standards
	RR-5	RR-2	R-L	R-M	R-H	

**Residential Uses**

Two single-family homes, detached or duplex	A	A	A	A	N	See Table 8-2.505 and Sec. 8-2.506(a), (m), and (n)
Accessory dwelling unit (ADU)	A					Secs. 8-2.506(b)
Junior accessory dwelling unit (JADU)	A					Secs. 8-2.506(b)
Small multifamily (3-4 attached units)	N	N	SP	A	A	See Table 8-2.505 and Sec. 8-2.506(c), (m), and (n)
Large multifamily 5+ attached units	N	N	SP	SP	SP	
Group or co-housing	SP	SP	SP/UP(m)	SP/UP(m)	SP/UP(m)	
Farm worker housing	A/SP	A/SP	A/SP	SP/UP(m)	SP/UP(m)	See Sec. 8-2.506(d)
Emergency shelters	N	N	N	N	N	See Sec. 8-2.606(m)
Mobile home parks	N	N	UP(M)	UP(M)	N	See Sec. 8-2.1014

**Home Occupation/Care**

Home occupation	A	A	A	A	A	See Sec. 8-2.506(e)
Group/home care (6 or less beds)	A	A	A	A	A	See Sec. 8-2.506 (f)
Group/home care (7 or more beds)	SP/UP(m)	SP/UP(m)	SP/UP(m)	SP/UP(m)	N	
Child care (<9 children)	A	A	A	A	A	See Sec. 8-2.506(g)
Child care (9 to 14 children)	SP/UP(m)	SP/UP(m)	SP/UP(m)	SP/UP(m)	SP/UP(m)	
Child care centers (>14 children)	SP/UP(m)	SP/UP(m)	SP/UP(m)	SP/UP(m)	SP/UP(m)	See Sec. 8-2.506(h)

**Mixed Residential/Commercial/Public and Quasi-Public Uses**

Small winery/olive mill (>1 acre)	SP/UP(m)	UP(m)	UP(m)	N	N	See Sec. 8-2.306(j)
Small special events facility (on >1 acre parcel)	UP(m)	UP(m)	UP(m)	N	N	See Sec. 8-2.306(k)
Small/large bed and breakfast/lodging	UP(m)/UP(M)	UP(m)/UP(M)	UP(m)/UP(M)	UP(m)/UP(M)	UP(m)/UP(M)	See Sec. 8-2.306(l)
Farm stay	SP/UP(m)	N	N	N	N	See Sec. 8-2.306(m)
Rural recreation	N	N	N	N	N	
Small ancillary commercial uses	N	N	SP	SP	SP	See Sec. 8-2.506(i)
Cottage food operation	A	A	A	A	A	See Sec. 8-2.506(k)
Churches, religious assembly	UP(M)	UP(M)	UP(M)	UP(M)	N	
Vehicle charging station	N	N	N	A	A	See definition in Sec. 8-14.102

**Agriculture Uses and Animal Keeping**

Agricultural production	A	A	A	A	N	See Table 8-2.304(a)
Agricultural processing	UP(m)	N	N	N	N	
Small domestic animals (cats, dogs, birds), beekeeping	A	A	A	A	A	See Sec. 8-2.506(j) and (k)
Large domestic animals (fowl, horses, swine, goats)	A	A	A	A	N	
Wild, exotic, dangerous animals	A	N	N	N	N	
Kennels/animal boarding	UP(m)	N	N	N	N	See definition in Sec. 8-2.307

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

E. Remove Table 8-2.504(b) in Section 8-2.504, Tables of Residential Permit Requirements, Article 5 of Chapter 2, on page 152 of the Residential Zoning Regulations.

F. Edit Section 8-2.505, Tables of Residential Development Requirements, Article 5 of Chapter 2, on page 154 of the Residential Zoning Regulations, to read as follows:

### Sec. 8-2.505 Table of Residential Development Requirements

The following Table 8-2.505 identifies the development requirements, including minimum parcel sizes, building setbacks, and other standards that allowed and permitted uses in the residential zones must meet as a standard or condition of any issued building permit, Site Plan Review, or Use Permit. Setback requirements for accessory structures may be different; see Section 8-2.506(a) and (b).

**Table 8-2.505  
Development Requirements in Residential Zones**

R ZONE	Minimum Lot Area (acres/sf) <sup>(1)</sup>	Front Yard Setback (feet)	Rear Yard Setback (feet)	Side Yard Setback (feet)	Height Limits <sup>(3)</sup> (feet)	Other Building Standards
RR-5	5.0 acres	20 feet from property line, or 50 feet from centerline of roadway, whichever is greater <sup>(2)</sup>	25 feet from property line	10 feet from property line	35 feet for residential uses; no limit for agricultural uses, except for accessory or conditional uses	No limit on primary dwelling; second dwelling no greater than 2,500 square feet
RR-2	2.0 acres					
R-L	1,200 square feet (minimum of 2.0 acres if no services)	10 feet from property line or curb strip/ 20 feet for a garage	20 feet from property line	5 feet from property line/less than 5 feet with Use Permit	35 feet max./two stories, or 40 feet max./three stories with Use Permit	No size limit; open space of 600 sf per unit
R-M	1,200 square feet	10 feet from property line or curb strip/ 20 feet for a garage	15 feet from property line		40 feet max./three stories, or 50 feet max./four stories, with Use Permit	No size limit; open space of 300 sf per unit
R-H	1,500 square feet	10 feet from property line or curb strip	15 feet from property line	10 feet from property line/less than 10 feet with Use Permit	50 feet/four stories, or 60 feet/five stories with Use Permit	Open space of 200 sf per unit

- Notes:
1. Parcels in rural areas with no access to public water and/or wastewater services are subject to a 2.0-acre minimum parcel sizes for new building permits, see Section 8-2.1002(a).
  2. The yard abutting a County road is considered the front yard. Properties abutting a major arterial require a 30-foot front yard setback, as measured from the edge of road right-of-way.
  3. Appropriate findings for discretionary projects, and ministerial residential projects, located within the floodplain are required, see Section 8-2.306(ae).
  4. New development within the R-L, R-M, and R-H zones is recommended to meet minimum densities; if not, Site Plan Review or Use Permit is required, at the discretion of the Planning Director, excepting parcels without existing or planned public water

and sewer service.

5. Development near the toe of any levee is restricted, see Section 8-2.306(ad). Residential, accessory and other structures shall comply with Sec. 8-2.402(d)(vi) (100-foot setback from streams), unless the size or configuration of the lot makes this requirement infeasible.

**G. Edit Section 8-2.506 Specific Use Requirements or Performance Standards, in Article 5 of Chapter 2 on page 156 of the Residential Zoning Regulations, to read as follows:**

## **Sec. 8-2.506 Specific Use Requirements or Performance Standards**

The following specific use requirements or performance standards may be applicable to some of the specific uses identified in the previous Tables 8-2.504(a), and shall be applied to any issued building permits, Site Plan Reviews, or Use Permits for uses in the residential zones.

### **(a) Accessory Structures**

- (1) All habitable accessory structures require issuance of a Building Permit. Certified manufactured homes attached to a foundation system that meets CHSC standards shall be considered a permanent residence. See section 8-2.506(b) for Accessory and Junior Accessory Dwelling Units.
- (2) Accessory non-dwelling structures require issuance of a Building Permit if over 120 square feet in size or if the structure has water, wastewater, or electrical service.
- (3) The following setback requirements shall apply for detached accessory non-dwelling structures:
  - (i) *Building separation.* Detached accessory structures subject to a Building Permit shall be separated from principal structures and other detached accessory structures subject to a Building Permit by a minimum of ten feet or the minimum distance specified by applicable building or fire codes.
  - (ii) *Front yard:* Accessory non-dwelling structures subject to a Building Permit shall comply with the front yard setback regulations for principal uses as set forth in the applicable regulations for each zone district.
  - (iii) *Corner lot setbacks:* Accessory non-housing structures on a corner lot shall be located no closer to the street right-of-way than the principal structure on the lot.
  - (iv) *Side and Rear yards:* Those accessory structures not requiring a Building Permit, such as a storage shed of less than 120 square feet, may be allowed to locate in the side and/or rear yard setback areas. Accessory non-housing structures requiring a Building Permit may be within the required side and/or rear yard, but at least three feet from the side property lines if Building Code standards (such as use of improved fire retardant materials) are met.

- (4) Except in the Agricultural (A) Zones, accessory structures subject to a Building Permit shall not be erected on a lot until construction of the principal structure has started, and an accessory structure shall not be used unless the principal structure has received a certificate of occupancy.

**(b) Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU)**

- (1) Accessory dwelling units (ADU) in residential zones are a permitted use only subject to the requirements set forth separately below and in no case shall an ADU that meets the minimum requirements be subject to discretionary review. A ministerial permit for an ADU may be disapproved only if the Planning Director finds that the ADU would be detrimental to the public health and safety or would introduce unreasonable privacy impacts to the immediate neighbors. A building permit application for an ADU shall be approved or disapproved within 120 days of receipt.
- (2) The maximum height of an ADU within a required setback shall be 16 feet.
- (3) The following setback requirements for ADUs shall apply:
  - (i) *Setbacks for existing structures or conversion of structures.* No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or a portion of an accessory dwelling unit.
  - (ii) *New construction.* Newly constructed ADUs that do not result from the conversion of an existing structure shall require a setback of four feet from the side and rear property lines.
  - (iii) *Building separation.* Detached accessory structures subject to a Building Permit shall be separated from principal structures by a minimum of ten (10) feet and from other detached accessory structures subject to a Building Permit by a minimum distance specified by applicable building or fire codes.
- (4) The following parking standards shall be required of all accessory housing structures except as noted for an ADU:
  - (i) One parking space shall be provided per accessory dwelling unit. Parking for an ADU may be provided as tandem parking on an existing driveway. Parking lost through the conversion of a garage, carport, or covered parking structure is not required to be replaced. Additional parking for an ADU is not required if the ADU is located:
    - 1. within one-half mile walking distance of public transit;
    - 2. within an architecturally and historically significant historic district;
    - 3. within an existing primary residence or an existing accessory structure; when on-street parking permits are required but not offered to the occupant of the accessory dwelling unit; or

4. when there is a car share vehicle located within one block of the accessory dwelling unit.
- (ii) On-site parking for an ADU may be included within the required rear or side yard areas provided that the parking is set back at least five feet from the property line and appropriate fencing or landscaping is provided to buffer any adjacent residences.
  - (iii) Parking spaces shall be otherwise consistent with the design standards provided in Article 13.

**Table 8-2.506  
Specific Requirements and  
Performance Standards for Accessory Structures**

Type of Structure	Specific Requirements or Performance Standards
<b>Accessory agricultural support structures</b>	
Farm office or barn with office	Allowed in A and RR zones only. Primary place of employment. No height limit. No kitchen facilities are allowed. May include bath and shower, and a wet bar that meets the following standards: comprised of a counter area and overhead cabinets that encompass no more than 20 square feet (sf), and not configured in a manner that facilitates conversion into a kitchen.
Barn without office	Allowed in A and RR zones only. Limited to toilets and wash basins, no shower facilities are allowed. No height limit.
Roadside stand	Located minimum of 20 feet from edge of road right-of-way. Adequate ingress/egress, and parking area for a minimum of five cars must be provided.
Greenhouse, agricultural	Allowed, with no height limit, in all A (Agricultural) zones, and in the RR-5 and RR-2 zones.
<b>Accessory dwelling structures</b>	
Accessory dwelling unit (ADU)	Attached to an existing dwelling shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet. ADU's in detached buildings shall not exceed 1,200 square feet in floor area. See definition in Sec. 8-2.507 and additional requirements in Sec. 8-2.506(b).
<b>Accessory non-dwelling structures</b>	
Accessory non-dwelling structures	Include garages, workshops, studios, cabanas, sheds, and other structures without kitchens or bedrooms. Must meet setback standards, see Sec 8-2.506(a).
Storage or shipping container	Allowed in A and I zones. Up to two containers allowed in RR-5 and RR-2 zones only, more than two by Site Plan Review. Not allowed in other R zones. Allowed in C zones with Site Plan Review.
<b>Miscellaneous accessory structures</b>	
Pools and Spas	May encroach into rear and side yards, with a minimum setback of five feet from property lines. Filter and heating systems may be located within three feet of a property line, but may not be located within ten feet of any living area of any dwelling unit on an adjacent parcel. Must meet fencing and barrier requirements in Article 10, Section 8-2.1011.
Attached/unattached shade structure, trellis/arbor	Includes patio covers, breezeways, sunshades, and gazebos. Structure must be unenclosed on three sides except for vertical supports, insect screening, and maximum one-foot kickboards. May be attached, or within ten feet, of the principal structure and other accessory structures. May encroach into rear and side yards, with a minimum setback of five feet from property lines, unless it meets Building Code standards to allow a closer three-foot setback, e.g., flame retardant

	construction materials. May not be located less than five feet from the nearest side window located on the adjacent parcel.
Animal enclosures	Must meet setback standards, see Sec 8-2.506(a). and 8-2.506(j)(4).
Vehicle covers/carports	Must meet setback standards, see Sec 8-2.506(a). May not be located in a side driveway that is less than five feet from the nearest side window located on the adjacent parcel.
Greenhouse, household	Allowed in all R zones, height limit of 15 feet.
Solar arrays, ground mounted	Freestanding household solar panel not to exceed 10 feet in height in R zones, see Sec. 8-2.1104.
Small solar, wind, cell facility	See Article 11.
<b>Temporary accessory buildings</b>	
Temporary sales office	Allowed in residential zones appurtenant to the construction of a nearby subdivision or housing development. Must meet setback standards, see Sec 8-2.506(a).

**(c) Multifamily residential including group or co-housing**

- (1) Small multifamily structures, consisting of 3-4 attached units, and group or co-housing projects, are allowed with the issuance of a Site Plan Review in the R-L and R-M zones, provided that the project meets development standards. At the discretion of the Planning Director, a Minor Use Permit may be required if setbacks or other development standards are not met. Four-plexes are allowed in the R-H zone with the same requirements, provided the project meets the minimum density of 20 units per acre.
- (2) Large multifamily projects that consist of five or more attached dwelling units of condominiums, townhouses, apartments per structure, or similar housing, are allowed with the issuance of a Site Plan Review in the R-L, R-M, and R-H zones, provided that development standards are met. At the discretion of the Planning Director, a Minor Use Permit may be required if there are any compatibility issues, or if setbacks or any other development standards are not met.
- (3) Group or co-housing projects are allowed with the issuance of a Site Plan Review in the R-L, R-M, and RH zones, provided that the project meets development standards. At the discretion of the Planning Director, a Minor Use Permit may be required if setbacks or other development standards are not met.

**(d) Farm worker housing**

As required by State law (Health and Safety Code Sec. 17021.5), small farm labor housing projects of no more than six farmworkers are allowed with the issuance of a building permit. A project with more than six farmworkers requires a Minor or Major Use Permit, at the discretion of the Planning Director. A Site Plan Review (or Minor Use Permit in the R-M and R-H zones) may be required for small projects that do not meet any of the following development standards:

- (1) The project is designed to be compatible with any adjoining single family residences, including appropriate setbacks, landscaping, and parking.
- (2) Adequate land area is available for the provision of on-site services, e.g., leachfields, to accommodate the number of farm employees, if the project is not connected to public services.

- (3) The project meets any State regulatory requirements and has received, or will receive in the near future, all necessary State operating permits, including certificates from the Department of Housing and Community Development.

**(e) Home occupation**

A residential home occupation shall be clearly incidental and secondary to the residential use of the dwelling, which use:

- (1) Is confined completely within the dwelling and occupies not more than fifty (50%) percent of the gross area of one floor;
- (2) Is operated by the members of the family occupying the dwelling;
- (3) Produces no evidence of its existence in the external appearance of the dwelling 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;
- (4) Does not generate pedestrian or vehicular traffic beyond that normal in the neighborhood in which the use is located;
- (5) Meets the requirements of the Chief Building Official and the fire district of the jurisdiction;
- (6) Requires no additions or extensions to the dwelling; and
- (7) Includes no more than one outdoor sign attached to the dwelling, not freestanding, that is smaller than two square feet in area.

**(f) Group/home care**

Group or home care in single family and multi-family homes is for the main purpose of providing limited on-site medical and home care for elderly or disabled persons. Home care is an allowed use in all zones if six or less beds, as required by State law. Home care with seven or more beds is allowed with the issuance of a Site Plan Review in the A-N, A-X, RR-5, RR-2, R-L and R-M zones, and in specified agricultural, commercial, and industrial zones, provided that the project is designed to be compatible with any adjoining single family residences. At the discretion of the Planning Director, a Minor Use Permit may be required if there are any compatibility issues, or if any of the following development standards are not met:

- (1) The project is a small to medium-sized convalescent and care home with no more than 20 beds.
- (2) The project is designed to be compatible with any adjoining single family residences, including appropriate setbacks, landscaping, and parking.
- (3) Adequate land area is available for the provision of on-site services, e.g., leachfields, to accommodate the number of residents, if the project is not connected to public services.

- (4) The project meets State regulatory requirements and has received, or will receive in the near future, all necessary State operating permits.
- (5) The project is not located on agricultural land under an active Williamson Act contract.

### **(g) Child care**

Home child care is an allowed “by right” use in all zones if the facility cares for eight children or less, as required by State law (California Health and Safety Code Section 1597.45). Large child care facilities in a residence with more than eight children and up to 14 children are allowed with the issuance of a Site Plan Review in the A-N, A-X, RR-5, RR-2, R-L and R-M, and in specified commercial zones, provided that the project is designed to address impacts related to density, traffic, parking, and noise. At the discretion of the Planning Director, and as allowed under State law, a Minor Use Permit may be required if there are impacts with the proposed large child care facility that must be addressed through conditions of approval related to the four impact areas cited above.

### **(h) Child care centers**

Child care centers are non-residential facilities that typically provide care for more than 14 children. They include infant centers, child care centers, daycare centers, preschools, nursery schools, and after-school programs. Child care centers are allowed with the issuance of a Site Plan Review in the RR-5, RR-2, R-M and R-H zones, and in specified commercial zones, provided that the project is designed to be compatible with any adjoining single family residences. At the discretion of the Planning Director, a Minor Use Permit may be required for a project under twenty children, or a Major Use Permit may be required for a project larger than twenty children, if there are any compatibility issues, or if any of the following development standards are not met:

- (1) The project is designed to be compatible with any adjoining single family residences, including appropriate setbacks, landscaping, and parking.
- (2) Adequate land area is available for the provision of on-site services, e.g., leachfields, to accommodate the number of children and employees, if the project is not connected to public services.
- (3) The project meets any State regulatory requirements and has received, or will receive in the near future, all necessary State operating permits.

### **(i) Mixed residential/commercial use**

Small mixed commercial activities of less than 2,000 square feet per business are allowed as an “ancillary” use, subordinate to the main residential use within the residential zones, except for the RR-5 and RR-2 zones, provided public services (water and sewer) are available. These non-residential uses are limited to businesses that are compatible with, and provide services to, the local neighborhood and town, and do not cause unacceptable impacts, such as traffic, parking, and noise, to the nearby residents. Mixed use residential uses include small grocery and retail stores; small offices which may house accountants, attorneys, real estate firms, and medical/dental services; and small service businesses such as hair dressers, dry cleaning and laundromats. These uses do not include live-work (other than home occupation), restaurants,

bars, and retail stores that are more appropriately located in a general commercial or downtown district.

**(j) Animal keeping**

- (1) The keeping of up to four (4) small domestic animals is allowed in all residential zones, except for the RR-2 and RR-5 zones, where up to nine (9) small domestic animals may be kept without need for a kennel permit. For parcels that exceed 10,000 square feet, up to six (6) small domestic animals and up to seven (7) domestic fowl or poultry may be kept. Immature animals not yet at the age of sexual maturity shall not count against the total number of animals allowed. The fencing and enclosure requirements set forth in subsection (4) of this subsection shall apply to small domestic animals and domestic fowl or poultry.
- (2) For parcels less than 10,000 square feet in the R-L and R-M Zones, a total of not more than four (4) domestic fowl or poultry, such as chicken hens, may be kept and maintained in a clean and sanitary pen or structure, no part of which shall be located less than 25 feet from any residence, other than a residence owned and occupied by the person owning or in possession of such animals. The keeping of such animals shall not create a health or nuisance problem.
- (3) The keeping of large domestic animals is allowed on lots of one-half acre or more in the A-R, RR-5, RR-2, and RL zones. Animals may be kept in numbers not exceeding the allotment of Animal Density Points, as defined below, unless authorized by the Zoning Administrator through the issuance of a Site Plan Review application. A property between one-half and one acre in size shall receive 7 Animal Density Points. A property one acre in size shall receive 25 Animal Density Points and shall receive 5 additional points for each additional one-fifth (1/5) of an acre. Immature animals not yet at the age of sexual maturity shall not count against the total number of animals allowed. Any combination of the following points may be applied:
  - (i) Beef cows and all similar cattle shall count for 20 points each.
  - (ii) Horses shall count for 15 points each, except that miniature horses not exceeding 200 pounds shall count for 7 points.
  - (iii) Mules, donkeys, burros or pigs shall count for 10 points each, except that miniature animals not exceeding 200 pounds shall count for 7 points.
  - (iv) Sheep, goats, alpacas and similar small hoofed animals shall count for 4 points each.
  - (v) Fowl, including chickens, turkeys and ducks, but excluding roosters, and geese and peacocks (which constitute wild, exotic, dangerous, or prohibited animals), shall count for 1 point each.
  - (vi) Roosters shall count for 4 points on lots greater than five acres in size. Roosters are not allowed in RL and RR-2 zones unless the lot is greater than five acres in size.

- (vii) Wild, dangerous, exotic, or prohibited animals, such as geese and peacocks, shall not be permitted in any residential zone, except for the RR-5 zone, except that roosters may be allowed on large lots (5 acres or more) in the RR-2 and R-L zones.

(4) Fencing, enclosure, and sanitation shall be required as follows:

- (i) All animals, except household pets (domestic dogs and cats) kept outdoors, shall be kept in an area which is fenced so as to prevent such animals from roaming beyond the property line.
- (ii) Within the fenced area, an enclosure or shed shall be provided of sufficient size to provide cover for the animals kept on the parcel.
- (iii) No part of an enclosure for one or more large animals shall be located within twenty-five (25) feet of any neighboring dwelling.
- (iv) Animal fecal matter in excess of that which can be safely and sanitarly utilized on the premises shall be removed and shall not be allowed to accumulate.

**(k) Beekeeping**

- (1) Commercial beekeeping used as “pollinators” is allowed in all of the agricultural zones, and in the Rural Residential (RR-2 and RR-5) zones. The hive(s) owner must maintain current registration status of the bee colony(s) with the Yolo County Agricultural Commissioner in compliance with applicable State Statutes, including required hive movement notices. Any colony that is not properly registered shall be removed from the property and may not be returned to the property for at least six (6) weeks from the date of registering the colony at another site.
- (2) Non-commercial urban beekeeping is allowed in all of the agricultural, residential, commercial, and industrial zones as a use allowed “by right.” However, non-commercial urban beekeeping is allowed in the R-L, R-M, and the R-H zones only if all of the following conditions are met and maintained:
  - (i) The hive(s) owner must be a resident in a dwelling that is located on the same parcel of land on which hive(s) is registered at all times.
  - (ii) There shall be no more than two (2) bee colonies established on the property, except two (2) additional temporary colonies are allowed for hive separation or new swarm establishment purposes. Such temporary colonies shall be removed from the property within two (2) weeks.
  - (iii) Colonies shall be placed in the rear yard of the property and in no case shall the hives be closer than 25 feet from a public or private street or 15 feet from abutting property. A barrier consisting of a wood or other fence, at least four feet high, must be placed between the hives and the nearest adjacent neighbors.

- (iv) A permanent fresh water source shall be maintained within 15 feet of the hives.
- (3) For non-commercial urban beekeeping in the R-L, R-M, and R-H zones, nuisance behavior by bees may require the hive owner to take remedial actions upon notice by Yolo County, as set forth below. Failure to comply with specified remedial actions order by the Zoning Administrator will constitute a violation of the Zoning Code for enforcement purposes.
- (i) Urban beekeeping is allowed only on property which has not been declared as a location where bee hives are potentially a hazard to public health and safety. Those procedures may require removal of all bee colonies from the property through no direct fault of the beekeeper but because a health or safety situation has been shown to exist. Once property has been declared unsafe for urban beekeeping, it shall not be legal to maintain bees on that property until such status is removed from the property in writing.
  - (ii) Urban beekeeping privileges may be withdrawn from any property by written notification to the property owner by the Yolo County Zoning Administrator. Withdrawal must be done with cause, however the cause need not be the fault of the beekeeper, nor be a factor that is under the control of the beekeeper. Any condition or combination of circumstances which, in the opinion of the Zoning Administrator jeopardizes, endangers or otherwise constitutes an actual, potential or perceived menace to public health or safety will constitute valid cause to withdraw license to keep bee colonies on the property. Such withdrawal may be appealed to the Planning Commission. Once any property owner has been noticed of withdrawal of privilege to keep bee colony(s) on a particular property, such privilege may be reestablished only upon written request and approval of the Zoning Administrator.
  - (iii) Written documentation over a medical doctor's signature certifying that the medical condition caused by beestings to a resident of abutting property would constitute a higher than normal death threatening or hospitalization event will constitute sufficient cause to withdraw the privilege of urban beekeeping from any specific property.
  - (iv) Abnormally aggressive behavior by bees toward defending their hive beyond the property lines may constitute sufficient cause to withdraw the privilege of urban beekeeping from any specific property. Failure to provide on-site water so as to encourage bees to seek water from swimming pools or other water sources on adjacent properties shall constitute sufficient cause to withdraw the privilege of urban beekeeping from any specific property.

### **(I) Cottage food operations**

Cottage food operations involve the preparation of low risk food products in a private home. Such operations are subject to standards set by the Environmental Health Division according to the requirements of State law (AB 1616, the California Homemade Food Act).

**(m) Fireplaces**

Wood-burning fireplaces are prohibited in all new residential developments.

**(n) Energy Star appliances**

Energy Star certified appliances, such as water heaters, swimming pool heaters, cooking equipment, refrigerators, furnaces and boiler units, are required in all new residential subdivisions.

**H. Edit the following definitions in Section 8-2.507 Definitions, in Article 5 of Chapter 2 on page 167 of the Residential Zoning Regulations, to read as follows:**

**Dwelling**

“Dwelling” shall mean any building, or portion thereof, containing one or more dwelling units designed or used exclusively as a residence or sleeping place for one or more families, but not including a tent, cabin, boat, trailer, recreational vehicle, dormitory, labor camp, hotel, or motel.

**Home Occupation**

A use which is customarily carried on within a dwelling or manufactured/modular home by the inhabitants thereof, which use is clearly incidental and secondary to the residential use of the dwelling or manufactured/modular home, and which meets the criteria of Sec.8-2.506(e).

**I. Remove the following definitions from Section 8-2.507 Definitions, in Article 5 of Chapter 2 on page 167 of the Residential Zoning Regulations:**

**Accessory housing structure**

**Guest house**

**SECTION 4. SEVERABILITY**

If any section, sub-section, sentence, clause, or phrase of this ordinance hereto is held by a court of competent jurisdiction to be invalid, such decision shall not affect the remaining portions this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance, and each section, sub-section, sentence, clause, and phrase hereof, irrespective of the fact that one or more sections, sub-sections, sentences, clauses, and phrases be declared invalid.

**SECTION 5. EFFECTIVE DATE**

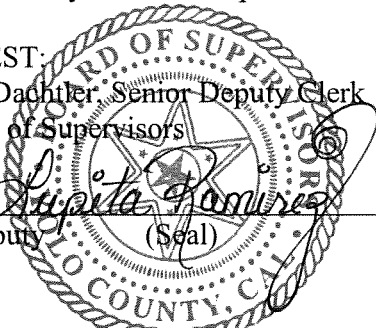
This ordinance shall take effect and be in force thirty (30) days after its passage, and prior to expiration of fifteen (15) days after its passage thereof, shall be published by title and summary only in the Davis Enterprise together with the names of members of the Board of Supervisors voting for and against the same.

I HEREBY CERTIFY that the foregoing Ordinance was introduced before the Board of Supervisors of the County of Yolo and, after a noticed public hearing, said Board adopted this Ordinance on the 8th day of February 2022, by the following vote:

AYES: Villegas, Saylor, Sandy, Provenza, Barajas.  
NOES: None.  
ABSENT: None.  
ABSTAIN: None.

By Angel Barajas  
Angel Barajas, Chair  
Yolo County Board of Supervisors

ATTEST:  
Julie Dachtler, Senior Deputy Clerk  
Board of Supervisors

By Julie Dachtler  
Deputy  


APPROVED AS TO FORM;  
Philip J. Pogledich, County Counsel

By Eric May  
Eric May, Senior Deputy Counsel