

Chapter 11.32 Standards for Specific Uses

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11.32.010 Purpose and Applicability

The purpose of this chapter is to establish standards for specific uses that are permitted or conditionally permitted in several or all districts. These provisions are supplemental standards and requirements intended to minimize the impacts of these uses on surrounding properties and protect the health, safety, and welfare of their occupants and of the general public.

11.32.020 Applicability

The uses addressed in this chapter shall be located only where allowed by the regulations of Division II, Zoning and Overlay Districts. The uses shall comply with any applicable standards for the district(s) in which they are located, as well as the standards of this chapter. In the case of a conflict, the most stringent requirements apply.

11.32.030 Accessory Dwelling Units

- A. **Purpose.** This section establishes regulations and procedures for reviewing and permitting Accessory Dwelling Units through a ministerial process consistent with state law.
- B. **Applicability.**
 1. ***Applicable to All.*** Any construction, establishment, alteration, enlargement, or modification of an accessory dwelling unit or a junior accessory dwelling unit shall comply with the requirements of this section and the County's building and fire codes. An accessory dwelling unit or junior accessory dwelling unit that conforms to the standards of this section shall not be:
 - a. Deemed to be inconsistent with the General Plan designation and zone for the parcel on which the accessory dwelling unit or junior accessory dwelling unit is located.
 - b. Deemed to exceed the allowable density for the parcel on which the accessory dwelling unit or junior accessory dwelling unit is located.
 - c. Considered in the application of any County ordinance, policy, or program to limit residential growth.
 - d. Required to correct a nonconforming zoning condition, as defined in Chapter 11.72 (Use Classifications). This does not prevent the County from enforcing compliance with applicable building standards in accordance with Health and Safety Code Section 17980.12.
 2. ***Accessory Dwelling Units.*** Accessory dwelling units are allowed on parcels zoned for single-family or multifamily residential uses where such a parcel includes a proposed or existing dwelling.
 3. ***Junior Accessory Dwelling Units.*** Junior accessory dwelling units are allowed on parcels zoned for single-family residential uses where such a parcel includes an existing single-family dwelling.
- C. **Permits and Approval.**
 1. ***Ministerial Action.*** Approval or denial of an Accessory Dwelling Unit or Junior Accessory Dwelling Unit is a ministerial action and subject to compliance with the standards in this section and all other applicable codes.
 2. ***Building Permit.*** All Accessory Dwelling Units or Junior Accessory Dwelling Units shall require a building permit, subject to all the standard application and processing fees and procedures that apply to building permits generally. No other planning-related permit is required.
 3. The County shall issue a building permit within 60 calendar days from the date on which the County received a completed application, unless either:

- a. The applicant requests a delay, in which case the 60-day time period is put on hold for the period of the requested delay; or
 - b. The application to create an Accessory Dwelling Unit or Junior Accessory Dwelling Unit is submitted with an application to create a new single-unit primary dwelling on the parcel. The County may delay acting on the permit application for the Accessory Dwelling Unit or Junior Accessory Dwelling Unit until the County acts on the permit application to create the new single-unit primary dwelling.
- D. **Types.** An accessory dwelling unit approved under this chapter shall be one of the following types:
 - 1. **Attached:** An accessory dwelling unit that is created as a result of new construction that is attached to an existing or proposed primary dwelling, such as through a shared wall, floor, or ceiling. An attached accessory dwelling unit can also be constructed within an existing or proposed primary dwelling.
 - 2. **Detached:** An accessory dwelling unit that is created in whole or in part from newly constructed space that is detached or separated from the primary dwelling. The detached accessory dwelling unit shall be located on the same parcel as the proposed or existing primary dwelling. Detached includes a second-story addition above an existing detached garage.
 - 3. **Converted:** An accessory dwelling unit that meets the following requirements:
 - a. Is located within the proposed or existing primary dwelling or accessory structure, including, but not limited to, attached garages, storage areas, or similar uses; or an accessory structure, including, but not limited to, studio, pool house, detached garage, or other similar structure. Such conversion may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing structure if the expansion is for the sole purpose of accommodating ingress and egress to the converted structure.
 - b. The proposed conversion of a structure into an accessory dwelling unit that does not satisfy the requirements of subsection (3)(a) of this section shall either be defined by the director as an attached accessory dwelling unit, a detached accessory dwelling unit, or a junior accessory dwelling unit, or shall be defined as an accessory structure and not an accessory dwelling unit.
 - 4. **Junior Accessory Dwelling Unit:** A junior accessory dwelling unit is a unit that meets all of the following characteristics:
 - a. Is no more than 500 square feet in size and is contained entirely within a single-unit primary dwelling. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.
 - b. Is located and contained entirely within a proposed single-unit primary dwelling or entirely within an existing single-unit primary dwelling.
 - c. Has a separate entrance from the main entrance to the proposed or

existing single-unit dwelling.

- d. Has a bathroom that is either shared with or separate from those of the primary dwelling.
- e. Includes an efficiency kitchen.

E. **Number of Accessory Dwelling Units Per Lot or Parcel in Zones which Allow Single-Family Homes.** The following number of accessory dwelling units apply in all Zoning Districts that allow single-family homes as a permitted use:

- 1. One attached or detached accessory dwelling unit shall be allowed on a parcel with one proposed or existing primary dwelling.
- 2. One junior accessory dwelling unit shall be allowed on a parcel with one proposed or existing primary dwelling.
- 3. Up to one attached or detached accessory dwelling unit and one junior accessory dwelling unit shall be allowed on a single parcel.

F. **Type and Number of Accessory Dwelling Units Per Lot or Parcels Which Allow Multifamily Homes.** The following apply to accessory dwelling units in all Zoning Districts that allow multifamily homes as a permitted use:

1. ***Attached Accessory Dwelling Units:***

- a. At least one attached or up to 25 percent of the existing multifamily units shall be allowed as attached accessory dwelling units in an existing multifamily development.
- b. Attached accessory dwelling units in a multifamily development may be created only through the conversion of parts of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages.

2. ***Detached Accessory Dwelling Units:*** Up to two detached accessory dwelling units shall be allowed on a parcel with one or more multifamily structures, subject to compliance with the development standards for detached accessory dwelling units in this chapter.

G. **Attached or Converted Accessory Dwelling Unit Development Standards**

- 1. ***Location, Size, Setbacks, and Height:*** The following standards apply to attached accessory dwelling units:
 - a. **Location:** Shall be located on the same lot or parcel as a primary dwelling. An attached accessory dwelling unit can be created by converting a portion of an existing primary dwelling, by constructing a new primary dwelling with an integral accessory dwelling unit, or by constructing an addition to an existing primary dwelling.
 - b. **Size:** The total floor area of an attached accessory dwelling unit shall not exceed 850 square feet for a one-bedroom unit or 1,000 square feet for an accessory dwelling unit that provides more than one bedroom. If there is an existing primary dwelling, the total floor area of an attached accessory

dwelling unit shall not exceed 50 percent of the existing primary dwelling, with a maximum increase in floor area of 1,200 square feet. These limits do not include up to 150 square feet of area added to the primary dwelling for the sole purpose of providing access to the accessory dwelling unit.

- c. **Setbacks:**
 - i. None, if existing living area, garage, or other accessory structure is converted to an accessory dwelling unit (or portion of accessory dwelling unit) with the same dimensions as the existing structure.
 - ii. Five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.
 - d. **Height:** Per the zoning district standard for the primary dwelling.
 - e. **Access:** An attached accessory dwelling unit shall have direct exterior access separate from the main entrance to the primary dwelling.
 - f. **Minimum Requirements.** An accessory dwelling unit shall include at least one bathroom, one kitchen, and one living/dining room.
 - g. **Garage Allowances:** Limited to one attached garage, which shall be limited to 50 percent of the accessory dwelling unit conditioned/unconditioned floor area.
 - h. **Buildup and Underfloor Regulations:** Buildup/underfloor space areas shall not have any improved floor area. Buildup/underfloor areas shall be limited to one light and one plug and may be used as space for equipment serving the accessory dwelling unit.
2. **Sale of Unit.** An accessory dwelling unit may be rented, but it shall not be offered for sale apart from the principal unit, nor shall the lot or parcel be subdivided to create a separate building site unless approved pursuant to the subdivision ordinance of this County. No accessory dwelling unit may be offered for rental terms of less than 30 days for accessory dwelling units permitted on or after January 1, 2020. Notwithstanding Section 11.32.030.I, the County may, by ordinance, allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if all the following apply:
- a. The property was built or developed by a qualified nonprofit corporation.
 - b. There is an enforceable restriction on the use of the land pursuant to a recorded contract between the qualified buyer and the qualified nonprofit that satisfies all the requirements of paragraph (10) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code.
 - c. The property is held pursuant to a recorded tenancy in common agreement that includes all the following provisions:
 - i. The agreement allocates to each qualified buyer an undivided, unequal interest in the property based on the size of the dwelling each qualified buyer occupies.
 - ii. A repurchase option that requires the qualified buyer first offer the qualified nonprofit corporation the opportunity to buy the

property if the buyer desires to sell or convey the property.

- iii. A requirement that the qualified buyer occupy the property as the buyer's principal residence.
- iv. Affordability restrictions on the sale and conveyance of the property that ensure the property will be preserved for low-income housing for 45 years for owner-occupied housing units and will be sold or resold to a qualified buyer.
- d. A grant deed naming the grantor and grantee and describing the property interests being transferred shall be recorded in the county in which the property is located. A Preliminary Change of Ownership Report shall be filed concurrently with this grant deed pursuant to Section 480.3 of the Revenue and Taxation Code.
- e. Notwithstanding any provisions in this chapter, if requested by a utility providing service to the primary residence, the accessory dwelling unit shall have a separate water, sewer, or electrical connection to that utility.

H. **Detached Accessory Dwelling Unit Development Standards**

1. ***Location, Size, Setbacks, and Height:*** The following standards apply to detached accessory dwelling units:
 - a. **Location:** Shall be located on the same lot or parcel as a primary dwelling and be detached from the primary dwelling unit.
 - b. **Size:** No minimum size, except as needed to conform with the requirements for an efficiency unit, as defined in the Building Code. A detached accessory dwelling unit shall not exceed 850 square feet for a one-bedroom unit or 1,200 square feet for an accessory dwelling unit that provides more than one bedroom. The living area includes all conditioned and unconditioned space in the detached accessory dwelling unit.
 - c. **Setbacks:**
 - i. Front yard setback: Per the zoning district standard for the primary dwelling.
 - ii. Side yard: Four feet minimum.
 - iii. Rear yard: Four feet minimum.
 - d. **Height:** 16 feet for new structures built specifically as an accessory dwelling unit. Existing structures taller than 16 feet can be converted to an accessory dwelling unit consistent with the requirements of this chapter.
 - e. **Minimum Requirements.** An accessory dwelling unit shall include at least one bathroom, one kitchen, and one living/dining room.
 - f. **Garage Allowances:** Limited to one attached garage, which shall be limited to 50 percent of the accessory dwelling unit conditioned/unconditioned floor area.

- g. **Buildup and Underfloor Regulations:** Buildup/underfloor space areas shall not have any improved floor area. Buildup/underfloor areas shall be limited to one light and one plug and may be used as space for equipment serving the accessory dwelling unit.
 - i. **Maximum Floor Area.** The floor area of the Second Dwelling Unit for an attached unit shall not exceed 30 percent of the primary dwelling's living area. In addition, the floor area of a detached Second Dwelling Unit shall not exceed 1,200 square feet. A larger floor area may be permitted upon approval of an Administrative Permit.
2. **Sale of Unit.** An accessory dwelling unit may be rented, but it shall not be offered for sale apart from the principal unit, nor shall the lot or parcel be subdivided to create a separate building site unless approved pursuant to the subdivision ordinance of this County. No accessory dwelling unit may be offered for rental terms of less than 30 days for accessory dwelling units permitted on or after January 1, 2020. Notwithstanding Section 11.32.030.I, the County may, by ordinance, allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if all the following apply:
- a. The property was built or developed by a qualified nonprofit corporation.
 - b. There is an enforceable restriction on the use of the land pursuant to a recorded contract between the qualified buyer and the qualified nonprofit that satisfies all the requirements of paragraph (10) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code.
 - c. The property is held pursuant to a recorded tenancy in common agreement that includes all the following provisions:
 - i. The agreement allocates to each qualified buyer an undivided, unequal interest in the property based on the size of the dwelling each qualified buyer occupies.
 - ii. A repurchase option that requires the qualified buyer first offer the qualified nonprofit corporation the opportunity to buy the property if the buyer desires to sell or convey the property.
 - iii. A requirement that the qualified buyer occupy the property as the buyer's principal residence.
 - iv. Affordability restrictions on the sale and conveyance of the property that ensure the property will be preserved for low-income housing for 45 years for owner-occupied housing units and will be sold or resold to a qualified buyer.
 - d. A grant deed naming the grantor and grantee and describing the property interests being transferred shall be recorded in the county in which the property is located. A Preliminary Change of Ownership Report shall be filed concurrently with this grant deed, pursuant to Section 480.3 of the Revenue and Taxation Code.
 - e. Notwithstanding any provisions in this chapter, if requested by a utility providing service to the primary residence, the accessory dwelling unit

shall have a separate water, sewer, or electrical connection to that utility.

I. **Junior Accessory Dwelling Unit Development Standards**

1. ***Location, Size, Setbacks, Height:*** The following standards apply to junior accessory dwelling units:
 - a. **Location:** Shall be located on the same lot or parcel as a primary dwelling and be attached to the primary dwelling by at least one wall or by a ceiling. The junior accessory dwelling unit may be located above or below the primary dwelling.
 - b. **Size:** Maximum of 500 square feet of living area. Up to 150 square feet of building space may be added to the primary dwelling for the sole purpose of providing access to the junior accessory dwelling unit; this shall not count toward the maximum area for the junior accessory dwelling unit.
 - c. **Setbacks:** If the primary dwelling is expanded to create the junior accessory dwelling unit, the addition may maintain the same setbacks as the existing structure, unless a different setback is required by the Fire or Building codes.
2. ***Access:*** A junior accessory dwelling unit shall have direct exterior access separate from the main entrance to the primary dwelling.
3. ***Kitchen:*** Each junior accessory dwelling unit shall include an efficiency kitchen.
4. ***Utilities:***
 - a. A junior accessory dwelling unit shall not be considered a separate or new dwelling unit for the purposes of calculating connection fees or capacity charges for utilities, including water, sewer, or power service, or impact fees.
 - b. No new or separate utility connection between the junior accessory dwelling unit and the utility shall be required, although the property owner may voluntarily install a submeter for the junior accessory dwelling unit.
 - c. Any utility charges or fees shall be consistent with state law.
5. ***Parking:*** No additional off-street parking is required for the junior accessory dwelling unit.
6. ***Garage Allowances:*** Limited to one attached garage, which shall be limited to 50 percent of the accessory dwelling unit conditioned/unconditioned floor area.
7. ***Buildup and Underfloor Regulations:*** Buildup/underfloor space areas shall not have any improved floor area. Buildup/underfloor areas shall be limited to one light and one plug and may be used as space for equipment serving the junior accessory dwelling unit.
8. ***Owner-Occupancy Requirements:***
 - a. A person with legal or equitable title to the primary dwelling shall reside

on the property in either the primary dwelling or junior accessory dwelling unit as that person's legal domicile and permanent residence.

- b. The owner occupancy requirement does not apply if the property is entirely owned by a governmental agency, land trust, or non-profit housing organization.
 - c. Prior to issuance of a Building Permit for a junior accessory dwelling unit, a deed restriction shall be recorded in the chain of title of the primary single-unit property. The form of the deed restriction shall be approved by the City Attorney and shall provide that the junior accessory dwelling units not be sold separately from the primary dwelling.
 - d. The deed restriction shall run with the land and shall be enforced against future property owners.
9. **Connection Fee.** A connection fee shall not be collected for water, sewer, power, or other utility for a junior accessory dwelling unit.
 10. **Safety Requirements.** For purposes of fire or life-protection regulations, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.
 11. **Deed Restrictions.** Prior to the issuance of a building permit for a junior accessory dwelling unit, the owner of the lot or parcel on which it is to be constructed shall record a deed restriction in a form satisfactory to the County attorney that includes the following:
 - a. A prohibition of the sale of the junior accessory dwelling unit separately from the sale of the primary residence, including a statement that the deed restriction may be enforced against future purchasers; and
 - b. A restriction on the size and attributes of the junior accessory dwelling unit that conforms with Section 65852.2 of the Government Code that regulates accessory dwelling units.
 12. **Inspections.** No subdivision of this Development Code shall be interpreted to prohibit the requirement of an inspection, including the imposition of a fee for that inspection, to determine if a junior accessory dwelling unit complies with applicable development standards.

J. **Additional standards applicable to all accessory dwelling units.**

1. **Conversion Setback.** No setback shall be required for an existing living area, garage, or other accessory structure that is converted to an accessory dwelling unit (or portion of accessory dwelling unit) with the same dimensions as the existing structure.
2. **Certificate of Occupancy.** The County shall not issue a certificate of occupancy for an accessory dwelling unit before the certificate of occupancy is issued for the primary residence.
3. **Encroachments.** Except as otherwise provided in this chapter, the accessory dwelling unit shall not increase an existing or create a new encroachment upon any required front, side, or rear yard space; increase building height or coverage

beyond the standards prescribed for the district in which it is located; or decrease the distance between structures that is required.

4. ***Passageways and Entrances.*** No passageway or entrance within view of a street shall be required in conjunction with the construction of an accessory dwelling unit.
5. ***Fire Sprinklers.*** Fire sprinklers are not required for accessory dwelling units if they are not required by the building code for the proposed single-family or multifamily residence. Fire sprinklers would not be required for the existing primary structure unless triggered by some other building code or fire code requirement.
6. ***Utility Connections.*** Notwithstanding any provision to the contrary contained in this code (or in any code adopted by reference in this code), an accessory dwelling unit may be connected to a district sewerage system through a side sewer shared with the existing residence on the site, or it may have its own side sewer. In either case, the connection of the accessory dwelling unit to the district sewerage system is subject to the requirements of this Chapter 11.32.030, including obtaining applicable permits, paying connection charges (where applicable), and paying user charges. Accessory dwelling units shall not be considered new residential uses for the purposes of calculating connection fees or capacity charges for utilities, including water, sewer, and other utilities as defined, unless the accessory dwelling unit was constructed with a new single-family dwelling. Separate metering of utilities is not required for accessory dwelling units unless they are constructed with a new primary dwelling.
7. ***Well or Septic Systems.*** Where a well or septic system is used for the proposed ADU, approval by the Environmental Health Department will be required, as allowed by Government Code Section 65852.2(a)(1)(D)(ix). An on-site sewage treatment, conveyance, and disposal system will be required by the County Code, Chapter 7.07.
8. ***Manufactured Housing.*** Except as otherwise provided in this chapter, accessory dwelling units shall comply with all uniform building codes adopted, and all other applicable laws, rules, and regulations. An accessory dwelling unit may consist of manufactured housing on a permanent foundation if such housing is permitted in the district in which it is proposed to be located and meets the standards for such housing.
9. ***Permit Denial Exemption.*** No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit, administrative use permit, minor-use permit, or conditional use permit.
10. ***Transfer of Sale.*** Any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a planned development, and any provision of a governing document, that either effectively prohibits or unreasonably restricts the construction or use of an accessory dwelling unit or junior accessory dwelling unit on a lot zoned for single-family residential use that meets the requirements of Section 65852.2 or 65852.22 of the Government Code, is void and unenforceable.

11. **Development Fees.** Fees will be charged for the construction of accessory dwelling units, in accordance with Chapter 13.50 of the Yuba County Development Code and state law.
 - a. The County, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet.
 - b. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.
 - c. School districts are authorized but do not have to levy impact fees for accessory dwelling unit greater than 500 square feet pursuant to Section 17620 of the Education Code. Accessory dwelling units less than 500 square feet are not subject to school impact fees.
- K. **Code Enforcement.** The code enforcement officer may conduct a review of accessory dwelling units within the county. The code enforcement officer or designee may enforce all provisions of this code and provisions of state law pertaining to the development, occupation, and maintenance of residential properties and accessory dwelling units, pursuant to the following provisions:
 1. **Reporting.** A code enforcement officer may report:
 - a. A change in ownership of the lot or parcel of land on which the residential units are situated.
 - b. A change in the occupancy of the residential units that is not in compliance with this section.
 2. **Violation.** A code enforcement officer may issue to an owner of an accessory dwelling unit a notice to correct a violation of any provision of any building standard or any failure to comply with this section. The code enforcement officer shall include in that notice a statement that the owner of the unit has a right to request a delay in enforcement pursuant to the following findings:
 - a. The accessory dwelling unit was built before January 1, 2020.
 - b. The accessory dwelling unit was built on or after January 1, 2020; however, at the time the unit was built, the County had a noncompliant accessory dwelling unit ordinance, but the unit is compliant at the time the request is made.
 3. **Violation Correction.** The owner of an accessory dwelling unit that receives a notice to correct violations or abate nuisances, as described in Section 11.67, may submit an application to the County requesting that enforcement of the violation be delayed for up to five years on the basis that correcting the violation is not necessary to protect health and safety.
 - a. The County shall grant an application described in Section 11.67 if it is determined that correcting the violation is not necessary to protect health and safety. In making this determination, the Zoning Administrator shall consult with the code enforcement officer, building

official, and/or the State Fire Marshal or designee pursuant to Section 13146 of the Health and Safety Code.

- b. The County shall not approve any applications pursuant to this section on or after January 1, 2030. However, any delay that was approved by the County before January 1, 2030, shall be valid for the full term of the delay that was approved at the time of the initial approval of the application, pursuant to Section 11.67. If upon such review it appears that in a particular case a violation of the provisions of this chapter has occurred, the code enforcement officer may take such action as deemed necessary by the county attorney to correct any violation.

11.32.040 Agricultural Labor Housing

- A. **Applicability.** Housing for agricultural employees or immediate family of those employed for the exclusive purpose of agricultural pursuits either on the premises or off-site shall be designed, operated and located according to the standards of this section except as provided below.
 1. ***Housing for Six or Fewer Persons.*** A residential structure providing accommodation for six or fewer persons shall be considered a single-unit residential use and shall be allowed by right in any district that permits single-unit residential uses.
 2. ***Residential Development in Non-Agricultural Districts.*** Multi-Unit Residential, Boarding Facility, or Single-Room Occupancy uses located in a non-agricultural district. These housing types, whether designed for and occupied by farm workers or other residents, shall be subject to the same use and development regulations as they otherwise would in the applicable districts.
- B. **Number of Housing Units Allowed.** No more than 36 beds in a group quarters or up to 12 dwelling units or spaces designed for use by a single family or household (up to six agricultural employees) are allowed on an individual parcel. The Planning Commission may authorize additional beds or units through a Conditional Use Permit where the Planning Commission makes specific findings that document the necessity for the number of approved units. For sites with a combination of group quarters or individual units the following combinations are permitted without approval of a Conditional Use Permit:
 1. 18 beds and six single household units (50:50 percent) or
 2. 27 beds and three single household units (75:25 percent) or
 3. Nine beds and nine single household units (25:75 percent).
- C. **Development Standards.**
 1. **Agricultural Employee Verification.** As part of the building permit application, an agricultural employee verification form shall be submitted to the Planning Department. The verification form shall include information regarding the housing type, number of dwelling units or beds, type of residency (permanent, temporary, or seasonal), entity responsible for housing maintenance and upkeep, copy of permit to operate from the California Department of Housing and Community Development if applicable, and notarized statement that the housing is for agricultural employees and their families as defined in the County Code.
 2. All housing, whether permanent or temporary, shall meet the development standards of the district and be subject to all applicable building, fire, and health codes.

- a. Location. Agricultural employee housing shall be located at least 50 feet from barns, pens or other structures that house livestock. The housing shall be located off of prime and productive agricultural land, unless no other alternative locations exist on the site.
3. Housing shall be constructed and maintained to conform to the State Department of Housing and Community Development regulations for employee housing. Housing for five or more agricultural employees is subject to the permitting requirements of the California Housing Employee Act. The property owner shall obtain and maintain all required permits from the California Housing and Community Development (HCD) Department.
4. Mobile homes used specifically for such housing shall be maintained in compliance with the applicable requirements of the Manufactured Housing Act (Health and Safety Code Section 18000, et seq.). For purposes of zoning, manufactured homes utilized for agricultural labor housing shall not be considered a mobile home park.
5. Temporary housing facilities. The use of tents, recreational vehicles, mobile camping equipment or other temporary facilities approved for human habitation for agricultural employees may be allowed upon approval of an Administrative Use Permit. In addition to the criteria stated above, temporary housing facilities for agricultural employees shall meet the following requirements:
 - a. Use of temporary housing facilities is limited to a maximum duration of 90 days per calendar year in one location (cumulative) unless a longer time period is approved through approval of an Administrative Use Permit;
 - b. Shall be located a minimum of 100 feet from public right of ways, property lines, and season or permanent water ways;
 - c. Shall obtain clearances from the Environmental Health Department for the provisions of water; waste water, solid waste; and any proposed food facilities.

11.32.050 Animal Raising and Keeping

It is the intent of the following regulations to keep and maintain domestic, farm/livestock, and exotic animals on their private property in a manner that will protect the health, safety and welfare or nearby residents, and to protect the health, safety, and welfare of animals.

A. Regulations Pertaining to Livestock

1. ***Enclosure Location (County-wide).*** No barn, coop, stable, or corral shall be located closer than 50 feet to any abutting dwelling, except for caretaker quarters and shall be a minimum of 100 feet from any well or year round creek or river.
 - a. *The raising and keeping of animal livestock is prohibited within the front yards of properties within the Valley Growth Boundary.*
2. ***Minimum Parcel Size.*** Within the Valley Growth Boundary, parcels shall be a minimum of one acre in size.
 - a. ***Educational Project Exemption.*** Temporary education projects, including, but not limited to FFA, 4-H, and school projects, conducted by students (living at the subject property) through the twelfth grade plus one year thereafter and under the direct supervision of a qualified, responsible adult advisor or instructor may apply

for a Waiver to the minimum lot size or zone district which do not otherwise permit the raising and keeping of such animals pursuant to Chapter 11.60, Waivers and Modifications. The Zoning Administrator may only approve a waiver after consultation with the agricultural commissioner and a determination that adverse impacts to neighboring residents are effectively mitigated. Waivers shall be valid for a 12 month period and may be renewed annually.

- b. *The raising of animals on a Residential parcel located within the Valley Growth Boundary that has not established a primary use is not permitted.*

3. **Maximum Number of Animals:** Within the Valley Growth Boundary, the number of animals permitted is based on the zone district, acreage of the site and type of animals calculated by animal unit equivalent.

- a. *Animal Unit (AU).* For purposes of this Code, an animal unit is a unit of measure indicating the ability of land to support a specific density of livestock as well as maintain the intended character of the zone district. For calculation purposes only livestock are counted. See Table 11.32.050-A(3)(A1) for animal calculations.

TABLE 11.32.050-A(3)(A1): NUMBER OF LIVESTOCK PER ANIMAL UNIT (AU)	
Type of Livestock	Number of Livestock per one AU
Horses, cattle, camels & similar	1
Swine & similar	2
Sheep, goats, llamas, alpacas & similar	4
Chickens, game fowl, turkeys, peacocks, squab, rabbits & similar	20
Ostrich, emus & similar	4

- b. *Specific Type of Animals Permitted.* The following requirements apply to the keeping or raising of livestock. More than one type of animal may be kept on a single site so long as the number of animal units per acre and maximum number of animal units per parcel is not exceeded. For example a parcel designated as RS that is 1 acre in size is allowed a total of one animal unit equivalent (1 AU) which could be comprised of one horse (1 AU) or two sheep and 13 chickens (1 AU), or two goats, eight chickens, and eight rabbits (1 AU).

TABLE 11.32.050-A(3)(B): PERMITTED LIVESTOCK UNITS		
Zone District	Number of AUs per Acre	Maximum Number of AUs Per Parcel
RS, RM, RH	1	3
RE within VGB	1	5
1. No roosters are permitted 2. Swine. The keeping of swine shall not include more than one brood sow. Any additional brood sows shall constitute a hog farm. New Hog farms, dairies, and feed lots are prohibited within the Valley Growth Boundary. 3. The keeping of livestock owned by others, or offering training, therapy, boarding or other commercial services is considered a boarding or equestrian facility and is not permitted within the Valley Growth Boundary.		

- c. *Exceptions.* Increases in the maximum number of Animal Units allowed per acre or parcel may be allowed through approval of a Waiver when the increase is less than 25 percent, an Administrative Use Permit for increases up to 50 percent, or a Minor Conditional Use Permit for increases greater than 50 percent.
- i. The decision-making authority may only approve an increase in the number of livestock after consultation with the Agricultural Commissioner, Environmental Health Department and a determination that adverse impacts to neighboring residents are effectively mitigated.
- d. *Fuel Reduction (Brush and Vegetation).* The temporary use of sheep and goats to reduce the amount of on-site brush and vegetation is permitted on sites greater than one acre in size, but shall not exceed a total of two weeks within any 12 month period.

4. ***Operation and Maintenance Standards (County-wide).***

- a. *Odor and Vector Control.* Except parcels designated as AE or AI, Pastures agricultural accessory structures and animal enclosures, including but not limited to pens, coops, cages, barns, corrals, paddocks and feed areas shall be maintained free from excessive litter, garbage and the accumulation of manure, so as to discourage the proliferation of flies, other disease vectors, and offensive odors. Sites shall be maintained in a neat and sanitary manner.
- b. *Erosion and Sedimentation Control.* In no case shall any person allow keeping of livestock to cause significant soil erosion, or to produce sedimentation on any public road, adjoining property, or in any drainage channel.
- c. If the keeping of livestock on the site is not maintained in compliance with the provisions of this section it shall be deemed a public nuisance and may be subject to abatement as set forth in Section 11.67.020, Enforcement of this Code and Titles VII (Health and Sanitation) and VII (Public Peace & Safety) of the County Code.

- B. **Regulations Pertaining to Outdoor Aviaries.** Within the Valley Growth Boundary, the keeping of domestic or exotic birds primarily, other than those classified as livestock (game fowl and chickens, squab, ostriches, emus, peacocks, turkeys, and similar birds), is permitted pursuant to Table 11.32.050-B(2). Any species of domestic or exotic bird(s) (except livestock) which is raised or kept inside of a residence is considered a household pet and is otherwise regulated by the provisions in subsection 11.32.050(E) of this Section. The keeping of imported birds may also require approval by: U.S. Department of Agriculture, Fish and Wildlife Service, U.S. Department of Public Health, California Department of Fish and Wildlife, and/or the California Department of Food and Agriculture, in addition to any approval required by this code.

1. ***Bird Classes.***

- a. *Class 1.* Canaries, Parakeets, Finch and similar small songbirds
- b. *Class 2.* Cockatiels, Quail, Doves, Pigeons , and similar types of birds
- c. *Class 3.* Cockatoos, Parrots and similar types of birds

2. **Number of birds permitted.** Outdoor aviaries are permitted in all agricultural districts and as an incidental and accessory use to a permitted residence when no commercial activity is involved in all applicable zone districts that allow for a residence. The number of birds allowed is based on the net acreage of the parcel the aviary is located on.

TABLE 11.32.050-B(2): NUMBER OF BIRDS PERMITTED IN OUTSIDE AVIARIES			
Parcel Size	Maximum Number of Birds	Bird Class	Distance from adjacent residences (feet)
Less than 5,000 sq. ft.	12	1	10
	6	2	
5,001 to 10,000 sq.ft.	24	1	15
	12	2	
	3	3	
10,001 to 20,000 sq. ft.	48	1	30
	24	2	
	6	3	
Over 20,000 sq. ft.	96	1	50
	48	2	
	12	3	

3. **Exceptions.** Increases in the maximum number of birds is allowed through approval of a Waiver when the increase is less than 25 percent, an Administrative Use Permit for increases up to 50 percent, or a Minor Conditional Use Permit for increases greater than 50 percent.
4. **Operation and Maintenance Standards.** The standards specified in Subsection 11.32.050A.4 above shall apply to outdoor aviaries.
- C. **Regulations Pertaining to Apiaries/Bee Keeping.** The keeping of bees shall not be permitted within the Valley Growth Boundary except on existing agricultural properties. Where bees are permitted they are subject to the requirements of the Agricultural Commissioner.
- D. **Regulations Pertaining to Wild Animals (County-wide).** The keeping of wild animals shall be limited to wildlife sanctuaries or wildlife rehabilitations facilities. All such facilities shall obtain approval of an Administrative Use Permit and any required licenses from Yuba County Animal Care Services and the California Department of Fish and Wildlife.
- E. **Regulations Pertaining to Household Pets (County-wide).** When conducted within the house or within a residential accessory structure on the same site, the keeping of common household pets, including but not limited to: dogs, cats, guinea pigs, hamsters, rabbits, domestic or exotic birds (except livestock breeds), non-poisonous reptiles and amphibians, fish, and/or the keeping of other small domesticated or caged small animals incidental and accessory to a permitted residential use when no commercial activity is involved is permitted in all applicable zone districts.
1. **Operation and Maintenance Standards.**
- a. **Odor and Vector Control.** The premises where household pets are kept shall be maintained in a clean and sanitary manner by the removal of waste, litter or garbage,

so as to discourage the proliferation of flies, other disease vectors, and offensive odors.

- b. *Erosion and Sedimentation Control.* In no case shall any person allow animal keeping to cause significant soil erosion, or to produce sedimentation on any public road, adjoining property, or in any drainage channel. In the event such sedimentation occurs, the keeping of animals outdoors on the site shall be deemed a public nuisance and may be subject to abatement as set forth in Section 11.67.020, Enforcement of this Code and Titles VII (Health and Sanitation) and VII (Public Peace & Safety) of the County Code.
- c. *Nuisance Declared.* Where it is found by the Environmental Health Director that the keeping of household pets in such a number or manner is injurious to the health, safety, or welfare of the inhabitants of the home, the household pets, or adjacent residences, the Environmental Health Director may through written findings declare the keeping of such pets a public nuisance subject to the procedures listed in Chapter 11.67, Enforcement and Abatement Procedures.
- d. *Hobby and Commercial Kennels.* Hobby and commercial kennels are also subject to any permits and requirements established by the Environmental Health Department.

2. ***Dogs.*** The keeping of dogs and similar animals (pygmy goats, pot-bellied pigs, etc.) for personal purposes (pets) including the temporary fostering of such animals is permitted in all zone districts that allow for a residence or where guard dogs are permitted. The number of dogs and similar animals permitted is based on the zone district as identified in Table 11.32.050(E)(2) of this Chapter. Dogs kept for personal purposes are limited to no more than one litter per 12 month period regardless of the number of dogs owned/permitted. The breeding of dogs in excess of one litter per 12 month period is considered a commercial kennel and is only allowed in those districts that allow for commercial kennels subject to any required permits including but not limited to a kennel permit from the Environmental Health Department.

- a. Dogs over four months of age in excess of the number principally permitted may be allowed as a hobby kennel with approval of an Administrative Use Permit.
- b. The keeping of dogs over four months of age in excess of the number allowed as a hobby kennel will be considered a commercial kennel and is only allowed in those districts that allow for kennels subject to any required permits.
- c. The keeping of dogs and similar animals owned by others, or offering training, grooming, therapy, boarding or other services is considered a commercial kennel or pet service and is only allowed in those districts where kennel, pet grooming, and animal services are listed as a permitted or conditionally permitted use.
- d. *Agricultural operations.* Dogs used in herding livestock or other permitted agricultural use are excluded from the provisions in Table 11.32.050(E)(2) below.
- e. *Guard dogs.* In non-residential areas, up to two guard dogs are permitted per business establishment. Additional guard dogs may be authorized through a Waiver from the Zoning Administrator where it can be demonstrated that additional guard dogs are needed to adequately secure the facility.

TABLE 11.32.050-(E)(2): NUMBER OF DOGS PERMITTED BY ZONE DISTRICT		
Zone District	Number of Dogs (over 4 months of age)	Discretionary Permit Required
RS, RM, RH (per unit)	Up to 4	None
	5-8 (hobby kennel)	Administrative Use Permit
RE, AR, RR, RC, AI, AE, TPZ, RPR less than 5 acres in size	Up to 6	None
	7-15 (hobby kennel)	Administrative Use Permit
RE, AR, RR, RC, AI, AE, TPZ, RPR greater than 5 acres in size	Up to 8	None
	9-20 (hobby kennel)	Administrative Use Permit
1. All other zone districts: Keeping (boarding, breeding, sale) of dogs or similar animals is considered a commercial kennel or pet store and is subject to the requirements and permitted uses of the specific zone district. 2. The decision-making authority may only approve an increase in the number of animals after consultation with the Environmental Health Department and Animal Control and a determination that the property has adequate space to allow for additional animals and any adverse impacts to neighboring residents are effectively mitigated.		

F. **Non-Conforming Animal Keeping.** The keeping of types or numbers of animals not allowed in a particular zoning district may be continued provided that:

1. The number of animals existing on the site was legally permitted prior to the adoption of this Development Code.
2. The number of animals legally existing on the site on the effective date of this Development Code shall not be increased unless allowed pursuant to the requirements of this Section.
3. New offspring of legally existing animals may be retained on-site until four months of age or until weaned, after which the new animals are to be removed.
4. Deceased animals shall not be replaced.
5. Animals that are relocated to another location for a period greater than 90 days shall not be replaced or brought back to the non-conforming site.
6. Owners of non-conforming animals shall also be subject to the management practices of this chapter.

11.32.060 Automobile/Vehicle Sales and Services

Automobile/Vehicle Sales and Service establishments shall be located, developed and operated in compliance with the following standards.

A. **Landscaping and Screening.** Landscaping and screening shall be provided as follows:

1. A masonry wall at least six feet in height shall be provided along all lot lines adjacent to a residential district for parcels located in the Valley Growth Boundary.
2. A landscaped planter with a minimum inside width of eight feet and enclosed within a six-inch-high curb shall be provided along the front and street side property lines, except for vehicular circulation openings. A landscaping buffer with a minimum inside width of at least six feet shall be provided along all other property lines that abut a residential district.

- B. **Application Review and Findings for Approval.** The decision-making authority shall only approve an Automobile/Vehicle Sales and Service facility if it finds that:
1. The project is designed so that form and scale are harmonious and consistent with the character of the specific site, the adjacent uses and structures, and the surrounding neighborhood.
 2. The site design, including the location and number of driveways, will promote safe and efficient on-site and off-site traffic circulation.
 3. Service bay openings are designed to minimize the visual intrusion on surrounding streets and properties.
 4. Lighting is designed to be low-profile, indirect or diffused and to avoid adverse impacts on surrounding uses.
 5. The washing facility will not have an adverse impact on water supply and quality.
- C. **Conditions of Approval.** Conditions of approval may include limitations on operational characteristics of the use; restrictions on outdoor storage and display, location of pump islands, canopies and service bay openings; and/or requirements for buffering, screening, lighting, planting areas, or other site elements, in order to avoid adverse impacts on adjacent lots or the surrounding area.
- D. **Automobile/Vehicle Sales and Leasing.** Automotive servicing or repair is permitted as an accessory use for automobile/vehicle dealers that offer maintenance and servicing of the type of vehicles sold on site.
- E. **Automobile/Vehicle Service and Repair, Major and Minor.** Major and minor automobile/vehicle service and repair uses, as well as any other uses, such as auto dealerships or service stations, that perform auto servicing as an accessory activity, are subject to the following standards.
1. **Noise.** All body and fender work or similar noise-generating activity shall be conducted within an enclosed building with sound-attenuating construction to absorb noise. Air compressors and other service equipment shall be located inside a building or enclosure to attenuate noise unto adjacent properties.
 2. **Work Areas.** All work shall be conducted within an enclosed building except: pumping motor vehicle fluids, checking and supplementing various fluids, and mechanical inspection and adjustments not involving any disassembly.
 3. **Vehicle Storage.** Vehicles being worked on or awaiting service or pick-up shall be stored within an enclosed building or in a parking lot on the property that is screened in compliance with Section 11.19.080, Screening.
 4. **Litter.** The premises shall be kept in an orderly condition at all times. No used or discarded automotive parts or equipment or permanently disabled, junked, or wrecked vehicles may be stored outside a building.
- F. **Automobile/Vehicle Washing.** Automobile/vehicle washing facilities are subject to the following standards.
1. **Washing Facilities.** No building or structure shall be located within 30 feet of any public street or within 20 feet of any interior property line of a residential use or residential district. Washing facilities are subject to drainage and clean water regulations as determined by the Public Works Department.

2. **Hours of Operation.** When abutting a Residential District, the hours of operation are limited to 8:00 a.m. to 8:00 p.m., seven days a week.
- G. **Service Stations.** Service stations and any other commercial use that includes fuel pumps for retail sales of gasoline are subject to the following standards.
1. **Pump Islands.** Pump islands shall be located a minimum of 15 feet from any property line to the nearest edge of the pump island. A canopy or roof structure over a pump island may encroach up to 10 feet within this distance.
 2. **Abandonment.** Any service station shall in the case of abandonment or non-operation of the primary use be dismantled and the site cleared within 12 months subsequent to the close of the last business day.

11.32.070 Campgrounds

Private campgrounds and RV parks shall be located, developed, and operated in compliance with following standards.

- A. **Unauthorized Camping Prohibited.** It shall be unlawful to place, maintain, use, or occupy any vehicle or temporary structure, such as a tent, lean-to, or other makeshift enclosure for which no building permit has been issued, on any lot of real property for the purpose of camping, dwelling, maintaining, or establishing a temporary or permanent residency except under the following circumstances:
1. **Properties located outside the Valley Growth Boundary.** Property owners camping on their own real property shall be limited to 14 days within any 60 day period.
 - a. Refuse and solid waste shall be properly managed in accordance with the requirements of Environmental Health Department and Chapter 7.05 of the County Code, Removal of Refuse.
 - b. Burning of refuse is prohibited.
- B. **Compliance with State Law.** All Campgrounds shall comply with the minimum standards of the Special Occupancy Parks Act (Health and Safety Code Section 18860, et seq.) and the applicable regulations adopted by the Department of Housing and Community Development (Code of Regulations, Title 25, Chapter 2.2) including, but not limited to setback and separation standards, infrastructure requirements, operations, maintenance, and inspections within these facilities.
1. Organized camps meeting the definition of CA Health and Safety Code, Division 13, Part 2.3, Sections 18897-18897.7; and Title 17, Subchapters 6, Sections 30700-30753 of the California Code of Regulations are subject to regulation by the Environmental Health Department. Permits to operate organized camps along with the associated food facility, public swimming pools and public water systems are issued by the Environmental Health Department. Enforcement of building code standards for organized camps will be delegated from the Environmental Health Department to the Building Department.
- C. **Minimum Area and Density.** The minimum area of a Campground shall be three acres. A minimum of 50 percent of the total site area shall be left in its natural state or be landscaped. The remaining 50 percent of land is eligible for development. For campgrounds with designated camping areas, each individual campsite or RV space shall be no less than 1,000 square feet. The overnight population per

campsite, RV space, or cabin shall not exceed six persons. Occupancy of group sites and cabins will be determined through the Use Permit based on size and location.

- D. **Fencing.** A fence, wall, landscaping screen, earth mound or other screening approved by the Planning Director, or otherwise required by this Code, may be required as needed for public safety. Fencing to delineate campground boundaries may also be permitted, but should be of a design consistent with character of the neighborhood.
- E. **Access.** Campground access roads shall have clear and unobstructed access to a public roadway. There shall be no direct access from an individual campsite, RV space, or cabin to a public roadway.
- F. **Trash Collection Areas.** Trash collection areas shall be adequately distributed and enclosed by a six-foot-high landscape screen, solid wall, or fence that is accessible on one side. Bear-resistant garbage can containers may be required.
- G. **Water Supply and Sewage Disposal.** Adequate water supply and/or septic capability is available to serve the project, as determined by the County Department of Environmental Health.
- H. **Commercial Use.** Campgrounds may include minor accessory commercial uses such as recreational equipment rental or general stores subject to Use Permit approval.
- I. **Length of Stay.** The maximum length of stay in any Campground shall not exceed 21 consecutive days within a 30 day period unless a longer time period is approved through the Use Permit.
- J. **Structures and Recreational Facilities.** The following standards apply to structures on the site, apart from the personal residence of the property owner or caretaker:
 - 1. Structures are limited to: restrooms/showers; clubhouse, which may contain one commercial kitchen facility and be used for minor recreational purposes; and, cabins, yurts, and permanent RV trailers for transient occupancy.
 - 2. Campgrounds may include minor accessory recreational uses or structures such as but not limited to swimming pools and tennis courts.

11.32.080 Caretaker Residences

Caretaker Residences shall be located, developed, and operated in compliance with following standards.

- A. **Accessory Use.** A Caretaker Residence is intended for sites that do not allow a single-unit dwelling by right. The caretaker residence must be accessory to a primary use that requires a caretaker for security purposes or for continuous supervision or care of people, plants, animals, equipment, or other conditions on site. See also agricultural labor housing and employee housing.
- B. **Number of Units.** A maximum of one Caretaker Residence is permitted per site.
- C. **Occupancy.** At least one of the occupants of the Caretaker Residence shall be the owner or lessee, or an employee of the owner or lessee of the site.
- D. **Location.** A Caretaker Residence shall be located on the same lot as the primary use it serves. It may be located within or attached to a building on the site or as a detached structure.
- E. **Compliance with Building Standards.**
 - 1. All housing, whether permanent or temporary, shall meet the development standards for the zone and be subject to all applicable building, fire, and health codes.

2. Permanent housing shall be constructed and maintained to conform to State Department of Housing and Community Development regulations for employee housing (Health and Safety Code Section 17000 et seq.).
3. Mobile homes used specifically for such housing shall be maintained in compliance with the applicable requirements of the Manufactured Housing Act (Health and Safety Code Section 18000 et seq.).

F. Removal of Housing Unit. A Caretaker Residence shall remain in use concurrent with the existence of the use that justifies the housing unit. Upon termination of the allowed primary use, the Caretaker Residence shall be removed if a temporary structure or converted to another allowed use if a permanent structure.

11.32.090 Drive In and Drive Thru Facilities

Drive in or drive thru facilities shall be located, developed and operated in compliance with the following standards:

- A. **Where Allowed.** Drive in and drive thru facilities are allowed, subject to approval of a Zoning Clearance or in conjunction with a discretionary permit as authorized by the base zone district.
- B. **Drive In and Drive Through Aisles.** Drive-in and drive-through aisles shall be designed to allow safe, unimpeded movement of vehicles at street access points and within the travel aisles and parking space areas.
- C. **Drive In and Drive Through Queue Area.** Each drive-through aisle shall provide a sufficient queue for four cars, of at least 80 feet, and the queue area shall not interfere with public rights-of-ways or streets, or with on- or off-site circulation and parking. The Planning Director may grant exceptions to the queue size based on an interior traffic circulation study.
- D. **Screening.** Each drive-through aisle shall be screened with a combination of decorative walls and landscape to a height of 20 inches to prevent headlight glare and direct visibility of vehicles from adjacent streets and parking lots.
- E. **Menu Boards.** Menu boards shall not exceed 32 square feet in area, with a maximum height of six feet, and shall face away from public rights-of-ways unless located at least 35 feet from the street and adequately screened from view. All outdoor speakers shall be directed away from any residential district or residential use.
- F. **Pedestrian Walkways.** Pedestrian walkways shall not intersect drive-in or drive-through aisles, unless no alternative exists. In such cases, pedestrian walkways shall have clear visibility, emphasized by enhanced paving or markings.

11.32.100 Emergency Shelters

Emergency Shelters shall be located, developed, and operated according to the following standards:

- A. **Location.** An Emergency Shelter providing up to 25 beds shall not be required to be more than 300 feet of another Emergency Shelter.
- B. **Length of Stay.** Occupancy for any one individual in the Emergency Shelter shall be limited to six months (180 days) within any 12-month period.

- C. **On-site Waiting and Intake Areas.** The Emergency Shelter shall provide on-site waiting and intake areas, such areas shall be located either inside the facility or fully screened from view of the public right-of-way and neighboring properties.
- D. **Hours of Operation.** Each Emergency Shelter shall establish and maintain set hours of operation for client intake and discharge. These hours shall be clearly displayed at the entrance to the shelter at all times. The shelter operator shall discourage loitering of clients in the vicinity of the shelter during non-intake hours of operation.
- E. **Staffing.** On-site management shall be provided 24 hours a day seven days a week and accompanied by support staff. Only individuals that do not utilize a client bed/or other on-site services are eligible as on-site management.
- F. **Management Plan.** Prior to commencing operation, the Emergency Shelter provider must have a written management plan. The management plan must include the following:
 - 1. Total number of beds provided, including the number of beds, if any, are reserved for persons under the age of 16.
 - 2. Minimum square footage of personal living space for each resident, the square footage of indoor and outdoor common areas, and the number of bathing/bathroom facilities.
 - 3. Staffing information including the total number of staff and staffing by shift, provisions for staff training, and contact information for key staff.
 - 4. Resident identification process and the type of clientele served. Include provisions for dealing with sex offenders and/or parolees.
 - 5. Description of training, counseling, social services, or other types of services that will be provided on-site. Food related services may require additional permits and/or clearances from the Environmental Health Department.
 - 6. Policies regarding pets. Kennels may require a permit from the Environmental Health Department. Outdoor Kennels require approval of a Conditional Use Permit when associated with an Emergency Shelter.
 - 7. Timing and location of outdoor activities.
 - 8. Temporary storage of residents' belongings.
 - 9. Safety and security including lighting.
 - 10. Site plan, floor plan, and building elevations.

11.32.110 Employee Housing

- A. **Applicability.** To provide a mechanism for on-site employee housing where the subject business, operation or institution proposing employee housing is in a location where other housing is unavailable, infeasible, or is necessary for the operational characteristics of the business.
- B. **Occupancy.** At least one of the occupants of each employee housing unit shall be a full-time employee of the business, operation or institution that qualifies for employee housing pursuant to this section.
- C. **Location.** Employee housing shall be located on the same lot as the primary use it serves, unless an off-site location is approved by the Planning Commission through approval of a minor conditional use permit. A finding shall be made indicating that due to topography, operational characteristics, or other

site constraints it is infeasible for the employee housing to be located on the same site as the use requiring the employee housing. In no instance shall the employee housing be located more than one mile from the use requiring the employee housing.

- D. **Number of units:** The number of dwelling units designed for single family/households or number of beds in group quarters shall be determined by the decision-making authority. The applicant shall submit documentation demonstrating the number of units/beds necessary for the conduct of the principal use.
- E. **Removal of Housing Unit.** Employee housing may remain in use concurrent with the existence of the use that justifies the housing unit. Upon termination of the allowed primary use, the employee housing shall be removed if a temporary structure, or converted to another allowed use if a permanent structure.
- F. **Development Standards.**
 - 1. All housing, whether permanent or temporary, shall meet the development standards of the district and be subject to all applicable building, fire, and health codes.
 - a. Location. Employee housing shall be located at least 50 feet from barns, pens or other structures that house livestock.
 - 2. Mobile homes used specifically for such housing shall be maintained in compliance with the applicable requirements of the Manufactured Housing Act (Health and Safety Code Section 18000, et seq.). For purposes of zoning, manufactured homes utilized for employee housing shall not be considered a mobile home park.
 - 3. Temporary housing facilities. The use of tents, recreational vehicles, mobile camping equipment or other temporary facilities approved for human habitation for employees may be allowed upon approval of a Minor Conditional Use Permit. In addition to the criteria stated above, temporary housing facilities for employees shall meet the following requirements:
 - a. Length of time temporary housing facilities may be used during a calendar year shall be determined through the use permit process;
 - b. Shall be located a minimum of 100 feet from public right of ways, property lines, and seasonal or permanent water ways;
 - c. Shall obtain clearances from the Environmental Health Department for the provisions of water; waste water, solid waste; and any proposed food facilities.

11.32.120 Family Day Care, Large

- A. **Number.** The number of Large Family Day Care homes located along a street frontage are limited to the following:
 - 1. One per 1,000 linear feet of street frontage in the residential zones and Plumas Lake Specific Plan.
 - 2. One per 2,500 linear feet of street frontage in the AE and AR, zones.
- B. **Parking.** Three spaces are in addition to the two off-street spaces for primary residence. Driveways may be utilized to accommodate parking for the day care.

11.32.130 Farmer's Markets

- A. **Limitation in Valley Growth Boundary.** In any residential district, farmers' markets may be permitted only on parking lots and other paved areas serving community facilities; schools; or other public or quasi-public uses. Farmers markets in commercial districts may be permitted as special events as identified in Section 11.32.320.
- B. **Limitation in Agricultural and Rural Community Districts.** Farmer's Markets in agricultural districts and rural residential districts that are not located at community facilities or schools may be permitted as part of a ranch marketing operation. Farmers markets in rural commercial zone districts may be permitted as special events as identified in Section 11.32.320.
- C. **Operational Standards.** Farmers markets shall comply with the following standards:
 - 1. The market is operated by one or more certified producers, a nonprofit organization, or a local government agency;
 - 2. All producers are authorized by the County Agricultural Commissioner to sell directly to consumers farm products or value-added farm products;
 - 3. The market operator and/or producers must obtain and maintain all required licenses, certificates, and health permits. All products offered for sale shall comply with health and safety standards established by the Environmental Health Department and other applicable regulatory agencies.;
 - 4. Documentation is provided to show that all standards set forth in this section are met.
- D. **Hours of Operation.** Market activities shall be conducted between the hours of 7 a.m. and 7 p.m., with one hour provided for set-up and one hour for clean-up and take-down.
- E. **Lighting.** Any lighting must be shielded so as not to shine directly or indirectly on adjacent property.
- F. **Waste Disposal.** Adequate composting, recycling, and trash containers shall be provided during hours of operation, and shall be removed from site for appropriate disposal. The site shall be cleaned at the end of each day of operations, including the removal of all stalls and debris.
- G. **Management Plan.** In instances where a Zoning Clearance or Administrative Use Permit is required, a Management Plan shall also be prepared and provided to the Review Authority, including the following:
 - 1. Identification of (a) Market Manager(s), who shall be present during all hours of operation.
 - 2. A set of operating rules addressing dates and hours of operation; maintenance; security; refuse collection; and parking.
 - a. *Site Circulation.* Market shall not block accessible pathways or parking spaces, public rights-of-way, sidewalks, or impede on-site circulation and parking for either the market or any businesses that are operating on the site.

11.32.140 Home Occupations

Home Occupations shall be located and operated in compliance with the following standards.

- A. **Terms of Use.** A home occupation is considered accessory and incidental to a primary residential use.
- B. **Zoning Clearance Required, Not Transferable.** A Zoning Clearance or self certification is required

for each home occupation, pursuant to the provisions of Chapter 11.55, Zoning Clearances. A Zoning Clearance to conduct a home occupation at a particular address is not transferable from one party to

another, nor may the type of business be modified. A new Zoning Clearance or self certification must be obtained for each new home occupation.

C. **Operational and Performance Standards.** Home occupations must be located and operated consistent with the following standards:

1. No person other than members of the family residing on the premises shall be engaged in such occupation.
2. Instructional services shall be limited to no more than two students at one time and no more than four lessons/appointments per day;
3. Personal services such as barbers, beauty salons and nail salons or dog grooming when conducted by appointment only and do not exceed four appointments per day.
4. Not more than 25 percent of the floor area of the dwelling unit, including attached garages, shall be used in the conduct of the home occupation.
5. Within the Valley Growth Boundary, no building or space outside of the dwelling unit and attached garage shall be used for home occupation purposes. Any work conducted within a garage shall be done with the garage doors closed. Outside the Valley Growth Boundary, detached garages, workshops and enclosed accessory structures may be utilized as part of the home occupation and do not count towards the limitation on floor area specified above.
6. In no way shall the appearance of the structure be so altered or the conduct of the occupation within the structure be such that the structure may be reasonably recognized as serving a nonresidential use.
7. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or cause fluctuations in the line voltage off the premises.
8. The home occupation shall not generate pedestrian or vehicular traffic in excess of that customarily associated with the zone in which the use is located.
9. All maintenance or service vehicles and equipment, or any vehicle bearing any advertisement related to the home occupation or any other similar vehicle shall be garaged or entirely screened. Such vehicle shall not have more than two axles.
10. There shall be no use of utilities or community facilities beyond that normal to the use of the property for residential or agricultural purposes as defined in the district.
11. There shall be complete conformity with Fire, Building, Plumbing, Electrical and Health Codes and to all Federal, State and County laws or ordinances.
12. Home Occupations that exceed the standards for vehicle trips, employees, or that have display/sales areas may be permitted upon approval of an Administrative or Minor Use Permit as established by the following table:

TABLE 11.32.140: HOME OCCUPATIONS	
Administrative Use Permit	Minor Conditional Use Permit
1 non-resident employee	Instructional Services: up to 5 students at one time or more than 4 appointments per day
Vehicle or equipment repair located completely within a structure. No more than 4 appointments per day.	Vehicle or equipment repair with operations or storage outdoors and/or more than 4 appointments per day.
Personal services: more than 4 appointments per day but does not exceed 16 vehicle trips/day (business related) including deliveries.	Personal services: that generates more than 16 vehicle trips/day but less than 32 vehicle trips/day (business related) including deliveries.
Does not exceed 4 vehicle trips/hour and no more than 16 vehicle trips/day (business related) including deliveries.	Does not exceed 8 vehicle trips/hour and no more than 32 vehicle trips /day (business related) including deliveries.
Outside Valley Growth Boundary, sales and display areas incidental to the home occupation of up to 300 sq ft may be permitted	Outside of Valley Growth Boundary the following deviations may be permitted: • Up to 3 employees • Requires less than 5 parking spaces for business and employees • Business is conducted outdoors or requires more than 300 square feet of sales/display area.
Vehicle trip: each vehicle to or from establishment counts as one trip (i.e. Two deliveries to an establishment in one day constitutes 4 vehicle trips).	

- D. **Cottage Food Operations.** A cottage food operation is allowed as an accessory use to any legally established residential unit subject to the standards of this Code, which are consistent with and implement State law (Sections 51035 et seq. of the Government Code and Sections 109947, 110050, 110460, 111955, 113789, 113851, 114021, 114023, 114390, 114405, and 114409, 113758, and 114088, and 114365 et seq. of the Health and Safety Code), relating to food safety:
1. **Registration.** Cottage food operations shall be registered as “Class A” or “Class B” cottage food operations and shall meet the respective health and safety standards set forth in Section 114365 et seq. of the California Health and Safety Code.
 2. **Sales.** Sales directly from a cottage food operation are limited to the sale of cottage food products. A cottage food operation shall not exceed the gross annual sales that is set forth by the California Department of Public Health in each calendar year that follows.
 3. **Operator and Employee Allowed.** Only the cottage food operator and members of his or her household living in the unit, as well as one full-time equivalent cottage food employee, may participate in a cottage food operation.
 4. **No Exterior Alteration.** No exterior physical alteration or addition that would change the residential character of the unit is allowed in conjunction with the establishment of a cottage food operation.
 5. **Location of Operations.** No sales, production, or materials storage associated with the cottage food operation may be located in an area generally visible from a public right-of-way.

Equipment. Cottage food operations may employ kitchen equipment as needed to produce products for which the operation has received registration, provided that equipment would not change the residential character of the unit, result in safety hazards, or create smoke or steam noticeable at the lot line of an adjoining residential property. Venting of kitchen equipment shall not be directed toward neighboring residential uses. If a commercial kitchen is required, the use is not classified as a cottage food industry. Please refer to Section 11.72.040, Commercial Use Classifications: Food Preparation and Section 11.74 Land Use Regulation Table.

E. **Prohibited Home Occupations.** The following specific businesses are not permitted as home occupations.

1. Adult-oriented business;
2. Ambulance services;
3. vehicle or equipment repair, painting, body/fender work, upholstery, detailing, washing, including motorcycles, trucks, trailers and boats (see Table 11.32.140);
4. Automotive/vehicle sales with any on-site storage or sale of vehicles;
5. Boarding, care, training, or breeding of animals for commercial purposes (except as permitted as a hobby kennel and subject to the regulations of Chapter 6.25, Pet Shops and Kennels, of the County Code).
6. Veterinary services;
7. Commercial food preparation, food handling, processing or packing other than that qualifying as a cottage food industry.
8. Wood working or similar uses with excessive dust or noise when located within the Valley Growth Boundary. Outside Valley growth Boundary must meet home occupation development standards;
9. Medical and dental offices, clinics, and laboratories;
10. Mini storage;
11. Mortuaries;
12. Recording studio (electronic composition, recording, and re-mixing conducted with headphones and using no amplification, live instruments or live performance excepted);
13. Restaurants;
14. Retail stores;
15. Towing service;
16. Welding, metal working, and machining businesses when located within the Valley Growth Boundary. Outside Valley growth Boundary must meet home occupation development standards.

F. **Denial and Revocation of Home Occupation Zoning Clearances.** A home occupation approval may be revoked or modified by the Planning Director subsequent to an administrative hearing for violation of any standard of this section. In the event of the revocation of any home occupation approval, or of objection to the limitations placed thereon, appeal may be made in accordance with Section 11.53.150, Appeals and Calls for Review.

11.32.150 Lodging

Agricultural Homestays and Bed and Breakfast Inns (B&B) shall be developed, located, and operated in compliance with the following standards.

TABLE 11.32.150: BED & BREAKFASTS AND AGRICULTURAL HOMESTAYS		
<i>Principally Permitted</i>	<i>Administrative Use Permit</i>	<i>Minor Conditional Use Permit</i>
Up to two rooms within the primary residence.	3 to 5 bedrooms within the primary residence, or up to five rooms within an accessory building permitted for habitation or combination of primary and accessory building not to exceed five rooms.	B&B: 6 to 10 rooms Agricultural Homestays: 6 rooms. Activities that include camping, cattle drives or similar outdoor activities (excluding day use/tours)

- A. **Other permits and clearances.** All B&B and agricultural homestays are subject to obtaining any required business licenses and payment of transient occupancy taxes as determined by the County Tax Collector's office. Facilities that provide meals or snacks to guests shall also obtain all required Environmental Health permits and clearances for a "restricted food service facility".
- Establishments that exceed the thresholds listed for B&Bs or agricultural homestays (i.e. number of rooms rented or meals served) shall be classified as a hotel/motel and is subject to the requirements and zone districts that allow such uses.
- B. **Agricultural Homestays.** Agricultural Homestays shall be accessory and subordinate to an on-site, bona fide agricultural or ranching operation and operated by a resident of the property. They shall comply with the following standards:
- The use is limited to a maximum of 15 visitors at any one time.
 - Meals may be served to overnight guests only. There are no limitations on the number of meals or the times at which they are served. The price of food shall be included in the price of the overnight accommodations, in compliance with the California Retail Food Codes (Health and Safety Code Section 113893) enforced by the County.
- C. **Bed and Breakfasts.** Bed and Breakfast establishments shall be located, developed, and operated in compliance with the following standards.
- Type of Structure.** A Bed and Breakfast may only be located, developed and operated in a single-family dwelling, unless authorized with the approval of a Use Permit..
 - Appearance.** In all residential districts, the exterior appearance of a structure housing a Bed and Breakfast shall not be altered from its original single-family character.
 - Limitation on Services Provided.** Service of meals and rental of bedrooms shall be limited to registered guests. Separate or additional kitchens for guests are prohibited. Unless a commercial kitchen is installed and approved by the Environmental Health Department, meals are limited to breakfast and pre-packaged self serve snacks as regulated by the California Health and Safety Code.

D. **Health Resorts and Retreat Centers.**

1. ***Compatibility with Adjacent Uses.*** Lots adjacent to or within Agricultural zoning must be reviewed by the Yuba County Agricultural Commissioner for compatibility with surrounding agricultural uses prior to action by the decision-making authority.
2. ***Limitations on Services Provided.*** Meals may be served to registered day use or overnight guests only. There are no limitations on the number of meals or the times at which they are served.

11.32.160 Low-Barrier Navigation Center

A low-barrier navigation center development is a use by right in areas zoned for mixed use and nonresidential zones permitting multifamily uses, if it meets the following requirements:

- A. **Connected Services.** It offers services to connect people to permanent housing through a services plan that identifies services staffing.
- B. **Coordinated Entry System.** It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. “Coordinated entry system” means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
- C. **Code Compliant.** It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
- D. **Homeless Management Information System.** It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System, as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

Within 30 days of receipt of an application for a low-barrier navigation center development, the County shall notify a developer whether the developer’s application is complete, pursuant to Government Code Section 65943. Within 60 days of receipt of a completed application for a low-barrier navigation center development, the County shall act upon its review of the application.

11.32.170 Mobile Vendors

Mobile vendors shall be located and operated in compliance with the following standards:

- A. **Itinerant/Roving Vendors.** Itinerant vending is permitted pursuant to the standards listed below pertaining to the location, appearance of vehicle and maintenance of the site (Sections C through E). Mobile vending shall only occur during daylight hours and are subject to the County’s Noise Ordinance. Additional regulations pertaining to mobile vending may be found in CDSA’s “Guidelines for Mobile Vending Facility Operation” handout.
- B. **Non-Itinerant Vending.** Non-itinerant vending on private property, public property or in the public right-of-way requires a Temporary Use Permit, pursuant to the procedures of Chapter 11.58, Temporary Use Permits, as well as any other permits, such as but not limited to a health certificate,

vendor permit (County parks and public property), or encroachment permits, that may be required by affected agencies.

1. **Site Plan.** A mobile food vendor shall submit a site plan indicating the location of the operation relative to surrounding buildings, parking lots and public rights-of-way, as well as such other information deemed necessary by the Planning Director.
2. **Operational Parameters.** A Temporary Use Permit for non-itinerant vending shall not exceed a period of one year. Extensions may be applied for prior to the expiration of the Temporary Use Permit in one year increments up to a cumulative total of four years, unless findings can be made that there is still a need for the use. The Temporary Use Permit may limit the days and hours of operation based on location.
3. **Sanitation Facilities.** All vendors shall arrange for access to a restroom for the operator; such facility for any vendor with food operations shall have hot and cold running water.
4. **Location and Transferability.** The Temporary Use Permit is for a specific location and cannot be transferred to another location or vendor,

C. **Location.**

1. **Conflict with Merchants.** Vendors shall not interfere with access to any public or private establishment.
2. **Pedestrian and Emergency Access.** Vendors are permitted only in locations that will not conflict with pedestrian access or interrupt traffic flow or emergency access.
3. **Setback from Public Right-of-Way.** A mobile food vending vehicle located on private property shall be set back a minimum of 10 feet from any public sidewalk or right-of-way when the service window faces the street. Less obstructive orientations shall insure that the queue does not encroach upon the public right-of-way.
4. **Parking.** The mobile food vendor shall not locate in parking spaces that are required to meet minimum parking requirements for any other business.

D. **Condition and Appearance of Vehicles.**

1. **Display of Permits.** The mobile food vendor shall display current business tax certificate, health department permit (and decal) and mobile food vending permit in plain view and at all times on the exterior of the food vending vehicle.
2. **Signs.** Signs must be affixed to the apparatus and may not exceed eight square feet.
3. **Self-Contained Utility Hookups.** The mobile food vending vehicle and use shall be entirely self-sufficient in regards to gas, water, and telecommunications. Should any utility hook-ups or connections to on-site utilities be required for Non-Itinerant Vendors, the mobile food vendor shall be required to apply for appropriate permits to ensure building and public safety and consistency with applicable building codes. Hookups shall be located to pose no danger to pedestrians.
4. **Type of Vehicle.** The mobile food vending vehicle shall be a self-propelled vehicle or trailer maintained in mobile operating condition at all times. The vehicle shall not become a fixture of the site and shall not be considered an improvement to real property.

E. **Condition and Appearance of Site.**

1. **Litter.** The mobile food vendor shall provide a minimum of two 32-gallon litter receptacles within 15 feet of the mobile food vending vehicle. The receptacles will serve both employees and customers.
2. **Discharge Prohibited.** The vendor shall not discharge items onto the sidewalk, gutter or storm inlets.
3. **Site Condition.** The site shall be maintained in a safe and clean manner at all times. Exterior storage of refuse, equipment or materials associated with the mobile food vending enterprise is prohibited. The lot shall be paved.

11.32.180 Outdoor Dining and Seating

Eating and drinking establishments with outdoor dining or seating areas shall be located, developed, and operated in compliance with the following standards:

- A. **Permit Requirements.** Outdoor dining or seating is considered an accessory use and no additional land use permit is necessary other than the permit required for the primary use except as provided below.
1. Administrative Use Permit approval is required when the outdoor dining or seating area is located immediately abutting the property line of a residential district or use and contains seating for more than 15 customers.
- B. **Hours of Operation.** Hours of operation shall be limited to the hours of operation of the associated eating and drinking establishment. When adjacent to a residential district, hours of operation and outdoor activities such as music or lighting may be restricted as determined through the Administrative Use Permit..

11.32.190 Outdoor Retail Sales

The on-going or permanent outdoor display of merchandise—except for Automobile/Vehicle Sales and Leasing, which is subject to Section 11.32.060, Automobile/Vehicle Sales and Services—shall comply with the following minimum standards:

- A. **Location.** Outdoor sales shall be located entirely on private property outside any required setback (or landscaped planter in zoning districts that do not have required setbacks), fire lane, or fire access way.
- B. **Existing Business.** Outdoor retail sales shall be part of an existing business on the same site.
- C. **Screening.** All outdoor sales and activity areas other than vehicle sales lots, produce stands, and nursery product sales shall be screened from adjacent public rights-of-way and residential districts. .
- D. **Location of Merchandise.** Displayed merchandise shall occupy a fixed location that does not disrupt the normal function of the site or its circulation and does not encroach upon required parking spaces, driveways, pedestrian walkways, or required landscaped areas. These displays shall also not obstruct sight distances or otherwise create hazards for vehicle or pedestrian traffic.

11.32.200 Personal Storage

Personal storage facilities shall be located, developed and operated in compliance with the following standards.

- A. **Applicability.** The provisions of this Section shall apply to all new Personal Storage uses and to all existing facilities at such time as the storage area of the existing business is expanded.
- B. **Business Activity.** The use of Personal Storage facilities by customers shall be limited to inactive storage only. No retail, repair, or other business activity shall be conducted out of the individual rental storage units. No activities other than rental of storage units, pick-up and deposit of storage, sale of packing supplies or rental of moving equipment shall be allowed on the premises. Examples of activities prohibited in said facilities include, but are not limited to the following:
 - 1. Auctions, commercial wholesale or retail sales, or miscellaneous garage sales. An exception is made for auctions required by law to comply with lien sale requirements. During the course of said lien sales, customer vehicles shall not be allowed to obstruct travel ways within the Personal Storage facility.
 - 2. The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment.
 - 3. The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.
 - 4. The establishment of a transfer and storage business.
- C. **Enclosure.** Outdoor storage of boats, trailers, and/or other vehicles is prohibited within the Valley Growth Boundary unless screened and within an enclosed area. No boats, trailers, and/or other vehicles shall be parked or otherwise stored outside the storage units except in areas approved for such storage.
- D. **Hazardous Materials.** No caustic, hazardous, toxic or flammable or explosive matter, material, liquid, or object, nor any matter, material, liquid or object that creates obnoxious or offensive dust, odor or fumes shall be stored in a Personal Storage unit.
- E. **Utilities.** Water, gas or telephone service to any rental space is prohibited.
- F. **Habitation.** Human habitation of any rental space is prohibited.
- G. **Notice to Tenants.** As part of the rental process, the facility manager shall inform all tenants of conditions restricting storage of hazardous materials and limitation on the use of the storage units. These restrictions shall be included in rental contracts and posted at a conspicuous location within the front of each rental unit.
- H. **Surfacing:** All areas shall meet the paving requirements listed in Section 11.25.100.B.1.
- I. **Exterior Wall Treatments and Design. Within Valley Growth Boundary,** exterior walls visible from a public street or residential district shall be constructed of decorative block, concrete panel, stucco, or similar material. These walls shall include architectural relief through articulation, trim, change in color at the base, variations in height, the use of architectural “caps,” attractive posts, or similar measures. Outside Valley Growth Boundary, exterior walls visible from a public street shall be constructed with materials compatible with the surrounding neighborhood

11.32.210 Planned Mobile Home Parks

- A. **Purpose.** The purpose of this section is to promote housing opportunities for the present and future

residents of Yuba County through the establishment of policies and development standards for Planned Mobile Home Parks. The development standards for Planned Mobile Home Parks will further encourage the creation of stable, attractive, residential environments within the individual parks.

B. **Development Standards.** Planned Mobile Home Parks shall comply with the following development standards

1. Mobile Home Sites.

- a. *Site Identification.* Each mobile home site shall be plainly marked and numbered for identification.
- b. *Minimum Site Area.* The mobile home sites in a Planned Mobile Home Park shall average at least 2,700 square feet in area, but no site shall be smaller than 2,000 square feet.
- c. *Minimum Site Width.* Each mobile home site shall be an average width of 30 feet plus the width of the mobile home, unless it can be shown that adequate space for a patio, parking, and side yard(s) will be ensured, despite a site of lesser width.

2. **Yards.**

- a. *Front Yard.* Each mobile home site shall have a front yard of not less than five feet. The front yard so required shall not be used for vehicle parking, except such portion thereof as is devoted to driveway use.
- b. *Side Yard, Corner Sites.* On corner sites, the side yard adjoining the Planned Mobile Home Park street shall not be less than five feet.
- c. *Side Yards, Interior.* Each mobile home site shall have a side yard on each side of not less than five feet, or one side yard of not less than 10 feet.
- d. *Side Yard, Driveway.* When used for access of a parking facility, a side yard shall be wide enough for a 10-foot-wide unobstructed driveway. All such side yard driveways shall be paved with concrete or asphaltic concrete unless located outside the Valley Growth Boundary.
- e. *Rear Yard.* Each mobile home site shall have a rear yard of not less than five feet in depth.

3. **Projection into Yards.** The following structures may be erected or projected into any required yard:

- a. Eaves, stairways and awnings not to exceed one foot.
- b. Landscape elements including trees, shrubs, and other plants, except hedges, provided that such landscape feature does not hinder the movement of the manufactured home in or out of its space.
- c. Manufactured home hitches.
- d. Necessary appurtenances for utility services.
- e. A single accessory structure that is less than 120 square feet in area and eight feet in height may be located within side or rear setbacks.

4. **Minimum Distance between Structures.** No portion of a manufactured home or attached accessory structure shall be closer than 10 feet to another manufactured home or attached accessory structure.

5. **Minimum Size of Mobile Homes.** No mobile home that is less than 10 feet wide or has a floor bed of less than 370 square feet may be parked or located on a mobile home site in a Planned Mobile Home Park.
6. **Maximum Site Coverage.** The mobile home and accessory structures shall not cover more than 75 percent of the mobile home site.
7. **Number of Homes per Site.** Not more than one single-family mobile home may be placed on a mobile home site.
8. **Off-street Parking.** In addition to the parking requirements of Chapter 11.25, Parking and Loading, the following standards shall apply to Planned Mobile Home Parks:
 - a. Each mobile home site shall have a paved space suitable for providing automobile shelter with space for at least two automobiles for each manufactured home. Gravel or other surfacing may be approved outside of the Valley Growth Boundary
 - b. Recreation and laundry areas shall have sufficient parking facilities to accommodate one automobile for every 10 mobile home sites.
9. **Signs.** In addition to the requirements of Chapter 11.27, Signs, the following standards shall apply to Planned Mobile Home Parks:
 - a. Adequate signs and markings indicating directions, parking areas, recreation areas, and street names shall be established and maintained in the manufactured home park. Such signs shall not exceed six square feet in area.
 - b. Signs or name plates not exceeding two square feet in area and displaying the name and address only of the occupant of the manufactured home may be erected at each mobile home site.
 - c. Signs which identify or advertise the Planned Mobile Home Park may be erected if approved by the hearing body on its action on the conditional use permit for the manufactured home park. Such signs must be located on the premises and shall not be more than 120 square feet in area. They shall not be animated or have flashing lights.
10. **Landscaping.** In addition to the landscaping requirements of Chapter 11.24, Landscape, the following landscaping provisions shall apply to all Planned Mobile Home Parks:
 - a. All open areas except driveways, parking areas, walkways, utility areas, improved decks, patios, or porches shall be maintained with landscaping as hereinbefore defined.
 - b. The trees shall be planted along street frontage as may be required by the hearing body upon recommendation of the Community Development and Services Agency's Public Works Department.
11. **Walls and Fences.** Walls and fences on individual mobile home sites shall not exceed three feet in height. Walls or fences erected around the perimeter of the Planned Mobile Home Park may be required by the hearing body. The height, construction, and type of material for such perimeter walls shall be as specified by the hearing body in the permit authorizing the use.
12. **Trash Storage.** Containers for trash storage of a size, type and quantity approved by the County shall be provided. They shall be placed so as to be concealed from the street and easily accessible to the mobile home sites.

13. **Streets.** Streets within Planned Mobile Home Parks shall be provided in such a pattern as to provide convenient traffic circulation within the manufactured home park. On-street parking is not permitted. Streets shall be designed as follows:
 - a. *Width.* Streets shall have a width of not less than 30 feet, including curbs.
 - b. *Curbs.* There shall be concrete roll curbs on each side of the streets.
 - c. *Paving.* Streets shall be paved in accordance to standards established by the Community Development and Services Agency's Public Works Department.
 - d. *Lighting.* Streets shall be lighted in accordance to standards established by the Community Development and Services Agency's Public Works Department.
14. **Park and Recreation Areas.** A central recreation area shall be established in each Planned Mobile Home Park created pursuant to the provisions of this chapter. The size of such area shall be at least 200 square feet per mobile home site. The recreation area may contain community club houses, swimming pools, shuffleboard courts, and similar facilities. The hearing body may permit decentralization of the recreation facilities in accordance with principles of good planning provided that the total recreation area meets the above stated minimum size.
15. **Office.** Every Planned Mobile Home Park shall include a permanent building for office use. Such building may include a single-family dwelling for the exclusive use of the owner or manager.
16. **Laundry Rooms.** Every Planned Mobile Home Park shall have one or more laundry rooms. Laundry drying lines shall not be permitted on any mobile home site.
17. **Mail Boxes.** Each mobile home site shall be equipped with a receptacle for mail deliveries in accordance with the standards prescribed by the local residents.
18. **Storage Areas.** Areas used for the storage of travel trailers, boats, and other such items may be established in a Planned Mobile Home Park provided they are adequately screened from public view.
19. **Utilities.** All utility distribution facilities serving individual mobile home sites within the Valley Growth Boundary shall be placed underground. The owner is responsible for complying with the requirements of this Subsection and he shall make the necessary arrangements with each of the serving utilities for the installation of such facilities. Transformers, terminal boxes, meter cabinets, pedestals, concealed ducts, and other necessary appurtenant structures may be placed above ground. Water and sewer distribution facilities shall be installed in conformance with specifications of the Utility Engineer. All mobile home sites must be served with water, electricity, and a solid waste disposal.
20. **Transient Mobile Home Sites.** Sites reserved for transient mobile homes shall be so designated on the plans submitted with the application for the Planned Mobile Home Park conditional use permit. The site, yard, and property development standards of this section shall fully apply to sites reserved for transient mobile homes. Mobile homes less than 10 feet wide or with a floor bed of less than 370 square feet may occupy such designed transient mobile home sites for periods up to 90 days.
21. **Sale of Mobile Homes at Manufactured Home Parks.**
 - a. *Conditional Use Permit.* The operation of a business or occupation either full or part-time, for the purpose of manufactured home sales, shall be allowed on the premises

of any legally established Planned Mobile Home Park, subject to the issuance of a Conditional Use Permit. This does not include the sale of individual manufactured homes by the owner of the unit.

- b. *Restrictions.* In no event shall the holder of the conditional use permit or any other person maintain or allow to be maintained on the Planned Mobile Home Park premises for display any manufactured home either assembled or disassembled which is not installed on the site and connected to all utilities sufficient to be legally adequate for immediate occupancy. The maximum number of unoccupied mobile homes so installed for display shall not exceed three units at any one time.

22. **Development Impact Fees.** Planned Mobile Home Parks are subject to the County Development Impact Fees.

C. **Allowed Density**

1. *RM Medium Density Residential and RH High Density Residential Districts.* The density for mobile home parks is limited to the allowed density within the RM Medium Density Residential and RH High Density Residential zoning districts unless a density bonus is approved.
2. *RC Rural Commercial District.* The allowed density for mobile home parks in the RC Rural Commercial district shall be determined by approval of a conditional use permit and carrying capacity for wells and septic systems as determined by the Department of Environmental Health.
3. *RE Rural Estate District, Outside the VGB. Mobile home parks may be permitted in the RE Rural Estate District, outside the VGB, on lots over 2.5 acres, with a Conditional Use Permit and carrying capacity for wells and septic systems as determined by the Department of Environmental Health.*

11.32.220 **Produce Stands**

- A. **Accessory Use.** Produce stands shall be operated in conjunction with and accessory to a primary agricultural use on the same site. They shall be operated by the agricultural producer and on premises controlled by the producer. Produce stands that do not meet the requirements of this section shall be classified as a farm store and shall meet the requirements listed in Section 11.32.230, Ranch Marketing.
- B. **Products for Sale.** Products sold or offered for sale at a Produce Stand are limited to the following:
 1. **Unprocessed Agricultural Products.** A minimum of 50 percent of the selling space of the stand shall be dedicated to selling whole produce, shell eggs, and/or cut flowers grown or raised on the same premises as the stand or on neighboring farms.
 2. **Value-Added Agricultural Products.** Up to 30 percent of the selling space may be used for un-refrigerated processed agricultural products such as jams, preserves, pickles, juices, cured olives, and other value-added products made with ingredients produced on the premises or neighboring farms and may be sold concurrently with unprocessed agricultural products with approval from the Environmental Health Director.
 3. **Pre-packaged Foods and Beverages.** No more than 50 square feet or 10 percent of the selling space may be occupied by pre-packaged food and drinks such as bottled water, sodas, and crackers.
- C. **Number of Stands.** One stand shall be permitted per parcel, or per group of adjacent parcels under the same ownership.
- D. **Size Limitation.** The floor area of any permanent structure utilized as part of the produce stand shall

not exceed 120 square feet in area. The total display area shall not exceed 500 square feet. Use of temporary structures such as but not limited to display tables and pop-up awnings shall only be used during the operational hours of the produce stand.

- E. **Minimum Setbacks.** Stands shall be located at least 20 feet from any street or highway and 100 feet from any existing residence outside the ownership of the stand operator. In addition, no part of the use, including selling area, signs, and parking, may be located within the triangular visibility area described in Section 11.19.130, Visibility at Intersections and Driveways.
- F. **Access.** Access shall not be directly from a State highway unless the operator has secured an access agreement from Caltrans. The access drive is not required to be paved, but if not paved, shall be improved with gravel.
- G. **Parking.** Sufficient area shall be provided for at least two vehicles to park; such parking area may consist of gravel and is not required to be paved.

11.32.230 Ranch Marketing

- A. **Purpose.** This section is intended to allow the marketing and sale of agricultural products directly to consumers, as well as the provision of agricultural tourism, when such uses are accessory to a primary agricultural use (Animal Raising, Crop Production, Dairy, or Grazing) on the same site. Ranch Marketing can provide supplementary income to agricultural operations, particularly to small farms, while maintaining the rural character of Yuba County's agricultural areas. This section is intended to implement General Plan policies to:
 - 1. Support rural communities in the development of economic opportunities such as agricultural and ecological tourism.
 - 2. Support agriculture, agricultural processing, agricultural tourism, recreational uses, and other natural-resource-based economic development in areas with land-based natural resources, natural beauty, and cultural attractions.
 - 3. Preserve and enhance rural character.
- B. **Applicability.** The regulations of this section apply to Ranch Marketing uses, as defined in Chapter 11.72, Use Classifications, where they are permitted or conditionally permitted by the use regulations of the base and overlay zoning districts (Division II: Zoning and Overlay Districts) and are accessory to agricultural uses. This section does not apply to the following uses:
 - 1. Produce Stands that meet all of the standards of Section 11.32.220, Produce Stands.
 - 2. Indirect sales by mail, telephone, or Internet in which delivery of the goods occurs off-site.
 - 3. Wholesale sale of agricultural products.
- C. **General Provisions.**
 - 1. **Minimum Lot Size.** Ranch Marketing uses may only be established and operated on a site with an area of at least five acres. A smaller lot size may be approved through a Waiver when the following findings can be made:
 - a. The operation produces an agricultural commodity in sufficient quantity that a farm store rather than a seasonal produce stand is justified; and
 - b. The farm store and any other related ranch market activities including required parking areas will not reduce the area utilized for agricultural production.

2. **Accessory Use.** Ranch Marketing uses shall be accessory to a primary agricultural production use (Animal Raising, Crop Production, Dairy, Grazing, or wineries) on the same property and shall be operated by the property owner or lessee of the agricultural property. Should the primary agricultural use of the property cease, as determined by the Agricultural Commissioner and Community Development and Services Agency Director, the ranch marketing operation shall also cease.

- D. **Permitted and Conditionally Permitted Uses.** The following table outlines the type of permit needed, if any, for various types of ranch marketing uses. The Planning Director shall make a determination of the most applicable permit type based on similarities between listed uses for any ranch marketing use not listed.

TABLE 11.32.220 RANCH MARKETING				
Use	Permitted	Administrative Use Permit (AP)	Minor Conditional Use Permit (MUP)	Major Conditional Use Permit (CUP)
Picnic areas for day use	Principally permitted: trash receptacles shall be provided in proximity to all picnic areas.			
Farm Store or Bake shop (no seating, onsite food consumption or commercial kitchen facility) ¹	1,000 sq ft	1,001 to 2,500 sq ft	2,501 to 7,000 sq ft	Over 7,001 sq ft
Handicrafts and agricultural promotional items	In conjunction with a farm store or bake shop not to exceed 30% of store area not to exceed a maximum of 500 sq ft		In conjunction with a farm store or bake shop, percent of store area as determined by Use Permit. Permanent or temporary booths for handicrafts (MUP unless other uses require a CUP)	
General retail products	In conjunction with a farm store or bake shop not to exceed 10% store area up to a maximum of 200 sq ft.			
Commercial kitchen (minor food preparation) ³	Not applicable	Requires approval of an Administrative Use Permit.		
Food stands and Dining facilities ⁴ with seating or on-site food consumption	Not applicable	1 food stand per project and/or dining facility with up to 16 seats. ⁵	More than 1 food stand and/or dining facilities with seating capacity in excess of 16 seats (MUP up to 30 seats and CUP when 31 or greater seats or 3 or more food stands)	
Agricultural Museums	Principally permitted as a component of a ranch marketing operation. As a primary use see cultural institutions for applicable zoning districts and permit requirements.			
RV or overnight camping ²	Not Applicable		Up to 5 spaces	Over 5 spaces
B&Bs and Agricultural Homestays	See Section 11.32.150, Lodging			

Recreation and Entertainment	Self-pick fruit and vegetables, trails, hay rides, corn mazes, labyrinths and similar passive agriculturally related recreation uses	Mini train rides, pony rides, petting zoos, fishing ponds, and other agriculturally related recreation and entertainment as determined through the Minor Use Permit.
Special Events	See Section 11.32.320.I Special Events outside the Valley Growth Boundary	

TABLE 11.32.220 RANCH MARKETING				
Use	Permitted	Administrative Use Permit (AP)	Minor Conditional Use Permit (MUP)	Major Conditional Use Permit (CUP)
Wineries and Tasting Rooms	See Section 11.32.330, Wineries and Tasting Rooms			
1. Prepared food shall be from a permitted cottage food facility or food preparation facility. At least 75 percent of store area (excluding storage and other non-sale areas) dedicated to agricultural products shall be comprised of local agricultural products grown or raised on the same premises or neighboring farms within Yuba County. 2. Camping that is directly associated with and ancillary to a ranch marketing operation. When camping is the primary use it is classified under Entertainment and Recreation (See use classification tables for allowed zoning districts.) 3. Food preparation areas that require a commercial kitchen and are not part of an approved food stand or dining facility. 4. Dining facilities also includes bake shops and farm stores with on-site food consumption. 5. Seating is located within the dining facility or within 100 feet of dining facility or food stand.				
Multiple Uses. Where multiple uses are proposed the permit type shall be determined by the most intense use proposed. For example a 500 square foot farm store, agricultural museum and 5 space overnight camping would require a Minor Conditional Use Permit.				
CEQA: All projects are subject to CEQA. For uses that are listed as permitted or require approval of an Administrative Use Permit where due to site location, presence of natural resources or other site constraints and the proposed development plan results in the inability to Exempt the project from CEQA, the project will be subject to approval of a Minor Use Permit, preparation of the appropriate CEQA document and any associated fees.				

E. **Development Standards.**

1. ***Parking.*** Parking for uses shall be as established in Section 11.25, Parking and Loading or as determined by the decision-making authority for those activities that require a use permit.
2. ***Hours of Operation.*** Ranch Marketing activities are limited to daylight hours unless alternative hours are authorized through a use permit or as authorized under Section 11.32.320.I Temporary Uses and Special Events.
3. ***Amplified Music or Speech.*** Amplified music or speech is prohibited except as authorized under Section 11.32.320.I Temporary Uses and Special Events or as part of an approved use permit.
4. ***Food Safety (and Compliance with Other Agency Requirements).*** Sale of processed agricultural products, prepackaged food items, and prepared foods, where permitted, shall comply with the California Health and Safety Code, subject to approval from all applicable agencies including, but not limited to the Yuba County Department of Environmental Health, California Department of Public Health, and California Department of Food and Agriculture.

- F. **Findings for Approval.** Prior to approving a ranch marketing project the decision-making authority shall make the following findings:
1. The site meets the minimum acreage and planting standards.
 2. The proposed use is secondary and subordinate to the agricultural use.
 3. The proposed use does not detract from or diminish the on-site agricultural uses.
 4. There is no adverse effect on agricultural production on surrounding properties.
 5. There is no adverse effect on the surrounding properties and community character that cannot be mitigated to less than significant.
- G. **Exceptions to Standards.** The standards of this section may be waived or modified through Conditional Use Permit Approval where in addition to the necessary findings for a Conditional Use Permit, the Planning Commission shall also make the findings listed in Section 11.32.220(F), Findings for Approval.

11.32.240 Recycling Facilities

- A. **Recycling Collection Facilities.** Recycling Collection Facilities (Convenience Recycling), including reverse vending machines, shall comply with the following standards:
1. **Accessory Use.** Recycling Collection Facilities shall be located on the same site as a permitted primary use that sells CRV products (i.e. grocery stores, convenience stores, and service stations). Ancillary sale of CRV products (i.e. vending machines for employees/customers, sale or complimentary to customers where primary business is not retail food products) does not constitute a primary use that sells CRV products. The Zoning Administrator may approve deviations to this requirement for facilities outside the Valley Growth Boundary where a public benefit can be demonstrated by having the Recycling Collection Facility at that location and the site is located within a convenience zone as determined by CalRecycle. However, recycling facilities shall not be permitted within an AE or AI zone district.
 2. **Size.** Recycling Collection Facilities shall not exceed a footprint of 350 square feet.
 3. **Equipment.** No power-driven processing equipment, except for reverse vending machines, may be used.
 4. **Location.** Facilities shall not be located within 50 feet of any residential district. There shall be a minimum of one mile distance between convenience recycle centers.
 5. **Hours of Operation.** Attended facilities located within 100 feet of any residential district shall operate only during the hours between 8 a.m. and 7 p.m.
 6. **Setback.** Facilities shall be set back at least 10 feet from any lot line abutting a street and shall not obstruct pedestrian or vehicular circulation.
 7. **Containers.** Containers shall be constructed of durable waterproof and rustproof material(s) and secured from unauthorized removal of material. Capacity shall be sufficient to accommodate materials collected in the collection schedule. Screening with fences, walls and landscaping is encouraged. No temporary shade structures (i.e. pop-up tents) or similar structures shall be permitted.
 8. **Identification.** Containers shall be clearly marked to identify the type of accepted material, the name and telephone number of the facility operator, and the hours of operation.

9. **Signs.** The maximum sign area shall be 20 percent of the area of the side of facility or container or 16 square feet, whichever is larger. In the case of a wheeled facility, the side is measured from the pavement to the top of the container. The Director may authorize increases in the number, size and nature of additional signs for necessary directional or identification purposes but not for outdoor advertising.
10. **Parking.** Patrons and any attendant shall not reduce available parking spaces below the minimum number required for the main use of the site unless a parking study shows available capacity during recycling facility operation.
11. **Site Maintenance.** Sites shall be maintained clean, sanitary, and free of litter and any other undesirable materials. All litter generated by the recycling operation shall be removed. The litter control shall be provided at the entrance(s) of the facility and along the street, sidewalk, and setback areas adjacent to the facility. Facilities shall also meet the requirements of the Public Works Department regarding drainage and water quality regulations.
12. **Sorting.** No sorting of materials shall occur on site, with the exception of reverse vending machines, which automatically sort materials.
13. **Reverse Vending Machines.** Reverse vending machines shall comply with the following additional standards:
 - a. **Location.** Machines shall be located adjacent to the entrance of the commercial host use and shall not obstruct pedestrian or vehicular circulation. If located outside of a building, the machines shall not occupy required parking spaces
 - b. **Maximum Size.** Each reverse vending machine shall not exceed an area of 50 square feet each (including any protective enclosure) or a height of eight feet.
 - c. **Identification.** Machines shall be clearly marked to identify the type of material to be deposited, operating instructions, and the identity and phone number of the operator or responsible person to call if the machine is inoperative.
 - d. **Signs.** Notwithstanding the above provisions for signs on collection facilities, the maximum sign area on a reverse vending machine shall be four square feet, exclusive of operating instructions.
 - e. **Lighting.** Machines shall be illuminated to ensure comfortable and safe operation between dawn and dusk.
 - f. **Trash Receptacle.** A garbage can of at least 40-gallon size shall be located adjacent to the reverse vending machine for the deposit of non-recyclable materials.

B. **Recycling Processing Facilities.**

1. **Location.** Facilities shall not abut a Residential District.
2. **Screening.** The facility must be screened from public rights-of-way by solid masonry walls or located within an enclosed structure. In industrial districts alternative screening mechanisms may be approved by the Planning Director.
3. **Outdoor Storage.** Exterior storage of material shall be in sturdy containers or enclosures that are secured and maintained in good condition. Storage shall not be visible above the height of the required screen walls.

4. **Identification.** Facilities shall be clearly marked with the name and phone number of the facility operator and hours of operation.

11.32.250 Residential Care Facilities, General

General Residential Care Facilities shall be located, developed, and operated in compliance with the following standards.

- A. **Location.** A General Residential Care Facility must not be located within of 300 feet from any other General Residential Care Facility.
- B. **Outdoor Activities.** Outdoor activities may only be conducted between the hours of 7:00 a.m. and 10:00 p.m.
- C. **State Licensing.** All Residential Care Facilities shall be licensed and certified by the State of California and shall be operated according to all applicable State and local health and safety regulations.
- D. **No Drug or Alcohol Use.** Residents and staff shall sign an agreement affirming that use of drugs or alcohol on the premises is prohibited and acknowledging that drug or alcohol use will result in termination or eviction.

11.32.260 Single-Room Occupancy

Single room occupancy (SRO) facilities shall be located, developed, and operated in compliance with the following standards:

- A. **Maximum Occupancy.** Each SRO living unit shall be designed to accommodate a maximum of two persons.
- B. **Minimum Size.** An SRO living unit must have at least 150 square feet of floor area, excluding closet and bathroom. No individual unit may exceed 400 square feet.
- C. **Minimum Width.** An SRO of one room shall not be less than 12 feet in width.
- D. **Entrances.** All SRO units must be independently accessible from a single main entry, excluding emergency and other service support exits.
- E. **Cooking Facilities.** Cooking facilities shall be provided either in individual units or in a community kitchen. Where cooking is in individual SRO units, SRO units shall have a sink with hot and cold water; a counter with dedicated electrical outlets and a microwave oven or properly engineered cook top unit pursuant to Building Code requirements; a small refrigerator; and cabinets for storage.
- F. **Bathroom.** An SRO unit is not required to but may contain partial or full bathroom facilities. A partial bathroom facility shall have at least a toilet and sink; a full facility shall have a toilet, sink and bathtub, shower or bathtub/shower combination. If a full bathroom facility is not provided, common bathroom facilities shall be provided in accordance with the California Building Code for congregate residences with at least one full bathroom per floor.
- G. **Closet.** Each SRO unit shall have a separate closet.
- H. **Common Area.** Four square feet per living unit shall be provided, excluding janitorial storage, laundry facilities and common hallways. At least 200 square feet in area of interior common space provided as a ground floor entry area that provides a central focus for tenant social interaction and meetings.
- I. **Tenancy.** Tenancy of SRO units shall be limited to 30 or more days.

- J. **Facility management.** An SRO Facility with 10 or more units shall provide full-time on-site management. An SRO Facility with less than 10 units shall provide a management office on-site.
- K. **Management Plan.** A management plan shall be submitted with the permit application for all SRO projects. At minimum, the management plan must include the following:
1. **Security/Safety.** Proposed security and safety features such as lighting, security cameras, defensible space, central access, and user surveillance;
 2. **Management Policies.** Management policies including desk service, visitation rights, occupancy restrictions, and use of cooking appliance;
 3. **Rental Procedures.** All rental procedures, including tenancy requirements;
 4. **Staffing and Services.** Information regarding all support services, such as job referral and social programs; and
 5. **Maintenance.** Maintenance provisions, including sidewalk cleaning and litter control, recycling programs, general upkeep, and the use of durable materials.

11.32.270 Alternative Energy Systems

- A. **Purpose.** The provisions of this section are intended to encourage the use of renewable energy sources that are compatible with surrounding uses. Solar energy systems, including Personal Solar Energy Systems and Solar Power Generation Facilities, shall be designed, located, and operated consistent with the standards of this section.
- B. **Allowable Size of Solar Energy Systems.** Any number of solar panels may be in operation on a single site, in accordance with this section.
1. **Personal Solar Energy Systems.** It is assumed that systems consistent with Table 11.32.270, below, are primarily providing power to offset consumption. Uses that have a higher energy requirement than stated in the table may submit documentation demonstrating that a larger system is needed to provide for historic energy demands (energy use from the previous 24 months and either: maximum output of panels, maximum continuous output of the inverters, or estimated KWh the system will produce over a year based on location/orientation of panels and output of inverters). For new construction, documentation demonstrating typical energy demands for similar uses, size buildings, and construction type may be considered.
 - a. For systems located in the AE, AI, IG, IL, PF, and EX zoning districts the power consumption can be for onsite consumption as well as other offsite consumption associated with the business or agency within Yuba County as allowed by the CPUC, so long as offsite solar system is not located in a Residential or Mixed Use District. In addition to the building permit requirements, a plan shall be submitted identifying location of all facilities intended to be offset by the small solar energy system, identify the location of the solar system(s) and a summary of the cumulative energy consumption of the facilities and the anticipated KWh the solar system will produce. Allow development standards for the solar system as identified below shall apply.

TABLE 11.32.270: SOLAR ENERGY SYSTEM CONSUMPTION OFFSET THRESHOLDS	
Land Use Type	Maximum Kilowatts
Agricultural uses	50

TABLE 11.32.270: SOLAR ENERGY SYSTEM CONSUMPTION OFFSET THRESHOLDS	
<i>Land Use Type</i>	<i>Maximum Kilowatts</i>
Residential uses (ground mounted)	20
Residential uses (roof mounted)	no limit
Commercial uses	50
Industrial uses	50

2. ***Solar Power Generation Facilities.*** The number of panels and kilowatt generation shall be determined through the Use Permit process. Any project not meeting the requirements of 11.32.270 (B)(1) will be considered a solar generation facility.
 - a. **Small Solar Power Generation Facilities.** Facilities on sites less than 10 acres in size outside the valley growth boundary may be processed as a Minor Conditional Use Permit in those districts that allow for such facilities.
- C. **Maximum Height.** Solar panels, as well as attachments to existing buildings and towers, shall comply with the maximum permitted height of the zoning district in which they are located.
- D. **Location.**
 1. In the RS zone freestanding Personal Solar Energy System (not attached to an existing structure) shall only be located in the rear yard portion of any lot. This requirement does not apply if the solar energy system is attached to a building.
 2. It is the property owner's responsibility to situate any solar collector so that a neighbor's trees or buildings—now or in the future, or any time of the year do not block access to the sun.
- E. **Maintenance.** When a system reaches the end of its useful life and can no longer function, the owner of the system shall remove the system within 120 days of the day on which the system last functioned. The owner is solely responsible for removal of the system and all costs, financial or otherwise, of system removal. Failure to remove the system will be considered a nuisance and abated per Chapter 11.67, Enforcement and Abatement Procedures.

11.32.280 Wind Energy Systems

- A. **Purpose.** The provisions of this section are intended to encourage the use of renewable energy sources that are compatible with surrounding uses. Wind energy systems, including Personal Wind Energy Systems and Wind Power Generation Facilities, shall be designed, located, and operated consistent with the standards of this section.
- B. **Minimum Lot Size.** Wind energy systems are allowed on properties that are at least five acres in size within the Valley Growth Boundary and any size parcel outside the Valley Growth Boundary.
- C. **Maximum Power Generation.** The size of Personal Wind Energy Systems shall not exceed the following:
 1. Personal Wind Energy Systems shall not exceed 20 kilowatts for residential uses and 50 kilowatts for non-residential uses unless the owner can demonstrate that the historical power consumption (energy use from the previous 24 months) is greater than the kilowatts allowed by use type. (See also personal power generation facility) For systems located in the AE, PF, and EX zoning districts the power consumption can be for onsite consumption as well

as other offsite consumption associated with the business or agency located within Yuba County as allowed by the CPUC, so long as offsite wind system is located in a zone district that allows for wind energy systems.

2. Those projects not meeting the requirements of 11.32.280 (C)(1) will be considered a Wind Power Generation Facility and maximum power generation shall be determined through a Conditional Use Permit.

D. **Height.** The total height of wind energy systems is measured as the vertical distance from the ground level to the tip of a wind generator blade when the tip is at its highest point, and shall not exceed the following maximum height requirements:

1. ***Wind Towers.***

- a. On parcels less than 5 acres, the tower shall not exceed 35 feet.
- b. On parcels between five and 10 acres, the tower height shall not exceed 80 feet.
- c. On parcels greater than 10 acres, the tower height shall not exceed 100 feet unless additional height is provided through the Use Permit approval.
- d. Properties within 10,000 feet of an airport must comply with FAA height standards and regulations.

2. ***Attachments to Existing Buildings and Towers.***

- a. ***Building.*** A wind turbine(s) may be affixed to the building or the roof, provided that:
 - i. The total height of the wind turbine is less than 20 feet above the highest point of the building.
 - ii. The base of the wind turbine cannot be seen from the road right-of-way.
- b. ***Towers.*** A wind turbine may be attached to an existing tower, provided that:
 - i. The tower is designed to accommodate the wind turbine.
 - ii. The tower is in compliance with Subsection (G), Liability, of this section.

E. **Location.**

1. ***Personal Wind Energy Systems.***

- a. ***Rear Yard Location.*** Personal Wind Energy Systems shall only be located in the rear yard portion of any lot. The above locational limitation does not apply in the following situations:
 - i. When located in AE, IG, SE, EX, RP, and TP districts and a rear-yard location would interfere with agricultural, mining, timber, or other permitted operations on the site..
 - ii. When the wind system is attached to a building the base of which cannot be viewed from any roadway.
- b. ***View Maintenance.*** The system shall not substantially obstruct views of adjacent properties, and, where feasible, shall be placed below any major ridgeline.

2. ***Tower Setbacks.*** Towers must be located:

- a. At least 1.2 times their height from any public road right-of-way.

- b. At least 1.2 times their height from any overhead utility lines, except those lines directly serving the subject property.
 - c. At least 1.2 times their height from all property boundaries.
 - d. Outside of the setback for the zoning district.
- 3. **Guy Wire Anchors Setbacks.** If guy wires are utilized as part of the tower design, then the guy wire anchors shall be placed at least 30 feet from any abutting property boundaries and outside any front yard setback.
- 4. **Turbines Attached to Buildings.** The minimum distance a wind turbine may be from the property boundaries, if it is located on a building, must be 1.2 times the distance that is equal to the total height of the wind turbine from the ground.
- F. **Liability.** The property owner shall be prepared to demonstrate proof of public liability insurance prior to issuance of permits and maintain said insurance during the entire useful life of the power generation facility.
- G. **Variances to Personal Wind Energy Systems.** Deviations to the following development standards for Personal Wind Energy Systems may be granted upon approval of a minor use permit.
 - 1. To locate wind turbines in the front or side yard of primary structure if pre-existing geography, vegetation or built environment would preclude the use of wind power in the rear of the primary structure.
 - 2. To increase the permitted height of a tower or wind turbine.
- H. **Electrical Interference.** The wind energy system shall not cause any radio, television, microwave, or navigation interference. If a signal problem is identified, the applicant shall correct the problem within 90 days of being notified by the Yuba County Community Development and Services Agency of a problem.
- I. **Noise.**
 - 1. **Personal Wind Energy Systems.** Decibel levels for the system shall not exceed 60 decibels as measured at the nearest property line, except during short-term events, such as utility outages and severe wind storms.
 - 2. **Wind Power Generation Facilities.** Wind Power Generations Facilities shall not exceed the sound level (decibels) as specified in the Conditional Use Permit and environmental document.
- J. **Color of Towers.** All towers shall be painted a non-contrasting gray, blue, white, green or similar color, minimizing their visibility, unless otherwise required by the Federal Aviation Administration (FAA). The applicant has the responsibility of determining the applicable FAA regulations and securing the necessary approvals prior to issuance of permits. Copies of FAA correspondence must be included as part of the application process for the wind energy systems.
- K. **Lighting.** Except as required by law, a tower shall not be illuminated and lighting fixtures or signs shall not be attached to the tower. If lighting is required by the FAA regulations, white strobe lights shall not be permitted at night unless FAA permits no other alternatives. No lighting shall be constructed, placed or maintained in a manner that will constitute a nuisance to any surrounding property. Lighting shall in no way impair safe movement of traffic on any street or highway.
- L. **Advertising.** No advertising is permitted anywhere on the facility, with the exception of signage being utilized for product identification and warnings.

M. **Warnings.**

1. A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
2. Visible, reflective, colored objects, such as flags, reflectors, or tape, shall be placed on the anchor points of guy wires and along the guy wires up to a height of 10 feet from the ground.

N. **Maintenance.**

1. The design and location of any wind energy system shall ensure that all maintenance can be conducted from the installation site.
2. A wind energy system that is not functional shall be repaired by the owner or removed.
3. When a wind energy system reaches the end of its useful life and can no longer function, the owner of the system shall remove the system within 120 days of the day on which the system last functioned. The owner is solely responsible for removal of the system and all costs, financial or otherwise, of system removal. Failure to remove the system will be considered a nuisance and abated per Chapter 11.67, Enforcement and Abatement Procedures.
4. Any wind energy system that is not operated on a functional basis for a period of six consecutive months shall be deemed abandoned and shall be removed pursuant to paragraph 3 above.

O. **Safety Features.**

1. The base of the tower must be designed so it is not climbable for a distance of 15 feet, as measured from the ground.
2. All access doors to wind turbines and electrical equipment shall be locked to prevent entry by non-authorized persons.
3. The wind energy system turbine shall be required to have an automatic over speed control to render the system inoperable when the winds are in excess of the speed the system is designed to accommodate.
4. The wind energy system shall be required to have a manually operable method to render the system inoperable in the event of a structural or mechanical failure of any part of the system.
5. **Blade Clearances.**
 - a. The clearance or the distance between the blades of a wind turbine and the blades of another wind turbine shall be no less than 10 feet. Unless a lesser distance is provided by the manufacturer.
 - b. The clearance or the distance between the blades of a wind turbine and the ground shall be no less than 15 feet.

11.32.290 Surface Mining

A. **General Provisions.**

1. **Authority.** This section is adopted under the provisions of the Surface Mining and Reclamation Act of 1975 (Public Resources Code §2710 et seq.) and the power of the County of Yuba to protect the public health, safety, and welfare of its residents.
2. **Findings.** The Board of Supervisors hereby finds and declares:

- a. The extraction of minerals is essential to the continued economic well-being of Yuba County and to the needs of society. The reclamation of mined lands is necessary to prevent or minimize adverse effects on the environment and to protect the public health and safety.
 - b. The reclamation of mined lands as provided in this section will permit the continued mining of minerals and will provide for the protection and subsequent beneficial use of the mined and reclaimed land.
 - c. Surface mining takes place in diverse areas where the geologic, topographic, climatic, biological, and social conditions are significantly different and that reclamation operations and the specifications therefore may vary accordingly.
- 3. **Intent.** It is the intent of the Board to create and maintain an effective and comprehensive surface mining and reclamation policy with regulation of surface mining operations so as to ensure that:
 - a. Adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses.
 - b. The production and conservation of minerals are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment.
 - c. Residual hazards to the public health and safety are eliminated.
- 4. **Exceptions.** The provisions of this section shall not apply to any of the following activities:
 - a. Excavations or grading conducted for farming or the immediate excavation or grading of lands affected by a flood or natural disaster for the purpose of restoring those lands to their prior condition.
 - b. Onsite excavation and onsite earthmoving activities that are an integral and necessary part of a construction project and that are undertaken to prepare a site for construction of structures, landscaping, or other land improvements associated with those structures, including the related excavation, grading, compaction, or the creation of fills, road cuts, and embankments, whether or not surplus materials are exported from the site, subject to all of the following conditions:
 - i. All required permits for the construction, landscaping, or related land improvements have been approved by a public agency in accordance with applicable provisions of State law and locally adopted plans and ordinances, including, but not limited to, Public Resources Code Div. 13 (Public Resources Code §21000 et seq.).
 - ii. The lead agency's approval of the construction project included consideration of the onsite excavation and onsite earthmoving activities pursuant to Public Resources Code Div. 13 (Public Resources Code §21000 et seq.)
 - iii. The approved construction project is consistent with the general plan and zoning of the site.
 - iv. Surplus materials shall not be exported from the site unless and until actual construction work has commenced and shall cease if it is determined that

construction activities have terminated, have been indefinitely suspended, or are no longer being actively pursued.

- c. Operation of a plant site used for mineral processing, including associated onsite structures, equipment, machines, tools, or other materials, including the onsite stockpiling and onsite recovery of mined materials, subject to all of the following conditions:
 - i. The plant site is located on lands designated for industrial uses in the County general plan.
 - ii. The plant site is located on lands zoned industrial, or are contained within a zoning category intended exclusively for industrial activities by the County.
 - iii. None of the minerals being processed are being extracted on site.
 - iv. All reclamation work has been completed pursuant to the approved reclamation plan for any mineral extraction activities that occurred onsite after January 1, 1976.
- d. Prospecting for, or the extraction of, minerals for commercial purposes where the removal of overburden or mineral product totals less than 1,000 cubic yards in any one location, and the total surface area disturbed is less than one acre.
- e. Surface mining operations that are required by Federal law in order to protect a mining claim, if those operations are conducted solely for that purpose.
- f. Any other surface mining operations that the Board, as defined by Public Resources Code §2001, determines to be of an infrequent nature and which involve only minor surface disturbances.
- g. Emergency excavations or grading conducted by the State Department of Water Resources, the Reclamation Board or County for the purpose of averting, alleviating, repairing, or restoring damage to property due to imminent or recent floods, disasters, or other emergencies.
- h. *State Department of Water Resources Projects.*
 - i. Surface mining operations conducted on lands owned or leased, or upon which easements or rights-of-way have been obtained, by the State Department of Water Resources for the purpose of the State Water Resources Development System or flood control, and surface mining operations on lands owned or leased, or upon which easements or rights-of-way have been obtained, by the State Reclamation Board for the purpose of flood control, if the Department of Water Resources adopts, after submission to and consultation with, the Department of Conservation, a reclamation plan for lands affected by these activities, and those lands are reclaimed in conformance with the standards specified in regulations of the Board adopted pursuant to this section. The Department of Water Resources shall provide an annual report to the Department of Conservation by the date specified by the State Department of Conservation on these mining activities.
 - ii. Nothing in this Subsection shall require the Department of Water Resources or the Reclamation Board to obtain a permit or secure approval of a reclamation plan from the County in order to conduct surface mining operations. Nothing in this Subsection shall preclude the bringing of an

enforcement action pursuant to Public Resources Code §2774.1, if it is determined that a surface mine operator, acting under contract with the Department of Water Resources or the Reclamation Board on lands other than those owned or leased, or upon which easements or rights-of-way have been obtained, by the Department of Water Resources or the Reclamation Board, is otherwise not in compliance with this section.

i. *Excavations.*

i. Excavations or grading for the exclusive purpose of obtaining materials for roadbed construction and maintenance conducted in connection with timber operations or forest management on land owned by the same person or entity. This exemption is limited to excavation and grading that is conducted adjacent to timber operation or forest management roads and shall not apply to on-site excavation or grading that occurs within 100 feet of a Class One watercourse or 75 feet of a Class Two watercourse, or to excavation for materials that are, or have been, sold for commercial purposes.

ii. This exemption shall be available only if slope stability and erosion are controlled in accordance with 14 CCR §3704(f) and 3706(d) and, upon closure of the site, the person closing the site implements, where necessary, revegetation measures and post closure uses in consultation with the State Department of Forestry and Fire Protection.

j. Excavations, grading, or other earthmoving activities in an oil or gas field that are integral to, and necessary for, ongoing operations for the extraction of oil or gas that comply with all of the following conditions:

i. The operations are being conducted in accordance with Public Resources Code Div. 3 (Public Resources Code §3000 et seq.).

ii. The operations are consistent with any general plan and zoning applicable to the site.

iii. The earthmoving activities are within oil or gas field properties under a common owner or operator.

iv. No excavated materials are sold for commercial purposes.

5. ***Limitations.*** No provision of this section or any ruling, requirement, or policy of the State Board is a limitation on any of the following:

a. The police power of the County or on the power of the County to declare, prohibit, and abate nuisances.

b. The power of the District Attorney, at the request of the Board, or upon the District Attorney's motion, to bring an action in the name of the people of the State of California to enjoin any pollution or nuisance.

c. The power of the County in the enforcement or administration of any provision of law which it is specifically authorized or required to enforce or administer.

d. The right of any person to maintain at any time any appropriate action for relief against any private nuisance as defined in Civil Code Div. 4, Pt. 3 (Civil Code §3479 et seq.) or for any other private relief.

- e. The power of the County to adopt policies, standards, or regulations imposing additional requirements on any person if the requirements do not prevent the person from complying with the provisions of this section.
- f. The power of the County to regulate the use of buildings, structures, and land as between industry, business, residents, open space (including agriculture, recreation, the enjoyment of scenic beauty, and the use of natural resources), and other purposes.

B. **Permits.**

1. ***Permit Required; Issuance; Standards For Issuance.*** Except as provided in this subsection, no person shall conduct surface mining operations in the County unless:
 - a. An application for a permit is filed with the Planning Department on a form approved by the Director;
 - b. A permit is approved by, the Planning Commission for the operation under this section;
 - c. A copy of an approved reclamation plan and financial assurances from the State shall be submitted to the Planning Department prior to the commencement of mining operations;
 - d. All fees established by the Board to pay for the costs of processing and review of the application for the permit, the reclamation plan, and the financial assurances are paid.
2. ***Idle Mine, Interim Management Plan and Appeal.*** Within 90 days of a surface mining operation becoming an idle mine, the operator shall submit to the Planning Department for Planning Commission review and approval, an interim management plan. The review and approval of an interim management plan shall not be considered a project within the meaning of CEQA. The approved interim management plan shall be considered an amendment to the surface mining operation's approved reclamation plan, for purposes of this section. The interim management plan shall provide measures the operator will implement to maintain the site in compliance with this section, including, but not limited to, all permit conditions.
 - a. The interim management plan may remain in effect for a period not to exceed five years, at which time the Planning Commission shall do one of the following:
 - i. Renew the interim management plan for another period not to exceed five years, if the Planning Commission finds that the surface mining operator has complied fully with the interim management plan; or,
 - ii. Require the surface mining operator to commence reclamation in accordance with its approved reclamation plan.
 - b. In any event, required financial assurances shall remain in effect during the period the surface mining operation is an idle mine. If the surface mining operation is still idle after expiration of its interim management plan, the surface mining operation shall commence reclamation in accordance with its approved reclamation plan.
 - c. Within 60 days of the receipt by the Planning Department of the interim management plan, or a longer period, not to exceed an additional 60 days, mutually agreed upon by the Director and the operator, the Planning Commission shall review and approve the plan in accordance with this section, so long as the plan

satisfies the above requirements, and so notify the operator in writing. Otherwise, the Planning Commission shall notify the operator in writing of any deficiencies in the plan. The operator shall have 30 days, or a longer period mutually agreed upon by the operator and the Planning Commission, to submit a revised plan.

- d. The Planning Commission shall approve or deny approval of the revised interim management plan within 60 days of receipt by the Planning Department. If the Planning Commission denies approval of the revised interim management plan, the operator may appeal that action to the Board, which shall schedule a public hearing within 45 days of the filing of the appeal with the Clerk of the Board, or any longer period mutually agreed upon by the operator and the Board. The provisions of Section 11.53.150 shall apply to such appeal.

- C. **Stay of Enforcement Action.** Any enforcement action which may be brought against a person with an existing surface mining operation who has received Planning Commission approval of its financial assurances for reclamation prior to January 1, 1991, or a person who has filed an appeal with the Board or with the Planning Commission, shall be held in abeyance pending the resolution of an appeal pursuant to this section.
- D. **Operation in 100-Year Floodplain and Near State Bridge.** Whenever surface mining operations are proposed in the 100-year flood plain for any stream, as shown in zone A of Flood Insurance Rate Maps issued by the Federal Emergency Management Agency, and within one mile, upstream or downstream, of any State highway bridge, within ten days of the Planning Department's receipt of the application for the issuance or renewal of a permit to conduct the surface mining operations, the Planning Department shall notify the California Department of Transportation that the application has been received. The Planning Commission shall not issue or renew the permit until the Department of Transportation has submitted its comments or until 45 days from the date the application for the permit was submitted to the Department of Transportation, whichever occurs first.
- E. **Vested Rights.** No person who has obtained a vested right to conduct surface mining operations prior to January 1, 1976, shall be required to secure a permit pursuant to this section as long as the vested right continues and as long as no substantial changes are made in the operation except in accordance with this section. A person shall be deemed to have vested rights if, prior to January 1, 1976, the person has, in good faith and in reliance upon a permit or other authorization, if the permit or other authorization was required, diligently commenced surface mining operations and incurred substantial liabilities for work and materials necessary therefore. Expenses incurred in obtaining the enactment of an ordinance in relation to particular operation or the issuance of a permit shall not be deemed liabilities for work or materials. An official vested rights determination needs to be made by the approving authority pursuant to a public hearing.
 1. Nothing in this section shall be construed as requiring the filing of a reclamation plan for, or the reclamation of, mined lands on which surface mining operations were conducted prior to January 1, 1976, and not since disturbed.
- F. **Effect of Vested Rights on Areas of Significance.** Neither the designation of an area of regional or statewide significance nor the adoption of any regulation for such an area shall in any way limit or modify the rights of any person to complete any development that has been authorized pursuant to Business and Professions Code Div. 4, Pt. 2 (Business and Professions Code §11000 et seq.), pursuant to the Subdivision Map Act (Government Code §64410 et seq.), or by a building permit or other authorization to commence development, upon which such person relies and has changed that person's position to that person's substantial detriment, and, which permit or authorization was issued prior to

the designation of such area pursuant to Public Resources Code §2790. If a developer has by his or her actions taken in reliance upon prior ordinances and regulations obtained vested or other legal rights that in law would have prevented the County from changing such ordinances and regulations in a way adverse to his or her interests, nothing in this section authorizes the State Board to abridge those rights

- G. **Permit; Recording.** No permit granted pursuant to this section shall be effective until the same has been recorded by the County Recorder for all affected parcels and proof thereof given to the Director. An approved surface mining permit shall be considered null and void unless recorded within 24 months of final approval or such other time period as may be set by conditions of approval. One extension of time, not to exceed 12 months, may be granted. Phased projects may be recorded in phases.
- H. **Permit; Notification to Assessor.** Subsequent to January 1, 1979, the Director shall notify the Assessor of Yuba County of any permits issued pursuant to this section.
- I. **Permits; Copies for Board of Supervisors.** Subsequent to January 1, 1979, the Director shall forward a copy of any permits issued pursuant to this section to the Clerk of the Board of Supervisors. The Clerk shall maintain a permanent file of such permits.
- J. **Permit; Revocation and Modification.** Upon 15 days ordinary mail notice which provides the time and place of public hearing and the reason(s) for revoking or modifying a permit and after public hearing, a permit granted or approved under this section may be revoked or modified by the Planning Commission, in the event it finds a violation of the terms and conditions of the permit, reclamation plan, and/or financial assurances or for other good cause consistent with the purposes and objectives of this section.
- K. **Noticed Public Hearing, Action, and Findings.** Any hearing before the Planning Commission or the Board on a matter arising under this section shall be after the giving of a public notice by ordinary mail no less than 15 days prior to the hearing to all residents and property owners within 500 feet of the parcel or parcels which are the subject of the hearing. The action and findings of the Planning Commission and the Board shall be set forth in writing.

11.32.300 Wireless Communications Facilities

- A. **Purpose.** This article provides standards and procedures to regulate the development, siting, installation, and operation of wireless communications antennas and related facilities consistent with the applicable requirements of state and federal law. The regulations are intended to provide for the appropriate development of wireless communication facilities within the county to meet the needs of residents, business-owners, and visitors while protecting public health and safety and preventing visual blight and degradation of the community's aesthetic character.
- B. **Applicability and Exemptions.** The requirements of this article apply to all wireless communication facilities that transmit and/or receive electromagnetic signals, including but not limited to personal communications services (i.e. cellular, paging, data, and internet) and radio and television broadcast facilities. The requirements apply to communication facilities that are the primary use of a property and those that are accessory facilities, except that the following accessory facilities are exempt:
 - 1. Licensed amateur (ham) radio and citizen band operations that do not exceed the maximum allowable building height for the zone district in which the antenna is located and are ancillary to a primary use on the same site.
 - 2. Hand-held, mobile, marine, and portable radio transmitters and/or receivers.
 - 3. Emergency services radio.

4. Carrier on Wheels or Cell on Wheels (COW) are radio and television mobile broadcast facilities and are exempt when placed for a period of not more than 72 hours at any location unless an emergency or a disaster is declared by the Board of Supervisors
 5. Antennas and equipment cabinets or rooms completely located inside of permitted structures.
 6. A single ground- or building-mounted receive-only radio, internet or television antenna not exceeding the maximum height permitted by this Code, including any mast, or a receive-only radio, internet or television satellite dish antenna.
 7. Any antenna or wireless communications facility that is exempt from local regulation pursuant to the rules and regulations of the Federal Communications Commission (FCC) or a permit issued by the California Public Utilities Commission (CPUC). The owner or operator of such facility shall provide the Planning Director with a copy of a current FCC or CPUC permit or a copy of applicable FCC regulations prior to its installation.
 8. Ordinary maintenance of existing wireless facilities and wireless support structures.
- C. **Application Requirements.** Where approval of a Use Permit or Zoning Clearance is required, an applicant shall file a written application with the Planning Director pursuant to the application procedures in Chapter 11.53, Common Procedures, accompanied by the required fee as established in the County's fee schedule. Applications shall be submitted pursuant to application requirement handouts maintained by the County and as amended from time to time.
1. **Zoning Clearance Required.** The following require approval of a Zoning Clearance prior to installation or commencement of use:
 - a. Eligible Facilities Requests, collocations, or removal or replacement of transmission equipment on an existing wireless tower or base station that does not result in a substantial modification as defined in this Code.
 - b. COWs placed for a period greater than 72 hours (not part of a declared emergency or disaster) but not more than 120 days at any location.
 - c. Wireless facilities placed on existing utility poles that do not increase the height of the pole by more than 15 feet and all equipment is located within the utility easement.
 - d. New wireless support structures that are less than 150 feet in height, in any Industrial or Agricultural district or within the Timber Production or Extractive zone districts. When a new facility is proposed to be located within an Airport Compatibility Safety Zone; the requirements of the Airport Overlay District shall apply. Those safety zones that conditionally allow for communication towers shall be processed as an Administrative Use Permit (AUP) if exempt from CEQA and a Minor Conditional Use Permit if a CEQA document is required.
 2. **Administrative Review and Approval:** The follow require approval of an Administrative Use Permit prior to installation or commencement of use:
 - a. New wireless support structures greater than 150 feet in height, in any Industrial or Agricultural district or within the Timber Production or Extractive zone districts..
 - b. Camouflage wireless facilities that are 75 feet or less in height, in any non-residential district or Rural Community District.
 - c. Substantial modifications as defined by this Code.

- d. COWs that that will be placed at a location for greater than 120 days.
- 3. Minor Conditional Use Permit Review and Approval. The following require approval of a Minor Conditional Use Permit:
 - a. Camouflage wireless facilities that are 60 feet or less in height, in any residential district.
 - b. Camouflage wireless facilities that are greater than 75 feet in height in any non-residential or Rural Community districts.
 - c. New wireless support structures less than 125 feet in height in any Special Purpose District.
- 4. Conditional Use Permit Review and Approval. The following require approval of a Conditional Use Permit:
 - a. Camouflage wireless facilities that are greater than 60 feet in height, in any residential district.
 - b. New wireless support structures greater than 125 feet in height in any Special Purpose district.
 - c. New wireless support structures in Residential, Rural Community, or Commercial and Mixed-Use Districts or Resource Preservation & Recreation, Planned Development or Planning Reserve zone districts.
- D. **Standards.** All wireless communication facilities shall be located, developed, and operated in compliance with all of the following standards and with applicable standards of the zoning district in which they are located.
 - 1. ***Location and Siting.***
 - a. Within the Valley Growth Boundary and Rural Communities, no new freestanding facility, including a tower, lattice tower, or monopole, shall be located within 1,000 feet of another freestanding facility, unless appropriate camouflage techniques have been used to minimize the visual impact of the facility to the extent feasible, or when it can be demonstrated that co-location on an existing pole or tower or camouflage techniques are not feasible.
 - b. Countywide: All wireless communication facilities shall meet the building setback standards of the district which they are to be located unless due to topography or other site constraints a waiver to the setback is approved by the decision-making authority.
 - c. Countywide: When feasible, providers of personal wireless services shall co-locate facilities in order to reduce adverse visual impacts. The decision-making authority may require co-location or multiple-user wireless communication facilities for new facilities based on a determination that it is feasible and consistent with the purposes and requirements of this article.
 - i. When determined to be feasible and consistent with the purposes and requirements of this article, the applicant shall make unused space available for future co-location of other wireless communication facilities, including space for different operators providing similar, competing services.

2. ***Support Structures.*** Support structures for wireless communication facilities shall be any of the following:
 - a. A single pole (monopole) sunk into the ground and/or attached to a foundation. Any new monopole should be constructed to allow for co-location of at least one other similar wireless communications provider.
 - b. A monopole mounted on a trailer or a portable foundation if the use is for a temporary wireless communications facility (COW).
 - c. An existing non-residential building.
 - d. An existing structure other than a building, including, but not limited to, light poles, electric utility poles, water towers, smokestacks, billboards, lattice towers, and flag poles. This term includes an electric utility pole erected to replace an existing electric utility pole, if the replacement pole will serve both electric and wireless communications functions, and if the replacement pole is substantially equivalent to the predecessor pole in placement, height, diameter and profile.
 - e. An alternative tower structure such as a clock tower, steeple, functioning security light pole, functioning recreational light pole, or any similar alternative-design support structure that conceals or camouflages the wireless telecommunication facility. The term "functioning" as used herein means the light pole serves a useful and appropriate lighting function as well as a wireless communications function.
 - f. Existing publicly-owned and operated monopole or a lattice tower.
3. ***Height Requirements.***
 - a. *Freestanding Antenna or Monopole.* The height of a freestanding antenna or monopole should be limited to what is necessary to provide adequate service and coverage while still providing opportunities for co-location or future expansion.
 - b. *Building-Mounted Facilities.* Building-mounted wireless telecommunication facilities shall not exceed a height of 15 feet above the height limit of the district or 15 feet above the existing height of the legally established building or structure that is located on, whichever is higher, measured from the top of the facility to the point of attachment to the building.
 - c. *Facilities Mounted on Structures.* Wireless telecommunication facilities mounted on an existing structure shall not exceed the height of the existing structure unless camouflaged as part of the structure design, except antennas may extend up to 15 feet above the height of an electric utility pole.
4. ***Design and Screening.*** Wireless telecommunication facility structures and equipment shall be located, designed and screened to blend with the existing natural or built surroundings, as well as any existing support structures, so as to reduce visual impacts to the extent feasible.
 - a. *Screening of Base Stations.* Within the Valley Growth Boundary with the exception of Industrial zone districts, equipment cabinets and buildings, and associated equipment such as air conditioning units and emergency generators, shall be screened from view by a wall or solid fence and landscaping, as approved by the County. Any wall shall be architecturally compatible with the building or immediate surrounding area. Equipment cabinets and related facilities located in Industrial

zone districts and outside the Valley Growth Boundary shall be fenced or screened with landscaping when located within 100 feet of a public right of way. Existing terrain and vegetation may be counted towards screening requirements.

- b. *Lighting.* Artificial lighting of a wireless telecommunication facility, including its components, is prohibited, unless required by the Federal Aviation Administration. A motion-sensor light may be used for security purposes if the beam is directed downwards, shielded from adjacent properties, and kept off except when personnel are present at night.
- c. *Advertising.* No advertising shall be placed on wireless telecommunication facilities, equipment cabinets, or associated structures.

5. ***Security and Maintenance Requirements.*** All facilities shall be designed to minimize opportunities for unauthorized access, climbing, vandalism, graffiti, and other conditions that would result in hazardous conditions, visual blight, or attractive nuisances.

- a. *Fencing.* Security fencing and walls shall not exceed 10 feet in height. Chain link fencing is prohibited within the Valley Growth Boundary with the exception of Industrial zone districts. In Industrial zone districts and outside the Valley Growth Boundary, no chain link fences shall be visible from public view (typically within 100 feet of a right of way unless screened by existing terrain or vegetation).
- b. *Maintenance.* The permittee shall be responsible for maintaining the site and facilities free from graffiti. Where landscaping is provided it shall be irrigated and maintained for the life of the project.
- c. *Removal of Facilities.* The operator of a wireless communication facility must remove all unused or abandoned equipment, antennas, poles or towers within 30 days of abandonment. The facility shall be deemed abandoned if it has not been operational for a consecutive 90-day period.

6. ***Radio Frequency Standards; Noise.***

- a. *Radio Frequency.* Wireless telecommunication facilities shall comply with federal standards for radio frequency emissions and interference. Failure to meet federal standards may result in termination or modification of the permit.
- b. *Noise.* Wireless telecommunication facilities and any related equipment, including backup generators and air conditioning units, shall not generate continuous noise in excess of the noise standards established in Yuba County Code Chapter 8.20, Noise Regulations. Backup generators shall only be operated during power outages and for testing and maintenance purposes. Testing and maintenance shall only take place between the hours of 7:00 a.m. and 10 p.m.

7. ***Fire Prevention.*** All wireless telecommunication facilities shall be designed and operated in a manner that will minimize the risk of igniting a fire or intensifying one that otherwise occurs.

8. ***Surety Bond.*** As a condition of approval, an applicant for a building permit to erect or install a wireless telecommunication facility shall be required to post a cash or surety bond in a form and amount acceptable to the County to cover removal costs of the facility in the event that its use is abandoned or the approval is otherwise terminated.

9. ***Required Findings.***

- a. *General Findings.* The decision-making authority may approve or approve with conditions any use permit or Zoning Clearance required under this article after making the following findings in addition to any other findings required by this Code:
 - i. The proposed use conforms with the specific purposes of this article and any special standards applicable to the proposed facility;
 - ii. The proposed communication facility is a co-location or camouflage facility or the applicant has provided reasonable justification to demonstrate that a co-location or camouflage facility is not feasible and a new ground-mounted antenna, monopole, or lattice tower is needed;
 - iii. The proposed site and wireless communication facility has been designed to achieve compatibility with the surrounding community and limit environmental impacts to the extent reasonably feasible in accordance with the provisions of this Chapter.
- b. *Additional Findings for Facilities in a Residential Districts and Public Facilities.* To locate a facility in a residential district where it is readily visible from the habitable area of a dwelling unit within 300 feet, or at any location where it is readily visible from a public right-of-way, public park, or other public recreation or cultural facility, the decision-making authority shall find that:
 - i. It is not feasible to provide the service at another location; or to incorporate additional measures such as a decrease in height, increase in setback, change in design, relocation relative to other structures or natural features, that would further reduce its visibility; and
 - ii. The proposed facility provides an important link in applicant's service area build-out and is necessary to provide personal wireless services to County residents.
- c. *Additional Findings for Any Other Exception to Standards.* The decision-making authority may waive or modify requirements of this article upon finding that strict compliance would result in noncompliance with applicable federal or State law.

11.32.310 Supportive and Transitional Housing

- A. Transitional and supportive housing constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same zoning district. Supportive housing is also permitted by right in nonresidential zones permitting multifamily uses, if the proposed housing development satisfies the following requirements:
 1. Units within the development shall be subject to a recorded affordability restriction for 55 years.
 2. All units, excluding managers' units, within the development shall be dedicated to lower-income households, provided they are receiving public funding to ensure affordability of the housing to lower-income Californians.
 3. At least 25 percent of the units in the development, or 12 units, whichever is greater, shall be restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, 100 percent of the units (excluding managers' units) in the development shall be restricted to residents in

supportive housing who meet criteria of the target population.

4. Per Section 65652 of the California Government Code, the developer shall provide the County with a plan for providing supportive services, and include documentation demonstrating that supportive services will be provided on site to residents in the project, and shall include all of the following information:
 - a. The name of the proposed entity or entities that will provide supportive services.
 - b. The proposed funding source or sources for the provided on-site supportive services.
 - c. Proposed staffing levels.
5. Nonresidential floor area shall be used for on-site supportive services in the following amounts:
 - a. For a development with 20 or fewer total units, at least 90 square feet shall be provided for on-site supportive services.
 - b. For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for on-site supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
6. Units within the development, excluding managers' units, shall include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.
7. If the developer replaces any dwelling units on the site of the supportive housing development, the units subject to these provisions shall be replaced as specified in subdivision (c) of Government Code Section 65915.

11.32.320 Temporary Uses and Special Events

This section establishes standards for certain temporary uses and special events that are intended to be of limited duration of time and that will not permanently alter the character or physical facilities of the site where they occur. This section also provides standards for longer term special events and event centers.

- A. **Arborist Office.** On-site temporary arborist offices are permitted in conjunction with an approved Zoning Clearance during the period of arborist work. The office shall be shut down immediately upon completion of arborist project.
- B. **Construction Office Trailers.** On-site temporary construction offices are permitted in conjunction with an approved construction project during the period of construction with a Building Permit. The trailer shall be removed immediately upon completion of the construction project, or the expiration of the Building Permit.
- C. **Construction Yards.** Construction yard(s) may be temporarily permitted on a parcel not entitled for such land use in conjunction with an approved construction project. The construction yard shall be removed immediately upon completion of the construction project, or the expiration of the Building Permit. Off-site construction yards for capital improvement projects require approval of a Zoning Clearance; all other off-site construction yards require approval of a Temporary Use Permit. No Zoning Clearance is required for on-site construction yards. A performance bond for removal and site clean-up may be

required as determined by the Community Development and Services Agency Director.

- D. **Garage Sales.** Garage sales of personal property conducted by a resident of the premises may be conducted in accordance with the following standards.

1. ***No Permit or Clearance Required.*** Garage sales are allowed by right, and require no Zoning Clearance, if they meet all of the following standards:
 - a. Garage sales shall be conducted by a resident of the premises and goods shall be limited to personal property.
 - b. Items offered for sale shall be limited to the personal property not acquired for resale, and either owned by the resident(s) of the dwelling unit where the sale is to be conducted or by another person participating in the sale with the resident.
 - c. No more than four garage sales shall be conducted on a site in any calendar year.
 - d. No single sale event shall be conducted for longer than three consecutive days.
 - e. Garage sales may be conducted during daylight hours.
2. Garage sales that exceed these thresholds shall be considered temporary sales events.

- E. **Subdivision-Related Temporary Uses (Model Home Complexes).** Certain temporary structures and uses associated with an approved subdivision are allowed with a Temporary Use Permit.

1. ***Permitted Uses.*** The following uses and structures may be allowed with a Temporary Use Permit, subject to the procedures of Chapter 11.58, Temporary Use Permits, in connection with a subdivision of 20 or more lots with an approved tentative map.
 - a. Up to six model homes;
 - b. A temporary building used as a contractor's office; and
 - c. A real estate sales office in connection with marketing of a subdivision.
2. ***Standards.***
 - a. All such uses must be located within the subdivision.
 - b. The uses are allowed in connection with a subdivision of 20 lots or more with an approved tentative map.
 - c. A real estate sales office may be located within a new residence that is part of the development or within a temporary building.
 - d. Model homes may be used in conjunction with an approved temporary tract office but not a general real estate business.
 - e. At the end of the approved time period, structures shall either be removed or restored for a use permitted in the zone where they are located.
3. ***Time Limits and Extensions.***
 - a. The temporary structures and uses may be granted for an initial period of no more than two years.
 - b. The Zoning Administrator may renew said permits for up to additional one-year periods upon written application at least 30 days prior to expiration.

- F. **Temporary Housing.** Temporary housing for family members or care givers may be granted in certain

zones, as specified in Division II, Base and Overlay Districts, in order to prevent the dislocation of families and to allow for in-home care of certain individuals by family members where such care is needed.

1. **Temporary Use Permit Required.** Establishment of a temporary housing requires approval of a Temporary Use Permit, pursuant to the procedures of Chapter 11.58, Temporary Use Permits.

2. **Standards.**

- a. The lot on which a temporary permit for a temporary housing is granted must meet the same setbacks as that required for the primary residence. At least ten feet of separation shall be provided between the primary residence and temporary housing.
- b. The project must comply with all other statutes and ordinances relating to health and building codes. Due to the temporary nature of the housing, Capital Facility Fees shall not be collected.
- c. The occupants of the temporary housing shall be limited to: relatives of the property owner; a licensed caregiver needed to care for a member of the primary household; or a caretaker of the property.
- d. *Conditions/Recorded Agreement.* The applicant shall sign an agreement that at the conclusion of the permit or upon violation thereof, the temporary housing shall be removed from the property or the County may be authorized to remove the residence and record a lien on the property for the cost thereof. Such agreement may be recorded.

3. **Time Limits and Extensions.**

- a. A Temporary Use Permit to allow Temporary Housing shall be granted for no more than a two-year period. The applicant may apply for additional two-year extensions, not to exceed a total of six years unless approved by the CDSA Director.
- b. A Temporary Use Permit to allow a Temporary Housing Unit shall expire if the temporary residence is removed from the property or if the residence is no longer occupied by a qualifying relative or the TUP has not been renewed.

- G. **Temporary Emergency Shelters.** Temporary Emergency Shelters, as defined in Chapter 11.72, Use Classifications, are permitted according to the following standards. (For permanent shelters, see Section 11.32.100, Emergency Shelters).

1. **Zoning Clearance.** Temporary emergency shelters in any zoning district are permitted with a Zoning Clearance if they meet all of the following standards:
 - a. The shelter will operate for no more than 26 days in any 90-day period.
 - b. No other temporary emergency shelter may be operated within 500 feet during the same 90-day period.
2. **No Permit or Clearance Required.** Facilities providing lodging and other services during a declared emergency are exempt from the above requirement for a CDSA Clearance.

- H. **Temporary Sales Events.** Temporary sales that meet the standards of this subsection are permitted for up to seven days within a 90 day period. Sales events for a longer period or that exceed the standards may be allowed with a Temporary Use Permit.

1. **General Requirements.** The following requirements apply to all temporary sales events:
 - a. Location. Sales events are limited to non-residential districts. The sales event must be

conducted solely on private property and not encroach within the public right- of-way or occupy needed parking at the time of the event.

- b. Location of the displayed merchandise must not disrupt the normal circulation of the site, nor encroach upon driveways, pedestrian walkways, or required landscaped areas, or obstruct sight distances or otherwise create hazards for vehicle or pedestrian traffic.
 - c. Events shall comply with Chapter 8.20, Noise Regulations, of the County Code.
2. **Seasonal Sales.** The annual sales of Christmas trees, pumpkins, fireworks and similar items on private property is permitted, provided that the following standards are met:
- a. Seasonal Sales shall comply with the General Requirements listed in Section 11.32.320.G.1.
 - b. *Time Period.* Christmas tree sales are permitted from Thanksgiving Day through December 31st. Seasonal sales associated with other holidays are permitted up to a month preceding and one week following the holiday.
 - c. *Goods, Signs and Temporary Structures.* All trees, pumpkins, or other items for sale, as well as signs and temporary structures, shall be removed and the site shall be returned to its previous condition within five days of the end of sales. A clean-up deposit may be required.
 - d. *Seasonal sales on undeveloped properties require approval of a Zoning Clearance and property owner's authorization.*
3. **Longer-Term Sales Events.** Other special sales events and displays that exceed the time limits of this section may be allowed with the approval of a Temporary Use Permit, pursuant to the procedures of Chapter 11.58, Temporary Use Permits and subject to the following standards:
- a. *Location.* Events are limited to non-residential districts.
 - b. *Existing Business.* Temporary outdoor sales shall be part of an existing business on the same site.
 - c. *Maximum Duration.* The duration of such special sales events shall be established by the Temporary Use Permit but in no case shall exceed a period of three months.
 - d. *Signs.* Outdoor uses may include the addition of one nonpermanent sign up to a maximum size of ten sq. ft. in area, subject to Chapter 11.27, Signs.
 - e. *Existing Parking.* The available parking shall not be reduced to less than 75 percent of the minimum number of spaces required by Chapter 11.25, Parking and Loading.

I. **Fairs, Festivals, and Other Special Events within the Valley Growth Boundary.** Fairs, festivals, and other special events that are general open to the general public (e.g., craft fairs, art shows, cultural festivals, carnivals, recreational events) located on private property may be permitted with a Zoning Clearance, subject to the following standards.

1. **Time Limit.** Special events under this subsection may not operate for more than three consecutive or ten total days per year. A longer period may be requested with a Temporary Use Permit or Minor Use Permit pursuant to thresholds in 11.32.320 Temporary Uses and Special Events sections I.2 and I.3 and TABLE 11.32.320.
2. **Hours of Operation.** When located adjacent to a residential district, the hours of such special events shall be limited to between 8:00 a.m. to 10:00 p.m.

3. **Location.** Events are limited to areas within nonresidential districts with established commercial uses and established infrastructure in appropriate size and scale to the proposed event, or on land owned by a school, church or other public or quasi-public facility.
4. **Site Circulation.** Temporary events shall not block accessible pathways or parking spaces, public rights-of-way, sidewalks, or impede on-site circulation and parking for either the event or any businesses that are operating on the site, subject to approval by the Public Works Director and the local fire district.
5. **Noise.** Events shall comply with Chapter 8.20, Noise Regulations, of the County Code.
6. **Other Permits.** Special events shall obtain any and all permits required by other agencies or other sections of the County Code (i.e. food vendor permits from Environmental Health).

J. **Special Events outside the Valley Growth Boundary or on Lots with Permitted Agricultural Uses.** Special events on property outside the Valley Growth Boundary or on lots with agricultural uses are subject to the following standards:

1. **Special Events—Permitted.** The following types of temporary uses may be conducted without a Temporary Use Permit. Other permits, such as Zoning Clearances, may be required.
 - a. No more than five events or ten total days per year per site shall occur per calendar year.
 - b. The capacity of each event shall not exceed 100 persons at one time and all parking is contained onsite.
 - c. Events shall be limited in duration to no more than three consecutive days (ten days per year total). Outdoor events shall only occur between the hours of 8:00 a.m. to 10:00 p.m.
 - d. Temporary sanitation facilities shall be provided to handle the additional occupant loading.
 - e. No permanent structures shall be constructed or grading activities directly related to the special event shall be permitted.
 - f. Outdoor music that is amplified shall be limited to 8 a.m. to 9 p.m. and shall not exceed 45 decibels measured at the property line.
2. **Special Events Requiring a Temporary Use Permit.** Special events that exceed the thresholds of Subsection 11.32.320(I)(1), Special Events—Permitted, above, may be allowed with a Temporary Use Permit, subject to the following provisions:
 - a. Such events shall be limited to no more than 12 events or 24 days per site per calendar year.
 - b. The capacity of each event shall not exceed 250 persons at any one time and all parking is contained onsite and reviewed and approved by the local fire department.
 - c. Events shall be limited in duration to no more than three consecutive days.
 - d. Parking and assembly areas shall be located in such a manner as to avoid impacts to sensitive habitat.
 - e. Temporary sanitation facilities shall be provided, as required by the Environmental Health Director.
 - f. Any outdoor music shall meet County noise standards. Amplified music or amplified speech shall comply with Chapter 8.20, Noise Regulations, of the County Code. For any

events with amplified sound, occurring between 7:00 PM and 9:00 PM, a noise analysis shall be submitted to the Planning Department demonstrating that the noise standards will not be exceeded. No outdoor music will be allowed after 9:00 p.m. This subsection does not permit concerts or other live, outdoor amplified music where the music is the primary attraction. (See Chapter 8.70, Outdoor Music Festivals, for events involving outdoor music for more than 200 attendees.)

3. ***Special Events Requiring a Minor Use Permit (Special Event Centers).*** The following uses require a Minor Use Permit:

- a. Temporary campgrounds associated with a special event exceeding 48 hours in duration.
- b. Concerts or other live, outdoor amplified music where the music is the primary attraction. (See also Chapter 8.70, Outdoor Music Festivals, of the County Code.)
- c. ***Required Findings.*** In order to approve a Minor Use Permit for a Special Event Center, the Development Review Committee shall make the following findings in addition to the findings for approval of a Use Permit in Section 11.57.060.
 1. The proposed use does not detract from or diminish the on-site crop production uses.
 2. There is no adverse effect on agricultural production or public health and safety on surrounding properties.

K. **Other Temporary Uses.** If a temporary use is proposed that is not listed or addressed in this section or another section of this Code, the Planning Director shall determine the most similar temporary use, and the proposed use will be subject to the same standards and procedures as the most similar use.

TABLE 11.32.320: TEMPORARY USES AND SPECIAL EVENTS PERMIT TYPE	
<i>Use/Event</i>	<i>Type of Permit or Clearance</i>
Arborist Office	ZC
Fixed Mobile Vendor	TUP Type 1
Construction Trailer	ZC
Off-Site Construction Yard: Capital Improvement	ZC
Off-Site Construction Yard	TUP Type 2
Model Home Complex	TUP Type 2
Temporary Housing	TUP Type 1
Temporary Emergency Shelter	ZC
Longer-term Sales Events	TUP Type 2
VGB Fairs & Special Events less than 10 days/year	ZC
VGB Fairs & Special Events more than 10 days/year	TUP Type 2
<i>Special Events Outside the Valley Growth Boundary and Lots with Agricultural Uses</i>	
Less than 5 per year and 100 people per event	ZC
6 to 12 events per year or 101 to 250 people per event	TUP Type 1
Over 12 events per year or 250 people per event	MUP

11.32.330 Wineries and Tasting Rooms

For purposes of this section, the regulations associated with wineries also pertain to olive oil, micro-brewery and micro-distillery production facilities. Wineries and Tasting rooms shall be developed, located and operated in conformance with the following standards:

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- A. **Wineries.** The growing and harvesting of grapes, olives, fruit, hops and other products suitable for processing and bottling of wine, olive oils, beer and distilled beverages or products.
1. Milling, pressing, processing, and bottling of grapes, olives, beer and distilled beverages is principally permitted in agricultural districts, in the Rural Residential zone district up to 5,000 cases per year (case = case of wine or equivalent in olive oil, beer or distilled beverage), and permitted through approval of an Administrative Use Permit in the Residential Estate district.
 2. Processing of more than 5,000 cases per year shall be subject to approval of a Minor Conditional Use Permit within the Rural Residential and Residential Estate districts.
 3. **Incidental Uses.** Tasting rooms pursuant to Section 11.32.330.B; retail sales, special events, lodging, and agricultural recreation and entertainment are permitted as incidental uses to a permitted winery in accordance with regulations listed under Section 11.32.230, Ranch Marketing and Section 11.32.320, Temporary Uses and Special Events.
- B. **Tasting Rooms**
1. **Accessory Use.** Tasting facilities shall be clearly related to the winery with the focus of the tasting facilities on the marketing and sale of the products grown and/or processed on the site or neighboring properties under the same ownership and/or lease.
 2. **Maximum Size.** Tasting rooms are subject to the size limits listed in Table 11.32.330.B below:

TABLE 11.32.330.B TASTING ROOMS				
Use	Permitted	Administrative Use Permit (AP)	Minor Conditional Use Permit (MUP)	
Gross square footage of tasting room including display or retail areas.	2,500 sq ft	2,501 to 7,000 sq ft	over 7,000 sq ft	
Parking. Parking for uses shall be as established in Section 11.25, Parking and Loading or as determined by the decision-making authority for those activities that require a use permit.				
CEQA: All projects are subject to CEQA. For uses that are listed as permitted or require approval of an Administrative Use Permit where due to site location, presence of natural resources or other site constraints and the proposed development plan results in the inability to Exempt the project from CEQA, the project will be subject to preparation of the appropriate CEQA document and any associated fees.				

3. **Complimentary Food Items for On-Site Consumption.** Complimentary food items including but not limited to fruit slices, cheese, and crackers, may be offered to customers along with tastings, provided that:
 - a. Food items are not advertised on signage; and
 - b. Such food is prepared in a facility approved by the Yuba County Department of

Environmental Health and handled in accordance with the California Health and Safety Code.

4. ***Merchandise and Prepackaged Food Sales.*** Tasting rooms may engage in the retail sale of the following items, provided that the aggregate area for the display of all such items occupies no more than 15 percent of the area of the tasting room.
 - a. *Product-Related Merchandise.* Incidental merchandise relating to the use and consumption of the product that is the subject of the tasting room, including but not limited to wine glasses, corkscrews, accessory clothing, key chains, and pens.
 - b. *Value-Added Agricultural Products.* Packaged food for off-site consumption, including but not limited to jam, jellies, olives, and olive oil, provided that:
 - i. The packaged food is produced from agricultural products grown on lots or parcels of land owned or leased by the holder of a Type 02 license issued by the California State Department of Beverage Control;
 - ii. The associated producer's logo is permanently and prominently affixed to all food sold; and
 - iii. The packaged food is prepared and offered in accordance with any and all regulations and/or requirements of the applicable government agencies regarding the preparation, licensing, and inspection of such packaged food.
 - c. *Pre-packaged Foods.* Prepackaged food items intended to complement the product that is the subject of the tasting room, including but not limited to crackers, for off-site consumption. These shall be non-potentially hazardous prepackaged food products from an approved source.
5. ***Picnic Areas.*** Picnic areas may be provided but shall be subordinate to the tasting room.
6. ***Utilities.*** Sanitary facilities and potable water shall be provided pursuant to applicable codes.