

ATTACHMENT NO. 4A

EXISTING LIST OF PERMITTED USES

This Existing List of Permitted Uses takes effect upon the approval and execution of the 2001 Amendments by the Agency, the City and the County, whichever occurs last, and shall become ineffective upon approval and execution of Redevelopment Plan Amendments taking effect in which case the Conditional List of Existing Uses (Attachment No. 4B) shall take effect.

The Permitted Uses under this Agreement include the principal, accessory and conditional uses described herein. For the purposes of this Agreement, the term "agriculture" means the use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, apiaries, and animal and poultry husbandry, and the necessary accessory uses thereto; provided, however, the operation of any such accessory uses shall be secondary to that of the normal agricultural activities. For the purposes of this Agreement, "accessory use" shall mean supply, service, storage, and processing areas and facilities for any other agricultural land. The uses set forth herein shall not include stockyards, slaughterhouses, hog farms, fertilizer works, or plants for the reduction of animal matter.

A. Principal Uses

1. Agriculture, including any customary agricultural building and structures, and such uses as, but not limited to, livestock ranges, animal husbandry, field crops, tree crops, nurseries, and greenhouses, together with all the necessary equipment and facilities for the support and maintenance of the operation, and other agricultural occupations as defined in Section 8-2.208 of the Yolo County Code as it exists at the time of adoption of this Agreement (the "Code");
2. One single-family dwelling or one mobile home when located on a parcel containing at least twenty (20) acres;
3. Electrical distribution substations;

4. Oil and gas well drilling and operations consistent with the requirements of Section 8-2.2610 of the Code; and

5. Parks and recreation areas, public.

B. Accessory Uses

1. Agricultural buildings, structures, and dwellings customary and appurtenant to an agricultural use no longer necessary for the operation of the principal use may be rented or leased for a similar use;

2. Garages, private, parking areas, private and stables, private;

3. Guest houses not rented or otherwise conducted as a business;

4. Home occupations;

5. Hunting clubs, public and private, with no permanent buildings;

6. Living quarters of persons employed on the premises and relatives of the property owner or lessee, but not including labor camps;

7. Offices incidental and necessary to the conduct of a principal permitted use;

8. Roadside stands for the sale of agricultural products primarily grown in the local area;

9. Temporary landing strips appurtenant to a principal permitted use;

10. Temporary shelters for herdsmen, including mobile homes, wagons, tents, and similar shelters; and

11. Other accessory uses and buildings customarily appurtenant to a Permitted Use, including, but not limited to, almond hulling and fruit, grain, and bean storage and drying when such products are primarily produce on the premises.

C. Conditional Uses

1. Agricultural chemicals, manufacture and storage;
2. Agricultural labor camps;
3. Animal feed sales yards;
4. Agricultural processing plants;
5. Agricultural products storage plants and yards;
6. Airports and landing strips, private;
7. Animal hospitals, veterinary offices, and kennels;
8. Auction yards, flea markets, and similar outdoor sales areas enclosed by an approved screen fence;
9. Buildings and structures, public and quasi public, and uses of an administrative, educational, religious, cultural, or public service type;
10. Cemeteries, crematories, mausoleums, and columbariums;
11. Commercial and industrial uses of primary and essential service to the agricultural use of the area, including, but not limited to, almond hulling, fruit, grain, and bean storage and drying; the sale of fertilizers and insecticides; the sale and repair of farm equipment and machinery, such as tractors and cultivators; and the limited manufacture of such equipment and machinery for use within such area.
12. Fertilizer plants and yards;
13. Forest products manufacturing and processing plants;
14. Foster homes, day nurseries, nursery schools, and day care centers;
15. Hunting clubs, public and private, with permanent buildings;

16. Labor camps;

17. One mobile home may be used as temporary living quarters on parcels with areas of twenty (20) acres or more provided such mobile home is occupied by an individual who is principally engaged in an agricultural operation on the site and/or any additional land. Such use permit shall be subject to review each two (2) years and shall be revoked if found to be in noncompliance with this regulation;

18. One single-family dwelling or one mobile home when located on a parcel containing at least five (5) acres. One single-family dwelling or one mobile home may be approved on a parcel containing less than five (5) acres when such parcel complies with the provisions of Section 8-2.2606 of the Code; Additional single-family dwellings if approved pursuant to subsection (f) of Section 8-2.2804 of the Code or Section 8-2.3219 of the Code;

19. Publicly-owned facilities incident to the supply of essential services by a public entity, such as wastewater treatment ponds, sewage facilities and pump stations; water supply facilities and pump stations, and solid waste disposal sites;

20. Recreation facilities, commercial, such as drive-in theaters, golf driving ranges, and other similar facilities, but not including facilities in which the principal use is enclosed in a building, such as bowling lanes;

21. Riding stables; and

22. Rock, sand, and gravel extraction primarily for the purpose of creek bank protection and/or erosion control.

23. "Yolo Stores". One Yolo Store shall be permitted on the Yolo Store parcel (the "Yolo Store Parcel") described and shown on Attachment No. 11 of this Agreement. The Yolo Store shall be limited by the terms of this Section 23. On the Yolo Store Parcel the total square feet of the structure or structures for both sales and storage shall not exceed 10,000 square feet.

A "Yolo Store" is a structure in which the majority of the items offered for sale are grown or processed in Yolo County. This structure or a separate structure may be also used for storage. The sale of beer and tobacco products is prohibited. The sale of foods prepared on the premises for consumption off the premises, and limited seating areas for the consumption of food prepared on the premises and sold only from a counter is permitted, however, space for these uses shall not exceed one-third of the total square feet used for sales and retail, as distinguished from the amount of space used for storage.

CONDITIONAL LIST OF PERMITTED USES

This Conditional List of Permitted Uses takes effect upon the effectiveness of the Redevelopment Plan Amendments, pursuant to Section 1005 of this Agreement, in which case this Conditional List of Permitted Uses shall replace in its entirety the Existing List of Permitted Uses (Attachment No. 4A) which shall become null and void.

The Permitted Uses under this Agreement include the principal, accessory and conditional uses described herein. The uses set forth herein shall not include stockyards, slaughterhouses, hog farms, fertilizer works, or plants for the reduction of animal matter. All definitions as defined below are for purposes of this Agreement only.

I. DEFINITIONS.

The following definitions shall govern the List of Permitted Uses. Except for the definition of "Yolo Stores," the definition of words or phrases defined below are the same as those words or phrases have been defined in Ordinance No. 1244 adopted on January 4, 2000, by the County of Yolo.

1. Accessory use – "Accessory use" shall mean supply, service, storage, and processing areas and facilities for any other agricultural land.

2. Agriculture – "Agriculture" shall mean the use of land for the raising of crops, trees or animals, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, apiaries, and animal and poultry husbandry, and the necessary accessory uses thereto; provided, however, the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

3. Agricultural building – "Agricultural building" shall mean an uninhabited building used to shelter farm animals, farm implements, supplies, products and/or equipment; and that contains no residential use, is not open to the public, and is incidental an accessory to the principal use of the premise; and may contain processing activities as a direct result of the farming operation of the premises.

4. Agricultural structure – “Agricultural structure” shall mean an uninhabited structure used to shelter farm animals, farm implements, supplies, products and/or equipment; and that contains no residential use, is not open to the public, and is incidental and accessory to the principal use of the premise.

5. Agricultural research – “Agricultural research” shall mean industrial or scientific uses subordinate to, and in support of agriculture, and includes product processing plants and agriculturally based laboratories or facilities for the production of research of food, fiber, animal husbandry or medicine, and may include administrative office space in support of the operation.

6. Conditional use – “Conditional use” shall mean a principal or accessory use of land or of structures thereon, which use may be essential or desirable to the public convenience or welfare in one or more zones, but which use may also impair the integrity and character of the zone or adjoining zone or be detrimental to the public health, morals, or welfare unless additional restrictions on the location and extent of the use are imposed and enforced. Such use shall become a principal permitted use or accessory use when all specific additional restrictions are completed and permanently satisfied in conformance with an approved use permit. Should such restrictions be of a continuing nature, the use shall remain conditional so long as the restrictions are complied with but shall become an unlawful use whenever and so long as the restrictions are not complied with. A conditional use shall require a use permit from the appropriate authority.

7. Lodge – “Lodge” shall mean a residential structure with rooms for rent or hire, a common lobby, facilities which may include a restaurant, restaurant with bar, indoor hall, open courtyard areas, reception and assembly area; with access to each guest’s bedroom through the common lobby or courtyard; and may include accessory commercial uses incidental to the principal use of the premises.

8. Principal use – “Principal use” shall mean the primary use of land or a main building, which use is compatible with the purpose of the zone and which is permitted in the zone. If a use is listed in a specific zone as a principal permitted use, it shall mean that the owner, lessee, or other person who has a legal right to use the land can conduct such principal permitted use, subject to general limitations, such as health, safety, parking, drainage, utilities, access, site plan and building permit review,

approval, or conditional approval, and such other limitations are generally applied to similarly situated uses in such zone.

9. Primary dwelling – “Primary dwelling” shall mean a structure designed, intended, and used for residential purposes, but shall not include Ancillary Dwelling, Secondary Dwelling, Guest House, or Living Quarters.

10. Roadside stand – “Roadside stand” shall mean a structure for the display and sale of agricultural products.

11. Rural recreation – “Rural recreation” shall mean outdoor sporting, or leisure activities that require large open space areas and do not have any significant detrimental impact on agricultural use of lands that are in the general vicinity of the rural recreation activity. Rural recreation activities shall include, but are not limited to: the shooting of skeet, trap, and sporting clays; archery; gun; hunting, or fishing clubs; sport parachuting; riding; dude ranches; picnicking; nature study; viewing or enjoying historical, archaeological, scenic, natural or scientific sites; health resorts, rafting, hiking, backpacking, bicycling, or touring excursions; or camping. Rural Recreation shall also include commercial or non-commercial operations related to any outdoor sporting and leisure activities with the meaning of Rural Recreation as defined.

II. LOT REQUIREMENTS.

The minimum lot area shall be twenty (20) acres. Upon approval of a use permit, a Permitted Use or any principal or accessory use may be constructed on any lot or parcel of land which lot or parcel contains an area or dimension smaller than twenty (20) acres and which was of record in the office of the Clerk-Recorder on December 18, 1963, where the owner thereof on such date, or his successor in interest, owned no adjoining land, or as permitted by Section 8.2.2603 of Ordinance No. 1224 as adopted on January 4, 2000, by the County of Yolo, attached hereto as Attachment No. 8 and incorporated herein by reference.

III. USES.

A. Principal Uses.

1. Agriculture, including any agricultural buildings or structure. The uses set forth in this section shall not include dairies, stockyards, slaughterhouses, hog farms, fertilizer works or plants for the reduction of animal matter.

2. One (1) single-family dwelling ;

3. Parks, publicly owned; and

4. Rural recreation with no permanent buildings.

B. Accessory Uses.

1. Agricultural buildings and structures appurtenant to an agricultural use no longer necessary for the operation of the principal use may be rented or leased for a similar use;

2. Private stables;

3. Home occupations;

4. A farm office(s) incidental and necessary to the conduct of a principal permitted use;

5. Roadside stands for the sale of agricultural products primarily grown in the local area;

6. Temporary shelters for herdsmen, including mobile homes, wagons, tents, and similar shelters;

7. Other accessory uses and buildings customarily appurtenant to a Permitted Use, including, but not limited to, almond hulling and fruit, grain, and bean storage and drying when such products are primarily produced on the premises;

8. One (1) ancillary dwelling when located on a parcel containing at least twenty (20) acres;

9. Agricultural buildings and structures;

10. Accessory uses that enhance the primary use of agricultural lands or the agricultural industry, or any necessary equipment or facilities for the support or maintenance of the principal operation. For the purposes of this section, "accessory use" shall include temporary or permanent supply service or preparation for on-site purposes; and

11. Privately-owned reservoirs and/or water retention basin, with associated on-site water transmission facilities, provided that such reservoir or retention facility is found to have a potential either to provide flood control, fire suppression, water supply, wildlife habitat improvement or groundwater recharge or enhancement benefits.

C. Conditional Uses.

1. Agricultural chemicals, sales and storage;
2. Animal feed and sales yards;
3. Agricultural processing plants;
4. Agricultural products storing plants and yards;
5. Airports and landing strips, private;

6. Animal hospitals, veterinary offices, and kennels;
7. Auction yards, flea markets, and similar outdoor sales areas enclosed by an approved screen fence;
8. Buildings and structures, public and quasi-public, and uses of an administrative, educational, religious, cultural, or public service type; provided, however, that in addition to the findings required for the use permit approval of the use shall be subject to the following:
 - a. That the site shall have previously been utilized by non-farm production uses;
 - b. That the proposed use requires or will benefit from an agricultural setting; and
 - c. That a condition of the use permit shall be the recordation of a "right to farm easement" with regard to the site, approved by the County as to form and content.
9. Cemeteries, crematories, mausoleums, and columbariums;
10. Commercial and industrial uses of primary and essential service to the agricultural use of the area, including, but not limited to, almond hulling, fruit, grain, and bean storage and drying; the sale of fertilizer and insecticides; the sale and repair of farm equipment and machinery, such as tractors and cultivators; and the limited manufacture of such equipment and machinery;
11. Fertilizer plants and yards;
12. Forest products manufacturing and processing plants;

13. Foster homes, nursery schools, and day care centers;
14. Agricultural labor camps consistent with Government Code sections 17020, 17021.5 and 17021.6;
15. Rural recreation with permanent buildings, but not including facilities in which the principal use is enclosed in a building, such as a bowling lane;
16. Commercial stables;
17. Commercial surface mining operations, after the approval of a Special Sand and Gravel Combining Zone (SG) pursuant to Article 23.1 of the Yolo County code. Surface Mining operations may be allowed only when located within the Off-Channel Mining Plan area and/or when necessary for agriculture. Such use may include processing plants, batch plants, offices, equipment storage yards and other facilities appurtenant to the surface mining operations;
18. Dairies;
19. Electrical distribution stations, transmission substations, communication equipment buildings and public utility service yards;
20. Yolo Stores. No more than two Yolo Stores shall be permitted: one Yolo Store on the Yolo Store parcel (the "Yolo Store Parcel") described and shown on Attachment No. 11 of this Agreement; and one additional Yolo Store. Both Yolo Stores shall be limited by the terms of this Section 19. On the Yolo Store Parcel the total square feet of the structure or structures for both sales and storage shall not exceed 10,000 square feet. On the parcel on which the additional Yolo Store may be located the total square feet of the structure or structures for both sales and storage shall not exceed 5,000 square feet".

A "Yolo Store" is a structure in which the majority of the items offered for sale are grown or processed in Yolo County. This structure or a separate structure may be also used for storage. The sale of beer and tobacco products is prohibited. The sale of foods prepared on the premises for consumption off the premises, and limited seating areas for the consumption of food prepared on the premises and sold only from a counter is permitted, however, space for these uses shall not exceed one-third of the total square feet used for sales and retail, as distinguished from the amount of space used for storage.

21. Agricultural research in a building not exceeding twenty thousand (20,000) square feet. Building space contained within an agricultural research facility that existed on June 1, 2001, space within greenhouses, space within buildings containing storage and space within buildings devoted exclusively to maintenance shall not be included in the twenty thousand (20,000) square foot limit;

22. Aquaculture ponds;

23. Oil and gas well drillings and operations;

24. Each additional ancillary dwelling when located on a parcel containing at least twenty (20) acres;

25. Co-generation facilities;

26. Officially designated County Historic Resources used for educational and tourist purposes, including, but not limited to archaeological sites, museums, bed and breakfasts, restaurants, restaurants with bars, wedding chapels or reception establishments and schools when the use is within the building designated as a Historic Resource;

27. Bed and breakfast;

28. Lodges, with restaurant, or restaurant with bar, located within the area entitled "Grasslands Park and Air Force Facility" shown on the Map attached hereto as Attachment No. 10 and incorporated herein by reference, and located on land either presently owned or that is acquired by the County;

29. Wineries.