The County of Yuba

Community Development and Services Agency

TO: Board of Supervisors

FROM: Community Development and Services Agency, Rachel Olson

SUBJECT: Community Development and Services Agency: Hold public hearing, waive reading, and adopt ordinance to repeal and re-enact Title XI Development Code and County Zoning Map and determine project is exempt from California Environmental Quality Act, Section 15183. (20 minutes)

DATE: March 25, 2025

NUMBER: 108/2025

Recommendation

Adopt Ordinance repealing and re-enacting Title XI Development Code, amend the zoning map, and determine the project is exempt from California Environmental Quality Act (CEQA) review in accordance with Section 15183.

Background

In June of 2011 the Yuba County Board of Supervisors (the Board) adopted the Yuba County 2030 General Plan and EIR. Zoning and land use ordinances are used to implement the goals and policies of the General Plan. On July 21, 2015 the Board adopted the Yuba County Development Code (DC) and Zoning Map. This was a wholesale update (last major update was 1983) to the zoning code and map to better reflect the goals of the County's General Plan.

At the time of the 2015 DC adoption, the Board asked that staff pay close attention during the first years of the DC and Zoning Map implementation to determine of any needed amendments were necessary. In the spring of 2016 staff brought back a number of minor amendments, clarifications, and zoning map changes to the Planning Commission for recommendations that the Board ultimately adopted. Given the success of the 2016 DC update, it was determined that reviewing the DC annually would be a thoughtful endeavor for all parties involved in the implementation of the DC and it would ensure that the DC was a more active and living document rather than a document bound by the time and date of its initial adoption.

The 2023 Development Code amendment was reviewed and recommended for approval by the Planning Commission on January 17, 2024 and was approved by the Board on February 27, 2024.

Discussion

This 2024 Development Code Update Public Workshop is to provide input to staff on the proposed code changes for the 2024 Development Code Update. The proposed staff changes are as follows:

- **SB-9:** Also known as the California HOME Act, SB-9 is a state law that allows homeowners to split their single-family zoned lots and develop up to two residential units per lot. This effectively enables the creation of up to four units on a previously single-family parcel, streamlining housing development and addressing the state's housing shortage.
    - This provision has been incorporated into the Development Code this year to align with state law and expand housing opportunities. The update removes barriers to property splits and small-scale residential development, ensuring Yuba County complies with state mandates while providing property owners with greater flexibility. Specifically, Staff recommends removal of the owner occupancy requirement for lot splits and clarifies that each lot may have up to two units (max 4 per property) as either *one* duplex per lot with *no* ADU or *one* single-family residence with *one* ADU.
- **Signage in the Right of Way:** The updated policy allows signage in the County's right-of-way with an encroachment permit, but only for school or nonprofit signage. Applications for such signage must be submitted at least two weeks in advance to allow for proper review. Additionally, the policy clarifies regulations for political signage, ensuring that all signage in the right-of-way is properly regulated to maintain public safety, prevent visual clutter, and avoid obstructions to traffic or pedestrians. By clarifying these regulations, the policy helps prevent confusion and ensures fair and consistent enforcement across all types of signage.
- **PSPP (Planned Sign Permit Program) to Allow Billboards:** The County did not have an established policy for billboards and has been using the Planned Sign Permit Program (PSPP) section for regulation. The updated policy now requires billboards to be spaced at least three miles apart, and any new billboard erected must result in the removal of an existing non-compliant one. If a new billboard is placed within three miles of another, two non-compliant billboards must be removed. Additional changes include permitting only digital billboards, designating the Planning Commission as the approval hearing body, requiring an enhanced base treatment with the Yuba County logo, and providing free advertising space for the County. This approach ensures a more organized, controlled placement of billboards, reducing visual clutter and improving compliance with zoning regulations.
- **Political/Election Signage:** Political signage has been formally incorporated into the development code, addressing a topic that was historically only covered by a Memorandum from the Public Works Department. Under the new guidelines, these signs are allowed up to three months prior to an election and must be removed within ten days following the election, applicable across all lands within Yuba County. The placement of political signs within the right-of-way is permitted under specific conditions, including permission from the underlying property owner when the right-of-way is by easement, and ensuring signs do not obstruct public facilities or roadways. This update ensures clarity, consistency, and safety in the placement of political signage throughout the county.

//

//

- **Landscape Care and Maintenance:** This update broadens the requirement for long-term care and maintenance of all required landscape areas, previously applicable only to commercial, multifamily, industrial, and institutional developments. It now applies to all development types, enabling County Staff to enforce regulations regarding the removal of trees and landscaping on single-family residential properties, helping to maintain a vibrant and aesthetically pleasing community.
- **Special Events in the VGB:** Special events will only be allowed on properties with an established commercial business and are no longer permitted on vacant land. This policy ensures that special events are hosted in locations with the necessary infrastructure and services, such as parking, utilities, and public safety measures, which are typically provided by established commercial businesses. It helps maintain public safety, prevents overcrowding, and avoids placing an undue burden on areas lacking proper amenities, all while supporting local businesses.
- **Reduced Setbacks for RE and RR Properties Outside the VGB:** Per a conversation with the Planning Commission, staff has revised the setback requirements for Residential Estates (RE) and Rural Residential (RR-5 and RR-10) zoned properties located outside of the Valley Growth Boundary. Specifically, the interior side setback requirement has been adjusted from applying to lots less than 1 acre to now including lots up to 5 acres, requiring a 10-foot setback, while lots 5 acres or larger require a 20-foot setback (previously 1 acre or larger). Additionally, the rear setback for primary structures has been reduced from 25 feet to 20 feet, and the rear setback for accessory structures has been reduced from 20 feet to 15 feet. These changes will not affect properties within the CalFire State Responsibility Area (SRA), which still require a 30-foot setback. The updated requirements will help small properties that previously faced challenges due to large setback requirements, allowing for more flexible site development.
- **Outdoor Retail Sales:** Must be directly associated with an on-site business to ensure proper land use and avoid unrelated storage operations. This requirement ensures that outdoor storage sales are linked to a legitimate on-site business, maintaining proper land use and zoning regulations. It helps prevent the establishment of unrelated storage operations, ensuring that the area remains functional, organized, and compliant with the intended use of the property.
- **Auto Repair in RC Zone**: Auto repair will be classified as a principally permitted use in the RC (Rural Commercial) zone. This supports local businesses, enhances service availability, and ensures proper land use. Rural communities rely on nearby auto repair services, and allowing them by right streamlines approvals, reducing delays for business owners. This update also prevents these businesses from being forced into less suitable zones while maintaining accessibility for residents and supporting the local economy.
- **Parkland Dedication for Subdivision Maps**: The Planning Director now has the discretion to determine whether parkland dedication or in-lieu fees are appropriate for subdivisions with 50 or fewer lots, based on the specific characteristics and needs of the development. This update is important because it ensures a fair and practical approach to parkland dedication and provides flexibility to account for different subdivision characteristics, ensuring that growing communities have access to parks and open spaces.

//

//

- **Duplex/Two-Unit Definition:** The definition of Duplex/Two-Unit is being revised to remove references to a "second unit" to avoid redundancy and ensure clarity in the Development Code. Staff wants to ensure that only a **duplex and an ADU** can be added to a property, preventing scenarios where two detached primary units and an ADU are constructed—effectively creating three separate structures on a single lot. This restriction helps maintain neighborhood character, ensures logical site planning, and avoids excessive density in areas not designed for multiple detached structures.
- **Efficiency Kitchen Definition:** The updated definition of an "Efficiency Kitchen" includes a sink with a waste line diameter of 1.5 inches or less, basic appliances using 120 volts or less (such as a mini-fridge, microwave, or hot plate), no full cooking facilities like ovens or stovetops, a limited food preparation counter, and storage cabinets. This will help to clearly distinguish between an efficiency kitchen, not established by building code for guesthouses, and a Junior Accessory Dwelling Unit (JADU), preventing confusion and ensuring appropriate development in different housing contexts.

Proposed DC Code Sections and Amendments:

- Table 11.06.020 Allow Major Auto Repair as a permitted use in RC.
- Table 11.06.030 Modify Setbacks for RE (Outside the VGB) and RR.
- Tables 11.07.020 and 11.08.020 Remove Two-Units from the Land Use Classification “Duplex/Two-Unit”.
- 11.24.110 Landscape Care and Maintenance shall apply to all required landscape areas.
- 11.27.030(I) Add standards for Election/Political Signage.
- 11.27.040(G)(1) Add language allowing temporary signs or banners in the right-of-way for local schools or nonprofit organizations, provided they obtain an encroachment permit at least two weeks before placement.
- 11.27.130. Add billboards as an allowed use under the Planned Sign Permit Program and establish regulations for their placement and requirements.
- 11.32.190(B) Add language that outdoor retail sales shall be part of an existing business on the same site.
- 11.32.320(I)(3) Restrict temporary special events to properties with an established commercial business, prohibiting them on vacant land.
- 11.45.060(D)(4) & 11.45.060(E) Fixed overcomplicated language for parkland dedication and allow the Planning Director to determine parkland dedications for subdivisions with 50 lots or less.
- Chapter 11.48 Create SB-9 Chapter, which outlines purpose, applicability, standards, application and review process, findings, and enforcement.
- Table 11.52.110 Update the approval process for the PSPP by changing the Advisory Body from the Planning Commission to the CDSA Director and the Decision-Making Authority from the DRC to the Planning Commission.

- 11.72.030 Remove Two-Unit Dwelling from the Duplex definition. Add specific requirements for an Efficiency Kitchen.
- 11.73.020 Added language specifying that Guest Quarters shall be limited to kitchen facilities such as an efficiency kitchen or a wet bar.
- Table 11.74 Revise the Land Use Regulation Table to reflect proposed changes in land use classifications.

The link to view Attachment B Clean Version and Attachment C Strikethrough Version of Complete Development Code: https://yubacounty.egnyte.com/fl/BrzURfPBgj

Proposed Zoning Map Changes: In addition to minor amendments, modifications, and corrections to the Development Code text, several changes are proposed to the Official Zoning Map to align zoning with current land uses. These changes include correcting zoning inconsistencies in the VGB, addressing small properties with improper zoning, and updating zoning for County-owned properties to allow for a broader range of uses. Please refer to Attachment D for the proposed zone change exhibit and Attachment E for the list of proposed zone changes.

Environmental Review: The Development Code and Zoning Map Update implement several action items of the 2030 General Plan. An Environmental Impact Report (EIR) was prepared and certified for the 2030 General Plan on June 7, 2011 (SCH#20100625). Staff determined that the Development Code and Zoning Map edits are exempt from further environmental review in accordance with the California Environmental Quality Act, Section 15183. Projects consistent with the development density established by existing zoning, community plan, or general plan policies for which the 2030 Yuba County General Plan EIR was certified shall not require additional environmental review.

Committee Action:
At their February 19, 2025 meeting, the Planning Commission received input on the proposed amendments to the DC and voted 3 yes-0 no (1 absent) to recommend the Board adopt the proposed amendments and exempt the project from further environmental review in accordance with the California Environmental Quality Act, Section 15183.

Fiscal Impact:
General Fund - None
Non-General Fund - None
Source of Funds - None

Attachments
ATT A Ordinance
ATT B Clean Version of Ordinance Changes (hyperlink above)
ATT C Strikethrough Version of Ordinance Changes (hyperlink above)
ATT D Proposed Zone Change Exhibit
ATT E Proposed Zoning Map Changes