ORDINANCE NO. 1075

ORDINANCE AMENDING CHAPTER 28 OF THE SOLANO COUNTY CODE
BY ADDING SECTION 28-23.3 THERETO ENTITLED
"WATER-DEPENDENT INDUSTRIAL DISTRICT"

The Board of Supervisors of the County of Solano, State of
California, does ordain as follows:

SECTION I.

Section 28-23.3 is added to Chapter 28 of the Solano County
Code to read as follows:

Section 28-23.3. Water-Dependent Industrial (I-WD) District

(a) The Board of Supervisors finds that certain waterfront
lands within Solano County are of statewide and regional signi-
ficance because they are among the few remaining deep-water
sites suitable for water-dependent industries. Furthermore,
significant agricultural and marsh lands are nearby resources
which the County is committed to preserve. For this reason, the
water-dependent industrial district is established to reserve
waterfront lands for large-scale, water-dependent industries to
assure the efficient use of waterfront industrial sites and to
ensure that impacts upon nearby environmentally sensitive lands
are minimized.

The provisions of this Section shall be strictly
interpreted to assure that only those industries which depend on
a waterfront site are to locate within this district. It is
expressly understood that prior to consideration of any indus-
trial proposal within the district, the Planning Commission
shall determine the industry's need for a waterfront site and
assure its conformance with the provisions of the Solano County
General Plan, this chapter and, where applicable, the Suisun
Marsh Preservation Act of 1977. Those industries which are not
considered to be water dependent may continue to locate within
other industrial districts.

(b) Uses Allowed.

Agriculture as an interim use, and buildings and uses
clearly accessory or incidental to such use, except that those
uses indicated below, may be established only after the conditions for a use permit, set forth in Section 28-27, are fulfilled.

(1) As an interim use: animal feed yard, poultry operation.

(2) Oil and gas wells.

(3) Dredge disposal site.

Where a use is granted pursuant to a planned unit development, the further requirement for a use permit is waived.

(c) Uses Allowed Provided the Conditions for a Planned Unit Development Permit, Set Forth in Section 28-25, are Fulfilled.

(1) Waterfront Storage Facility. Ship cargo storage and handling facility, including storage of raw materials which are contiguous and have a functional relationship to a berthing facility.

(2) Waterfront Manufacturing or Processing Facility. Manufacturing or processing operations which require frontage on navigable waters to receive raw materials or to distribute manufactured or processed materials by ship.

(3) Water-Using Facilities. Power plants and desalination plants. Other uses which demonstrate a need for substantial amounts of water may qualify if the industry can demonstrate the following: It cannot make use of lower quality water; it cannot reasonably assume the costs of conveying water to an inland site; a waterfront site would result in substantial energy savings over an alternative site.

(4) Associated Manufacturing or Processing Uses. Manufacturing or processing uses which must be in close proximity to an approved water-dependent manufacturing or processing use, and which meet one of the following conditions:
a. The transportation of either raw material inputs or finished product outputs to an inland site would constitute a substantial enough increase in product cost to make its production economically unfeasible.

b. The transport of materials from a berth, to or from an inland site, would produce major increases in hazardous conditions due either to security problems, road or rail congestion, or the spillage or explosion of hazardous materials.

(5) Berthing Facility. Wharves, piers, berths, docks, launching facilities in conjunction with any permitted water-dependent use.

(6) Support Facilities. Uses which are required to support the operation of a water-dependent industry. Such uses shall be clearly accessory or incidental to the operation of any water-dependent industrial use. These generally would be maintenance or ancillary types of operations, and incidental offices for management and materials control.

(d) Minimum Parcel Size. Determined by the conditions of the approved planned unit development permit. Parcels less than 200 acres in area are permitted only if they accommodate uses which are directly auxiliary to approved industrial uses on larger sites.

(e) Maximum Building Height. None; provided, that no structure shall exceed the height limitations of Section 28-33 if located in an airport flight obstruction area.

(f) Minimum Yard Requirements. Where parcel abuts an agricultural district, the minimum yard setback shall be 500 feet; otherwise, the setbacks shall be determined by the Planning Commission, Zoning Administrator, or the specific setback requirements set forth in the General Plan.

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(g) Application for planned unit development permits shall be prepared in accordance with the provisions of Section 28-25, and shall follow the seven-step development review process for siting waterfront industries as set forth within the Solano County General Plan. Evaluation of the project shall be based upon provisions of the Solano County General Plan and the following criteria:

1. Adequate provision is made, through the dedication of property or by other means, to provide for open space, the protection of adjacent agricultural uses, easements for connections to berth facilities, public access, and wetlands preservation where feasible.

2. Adequate safeguards are provided for the safe transport, transfer, storage, and emission of substances potentially hazardous to health, life, or property.

SECTION II.

This Ordinance shall be published once before the expiration of FIFTEEN (15) DAYS after its final passage in the [Newspaper Name], a newspaper of general circulation, printed and published in the County of Solano, State of California, and shall be in full force and effect THIRTY (30) DAYS after its passage.

ATTEST:

JOHN S. BLACKLOCK
Clerk of the Board of Supervisors,

By S/ Deputy

WALLACE L. BRAZELTON, Chairman
Board of Supervisors

I, JOHN S. BLACKLOCK, Clerk of the Board of Supervisors of the County of Solano, State of California, do hereby certify that the above and foregoing Ordinance was introduced at a
regular meeting thereof held this 26th day of February, 1980.

On the motion of Supervisor [Name] and the Second of Supervisor [Name], this Ordinance was adopted at a regular meeting of said Board on the [Day] day of March, 1980, by the following vote:

AYES: SUPERVISORS: [Name] [Name] [Name] [Name]

NOES: SUPERVISORS: [Name] [Name] [Name]

ABSTAINED: SUPERVISORS: [Name] [Name] [Name]

ABSENT: SUPERVISORS: [Name] [Name] [Name]

WITNESS my hand and the Seal of said Board this [Day] day of March, 1980.

JOHN S. BLACKLOCK
Clerk of the Board of Supervisors,

By [Signature] Deputy