ORDINANCE NO. 1210

AN ORDINANCE AMENDING SECTIONS 28-1, 28-10, 28-10.6, 28-11, 28-12, 28-13 and 28-29 OF CHAPTER 28 OF THE
SOLANO COUNTY CODE TO PROVIDE FOR THE ESTABLISHMENT
AND LOCATION OF COMPANION UNITS FOR THE ELDERLY AND
SECOND UNITS FOR RENTAL PURPOSES ON LOTS ZONED FOR
SINGLE-FAMILY DWELLINGS

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

SECTION I.
The Board of Supervisors finds and declares that:

1. The Board of Supervisors has reviewed the provisions of SB
1160 and found that there is a need to provide senior citizens an
opportunity of independent living quarters and also to encourage
housing arrangements that reunite families and prevent isolation of
elderly persons.

2. Companion living units are deemed compatible in all
districts designated A, A-L, R-R, R-E and R-S.

3. The Planning Commission has reviewed the provisions of SB
1534 and found that no action by the County would result in essen-
tially creating duplex zoning throughout the County contrary to the
best interest of many residents in single-family zones who purchased
their homes with the expectation that the present zoning of the area
would protect and preserve their area from increased density and
associated problems.

4. Agricultural districts are not considered single or multiple-
family residential zones since the allowed residential use is for
farm residence clearly incidental to agriculture and second units
for agricultural purposes are presently allowed by use permit.

5. An increase in density for secondary living units for
rental purposes should not be allowed in areas solely served by
private roads, private wells, or septic tanks because each of these
factors limit the density of the areas to those currently prescribed
in County ordinances. An increase in density would adversely impact
health, safety and welfare since public roads would be required to
accommodate the increased density, the water table could be unduly
reduced and surface and subsurface waters could be contaminated by the proliferation of septic tanks and leach lines.

6. The locations in the unincorporated area of the County where secondary living units will not adversely impact public health safety and welfare are those areas zoned for single-family residential use and designated R-E and R-S which are served by a public sewer system.

Section II.
Chapter 28, Section 28-1, is amended to add and delete the following definitions.

Section 28-1. Definitions.
For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Accessory use. A use naturally and normally incidental to and subordinate to the principal use of the land, and which does not change the character of the principal use.

Agriculture. The art or science of cultivating the ground, including harvesting of crops and rearing and management of livestock; tillage, husbandry, farming, horticulture and forestry; the science and art of the production of plants and animals useful to man.

Alley. A passage or way open to public travel, affording a secondary means of vehicular access to abutting lots, and not intended for general traffic circulation.

Animal, small. Chicken, turkey, rabbit, duck, mink, hamster, chinchilla, frog, fish, worm or other animals of a similar nature.

Animal feed yard. An animal livestock operation conducted on land under one ownership where twenty (20) or more animal units are corralled, penned, tethered, or otherwise caused to remain in confinement in restricted areas for any period and for any purpose on a surface which is or becomes bare of any feed growing in place which has a reasonable grazing value, except that normal grazing activities, including incidental seasonal supplemental feeding operations, are excluded from this definition.

Animal hospital. A building wherein the care and treatment
of sick or injured dogs, cats, rabbits, birds, and similar small animals is given, but not including the boarding of animals that are not sick or injured.

Animal units. The sum total of the units assigned to various animals pursuant to the table below:

<table>
<thead>
<tr>
<th>Type of Animal</th>
<th>Units per Animal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mature cattle, horses or animals of similar size</td>
<td>1.00</td>
</tr>
<tr>
<td>Yearling cattle, horses or animals of similar size</td>
<td>75</td>
</tr>
<tr>
<td>Calves, colts or animals of similar size</td>
<td>0.40</td>
</tr>
<tr>
<td>Hogs more than 90 days old</td>
<td>1.00</td>
</tr>
<tr>
<td>Two or more litters of hogs</td>
<td>0.50 per hog</td>
</tr>
<tr>
<td>One litter of hogs</td>
<td>None</td>
</tr>
<tr>
<td>Mature sheep, goats, or animals of similar size</td>
<td>20</td>
</tr>
<tr>
<td>Lambs, kids or animals of similar size</td>
<td>0.15</td>
</tr>
</tbody>
</table>

Automobile parking lot. Premises on which operable and duly licensed automobiles are parked by their individual owners for a period not to exceed 72 hours.

Block. That property abutting on one side of a street and lying between the two nearest intersecting or intercepting streets or nearest intersection, or intercepting streets and railroad right-of-way, unsubdivided acreage, watercourse, or body of water.

Building. Includes structure.

Building, accessory. A subordinate building located on the same lot, the use of which is customarily incidental to that of the main building, or to the principal use of the land.

Building height. Average height above the finished grade of the highest part of the building.

Building, main. A building in which is conducted the principal use of the building site on which it is situated. In any residential district, any dwelling shall be deemed to be a main building site on which the same is situated.

Building site. The ground area of building or buildings, exclusive of the street, together with all open space required by this chapter and having its principal frontage on a street.

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Camp grounds. Land or premises which is used or intended to be used, let, or rented for occupancy by campers traveling by automobile or otherwise, or for temporary occupancy by tents or similar quarters.

Clinic, medical and dental. A building wherein a staff of doctors, with necessary assistants and equipment, conduct the examination and treatment of outpatients.

Club. All clubs, except those the chief activity of which is a service customarily carried on as a business.

Commercial coach. A vehicle, with or without motive power, designed and equipped for human occupancy for industrial, professional or commercial purposes.

Community care facility. Any facility, place, or building for seven or more persons which is maintained and operated to provide non-medical residential care, day care, or homefinding agency services for children, adults, or children and adults; including, but not limited to, the physically handicapped, mentally impaired or incompetent persons; and includes residential facility, residential care facility for elderly, day care center, homefinding agency, and foster family home.

Companion living unit. One additional dwelling unit containing not more than 850 square feet attached or detached to the principal residence on the same ownership providing independent living quarters including sleeping, eating, cooking and sanitation facilities for one or more adult persons who are 60 years of age or over, handicapped or convalescent. Either the principal residence or companion living unit shall be owner occupied.

Corporation yard. Buildings and premises for storage of construction materials and machinery used by the operator of the corporation yard in the conduct of his business.

County boundary. The boundary of the county or the boundary of any unincorporated municipality within the county.

Courts. An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.

Duplex. A detached building, under one roof, designed for
or occupied exclusively by two families living independently of each other and separated by a common wall or floor.

Dwelling, manufactured. A mobilehome, certified under the National Mobile Home Construction and Safety Standard Act of 1974, placed on a foundation system constructed according to the provisions of Section 18551 of the Health and Safety Code and implementing regulations, and designed for or occupied exclusively by one family.

Dwelling, multiple. A building or portion thereof, used or designed as a residence for three or more families living independently of each other and doing their own cooking in such building, including apartment houses and flats.

Dwelling, one-family. A detached building which meets the building regulations of Solano County designed for or occupied by exclusively one family. Does not include a tent, mobilehome, or manufactured dwelling.

Dwelling groups. A group of two or more detached or semi-detached one-family, two-family, or multiple-family dwellings occupying a parcel of land in one ownership and having any yard or court in common.

Dwelling unit. A room or suite of rooms which is designed for or occupied by one family doing its cooking therein.

Erosion. Detachment and movement of soil or rock fragments by water, wind, ice and gravity.

Family. One or more persons occupying a premise and living as a single nonprofit housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity or sorority house. A family shall be deemed to include necessary servants.

Farm labor quarters. Rooming and boarding houses and mess halls for any number of farm help customarily employed on land owned by the owner of the building site occupied by such houses or halls.

Garage, private. An accessory building for the storage of private motor vehicles; an accessory use incidental to the main building.

Guest house. Detached living quarters of a permanent type.
of construction, without kitchens or cooking facilities, clearly
subordinate and incidental to the main building on the same
building site and not to be rented, let or leased, whether
compensation be direct or indirect.

Horse show. Includes a public stable and, in addition,
includes the conduct of riding exhibitions and other similar
events and activities where more than 12 horses participate at
one time.

Junk yard. The use of more than 200 square feet of area of
any parcel, lot, or contiguous lots for the storage of junk or
salvageable material, including junk metals or other scrap materials,
and for the storage, dismantling or "wrecking" of automobiles or
other vehicles or machinery.

Labor camps. Any living quarters, dwelling, boarding
house, tent, bunkhouse, maintenance-of-way, car, trailer coach,
or other housing accommodations maintained in connection with any
work or place where work is being performed and the premises upon
which they are situated or the area set aside and provided for
camping of five or more employees by a labor contractor. Labor
camp shall also mean a labor supply camp.

Labor supply camp. Any place, area, or piece of land where
a person engages in the business of providing sleeping places or
camping grounds for five or more employees or prospective employees
of another.

Lot: Includes plot.
Lot, key. The first lot to the rear of a corner lot, the
front line of which is a continuation of the side line of the
corner lot, exclusive of the width of any alley, and fronting on
the street which intersects or intercepts the street upon which
the corner lot fronts.

Mobilehome. A vehicle other than motor vehicle designed and
equipped to contain one dwelling unit to be used without a
permanent foundation and which is in excess of eight feet in
width, or in excess of 40 feet in length. Does not include a
manufactured dwelling.

Mobilehome park. Any area or tract of land where one or
1 more mobilehome lots are rented or leased or held out for rent or
2 lease to accommodate mobilehomes used for human habitation. The
3 rental paid for any such mobilehome shall be deemed to include
4 rental for the lot it occupies.

Office, business. An office which has as its main function
5 the arrangement of business transactions, the holding of sales
6 meetings and administrative conferences, the receiving of client
7 payments, and the keeping of records and accounts pertaining to
8 the particular business.

Office, professional. An office from which a doctor,
9 lawyer, engineer, or architect, etc., may offer services.

One ownership. Ownership of property or possession thereof
10 under a contract to purchase or under lease, the term of which is
11 not less than 10 years, by a person individually, jointly, in
12 common, or in any other manner whereby such property is under
13 single or unified control.

Owner. The person exercising one ownership as herein
15 defined.

Parking space. A usable and accessible space for parking of
17 a standard sized motor vehicle off the street.

Planning commission. The county planning commission of
19 Solano County.

Public service facility. Any use of land by a governmental
21 or public utility agency which has the power of eminent domain,
22 or any land use of a public or quasi-public nature which is found
23 by the planning commission to be necessary for the public health,
24 safety, convenience or welfare.

Recreational vehicle. A vehicle which is a motor home,
26 travel trailer, truck camper, or camping trailer with or without
27 motive power, designed for human habitation for recreation,
28 travel accommodation purposes, or emergency occupancy and which
29 is not defined herein as a mobilehome or commercial coach.

Recreational vehicle park. Any area or tract of land
31 within an area zoned for recreational use where one or more lots
32 are rented or leased or held out for rent or lease to owners or
33 users of recreational vehicles, and which is occupied for temporary
periods of time.

Remnant parcel. Area under one or more ownerships of four acres or less in aggregate area which has been isolated by public right-of-way, or publicly acquired land, or both.

Riparian habitat. The waterside environment where various plant and animal populations are endemic, existing as a result of the existence of the watercourse, or where such populations can be established due to the existence of the watercourse.

Road. See street.

Rooming or boarding house. A dwelling, other than a hotel, where lodging or meals, or both, for four or more persons are provided for compensation.

Rural resident enterprise. A small commercial or industrial land use, exclusive of agriculture, on the same parcel as the resident family in a rural area.

Secondary living unit. One additional dwelling unit attached to the principal residence on the same ownership providing independent living quarters for rent including sleeping, eating, cooking and sanitation facilities. Either the principal residence or secondary living unit shall be owner occupied.

Sedimentation. The process by which mineral or organic matter is removed from its site or origin, transported and deposited by water, wind, or gravity.

Servants quarters. Living accommodations for servants, not including cooking facilities.

Sign. Anything whatsoever placed, erected, constructed, posted, painted, printed, tacked, nailed, glued, stuck, carved, or otherwise fastened, affixed or made visible for out-of-door advertising purposes in any manner whatsoever, on the ground or on any tree, wall, bush, rock, post, fence, building, structure or thing whatsoever.

The two sides of a double-faced sign shall be counted as only one sign. Wedge-shaped or "V"-shaped signs where messages are not carried back-to-back, shall be counted as two signs even though they may be attached.

This definition shall not include official notices issued by
a court or public body, or officer, or directional warning or
information sign or structures required by or authorized by law
or by federal, state, county, or city authority.

Sign area. The area of a sign or other advertising device
shall be measured to the outside of the sign frame, or where
there is not sign frame, to a simple boundary perimeter around
the outer limits of the sign elements, including any voids
within such perimeter. The two sides of a double-faced sign
shall be counted as one sign. Wedge-shaped or "V"-shaped signs
where messages are not carried back-to-back shall be counted as
two signs, even though they may be attached.

Sign, general advertising. A sign which directs attention
to a business, profession, organization, commodity, service, or
entertainment conducted, sold, or offered elsewhere than upon the
same lot or parcel on which such sign is located.

Sign, on-site. A sign which directs attention to a busi-
ness, profession, organization, commodity, service, or enter-
tainment conducted, sold, or offered upon the lot or parcel on
which the sign is placed.

Stable, private. A structure for the shelter, care, or
feeding of horses used primarily by the resident family and not
used for commercial purposes.

Stable, public. Any premises on which horses are boarded,
trained, or rented for commercial purposes or upon which a
horseriding school or club is conducted; provided, that not more
than 12 horses participate in a training exercise or riding
exhibition at one time.

Street. A street, road, highway, thoroughfare, drive, lane,
or way affording the principal means of access to abutting property
and dedicated to or maintained by city, county, or state government,
or a private street, road, highway, thoroughfare, drive, lane, or
way affording the principal means of access to abutting property.

Structural alterations. Any change in the supporting
members of a building, such as bearing walls, columns, beams or
girders.

Structure. Anything constructed or erected, except fences
under six feet in height, the use of which requires location on
or in the ground or attachment to something having location on or
in the ground, but not including any trailer or tent.

Temporary commercial coach site. Premises which are used
for temporary occupancy and upon which one or more occupied
commercial coaches are located for temporary predetermined
periods.

Temporary mobilehome site. Premises which are used for
temporary occupancy and upon which one or more inhabited mobile-
homes or manufactured dwellings are located for temporary predetermined
periods.

Use. The purpose for which land or premises or a building
thereon is designed, arranged, or intended, or for which it is or
may be occupied or maintained.

Watercourse. Any natural or man-made channel for trans-
porting water, including the streambed and the banks, whether
continuously flowing or intermittent.

Wind turbine generator, commercial. A wind-driven machine
that converts wind energy into production of electrical power for
the primary purpose of resale or off-site use.

Wind turbine generator, noncommercial. A wind-driven
machine that converts wind energy into production of electrical
power for the primary purpose of on-site use and not for resale.

Wrecking yard. See junk yard.

Yard. An open space, other than a court, on the same
building site with a building, which open space is unoccupied and
unobstructed from the ground upward, except for landscaping, but
not including any portion of any street or alley or road right-
of-way.

Yard, front. A yard extending across the front of the lot
between the side lot lines and to a depth required by the district
in which the lot is situated.

Yard, rear. A yard extending across the back of the lot
between the side lot lines and to a depth required by the district
in which the lot is situated.

Yard, side. A yard between the side line of the lot and the
building to a width required by the district in which the lot is situated, and extending from the front yard to the rear yard.

SECTION III.
Chapter 28, Section 28-10(b)(4), is amended to read as follows:
Sec. 28-10. Exclusive agricultural (A) districts.
(b) Uses allowed:
(4) Buildings and uses clearly accessory or incidental to any permitted use located on the premises, including a one-family dwelling or manufactured dwelling, a companion living unit, barns, private stable, shed, and other farm buildings.

SECTION IV.
Chapter 28, Section 28-10.6(b)(3), is amended to read as follows:
(b) Uses allowed:
(3) Buildings and uses clearly accessory or incidental to any permitted use located on the premises, including a one-family dwelling or manufactured dwelling, a companion living unit, barns, private stable, sheds and other farm buildings.

SECTION V.
Chapter 28, Section 28-11(b)(1), is amended to read as follows:
Sec. 28-11. Rural residential (R-R) districts.
(b) Uses allowed:
(10) Buildings and uses clearly accessory or incidental to any permitted use located on the premises, including a guest house or companion living unit, barns, private stables, sheds, and other buildings.

SECTION VI.
Chapter 28, Section 28-12(b)(5), is amended to read as follows:
Sec. 28-12. Residential estate (R-E) districts.
(b) Uses allowed:
(5) Buildings and uses clearly accessory or incidental to any permitted use, including servants' quarters and a guest house or a companion living unit, or a secondary living unit provided the secondary living unit is connected to a public sewer.
SECTION VII.
Chapter 28, Section 28-13(b)(5), is amended to read as follows:
Sec. 28-13. One-family residence (R-S) districts.
(b) Uses allowed:
(5) Buildings and uses clearly accessory or incidental to any permitted use, including, on a minimum building site of seventy-five hundred square feet, a guest house or a companion living unit or a secondary living unit provided the secondary living unit is connected to a public sewer.

SECTION VIII.
Chapter 28, Section 28-29(a)(1), is amended to read as follows:
Sec. 28-29. Parking requirements.
(a) Minimum number of off-street parking spaces required in any district shall be as follows:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Number of Off-Street Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Residential uses</td>
<td>Two (2) spaces per each dwelling unit and one additional space for each companion unit or secondary living unit. Spaces should be located behind the front yard setback line in the R-E, R-S and R-D districts.</td>
</tr>
</tbody>
</table>

SECTION IX.
This Ordinance shall be published once before the expiration of FIFTEEN (15) DAYS after its final passage in the Press Democrat, 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:

/\Osby Davis, Chairman
Board of Supervisors

/\Linda Terra, Acting Clerk to
the Board of Supervisors
I, LINDA TERRA, Acting Clerk of the Board of Supervisors of the County of Solano, State of California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting held August 23, 1983.

On motion of Supervisor ____ , Seconded by Supervisor ____, this Ordinance was adopted at a regular meeting of said Board on September 13, 1983, by the following vote:

AYES: SUPERVISORS:____, ________

NOES: SUPERVISORS: None

ABSTAINED: SUPERVISORS: None

ABSENT: SUPERVISORS: None

WITNESS my hand and the Seal of said Board this 13th day of September, 1983.

[Signature]

LINDA TERRA. Acting Clerk to the Board of Supervisors, County of Solano, State of California