ORDINANCE NO. 1342

AN ORDINANCE AMENDING CHAPTER 28 OF THE SOLANO COUNTY CODE TO ENABLE CREATION OF OVERLAY ZONING DISTRICTS TO IMPLEMENT PLANNED DEVELOPMENT PROCEDURES

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

SECTION I.

Chapter 28 of the Solano County Code is hereby amended to add Section 23.7 entitled Policy Plan Overlay (PP) Districts is hereby enacted as follows:

Section 28-23.7 Policy Plan Overlay (PP) Districts

Sections:

(a) Purpose. The Policy Plan Overlay District is intended to encourage comprehensive planning on focused, large-scale or mixed land use developments. Policy Plan Overlay Districts can provide zoning flexibility by establishing development standards and land use allocations which may vary with the type, density or intensity of use of the underlying district regulations for specific parcels or areas that will ensure balanced and integrated growth guided by creativity and innovation in architecture, planning and environmental design. These standards and uses should accommodate the special needs of the physical site and the community while being consistent with the Solano County General Plan. Development standards are intended to meet or exceed those of the underlying districts described in the other Chapters of the Zoning Ordinance while promoting the public hearing, safety and general welfare without unduly inhibiting the advantages of modern planning and building techniques. The Policy Plan Overlay District requires a detailed development plan that combines the functions of zoning, master and precise plans, design review, and capital improvement plans in one coordinated process.

(b) Applicability. The Policy Plan Overlay District may be combined with all or part of any general plan area or zoning district designated for this purpose by the General Plan. Each Policy Plan Overlay District shall be shown on the official Solano County Zoning Map by adding the symbol "-pp" as a designator to a base district along with a clear delineation of the boundaries of the Overlay District and an identifying serial number. The serial number shall refer to the Department of Environmental Management's rezoning petition file for the particular Policy Plan Overlay Zone application.

(c) Initiation of Zone Change. A petition for a Policy Plan Overlay District may be initiated pursuant to Section 28-38
of this Chapter. Application shall be in the form prescribed by the Director of Environmental Management. The application shall consist of a written plan and graphics for policy guidance and a detailed statement of standards and uses to determine consistency with the Solano County General Plan. The application shall, at a minimum, include the items and information described in this Section.

1. Fee or fees as set by the Board of Supervisors pursuant to Section 1-18 of this code. No part of such fee shall be refundable.

2. A complete legal description of the subject property.

3. A narrative description of existing uses of the subject property and adjacent properties.

4. Enumeration of existing and proposed ordinance standards along with a detailed explanation of the differences between them.

5. Findings of fact demonstrating the proposed Policy Plan Overlay District in its entirety is consistent with the Solano County General Plan and findings set forth in Section (d) of this Chapter.

6. A set of standards which will define the purpose, intended uses, development density, dimensional constraints and performance standards for the subject property and, in general, shall take the following form:
   a. Statement of purpose
   b. Permitted uses
   c. Accessory uses
   d. Conditional uses
   e. Prohibited uses
   f. Architectural and sign standards
   g. Height, building coverage, and yard setbacks
   h. Landscaping
   i. Parking and loading requirements
   j. Additional development standards
   k. Performance standards (e.g. hazardous materials and waste management)
   l. Site specific policies to ensure adequate protection of the public health and safety and consistency with the surrounding uses
   m. Exceptions and general provisions

7. A development plan at a scale no smaller than one inch equals a hundred feet shall depict use areas and proposed circulation based on traffic density information provided in Subsections (c)(6). The development plan shall include a schematic representation of subdivision, grading, landscaping and proposed systems of drainage, water supply, sewage disposal and utility service.

8. Representative design and improvement details shall accompany the development plan and be presented in
detail to establish that development and construction will be consistent with the proposed Policy Plan Overlay District. Minimum specific design and improvement details shall include typical building elevations, streetscape and explanation of all relevant features required pursuant to Section (c) of this Chapter.

9. A development schedule describing the sequence and timing of subdivision and capital improvements along with estimated capital costs and proposed funding mechanism.

10. Such other information as may be required by the Board of Supervisors, Planning Commission, or Director of Environmental Management concerning the proposed development and use of such property, or which the applicant may deem appropriate for a full consideration of the proposal by the Board of Supervisors, Planning Commission, and Director of Environmental Management.

11. All information required by this section shall be stated in a manner to describe the character and style of the proposed development and use in sufficient detail to constitute definitive criteria under which subsequent development can be judged for compliance.

(d) Adoption of Policy Plan Overlay District. Adoption of a Policy Plan Overlay District shall be by action of the Planning Commission and Board of Supervisors, including adoption of an ordinance, pursuant to Section 28-28 of this Code.

The Board of Supervisors shall not approve a Policy Plan Overlay District unless it makes the following findings:

(1) The proposed development is in conformity with the General Plan and any applicable specific plan.

(2) The proposed development is designed to produce an environment of stable and desirable character consistent with all applicable goals, objectives, policies proposals, criteria, standards and procedures of the General Plan and any applicable specific plan for the area in which the proposed development is a part.

(3) The proposed development meets applicable development requirements and where possible exhibits creativity, and innovation in architectural, engineering, planning and environmental design.

(4) Adequate mitigation is provided for any use, process, equipment, or materials which are found to be objectionable or to be injurious to property located in the vicinity by reason of odor, fumes, dust, smoke,
 Upon approval of the Policy Plan Overlay District by the Planning Commission and adoption by the Board of Supervisors of an ordinance amending the underlying zoning district, no further review by the Board of Supervisors or Planning Commission shall be required under this Chapter except pursuant to Section 28-37 of this Chapter.

(e) **Interim Applicable Zoning.** During review of an application for a Policy Plan Overlay District no uses of the property subject to such application shall be allowed except those which would have been permitted under the zoning that existed at the time of the Policy Plan Overlay District application.

(f) **Administration and Modification.** The Director of Environmental Management is authorized to issue approvals for building construction, site development plans and for all minor design, site, sign and building alterations that are deemed substantially in accord with the approved Policy Plan Overlay District. All requests for minor alterations shall be submitted to the Director of Environmental Management in writing, and shall include an explanation of the circumstances necessitating such alteration and the substantial conformity of the proposed modification with the approved Policy Plan Overlay District.

(g) **Conflict and Severability.** All uses and development in the Policy Plan Overlay District shall also be subject to all other provision of this Code, except that where conflict in regulations occurs, the regulation specified in this Chapter shall prevail. All uses and development in the Policy Plan Overlay District shall also be subject to all applicable provisions of State law including the California Environmental Quality Act. Wherever possible the requirements of that act shall be integrated into the approval process for a Policy Plan Overlay District to ensure comprehensive and coordinated review in a timely manner.

If any provision of this Chapter is determined to be unlawful, unconstitutional or otherwise void by a court of competent jurisdiction, such determination shall not affect the validity of the remaining sections and provisions.
SECTION II.

This ordinance shall be published once before the expiration of FIFTEEN (15) DAYS after its final passage in the Daily Republic, newspaper of general circulation, printed and published in Solano County, State of California, and shall be in full force and effect THIRTY (30) DAYS after its passage.

ATTEST:

LINDA TERRA, Clerk of the Board of Supervisors

I, LINDA TERRA, Clerk of the Board of Supervisors, County of Solano, State of California, do hereby certify that the foregoing Ordinance as regularly introduced, passed and adopted by said Board at a regular meeting held June 20, 1989, on Motion of Supervisor Stewart, seconded by Supervisor Davis, by the following vote:

AYES: SUPERVISORS: Caddle, Davis, Simmons, Stewart and

Chairman Pippo

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

ABSTAINED: SUPERVISORS: None

WITNESS my hand and Seal of said Board this 20th day of June, 1989.

LINDA TERRA, Clerk of the Board of Supervisors

ZORDPPOD
APPLICATION NO.          SCALE  DATE
Z-89-02 Green           NTS          June 1, 1989

SOLANO COUNTY DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

I hereby certify that the Planning Commission of the County of Solano did include this map as Exhibit "A" of Resolution No. 3885 adopted June 1, 1989.

David W. Hubbell, Acting Secretary

EXHIBIT "A"

SUBJECT AREA recommended to be rezoned from "RR-2 1/2" to "RR-5" by amendment of Chapter 28-6 of the Solano County Code.

I hereby certify that the Planning Commission of the County of Solano did include this map as Exhibit "A" of Resolution No. 3885 adopted June 1, 1989.

David W. Hubbell, Acting Secretary

Exhibit A