ORDINANCE NO. 1451

AN ORDINANCE REPRINTING AND AMENDING CHAPTER 28
OF THE SOLANO COUNTY CODE ENTITLED ZONING REGULATIONS

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, entitled "Zoning Regulations," is hereby republished to read as follows:

CHAPTER 28
ZONING REGULATIONS

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§ 28-10. Definitions.
§ 28-11. Purpose of zoning plan.
§ 28-12. Interpretation of chapter.
§ 28-13. Districts designated and established.
§ 28-14. Public notice; requirement.
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§ 28-17. Compliance with chapter.

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§ 28-21. Exclusive agricultural (A) district.
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§ 28-54. Variances.
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§ 28-59. Airport flight obstruction areas.
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ARTICLE I. IN GENERAL.

Sec. 28-10. Definitions.
For the purposes 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 feed yard. An animal livestock operation conducted on land under one ownership where twenty 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 growth 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.

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

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>
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<tbody>
<tr>
<td>Mature cattle, horses or animals of similar size</td>
<td>1.00</td>
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<tr>
<td>Yearling cattle, horses or animals of similar size</td>
<td>.75</td>
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<tr>
<td>Calves, colts or animals of similar size</td>
<td>.40</td>
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<tr>
<td>Hogs more than 90 days old</td>
<td>1.00</td>
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<tr>
<td>Two or more litters of hogs</td>
<td>.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>.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 seventy-two hours.

Block. That property abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting 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 on the 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.

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 nonmedical residential care, day care, or home-finding 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, home-finding agency, and foster family home.

**Companion living unit.** A single additional dwelling unit containing not more than eight hundred fifty square feet, attached to or detached from 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 sixty 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 the operator's 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 groups.** A group of two or more detached or semidetached 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, 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 the county designed for or occupied exclusively by one family. Does not include a tent, mobilehome, or manufactured dwelling.

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 premises 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 houses and boardinghouses 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.

Home occupation. A small home business involving the limited provision or sale of goods or services which is accessory to, and conducted by the resident family entirely within, a dwelling unit.

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

Injection well. A Class II well which injects fluids which are brought to the surface in connection with conventional oil or natural gas production and may be commingled with wastewater from gas plants which are an integral part of production operations, unless these waters are classified as a hazardous waste at the time of injection.

Junkyard. The use of more than two hundred square feet of area of any parcel, lot, or contiguous lots, for the storage of junk or salvable material, including junk metals or other scrap materials; and for the storage, dismantling or "wrecking" of automobiles or other vehicles or machinery.
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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 a 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 forty feet in length. Does not include a manufactured dwelling.

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

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

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

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

Owner. The person exercising one ownership as herein defined.

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

Planning commission. The county planning commission.

Public nuisance. Public nuisance shall mean a public nuisance as defined under California Civil Code §§ 3479 and 3480, as now in effect, or as may be amended from time to time.
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Public service facility. Any use of land by a governmental or public utility agency which has the power of eminent domain, or any land use of a public or quasi-public nature which is found by the planning commission to be necessary for the public health, safety, convenience or welfare.

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

Recreational vehicle park. Any area or tract of land within an area zoned for recreational use where one or more lots are rented or leased or held out for rent or lease to owners or 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.

Roominghouse or boardinghouse. 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 home business, exclusive of agriculture, on the same parcel as the resident family in a rural area which does not change the residential or agricultural character of the property or surrounding 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 of 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.
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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 no 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 business, profession, organization, commodity, service, or entertainment 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 horse-riding school or club is conducted; provided, that not more than twelve 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 pre-determined 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 manmade channel for transporting water, including the stream bed 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 junkyard.

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.

Sec. 28-11. Purpose of zoning plan.

A zoning plan is adopted to provide a precise plan for residential, commercial, industrial, agricultural, public, and other land uses in the county in order to:

(a) Protect the established character and social and economic values of agricultural, residential, commercial, industrial, recreational, and other areas within the county which have developed in a healthy and orderly manner.
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(b) Encourage beneficial development of those areas which have grown with conflicting or uneconomic patterns of use; and

(c) Assist in providing a definite and publicly approved plan of development to guide, control and stimulate the future growth of the county in accordance with the need of the county and in proper relation to other land use areas in the region. (Ord. No. 440, §1.)

Sec. 28-12. Interpretation of chapter.
In their interpretation and application, provisions of this chapter shall be held to be minimum requirements, except where they are expressly stated to be maximum requirements. (Ord. No. 440, §1.)

Sec. 28-13. Districts designated and established.
(a) The several districts established by this chapter and into which the county is divided are designated as follows:

T  Districts--Temporarily unclassified districts
A  Districts--Exclusive agricultural districts
A-L Districts--Limited agricultural districts
R-R Districts--Rural residential districts
R-E Districts--Estate residential districts
R-D Districts--Duplex residential districts
R-S Districts--One-family residential districts
R-M Districts--Multiple-family residential districts
P  Districts--Park districts
C-H Districts--Highway commercial districts
C-N Districts--Neighborhood business districts
C-G Districts--General commercial districts
C-S Districts--Commercial service districts
C-O Districts--Business and professional office districts
M-L Districts--Limited manufacturing districts
M-G Districts--General manufacturing districts
I-WD Districts--Water dependent industrial districts
W  Districts--Watershed and conservation districts
MP Districts--Marsh preservation districts.

(b) The aforesaid districts are hereby established insofar as the designations, locations and boundaries thereof are set forth and indicated in this section, and in other sections of this chapter which describe certain of such districts. Section 28-15 consists of a series of maps, each entitled "Solano County Zoning Map," identified by a number and a letter. Such maps and all
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notations, references, data, and other information shown thereon are hereby adopted and made part of this chapter. (Ord. No. 440, §2, Ord. No. 989, §1; Ord. No. 1187, §1.)

Sec. 28-14. Public notice--Requirements

When a public hearing is required by this chapter, public notice shall be given as provided by this action. Failure to receive notice shall not invalidate the permit or decision.

(a) Content of notice. Notice of a public hearing shall include: the date, time and place of the hearing; the name of the hearing body; a general explanation of the matter to be considered; a general description, in text or by diagram, of the location of the real property that is the subject of the hearing and may include consideration of any negative declaration or environmental impact report prepared for the project pursuant to the California Environmental Quality Act.

(b) Method of notice distribution. Notice of a public hearing required by this chapter, as required by Government Code Section 65090 and 65091, shall be given as follows:

(1) Notice shall be published at least once in a newspaper of general circulation in the County, or posted on site in public view and at least two other public locations in the vicinity of the project at least 15 days before the hearing; and

(2) Notice shall be mailed or delivered at least 15 days before the hearing to:
   a. The owner(s) of the property being considered, the owner's agent, and the applicant.
   b. Each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, which ability to provide such facilities and services may be significantly affected.
   c. All owners of real property as shown on the latest equalized assessment roll within 500 feet of the property that is the subject of the hearing.
   d. All persons and organizations requesting notice of the public hearing.

(3) If the number of property owners to whom notice would be mailed as provided by subsection (b)(2)(a) and (b)(2)(c) above is more than 1000, the director of environmental management may choose to place a display advertisement of at least one-eighth page in a newspaper of general circulation in the county at least

1The previous section 28-14, entitled "Index maps" and created by Ord. No. 440, was repealed by Ord. No. 989.

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15 days before the hearing, as provided by Government Code Section 65091(a)(3).

(c) Additional notice. In addition to the notice required by this section, any other notice or form of distribution may be provided as may be determined necessary or desirable by the planning commission or zoning administrator and agendas shall be provided to all persons and organizations who, within the calendar year, have requested said agendas, in writing, and paid such fee as may be set by the board of supervisors to cover the cost of such mailing.

(d) Scheduling of hearing. After the completion of any environmental documents required by the California Environmental Quality Act (CEQA) and planning division review or staff report, the matter shall be scheduled for public hearing on the zoning administrator, planning commissions, or board of supervisor agenda (as applicable) reserved for such matters. At the discretion of the hearing body, a public hearing may be continued from its scheduled date to a future date as provided by subsection (e) following.

(e) Notice of county action when hearing continued. If a decision on a permit or amendment is continued by the county to a time which is neither previously stated in the public notice of the hearing, nor announced at the hearing at a time certain, the county shall provide notice of the further hearings (or action on the permit) in the same manner and within the same time limits as provided in subsections (a), (b) and (c) above. (Ord. No. 1189, §1; Ord. No. 1439, §1.)

The zoning maps shall consist of a series of maps which show the zoning plan being part of this chapter under the provisions of section 28-13, and are hereby designated as follows:

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<th>1-N</th>
<th>7-N</th>
<th>13-N</th>
<th>19-N</th>
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<td>1-S</td>
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<td>2-N</td>
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<tr>
<td>6-S</td>
<td>12-S</td>
<td>18-S</td>
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</tr>
</tbody>
</table>

(Ord. No. 440, §4; Ord. No. 459, §1; Ord. No. 720, §1; Ord. No. 989, §3.)
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Sec. 28-16. Uncertainty of boundaries.
Where uncertainty exists as to the boundaries of any of the districts described in this chapter or as shown on the zoning maps, the planning commission, upon written application or upon its own motion, shall determine the location of such boundaries. (Ord. No. 440, §2, Ord. No. 989, §4.)

Sec. 28-17. Compliance with chapter.
Except as hereinafter otherwise provided:
(a) No building shall be erected and no existing building shall be moved, altered, added to or enlarged; nor shall any land, building or premises to be used, designated or intended to be used for any purpose or in any manner other than is included among the uses listed in this chapter as permitted in the district in which such building, land or premises is located.
(b) No building shall be erected, reconstructed, or structurally altered to exceed in height the limit designated in this chapter for the districts in which such building is located.
(c) No building shall be erected, nor shall any existing building be altered, enlarged or rebuilt; nor shall any open space be encroached upon or reduced in any manner except in conformity to the yard, building site area, and building location regulations designated in this chapter for the district in which such building or open space is located.
(d) No yard or other open space provided about any building for the purpose of complying with the provisions of this chapter shall be considered as providing a yard or open space for any other building, and no yard or other open space on one building site shall be considered as providing a yard or open space for a building on any other building site. (Ord. No. 440, §2.)

ARTICLE II. DISTRICTS.

Sec. 28-20. Temporarily unclassified (T) districts.
(a) All the unincorporated territory of the county not indicated to be used for precise districts of agriculture, residential, park, commercial and manufacturing, as are designated on the zoning maps, shall be temporarily designated as T districts. These areas have not yet been studied sufficiently to justify precise zoning; therefore, precise zoning is deferred until such time as complete studies may be made and zoning maps are completed and adopted as a part of this chapter.
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(b) Uses allowed:
(1) All uses as permitted in A districts, section 28-21; except that, those uses indicated in section 28-21(c) may be established only after a use permit shall have first been secured.
(2) One-family dwelling or manufactured dwelling.
(3) Buildings and uses clearly accessory or incidental to any allowed use.
(c) Uses permitted, provided the conditions for a use permit, as set forth in section 28-53, are fulfilled: All uses not indicated under subsection (b).
(d) Minimum building setback distance: Not less than fifty feet from the centerline of the street, or less than twenty feet from the street right-of-way line, whichever is greater.
(e) Maximum building height: Thirty-five feet; provided, that additional height may be permitted for nondwelling structures, including windmills, silos, and private water tanks; and provided further, that no such structure shall exceed the heights allowed in section 28-59, if located in an airport flight obstruction area.
(f) Minimum side yard required: Twenty feet.
(g) Minimum rear yard required: Twenty-five feet.
(Ord. No. 440, §5; Ord. No. 452, §2; Ord. No. 473, §2; Ord. No. 989, §5; Ord. No. 1126, §2; Ord. No. 1226, §1.)

Sec. 28-21. Exclusive agricultural (A) districts.
(a) The board of supervisors finds that agriculture is a major industry of the county, and that for the protection of agriculture and in order to prevent further encroachment upon it by incompatible uses of property and for the general welfare of the county as a whole, there is hereby created a zone classification within which agriculture shall be encouraged to the exclusion of such other uses of land as may be in conflict therewith. Therefore, the provisions of this section shall be liberally interpreted insofar as they apply to agricultural pursuits and services to the end that no other use shall be permitted, and no regulations shall be deemed or constructed to interfere with any normal accessory use conducted in conjunction therewith. It is the intention of this section to deter developers from considering lands in an A-20, A-40, A-80 or A-160 exclusive agricultural zone as potential urban or suburban property, to provide maximum protection to existing and future agricultural enterprises from restrictions instituted at the request of present or future residents, and to encourage in every way the highest and best agricultural use of the lands so classified, including the necessary residences for farm labor and other similar uses necessary and incidental thereto.

It is expressly understood that areas A-20, A-40, A-80 or A-160, exclusively agricultural in accordance herewith, shall be
used exclusively for agriculture. It is further understood that there is no reasonable probability of the removal or modification of this zoning restriction within the near future.

Use permits may be issued authorizing use of part of the land in such zones for recreational, educational, religious or necessary public service purposes as provided herein, where and to the extent that such are necessary to serve such zones or the community where alternate sites are not available; and provided, such issuance and use shall not in any sense invalidate such exclusive zoning classification or designation.

The purpose and intent of the A district is to preserve lands best suited for permanent agricultural use from the encroachment of incompatible uses. Changes of zones from A-20, A-40, A-80 or A-160 to another classification are to be made only where such uses are in accord with the general plan, and where it has been clearly demonstrated that such agricultural land is needed for urban expansion and there is no other land available; and that utilities, road access and public facilities are readily available so that orderly development may occur.

(b) Uses allowed:

(1) Agriculture, except that those uses indicated in subsection (c) of this section may be established only after a use permit shall have first been secured.

(2) Roadside stand for the sale of agricultural products grown or produced on the premises when located not less than eighty feet from the centerline of the street.

(3) Processing of products produced on the premises.

(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.

(5) Three on-site signs with a total combined area of sixty square feet appurtenant to any permitted use; provided, that no sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.

(6) Signs not exceeding six square feet in area for each building site advertising the sale or lease of property upon which displayed.

(c) Uses permitted, provided the conditions for a use permit as set forth in section 28-53 are fulfilled:

(1) Animal feed yard.

(2) Processing of agricultural products other than those produced on the premises, but not including commercial or industrial enterprises not in harmony with the agricultural environment.
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(3) Dumping, disposal, incineration, or reduction of refuse.

(4) Farm labor quarters or labor camp.

(5) Commercial kennel for dogs or cats.

(6) Cemetery, crematory, mausoleum, columbarium.

(7) Airport and heliport.

(8) Public stable, horse show, lodge, club or resort for swimming, boating, fishing, hunting or shooting, and similar types of uses as may be determined by the planning commission.

(9) Public service facility, nursery school, church or nursing home.

(10) Repealed.

(11) Roadside stand for the sale of agricultural products grown or produced on the premises when located within eighty feet of the centerline of the street.

(12) Rural resident enterprises.

(13) Agriculture service uses, provided such uses are limited to:
   a. Bulk storage and/or sale of products such as fertilizers, chemicals for weed and insect control, petroleum products, seeds, animal feeds, fencing material, pipe, and stakes, the primary purpose of which clearly serves commercial agriculture.
   b. Corporation yard for storage and maintenance of equipment and/or supplies used in the conduct of services peculiar to agriculture, such as trucking of farm crops and products, including milk, grain, tomatoes, sugar beets and the like, or conduct of a custom farm service, including spraying, land leveling, harvesting, and irrigation operations.
   c. Farm machinery repair, including all those services normally conducted in a machine, general repair or welding shop, the primary purpose of which clearly serves commercial agriculture.
   d. Animal hospitals and/or veterinarian services.

(14) Additional one-family dwellings or manufactured dwellings for persons employed on the premises when such residential use is clearly accessory or incidental to the agricultural use of the property.

(15) Fertilizer plant and yards, including composting.

(d) Minimum parcel area required:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Minimum Parcel Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-20</td>
<td>20 acres</td>
</tr>
<tr>
<td>A-40</td>
<td>40 acres</td>
</tr>
<tr>
<td>A-80</td>
<td>80 acres</td>
</tr>
<tr>
<td>A-160</td>
<td>160 acres</td>
</tr>
</tbody>
</table>

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(e) Minimum front yard required: Thirty feet, except that buildings shall not be less than fifty feet from the centerline of the street, and unless otherwise indicated by building lines on the zoning map.

(f) Minimum side yard required: Twenty feet.

(g) Minimum rear yard required: Twenty-five feet.

(h) Special yards and distances between buildings required: Accessory buildings shall not be less than sixty feet from the front property line nor less than twenty feet from any side or rear property line, nor less than ten feet from any dwelling unit on the property.

(i) Maximum building height: Thirty-five feet; provided, that additional height may be permitted for non-dwelling structures, including windmills, silos, private water tanks; and provided further, that no such structure shall exceed the heights allowed in section 28-59 is located in an airport flight obstruction area. (Ord. No. 440, §6; Ord. No. 473, §3; Ord. No. 504, §2; Ord. No. 530, §§ 1, 2; Ord. No. 849, §1; Ord. No. 910, §2; Ord. No. 914, §§ 1, 2; Ord. No. 919, §1; Ord. No. 968, §1; Ord. No. 989, §6; Ord. No. 1033, §2; Ord. No. 1044, §10; Ord. No. 1053, §2; Ord. No. 1100, §1; Ord. No. 1126, §3; Ord. No. 1191, §§1, 2; Ord. No. 1210, §3.)


(a) The board of supervisors finds that agriculture is an essential natural resource which is a major contributor to the economic well-being of Solano County. In addition, certain agricultural lands serve an important function in buffering contiguous environmentally sensitive lands from the effects of urbanization. In order to prevent further encroachment upon such agricultural lands by incompatible uses of property and for the general welfare of the county as a whole, there is created a zone classification within which limited agriculture shall be encouraged to the exclusion of such other uses of land as may be in conflict therewith.

The provisions of this section shall be strictly interpreted to provide maximum protection to such agricultural areas. It is the intention of this section to deter developers from considering lands within the A-L zone as a potential urban development property, and it is further understood that there is no reasonable probability of the removal or modification of this zoning restriction within the near future.

The purpose and intent of the A-L district is to preserve lands best suited for permanent agricultural use while limiting certain intensive agricultural practices which may conflict with adjoining sensitive lands. Types of uses encouraged within A-L districts are extensive agricultural operations consisting primarily of grain and hay crop production, irrigated and
nonirrigated pasture, and grazing operations harmonious with adjoining marshes, wetlands, grasslands, or other sensitive lands. A primary intent of the A-L district is to assure the retention of upland and lowland grasslands adjacent to the Suisun Marsh in uses compatible with its protection. Any development within the Suisun Marsh, as defined by section 29114 of the Public Resources Code, may be subject to obtaining a Marsh Development Permit pursuant to the Suisun Marsh Preservation Act of 1977, and as provided for in section 28-52 of this Code.

(b) Uses allowed:
(1) Agricultural uses, with emphasis on grain and hay crop production, pasture and grazing, except that those uses indicated in subsection (c) of this section may be established only after a use permit shall have first been secured.
(2) Processing of products produced on the premises.
(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.
(4) Three on-site signs with a total combined area of sixty square feet appurtenant to any permitted use; provided, that no sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.
(5) Signs not exceeding six square feet in area for each building site advertising the sale or lease of property upon which displayed.

(c) Uses permitted, provided the conditions for a use permit as set forth in section 28-53 are fulfilled:
(1) Animal feed yard, poultry operation of more than one hundred birds, commercial kennel for dogs or cats.
(2) Solid waste disposal site in conformity with section 29409 of the Public Resources Code.
(3) Public stable, horse show, lodge, club or resort for swimming, boating, fishing, hunting or shooting, and similar types of uses as may be determined by the planning commission.
(4) Public service facility.
(5) Repealed.
(6) Rural resident enterprise.
(7) Additional one-family dwellings or manufactured dwellings for persons employed on the premises when such residential use is clearly accessory or incidental to the agricultural use of the property.
(8) Extraction and removal of minerals or natural materials from quarries and borrow areas existing as of January 1, 1982.
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(d) Minimum parcel area required:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Minimum Parcel Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-L - 80</td>
<td>80 acres</td>
</tr>
<tr>
<td>A-L - 160</td>
<td>160 acres</td>
</tr>
</tbody>
</table>

(e) Minimum front yard required: Thirty feet; except that buildings shall not be less than fifty feet from the centerline of the street, and unless otherwise indicated by building lines on the zoning maps.

(f) Minimum side yard required Twenty feet.

(g) Minimum rear yard required: Twenty-five feet.

(h) Special yards and distances between buildings required: Accessory buildings shall not be less than sixty feet from the front property line, nor less than twenty feet from any side or rear property line, nor less than ten feet from any dwelling unit on the property.

(i) Maximum building height: Thirty-five feet; provided, that additional height may be permitted for non-dwelling structures, including windmills, silos, and private water tanks; and provided further, that no such structure shall exceed the heights allowed in section 28-59 of this Code if located in airport flight obstruction area. (Ord. No. 1092, §1; Ord. No. 1100, §1; Ord. No. 1121, §9; Ord. No. 1126, §4; Ord. No. 1164, §2; Ord. No. 1191, §§ 3, 4; Ord. No. 1210, §4.)

Sec. 28-23. Rural residential (R-R) districts.

(a) The purpose and intent of the rural residential district is to provide areas for single-family homes in a rural setting for persons who desire to live in a rural environment but who are not solely engaged in commercial agriculture. The rural residential districts shall not be applied to intensive (prime) agricultural lands or to extensive (nonprime) agricultural lands, but shall be applied to areas that have low capability for agricultural production while being desirable for rural homesites. The rural residential districts shall not be applied to areas with a high risk of wild fires, landslides, or flood hazards. It is the intent that only minimal public facilities and services essential to the health, safety, and welfare of present and future residents be provided in the rural residential districts. Homesites are to be self-sufficient, with individual wells and private sewage disposal system. Public sewers and community package sewer systems are not intended to be installed or established in the rural residential districts. Homesites served by individual private wells and septic tanks shall have a minimum parcel size of five acres. Homesites

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served by a public water supply and an individual private sewage system shall have a minimum parcel size of two and one-half acres. It is intended that the rural residential districts be uniformly applied in specifically designated areas outside of agricultural districts so as to keep potential conflicts to a minimum. Areas of low capability for agricultural production which abut productive agriculture or abut areas well suited for agriculture or grazing lands, would be those reviewed for designation as R-R-10 districts. Those nonproductive lands which do not abut productive agricultural lands would be those reviewed for designation as R-R-5 or R-R-2 1/2 districts; provided, any such uses are in accord with the general plan.

(b) Uses allowed:

(1) One-family dwelling or manufactured dwelling.

(2) Rooming and boarding of not more than three persons per dwelling unit.

(3) Growing of crops or plants.

(4) Roadside stand for the sale of products grown or produced on the premises when located not less than eighty feet from the centerline of the street.

(5) Small animal husbandry incidental to a dwelling; provided that:

a. The total number of small animals kept on one ownership shall not exceed twenty (20) per acre.

b. Small animals shall be kept in a clean and sanitary manner, free of offensive odors, flies and rodents as shall be determined by the department of environmental management.

c. Small animals that create noise audible on adjacent properties that is deemed by the County to be excessive or not in harmony with the rural environment shall be confined within enclosures adequate to reduce noise levels such that the noise does not create a public nuisance to surrounding properties.

d. No more than one (1) rooster per acre may be kept.

e. Small animals that are confined shall be kept within enclosures located at least sixty (60) feet from the front property line, at least twenty (20) feet from any dwellings on adjacent property, and at least twenty (20) feet from side and rear property lines.

(6) The grazing or keeping of animals; provided that the number of animal units shall not exceed two animal units per net acre of the ownership and an animal feed yard shall not be established.

(7) The raising of hogs incidental to a residence; provided, that:

a. The parcel upon which the hogs are kept shall contain a minimum of two net acres.
b. The total number of hogs kept on such parcel shall not exceed three, one of which may be a brood sow.
c. In the event that the brood sow farrows, the litter resulting therefrom shall be allowed to remain on the premises until the litter is weaned, but in no event for a period longer than ninety days.
d. The hogs shall be kept in a clean and sanitary manner, free of offensive odors, flies and rodents as shall be determined by the county department of public health.
e. The hogs shall be kept within a secure enclosure which is located within the rear half of the parcel and maintained at least one hundred-fifty (150) feet from any dwellings on adjacent property and at least one hundred (100) feet distance from any water well.

(8) Three on-site signs with a total combined area of sixty square feet appurtenant to any permitted use; provided, that no sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence or is wind-driven or otherwise animated.

(9) Signs, not to exceed six square feet in area, for each building site advertising the sale or lease of property upon which displayed.

(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 stable, sheds and other buildings.

(c) Uses permitted, provided the conditions for a use permit as set forth in section 28-53 are fulfilled:

(1) Public stable, horse show, commercial kennel for dogs and cats.

(2) Cemetery, crematory, mausoleum and columbarium.

(3) Tract office, for a period to be specified in the use permit.

(4) Public service facility, nursery school, church, nursing home or community care facility.

(5) Oil and gas wells.

(6) Signs not to exceed three hundred square feet in area advertising the sale of a subdivision.

(7) Rural resident enterprise.

(8) Bulk storage and sales of hay crops other than those produced on the premises.

(d) Maximum building height: Thirty-five feet; provided, that additional height may be permitted for nondwelling structures, including windmills, silos, and private water tanks; provided further, that no such structures shall exceed the heights allowed in section 28-59 if located in an airport flight obstruction area.
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(e) Minimum parcel area and minimum average parcel required:

<table>
<thead>
<tr>
<th>Zoning</th>
<th>Minimum Building Site Area</th>
<th>Minimum Average Parcel Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-R 2 1/2</td>
<td>2 1/2 acres</td>
<td>165 feet</td>
</tr>
<tr>
<td>R-R 5</td>
<td>5 acres</td>
<td>235 feet</td>
</tr>
<tr>
<td>R-R 10</td>
<td>10 acres</td>
<td>330 feet</td>
</tr>
</tbody>
</table>

(f) Minimum front yard required: Not less than thirty feet, except that buildings shall not be less than fifty feet from the centerline of the street, and unless otherwise indicated by building lines on the zoning map.

(g) Minimum side yards required: Ten feet.

(h) Minimum rear yard required: Twenty-five feet.

(i) Special yards and distances between buildings required: Accessory buildings shall not be less than sixty feet from the front property line, nor ten feet from any side or rear property line, nor ten feet from any dwelling unit on the property.

Sec. 28-24. Residential estate (R-E) districts.

(a) The regulations for this district are designed to stabilize and protect the residential characteristics of the district, to promote and encourage a suitable environment for family life where children are members of many families. The R-E district is to be used only for suburban single-family homes and the community services appurtenant thereto.

(b) Uses allowed:

1. One-family dwelling or manufactured dwelling.
2. Agriculture, but not including the raising of any animals for commercial purposes nor the sale of any product at retail on the premises.
3. Private stables.
4. 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.
5. Signs not exceeding six square feet in area for each building site for the purpose of advertising the sale or lease of property upon which displayed.
(6) Nameplates and nonilluminated signs not exceeding two square feet appurtenant to any permitted use.

(c) Uses permitted provided the conditions for a use permit as set forth in section 28-53 are fulfilled:
   (1) Public service facility.
   (2) Nursery school, church, nursing home, or rest home or community care facility.
   (3) Automobile parking lot, when adjacent to any C or M districts.
   (4) Tract office, for a period to be specified in the use permit.
   (5) Signs not over three hundred square feet advertising the sale of a subdivision.

(d) Maximum building height: Thirty-five feet.

(e) Minimum areas, yards and other conditions: Minimum building site areas in the district shall include any of the following. Upon the designation of an area to a particular building site area, such designation shall be used as a suffix to the R-E designation.

<table>
<thead>
<tr>
<th>ZONE</th>
<th>Minimum Bldg. Site Area (sq. ft.)</th>
<th>Average Min. Site Width (feet)</th>
<th>Minimum Yards (feet)</th>
<th>Front</th>
<th>Side</th>
<th>Rear</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-E-1/4</td>
<td>10,000</td>
<td>80</td>
<td>20*</td>
<td>10</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>R-E-1/3</td>
<td>15,000</td>
<td>100</td>
<td>30*</td>
<td>25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R-E-1/2</td>
<td>20,000</td>
<td>100</td>
<td>30*</td>
<td>25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R-E-1</td>
<td>1 acre</td>
<td>120</td>
<td>30*</td>
<td>25</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Except that buildings shall be not less than fifty feet from the centerline of the street, and unless otherwise indicated by building lines on the zoning maps.

(f) Special yards and distance between buildings: Accessory buildings used as stables shall be not less than twenty feet from any side or rear property line and not less than sixty feet from the front property line, nor less than twenty feet from any dwelling unit on the property.

(Ord. No. 440, §8; Ord. No. 473, §5; Ord. No. 972, §2; Ord. No. 989, §8; Ord. No. 995, §2; Ord. No. 1033, §4; Ord. No. 1126 §6; Ord. No. 1210, §6; Ord. No. 1226, §3.)
Sec. 28-25. One-family residence (R-S) districts.

(a) The regulations for this district are designed to stabilize and protect the residential characteristics of the district, to promote and encourage a suitable environment for family life where children are members of many families. The R-S district is intended to be used only for urban single-family homes and the community services appurtenant thereto. The minimum five thousand square foot designation shall be used only in areas where this lot size is in use prior to the enactment of this chapter. New districts hereinafter created shall provide building sites of not less than six thousand square feet.

(b) Uses allowed:
   (1) One-family dwelling or manufactured dwelling.
   (2) Rooming and boarding of not more than three persons.
   (3) Unilluminated nameplates not over two square feet when appurtenant to any permitted use. Signs not exceeding six square feet in area, for each building site advertising the sale or lease of property upon which displayed.
   (4) 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.

(c) Uses permitted, provided the conditions for a use permit as set forth in section 28-53 are fulfilled:
   (1) Automobile parking lot, when adjacent to any C or M districts.
   (2) Tract office for a period to be specified in the use permit.
   (3) Signs not over three hundred square feet, advertising the sale of a subdivision.
   (4) Public service facility.
   (5) Nursery school, church, nursing home, or rest home or community care facility.

(d) Minimum areas, yards and other conditions: Minimum building site area required shall include any of the following. Upon the designation of an area to a particular minimum site area, such designation shall be used as a suffix to the R-S designation.
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<table>
<thead>
<tr>
<th>ZONE</th>
<th>MIN. BLDG. SITE AREA (sq. ft.)</th>
<th>AVERAGE SITE WIDTH (feet)</th>
<th>MINIMUM YARDS TOTAL SIDE YDS. (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-S 5</td>
<td>5,000</td>
<td>50</td>
<td>0*</td>
</tr>
<tr>
<td>R-S 6</td>
<td>6,000</td>
<td>60</td>
<td>20*</td>
</tr>
<tr>
<td>R-S 7.5</td>
<td>7,500</td>
<td>75</td>
<td>25*</td>
</tr>
</tbody>
</table>

*Unless otherwise indicated by building lines on the zoning maps.

(e) Minimum rear yard required: Twenty percent of the lot depth to a maximum requirement of twenty-five feet; provided, that no rear yard shall be less than fifteen feet, except for the "RS-5" District properties where a zero (0) rear yard is permitted.

(f) Maximum building height: Thirty-five feet.

Sec. 28-26. Duplex residence (R-D) districts.
(a) The R-D district is designated for certain medium-density residential areas, where a compatible mingling of single-unit and dual-unit dwellings is likely to occur. The regulations for this district are designed to stabilize and protect the essential residential characteristics of the district, to promote and encourage a suitable environment for family life.

(b) Uses allowed:
(1) One-family dwelling or manufactured dwelling.
(2) Duplex or second dwelling; provided, that a minimum of three thousand square feet of land area is required for each dwelling unit, existing and proposed.
(3) Rooming and boarding of not over three persons for each dwelling unit.
(4) Unilluminated nameplates not over two square feet when appurtenant to any permitted use. Signs not exceeding six square feet in area for each building site advertising the sale or lease of property upon which displayed.
(5) Buildings and uses clearly accessory or incidental to any permitted use.

(c) Uses permitted, provided the conditions for a use permit as set forth in section 28-53 are fulfilled:
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(1) Off-street parking lot when adjacent to any C or M district.
(2) Tract office for a period to be specified in the use permit.
(3) Sign not over three hundred square feet advertising the sale of a subdivision.
(4) Public service facility.
(5) Nursery school, church, nursing home, rest home or community care facility.

(d) Maximum building height: Main building, thirty-five feet; accessory buildings, fifteen feet.

(e) Minimum building site area required: Five thousand square feet for one-family dwellings; six thousand square feet for two families on one building site.

(f) Average building site width required: Sixty feet on corner lot; fifty feet on interior lot.

(g) Minimum front yard required: Twenty feet unless otherwise indicated by building lines shown on the zoning maps.

(h) Minimum side yard required: Five feet.

(i) Minimum rear yard required: Twenty percent of the lot depth to a maximum requirement of twenty-five feet; provided, that no rear yard shall be less than fifteen feet.

(j) Distances between buildings: Where two separate single-family dwellings are located on one lot, there shall be a minimum distance of ten feet between such buildings placed side by side, and twenty feet between such buildings placed in any other manner.

(Ord. No. 440; §10, Ord. No. 972, §4; Ord. No. 989, §10; Ord. No. 1044, §1; Ord. No. 1054, §2, Ord. No. 1126, §8; Ord. No. 1226, §5.)

Sec. 28-27. Multiple residence (R-M) districts.

(a) The R-M district is designated in certain areas primarily for high-density residential uses of a multiple-dwelling nature and the community services appurtenant thereto. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage, insofar as compatible with the intensity of land use, a suitable environment for family life.

(b) Uses allowed:
(1) One-family dwelling or manufactured dwelling.
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(2) Duplexes.
(3) Multiple dwellings and dwelling groups, rooming and boarding houses.
(4) Signs not exceeding six square feet in area, for each dwelling site, advertising the sale or lease of property upon which displayed. Nameplates not to exceed two square feet when appurtenant to any permitted use.
(5) Buildings and uses clearly accessory or incidental to any permitted use.

(c) Use permitted, provided the conditions for a use permit set forth in section 28-53, are fulfilled:
(1) Lodges, fraternal organizations and clubs, except those operated as a business for profit.
(2) Automobile parking lots when appurtenant to any permitted use in the district, or when adjacent to any C or M district.
(3) Tract office for a period to be specified in the use permit.
(4) Sign not over three hundred square feet advertising the sale of a subdivision.
(5) Nursery school, church, nursing home, rest home or community service facility.
(6) Public service facility.
(7) Mobilehome park.

(d) Maximum building height: Fifty feet.

(e) Minimum land area per dwelling unit: Minimum land areas per dwelling unit required in this district shall include any of the following. Upon the designation of an area to a particular minimum land area per dwelling unit, such designation shall be used as a suffix to the R-M designation.

<table>
<thead>
<tr>
<th>ZONE</th>
<th>MIN. LAND AREA</th>
<th>MIN. BLDG. SITE AREA</th>
<th>MINIMUM YARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Dwelling Units (sq. ft.)</td>
<td>Per Guest Room (sq. ft.)</td>
<td>Front (feet)</td>
</tr>
<tr>
<td>R-M 4</td>
<td>1,250</td>
<td>250</td>
<td>5,000</td>
</tr>
<tr>
<td>R-M 2</td>
<td>2,500</td>
<td>500</td>
<td>5,000</td>
</tr>
<tr>
<td>R-M 1</td>
<td>4,000*</td>
<td>800*</td>
<td>5,000</td>
</tr>
</tbody>
</table>

*With a ten percent reduction allowed for each story in excess of one to a minimum of fifty percent.

**Unless otherwise indicated by building line shown on the zoning maps.

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(f) Minimum rear yard required: Fifteen feet.

(g) Minimum average building site width: Sixty feet.

(h) Special yards required for dwelling groups.
   (1) In case the buildings of the group are so located on the lot that the rear of the building which faces the street is faced by the front of a building to the rear; i.e., in a front-to-back series, no such building shall be closer than twenty feet to any other such building, and the said yard providing access shall not be less than eight feet.
   (2) In case the buildings of the group are so located on the lot that the rears thereof abut upon one side yard and the fronts thereof abut upon the other side yard; i.e., in a single row side-to-side series, this side yard providing access shall have a width of not less than twelve feet.
   (3) In case the buildings of a group are so located on the lot that the rears thereof abut upon each side yard and the fronts thereof face a court; i.e., in a double row side-to-side series, the court shall have a width of not less than twenty feet.
   (4) In no case shall any separate buildings of the group be closer to any other building of the group than a distance of ten feet.
   (5) No building in any group shall be so located on the lot that the rear thereof abuts on any street line.
   (6) Distances required between buildings on the same lot and as yards and courts for dwelling groups shall be increased by two feet for each story that the height of any building or dwelling group exceeds two stories. (Ord. No. 440; §11; Ord. No. 972, §§ 5, 6; Ord. No. 989, §11; Ord. No. 995, §4; Ord. No. 1126, §9; Ord. No. 1226, §6.)

Sec. 28-28. Park (P) districts.
(a) The P district is designated to preserve land well suited for recreational purposes and to provide for recreation, amusement, play or relaxation.

(b) Uses allowed:
(1) Park, playground, athletic field, golf course, polo field, exhibition grounds, bowling and croquet greens, court games, and similar places of outdoor recreation as determined by the planning commission.
(2) Agriculture, not including animal feed yard, fertilizer plant.
(3) One-family dwelling or manufactured dwelling on parcels of twenty acres or more.
(4) Roadside stand for sale of agricultural products grown or produced on the premises when located not less than eighty feet from the centerline of the street.

(5) Processing of products produced on the premises.

(6) Accessory uses and buildings clearly appurtenant to any permitted use.

(7) Three on-site signs with a total combined area of sixty square feet appurtenant to any permitted use; provided, that no sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.

(8) Signs not exceeding six square feet in area, for each dwelling site, for the purpose of advertising the sale or lease of property upon which displayed.

(c) Uses permitted, provided the conditions for a use permit set forth in section 28-53 are fulfilled:

(1) Bowling alleys, billiard parlor, dance hall, skating rink, athletic club, gymnasium, swimming pool; indoor theater, shooting gallery, facilities for coin-operated amusement devices; auditorium, exhibition hall, sports arena, miniature golf course; course for model airplane, boats, cars or trains; amusement rides, court games, drive-in theater; country club, public stables, horse show, resort, picnic and campground; racetrack, stadium, lodge, club or resort for swimming, boating, fishing, hunting or shooting; and similar types of uses as determined by the planning commission.

(2) Public service facility, church, airport, heliport, nursery school, nursing or rest home.

(3) Roadside stand for sale of agricultural products grown or produced on the premises when located within eighty feet of the centerline of the street.

(4) Recreational vehicle park.

(d) Architectural approval may be required for any use in P districts, as provided in section 28-58.

(e) Minimum building setback: Fifty feet from the centerline of the street, or not less than twenty feet from the street right-of-way, whichever is greater, unless otherwise indicated by building lines on the zoning maps.

(f) Maximum building height: Thirty-five feet; provided, that additional height may be permitted if a use permit is first secured.
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Sec. 28-29. Highway commercial (C-H) districts.

(a) C-H districts are intended for commercial uses to serve the highway traveler. The bulk of highway frontage throughout the county is not appropriate for commercial uses but is reserved for exclusive agricultural uses, and is so zoned. C-H districts are to be established in areas of four acres or larger, and shall be located only where need is clearly indicated.

(b) Uses allowed:
   (1) Automobile service station.
   (2) Hotel, motel.
   (3) Restaurant and refreshment stand.
   (4) Nursery for landscaping or agricultural plants.
   (5) On-site signs: A maximum of three on-site signs with a total combined area of two hundred square feet. No sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.
   (6) Signs not exceeding six square feet in area for each building site for the purpose of advertising the sale or lease of property upon which displayed.
   (7) Agriculture, not including animal feed yard, fertilizer plant.
   (8) Buildings and uses clearly accessory or incidental to any permitted use, including retail sales in conjunction with permitted use.

(c) Uses permitted, provided the conditions for a use permit set forth in section 28-53 are fulfilled:
   (1) Automobile repair garage.
   (2) Bowling alleys, billiard parlor, dance hall, skating rink, athletic club, gymnasium, swimming pool, theater, shooting gallery; facilities for coin-operated amusement devices; auditorium, exhibition hall, sports arena, miniature golf course, amusement rides, court games, drive-in theater; course for model airplanes, boats, cars or trains, and similar types of uses as determined by the planning commission.
   (3) Public service facility.
   (4) Church.
   (5) Recreational vehicle park.
   (6) Roadside stands, food establishments open to the outside air and retail dairies pursuant to Title 17, California Administrative Code sections 13650, et seq.

(d) Architectural approval may be required for any use in C-H districts, as provided in section 28-58.
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(e) Loading requirements: Adequate, private, off-street space for the loading and unloading of all materials.

(f) Maximum building height: Thirty-five feet; provided that additional height may be allowed upon the obtaining of a use permit.

(g) Minimum front yard: Twenty feet unless otherwise indicated by building lines on the zoning maps.

(h) Minimum side yards: None; except that where C-H districts abut upon any R or A district, side yards of not less than ten feet shall be required. (Ord. No. 440, §13; Ord. No. 536, §§1, 3; Ord. No. 910, §5; Ord. No. 972, §9; Ord. No. 985, §3; Ord. No. 989, §13; Ord. No. 997, §2; Ord. No. 1100, §1; Ord. No. 1126, §11.)

Sec. 28-30. Neighborhood commercial (C-N) districts.
(a) The C-N district is designed to provide an area for a limited number of small retail and service establishments to provide for businesses serving the daily needs of nearby residential neighborhoods or rural community. The intent of this district is to promote convenience shopping goods and services for nearby residents and not for patrons outside the community to be served. Uses established shall be found compatible and developed with standards that prevent significant adverse impacts on land uses adjoining the C-N districts.

(b) Uses allowed subject to general provisions and exceptions set forth in section 28-50:
(1) Retail stores and services, businesses and professional offices providing convenience goods and services to serve a residential neighborhood or rural community, conducted entirely within a building or buildings on a single ownership where such building(s) or uses does not exceed one thousand five hundred square feet of floor area, unless referred to the planning commission by the director of environmental management for determination of consistency with the intent of C-N district. In reviewing any proposed use or building, the following standards shall be applied:
   (A) That the establishment, maintenance or operation of a use or building is in conformity to the general plan for the county with regard to traffic circulation, neighborhood commercial policies, and other aspects of the general plan.
   (B) That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
   (C) That applicant exhibits reasonable evidence that such use will not, under the circumstances of the particular
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case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood; provided, that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect.

(2) Automobile parking lot consistent with provisions as set forth in section 28-55.

(3) On-site signs: A maximum of three on-site signs with a total combined area of two hundred square feet. No sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.

(4) Signs not exceeding six square feet in area for each building site for the purpose of advertising the sale or lease of property upon which displayed.

(5) Uses clearly accessory or incidental to any permitted use.

(c) Uses permitted, provided the conditions for a use permit set forth in section 28-53 are fulfilled:

(1) Retail stores and services, businesses and professional offices providing convenience goods and services to serve a residential neighborhood or rural community conducted entirely within a building or buildings on a single ownership where such building(s) or use exceeds one thousand five hundred square feet of floor area.

(2) Automobile service station and repair garage.

(3) Lodges, fraternal organizations and clubs.

(4) Public service facility.

(5) Nursery school, church.

(6) Similar uses as may be determined by the planning commission to be consistent with the purpose and intent of the district.

(d) Architectural approval may be required for any use in C-N districts, as provided in section 28-58.

(e) Maximum building height: Thirty-five feet; provided, that additional height may be permitted if a use permit is first secured.

(f) Minimum side yard required: None; except that where the side of a lot abuts upon the side of a lot in an R or A district, in which case the abutting side yard shall be not less than five feet; and except that, where the side yard of a corner lot abuts on
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a street where the frontage of the block is partially in an R or A district, in which case the side yard adjacent to the street shall be ten feet.

(g) Minimum front yard required: None, except that where the frontage of a block is partially in an R or A district, in which case the front yard shall be the same as required in such R or A districts; and except that buildings shall not encroach upon the building lines established on the zoning maps.

(h) Loading requirements: Adequate private off-street space for the loading and unloading of all material.

(i) Fencing requirements: A minimum, six-foot high separating masonry wall or solid board shall be erected and maintained where any use abuts any R district. (Ord. No. 985, §4; Ord. No. 989, §14; Ord. No. 1308, §1.)

Sec. 28-31. General commercial (C-G) districts.
(a) The C-G district is designated for the general business areas of a community.

(b) Uses allowed:
(1) Shop, store and service for retail sales when conducted within a building.
(2) Business and professional offices.
(3) Medical and dental clinic.
(4) Hotel, motel.
(5) Lodge, fraternal organization, club, union hall and other uses of similar nature as may be determined by the planning commission.
(6) Automobile service station.
(7) Business school, art, modeling, music and dancing studio, and other uses of similar nature as may be determined by the planning commission.
(8) Automobile parking lot.
(9) On-site signs: A maximum of three on-site signs with a total combined area of two hundred square feet. No sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.
(10) Sign not exceeding thirty square feet in area advertising the sale or lease of property on which displayed.
(11) Incidental storage and accessory uses, including processing and repair operations and services; provided, that such uses shall be clearly incidental to the sale of products at retail
on the premises, and shall be so placed and constructed as not to be offensive or objectionable because of odor, dust, smoke, noise or vibration.

(c) Uses permitted, provided the conditions for a use permit set forth in section 28-53 are fulfilled:

(1) Automobile repair when conducted within a building.
(2) Automobile, mobilehome, recreational vehicle and boat storage garage.
(3) Bakery, dairy creamery, laundry and dry cleaning establishment.
(4) Automobile, mobilehome, recreational vehicle or boat sales lot.
(5) Newspaper and commercial printing shop, blueprinting shop.
(6) Bowling alleys, billiard parlor, dance hall, skating rink, athletic club, gymnasium, swimming pool, theater, shooting gallery, facilities for coin-operated amusement devices, auditorium, exhibition hall, sports arena, miniature golf course, course for model airplanes, boats, cars or trains, amusement rides, court games, drive-in theater and similar uses as may be determined by the planning commission.
(7) Mortuary, funeral home.
(8) Public service facility, nursery school, church.
(9) Massage establishments, slenderizing establishments, and similar personal services as may be determined by the planning commission.

(d) Architectural approval may be required for any use in C-G districts as provided in section 28-58

(e) Loading requirements: Adequate private off-street space for the loading and unloading of all materials.

(f) Maximum building height: Fifty feet.

(g) Minimum side yard required: None; except that where the side of a lot abuts upon the side of a lot in an R district, in which case the abutting side yard shall be not less than five feet; and except that where the side yard of a corner lot abuts on a street where the frontage of the block is partially in an R district, in which case the side yard shall be ten feet adjacent to the street.

(h) Minimum front yard required: None; except that where the frontage in a block is partially in an R district, in which case the front yard shall be the same as required in such R district, and except that buildings shall not encroach upon the building
Sec. 28-32. Commercial service (C-S) districts.

(a) The C-S district is designed to provide an area for commercial services of an extensive or heavy nature in support of industrial, construction, or other business activities.

(b) Uses allowed:

1. General service uses, including auto repair garage, blacksmith shop, cabinet shop, coppersmith shop, electrical repair shop, machine shop, plating works, plumbing shop, sheetmetal shop, upholstering shop, welding shop, woodmill, and other uses of a similar nature as may be determined by the planning commission.
2. Wholesale uses warehouse.
3. Corporation yard when enclosed by a minimum eight-foot fence, wall, or vegetative screening.
5. Newspaper and commercial printing shop, blueprinting shop.
6. Medical laboratory.
7. Nursery for landscaping or agricultural plants.
8. Automobile, mobilehome, recreational vehicle or boat storage garage.
9. Automobile, mobilehome, recreational vehicle or boat sales lot.
10. Automobile parking lot.
11. Automobile service station.
12. On-site signs: A maximum of three on-site signs with a total combined area of two hundred square feet. No sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.
13. Signs not exceeding thirty square feet in area advertising the sale or lease of property on which displayed.
14. Incidental accessory uses, including processing and repair operations and services; provided, that such uses shall be clearly incidental to the sale or storage of products on the premises, and shall be so placed and constructed as not to be offensive or objectionable because of odor, dust, smoke, noise or vibration.

(c) Uses permitted, provided the conditions for a use permit as set forth in section 28-53 are fulfilled:
(1) Lumber yard, equipment rental lot, outdoor storage, and sales of construction and landscaping supplies and materials, and similar uses as may be determined by the planning commission, but not to include salvage or wrecking yards.

(2) Automobile, mobilehome, recreational vehicle or boat storage lots, when enclosed by a minimum eight-foot fence, wall or vegetative screening.

(3) Animal hospital.

(4) Auditorium, exhibition hall, sports arena, drive-in theater, and similar types of uses as may be determined by the planning commission.

(5) Public service facility.

(6) All uses allowed pursuant to subsection (b) located within the areas designated Commercial Service-Light Industrial by the Solano County General Plan.

(d) Architectural approval may be required for any use in C-S districts, as provided in section 28-58.

(e) Loading requirement: Adequate private off-street space for the loading and unloading of all materials.

(f) Maximum building height: Fifty feet; provided, that the additional height may be allowed upon the obtaining of a use permit.

(g) Minimum side yard required: None; except that where the side of a lot abuts upon the side of a lot in an R or A district, in which case the abutting side yard shall be not less than ten feet; and except that where the side yard of a corner lot abuts on a street where the frontage of the block is partially in an R or A district, in which case, the side yard shall be ten feet.

(h) Minimum front yard required: None, except that where frontage in a block is partially in an R or A district, in which case the front yard shall be the same as required in such R or A districts; and except that buildings shall not encroach upon the building lines established on the zoning maps. (Ord. No. 440, §16; Ord. No. 536, §1; Ord. No. 900, §2; Ord. No. 910, §§ 8, 13; Ord. No. 972, §§12, 13; Ord. No. 985, §7; Ord. No. 989, §16; Ord. No. 1060, §1.)

Sec. 28-33. Business and professional office (C-O) districts.

(a) The C-O district is designated primarily to provide an area for business and professional offices.

(b) Uses allowed:

(1) Medical and dental clinic.
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(2) Business and professional offices.
(3) Bank.
(4) Hospital.
(5) Prescription pharmacy.
(6) Automobile parking lot.
(7) On-site signs appurtenant to any permitted use not to exceed thirty square feet in area, which area may be divided into not more than three single or double faced signs; provided, that no sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.
(8) Signs not exceeding in the aggregate fifteen square feet in area for each building site for the purpose of advertising the sale or lease of property upon which displayed.
(9) Uses clearly accessory or incidental to any permitted use.

(c) Uses permitted; provided the conditions for a use permit set forth in section 28-53 are fulfilled:
(1) Medical and dental laboratories, not including the manufacture of pharmaceutical or other products for general sale or distribution.
(2) Mortuary, funeral home.
(3) Restaurant.
(4) Florist shop when conducted within a building.
(5) Public service facility.
(6) Nursery school, church.

(d) Architectural approval may be required for any use in C-O districts as provided in section 28-58.

(e) Minimum yard: Front, fifteen feet; side, ten feet; rear, ten feet; except that buildings shall not encroach upon the building lines established on the zoning maps.

(f) Maximum building height: Thirty-five feet; provided, that additional height may be permitted if the required yards are increased by one foot for each one foot of building height over the height limit. (Ord. No. 440, §17; Ord. No. 910, §9; Ord. No. 989, §17.)

Sec. 28-34. Limited manufacturing (M-L) districts.
(a) The M-L district is designed to provide an environment conducive to the development and protection of modern, large scale administrative facilities, research institutions, warehousing and
specialized or light manufacturing organizations, all of a non-
nuisance type in accordance with the concept of an industrial park.

(b) Uses allowed:
(1) Administrative, executive and financial offices.
(2) Research and development laboratory.
(3) Manufacturing, assembly, printing or packaging of
products from previously prepared materials, such as cloth,
plastic, paper, leather, wood, glass, metals or stones, but not
including such operations as saw and planing mills, steel or iron
works, or rolling mills, or any manufacturing uses involving
primary production of commodities from raw materials.
(4) Manufacturing of electrical and electronic
instruments and devices.
(5) Manufacturing of bakery goods, candy, cosmetics,
pharmaceuticals and the like, but not including production of fish
or meat products, sauerkraut, vinegar or the like, or the rendering
of fats and oils.
(6) Warehousing, distributorship.
(7) Any light manufacturing or related industrial use
determined by the planning commission upon presentation of
substantial evidence to be of the same general character as the
above permitted uses.
(8) Agriculture, not including animal feed yard,
fertilizer plant.
(9) One-family dwelling or manufactured dwelling on
parcels of twenty acres or more.
(10) On-site signs: A maximum of two on-site signs with
a total combined area of two hundred square feet appurtenant to any
permitted use when attached to or painted on the buildings;
provided, that no sign shall be permitted to overhang the public
right-of-way, nor shall any sign be permitted which blinks,
flashes, oscillates, rotates, pulses in sequence, or is wind-driven
or otherwise animated.
(11) Sign advertising the sale or lease of property upon
which displayed.
(12) Buildings and uses clearly accessory or incidental
to any permitted use.
(13) Automobile parking lot.
(14) Outdoor storage incidental to an allowed use on any
portion of the lot, excepting any portion of the required front
yard or any required parking area. Such outdoor storage shall not
occupy a greater area than the buildings on the lot, and shall be
screened by fencing or buildings from view or surrounding
properties. Fencing shall be not less than six feet in height.

(c) Uses permitted; provided the conditions for a use permit
set forth in section 28-53 are fulfilled:
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(1) Public service facility.
(2) Airport, heliport.

(d) Architectural approval may be required for any use in M-L districts according to the provisions of section 28-58.

(e) Minimum lot area required: One acre; except that for parking lots and as may otherwise be as specified for any use for which a use permit is required by this section.

(f) Maximum building height: Fifty feet; provided that additional height may be permitted if the required yards are increased by one foot for each one foot of building height over the height limit.

(g) Deleted by Ordinance No. 747, §2.

(h) Front yard required: Thirty feet, unless otherwise indicated by building lines on the zoning maps.

(i) Side yard required: Ten feet; except that twenty-five feet shall be required adjacent to any R-E, R-S, R-D, or R-M district; and except that the minimum of twenty-five feet shall be increased one foot for each foot over thirty-five feet of building height.

(j) Rear yard required: Ten feet; except that twenty-five feet shall be required when adjacent to any R-E, R-S, R-D or R-M district; and except that the minimum of twenty-five feet shall be increased one foot for each foot over thirty-five feet of building height.

(k) Loading and unloading spaces shall be provided as required by the zoning administrator and planning commission. Loading space shall not be located in the required front yard.

(l) Other required conditions:
(1) All uses shall be conducted wholly within a completely enclosed building except for agriculture, allowed outdoor storage, parking and loading facilities, and as otherwise specified in any use permit.
(2) Manufacturing processes shall use only gas or electricity as a source of power. (Ord. No. 440, §18; Ord. No. 731, §1; Ord. No. 747, §§ 1 to 5; Ord. No. 910, §10; Ord. No. 989, §18; Ord. No. 110, §1; Ord. No. 1126, §12; Ord. No. 1226, §8.)
Sec. 28-35. General manufacturing (M-G) districts.

(a) The purpose of the M-G district is to permit the normal operations of almost all industries, subject only to those regulations needed to control congestion and to protect the surrounding area or adjoining premises. The two size designations are designed to provide a differentiation between an intensive and an extensive type of development.

(b) Uses allowed:

(1) Manufacturing, processing, disassembling and assembling, and storage of products and materials, railroad, airport, and other transportation uses; provided, that such uses are not or will not be offensive by reason of the creation or emission of dust, gas, smoke, fumes, or other air pollutants, noise, vibrations, odors, liquid or solid refuse or wastes; radioactivity, glare, fire or explosives; and provided further, that prior to the issuance of a zoning-building permit, the planning commission may require evidence that adequate controls, measures or devices will be provided to meet performance standards for this zone, as provided in section 28-56, all to insure and protect the public interest, health, comfort, convenience, safety and general welfare.

(2) Agriculture; except that those uses indicated in subsection (c) of this section may be established only after a use permit shall first have been secured.

(3) One-family dwelling or manufactured dwelling on parcels of twenty acres or more.

(4) Accessory uses appurtenant to any permitted use.

(5) On-site signs: A maximum of two on-site signs with a total combined area of two hundred square feet appurtenant to any permitted use when attached to or painted on the building; provided that no sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.

(6) Sign advertising the sale or lease of property upon which displayed.

(7) Public utility uses; except dumping, disposal, incineration or reduction of refuse or sewage disposal plants.

(c) Uses permitted, provided the conditions for a use permit set forth in section 28-53 are fulfilled:

(1) Junk yard, wrecking yard.

(2) Dumping, disposal, incineration or reduction of refuse.

(3) Public service facility, except public utility uses.

(4) Animal feed yard.

(5) Service uses appurtenant to any permitted use.
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(6) All uses allowed pursuant to subsection (b) located within the areas designated Commercial Service-Light Industrial by the Solano County General Plan.

(d) Minimum lot area required: Except as may otherwise be specified for any use for which a use permit is required by this section and except for farm dwellings on twenty acres or more, minimum lot areas in the district shall include either of the following. Upon the designation of an area to a particular minimum size lot, such designation shall be used as a suffix to the M-G designations.

<table>
<thead>
<tr>
<th>Zone</th>
<th>Minimum Parcel Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>M-G-1/2</td>
<td>One-half (1/2) acre</td>
</tr>
<tr>
<td>M-G-3</td>
<td>Three (3) acres</td>
</tr>
</tbody>
</table>

(e) Maximum building height: None; provided that no structure shall exceed the height limitations of section 28-59, if located in an airport flight obstruction area.

(f) Front yard: Ten feet; except that buildings shall not be less than fifty feet from the centerline of the public road, or unless otherwise indicted by building lines on the zoning maps.

(g) Side yard: Twenty feet; except that forty feet shall be required for any building over one story or twenty-five feet in height when adjacent to any R district.

(h) Rear yard: Twenty feet; except that forty feet shall be required for any building over one story or twenty-five feet in height when adjacent to any R district.

(i) Loading spaces shall be provided as required by the zoning administrator and planning commission. Loading and unloading space shall not be located in the required front yard.

Sec. 28-36. Water-dependent industrial (I-WD) district.

(a) The board of supervisors finds that certain waterfront lands within Solano County are of statewide and regional significance 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 impact 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 industrial 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. Industries seeking to locate in the area designated Water Related Industrial Reserve on the Suisun Marsh Protection Plan Map are to be governed by the definition of water-related industry contained in the San Francisco Bay Plan. 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 28-53, are fulfilled.

1. As an interim use: animal feed yard, poultry operation.
2. Oil and gas wells.
3. Dredge disposal site.
4. As a limited-term use within the area designated for commercial recreation use on the general plan: marinas, including boat harbor, boat launching facilities, boat and boat trailer storage; boat construction, servicing, sales, repair; commercial lodging; restaurants and refreshment stands; water-related recreational shop, store and service for retail sales when conducted entirely within a building.

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 development permit, set forth in section 28-51, 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 or
navigable waters to receive raw materials or to distribute manufactured or processed materials by ship.

(3) Water-using facilities. Power plants and desalinization 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 reduce 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 two hundred 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 28-59 if located in an airport flight obstruction area.

(f) Minimum setback requirements: Where parcel abuts an agricultural district, the minimum building setback shall be five hundred feet except where otherwise provided by specific guidelines set forth in the Collinsville-Montezuma Hills Area Plan and Program. Other setbacks shall be established by the planning commission or zoning administrator in conformance with the specific
setback requirements set forth in the Collinsville-Montezuma Hills Area Plan and Program.

(g) Application for planned unit development permits shall be prepared in accordance with the provisions of section 28-51, and shall follow the seven-step development review process for siting waterfront industries as set forth within 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 the protection of adjacent agricultural uses, easements for connections to berth facilities, and where feasible, open space, public access, and wetlands preservation.

2. Adequate safeguards are provided for the safe transport, transfer, storage, and emission of substances potentially hazardous to health, life or property. (Ord. No. 1095, §1; Ord. No. 1121, §§ 10, 11; Ord. No. 1135, §1; Ord. No. 1136, §1.)

Sec. 28-37. Watershed and conservation (W) districts.

(a) The board of supervisors finds that the watershed and conservation district areas of Solano County are very valuable natural resources, and in order to protect these areas from the constant threat of wildfire, subsidence, and landslide leading to the destruction and financial loss to private and public property; and in order to prevent increased threats of these hazards through overdevelopment of these areas; and in order to protect the general welfare of the county as a whole, there is hereby created a zone classification within which the establishment, perpetuation and protection of watershed and conservation district shall be encouraged.

The provisions of this section shall be liberally interpreted insofar as they apply to the protection of watershed and conservation district areas. It is the intention of this section to deter developer from considering lands in a "W" zone as potential urban subdivision property, as residential uses are not compatible with watershed and conservation district areas by the fact that such areas are characterized by slope instability, fire hazards, and the unavailability of water and public services.

Those areas to be designated under this zone are fire hazard areas and are subject to slope instability as determined by the Solano County general plan, and are characterized by the following conditions:

1. Steep topography (defined as slopes in excess of twenty-five percent grade).
(2) Excessive vegetation coverage (defined as fifty percent or more of the area or parcel being covered with chaparral or woodland).

(3) Inadequate roads (defined as roads below the county standards as to width, alignment, grade or improvement).

(4) Lack of available water (defined as insufficient water to sustain a flow of two hundred gallons a minute for twenty minutes).

(5) Land susceptible to subsidence or landsliding (defined as characterized by slopes greater than fifteen percent underlain by landslide-prone deposits, or by existing landslide deposits).

A range of agricultural uses are found to be compatible with watershed management. However, these uses are specifically defined and prescribed to prevent an increase in the fire or landslide hazards that now exist, and such uses would not require additional public services. These agricultural uses should not attract increased habitation or encourage activities that are not compatible with watershed management.

(b) Uses allowed:

(1) Agricultural uses with emphasis on pasture and grazing, except that those uses indicated in subsection (c) of this section may be established only after a use permit shall have first been secured.

(2) Buildings and uses clearly accessory or incidental to any permitted use located on the premises, including a one-family dwelling or manufactured dwelling, barns, private stables, sheds and other farm buildings.

(3) One on-site sign with a maximum area of fifteen square feet appurtenant to any permitted use; provided, that no sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, is wind-driven, or is otherwise animated.

(c) Uses permitted, provided that the conditions for a use permit as set forth in section 28-53 are fulfilled:

(1) Animal feed yard.

(2) Public stable, lodge, club or resort for swimming, boating, fishing, hunting or shooting.

(3) Poultry operation of more than one hundred birds.

(4) Public service facilities.

(5) Additional one-family dwellings or manufactured dwellings for persons employed on the premises when such residential use is clearly accessory or incidental to the agricultural use of the property.

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(d) The minimum building parcel area required shall be one hundred sixty (160) acres.

(e) Minimum front yard required: Thirty feet; except that buildings shall not be less than fifty feet from the centerline of the street, and unless otherwise indicated by building lines on the zoning maps.

(f) Minimum side yard required: Twenty feet.

(g) Minimum rear yard required: Twenty-five feet.

(h) Special yards and distances between buildings required: Accessory buildings shall not be less than sixty feet from the front property line nor less than twenty feet from any side or rear property line, nor less than thirty feet from any dwelling unit on the property.

(i) Maximum building height: Thirty-five feet; provided, that additional height may be permitted for nondwelling structures, including windmills, silos, private water tanks, and provided further, that no such structure shall exceed the heights allowed in section 28-59, if located in an airport flight obstruction area.

Sec. 28-38. Marsh preservation (MP) district.

(a) The board of supervisors finds that marshes, wetlands, and certain adjacent grasslands within the county represent an area of significant aquatic and wildlife habitat and are an irreplaceable and unique resource to the people of the county, state, and the nation. In order to preserve and enhance the quality and diversity of marsh habitats, there is created a zone classification, the "MP" district, within which marsh-oriented uses shall be encouraged to the exclusion of such other uses of land as may be in conflict with the long-term preservation and protection of marsh areas.

The provisions of this section shall be strictly interpreted to provide maximum protection to marsh areas. It is the intention of this section to deter developers from considering lands within the MP zone as potential urban development property, and it is further understood that there is no reasonable probability of the removal or modification of this zoning restriction within the near future. Furthermore, it is the intention of the MP zone to promote the continuation of existing uses of land and water areas within marsh areas and to encourage the enhancement of the value of such areas as marsh-related
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habitat. Types of uses encouraged within marsh areas include aquatic and wildlife habitat; game hunting preserves; marsh-oriented recreational uses such as wildlife observation, sightseeing, nature photography, walking and hiking, bicycling, horseback riding, hunting, boating, fishing, waterskiing, sailing, swimming, and other similar aquatic recreational uses; agricultural activities compatible with the marsh environment and which protect and enhance the habitat value of marsh areas; and educational and scientific research opportunities and resources.

A primary intent of this section is to assure the preservation of tidal marshes, seasonal marshes, managed wetlands and lowland grasslands within the Suisun Marsh. Any development within the Suisun Marsh as defined by Section 29114 of the Public Resources Code may be subject to obtaining a Marsh Development Permit pursuant to the Preservation Act, and as provided for in section 28-54 of this code.

b. Uses allowed:
   (1) Management of wetlands and agricultural operations, with emphasis on grain and hay crop production, pasture, grazing, and the growing of plants and natural feed important to wildlife habitat, except that those uses indicated in subsection (c) of this section may be established only after a use permit has first been secured.
   (2) Processing of agricultural products produced on the premises.
   (3) Buildings and uses clearly accessory or incidental to any permitted use located on the premises, including a one-family dwelling or a manufactured dwelling, barns, private stables, sheds, and other associated buildings.
   (4) One on-site sign, with a maximum area of fifteen square feet appurtenant to any permitted use; provided, that no sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.

(c) Uses permitted provided the conditions for a use permit as set forth in section 28-53 of this Code are fulfilled.
   (1) Marsh-oriented recreational use and use incidental to recreation, including park, interpretive center, day-use facility, lodge, club or resort for swimming, boating, sailing, fishing, hunting or shooting, and raising of game, fishing pier and boat ramp, small craft docking and storage incidental to a small craft docking facility; commercial recreation use, including bait shop and refreshment stand, and similar types of uses as may be determined by the planning commission.
(2) Additional one-family dwellings or manufactured dwellings for caretakers or persons employed on the premises when such residential use is clearly accessory or incidental to the allowed use of the property.

(3) Oil and gas wells, and storage of natural gas in abandoned wells.

(4) Public service facility.

(5) Scientific research and educational facility directly related to the marsh environment, and similar uses as may be determined appropriate by the planning commission.

(6) Dredging of minerals or natural materials.

(7) Temporary facilities for the transfer of levee maintenance material from shore to barge.

(d) The minimum parcel area required shall be two hundred fifty acres.

(e) Minimum front, side and rear yard required: Ten feet, unless otherwise indicated by building lines on the zoning maps.

(f) Distances between buildings required: Accessory buildings shall not be less than ten feet apart, and shall not be less than ten feet from any dwelling unit on the property.

(g) Maximum building height: Thirty-five feet; provided, that additional height may be permitted for non-dwelling structures, including windmills, silos, and private water tanks; and provided further, that no such structure shall exclude the heights allowed in section 28-59 of this code, if located in an airport flight obstruction area.

(h) Architectural approval may be required for any use in MP districts, as provided in section 28-58 of this code. (Ord. No. 1093, §1; Ord. No. 1121, §8; Ord. No. 1126, §15; Ord. No. 1128, §1.)

Sec. 28-39. Policy plan overlay (PP) districts.

(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
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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 health, 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 28-64 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 ordinance by the board of supervisors. 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 exiting 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 subsection (d) of this section.

(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 subsection (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 this subsection.

(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 definite criteria under which subsequent development can be judged for compliance.
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(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 28-54 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.

(3) 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, cinders, glare, unsightliness, hazardous materials, traffic congestion, or to involve any hazard of fire or explosion.

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 28-63 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 provisions of this code, except that where conflict in regulations occurs, the regulations 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. (Ord. No. 1342, §1.)

**Sec. 28-50. General provisions and exceptions.**

The regulations specified in this chapter shall be subject to the following general provisions and exceptions:

(a) **Use:**

(1) No dancehall, nightclub, commercial club, or any establishment where liquor is served, commercial place of amusement or recreation shall be established in any district closer than two hundred feet to any boundary of any residential district unless a use permit is first secured in each case.

(2) Circuses, carnivals, fairs, revivals or similar temporary establishments involving assemblages of people and automobiles shall be permitted in any T, A, R-R, P, C-H, C-S, M-L and M-G district for a brief duration, provided, a use permit is first secured in each case.

(3) Removal of minerals or natural materials, including building and construction materials to be used for commercial purposes, shall be allowed for a limited period in any district, provided a use permit is first secured in each case, as provided in chapter 29 of the Solano County Code.

(4) On-site excavation or removal or filling of materials for normal facilities, or where such removal or filling is motivated by land leveling as its prime objective, shall be allowed in any district; provided, that no finished grades exceed a two-to-one slope.

(5) Concrete and asphaltic concrete mixing plants and construction storage yards incidental to construction or public works projects may be allowed in any T, A, P or R-R district for a limited period, provided a use permit is first secured in each case.
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(6) Public utility, electric, gas, water, oil and telephone transmission and distribution lines shall be permitted in any district without the necessity of first obtaining a use permit; provided, that maps showing proposed routes of such transmission lines, together with a written statement of approximate structure heights and right-of-way widths, shall be submitted to the planning commission, and routes mutually acceptable to the planning commission and utility agencies concerned shall be determined in writing prior to acquisition of any rights-of-way. Each transmission line route proposal submitted in accordance herewith shall be accompanied by a fee or fees as may be set by the board of supervisors by resolution pursuant to section 1-18 of this Code. No part of such fee shall be refundable.

(7) Non-public utility lines for transmission or distribution of electricity, gas, water, oil, gasoline, telephone, television or other utility may be permitted in any district; provided, that in any case necessitating right-of-way acquisition, a use permit shall be secured in each case prior to such acquisition. Each use permit application shall be accompanied by plans showing on current United States Geological Survey Quadrangle or equivalent maps of the right-of-way route proposed, and by written statements or scaled drawings, or both, the proposed right-of-way widths, structure types and heights, burial depths, and such other information as may be deemed necessary by the zoning administrator or planning commission, or both.

(8) In any A, P or C-H district, one directional sign, not exceeding three hundred square feet, placed adjacent to a freeway in advance of the turn-off to a roadside commercial district or a by-passed community for the sole purpose of giving approaching motorists notice of such turn-off and of such commercial district or community, may be permitted, provided a use permit is first secured in each case.

(9) Repealed.

(10) Vacant land in any district shall not be required to lie fallow.

(11) The planning commission shall have power to hear and decide questions involving the enforcement of this chapter when such questions are based upon the interpretation thereof.

(12) Temporary mobilehome sites in any T, A-L, A, MP, R-R, R-E, P and M-G districts may be permitted for a temporary term corresponding to the circumstances of the particular case, and provided a use permit is first secured by the owner of the mobilehome site in each case.

(13) A temporary commercial coach site may be permitted in any district for a term corresponding to the circumstances of the particular case, and provided a use permit is first secured in each case.
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(14) Radio transmission and relay facilities may be permitted in any district; provided, that the provisions of section 28-59 shall prevail when such facilities are within airport flight obstruction areas and a use permit is first secured in each case.

(15) Injection wells may be allowed in the exclusive agricultural district for a limited period and subject to the permit standards set forth in chapter 13.6 of this code, provided a use permit is first secured in such case.

(b) Special regulations.

(1) Regulations for private and public stables, horse show and corrals:

a. The minimum lot area upon which two or fewer horses may be kept is one acre. One additional horse may be kept for each twenty thousand square feet by which the parcel of land exceeds one acre.

b. Private stables in any T, A, A-L, R-R, R-E, P, MP, or W district shall be located no closer than twenty feet from the side and rear lot lines, and no closer than sixty feet from the front lot line, and no less than twenty feet from any dwelling unit on the property. Corrals within any R-E district shall be located on the rear half of the lot.

c. Public stables in a T, A, A-L, R-R, P, MP or W district, or horse shows in a T, A, R-R, or P district may be permitted provided a use permit is first secured in each case. Minimum setbacks are as follows:

<table>
<thead>
<tr>
<th>Use</th>
<th>Min. Distance from any Dwelling unit</th>
<th>Min. Dist. from Side and Rear Property line</th>
<th>Min. Distance From Front Property Line</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pens for no more than one horse, barns and other similar shelters</td>
<td>20 feet</td>
<td>20 feet</td>
<td>60 feet</td>
</tr>
<tr>
<td>Corrals, paddocks, riding rings and other similar horse arena areas</td>
<td>20 feet</td>
<td>60 feet</td>
<td>60 feet</td>
</tr>
<tr>
<td>Horse shows</td>
<td>20 feet</td>
<td>200 feet</td>
<td>200 feet</td>
</tr>
</tbody>
</table>

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All public stables and horse shows shall provide on-site parking, loading, and vehicular turn-around space, together with ingress and egress so designed to avoid traffic hazards and congestion; shall not constitute a nuisance or hazard to nearby properties due to trespass, odor, dust, noise and drainage. Certain facets of the operation which are determined not to be offensive, such as grazing, storage, etc., may be granted exceptions by the authority acting on the use permit application to vary the minimum distance requirements.

(2) Regulations for guest houses:
The following regulations shall apply to all guest houses in R districts:
   a. There shall be no more than one guest house on any one building site. No kitchen or cooking facilities shall be permitted in any such guest house.
   b. All guest houses shall be located on the rear half of the building site and shall not be closer than ten feet from the nearest point of the main residence.
   c. The side yard of the guest house shall be the same as that required for the main building.
   d. The minimum rear yard shall be ten feet.
   e. The guest house, together with the other accessory buildings shall not exceed thirty percent of the area of the required rear yard on which it is built.
   f. A guest house shall not exceed a height of fifteen feet.
   g. A guest house shall not be placed on a lot of less than seven thousand five hundred square feet.

(3) Regulations for accessory buildings:
   a. An accessory building attached to the main building shall comply in all respects with the requirements of this chapter applicable to the main building.
   b. An accessory building shall be located sixty feet from the front property line or on the rear fifty percent of the lot.
   c. The side and rear yard requirements may be waived for an accessory building other than a guest house or animal shelter, except that such buildings shall not be located closer to any side street line than the main building.
   d. An accessory building shall not be located closer than ten feet from the main building; except in the W district, the distance shall be thirty feet. Stables shall be located at least twenty feet from the main building.
   e. An accessory building for the shelter of small animals shall not be placed closer to any side street line than the
main building, and in no case shall be placed closer than ten feet from any property line.

   f. Accessory buildings in any R district shall be permitted in the required rear yard; except that such buildings, in the aggregate, shall not occupy more than thirty percent of the area.

   g. Excepting the R-R district, accessory buildings in any R district shall not exceed a height of fifteen feet.

(4) Regulations for commercial and noncommercial wind turbine generators.

   a. A wind turbine generator shall be permitted, subject to the provisions of this chapter, in A, A-L, R-R, P, C-H, C-N, C-G, C-S, C-O, M-L, M-G, I-WD, W or MP districts, provided a use permit is first secured for any wind turbine generator exceeding one hundred feet in height measured from ground level to the hub, or for any commercial wind turbine generator, except that commercial wind turbine generators are prohibited in the MP district by provision of the Suisun Marsh local protection program.

   b. Wind turbine generators (WTGs) shall be set back a minimum distance of 1.25 times the maximum height reached by any part of the WTG to any property line, and a minimum of ten feet from any other structure on the property. A three hundred-foot setback shall be maintained from any district which does not permit WTGs. Setbacks determined by height may be waived when appropriate easements are secured from adjacent property owners or other acceptable mitigation is approved by the zoning administrator or planning commission.

   c. Tower-climbing apparatus and blade tips of the WTG shall be no closer than fifteen feet from ground level unless enclosed by a six-foot high fence. The tower shall be posted at eye level, warning of high voltage.

   d. The WTG shall be filtered and/or shielded so as to prevent the emission of radio frequency energy which would cause interference with radio and/or television broadcasting or reception. Alternate mitigation for such interference may be approved for a commercial WTG.

   e. The applicant shall provide the manufacturer's specifications which certifies that the WTG is equipped with a braking system, blade pitch control, and/or other mechanism for rotor control, and shall have both manual and automatic overspeed controls.

   f. Noise emitted from any WTG shall not exceed fifty dBA CNEL at any property line abutting a residential zone or sixty dBA CNEL at any other property line.

   g. Brand names or advertising associated with a WTG installation shall not be visible from any public access.
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h. Liens, surety bonds or other security may be required as part or condition of any use permit to guarantee removal or dismantling of any abandoned WTG.

(5) Regulations for oil and gas wells.
Oil and gas well drilling shall be allowed in exclusive agricultural (A) districts and limited agricultural (A-L) districts upon issuance of an oil and gas well drilling permit by the zoning administrator; provided, the zoning administrator finds the conditions of this section have been or will be met. A permit shall be issued upon submission of an application and payment of such fees as may be set by the board of supervisors pursuant to section 11-111 of this code. The zoning administrator may require the submission of such information as deemed necessary to make this determination, and may require the posting of security satisfactory to the zoning administrator to guarantee performance of any conditions.

a. Security satisfactory to the director of the transportation department has been or will be posted as security for payment of repairs to county roads and highways damaged by well-drilling activities, including transportation of equipment to and from the site.

b. Drilling operations will conform to the regulations of the California Division of Oil and Gas designed to prevent damage to natural resources.

c. The drilling operation will be confined to as small an area as practical and will not cause irreversible damage to unique vegetation or fish and wildlife habitats.

d. After drilling is complete, all drilling muds, tail wastes, wastewater and other fluids will be removed from the site and disposed of in a manner that does not adversely affect other areas.

e. Measures will be taken to prevent any significant pollution of ground water, surface water or water-courses.

f. Derricks will be removed when wells are brought into production.

g. If wells are abandoned, they shall be sealed in accordance with Division of Oil and Gas regulations, and the drilling or production facilities will be removed.

h. Necessary measures will be taken to prevent dust, noise, light, glare, odor, and other objectionable elements from adversely affecting the surrounding area beyond acceptable limits.

(6) Regulations for rural resident enterprises.
Rural resident enterprises may be allowed in exclusive agricultural (A) districts, limited agricultural (A-L)
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districts, and rural residential (R-R) districts upon securing a land use permit, provided the conditions of this section and all other provisions of this chapter have been or will be met. It is the intent of this section that such uses be limited to small-scale home business activities which are clearly secondary to residential use of the property, do not conflict with the rural character of surrounding properties, or create impacts associated with commercial and industrial uses. Rural resident enterprises are uses which clearly do not compete with commercially or industrially zoned properties and are not likely to expand.

a. Uses shall not exceed a total area of one thousand five hundred square feet of contiguous indoor or outdoor space of which a maximum of five hundred square feet may be devoted to retail sales or services directly involving customers.

b. Enterprises shall be operated by the resident family only, and there shall not be more than one nonresident employee on site.

c. Uses shall not be allowed which generate significant amounts of traffic. A permit on a private road which involves an increase in traffic may be approved by the planning commission only after evidence is shown that the proposed use will not unduly burden adjacent property owners on the private road.

d. Uses which generate traffic beyond that normally associated with rural areas or which may have impacts associated with increased lighting or noise shall be limited to daytime hours.

e. Enterprises shall remain secondary to the residential use of the property and shall be located behind the front building line of the residence, and a minimum of twenty feet from side property lines and twenty-five feet from rear property lines.

f. When enterprises are to be contained within a building or area exceeding the allowable size limitations, that area to be used for the enterprise shall be physically separated from the remaining area and in no case shall an existing garage be converted to a rural resident enterprise unless additional enclosed parking is provided in conformance with the county's parking standards.

g. Signs shall be limited to one nonilluminated name plate not to exceed twenty square feet mounted on or directly adjacent to the residence or proposed use. No advertising signs shall be permitted.

h. Areas dedicated to outside storage or use shall be adequately screened or fenced so as not to have a visual impact on neighboring properties.

i. Adequate parking shall be provided as determined necessary by the zoning administrator or planning
commission. Access to the enterprise shall be limited to the existing residential driveway.

j. Industrial uses, including uses involving heavy machinery, trucking and transportation operations, or uses which involve the use, storage or disposal of hazardous materials, chemicals or other objectionable elements, shall not be permitted.

(7) Regulations for home occupations.
Home occupations may be allowed in any district allowing a residential dwelling, provided a business license is first secured pursuant to Chapter 14 of this code. It is the intent of this section that such uses be clearly incidental and secondary to the residential use of the property to the extent the use is not identifiable from the exterior of the residence. Home occupations are intended to be primarily service oriented and may include, but are not limited to, home business offices, handicrafts, work of artists and authors, or the offering of tutorial services. In approving a business license, the zoning administrator must find that the proposed activity will conform with all requirements set forth in this section.

a. The use shall not occupy more than twenty percent of the habitable floor area of the dwelling, nor require structural modifications so as to change the residential character of the dwelling.

b. There shall be no merchandise or services offered for sale except that produced or made on the premises.

c. The use shall not necessitate the conduct of business with customers or clients on the premises except by telephone or by appointment only when limited to not more than one client.

d. The use shall not generate traffic in excess of that normally associated with the residential use, and no more than one vehicle or truck with a maximum three-quarter ton capacity shall be permitted in conjunction with any home occupation.

e. There shall be no sign or other advertising associated with the home occupation allowed on the premises.

f. The use shall not generate noise, odor, dust, glare, vibration or electrical interference to neighboring properties, or constitute a nuisance, or be detrimental to the health, safety, peace, morals, comfort or general welfare of the public.

(c) Height.
(1) Chimneys, vents and other architectural mechanical appurtenances may be erected to a greater height than the limit established for the district in which the building is located.

(2) Towers, poles, water tanks and similar structures may be erected to a greater height than the limit established for the district in which they are to be located; except that the
provisions of section 28-59 shall prevail in airport flight obstruction areas.

(3) In any R district, no fence shall be erected, moved or altered, and no hedge shall be grown so that the portions behind the building line of the dwelling exceed seven feet in height, and the portions between the building line and any street line exceed three feet in height.

(4) Subject to any other provisions of law, towers, spires, water tanks completely enclosed by solid walls on all sides, down to the ground or to the main part of the building, similar structures and necessary mechanical appurtenances, may be built and used to a greater height than the limit established for the district in which the building is located.

(d) Building site special provisions.

(1) The use of land as permitted for the district in which it is located shall be permitted on a building site of less area or frontage than that required by the regulations for such district; provided, that such is shown as a lot on a subdivision map of record, or is a parcel of land which was under one ownership on January 29, 1959; provided, that in either case the owner of such lot shall not have owned or purchased any adjoining property since January 29, 1959. For the purpose of this section, adjoining property shall be deemed to include any parcels which are physically separated by roads, streets, utility easements and railroad right-of-way.

(2) A building site shall have its principal frontage on a public or private street; however, for a private street serving more than three building sites, the right-of-way width opening from the public street and along the full length of the private street shall be at least fifty feet.

(3) In any A or R-R district, the following provisions may be applied:

a. The area bounded by the centerline of the street on which the parcel fronts, the parcel sidelines extended to such street centerline and the street right-of-way adjacent to the parcel may be included in the computation of the minimum parcel area requirement.

(4) In any R-R 2 1/2 district, the following provisions may be applied:

a. Parcels of more than four acres but less than five acres in existence on October 10, 1969, may be divided into parcels each of a net area of two acres or larger.

(5) A legally established conforming use may be enlarged, provided the added portions conform to yard, building, location and height requirements, and such additions do not encroach upon any required parking space.
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(6) In any district where one-family dwelling are an allowed use, the zoning administrator and planning commission may authorize an owner to replace an existing dwelling on a developed parcel with a new one-family dwelling and permit occupancy of the existing dwelling for the term of construction of the replacement dwelling; provided that:

a. The replacement dwelling shall comply in all respects with yard, building, location, height and parking space requirements of this chapter.

b. The owner executes a written agreement with the county guaranteeing the demolition and removal of the existing dwelling. The owner shall, within one week following the execution of the agreement, deliver to the county a faithful performance bond with an insurance company authorized to do business in the state, or make a cash deposit with the treasurer of the county in the amount of money provided for in the agreement. The bond or cash deposit shall be in such amount as will be sufficient to accomplish such demolition and removal by the owner upon completion of the replacement dwelling or by the county in case the agreement is breached by the owner. The decision of the zoning administrator or planning commission as to the amount of deposit required shall be final. The owner shall, in the agreement, consent to agents and employees of the county entering upon his land and demolishing and removing existing dwelling if owner fails to remove such dwelling within sixty days of the completion of the replacement dwelling.

(7) The minimum parcel area requirement of the zoning district wherein certain uses may be permitted, subject to the securing of a use permit in each case, may be reduced, provided such use is determined to be any of the following:

a. Public service facility;
b. Crematory, mausoleum or columbarium;
c. Oil and gas wells;
d. Radio or television transmission facilities;
e. Airport or heliport;
f. Any use employing a portion of a contiguous ownership when such ownership meets the minimum area requirement of the district.

(e) Yards.

(1) In any case, where an official plan line has been established as a part of the street and highway master plan of the county, the required yards on the street side shall be measured from such official plan lines, and in no case shall the provisions of this chapter be construed as permitting any structure to extend beyond such official plan line.

(2) In any case where a building line has been established in accordance with section 28-57, the required yards on the street shall be not less than the distance from the centerline.
of the street specified for such building line and in no case shall
the provisions of this chapter be construed as permitting any
structures to extend beyond such building line.

(3) For the purpose of measuring yards, fireplaces,
chimneys and cantilevered walls, shall be considered as exterior
walls.

(4) Cornices, eaves, canopies and similar architectural
features may extend into any required yard not exceeding two and
one-half feet.

(5) Unenclosed porches or stairways, fire escapes or
landing places may extend into any require front or rear yard, not
exceeding six feet, and into any required side yard, not exceeding
three feet.

(6) In any R district where fifty percent or more of the
building sites on any one block or portion thereof in the same
district have been improved with buildings, the required front yard
shall be a depth equal to the average of the front yards of the
improved building sites, to a maximum of that specified for the
district in which such building site is located.

(7) In any R-E or R-S district, the required side yards
of building sites created before January 29, 1959, having less than
the required site width, may be reduced to as much as ten percent
of the site width; except that no such building site shall have
side yards of less than five feet.

(8) In the case of a corner lot adjacent to a key lot,
the required side yard on the street side for any building within
twenty-five feet of the side line of the key lot shall be equal to
the front yard required on the key lot, and if more than twenty­
five feet from such side line, the required side yard shall be
fifty percent of the front yard required on the key lot.

(9) In the case of a double frontage lot, the main
building or accessory building shall not be erected so as to
encroach upon the front yard required on any of the streets.

(10) Notwithstanding any requirements in this section, in
cases where the elevation of the front half of the lot, at a point
fifty feet from the centerline of the traveled roadway is seven
feet above or below the grade of such centerline, a private garage
attached or detached may be built to within ten feet of the front
line of the lot.

(f) Extension of time for environmental impact evaluation.

(1) Any provision of this chapter which provides for a
specific period of time within which a county agency, commission,
employee or officer must act on an application for a permit other
than entitlement required by this chapter, shall not be applicable
if compliance with the California Environmental Quality Act
reasonably requires a longer period of time to assess the
environmental impact of the project for which the entitlement is sought.

(g) Minimum architectural and development standards for dwellings.

(1) Except as otherwise provided by section 28-58, all dwellings shall conform to the following minimum architectural and development standards:

   a. Each dwelling shall have a minimum gross floor area of one thousand square feet.

   b. Exterior siding shall be a material commonly found in conventionally built residential structures. Metal sidings with a shiny or metallic appearance are not allowed. Siding shall extend to the ground or to the solid concrete or masonry perimeter foundation. Foundation or skirting materials simulating brick, concrete block or stone are permitted.

   c. Roof eave or gable overhang shall be not less than twelve inches measured horizontally from the vertical side of the dwelling.

   d. Roofing material shall be limited to materials commonly found on conventionally built residential structures. Roofing material with a shiny, metallic appearance is not allowed. The minimum pitch of the roof shall be three inches vertical to twelve inches horizontal.

   e. The finished first floor of the dwelling shall be a maximum of thirty inches from the exterior finished grade of the lot measured from its highest level where it supports the dwelling.

   f. A two-car enclosed garage shall accompany each dwelling, and the siding and roofing materials shall match the dwelling.

   g. The aesthetic quality of building design, as evidenced by the use and relationship of materials, color and texture, application of the principles of scale, proportion and harmony, and suitability of structure to its site, shall be comparable to that exhibited in the surrounding area.

   h. New dwellings shall maintain design continuity, conform to or be aesthetically compatible in areas where a particular design style or theme has been established.

(Ord. No. 440, §20; Ord. No. 473, §6; Ord. No. 515, §1; Ord. No. 532, §3; Ord. No. 558, §1; Ord. No. 563, §1; Ord. No. 572, §1; Ord. No. 643, §2; Ord. No. 656, §1; Ord. No. 716, §1; Ord. No. 799, §1; Ord. No. 813, §1; Ord. No. 825, §1; Ord. No. 909, §1; Ord. No. 972, §§ 15, 16; Ord. No. 1033, §7; Ord. No. 1044, §§ 2, 3, 16, 18; Ord. No. 1092, §2; Ord. No. 1093, §2; Ord. No. 1126, §§ 16, 17, 18; Ord. No. 1187, §§ 2, 3, 4, 5, 6; Ord. No. 1191, §§ 5, 6; Ord. No. 1225, §11; ord. No. 1254, §§ 4, 5; Ord. No. 1306, §3.)

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Sec. 28-51. Planned unit development permit.

(a) Purpose. Where a design proposal for a substantial development involving a use or several coordinated uses of land makes it desirable to apply regulations more flexible than those contained elsewhere in this chapter, a planned unit development permit may be granted. There are two alternate purposes of such permits.

(1) To grant diversification to the applicant in the use of land and location of structures not otherwise permitted under district regulations, and enable innovation in the design of buildings, site treatment, allocation of open space and landscaping, while insuring safety, welfare, and convenience in the use and occupancy of such planned buildings and facilities; or

(2) To retain for the county adequate development controls over projects which, due to size, location, complexity, or environmental impact, are considered to have potentially significant, unique or unfavorable implications to the public health, safety or welfare.

(b) Applicability. The board of supervisors or planning commission may, on its own initiative, require a planned unit development application be submitted on any project or development, or in conjunction with any other required application or similar action, or as determined by subsection (a)(2), or as part of any district regulations of this chapter.

(c) Conditions. The planning commission may grant a planned unit development in any district and grant exceptions to district regulations as to use, building height or bulk, yards and open areas, or other provisions of this chapter when the following conditions are met:

(1) The tract or parcel of land involved must be a minimum of four acres in area and must be either in one ownership or the subject of an application filed jointly by the owners of all the property included. All of the property included shall be an essential part of the integral function of the total development. In cases of remnant parcels as defined in section 28-10, planned unit development permits may be granted for areas of less than four acres.

(2) The proposed development must be in conformance with the county general plan and designed to produce an environment of stable and desirable character, and must provide overall standards of population density, intensity of use, open space, circulation and off-street parking, all in conformance with the general plan.

(3) The various elements of the development plan, including structures, grounds, open space and land use, must relate to one another in such a way as to form a comprehensive plan of
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sufficient unity to justify exceptions, if any, to the normal regulations of this chapter.

(4) The development shall be designed so as not to adversely affect adjacent properties.

(d) Application. Application shall be filed with the environmental management department and be accompanied with such information as may be necessary for the county to clearly ascertain the appearance, function, and effect of the development, and shall describe the character, function, and style of the proposed development and use in sufficient detail so that subsequent design review and any other review by the planning commission or board of supervisor shall not be required, except as is otherwise required by this chapter. The following are minimum requirements for any application, except as may be waived by the director of environmental management, with proper cause:

(1) A complete legal description of the subject property.

(2) A narrative description which will define the purpose, intended uses, density of development, dimensional constraints, and performance standards for proposed uses stated in sufficient detail to constitute definitive criteria under which subsequent development can be judged for compliance.

(3) A site plan of the total development drawn to scale and fully dimensioned delineating the uses, locations, and architecture of proposed structures, including signs, the contemplated systems of drainage, water supply, sewage disposal, circulation, parking and loading spaces, landscaping, and areas, if any, to be reserved for parks, playgrounds, public facilities and other spaces.

(4) A topographic map showing existing and finished contours at an appropriate interval and scale.

(5) Elevations and floor plans of such detail so as to determine appearance, function, interrelation and extent of buildings and structures.

(6) A development schedule defining the sequence of improvements and the anticipated timing of the development.

(7) Specific plans for grading, erosion, runoff and sediment control, landscaping, and prevention and mitigating of accidental spills of toxic or hazardous materials, if applicable.

(8) Permit application fee as established by the board of supervisors pursuant to section 11-111 of this code. No part of such fee shall be refundable.

(e) Public notice. Notice of the hearing shall be given pursuant to section 28-14 of this chapter.
(f) **Public hearing.** The planning commission shall hold a public hearing on any proposed planned unit development permit application.

(g) **Action.**

1. Except as provided in section 28-58(f) of this chapter, the planning commission shall act upon an application for a planned unit development permit within ninety days of the date of such application, and shall forthwith notify the applicant of action taken. The planning commission may deny or authorize the development as submitted, or may modify, alter, adjust, or amend the plan before authorization. The planning commission shall carefully consider any proposed partial staged or phased construction of the planned unit development, and may approve the same only when the initial construction involves a minimum of four acres, all of which shall be an essential part of the integrated function of such initial construction. The planning commission shall attach such additional conditions as are, in its opinion, necessary to assure completion of the total development and the objectives of this chapter. The development as authorized shall be subject to all conditions as imposed, and shall be excepted from other provisions of the ordinance only to the extent specified in the authorization.

2. When a planned unit development application has been approved, or required as a condition of any action by the county, the zoning map(s) shall be annotated to reflect such action, and the official zoning map designation for the property shall include the suffix "PUD." If a planned unit development requirement ceases, the "PUD" suffix shall be deleted from the official zoning map designation.

(h) **Revocation.**

1. In any case where a granted planned unit development permit has not been exercised within one year after the date of granting thereof, or otherwise specified on the permit up to a maximum of two years, then without further action by the zoning administrator or planning commission, the permit shall be null and void; except that upon written request by the permittee, prior to expiration, the planning commission may authorize an extension of the permit, not to exceed one year. Only one such extension may be granted. Completion of at least the initial phase, or completion of one building or other progress of the total approved development as deemed adequate by the planning commission, shall constitute exercise of the permit within the meaning of this section.

2. In any case where the conditions of a planned unit development permit have not been or are not complied with, the zoning administrator shall give the permittee notice of intention to revoke such permit at least ten days prior to a planning
commission review thereon. After conclusion of the review, the planning commission may revoke such permit.

(i) Minor revisions not constituting a substantial alteration of the planned unit development permit, or any element thereof, may be reviewed and approved by the planning commission. Each application for a minor revision shall be accompanied by a fee as may be set by the board of supervisors pursuant to section 11-111 of this code. No part of said fee or fees shall be refundable.

Sec. 28-52. Marsh development permits.
(a) Purpose. The purpose of a marsh development permit is to allow uses within the secondary management of the Suisun Marsh, subject to specific conditions and county approval. Lands designated as primary or secondary management areas of the Suisun Marsh are those as defined in Section 29101, 29102 and 29103 of the Public Resources Code.

(b) When required. Marsh development permits shall be required from any person or entity wishing to undertake a development as defined in Section 29114 of the Public Resources Code within the secondary management area of the Suisun Marsh. Any land use development permit or other permit which conforms with the provisions of this section may serve as a marsh development permit, as determined by the county. If a portion of the site or development is within the primary management area, a permit may also be required from the county prior to application for any marsh development permit which may be required by the San Francisco Bay Conservation and Development Commission (BCDC).

(c) Issuance. Marsh development permits may be issued for any of the uses or purposes for which such permits are required or permitted by the terms of this chapter. The lawful use of land under county permit, issued prior to the certification of the Suisun Marsh Local Protection Program, shall be eligible for a marsh development permit, provided, said use does not have an adverse impact upon the Suisun Marsh. Granting of a marsh development permit does not exempt the applicant from complying with requirements of building codes adopted pursuant to other provisions of this code, or other ordinances.

(d) Application. Application for a marsh development permit shall be filed with the environmental management department and shall be accompanied by plans and data assuring the fullest practical presentation of facts about the development; a site plan
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drawn to scale and fully dimensioned showing property lines; the location and extent of existing and proposed work and uses; information clearly distinguishing existing from proposed improvements, existing and proposed public access areas, building elevations, and primary and secondary management area boundaries; the approximate distance to the nearest marsh, managed wetland, or tidal area; and the location and name of the nearest public road and private access. Such application shall be accompanied by a fee or fees as may be set by the board of supervisors by resolution pursuant to section 11-111 of this code. No part of such fee shall be refundable.

(e) Public hearing. At least one public hearing on any marsh development permit application shall be held by the zoning administrator or the planning commission.

(f) Public notice. Notice of this hearing shall be given pursuant to section 28-14 of this chapter.

(g) Action.
(1) The zoning administrator or planning commission may grant marsh development permits upon the finding, in each case, that the requirements set forth in this chapter and in subsection (h) of this section are fulfilled.
(2) The zoning administrator or planning commission may stipulate conditions, and guarantees that such conditions will be complied with when in the public interest and deemed necessary.

(h) General conditions. In granting a marsh development permit, the zoning administrator or planning commission shall find the following conditions to be fulfilled:
(1) That the application process complies with the California Environmental Quality Act of 1970, as amended.
(2) That the establishment, maintenance, or operation of the use is in conformity with the county general plan with regard to traffic circulation, population densities and distributions, and all other pertinent aspects.
(3) That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.
(4) That the applicant has exhibited proof that such use will not constitute a nuisance or be detrimental to the health, safety, comfort, or general welfare of the people of the county, or be detrimental to adjacent property or improvements to the neighborhood.
(5) That the proposed development shall be consistent with the certified Suisun marsh local protection program.
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(i) Revocation.  
(1) In any case where the conditions of a marsh development permit have not been or are not complied with, the zoning administrator shall give to the permittee notice of intention to revoke such permit, at least ten days prior to a planning commission review thereof. After conclusion of the review, the planning commission may revoke such permit.  
(2) In any case where a marsh development permit has not been exercised within one year after the date of granting thereof, then without further action by the zoning administrator or planning commission, the use permit shall be null and void; excepting that upon written request by the permittee, the planning commission may authorize an extension of the permit not to exceed one year. Only one such extension may be granted.

(j) Reapplication. Whenever a marsh development permit application has been denied for a specific use, no new application covering all or a portion of the property involved in the original application shall be accepted by the county for a period of six months from the effective date of the final denial of the original application; provided that upon a showing of a substantial change of circumstances, the planning commission may permit the filing of such new application prior to the expiration of such six-month period.

(k) Appeal. Appeal from the action of the zoning administrator or planning commission may be made according to the provisions of section 28-63 of this code.

(l) Minor revisions. Minor revisions not constituting substantial alteration in the marsh development permit, or any element thereof, may be reviewed and approved by the zoning administrator or planning commission, whichever shall have issued the permit sought to be revised. Each application for a minor revision shall be accompanied by a fee as may be set by the board of supervisors, pursuant to section 11-111 of this code. No part of said fee or fees shall be refundable. (Ord. No. 1091, §1; Ord. No. 1121, §10; Ord. No. 1189, §3.)

Sec. 28-53. Use permits.

(a) Purpose. The purpose of the use permit is to give public notice of certain proposed land uses and to allow review of such land uses and necessary arbitration by the zoning administrator or planning commission.
(b) Issuance; grant not exemption from building codes. Use permits, revocable, conditional or valid for a term period may be issued for any of the uses or purposes for which such permits are required or permitted by the terms of this chapter. Granting of a use permit does not exempt applicant from complying with requirements of building codes adopted pursuant to other provisions of this code or other ordinances.

(c) Application. Applications for use permits shall be made in writing on a form prescribed by the zoning administrator, and shall be accompanied by floor plans and site plans, and data necessary to show that conditions set forth in subsections (h) and (i) of this section are fulfilled as required by the zoning administrator or planning commission. Such application shall be accompanied by a fee or fees as may be set by the board of supervisors pursuant to section 11-111 of this code. No part of such fee shall be refundable.

An application for an extension of an existing use permit shall be processed as stipulated by a condition of the permit; however, the application shall be accompanied by a fee or fees as may be set by the board of supervisors pursuant to section 11-111 of this code. No part of such fee shall be refundable.

(d) Public hearing. At least one public hearing on any use permit application shall be held by the zoning administrator, who shall maintain a public record of all hearings.

(e) Public notice. Notice of the hearing shall be given pursuant to section 28-14 of this chapter.

(f) Right to be heard. The public notice of the proposed use shall set forth the right of any person or group to appear and be heard at the public hearing.

(g) Action

1. The zoning administrator or planning commission may grant use permits upon the finding, in each case, that the requirements set forth in this chapter and in subsections (h) and (i) of this section are fulfilled.

2. The planning commission may stipulate conditions in addition to the general conditions enumerated in subsections (h) and (i) of this section and guarantees that such conditions will be complied with when in the public interest such additional conditions and guarantees may be deemed to be necessary.

3. Unless the use permit application is withdrawn, action to approve, conditionally approve, or deny the use permit shall be taken by the zoning administrator or planning commission within sixty days of the application filing date; except that the
applicant and planning commission may mutually agree to extend such
period.

(h) General conditions. In granting a use permit, the zoning
administrator or planning commission shall find the following
general conditions to be fulfilled.

(1) That the establishment, maintenance or operation of
a use or building applied for are in conformity to the general plan
for the county with regard to traffic circulation, population
densities, and distribution, and other aspects of the general plan
considered by the zoning administrator or planning commission to be
pertinent.

(2) That adequate utilities, access roads, drainage and
other necessary facilities have been or are being provided.

(3) That applicant exhibits proof that such use will
not, under the circumstances of the particular case, constitute a
nuisance or be detrimental to the health, safety, peace, morals,
comfort or general welfare of persons residing or working in or
passing through the neighborhood of such proposed use, or be
detrimental or injurious to property and improvements in the
neighborhood or to the general welfare of the county; provided,
that if any proposed building or use is necessary for the public
health, safety or general welfare, that finding shall be to that
effect.

(1) Agricultural processing plants, such as cannery,
winery, slaughterhouse, or dairy which processes agricultural
products not produced on the premises, shall be located to provide
convenient trucking access with minimum interferences to normal
traffic; shall provide loading spaces as required by the zoning
administrator or planning commission; shall show that adequate
measures shall be taken to control odor, dust, noise, and waste
disposal so as not to constitute a nuisance; shall show that
proposed source of water will not deprive others of normal supply.

(2) Airports and heliports shall provide a distance of
at least two hundred feet from each end of each runway; shall be
located no closer than one thousand feet from any dwelling, barn,
stable; shall be located so that air or surface traffic shall not
constitute a nuisance or danger to neighboring farms, and shall
show that adequate controls or measures will be taken to prevent
offensive dust, noise, vibrations or bright lights.

(3) Amusement places or places of commercial recreation
shall provide ingress and egress designed so as to avoid traffic
congestion; shall provide a minimum six foot solid board fence or
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masonry wall separating parking areas from abutting residential property; and shall show that adequate controls or measures will be taken to prevent offensive noise, light or vibration.

(4) Animal feed yards, fertilizer plants and yards, commercial kennels for dogs or cats and horse shows shall be located no closer than two hundred feet to any property line; shall provide truck loading area as required by the zoning administrator or planning commission, together with ingress and egress so designed to avoid traffic hazard and congestion; odor, dust, noise or drainage.

(5) Animal hospitals shall show that adequate measures and controls shall be taken to prevent offensive noise and odor. No incineration of refuse shall be permitted on the premises.

(6) Automobile, mobilehome, recreational vehicle or boat sales lots shall show that adequate controls or measures will be taken to prevent offensive light, noise or vibrations.

(7) Automobile parking lots adjacent to a C or M district shall be paved; shall have a minimum six-foot high, solid board fence, or a minimum six-foot high masonry wall separating the parking lot from the abutting residential uses; and shall provide lighting only constructed in such manner so as to in no way disturb the living environment in the abutting residential district.

(8) Automobile repair garages shall be entirely enclosed within a building and shall show that adequate controls or measures will be taken to prevent offensive noise and vibrations.

(9) Automobile, mobilehome, recreational vehicle, or boat storage garages shall provide ingress and egress so designed as to avoid traffic congestion.

(10) Bakery, creamery, laundry, cleaning and dyeing establishments shall provide off-street loading spaces as required by the zoning administrator or planning commission; shall be entirely enclosed within a building; and shall show that adequate controls or measures will be taken to prevent offensive noise, vibration, odor, and glaring lights.

(11) Cemeteries, crematories, mausoleums, columbariums and mortuaries shall provide entrance on a major street or road with ingress and egress so designed as to avoid traffic congestion; shall maintain a minimum twenty-foot landscaped strip on all property lines abutting residential property and residential streets.

(12) Churches, museums, or welfare institutions shall be located on a principal street on a minimum one-half acre parcel; and in all districts, shall maintain a minimum ten-foot wide landscaped strip on all property lines abutting R districts.

(13) Circus, carnival, fair, revival, or similar temporary establishments involving assemblages of people and automobiles shall be located on a major street or county road; shall provide ingress and egress so as to avoid traffic congestion;
and shall show that adequate controls or measures will be taken to prevent offensive noise and light.

(14) Club, lodge, and fraternal organizations shall be located on a major street; shall maintain a minimum ten-foot landscaped strip on all property lines abutting residential property; and shall show that adequate controls or measures will be taken to prevent offensive noise or light.

(15) Community care facilities shall not be located on any ownership within four hundred feet of any other ownership containing a community care facility, or for which a use permit for a community care facility has been issued. The number of persons under care living in such facilities shall not exceed three percent of the total unincorporated population within the census tract where the facility is located. If not already obtained, state authorization, certification or licensing by the appropriate agency is required within six months of issuance of a use permit. If not obtained within six months, the use permit becomes null and void.

(16) Community centers shall be located on a major street or road; shall maintain a minimum ten-foot landscaped strip on all property lines abutting residential property; and shall show that adequate controls or measures will be taken to prevent offensive noise or light.

(17) Concrete and asphaltic concrete mixing plants and construction storage yards incidental to construction or public works projects shall show that adequate controls or measures will be taken to prevent offensive noise, odor, dust, fumes, smoke or vibration; shall be so located that generated traffic will not constitute a hazard or nuisance to surrounding property.

(18) Dumping, disposal, incineration, or reduction of refuse shall show that adequate controls or measures will be taken to prevent offensive smoke, odors, fumes; and shall be located so that truck traffic noise and vibration shall not be offensive to neighboring dwellings.

(19) General advertising signs shall not be placed within two hundred feet of a residence or residential district; shall not exceed six hundred square feet in area; and shall maintain the required setback from any street or road right-of-way line of the district.

(20) Gun and archery shooting ranges, public stables, horse shows, lodge, club or resort for swimming, boating, fishing, hunting or shooting, shall show that adequate controls or measures will be taken to prevent any hazard or nuisance to surrounding residents or farm animals, and to prevent trespassing to surrounding property.

(21) Hospitals and sanitariums in an A or R-R district shall provide parking as required by the zoning administrator or planning commission and shall maintain a minimum forty-foot
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landscaped strip on all property lines abutting residential property.

(22) Junk or wrecking yards shall be entirely enclosed by a fence of eight feet minimum height, constructed of uniform material, maintained plumb and level in structurally sound condition, which shall adequately screen the enclosed area from view. Hilly areas in which adequate screening cannot be achieved shall be avoided in the selection of sites for junk or wrecking yards.

(23) Labor camps in an A district shall be located on a public road and where sanitary facilities are available.

(24) Libraries shall be located on a major street, and in all districts, shall maintain a minimum ten-foot landscaped strip on all property lines abutting residential property.

(25) Medical and dental laboratories shall maintain a minimum ten-foot landscaped strip on all property lines abutting residential property and residential streets.

(26) Model airplane, boat, car or train courses shall show that adequate controls or measures will be taken to minimize offensive noise or prevent trespassing on surrounding property.

(27) Newspaper or commercial printing shops and blueprinting shops shall be entirely enclosed within a building; shall provide off-street loading space in proportion to the number of truck loads per day as required by the zoning administrator or planning commission; and shall show that adequate controls or measures will be taken to prevent offensive noises or vibration.

(28) Oil and gas wells shall show that adequate controls or measures will be taken to prevent offensive noise, odor, vibration or fumes. Derricks shall be removed when wells are brought into production or when drilling is abandoned.

(29) Outdoor sales and rental lots shall show that adequate measures and controls shall be taken to prevent offensive noise, odors an dust, and shall have a minimum six-foot high, solid board fence or masonry wall separating the lot from abutting residential uses.

(30) Outdoor theaters or drive-in theaters shall be located only on a major or secondary road or nonresidential street; shall provide ingress and egress so designed as to avoid traffic congestion; shall be located sufficiently distant from any dwelling, barn or stable, and so screened from such buildings that any noise shall not disturb residents or farm animals; and any lighted signs and other lights shall be maintained in such a way as not to disturb neighboring residents or farm animals.

(31) Public service facilities shall maintain a minimum ten-foot landscaped strip on all property lines abutting residential property.

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(32) Railroad and bus depots shall be located on a major street; and shall be so located that generated traffic will not constitute a hazard or nuisance to surrounding property.

(33) Removal of natural material shall show that adequate controls or measures will be taken to prevent offensive noise, dust, vibrations or standing water; shall not create finished grades of a greater slope than two to one; and shall be so located that generated traffic will not constitute a hazard or nuisance to surrounding property.

(34) Schools, nursery schools, playgrounds, golf courses, parks, bowling and croquet greens, court games, resorts, picnic grounds and campgrounds shall show that adequate controls or measures will be taken to prevent offensive noise, light or trespassing on surrounding property.

(35) Stadiums, racetracks, athletic fields, polo fields, exhibition grounds, and similar places of outdoor recreation shall have ingress and egress only on a major thoroughfare so designed as to avoid distraction of motorists traveling on adjacent thoroughfares; and shall show that adequate controls or measures will be taken to prevent offensive noise or light.

(36) Subdivision signs or tract offices shall be limited to a six-month period, at the expiration of which time the permittee may request a further extension of time.

(37) Sports arenas, auditoriums and exhibition halls shall have ingress and egress only on a major thoroughfare; and shall show that adequate controls or measures will be taken to minimize offensive noise, odors or light.

(38) Mobilehome parks shall provide a minimum of four acres in single or contiguous ownership occupied exclusively by the mobilehome parks; each mobilehome space within mobilehome parks shall be bounded by parking on the ground and shall have not less than twelve feet of frontage along a street; mobilehomes within mobilehome parks shall be placed a minimum distance of twenty feet from any public street right-of-way; and private streets within mobilehome parks shall intersect generally at right angles with pavement rounding at minimum ten-foot radii; except that, intersections of private streets with public streets shall have radii of thirty feet.

(39) Warehouses shall show that any stored material will not constitute a hazard to surrounding property and shall provide adequate off-street loading and unloading space.

(40) Zoos shall have ingress and egress only on a major street, so designed so as to avoid traffic congestion; shall maintain a minimum fifty-foot landscaped strip on all property lines; and shall show that adequate controls or measures will be taken to prevent offensive noise, odor or light.

(41) Repealed by Ord. No. 1254, §3.

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(42) Automobile, mobilehome, recreational vehicle or boat storage lots shall provide ingress and egress designed to avoid traffic congestions; shall be entirely enclosed by a solid fence or wall of a minimum height of eight feet; and shall provide traffic surfaces that are maintained in a dust-free manner.

(43) Roadside stands, food establishments open to the outside air, and retail dairies shall have ingress and egress designed so as to avoid traffic congestion and hazards; shall provide adequate controls or measures to prevent dust, odor or light; shall provide adequate off-street parking; shall obtain health department approval prior to issuance of the use permit, and shall be determined to be in harmony with the committed character of the subject locality.

(44) Uses established in the areas designated Commercial Service-Light Industrial by the Solano County General Plan shall be consistent with existing development and considered interim uses which terminate upon annexation to a municipality.

(j) Revocation.

(1) In any case where the conditions of a use permit have not been or are not complied with, the zoning administrator shall give to the permittee notice of intention to revoke such permit at least ten days prior to a planning commission review thereof. After conclusion of the review, the planning commission may revoke such permit.

(2) In any case where a use permit has not been exercised within one year after the date of granting thereof, then without further action by the zoning administrator or planning commission, the use permit shall be null and void except that, upon written request by the permittee, the planning commission may authorize an extension of the permit, not to exceed one year. Only one such extension may be granted.

(k) Reapplication. Whenever a use permit application has been denied for a specific use, no new application covering all or a portion of the property involved in the original application, shall be accepted by the planning commission for a period of six months from the effective date of the final denial of the original application; provided that, upon a showing of a substantial change of circumstances, the planning commission may permit the filing of such new application prior to the expiration of such six-month period.

(l) Appeal. Appeal from the action of the zoning administrator or planning commission may be made according to the provisions of section 28-63.
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(m) Minor revisions. Minor revisions not constituting substantial alteration in the use permit or any element thereof, may be reviewed and approved by the zoning administrator or planning commission, whichever shall have issued the permit sought to be revised. Each application for a minor revision shall be accompanied by a fee as may be set by the board of supervisors, pursuant to section 11-111 of this code. No part of said fee or fees shall be refundable.

(n) Time extensions. The zoning administrator may grant a request to extend the time period of a use permit issued by the zoning administrator or planning commission without a public hearing upon finding the following guidelines are fulfilled:

1. The time extension is for a use permit which is considered minor in nature.
2. Additional land use impacts will not result from approval of a time extension.
3. The application was not controversial at the time of approval.
4. There is no history of complaints on the permitted use.
5. Any extension will not exceed a period of time greater than the initial period granted unless specific provisions were conditioned at the time of permit approval.
6. The permit has been determined duly exercised and in full compliance.

(Ord. No. 440; §23; Ord. No. 452, §3; Ord. No. 473, §§ 9, 10; Ord. No. 504, §4; Ord. No. 536, §1; Ord. No. 799, §1; Ord. No. 874, §2; Ord. No. 972, §§ 17, 18, 19, 20; Ord. No. 985, §8; Ord. No. 995, §6; Ord. No. 1036, §1; Ord. No. 1033, §8; Ord. No. 1044, §5; Ord. No. 1078, §7; Ord. No. 1100, §1; Ord. No. 1109, §4; Ord. No. 1254, §3; Ord. No. 1302, §1.)

Sec. 28-54. Variances.

(a) Authority of planning commission. The planning commission shall have the power to grant variances from terms of this chapter; except that, in no case shall a variance be granted to allow a use of land or buildings not permitted in the district in which the subject property is located.

(b) Conditions. Variances from the terms of this chapter may be granted only when the following conditions are found:

1. Because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this chapter is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.
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(2) Variance granted shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zoning district in which subject property is situated.

(c) Application. Applications for variances shall be filed with the zoning administrator upon such forms and accompanied by such plans and data as may be prescribed by the zoning administrator so as to assure the fullest practical presentation of facts for the permanent record. Each application for any variance shall be accompanied by a fee or fees as may be set by the board of supervisors by resolution pursuant to section 11-111 of this code. No part of such fee shall be refundable.

(d) Public hearing.

(1) Public hearing shall be held on variance permit applications.

(2) Public hearing on any variance permit application shall be not later than thirty days from the date of application.

(e) Public notice. Notice of the hearing shall be given pursuant to section 28-14 of this chapter.

(f) Action. The planning commission may grant a variance permit, provided the conditions set forth in subsection (b) of this section are satisfied. The applicant shall be forthwith notified of the action taken.

(g) Revocation. In any case where a granted variance permit has not been exercised within one year after the date of granting thereof, then without further action by the zoning administrator or planning commission, the variance granted shall be null and void.

(h) Reapplication. Whenever a variance permit application has been denied for a specific use, no new application covering all or a portion of the property involved in the original application shall be accepted by the planning commission for a period of six months from the effective date of the final denial of the original application; provided, that upon a showing of a substantial change of circumstances, the planning commission may permit the filing of such new application prior to the expiration of such six-month period.

(i) Appeal. Appeal from the action of the planning commission may be made according to the provisions of section 28-63.

(j) Minor revisions. Minor revisions not constituting substantial alteration in the variance permit or any element thereof may be reviewed and approved by the planning commission. Each application for a minor revision shall be accompanied by a fee as may be set by the board of supervisors pursuant to Section 11-111 of this code. No part of said fee or fees shall be refundable.

(Ord, No. 440, §24; Ord, No. §5; Ord, No. 874, §3; Ord, No. 1044, §17; Ord, No. 1078, §8; Ord, No. 1187, §9; Ord, No. 1189, §5.)
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Sec. 28-55. 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 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>
<tr>
<td>(2) Boardinghouses and roominghouses</td>
<td>One space per each guest.</td>
</tr>
<tr>
<td>(3) Motel</td>
<td>One and one-tenth space per unit.</td>
</tr>
<tr>
<td>(4) Mobilehome park</td>
<td>One and one-half spaces per mobilehome space, plus one visitor space per four mobilehome spaces.</td>
</tr>
<tr>
<td>(5) Hospital</td>
<td>One space per five hundred square feet of gross floor area.</td>
</tr>
<tr>
<td>(6) Medical and dental clinics</td>
<td>One space per one hundred fifty square feet of gross floor area.</td>
</tr>
<tr>
<td>(7) Public assembly -- church, theater, lodge, hall, auditorium, stadium, arena, gymnasium, mortuary, and similar uses.</td>
<td>One space per four seats or one space per each four persons at capacity.</td>
</tr>
<tr>
<td>(8) Industrial uses</td>
<td>One space per two employees.</td>
</tr>
<tr>
<td>(9) Retail and office buildings</td>
<td>One space per two hundred square feet of gross floor area.</td>
</tr>
</tbody>
</table>
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(10) Commercial service buildings, workshops, warehouses, etc. One space per eight hundred square feet of gross floor area.

(11) Any of the above uses found by the zoning administrator or planning commission to have unique parking needs or any use not enumerated above. As specified by the zoning administrator or planning commission.

(b) Location of parking area:
(1) The parking area shall be on-site, unless, due to unusual circumstances, proposed off-site parking is found by the zoning administrator or planning commission to be reasonably acceptable.
(2) No on-street parking shall satisfy any of the parking requirements of section 28-55(a).

(c) Standard parking arrangements:
(1) Parking arrangements shall be in accord with one or a combination of illustrations shown below in Figures 1 through 6. Any variation to parking arrangements illustrated below shall be approved by the zoning administrator.

(FIG. 1)
90° PARKING

(FIG. 2)
90° PARKING

(FIG. 3)
60° PARKING

(FIG. 4)
45° PARKING

(FIG. 5)
PARALLEL PARKING

(FIG. 6)
PARALLEL PARKING
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(2) All parking area designs shall limit direct access to and from adjacent public thoroughfares to a minimum of common driveways serving groups of parking spaces.

(d) Curb openings:
   (1) The width, placement and construction of curb openings shall conform to the requirements of the director of the transportation department.

(e) Grading and drainage:
   (1) The grading and drainage of all parking areas shall conform to the requirements of the director of the transportation department.

(f) Surfacing and marking:
   (1) The parking area shall be maintained in good condition at all times and shall be surfaced in a manner approved by the zoning administrator or planning commission to be consistent with the type and level of use so as to provide safe and convenient use in accord with the following guidelines:
      a. Parking areas used the year around shall be surfaced with asphaltic concrete or its equivalent, except that low intensive uses may be surfaced with gravel or its equivalent.
      b. Parking areas used periodically shall be surfaced with gravel or its equivalent, except where special circumstances as determined by the zoning administrator or planning commission warrant otherwise.
   (2) Markings for parking spaces, entrances, exits and circulation directions shall be consistent with the type and level of use as determined by the zoning administrator or planning commission, and shall remain discernible at all times.

(g) Driveway widths:
   (1) The minimum width of a driveway for two-way traffic shall be eighteen feet.
   (2) The minimum width of any driveway shall be ten feet.

(h) Fencing:
   (1) A minimum six-foot high, solid wall or fence shall be constructed pursuant to a design approved by the zoning administrator to separate parking and other commercial, industrial and nonresidential uses abutting residential districts or residences. Upon good cause shown by the applicant, the zoning administrator may waive the requirement for fencing.

(i) Lighting:
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(1) The zoning administrator may require lighting. All lighting shall be designed to minimize conflicts with surrounding properties, and shall be approved by the zoning administrator.

(j) Handicapped parking:
(1) Nonresidential parking lots with five or more spaces shall include handicapped parking as required by Title 24 of the California Administrative Code, and as set forth in this section. Handicapped spaces are to be included as part of the total number of parking spaces required by this chapter.
(2) Number of spaces required:

<table>
<thead>
<tr>
<th>Total Number of Required Parking Spaces</th>
<th>Handicapped Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 40</td>
<td>1</td>
</tr>
<tr>
<td>41 - 80</td>
<td>2</td>
</tr>
<tr>
<td>81 - 120</td>
<td>3</td>
</tr>
<tr>
<td>121 - 160</td>
<td>4</td>
</tr>
<tr>
<td>161 - 300</td>
<td>5</td>
</tr>
<tr>
<td>301 - 400</td>
<td>6</td>
</tr>
<tr>
<td>401 - 500</td>
<td>7</td>
</tr>
<tr>
<td>Over 500</td>
<td>1 for each 200 additional spaces provided</td>
</tr>
</tbody>
</table>

(3) Size of spaces.
   a. Individual spaces fourteen feet wide, lined to provide a nine-foot parking space and five-foot loading area.
   b. Two spaces, twenty-three feet wide, lined to provide two nine-foot parking spaces and one shared five-foot loading area.
   c. Minimum depth of parking space: eighteen feet.

(4) Signing and identification of spaces.
   a. Each handicapped parking space to have permanent (70 sq. in.) reflectionized porcelain enameled steel sign.
   b. Freestanding signs located at interior end of parking space mounted minimum of five feet above finish grade.
   c. Wall-mounted signs located at interior end of parking space mounted minimum of three feet above finish grade.
   d. Sign text to state the following:

"Unauthorized vehicles not displaying distinguishing placards or license plates issued for physically handicapped persons will
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be cited by the Solano County Sheriff's Department, and subject to fine."

e. Surface identification of paved spaces with International Symbol of Accessibility in light blue paint and three square feet in size.

(5) Ramps.
a. Ramps shall be provided from handicapped parking spaces to the building entrance.
b. Ramp surface shall be slip resistant.
c. Slope shall not exceed 1 vertical to 12 horizontal
d. Ramp width shall be a minimum of four feet.
e. Ramp side slopes shall not exceed 1 vertical to 8 horizontal.

(6) Applicability.
a. These provisions do not apply to existing structures unless occupancy under the Uniform Building Code changes.

Sec. 28-56. Performance standards.
(a) Applicability. No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration; smoke, dust, odor, or other form of air pollution; heat, cold, dampness; radioactivity, electrical or other disturbances; glare; liquid or solid refuse or wastes; or other substances, condition or element referred to herein as dangerous or objectionable elements in such a manner or in such amount as to adversely affect the surrounding area or adjoining premises; provided, that any use permitted by this chapter may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements.

(b) Performance standards procedure.
(1) Should the planning commission believe that a proposed use in any district is likely to create or emit dangerous or objectionable elements, it may invoke the performance standards procedure contained herein.
(2) Whenever the performance standards procedure has been invoked for a proposed use, zoning-building permits therefor may be issued only as authorized by the planning commission.
(3) Whenever the performance standards procedure has been invoked, the applicant shall submit, in addition to the application for a building permit, a plan in duplicate and
supplemental statement of the proposed machinery, processes and products, and specifications or standards for the mechanisms and techniques to be used in obviating the emission of dangerous and objectionable elements as set forth in this section.

(4) If the planning commission determines the proposed use may cause the emission of dangerous or objectionable elements, the planning commission may refer the applicant to one or more expert consultants qualified to advise as to whether a proposed use would adversely affect surrounding areas or adjoining premises by the creation or emission of dangerous or objectionable elements for investigation and report. Such report shall set forth definite findings as to the actual performance of the proposed use, and in a positive and concise manner, recommend such additional installations or safeguards, or devise such standards to be applied as would obviate the creation or emission of dangerous or objectionable elements. Such consultant or consultants shall address his report to the planning commission and a copy to the applicant at the same time.

(5) Within thirty days after the planning commission has received the aforesaid application, or the aforesaid report if a report be required, the planning commission shall decide whether the proposed use will conform to the requirements of this section, and on such basis shall authorize or refuse to authorize issuance of a zoning-building permit or require a modification of the proposed plan of construction or specifications, proposed equipment or operation. Any zoning-building permit so authorized and issued shall be conditioned upon the applicant's completed buildings and installations conforming in operation to the performance standards as stipulated in the zoning-building permit.

(c) Enforcement. Whenever the performance standards procedure has been invoked and a conditioned zoning-building permit, as authorized by the planning commission, has been issued, the zoning administrator shall investigate any purported violation of performance standards and, if there is reasonable ground for the same, shall notify the planning commission of the occurrence or existence of a probable violation thereof. The planning commission shall investigate the alleged violation, and for such investigation may employ qualified experts and hold public hearings. If the planning commission finds that a violation has occurred or exists, a copy of such findings shall be forwarded to the board of supervisors. The services of any qualified experts employed by the planning commission to advise in establishing a violation shall be financed by the violator, if such violation is established; otherwise by the county.
Sec. 28-57. Building lines.

(a) Establishment of building lines. For the purpose of assuring the proper right-of-way width of certain streets or highways designated by the master plan to be of major importance, building lines measured from the centerline of such streets or highways may be established on the zoning maps of this chapter or by official plan lines adopted by ordinance as precise sections of the master plan of streets and highways of the county; in either case, such building lines, when established, shall supersede the front yard requirements of this chapter.

(b) Effect of establishment of building lines. In no case shall any building be hereafter erected, nor shall any use of land be conducted, except the use of land for agriculture, so that such use will be closer to the right-of-way line or any building line which is established for such street or road by this chapter or any provision of this code or any ordinance of the county. (Ord.No. 440, §27; Ord. No. 989, §20.)

Sec. 28-58. Architectural approval.

The purpose of architectural approval is to promote the orderly and harmonious development of the county, the stability of land values and investments, and the general welfare; and to help prevent the impairment or depreciation of land values and development by the erection of structures or additions or alterations thereto of unsightly, undesirable, or obnoxious appearance. A building permit shall not be issued until architectural approval has been obtained for those structures and buildings for which such approval may be required in the district regulations or elsewhere in this chapter.

(a) Applicability.

(1) The provisions of this section shall apply to all zoning districts.

(2) Should the building inspector determine that a proposed dwelling does not meet minimum architectural and development standards, he shall deny the building permit.

Upon written request of the applicant denied a building permit, the zoning administrator shall schedule architectural review of the plans of such structure by the architectural review committee, composed of the zoning administrator and two planning commissioners appointed by the

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planning commission. The architectural review shall occur within twenty-one days from the date the applicant requests plan review, and the applicant shall be notified forthwith of the scheduling. A building permit shall be issued if the architectural review committee determines the proposed dwelling is compatible with the surrounding neighborhood pursuant to the standards set out in this section.

(3) Should it be determined by the zoning administrator that any proposed structure will be unsightly, undesirable, or obnoxious in appearance, he shall schedule architectural review of the plans of such structures by the architectural review committee not more than twenty-one days from the building permit application filing date. The applicant shall be forthwith notified of the scheduling.

(b) Action.

(1) The architectural review committee shall have the function, duty, and power to approve or disapprove, or approve subject to compliance with such modifications or conditions as the committee may deem necessary to carry out the purpose of these regulations, the external design of all proposed new dwellings, buildings, or structures for which architectural review is scheduled. Such decision shall be rendered by a majority of its three members within thirty days of the meeting at which architectural review was scheduled.

(2) In carrying out the purposes of this section, the architectural review committee shall keep in mind the following principles:

a. It is not a purpose of this section that control of architectural character should be so rigidly enforced that individual initiative is stifled in the design of any particular building or substantial additional expense incurred; rather, it is the intent of this section that any control exercised be the minimum necessary to achieve the overall objectives of this section.

b. Good architectural character is based upon the suitability of a building for its purposes, upon the appropriate use of sound materials, and upon the principles of harmony and proportion in the elements of the building.

c. Good architectural character is not in itself more expensive than poor architectural character, and is not dependent upon the particular style of architecture selected.

d. Where buildings are grouped in close proximity, harmony between individual buildings in any group is of equal importance to the architectural character of any individual building. Similarity of materials, of colors, of landscaping, or character of construction, will help to minimize disharmony between buildings in proximity.
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(3) In carrying out the purposes of this section, the architectural review committee shall pay particular attention to on-site signs and general advertising structures, and shall have authority to limit and control the location, number, size, design, lighting, and use of colors and such on-site signs and general advertising structures in order to promote the orderly and harmonious development of the commercial and industrial districts of the county.

(4) When determining the compatibility of locating a dwelling amidst or adjacent to existing residential structures, additional consideration shall be given to the minimum development standards for dwellings found in section 28-50(g), existing architecture, and use of exterior materials used on structures in the immediate neighborhood. (Ord. No. 440, §28; Ord. No. 1044, §§ 7, 8; Ord. No. 1093, §3; Ord. No. 1126, §19.)

Sec. 28-59. Airport flight obstruction areas.
(a) Purpose. The purpose of the airport flight obstruction areas is to prevent the creation of flight obstruction and thereby protect the lives and property of users of airports and of occupants of land in the vicinity of airports, and to prevent destruction or impairment of the utility of airports and the investment therein.

(b) Airport reference point. Each airport shall submit to the zoning administrator or planning commission an airport reference point for approval which, when approved, shall be recorded together with its elevation above sea level on the appropriate zoning map. Elevation shall be based on the U.S. Coast and Geographic Survey Datum.

(c) Airport classification. Each airport shall be classified as either personal, secondary, feeder, trunk line, express, continental, intercontinental, intercontinental express, in accordance with Civil Aeronautics Administration of the United States Department of Commerce standards and section 21666 of the Public Utilities Code of the state, or military.

(d) Airport flight obstruction areas. For each classification of airport, the following airport flight obstruction areas are hereby established, the designation of which and restrictions of height therein shall be combined with the designations of the use districts in which such airport flight areas occur:
(1) Transitional area (V area). An area adjacent to the approach areas (W, W-1, and W-2) which extends outward from the approach areas.
(2) **Inner approach area** `W area`. An area a distance of two hundred feet from each end of each runway extending for a distance of ten thousand feet and centered on the extended centerline of the runway, being (a) feet wide at the near end of the runway, and flaring to (b) feet wide at ten thousand two hundred feet from the end of the runway.

(3) **Military inner approach area** `W-1` -- **Military airport only**. An area a distance of two thousand seven hundred fifty feet from each end of each runway, extending for a distance of eight thousand two hundred fifty feet, and centered on the extended centerline of the runway being (a) feet wide at the near end to the runway, and flaring to (b) feet wide at eleven thousand feet from the end of the runway.

(4) **Outer approach area** `W-2 area` -- **Military airport only**. An area a distance of eleven thousand feet from the end of each runway extending for a distance of fifteen thousand feet and centered on the extended centerline of the runway at a constant four thousand feet of width.

(5) **Airport safety area** `X area`. An area extending from the established airport reference point a distance of (c) feet radius from the airport reference point.

(6) **Inner flight area** `Y area`. An area a distance of (c) feet radius from the established airport reference point and extending to a distance of (d) feet radius from the airport reference point.

(7) **Outer flight area** `Z area`. An area a distance of (d) feet radius from the established airport reference point and extending to a distance of (e) feet radius from the airport reference point.

(8) **Outer horizontal surface** `Z-1 area` -- **Military airport only**. An area a distance of twenty thousand feet radius from the established airport reference point and extending to a distance of fifty thousand feet from the airport reference point.

(9) **Outer conical** `Z-2 area` -- **Military airport only**. An area a distance of fifty thousand feet radius from the established airport reference point and extending to a distance of one hundred thousand feet radius from the airport reference point.
(10) Variance in distance. Distance designated by letter varies according to type of airport classifications as given in the following table:

<table>
<thead>
<tr>
<th>Airport Classification</th>
<th>Distance (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>a</td>
</tr>
<tr>
<td>Personal</td>
<td>200</td>
</tr>
<tr>
<td>Secondary</td>
<td>250</td>
</tr>
<tr>
<td>Feeder</td>
<td>300</td>
</tr>
<tr>
<td>Trunk Line</td>
<td>400</td>
</tr>
<tr>
<td>Express</td>
<td>500</td>
</tr>
<tr>
<td>Continental</td>
<td>500</td>
</tr>
<tr>
<td>Intercontinental</td>
<td>500</td>
</tr>
<tr>
<td>Intercontinental Express</td>
<td>500</td>
</tr>
<tr>
<td>Military Airport</td>
<td>2350</td>
</tr>
</tbody>
</table>

(11) In addition to the foregoing flight obstruction areas, the county recognizes as a flight obstruction the precision instrument approach zone and transitional zones to the Napa Airport in Napa County. The precision instrument approach zone is established at the south end of the precision instrument runway, 36L for precision instrument landings and takeoffs. The approach zone shall have a width of one thousand feet at a distance of two hundred feet beyond the end of the proposed extension of runway 36L, widening, thereafter, uniformly to the width of sixteen thousand feet at a distance of fifty thousand two hundred feet beyond the end of the proposed extension of the runway, its centerline being the continuation of the centerline of the runway. The transitional zones extend outward and upward at ninety degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each foot vertically from sides of the approach surface. Transitional zones extend a distance of five thousand feet measured horizontally from the edge of the approach zones and at ninety degree angles to the extended runway centerline.

(12) In addition to the foregoing flight obstruction areas, the County of Solano recognizes as a flight obstruction, the visual approach zone and transitional zones to the University Airport in Yolo County. The visual approach zone is established at the south end of the visual runway 34 for visual landings and takeoffs. The approach zone shall have a width of two hundred fifty feet at a distance of two hundred feet beyond the end of the proposed extension of runway 34, widening, thereafter, uniformly to the width of one thousand two hundred fifty feet beyond a distance
of fifty thousand feet beyond the end of the proposed extension of
the runway, its centerline being the continuation of the centerline
of the runway. The transitional zones extend outward and upward at
ninety-degree angles to the runway centerline, and the runway
centerline extended at a slope of seven feet horizontally for each
foot vertically from sides of the approach surface. Transitional
zones extend a distance of five thousand feet, measured
horizontally from the edge of the approach zones and at ninety
degree angles to the extended runway centerline.

(e) Uses permitted. All uses permitted in the district in
which the V, W, W-1, W-2, X, Y, Z, Z-1 or Z-2 area is located,
subject, however, to the height limitations of this section.

(f) Height regulations. No structure or natural growth shall
be permitted at greater heights above the elevation of the recorded
airport reference point in the flight obstruction areas than the
heights indicated in the following table; provided, that such
heights shall not supersede other height limitations of this
chapter of a more restrictive nature:

1. V areas: The allowed elevations of approach areas
at the edges of the approach areas and increasing at a ratio of
seven-to-one outward and upward, measured at right angles to the
axis of the runway except at the extreme end of the approach areas
(W and W-2) where the elevation limiting ratio is extended around
through ninety degrees until measured parallel to the runway axis.
The increase is allowed until restrictive elevations of adjacent X,
Y, Z, or Z-1 areas are met.

2. W areas: Thirty-five feet at two hundred feet from
end of runway, increasing in a direct proportion, fifty-to-one to
two hundred thirty-five feet at ten thousand two hundred feet from
end of runway.

3. W-1 areas -- Military airport only: Thirty-five
feet at two thousand seven hundred fifty feet from end of runway,
increasing in a direct proportion, fifty-to-one, to two hundred
feet at eleven thousand feet from end of runway.

4. W-2 areas -- Military airport only: Two hundred
feet.

5. X areas: Fifty feet.

6. Y areas: One hundred fifty feet.

7. Z areas: One hundred fifty feet at (d) feet from
the airport reference point, increasing in a direct proportion of
one foot in height for each twenty feet horizontally, away from the
airport reference point.

8. Z-1 areas -- Military airport only: Five hundred
feet.

9. Z-2 areas -- Military airport only: Five hundred
feet at fifty thousand feet, increasing in a direct proportion of
one foot in height for each one hundred feet horizontally away from the airport reference point to a distance of one hundred thousand feet from the airport reference point.

(10) In addition to the foregoing height regulations, the county recognizes the height limitations to the precision instrument approach zone to the Napa Airport in Napa County as one foot in height for each fifty feet in horizontal distance, beginning at a point two hundred feet from and at the centerline elevation of the end of the proposed extension of runway 36L, and extending to a distance of ten thousand two hundred feet from the end of the proposed extension of the runway; thence, one foot in height for each forty feet in horizontal distance to a point fifty thousand two hundred feet from the end of the proposed extension of the runway. The transition zones slope upward and outward seven feet horizontally for each foot vertically, beginning at the sides of and at the same elevation of the approach zones, and extended to a horizontal distance of five thousand feet measured at ninety degree angels to the extended runway centerline.

(11) In addition to the foregoing height regulations, the County of Solano recognizes the height limitations to the visual approach zone to the University Airport in Yolo County as one foot in height for each twenty feet in horizontal distance, beginning at a point two hundred feet from and at the centerline elevation of the end of the proposed extension of runway 34, and extending to a distance of five thousand feet from the end of the proposed extension of the runway. The transitional zones slope upward and outward seven feet horizontally for each foot vertically, beginning at the sides of and at the same elevation as the approach zones, and extended to a horizontal distance of five thousand feet measured at ninety degree angels to the extended runway centerline.

Sec. 28-60. Nonconforming uses.

(a) The lawful use of land or buildings existing on January 29, 1959, although such use does not conform to the regulations specified by this chapter for the district in which such land is located, may be continued; provided, that no such use shall be enlarged or increased, nor be extended to occupy a greater area than that occupied by such use at the time of the adoption of this chapter; and provided further, that if such use ceases as hereinafter provided, the subsequent use of such land shall be in conformity to the regulations specified by this chapter for the district in which such land is located.

(b) Any use for which a use permit is required and may be granted by the terms of this chapter shall be considered a
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nonconforming use unless and until a use permit is obtained in accordance with section 28-53.

(c) If at any time a building in existence on January 29, 1959, which does not conform to the regulations, including parking regulations for the district in which it is located, is damaged or destroyed by fire, explosion, act of God, or act of the public enemy, to the extent of more than sixty percent of the actual value thereof according to the assessment by the county assessor for the fiscal year during which such destruction occurs, the land and building shall be subject to all the regulations specified by this chapter for the district in which such land and building are located.

(d) If the actual operation of a nonconforming use of a building ceases for a continuous period of six months, unless the legal owner can establish valid proof to the contrary, such cessation of the nonconforming use shall be considered abandonment. Without further action by the planning commission, the building and the land on which the building is located shall be subject to all the regulations specified by this chapter for the district in which such land and building are located.

(e) Ordinary maintenance and repairs may be made to any nonconforming building; provided that, no structural alterations are made except those required by law or ordinance; and provided further, such work does not exceed twenty-five percent of the actual value in any one-year period.

(f) Nothing contained in this chapter shall be deemed to require any change in the plans, construction or designated use of any building upon which actual construction was lawfully begun prior to January 29, 1959. Actual construction is hereby defined to be the actual placing of construction materials in their permanent position, fastened in a permanent manner; actual work in excavating a basement; or the demolition or removal of any existing structure begun preparatory to rebuilding; provided, that in all cases, actual construction work shall be diligently carried on until the completion of the building or structure involved.

(g) The foregoing provisions shall also apply to nonconforming uses in districts hereafter extended and in new districts hereafter created.

(h) Any sign which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated which is lawfully in use on August 28, 1975, although such use does not conform to the regulations specified by this chapter.

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or of the district in which such land is located, may continue to be used for a period of three years from August 28, 1975, at which time such nonconforming signs shall be fastened, secured, or corrected so that they no longer move, blink, flash, oscillate, rotate, pulse in sequence, are wind-driven, or are otherwise animated; provided, that no such sign shall be enlarged or relocated; and provided further, that if such sign ceases to be used, as provided in subsection (c) above, the subsequent use of such sign shall be in conformity with the regulations specified by this chapter for the district in which such sign is located.

(i) Any ownership located within the "R-R" rural residential district on which more than one (1) rooster per acre is kept which is lawfully permitted on July 22, 1992, although such use does not conform to the regulations specified by this chapter for the "R-R" rural residential district in which such ownership is located, may continue for a period of ninety (90) days from July 22, 1992, or until October 20, 1992, at which time the nonconforming number of roosters shall be corrected, as provided in subsection (a) above the subsequent number of roosters shall be in conformity with the regulations specified by this chapter for the "R-R" district in which such use is located. (Ord. No. 440; §30; Ord. No. 910, §15; Ord. No. 1440, §4.)

Sec. 28-61. Zoning Administrator.

(a) Designation. The zoning administrator shall be a qualified member of the environmental management staff, designated by resolution of the board of supervisors upon recommendation of the planning commission, who shall normally be available to the general public during regular office hours.

(b) Duties. The zoning administrator shall administer the zoning plan in accordance with the provisions of this chapter and the instructions of the planning commission. (Ord. No. 440, §32.)

Sec. 28-62. Rules of procedure.

The planning commission may establish rules of procedure governing all hearings required by this chapter and the laws of the state. Upon the adoption of rules of procedure by the planning commission, the same shall be filed in the office of the zoning administrator and copies of such rules of procedure shall be given to each person requesting the same. (Ord. No. 473, §12.)
Sec. 28-63. Appeals.

(a) The planning commission shall have power to hear and decide appeals when it is alleged by the appellant that there is error in any order, requirement, permit, decision or determination made by an administrative official or architectural review committee in the administration or enforcement of this chapter.

(b) Any person, firm, corporation, unincorporated association, public officer, or agency aggrieved or affected by any determination of this chapter may, within ten days, file an appeal in writing with the planning commission secretary. In the written appeal, the reasons of the appeal shall be outlined and said appeal shall be accompanied by such fee or fees as may be set by the board of supervisors pursuant to section 11-111 of this Code. No part of said fee or fees shall be refundable, except that the zoning administrator may waive the fee for a nonprofit social service organization, including a church. Filing of an appeal shall stay all proceedings until determination of the appeal. Upon receipt of such appeal, the planning commission secretary shall set the date for a public hearing, to be held within thirty-five days thereafter. Notice of the hearing shall be given pursuant to section 28-14 of this chapter, except that if the project has been previously posted, it need not be reposted.

(c) The zoning administrator shall transmit to the commission copies of all papers constituting the record of action appealed, including a written statement setting forth the reason for his decision.

(d) Upon hearing the appeal, the commission shall find that the decision appealed from shall be affirmed, reversed, or modified. Notice of the commission’s decision shall be mailed forthwith to the original applicant who has filed with the commission a written request therefor.

(e) Any person, firm, corporation, unincorporated association, public officer or agency aggrieved or affected by any determination of the planning commission may, within ten days, file an appeal in writing with the board of supervisors. A copy of such appeal shall be submitted by the appellant to the planning commission. In the written appeal, the reasons of the appeal shall be outlined and said appeal shall be accompanied by such fee or fees as may be set by the board of supervisors pursuant to section 11-111 of this Code. No part of said fee or fees shall be refundable, except that the zoning administrator may waive the fee of a nonprofit social service organization, including a church. Filing of an appeal shall stay all proceedings until determination of the appeal. Upon receipt of such appeal, the board of
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supervisors shall set the date for a public hearing, to be held within thirty-five days thereafter. Notice of the hearing shall be given pursuant to section 28-14 of this chapter, except that if the project has been previously posted, it need not be reposted.

(f) Notwithstanding any other provision of this chapter, the board of supervisors, upon its own motion or motion of any individual member thereof made within ten days from the making of any final order, requirement, decision or determination by the zoning administrator or the planning commission, may review, reaffirm, reverse or modify, wholly or in part, such final order, requirement, decision or determination. No fees shall be assessed. Notice of such review shall be delivered or mailed to the zoning administrator, the planning commission, and the original applicant. The notice shall include a provision for a public hearing, to be held within thirty-five days from the date of the motion. Notice of the hearing shall be given pursuant to section 28-14 of this chapter, except that if the project has been previously posted, it need not be reposted. (Ord. No. 440, §33; Ord. No. 473, §13; Ord. No. 660, §§ 1 to 3; Ord. No. 1078, §9; Ord. No. 1126, §20; Ord. No. 1150, §§ 3, 4, 5; Ord. No. 1189, §6.)

Sec. 28-64. Amendment of chapter.
This chapter may be amended by changing the boundaries of districts or by changing any other provision thereof whenever the public necessity and convenience and the general welfare require such amendment by following the procedure of this section.

(a) Initiation. An amendment may be initiated by:
(1) The verified petition of one or more owners of property affected by the proposed amendment, which petition shall be filed with the planning commission, shall be accompanied by a fee or fees as may be set by the board of supervisors by resolution pursuant to section 1-18 of this Code. No part of such fee shall be refundable.
(2) Resolution of intention by the board of supervisors.
(3) Resolution of intention by the planning commission.

(b) Public hearings.
(1) The planning commission shall hold a public hearing on any proposed amendment that changes any property from one zone to another or imposes, modified or removes any regulation which affects the permitted uses of real property, including land, buildings, signs and other structures.
(2) Notice of the hearing shall be given pursuant to Section 28-14 of this chapter. (Ord. No. 1439, §2.)
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(3) Following the aforesaid hearing, the planning commission shall make its findings and take action to approve or disapprove the proposed amendment. Whenever an approval action is taken, the planning commission shall file with the board of supervisors an attested copy of a report of its findings and recommendations relative to the approval action taken within ninety days after the notice of the public hearings; provided, that such time limit may be extended upon mutual agreement of the initiator of the amendment and the planning commission. Failure of the planning commission to act within ninety days without the aforesaid agreement, shall be deemed to be approval of the proposed amendment by the planning commission. The board of supervisors shall be notified whenever the planning commission fails to act. In the absence of an appeal from the planning commission's action to disapprove the proposed amendment, the decision of the planning commission shall be final.

(4) Upon receipt of such report from the planning commission or upon the expiration of ninety days as aforesaid, the board of supervisors shall set the matter for public hearing and shall give notice thereof by first-class mail to the same persons and organizations who were given notice of the planning commission hearing, and by publication in a newspaper of general circulation within the county at least ten days prior to such hearing. After conclusion of the hearing, the board of supervisors may adopt the proposed amendment or any part thereof in such form as the board may deem advisable. The board may impose conditions to zoning reclassification or property where it finds that such conditions must be imposed so as not to create problems inimical to the public health, safety, and general welfare of the county.

The decision of the board of supervisors shall be rendered within sixty days after the report becomes due. Upon the consent of the planning commission, any petition for an amendment may be withdrawn upon the written request of a majority of all persons who sign such petition. The board of supervisors or the planning commission, as the case may be, may, by resolution, abandon any proceedings for an amendment initiated by its own resolution, abandon any proceedings for an amendment initiated by its own resolution of intention; provided, that such abandonment may be made only when such proceedings are before such body for consideration; and provided further, that any hearing of which public notice has been given shall be held.

(5) Whenever a petition for an amendment to this chapter has been denied, no new petition for the same amendment shall be accepted by the planning commission for a period of one year from the effective date of the final denial of the original petition; provided, that upon a showing of a substantial change of circumstances, the planning commission may permit the filing of
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such new petition prior to the expiration of such one-year period. Nothing contained herein shall prevent the board of supervisor or planning commission from at any time initiating any proceedings which either of such bodies may initiate pursuant to this chapter.

(c) (This section is deleted.)
(Ord. No. 440, §34; Ord. No. 642, §§ 2, 3; Ord. No. 747, §6; Ord. No. 1044, §19; Ord. No. 1078, §10; Ord. No. 1189, §7.)

Sec. 28-65, Enforcement of chapter.
(a) All departments, officials and public employees of the county which are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this chapter, and shall issue no such permits or licenses for uses, buildings, or purposes where the same would be in conflict with the provisions of this chapter; and any such permits or licenses, if issued in conflict with the provisions of this chapter, shall be null and void.

(b) It shall be the duty of the zoning administrator, environmental management director, or the planning commission to issue a notice of violation to any person who has erected, constructed, reconstructed, moved, converted, altered, or added to any building or structure in violation of these provisions, or who is using or allowing the use of that person's property in violation of these provisions. The notice of violation shall specify what corrective action is required and when the corrective action shall be completed.

(c) Any person who sets up, erects, constructs, alters, enlarges, converts, moves, or maintains any building contrary to the provisions of this chapter, or any person who continues an unauthorized use which has not been brought within the provisions of this chapter as required by the notice of violation, is guilty of a violation of this chapter.

(d) Notwithstanding section 1-7 of this code, any violation of this chapter shall be an infraction punishable by a fine not exceeding $250.00 for each separate offense; provided, that in any accusatory pleading charging a violation of this chapter, if the defendant has been once previously convicted of a violation of this chapter, such previous conviction shall be charged in the accusatory pleading, and, if such previous conviction is found to be true or is admitted by the defendant, any violation shall be an infraction punishable by a fine not exceeding $500.00 for each separate offense; and provided further, that in any accusatory pleading charging a violation of this chapter, if the defendant has been previously convicted two or more times of a violation of this chapter, such previous convictions shall be charged in the
accusatory pleading, and, if such previous convictions are found to be true, or are admitted by the defendant, any violation shall be a misdemeanor punishable by imprisonment in the county jail for a term not exceeding six (6) months, or by a fine not exceeding $1,000.00, or by both. Every day any violation of this chapter shall continue shall constitute a separate offense. (Ord. No. 440, §35; Ord. No. 873, §2; Ord. No. 874, §4; Ord. No. 958, §1; Ord. 1437, §1.)

SECTION II.

Pursuant to provisions of Government Code Section 25124(b)(1), a Summary of this Ordinance shall be published once, at least FIVE (5) DAYS prior to the meeting of the Board of Supervisors at which the Ordinance is to be finally considered for adoption (second reading), and a summary of this Ordinance, with the vote of the members of the Board of Supervisors thereon, shall also be published once before the expiration of FIFTEEN (15) DAYS after adoption of the Ordinance. Both publications shall be in the DAILY REPUBLIC, 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.

A certified copy of the full text of the proposed ordinance shall be posted in the office of the Clerk to the Board of Supervisors at least FIVE (5) DAYS prior to the meeting of the Board of Supervisors, at which the Ordinance is to be finally considered for adoption (second reading). A certified copy of the final Ordinance shall be posted in the Office of the Clerk to the Board of Supervisors, at least FIFTEEN (15) DAYS after adoption of the ordinance, and the posting shall include the vote of the Supervisors for or against the Ordinance.

ATTEST:

JAN STEWART, Vice-Chairman
Board of Supervisors

LINDA TERRA, Clerk to the
Board of Supervisors

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I, LINDA TERRA, Clerk to 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 the 22nd day of September, 1992.

On the motion of Supervisor Caddle and the Second of Supervisor Davis, this Ordinance was adopted at a regular meeting of said Board on October 13, 1992, by the following vote:

AYES: SUPERVISORS Caddle, Carroll, Davis and Vice-Chairman Stewart

NOES: SUPERVISORS None

ABSTAINED: SUPERVISORS None

ABSENT: SUPERVISORS Chairwoman Simmons

WITNESS my hand and the Seal of said Board this 13th day of October, 1992.

LINDA TERRA, Clerk to the Board of Supervisors

By

Linda Terra