AN ORDINANCE AMENDING CHAPTER 28 OF THE SOLANO COUNTY CODE, ADDING SECTION 28-40 TO ESTABLISH A COMMERCIAL RECREATION (CR) ZONING DISTRICT AND AMENDING SECTION 28-15, ZONING MAP NO. 8-N, TO REZONE PROPERTY IN THE UNINCORPORATED NORTH VACAVILLE-MIDWAY ROAD AREA FROM PARK (P) TO COMMERCIAL RECREATION (CR)

The Board of Supervisors of the County of Solano ordains as follows:

SECTION I

Chapter 28 of the Solano County Code (Zoning Regulations), Section 28-40, is added as follows:

Sec. 28-40. COMMERCIAL RECREATION (CR) DISTRICT.

(a) The CR district is designated to preserve land well suited for outdoor recreational purposes and to provide for recreation, amusement, play or relaxation.

(b) Uses allowed:

(1) Outdoor recreational uses that do not require enclosed structures, including park, picnic area, playground, athletic field, golf course, golf driving range, polo field, exhibition grounds, bowling and croquet greens, outdoor court games, and similar places of outdoor recreation as determined by the planning commission.

(2) Agricultural crop production, including orchards and vineyards, not including confined animal facilities or operations.

(3) 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.

(4) Processing of products produced on the premises.

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

(c) Conditional uses, provided the conditions for a use permit and requirements set forth in section 28-53 are fulfilled:

(1) Outdoor recreational uses that require enclosed structures or substantial improvements, including skateboard park, swimming pool, sports arena, miniature golf course; course for model airplane, boats, cars or trains; amusement rides, country club, public stables, resort, 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.

(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.
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(4) Wireless communication facility as defined in Section 28-50.01(b), and subject to the procedures and conditions described in Section 28-50.01.

(5) Recreational Vehicle Park and/or Campground with length of stay of occupants limited to twelve months.

(6) Caretaker or Manager Housing, which is secondary or accessory to the primary use of the property. Such housing is used for persons employed on the site of a non-residential use when needed for security purposes or to provide 24-hour monitoring of facilities, equipment and other conditions on the site. Housing units shall not be larger than 1500 square feet.

(d) 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.

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

SECTION II

Chapter 28 of the Solano County Code, Section 28-15, is amended by amending Zoning Map No. 8-N, as illustrated in Exhibit A attached to this ordinance.

SECTION III

All ordinance and parts of ordinances in conflict herewith are repealed.

SECTION IV

The Board of Supervisors has made the following findings in regard to the zoning amendments:

1. These zoning amendments are in conformity with the Solano County General Plan.

2. The zoning amendment 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 in the neighborhood.

3. A Mitigated Negative Declaration has been prepared and circulated for this project. The Board of Supervisors has considered the Mitigated Negative Declaration, together with any comments received during the public review process and hearing. The Board of Supervisors finds on the basis of the Mitigated Negative Declaration and any comments received that there is no substantial evidence that the proposed rezoning will have a significant effect on the environment.

SECTION V

This ordinance will be effective thirty (30) days after its adoption.
SECTION VI

A summary of this ordinance shall be published once in the Daily Republic, a newspaper of general circulation in the County of Solano, not later than fifteen (15) days after the date of its adoption.

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Passed and adopted by the Solano County Board of Supervisors at its regular meeting on June 9, 2009 by the following vote:

AYES: Supervisors Reagan, Seifert, Spering, Chair Vasquez
NOES: Supervisors Kondylis
EXCUSED: Supervisors None

ATTEST:
Michael Johnson, Clerk
of the Board of Supervisors

By: Patricia J. Crittenden, Chief Deputy Clerk

Exhibit A: Location map illustrating rezoning
Parcel to be Rezoned
0106-210-470