AN ORDINANCE OF THE COUNTY OF SOLANO, STATE OF CALIFORNIA
ADOPTING A ZONING PLAN, BEING A PRELIMINARY SECTION OF THE
LAND USE PLAN OF THE COUNTY PLAN AND AN OFFICIAL PLAN
OF SAID COUNTY; CONTAINING THE PURPOSE AND EFFECTS OF THE
ADOPTION OF SAID PLAN WHEREBY VARIOUS DISTRICTS ARE
DETERMINED IN SAID COUNTY; SPECIFYING THE USE OF SAID LAND
AND OF BUILDINGS PROTECTED IN SAID PLANT; DESIGNATING
CERTAIN VARIOUS LOTS WITHIN SAID DISTRICTS: PROVIDING
SURVEY, MAPS, AND GENERAL PLANS TO ACCOMPANY THIS
ORDINANCE; LIMITATION AND RESTRICTIONS OF RIGHTS, STRUCTURES
AND OTHER PROHIBITIONS TO SUCH DISTRICTS, INCLUDING THE
REQUIREMENTS THAT CERTAIN DISTRICTS SHALL BE REQUIRED FOR
DETERMINATION OF SUCH USES, STRUCTURES AND IMPROVEMENTS AND
FOR THE USES THEREOF, AND LANDSCAPING, CIVIL DEFENSE ZONE:
STATED TO BE USED CONSISTENT WITH THE ORDINANCE FOR THE
PROTECTION OF THE PUBLIC HEALTH, SAFETY, AND WELFARE.

THE FOLLOWING:
THE NAME OF ZONING PLAN OF THE COUNTY OF SOLANO, CALIFORNIA, DO ORDAIN

AS FOLLOWS:

SECTION I. ADOPTION OF ZONING PLAN.
There is hereby adopted a Zoning Plan as a precise section of the Land Use Plan
Unit of the Master Plan of the County of Solano, State of California, said Master Plan being
an official plan as provided by law.

SECTION II. PURPOSE OF ADOPTION OF ZONING PLAN.
Such Zoning Plan is adopted to promote and protect the public health, safety,
peace, morals, comfort, convenience and general welfare and for the accomplishment thereof
is adopted for the following more particularly specified purposes, to wit:

1. To assist in providing a definite plan of development for the County of Solano,
and to guide, control and regulate the future growth of said County in accordance with said
plan.

2. To protect the character and the social and economic stability of agricul-
tural, residential, commercial, industrial and other areas within the County and to ensure
the orderly and beneficial development of such areas.

3. To obviate the need of the public safety resulting from the location of
buildings, and the use thereof and of land, adjacent to highways which are a part of the Streets
and Highways Plan of the Master Plan of said County, or which are important thoroughfares,
in such manner as to cause interference with existing or prospective traffic movements on
said highways.

SECTION III. MAKING OF ZONING PLAN.
Such Zoning Plan consists of the establishment of various districts within the un-
incorporated territory of said County within various of which it shall be lawful, and within
various of which it shall be unlawful to erect, construct, alter or maintain certain buildings
or to carry on certain trade or occupations or to conduct certain uses of land and/or
buildings and/or within which the height, bulk and bulk of future buildings shall be limited and/or
within which certain open space shall be required about future buildings and consisting;
Further, of appropriate regulations to be enforced in such districts, all as set forth in
this ordinance.

The sections of this ordinance setting forth and indicating the designations,
locations and boundaries of any of said districts which sections are made a part of this
enactment at the time of the official adoption thereof constitute the various lines completed
of a comprehensive Zoning or Districting Plan for the said County of Solano, which plan is in
the process of preparation by the County Planning Commission of said County pursuant to the
provisions of law and in accordance with the instructions of the Board of Supervisors of
said County. Owing to the territorial extent of said County and the diversity of conditions
and interests therein and to the careful study and analysis being made by said County
Planning Commission of all plans having bearing upon the determining of a comprehensive
Zoning Plan for said County, considerable time will be required for the completion of said
Zoning Plan. Said Board of Supervisors hereby finds that the public interest, necessity, con-
venience and welfare require that as rapidly as portions of said Zoning Plan shall be completed
the same should be adopted and put into full force and effect and hereby declares its intention
The aforesaid districts are as follows, to wit:

A-1 Districts: One-family Residential Districts.
A-2 Districts: One-family Residential Districts.
A-3 Districts: One-family Residential Districts.
A-4 Districts: Multiple-family Residential Districts.
B Districts: Limited Thoroughfare Districts.
P Districts: Total Business Districts.
E Districts: General Commercial Districts.
G Districts: General Industrial Districts.
H Districts: Agricultural Districts.

In addition to the foregoing districts certain combining regulations are established as set forth in this ordinance, said combining regulations being as follows, to wit:

M Agricultural Uses.
D-1 First Building Site Area Regulations.
D-2 Second Building Site Area Regulations.

The districts hereinabove indicated in sections 4 and 5 are hereby established inter alia as the designations, locations and boundaries thereof are set forth and indicated in sections 10, 10.1, 10.2, and other sections of this ordinance, each of which other sections is designated by the number 10 followed by a decimal point and numerals, and which describe certain or said districts; Section 11, 11.1, 11.2, and other sections of this ordinance, each of which other sections is designated by the number 11 followed by a decimal point and numerals, and which consist of index maps to various sectional district maps; and Sections 12, 12.1, 12.2 and other sections of this ordinance, each of which other sections is designated by the number 12 followed by a decimal point and numerals, which show the designations, locations and boundaries of certain of said districts. Said maps and all notations, references, data or other information shown thereon are hereby made a part of this ordinance.

Where uncertainty exists as to the boundaries of any district established by this zoning ordinance, the following rules shall apply:
(a) Where such boundaries are indicated on approximately following lot lines, such lot lines shall be construed to be such boundaries.
(b) In unsubdivided property or where a district boundary divides a lot the location of any such boundary, unless the same is indicated by dimensions shown on a map designating such boundary, shall be determined by the use of the land appearing on such map.
(c) In case further uncertainty exists, the Planning Commission, upon written application or upon its own motion shall determine the locations of such boundaries.

No building shall be erected or no existing building shall be moved, altered, added to or enlarged nor shall any land, building, or premises be used, designed or intended to be used for any purpose or in any manner other than is included among the uses hereinafter listed as permitted in the district in which such building, land or premises is located.

No building shall be erected, reconstructed or structurally altered to exceed in height the limit hereinafter designated for the district in which such building is located.

No building shall be erected, nor shall any existing building be altered, enlarged or rebuilt, nor shall any open space surround any building, be encroached upon or reduced in any manner in conformity to the yard, area and building location regulations hereinafter designated for the district in which such building or open space is located.

No yard or other open space provided about any building for the purpose of...
complying with the provisions of this ordinance shall be considered as providing a yard or open space for any other building, and no yard or other open space on one lot shall be considered as providing a yard or open space for a building on any other lot.

**SECTION 3. DEFINITIONS.**

For the purpose of this ordinance, certain terms used herein are defined as follows:

All words used in the present tense shall include the future; all words in the plural number shall include the singular number, and all words in the singular number shall include the plural number; unless the natural construction of the writing indicates otherwise.

The word "lot" includes the word "plot"; the word "building" includes the word "structure" and the word "shall" is mandatory and not directory. The word "County" shall mean the County of Solano, State of California; the words "Board of Supervisors" shall mean the Board of Supervisors of the County of Solano, State of California; the words "Planning Commission" shall mean the County Planning Commission of the County of Solano, State of California; the words "Board of Adjustment" shall mean the Board of Adjustment of the County Planning Commission of the County of Solano, State of California; and the words "County boundary" shall mean the boundary of the County of Solano, State of California, and/or the boundary of any incorporated municipality within said County.

**Agriculture:** The tilling of the soil, the raising of crops, horticulture, small livestock farming, dairying and/or animal husbandry, including all uses customarily incidental thereto but not including slaughter houses, fertilizer yards, mushroom plants, bee yards or plants for the reduction of animal matter or any other agricultural use which in the opinion of the Planning Commission is similarly objectionable because of odor, smoke, dust or fumes.

**Alley:** A way which affords only a secondary means of vehicular access to abutting property.

**Apartment:** A room or suite of rooms designed for occupancy by one family doing its cooking therein.

**Apartment House:** See Dwelling, Multiple.

**Automobile Camp:** 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 occupancy by or of trailers or movable dwellings, rooms or sleeping quarters of any kind.

**Automobile Court:** A group of two or more detached or semi-detached buildings containing one room and/or apartment with automobile storage space serving such guest rooms and/or apartments provided in connection therewith, which group is designed, intended and/or used primarily for the accommodation of automobile travelers; including groups designated as auto cabins, motor lodges, and by similar designations.

**Auto mobile Parking:** See Parking.

**Building:** A permanent structure with roof, walls and/or a location on or over one-half (1/2) of its height above ground. A building shall be considered as a story in the vertical distance from grade to the ceiling in over five feet or if used for business purposes or if used for dwelling purposes or other than a junior or seasonal servants employed in the same building, including the family of the same.

**Block:** That property situated on one side of a street and lying between the two nearest intersecting or intersecting streets and railroad right-of-way, or unimproved verge.

**Boarding House:** A dwelling other than a hotel where lodging and/or meals for four (4) or more persons is provided for compensation.

**Building:** Any structure having a roof supported by columns and/or by walls and intended for the shelter, housing and/or enclosure of any person, animal or chattel; and including tents.

**Building, Accessory:** A subordinate building or portion of a main building, the use of which is purely incidental to that of a main building on the same lot, and which shall not be constructed until after the main building has been constructed.

**Building, Main:** A building in which is conducted the principal use of the lot upon which it is situated.

**Business or Concern:** The purchase, sale or other transactions involving the handling or disposition (other than manufacture, reduction or destruction) of any article, substance or commodity for profit or livelihood, including, in addition, office buildings,
offices, garages, laundries, lumber yards, outdoor advertising signs and outdoor advertising structures, recreational and amusement enterprises conducted for profit, and commercial evacuation of building or construction materials, but not including junk yards as defined in this ordinance.

Center Line: The center line of a street, as referred to in this ordinance, shall mean the center line thereof as established by the County Surveyor of the County or by the City Engineer of any city within the County or by the Division of Highways of the Department of Public Works of the State of California. If no such center line has been established, the center line of a street shall be a line lying midway between the side lines of the right-of-way thereof. In any case in which the foregoing definition is not applicable, the Planning Commission shall designate the center line.

Court: An open, unoccupied space, other than a yard, on the same lot with a building or buildings, and which is bounded on two (2) or more sides by such building or buildings, including the open space in a house court or court apartment providing access to the units thereof.

District: A portion of the unincorporated territory of the County within which certain uses of land and buildings are permitted and certain other uses of land and buildings are prohibited and within which certain yards and other open spaces are required and within which certain lot areas are established and within which certain height limits are required for buildings; or within which a combination of such aforesaid regulations are applied, all as set forth and specified in this Ordinance.

Dwelling, One-family: A detached building designed for and/or occupied exclusively by one family.

Dwelling, Duplex: A building designed for and/or occupied exclusively by two families living independently of each other.

Dwelling, Multiple: A building designed for occupancy by three (3) or more families, each living independently as a separate housekeeping unit.

Dwelling Group: A group or row of detached or semi-detached dwellings occupying a parcel of land in one ownership and having any yard or court in common, including bungalow courts and apartment courts, but not including automobile courts.

Family: One or more persons (with necessary domestic servants) occupying a premises and living as a single, non-profit housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity or sorority house.

Garage, Private: An accessory building for the storage only of self-propelled private non-corporate vehicles.

Garage, Public: Any premises, except those herein defined as a private or storage garage, used for the storage and/or care of self-propelled vehicles or where any such vehicles are equipped for operation or repair, or kept for remuneration, hire or sale.

Garage, Storage: Any premises except those herein defined as a private garage, used exclusively for the storage of self-propelled vehicles.

Grade: The average elevation of the ground adjacent to the interior walls of a building.

Guest Room: A room which is intended, arranged or designed to be occupied or which is occupied by one or more guests, but in which no provision is made for cooking and not including accommodations for sleeping purposes.

Height of Building: The vertical distance from the grade to the ceiling of the topmost story.

House Occupancy: Any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. Clinics, hospitals, barber shops, beauty parlors and animal hospitals shall not be deemed to be bona fide.

Hotel: Any building or portion thereof containing six (6) or more guest rooms used, designed or intended to be used, let or hired out to be occupied, or which are occupied by six (6) or more individuals for compensation, whether the compensation be paid directly or indirectly.
June 10th: The use of more than two hundred (200) square feet of area of any lot or of any portion of that half of any lot, but not exceeding a depth of which, as the case may be, of one hundred (100) feet, which half adjoins any street, for the storage of junk, including scrap metals or other scrap material, and/or for the dismantling or “wrecking” of automobiles or other vehicles or machinery; provided, however, that this definition shall not be deemed to include any case of any of the foregoing uses which is accessory and incidental to any agricultural use.

Lot: Land occupied or to be occupied by a building and its accessory buildings, or by a dwelling group and its accessory buildings together with such open spaces as may be required under the provisions of any zoning ordinance, and having its principal frontage on a street.

Lot, Corner: A lot situated at the intersection of two or more streets, or bounded on two or more adjacent sides by street lines.

Lot, Interior: A lot other than a corner lot.

Lot Area: The total Horizontal area included within lot lines.

Natural Production Use: Any of the following uses: agriculture, mining, production, storage or distribution of water supplies, cutting and splitting of wood, extraction of minerals, building and construction materials or other natural materials.

Non-conforming Use: A building or land occupied by a use that does not conform to the regulations for the district in which it is situated.

Outdoor Advertising Sign: Any cord, cloth, paper, metal, painted, glass, wooden, plastic, stone, or similar sign of any kind or character whatsoever placed for outdoor advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building, structure or thing whatsoever. The term “placed” as used in the definitions of “outdoor advertising sign” and “outdoor advertising structure” shall include erecting, constructing, testing, nailing, gluing, sticking, carving or otherwise fastening, offering or making visible in any manner whatsoever.

Outdoor Advertising Structure: Any structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising sign may be placed, including also outdoor advertising statuary.

Small Livestock Farming: The raising and/or keeping of more than twenty-four (24) fowl of any kind and/or twenty-four (24) rabbits or twenty-four (24) similar animals or any roosters, sheep or similar livestock; or the raising and/or keeping for commercial purposes of any cats or dogs; provided that the term “small livestock farming” as used in this ordinance shall not include commercial kennels, hog farming, dairying or the raising and/or keeping of horses, mules, or similar livestock.

Stable: Private: An accessory building where not more than three (3) horses are kept.

Stable, Public: A stable other than a private stable or with capacity for more than three (3) horses.

Story: That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.

Story, Half: A story with at least two (2) opposite exterior sides meeting a sloping roof not more than two (2) feet above the floor of such story.

Street: A public or private thoroughfare, the location and design of which has been approved by the Planning Commission, other than an alley which affords the principal means of access to abutting property.

Structure: Anything constructed or erected having location on the ground or attachment to something having location on the ground.

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

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.

Use, Accessory: A use incidental and accessory to the principal use of a lot and located on the same lot as the accessory use.
Yard: An open space other than a court on the same lot with a building, which open space, is unoccupied and unobstructed from the ground upward, except as otherwise provided in this ordinance. In measuring a yard, as hereinafter provided, on any lot which abuts on any street for which a future right-of-way line is established by any applicable ordinance, the depth or width, as the case may be, of any front, side or rear yard which is out by any future right-of-way line shall be deemed to be equal to the shortest distance from the building to such future right-of-way line instead of the nearest lot line.

Yard, Front: A yard extending across the front of the lot between the inner side yard lines and having a depth equal to the shortest distance between the building and the front lot line.

Yard, Rear: A yard extending across the full width of the lot and having a depth equal to the shortest distance between the building and the rear lot line.

Yard, Side: A yard between the side lot line on the building and extending from the front lot line to the rear yard and having a width equal to the shortest distance between the building and the side lot line.

SECTION 10: DISTRICTS:

"A" Districts: All the unincorporated territory of the County which is not included, under the terms of this ordinance, in any other district hereby designated and classified as constituting "A" districts.

SECTION 11: INDEX MAPS:

Index maps shall consist of a series of index maps to Sectional Districts Maps which show the zoning plan, using parts of this ordinance under provisions of SECTION 6 herein designated maps 11.1, 11.2, etc.

SECTION 12: SECTIONAL DISTRICT MAPS:

Sectional District maps shall consist of a series of Sectional District Maps which show the zoning plan, being parts of this ordinance under provisions of SECTION 6 herein designated maps 12.1, 12.2, etc.

SECTION 13: ENFORCEMENT FOR "A" DISTRICTS:

The following regulations shall apply in all "A" Districts and shall be subject to the provisions of SECTION 25 of this ordinance:

(a) Uses Permitted:

All uses not otherwise prohibited by law; provided however, that no use which is restricted in a "A" District but not in a more restricted district, to compact use, and no construction or building or construction materials within 2000 feet of any public street, road or lot line shall be established or undertaken unless and until a use permit, as provided in SECTION 30 of this ordinance shall first have been secured for such use, and no such use shall be conducted except in conformity to the terms of such use permit.

SECTION 14: REGULATIONS FOR "A-1" DISTRICTS:

The following regulations shall apply in all "A-1" Districts and shall be subject to the provisions of SECTION 25 of this ordinance:

(a) Uses Permitted:

1. One-family dwellings.
2. Crop and tree farming and truck gardening; nurseries and greenhouses not including sales rooms, subject to securing a use permit in each case.
3. Golf Courses, country clubs, public parks and public playgrounds, tennis courts and public community centers, subject to securing a use permit in each case.
4. Churches, schools offering general educational courses, museums and libraries, subject to the securing of a use permit in each case.
5. Accessory buildings on the same lot with any of the above uses, including: (1) private garages, which located not less than sixty (60) feet from the front lot line nor less than ten (10) feet from any other street line or a private garage constructed as a part of the main building; providing however, that such accessory buildings shall not be constructed until the main building shall have been constructed or constructed concurrently with the main building.
6. Uses customarily incidental to any of the above uses when situated in the same building, and not involving the conduct of a business, provided that customary home occupations, giving no external evidence thereof, except an unilluminated name plate as set forth below, may be conducted within a dwelling.
7. No signs shall exceed one (1) square foot in area; signs not exceeding six (6) square feet in area containing to the lease, hire or sale of a building or premises, provided, however, that no sign shall be permitted in the front yard or in the side yard between the front yard and the side lot line.

(b) Building Site Area Required:
Each one-family dwelling, together with its accessory buildings hereafter erected, shall be located on a building site in one ownership having an area of not less than six thousand (6000) square feet.

(c) Building Height Limit:
Two and one-half (2½) stories and not exceeding thirty-five (35) feet in height.

(d) Front Yard Required:
Each lot shall have a front yard not less than twenty (20) feet in depth, provided, that if a building line for the street on which the lot faces is established by the Streets and Highways Plan of the Master Plan of the County, or by terms of this ordinance, then the front yard shall have a depth of not less than the distance from the street line specified for such building line.

(e) Side Yard Required:
Each lot shall have side yards each having a width of not less than five (5) feet; provided, however, that for a lot less than fifty (50) feet in width and of record at the time of passage of this ordinance, the side yards may be reduced to ten (10) per cent of the width of such lot, but shall be not less than three (3) feet in width.

(f) Rear Yard Required:
Each lot shall have a rear yard of a depth equal to not less than twenty (20) per cent of the depth of the lot to a maximum required depth of twenty five (25) feet for such rear yard; provided however, that in no case shall the rear yard be less than fifteen (15) feet in depth.

SECTION 15. REGULATIONS FOR "A-2" DISTRICTS:
The following regulations shall apply in all "A-2" Districts and shall be subject to the provisions of SECTION 25 of this ordinance:

(a) Uses permitted:
Same as specified for "A-1" Districts.

(b) Building Site Area Required:
Each one-family dwelling, together with its accessory buildings, hereafter erected, shall be located on a building site in one ownership having an area of not less than five thousand (5000) square feet.

(c) Building Height Limit:
Same as specified for "A-1" Districts.

(d) Front Yard Required:
Same as specified for "A-1" Districts.

(e) Side Yards Required:
Same as specified for "A-1" Districts.

(f) Rear Yard Required:
Same as specified for "A-1" Districts.

SECTION 16. REGULATIONS FOR "A-3" DISTRICTS:
The following regulations shall apply in all "A-3" Districts and shall be subject to the provisions of SECTION 25 of this ordinance:

(a) Uses permitted:
1. All uses permitted in the "A-1" Districts, subject to the securing of a use permit, as provided in SECTION 30 of this ordinance, for any use for which a use permit is required in an "A-3" District.
2. Duplex residences and boarding houses, subject to the securing of a use permit in each case.

(b) Building Site Area Required:
Each one-family dwelling, duplex or boarding house, together with its accessory buildings, hereafter erected, shall be located on a building site in one ownership having an area of not less than five thousand (5000) square feet.

(c) Building Height Limit:
Same as specified for "A-1" Districts.
SECTION 17. REGULATIONS FOR "A-4" DISTRICTS:
The following regulations shall apply in all "A-4" Districts and shall be subject to the provisions of SECTION 25 of this ordinance.

(a) Uses Permitted:
1. All uses permitted in the "A-3" Districts.
2. Private 2nd nursery schools.
3. Multiple and group dwellings, having accommodations for not more than four (4) families, provided however that for each twelve hundred and fifty (1250) square feet of lot area in excess of five thousand (5000) square feet, one (1) additional family accommodation may be erected.
4. Automobile courts and automobile camps, subject to the securing of a use permit in each case.

(b) Building Site Area Required:
Not less than five thousand (5000) square feet of area for each lot upon which a dwelling or group dwelling with its accessory buildings is to be erected; and not less than an additional twelve hundred fifty (1250) square feet of lot area for each family accommodation in excess of four (4) families.

(c) Building Height Limit:
Same as specified for "A-1" Districts.

(d) Front Yard Required:
Same as specified for "A-1" Districts.

(e) Side Yards Required:
Same as specified for "A-1" Districts.

(f) Rear Yards Required:
Same as specified for "A-1" Districts.

SECTION 18. REGULATIONS FOR "O" DISTRICTS:
The following regulations shall apply in all "O" Districts and shall be subject to the provisions of SECTION 25 of this ordinance:

(a) Uses permitted:
1. All uses permitted in "A-4" Districts.
2. Agricultural uses except the conducting and maintenance of hog farms.
3. The following uses, subject to the securing of a use permit in each case, which use permit shall prescribe conditions as to area of building site, dimensions of yards, provision of adequate off-highway automobile standing space and such other matters as may be deemed to be necessary:
   I. Hotels, inns, multiple dwellings and dwelling groups.
   II. Automobile courts and automobile camps.
   III. Automobile service stations, but not including junk yards, automobile wrecking or the storage of used automobile parts.
   IV. Restaurants, refreshment stands and retail stores.
   V. Commercial nurseries and greenhouses.
   VI. Public, quasi-public and institutional uses.
   VII. Outdoor advertising signs and outdoor advertising structures when used for directional or informational purposes of a public or quasi-public nature or when appurtenant to any use constructed in the district.
   4. Accessory buildings incidental to any of the above uses.

(b) Building Height Limit:
The end one-half (2½) stories but not exceeding thirty-five (35) feet in height, except for agricultural purposes and except as otherwise provided under the terms of any use permit.
(c) Front Yard Required:
Each lot shall have a front yard not less than twenty (20) feet in depth or
as otherwise specified in any use permit.

(a) Side Yard Required:

None, except that a five (5) foot side yard shall be maintained along the
side line adjacent to any existing residence or residential zone.

(a) Rear Yard Required:
Each lot upon which a dwelling, hotel or inn is located shall have a rear
yard of not less than twenty (20) feet in depth, except as otherwise specified in any use
permit.

SECTION 19. REGULATIONS FOR "D" DISTRICTS:
The following regulations shall apply in all "D" Districts and shall be subject
to the provisions of SECTION 25 of the ordinance.

(a) Uses Permitted:
1. All uses permitted in the "O" District without regard to the securing of
a use permit, except as hereinafter provided in paragraph 4 of this section and except that
in any "D" District which is entirely surrounded by a residential district or by such
district and a city or county boundary, a use permit shall be required for the establish-
ment of any use for which such permits are required in "A-4" Districts.

2. Stores and shops for the conduct of any retail business; automobile
service stations for the sale of gasoline, oil and minor accessories; banks; barber
shops; beauty parlors; conservatories; dressmaking, millinery, shoe and tailor shops;
message offices; professional offices; storage garages; studios (except motion picture
studios); theater offices; theaters; and other business uses which, in the opinion of
the Planning Commission, are of the same general character as those enumerated in this
subsection and will not be obnoxious or detrimental to the district in which located.

3. Outdoor advertising signs and outdoor advertising structures, except
that no such use apart from a place of business herein permitted shall be permitted in any
"D" District which is entirely surrounded by A-1, A-2, or A-4 Districts or by such districts
and the County boundary.

4. Public garages, automobile parking lots, automobile repair shops, auto-
mobile service stations, at which general repairing is done, automobile courts, automobile
service; and undertaking establishments; subject in each case to the securing of a use permit.

5. No dance hall, road house, night club, commercial club, or any establish-
ment where liquor is served, or commercial place of amusement or recreation or any such
class of or any other place where entertainers are provided, whether as social companions or
otherwise, shall be established in any "D" District closer than two hundred (200) feet
from the boundary of any dwelling district, unless and until a use permit shall first have
been secured for the establishment, maintenance and operation of such use.

(b) Building Height Limit:
Three (3) stories and not exceeding forty-five (45) feet in height.

(c) Front Yard Required:

None, except where the frontage in a block is located partly in the "D"
district and partly in a dwelling district, in which case the front yard depth, and the side
yard width on the streetside of a corner lot, shall be the same as in the dwelling district;
provided, that if a building line for the street on which the lot face is established by
law or any other applicable ordinance, then the front yard on such lot shall have a depth
of not less than the distance from the street line specified for such building line.

SECTION 20. REGULATIONS FOR "E" DISTRICTS:
The following regulations shall apply in all "E" Districts and shall be subject
to the provisions of SECTION 25 of this ordinance:

(a) Uses Permitted:
1. All uses permitted in any A-4 District.

2. All uses permitted in "O" and "D" Districts without regard to any
limitations imposed in said "O" Districts and without regard to the securing of any use
permit for any such use, except as hereinafter provided in paragraph 6 and paragraph 7 of
this section.
3. Stores and shops for the conduct of any wholesale business (except warehouses); auto laundries; clothing packing; carpenter shops; laundries; paint, paper-hanging and decorative shops; plumbing shops; tinsmith shops; storage of household goods.

4. Yard yards, subject to the securing of a use permit and only when conducted in a building enclosed on all sides or when enclosed by a fence in such manner as may be specified by the Planning Commission.

5. The use of power-driven machinery incidental to any of the uses permitted in said "E" Districts.

6. To dance hall, pool room, night club, commercial club, or any establishment where liquor is served, or commercial place of amusement or recreation or any such place or any other place where entertainers are provided, whether as social companions or otherwise, shall be established in any "E" District closer than two hundred (200) feet to the boundary of any dwelling district, unless and until a use permit shall first have been secured of the establishment, maintenance and operation of such use.

7. Automobile courts and automobile camps subject to securing of a use permit in each case.

(b) Building Height Limit:
Six (6) stories or seventy-five (75) feet, provided that no building nor portion of a building shall be erected to a height exceeding three (3) stories or forty-five (45) feet on any portion of a lot less than twenty-five (25) feet distant from any portion of a lot in a dwelling district.

(c) Front, side and rear yards required:
Same as specified for "D" Districts.

SECTION 25. REGULATIONS FOR "G" DISTRICTS:
The following regulations shall apply in all "G" Districts and shall be subject to the provisions of SECTION 25 of this Ordinance:

(a) Uses Permitted:
All uses permitted in the "E" District or any other use not otherwise prohibited by law. Provided however that none of the following uses shall be established in any "G" District unless and until a use permit shall first have been secured for such use:

1. Ammonia, bleaching powder or chlorine manufacture.
2. Arsenal.
4. Blast furnace.
5. Brick or tile works.
6. Boiler or tank works.
7. Brick, tile, pottery or terra cotta manufacture other than the manufacture of handcraft products only.
8. Candle factory.
10. Cement, lime, gypsum, or plaster of paris manufacture, or central mixing plant.
11. Chemical manufacture.
12. Coke oven.
13. Creosote manufacture.
15. Creosote factory.
16. Curing, tanning or storage of raw hides or skins.
17. Disinfector manufacture.
18. Distillation of bones, wool or wood.
19. Drilling for oil, gas or other hydrocarbon substances.
20. Dry-stuff manufacture.
21. Emery cloth and sandpaper manufacture.
22. Explosives or fireworks manufacture or storage.
23. Fat Rendering.
24. Fertilizer manufacture.
25. Fish reduction or the curing, packing or storage of fish.
Forge plant.
Foundry or metal fabrication plant.
Gerber, offal or dead animal reduction or dumping.
Gas manufacture or storage.
Glue, size or gelatin manufacture.
Glass manufacture.
Grease, lard or tallow manufacture or refining from or of animal fat.
Nog form.
Junk yard.
Lamp black manufacture.
Lime and oil manufacture.
Match manufacture.
Oil cloth or linoleum manufacture.
Oiled or rubber goods manufacture.
Paint, oil, shellac, turpentine or varnish manufacture.
Paper or pulp manufacture.
Petroleum or its products, refining or wholesale storage.
Pickle manufacture.
Potash works.
Poultry plant (steam).
Pyroxylin manufacture.
Rubber or gutta-percha manufacture or treatment.
Salt works.
Concrete manufacture.
Shoe polish manufacture.
Shipbuilding or shipyard.
Smelting of tin, copper, zinc, iron or other ores.
Soap manufacture, other than liquid soap.
Soda and compound manufacture.
Sugar refining.
Stock yard or slaughter of animals.
Stone mill or quarry.
Stove polish manufacture.
Tanning, curing or storing of raw hides or skins.
Tobacco (cheewing) manufacture or treatment.
Vinegar manufacture.
Veal pulling or scouring.
Tobacco plant.

And in general any use which may be objectionable or offensive by reason of emission of odor, dust, smoke, gas, fumes, vibration or noise, or which may impose hazard to life or property.

(b) Building Height Limit:
Eight (8) stories or one hundred (100) feet, provided that no building nor portion of a building shall be erected to a height exceeding three (3) stories or forty-five (45) feet on any portion of a lot less than twenty (20) feet distant from any portion of a lot in a dwelling district.

(c) Front, side and rear yards required:
Same as in the "A" Districts.

SECTION 22. PRELIMINARIES FOR "K" DISTRICTS:
The following regulations shall apply in all "K" Districts and shall be subject to the provisions of SECTION 22 of this ordinance:

(a) Uses Permitted:
1. All uses permitted in "A-1" Districts.
2. All agricultural uses; provided, however, that no hog ranch, cattle feed yard or animal sales yard shall be established in any "K" District unless and until a use permit shall first have been secured therefor.
3. Preserving of agricultural products produced on the premises only.
4. Stables, riding academies, dog kennels and menageries.
5. Airports and landing fields.
6. Accessory buildings and accessory uses, including all farm buildings and dwellings for farm help.
7. Any other use which is similar in character to the uses enumerated in this section and which would not be detrimental to adjoining properties or the immediate neighborhood or to the general welfare.

(b) Building Site Area Required:
Same as specified for the "A-1" District.

(c) Front, side and rear yards required:
Same as specified for the "A-1" District; provided however, that no building shall thereafter be erected, nor shall any use of land be conducted except the use of land for agricultural purposes so that the same will be closer to the right-of-way line of any street than any future-right-of-way line or any building line which is established for such street by any applicable ordinance.

SECTION 23. REGULATIONS FOR "B" DISTRICT:
In any district with which is combined any "B" District, the following regulations as specified for the respective "B" District shall apply in lieu of the regulations as to building site area, depth of front yards and widths of side yards which are hereinafter specified for such district with which is combined such "B" District.

<table>
<thead>
<tr>
<th>B DISTRICT</th>
<th>BUILDING SITE AREA</th>
<th>FRONT YARD DEPTH</th>
<th>SIDE YARD WIDTH</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-1</td>
<td>Seven thousand five hundred (7,500) square feet</td>
<td>Twenty-five (25) feet</td>
<td>Ten (10) per cent of the width of the lot</td>
</tr>
<tr>
<td>B-2</td>
<td>Twenty thousand two hundred (20,000) square feet</td>
<td>Thirty (30) feet</td>
<td></td>
</tr>
</tbody>
</table>

SECTION 24. BUILDING LINES:
Building lines are hereby established for the purpose of measuring yard dimensions and determining building locations with respect to building lines as shown on any sectional district maps adopted as part of SECTION 18 of this ordinance.

Such building lines being measured from the property lines on each side of the right-of-way of the specified street or highway and being external thereto; provided however that if any future right-of-way line or any future width line is established for any such street or highway and being external thereto; is established for any such street or highway by the provisions of this ordinance then such measurement shall be taken from such future right-of-way line or such future width line.

For the purpose of measuring yard dimensions and determining building locations with respect to building lines, as provided in this ordinance, the following building lines in addition to any mapped lines, are hereby established:

SECTION 25. GENERAL EXCEPTIONS:
The regulations specified in this ordinance shall subject to the following interpretations and exceptions:

(a) Height Exceptions:
1. One-family dwellings in the thirty-five (35) feet height district may be increased in height by not more than ten (10) feet when two (2) side yards of not less than ten (10) feet each are provided. Such dwellings, however, shall not exceed three (3) stories in height.
2. Chimneys, towers, pent-houses, scenery lofts, refiners, mansards, cupolas, domes, spires, false mansards, parapet walls, similar structures and necessary mechanical appurtenances may be erected in excess of the height limits hereinbefore specified.
3. In a six (6) story or eight (8) story height district, where the side line of a lot abuts a dwelling district with a height limit of two (2) and one-half (2½) stories, the following regulation shall apply: A building may be erected to a height not to exceed forty-five (45) feet at the inner line of the required side yard abutting the lower height district, provided, however, that ten (10) feet may be added to the height of the building or a portion thereof for each two (2) feet that the building, or portion thereof is set back from such inner side yard line.
III. The depth of the rear yard need not be greater than ten (10) feet but shall be increased by two (2) feet for each story that the highest building exceeds two (2) stories in height.

IV. For group dwellings abutting on one side only of a court, the width of such court shall be not less than one-third (1/3) of the height in feet of the highest building abutting thereon, nor less than twelve (12) feet in any case.

V. For group dwellings abutting upon at least two (2) sides of a court, such court shall be not less than one-half (½) of the height in feet of the highest building abutting thereon nor less than twenty (20) feet in any case.

V. The front and side yard requirements for dwellings shall be waived where dwellings are located above stored or above except that any yard requirement for the same or shop shall be observed in the construction of the upper dwelling.

IV. An accessory building not exceeding twelve (12) feet in height may occupy not more than thirty (30) per cent of a required front yard.

V. Every part of a required front yard or court shall be open to the sky unobstructed, except for the ordinary projections of sills, belt courses, cornices, battens, ornamental features and eaves, provided, however, that none of these projections shall extend into a minimum court more than twenty-four (24) inches; provided further, that uncovered or paved terraces may project not more than eight (8) feet into a minimum front yard, or rear yard.

VI. No cornice shall project over the street line more than five (5) per cent of the width of said street, nor more than four (4) feet in any case.

VII. Open or enclosed fire escapes, fireproof outside stairways and balconies, projecting into a minimum yard or court not more than three and one-half (3½) feet, and the ordinary projections of chimneys and flues shall be permitted where same are so placed as not to obstruct the light and ventilation.

VIII. The lot area required in an "A-1" or "A-4" District shall be deemed to prevent the erection of a building on any lot, provided the ownership of said lot does not include any adjacent lots, and is of record at the same time of passage of this ordinance.

IX. On corner lots in Dwelling Districts the side yard regulations shall apply to the street side of a lot, except in the case of reversed frontage, where a corner lot faces on intersecting street. In this case there shall be a side yard on the street side of the corner lot of not less than fifty (50) per cent of the front yard required on the lots in the rear of such corner lot, and no accessory building on said corner shall project beyond the front yard line on the lots in the rear, provided, that this regulation shall not be so interpreted as to reduce the buildable width of a corner lot facing on intersecting street and of record at the time of passage of this ordinance to less than twenty-five (25) feet, nor to prohibit the erection of an accessory building where such regulation cannot reasonably be complied with.

X. Front yard requirements in Dwelling Districts are subject to the following exceptions: Where lots have been developed prior to the passage of this ordinance, so that the front yard depth is more or less than twenty (20) feet, then the Planning Commission shall establish a setback line or lines for said block.
11. In no case shall any building be hereafter erected nor shall any use of land be conducted except the use of land for agricultural purposes so that the same will be closer to the right-of-way line of any street than any future right-of-way line or any building line which is established for such street by any applicable ordinance.

12. No fence shall be hereafter erected, moved or altered, and no hedge shall be grown so that the portions behind the front line of the dwelling exceed seven (7) feet in height and the portions between the building line and any street line exceed three (3) feet in height.

SECTION 26. INTERPRETATION OF ZONING ORDINANCE:

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Except as specifically herein provided, it is not intended by the adoption of this ordinance to repeal, abrogate, annul or in any way to impair or interfere with any existing provision of law or ordinance, or any rules, regulations or permits previously adopted or issued, or which shall be adopted or issued pursuant to law relating to the use of buildings or premises, or relating to the erection, construction, establishment, moving, alteration or enlargement of any building or improvement; nor is it intended by this ordinance to interfere with or abrogate or annul any easement, covenant or other agreement between parties; provided, however, that in cases in which this ordinance imposes a greater restriction upon the erection, construction, establishment, moving, alteration or enlargement of buildings or the use of any such building or premises in said several districts or any of them, than is imposed or required by such existing provisions of law or ordinance or by such rules, regulations or permits, or by such easements, covenants or agreements, then in such case the provisions of this ordinance shall control.

SECTION 27. NON-CONFORMING USES:

Except as otherwise provided in this section, the lawful use of land existing at the time of the adoption of this ordinance, although such use does not conform to the regulations specified by this ordinance for the district in which such land is located, may be continued, provided, however, that no such non-conforming use shall be enlarged or increased, nor shall any such non-conforming use be extended to occupy a greater area of land than that occupied by such use at the time of the adoption of this ordinance, nor shall any such non-conforming use be moved in whole or in part to any other portion of the lot or parcel of land occupied by such non-conforming use at the time of the adoption of this ordinance; provided, however, that if any such non-conforming use of land ceases for any period of time whatever, for any reason whatever, any subsequent use of such land shall be in conformity to the regulations specified by this ordinance for the district in which such land is located.

Except as otherwise provided in this section, the lawful use of a building existing at the time of the adoption of this ordinance although such use does not conform to the regulations specified by this ordinance for the district in which such building is located, may be continued and may be extended throughout the building provided no structural alterations except those required by law or ordinance are made therein, but no such use shall be extended to occupy any land outside such building. If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or of a more restricted nature. Any non-conforming building is hereafter restored, the subsequent use of the land on which such building was located shall be in conformity with the regulations of this ordinance.

No existing building designed, arranged or intended for or devoted to a use not permitted under the regulations specified by this ordinance for the district in which such building is located shall be altered, extended, reconstructed, structurally altered or moved unless such use is changed to a use permitted under the regulations specified by this ordinance for such district in which said building is located or for such district to which such building is moved.

The foregoing provisions shall be deemed to prevent the restoration of a non-conforming use in districts hereafter changed.

Building in this ordinance shall be deemed to prevent the restoration of a non-conforming building destroyed by any means to the extent of not more than fifty-five (55) per cent of its actual value, or the continued occupancy or use of such building or part thereof which existed at the time of such partial destruction; provided, however, that where a building is destroyed to such an extent that its total demolition is required by
the provisions of any ordinance of the County of Colma, any future building or use shall conform to the regulations of this ordinance.

Nothing contained in this ordinance 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 the adoption of this ordinance, and upon which building actual construction has been diligently carried on. Actual construction is hereby defined to be the actual placing of construction materials in their permanent position fenced in a permanent manner, except that where a basement is being excavated, such excavating shall be deemed to be actual construction; or where demolition or removal or an existing structure has been begun preparatory to rebuilding, such demolition and removal shall be deemed to be actual construction; provided that in all cases actual construction work shall be diligently carried on until the completion of the building or structure involved.

Any use for which a use permit is required or for which a use permit may be treated, as provided in this ordinance, which use is existing at the time of the adoption of this ordinance in any district in which such use is specifically permitted subject to the securing of a use permit, shall, without further action, be deemed to be a conforming use in such district.

Regardless of any other provision of this ordinance, any junk yard which exists as a non-conforming use in any district other than a dwelling district shall, within one year after the date of passage of this ordinance, either be removed, changed to a conforming use, or be completely enclosed within a building or within a continuous solid fence not less than eight (8) feet in height and in any case of such height as to screen completely all the operations of such junk yard, of which building or fence the plans shall first have been approved by the Planning Commission.

SECTION 28. ARCHITECTURAL SUPERVISION:

In case an application is made for a permit as required by this ordinance, for any building, structure or other improvement in any C, D, E, G, N District, when such district faces a state highway or first or second class county road, said application shall be accompanied by drawings or sketches showing the front, side and rear elevations of the proposed building, structure or other improvement, or of the building, structure or other improvement, or of the building, structure or other improvement as the same will appear after the work for which the permit is sought shall have been completed. Such drawings or sketches shall be considered by the Planning Commission in an endeavor to provide that such buildings, structures and other improvements shall be so designed and constructed that they will not be of unsightly, undesirable, or objectionable appearance to the extent that they will hinder the orderly and harmonious development of the County, impair the desirability of residence, investment or occupation of the County, or appear to travelers going through or travelling in the County, limit the opportunity to attain the optimum use and value of land and improvements, impair the desirability of living conditions in the area or adjacent agricultural or residential areas, or otherwise adversely affect the general prosperity and welfare. To this end, the Planning Commission shall suggest any changes in the plans of such proposed buildings, structures and other improvements which it may deem to be necessary to accomplish the purposes of this section and shall not approve any such plans until it is satisfied that such purposes will be accomplished thereby.

In case the applicant is not satisfied with the action of the Planning Commission, he may, within thirty (30) days after such action, appeal in writing to the Board of Supervisors. Said Board shall hold a hearing on such appeal and shall render its decision thereon within thirty (30) days after the filing thereof. If a permit, as provided herein, shall be issued unless the plans filed with the application therefor as required in this section shall first have been approved by the Planning Commission or by the Board of Supervisors. Upon such approval the Planning Commission or such officer or employee thereof as said Commission may designate for such purpose, shall issue such permit, provided all other provisions of law have been complied with. Every drawing or sketch filed under the
provisions of this section shall become a part of the permanent records of the Planning Commission.

SECTION 30. FILING OF PETITIONS, APPLICATIONS AND APPEALS:
The Planning Commission shall in its rules prescribe the form and scope of all
petitions, applications and appeals provided for in this ordinance, and of accompanied
data to be furnished to it to enable the fullest practicable presentation of facts for proper
consideration of the matter involved in each case or for a permanent record. Any petition
for an amendment or revision in SECTION 16 of this ordinance, shall include a verification
by at least one of the petitioners, attesting to the truth and correctness of all facts
and may be presented with a petition. Such verification shall be dated and attested before
a notary public or before the County Clerk.

SECTION 31. USE PERMITS:

For permits, Revocable Use Permits, and Permits valid for a term of one year,
may be issued for any of the following:
1. Any of the uses or purposes for which said permits are required or per-
mitted by the provisions of this ordinance.
2. Public utility or public service uses or public buildings in any district
where such use is necessary for the public Health, Safety, convenience, or welfare.
3. Removal of minerals and natural materials, including building and con-
struction materials, in any district.
4. To classify as a conforming use any institutional use existing in any
district at the time of the establishment of such district.

The fee for application for such permits shall be Ten Dollars ($10.00)
and said use permit shall be issued under the same procedure as that specified in SECTION
32 of this ordinance for the granting of adjustments, except that:
1. No public hearing need be held thereon; provided, that the Board
of Adjustments may hold such hearings thereon as it may deem to be necessary.

II. The findings of the Board of Adjustments, except as otherwise
provided in this section, need include only that the establishment, maintenance and/or con-
sistency of the use for which the use permit is sought will not, under the circumstances of
the particular case, be detrimental to the Health, safety, morals, comfort, convenience,
or welfare of persons residing or working in the neighborhood of such use and will not,
under the circumstances of the particular case, be detrimental to the public welfare or in-
jurious to property improvements in said neighborhood.

All other provisions of said SECTION 32 including the designation
by the Board of Adjustments of any conditions upon which the permit may be issued and
guarantee that such conditions will be complied with, shall apply to the granting of a
use permit.

SECTION 32. BOARD OF ADJUSTMENTS:
The Board of Supervisors shall appoint three (3) members of the Planning Commission
to serve as a Board of Adjustments. The terms of office of said Board members shall termi-
minate with their terms as members of the Planning Commission. The Board of Adjustments
shall elect a Chairman, Vice Chairman, and a Secretary who may be a member of the Planning
Commission staff. The Board shall adopt rules of procedure and shall keep minutes of its
proceedings. The Planning Commission may assign staff members to aid the Board of Ad-
justments in any way necessary.

SECTION 33. ADJUSTMENTS, VARIANCE AND APPEALS:
The Board of Supervisors upon certain findings by the Board of Adjustments in
each case, as hereinbefore provided, shall have the power to grant variances in the appli-
cation of any of the provisions of this ordinance to the following extent and no further:
1. To vary or modify the strict application of any of the regulations or
provisions contained in this ordinance in cases in which there are practical difficulties
or unnecessary hardships in the way of such strict application.

2. To permit the extension of a district where the boundary line thereof
divides a lot in one ownership at the time of the passage of this ordinance.

3. To permit the location of any of the following uses in a district from
which they are excluded by the provisions of this ordinance; keeping of horses, airport,
community center, church, hospital, rest home, sanitarium, clinic or
other institution for the treatment of human ailments, and institutions of an educational, philanthropic or charitable nature.

Application for any variance permissible under the provisions of this section shall be made to the Board of Adjustments: the form of a written application, and shall be accompanied by a fee of Ten Dollars ($10.00).

Upon receipt of any such application, the Board of Adjustments shall hold at least one (1) public hearing thereon, notice of which shall be given by one (1) publication in a newspaper of general circulation in the County, within the ten (10) days next preceding the date of said hearing. At said hearing the applicant shall present a statement and adequate evidence, in such form as the Board of Adjustments may require, showing:

1. That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not generally apply to land, buildings and/or uses in the same district.

2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioners.

3. That the granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or hazardous to property or improvements in said neighborhood.

After the conclusion of the aforesaid hearing the Board of Adjustments shall make a written finding of facts showing whether the three foregoing qualifications apply to the land, building and/or use for which the variance is sought, and shall report such finding to the Board of Supervisors within thirty (30) days after receipt of the application.

In approving the granting of any variance under the provisions of this section, the Board of Adjustments shall designate such conditions in connection therewith as will, in its opinion, assure substantially the objectives of the regulation or provisions to which such variance applies, as to light, air and the public health, safety, morals, convenience and general welfare. No permit shall be issued under the provisions of this section unless a finding of the Board, as aforesaid, approving the granting of the variance shall be approved and confirmed by the Board of Supervisors. Upon receipt of such report, if the findings of the Board approved the granting of the application, and if the Board of Supervisors shall find that such findings are correct, said Board of Supervisors shall, by resolution, grant such variance, whereupon the permit as applied for may be issued.

In all cases in which variances are granted under the provisions of this section, the Board of Adjustments shall require such evidence and guarantees as it may deem to be necessary that the conditions designated in connection therewith are being and will be complied with.

The Board of Adjustments shall have power to hear and decide appeals involving the enforcement of this ordinance when such appeals are based upon questions of the interpretation thereof.

SECTION 32. LOTTING, PLANNING AND FENCES:
Zoning districts, as provided in this section, shall be required for all buildings and structures, as hereinafter specified, except fences hereafter erected, constructed, altered, repaired or moved within or into any district established by any zoning ordinance unless otherwise specifically provided in such zoning ordinance.

No building or structure shall be erected or constructed in any district established by any zoning ordinance unless one until a permit therefor shall first have been secured from the Planning Commission or from such officer or employee thereof as said Commission may designate for such purpose. No repairs or alterations of an aggregate value in excess of fifty (50) dollars and no repairs or alterations which would change the character of a building to a commercial or industrial nature (except an accessory building having an aggregate value of less than fifty (50) dollars) shall hereafter be made on any building or structure in any district established by any zoning ordinance until a permit therefor shall first have been secured from the Planning Commission or from the aforesaid officer or employee thereof. No building or structure (except an accessory building having an aggregate value of less than fifty (50) dollars) shall hereafter be moved
in or into any district established by any zoning ordinance until a permit for such moving shall have first been secured from the Planning Commission or from the aforesaid officer or employee thereof and also from the County Surveyor.

Every application for any permit required by the provisions of this section shall be accompanied by a drawing or plot, in duplicate, drawn to scale showing the lot and building site, the proposed location of the building on the lot, accurate dimensions of the building, of the yards and of the lot, and such other information as may be necessary to the enforcement of this ordinance. A careful record of the original copy of such application and plot shall be kept in the office of the Planning Commission and the duplicate copy shall be kept at the building at all times during construction.

A fee of three (3) dollars shall be collected for each zoning permit required by the provisions of this section, which fee shall be deposited in the treasury of the County.

SECTION 34. CERTIFICATE OF OCCUPANCY

No vacant lot which is located in any district established by this zoning ordinance and which is specified in such ordinance as requiring certificates of occupancy shall be hereafter occupied or used, except for agricultural uses, and no building hereafter erected, structurally altered or moved, for which building a permit is required under the provisions of SECTION 33 of this ordinance, shall be occupied or used until a certificate of occupancy shall have been issued by the Planning Commission or by such officer or employee thereof or the Commission may designate for such purpose.

Application for a certificate of occupancy for a new building or for an existing building which has been altered or moved shall be made at the same time as the application for a permit for such building as required in SECTION 33 of this ordinance. Said certificate shall be issued within three (3) days after a written request for the same has been made to the Planning Commission or to said officer or employee thereof after the completion, alteration or moving of such building or part thereof shall have been completed in conformity with the provisions of this ordinance. Pending the issuance of such certificate, a temporary certificate of occupancy may be issued by the Planning Commission or by said officer or employee thereof for a period of not exceeding six (6) months during the completion of alterations or during partial occupancy of a building pending the completion. Such temporary certificate shall not be construed as in any way altering the respective rights, duties or obligations of the owners or of the County relating to the use of occupancy of the premises or any other matter covered by this ordinance, and such temporary certificate shall not be issued except under such restrictions and provisions as will adequately insure the safety of the occupants.

Written application for a certificate of occupancy for the use of vacant land or for a structure in the nature of the use of land, as herein required, shall be made before any such land shall be so occupied or used, except for agricultural purposes. Such a certificate of occupancy shall be issued within three (3) days after the application therefor has been made, provided such use is in conformity with the provisions of this ordinance.

Every certificate of occupancy shall state that the building or proposed use of a building or land complies with all provisions of law and of all county ordinances. A record of all certificates of occupancy shall be kept on file in the office of the Planning Commission and copies shall be furnished on request, to any person having a proprietary or tenancy interest in the building or land affected. No fee shall be charged for a certificate of occupancy.

No permit for excavation for any building shall be issued before application for the same has been made for a certificate of occupancy.

SECTION 35. REVOCATION OF PERMITS:

(a) Revocation: In the event any person, firm or corporation holding a Use Permit for any of the uses or purposes for which such permits are required or permitted by the terms of this section shall violate any of the provisions of this ordinance, or any other law, or ordinance, or shall conduct or carry on said use in such a manner as to materially affect adversely the health, welfare or safety of persons residing, or sitting in the neighborhood of the property of the said permittee, or shall conduct or carry on
said use so that the said use is materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, said Board of Supervisors shall revoke or suspend the said Use Permit.

(1) Procedure for Revo]cating: To permit shall be revoked or suspended until a hearing shall be held by the said Planning Commission of the County of Solano. Written notice of such hearing shall be served upon the permittee and shall state:

(a) The ground for complaint or reasons for the revocation or suspension in clear and concise language; (b) the time when and the place where such hearing is to be held. Such notice shall be served on the permittee at least five, and not more than ten (10) days prior to the date set for said hearing. At any such hearing the permittee shall be given an opportunity to be heard and defend himself, and he may call witnesses and present evidence in his behalf. Upon conclusion of such hearing, the said Planning Commission may revoke the suspension or revocation of such permit upon such terms and conditions as, in the judgment of the Commission, will be deemed proper, which action shall be subject to the confirmation of the Board of Supervisors. In case such permit shall be revoked, no new permit shall be granted to such person to conduct or carry on any such use within six (6) months after such revocation.

SECTION 36. AMENDMENTS:

This ordinance 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. Said amendment may be initiated by:

(a) The verified petition of one or more owners of property affected by the proposed amendment, which petition shall be filed with the Planning Commission and shall be accompanied by a fee of twenty-five dollars ($25.00), no part of which shall be returnable to the petitioner; or by

(b) Resolution of intention of the Board of Supervisors; or by

(c) Resolution of intention of the Planning Commission.

The Planning Commission, not later than at its next succeeding meeting following the filing of such verified petition or following the adopting of such resolution of intention, shall set the times and places for such public hearings thereon as may be required by law, and shall give such notice of such hearings as may be required by law. Such notice shall include notice of the proposed amendment. In case the proposed amendment consists of a change of the boundaries of any district so as to reclassify property from one district to any other district, the Planning Commission shall give additional notice of the time and place of such hearings and of the purpose thereof:

1. Posting public notice thereof not less than ten (10) days prior to the date of the first of such hearings along each and every street upon which the property proposed to be reclassified abuts. In case a majority of the property proposed to be reclassified has been subdivided into parcels of one (1) acre or less in area, such notices shall be placed not more than five hundred (500) feet apart and such posting shall extend along said street or streets a distance of not less than five hundred (500) feet from the exterior limits of such properties as are proposed for reclassification in the case of all other property proposed to be reclassified, such notices shall be placed not more than one (1) mile apart. Each such notice shall consist of the words "Notice of Proposed Zoning Change", in letters not less than one (1) inch in height, and in addition thereto a statement in small letters setting forth a general description of the property involved in the proposed change of district, the time and place at which the public hearings on the proposed change will be held and any other information which the Planning Commission may deem to be necessary; and by

2. Mailing a postal card notice not less than ten (10) days prior to the date of the first of such hearings to the owners of all property within the posting area above defined, using for this purpose the last known name and address of such owners as shown upon the records of the Assessor of the County. Any failure to post public notices or to mail postal card notices as aforesaid shall not invalidate any proceedings for amendment of any zoning ordinance.
Following the aforesaid hearings the Planning Commission shall make a report of its findings and recommendations with respect to the proposed amendment and shall file with the Board of Supervisors or attach a copy of such report, within ninety (90) days after the notice of the first of said hearings; provided that such time limit may be extended upon mutual agreement of the parties having an interest in the proceedings. Failure of the Planning Commission to report within said ninety (90) days without the aforesaid agreement, shall be deemed to be approval of the proposed amendment by the Planning Commission.

Upon receipt of such report from the Planning Commission or upon the expiration of such ninety (90) days as aforesaid, the Board of Supervisors shall set the matter for public hearing after notice thereof and of the proposed amendment, given as provided by law. After the conclusion of such hearing the Board of Supervisors may adopt the amendment or any part thereof set forth in the petition in such form as said Board may deem to be advisable.

The decision of the Board of Supervisors shall be rendered within sixty (60) days after the receipt of a report and recommendations from the Planning Commission or after the expiration of such ninety (90) days, as aforesaid.

Upon the consent of the Planning Commission any petition for any amendment may be withdrawn upon the written application of a majority of all the persons who signed such petition. The Board or Supervisors or the Planning Commission, as the case may be, may by 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 that any hearing at which public notice has been given shall be held.

ARTICLE 13: ENFORCEMENT, LOCAL PROCEDURE, PENALTIES:

All department, officials and public employees of the County which are vested with the duty of authority to issue permits or licenses shall conform to the provisions of all zoning ordinances and shall issue no such permit or license for uses, buildings, or purposes where the same would be in conflict with the provisions of any such ordinance and any such permit or license if issued in conflict with the provisions of any such ordinance shall be null and void.

It shall be the duty of the Planning Commission to enforce the provisions of all zoning ordinances pertaining to the erection, construction, reconstruction, moving, conversion, alteration or addition to any building or structure.

It shall be the duty of the Sheriff of the County and of the officers of the County herein noted to execute all the force of ordinances of the County to enforce all zoning ordinances and all the provisions thereof.

Any person, firm, partnership, co-partnership or corporation, whether as principal, agent, employee or otherwise, violating any of the provisions of any zoning ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine not more than three hundred ($300) dollars or by imprisonment in the County Jail of the County for a term not exceeding three (3) months or by both such fine and imprisonment. Such person, firm, partnership, co-partnership or corporation shall be deemed to be guilty of a separate offense for each and every day during any portion of which any violation of any zoning ordinance is committed, continued or permitted by such person, firm or corporation, and shall be punishable as herein provided.

Any building, or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this zoning ordinance and/or any use of any land, buildings, or premises conducted, operated or maintained contrary to the provisions of this zoning ordinance shall be the same is herein declared to be unlawful and a public nuisance and the District Attorney of the County shall, upon order of the Board of Supervisors, immediately commence motion or proceedings for the abatement and removal and enforcement thereof in the manner provided by law and shall take such other steps as shall be necessary to such court or courts as may hereinto jurisdiction to grant such relief as will abate and remove such building or structure and restrain and enjoin any person, firm or corporation from setting up, erecting, building, maintaining, or using any such building or structure or using any property contrary to the provisions of such ordinances.
The remedies provided for herein, shall be cumulative and not exclusive.

SECTION 38. VALIDITY:
If any section, sub-section, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Court of Supervisors hereby declares that it would have passed this ordinance and each section, sub-section, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared invalid.

SECTION 39. REPEALING:
All ordinances and parts of ordinances of said County in conflict with this ordinance, to the extent of such conflict and no further, are hereby repealed; provided however, that nothing herein contained shall be deemed to repeal or amend any ordinance of said County requiring a permit or license or both, to conduct any business, trade or occupation.

SECTION 40. ENACTMENT:
This ordinance shall be published once in the Vallejo Times-Herald, a newspaper of general circulation in the County of Solano, not later than eight (8) days after the date of its passage and adoption, and shall take effect thirty (30) days from and after its passage.

Dan Foley
Chairman of the Board of Supervisors
of the County of Solano, State of California.

ATTEST:

LEWIS MORRILL
County Clerk and ex officio Clerk
of said Board.

I, LEWIS MORRILL, County Clerk, and ex officio Clerk of the Board of Supervisors, of the County of Solano, State of California, hereby certify that the above and foregoing ordinance was regularly introduced, passed, and adopted at a meeting of said Board held on the 5th day of January, 1942, by the following vote:

AYES: Supervisors Brown, Daniels, Benson, Schneier and Foley.
NOES: None.
ABSENT: None.

I, LEWIS MORRILL, Clerk, do hereby declare this ordinance law at such Clerk this 5th day of January, 1942.

Lewis Morris
Clerk