

CHAPTER 28

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ARTICLE I GENERAL PROVISIONS

28.01 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 subordinate use which is customarily incidental to that of the main building or principal use of the land and which is located on the same lot with the main building or principal use.

Agricultural accessory structure. A building or structure that is utilized in conjunction with the agricultural use of the property, including the storage of agricultural products and supplies and equipment used in agricultural operations. Stables, dairies and agricultural processing facilities are not accessory agricultural structures.

Agricultural education. The provision of information, knowledge and skills pertaining to agriculture conducted concurrently with the production of agricultural crops and is accessory to the primary agricultural use of the property. Examples include demonstration gardens and interactive seminars that model best practices in farm and ranch management and resource conservation.

Agricultural education, minor facility. An agricultural education activity or event that occurs on an existing farm and does not require the construction of new permanent buildings or facilities and does not require a building permit for a change of occupancy of any existing buildings or structures. An agricultural education, minor facility, may include the use of temporary structures, such as portable sanitation and temporary food service facilities.

Agricultural education, major facility. Any agricultural education activity or event that occurs on an existing farm that requires the construction of new buildings or facilities, or requires a building permit for a change of occupancy of any existing buildings or structures.

Agricultural homestay. Lodging accommodations provided as part of a farming operation, as regulated under the California Health and Safety Code, which meets all of the following requirements: (a) has not more than 6 guestrooms or accommodates not more than 15 guests; (b) provides overnight transient accommodations; (c) serves food only to its registered guests and serves meals at any time, and includes the price of the food in the price of the lodging; (d) lodging and meals are incidental and not the primary function of the facility; and, (e) the facility is located on, and is part of, a farm, as defined in the Food and Agricultural Code, that produces agricultural products as its primary source of income.

Agricultural processing facility. A fixed establishment performing any processing or packaging of crops after harvest, whether or not value is added, to prepare them for market on-site or for further processing and packaging elsewhere, including but not limited to: alfalfa and hay cubing; corn shelling; drying of corn, rice, hay, fruits or vegetables; pre-cooling and packaging of fresh or farm-dried fruits and vegetables; grain cleaning and custom grinding; custom grist mills; custom milling of flour, feed and grain; sorting, grading and packing of fruits and vegetables; canning, freezing, or preserving fruits and vegetables; tree nut hulling and shelling; and alcohol fuel production. Any of the above activities performed in the field with mobile equipment not involving permanent buildings are included under “Crop Production.” Includes related accessory uses such as: offices, laboratories, tasting facilities, retail sales of agricultural products produced on the premises or off-site by the operator, retail sales of agriculture-related promotional and/or educational items, and facility tours. Does not include “wineries,” or sorting and packing activities conducted within a permitted roadside stand.

Agricultural processing facility, small. An agricultural processing facility which contains less than 20,000 square feet of covered and uncovered processing area,

Agricultural processing facility, medium. An agricultural processing facility which contains between 20,000 and 40,000 square feet of covered and uncovered processing area.

Agricultural processing facility, large. An agricultural processing facility which contains more than 40,000 square feet of covered and uncovered processing area.

Agricultural research facility. An industrial or scientific use subordinate to, and in support of agriculture, and includes product processing and agriculturally based laboratories or facilities for the production or research of food, fiber, animal husbandry or medicine, and may include administrative office space in support of the operation.

Agricultural research facility, small. An agricultural research facility that is less than 20,000 square feet.

Agricultural research facility, medium. An agricultural research facility that is between 20,000 and 40,000 square feet.

Agricultural research facility, large. An agricultural research facility that is more than 40,000 square feet.

Agricultural trucking services and facilities. A trucking or hauling operation that receives more than 50% of its total gross income in a 12 month period from hauling unfinished agricultural products for processing purposes.

Agricultural trucking services and facilities, small. An agricultural trucking facility that operates 5 or fewer trucks, and where the operator resides on the property.

Agricultural trucking services and facilities, medium. An agricultural trucking facility that operates between 6 and 10 trucks, and where the operator resides on the property.

Agricultural trucking services and facilities, large. An agricultural trucking facility which operates more than 11 trucks.

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 humans.

Agritourism: The provision of facilities, amusement activities, commercial services, guides, or instructional content to encourage visitors to any agricultural, horticultural or agribusiness operation, either temporarily or on a permanent basis, for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation other than as a contractor or employee of the operation. Agritourism includes agriculturally related indoor and outdoor amusement and recreation activities such as farm tours, hayrides, sleigh rides, corn mazes, picnic and party facilities and other similar uses as determined by the zoning administrator. Agritourism does not include commercial amusement and entertainment uses, such as dance halls, electronic game arcades, studios, theatrical productions, musical entertainment, bowling alleys, billiard and pool establishment, commercial sports such as arenas, rings, racetracks, public golf courses, miniature golf course, amusement parks, membership sports and recreation clubs, game parlors, gun clubs, circus and carnival operations, water parks, amusement parks, fairgrounds, expositions, amphitheater or theater entertainment facilities for the performance of concerts or other entertainment events.

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.

Amusement Facilities. Bowling alley, billiard parlor, dance hall, skating rink, athletic club, gymnasium, swimming pool, theater, shooting gallery; facility for coin-operated amusement devices; auditorium, exhibition hall, sports arena, miniature golf course, amusement rides, indoor court games, drive-in theater; course for model airplanes, boats, cars or trains, and similar types of uses.

Animal Hospital or Veterinary Clinic. A facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment, or prevention of animal diseases, and where the animals are not boarded or kept overnight except as necessary in the medical treatment of the animal.

Animal Hospital or Veterinary Clinic, large animal. An animal hospital or veterinary clinic primarily for large animals (horses, cattle, sheep, lambs, etc.).

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

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

<u>Type of Animal</u>	<u>Units per Animal</u>
Mature cattle, horses or animals of similar size	1.00

Yearling cattle, horses or animals of similar size	.75
Calves, colts or animals of similar size	.40
Hogs more than 90 days old	1.00
Two or more litters of hogs	.50 per hog
One litter of hogs	None
Mature sheep, goats or animals of similar size	.20
Lambs, kids or animals of similar size	.15

Aquaculture. The propagation, cultivation, maintenance, and harvesting of aquatic plants and animals in marine, brackish, and fresh water, not including aquariums or ponds for pets or landscaping purposes.

Aquaculture Facility, small. An aquaculture facility, including all support and incidental facilities, using less than 10 acres of land.

Aquaculture Facility, medium. An aquaculture facility, including all support and incidental facilities, using between 10 and 50 acres of land.

Aquaculture Facility, large. An aquaculture facility, including all support and incidental facilities, using more than 50 acres of land.

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.

Bed and Breakfasts Inn: Lodging accommodations which provides overnight transient accommodations, with no more than 10 guest rooms, and serves food only to its registered guests and that serves only a breakfast or similar early morning meal and no other meals and includes the price of the food in the price of the lodging.

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, the primary dwelling shall be deemed to be a main building on the building site.

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.

Cattery. Any enclosure, premises, building structure, lot, area or ownership where twelve (12) or more cats are kept, harbored or maintained.

Cattery, large. A cattery which contains more than 24 cats.

Cattery, small. A cattery as which contains between 12 and 24 cats.

Certified Farmers Market. A farmers market approved by the county agricultural commissioner, where certified farmers offer for sale only those certified agricultural products they grow themselves.

Certified Farmers Market, small. A certified farmers market with nine or fewer vendors.

Certified Farmers Market, medium. A certified farmers market with between 10 and 20 vendors.

Certified Farmers Market, large. A certified farmers market with more than 20 vendors.

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.

Commercial Auctions and Agricultural Equipment Sales. An auction or sales event, conducted by a third party, which stores, refurbishes and conducts sales of used farming equipment, implements, vehicles and machinery, other than passenger vehicles or pick-up trucks rated at one ton or less hauling capacity.

Commercial farm equipment - sale, fabrication and repair. A retail business engaged in selling, fabrication and/or repairing equipment, implements, vehicles and machinery used exclusively for agricultural planting, cultivation, maintenance and harvesting, other than passenger vehicles or pick-up trucks rated at one ton or less hauling capacity.

Commercial Kitchen, Agricultural. A permanent food facility, as defined in the California Uniform Retail Food Facilities Law that is located on a farm and not associated with an eating establishment, catering service or mobile food vendor, used for the storage, preparation, or

handling of food for dispensing or sale directly to the consumer. May be attached to a roadside stand.

Commercial Outdoor Recreation. Outdoor recreational uses, 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.

Community care facility. Any facility, place or building, including any family home, group home, social rehabilitation facility or similar facility but excepting any such facility owned and operated by the County, which is maintained and operated to provide residential care, day care, or homefinding agency services for children, adults, or children and adults, including, but not limited to, the physically impaired or handicapped, mentally impaired, incompetent persons, and abused or neglected children. A community care facility may provide incidental medical services.

“Residential care” means nonmedical care provided on a 24-hour basis to persons in need of personal services, guidance, counseling, supervision, recovery services, supportive services, or assistance essential for sustaining the activities of daily living or for the protection of the individual.

“Day care” means nonmedical care provided on a less than 24-hour basis to persons in need of personal services, supervision, counseling, or assistance essential for sustaining the activities of daily living or for the protection of the individual.

“Homefinding agency” means any individual or organization engaged in finding homes or other places for placement of persons of any age for temporary or permanent care or adoption.

A residential care facility, including an intermediate care facility/developmentally disabled, a congregate living health facility, a transitional housing facility, or an emergency shelter facility but excluding a facility for wards of the juvenile court, which serves six or fewer persons, exclusive of the licensee, members of the licensee’s family, and persons employed as facility staff, shall be considered a residential use of property rather than a community care facility and the residents and operators of the facility shall be considered a family for purposes of this Chapter. A small family day care home or a large family day care home, as defined in state law, or a day care facility which serves six or fewer persons, exclusive of the licensee, members of the licensee’s family, and persons employed as facility staff, shall be considered a residential use of property rather than a community care facility.

Companion living unit. A temporary mobilehome subordinate to and 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.

Complementary Commercial Facility. A small commercial facility which complements and supports marsh oriented recreational uses, such as a bait shop, a small boat rental, or a refreshment stand.

Confined Animal Facility. Any dairy, stockyard, feedlot, or similar livestock operation for cattle, horses, sheep, or goats, where the animals are corralled, penned, tethered, or otherwise caused to remain in confinement in a restricted area for any purpose, and in which the surface of such restricted area is or will become bare of any feed growth in the normal growing season. Normal grazing activities for pastured livestock are excluded from this definition. Supplemental feeding areas, corrals, livestock working facilities, and other areas where grazing livestock may be temporarily confined incidental to grazing activities are also excluded. A Confined Animal Facility shall be classified as either Small, Medium, or Large, depending on the maximum number of animals at the facility at any time. Operations too small to meet the minimum threshold of a Small Confined Animal Facility shall not fall within this definition.

Animal Sector	Small CAF	Medium CAF	Large CAF
Cattle or cow/calf	20 to 299	300-999	1,000 or more
Mature dairy cow	14 to 199	200-699	700 or more
Veal calves	20 to 299	300-999	1,000 or more
Horses	10 to 149	150-499	500 or more
Sheep, lambs or goats	198 to 2,999	3,000-9,999	10,000 or more

Conservation bank. Privately or publicly owned land managed for its natural resource values, including the protection of threatened and endangered species and their habitat. Such management may include habitat preservation, restoration, creation, and enhancement. The resource benefits derived from this management regime may be sold as “credits” to project proponents who seek mitigation opportunities to compensate for resource impacts elsewhere. Includes mitigation bank. Does not include a conservation easement, where credits are not offered for sale, and where the existing underlying agricultural land use is allowed to continue indefinitely, or if the land use is inactive, future agricultural use of the land is allowed.

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.

Cottage Industry. A home-based business involving the limited provision or sale of goods or services, or the limited manufacturing of goods, which is accessory to, and conducted primarily by the resident family.

County boundary. The boundary of the County or the boundary of any incorporated 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.

Crop production. Agricultural uses including production of grains, field crops, vegetables, melons, fruits, grapes, tree nuts, flower fields and seed production, ornamental crops, tree and sod farms, associated crop preparation services and harvesting activities including but not limited to mechanical soil preparation, irrigation system construction, spraying, crop processing and sales in the field not involving a permanent structure.

Crowing Fowl. Crowing fowl means any male fowl from the order *galli formes*, including: roosters, drakes, turkeys, peacocks or pea fowl.

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 or dwelling unit. A room or suite of rooms that contains living facilities, including provisions for sleeping, eating, cooking and sanitation, and designed for, or occupied exclusively by, one family. A dwelling shall have no more than one kitchen, unless a second kitchen has been approved as provided in this Chapter. Each dwelling shall have a separate and independent entrance from either the exterior or an interior common area.

Dwelling group. 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 structure certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 and designed for, or occupied exclusively by, one family. A manufactured dwelling shall be installed on a foundation system as a fixture or improvement to the real property, in accordance with the Health and Safety Code and implementing regulations, unless installed as a temporary dwelling or in a mobilehome park.

Dwelling, multiple-family. 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 or single family. A detached building which meets the building regulations of the County and is designed for, or occupied exclusively by, one family. Includes manufactured dwelling but does not include a tent.

Dwelling, primary. If a lot is improved, or proposed to be improved, with two or more detached dwellings, the first dwelling constructed shall be the primary dwelling unless a later constructed dwelling is larger in gross floor area than an existing dwelling, in which case the larger dwelling shall be the primary dwelling, except in the R-TC-D and R-TC-M districts, where more than one primary dwelling is allowed.

Dwelling, secondary. One additional dwelling unit on the same ownership as the primary dwelling, providing independent living quarters, including sleeping, eating, cooking and sanitation facilities. Either the primary dwelling or the secondary dwelling shall be owner-occupied. If either dwelling is leased, such lease shall not cause the subdivision of the property. A secondary dwelling shall contain no more than eight hundred fifty square feet gross floor area

unless otherwise specified by the applicable Zoning District. A secondary dwelling shall not be considered an accessory building or an accessory use, as those terms are defined and used in this Chapter. Includes an accessory dwelling established pursuant to Ordinance No. 1679.

Dwelling, temporary. A manufactured dwelling installed as chattel property and for a limited, fixed term, for a purpose specified by the applicable Zoning District.

Dwelling, two-family. A duplex

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

Family. One or more persons, related or unrelated, living together 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 or domestic help.

Farm and ranch supply store. A retail business selling supplies for use in soil preparation and maintenance, the planting and harvesting of crops, the keeping and raising of farm animals, and other operations and processes pertaining to farming and ranching. Does not include the sale, rental, or repair of farm machinery and equipment, which is instead included in the definition of "Commercial Farm Equipment Fabrication and Repair."

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.

Farmers Market. A common facility or area where several farmers or growers gather on a regular, recurring basis to sell a variety of fresh fruits and vegetables and other locally-grown agricultural products directly to consumers. (See also Certified Farmers Market).

Floor area, gross. For residential structures, gross floor area shall be calculated as the total area of all floors of a building as measured to the exterior finished surface of outside walls or to the centerline of common walls separating buildings, not including any carport, walkway, garage, overhang, patio, enclosed patio, detached accessory structure, or similar area. For commercial or industrial structures, gross floor area shall be calculated as the total area of all floors of a building measured to the exterior finished surface of outside walls or to the centerline of common walls, including covered and enclosed space, but not including any exterior storage areas incidental to the principal use of the construction, garage, parking structure, unenclosed walkway, or utility or disposal area.

Fowl and Poultry Ranch: Any animal livestock operation for fowl or poultry where the animals are caused to remain in confinement in a restricted area for any purpose, and in which the surface of such restricted area is or will become bare of any feed growth in the normal growing season, and that meets the following thresholds:

Type of Bird	Small Ranch	Large Ranch
Turkeys	50 to 1,000	More than 1,000
Chickens, ducks, or fowl of similar size	100 to 1,000	More than 1,000

Crowing Fowl	---	5 or more
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* Does not include pastured poultry operations (See Pastured Poultry). Does not include poultry being raised by a minor for a 4H or similar type of agricultural education program if the project is registered with the Agricultural Commissioner.

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

General Manufacturing Uses. 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.

General Service Uses. An auto repair garage, blacksmith shop, cabinet shop, coppersmith shop, electrical repair shop, machine shop, plating works, plumbing shop, sheet metal shop, upholstering shop, welding shop, wood mill, and similar uses.

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.

HCD agricultural employee housing. Employee housing consisting of no more than 12 beds in a group quarters, or 12 units or spaces designed for use by a single family or household, for which the owner of such housing has qualified or intends to qualify for a permit to operate pursuant to the state Employee Housing Act.

Hog Ranch. Any animal livestock operation for swine that meet the following thresholds:

Swine (weighing over 55 lbs.)	20 or more
Swine (weighing less than 55 lbs.)	40 or more

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

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.

Hotel. A building, portion of a building, or group of buildings containing six or more guest rooms designed, or intended to be used, let or hired out for transient accommodations. A hotel may include accessory uses, such as a commercial kitchen or dining facilities open to the public.

Hunting and fishing club. A facility, place or building licensed as a commercial hunting club under State Fish and Game Code 3240.5 or licensed as a game bird club under State Fish and Game Code 3270 including approved incidental uses to the licensed facilities. Hunting and

fishing clubs may include cooking facilities and sleeping quarters or bunkhouses for limited stays of not more than 6 months. Facilities must be connected to an approved sewage disposal system.

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.

Kennel. Any enclosure, premises, building, structure, lot, area or one ownership where six (6) or more dogs are kept, harbored or maintained.

Kennel, large. A kennel that contains more than 12 dogs or where boarding services, classes and training, the sale of dogs and grooming services are offered to the public.

Kennel, small. A kennel where the dogs are kept for the private enjoyment of the occupants of the premises, provided that no more than twelve (12) dogs are kept, harbored or maintained.

Kitchen. Any room or portion of room that contains facilities for the preparation, cooking and/or serving of food, and includes a sink and either a stove, range, grill, or oven.

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.

Local Products Store: A store that primarily sells food, beverages, textiles and crafts that are related to agritourism.

Lot or parcel. An area of land under one ownership and having fixed boundaries depicted on a final map or parcel map or described by an instrument of conveyance defining land held in fee title as a discrete unit. Excludes condominium units consisting of airspace, and mere easements.

Lot area. The total area of a lot or parcel, exclusive of adjacent right-of-way unless otherwise specified for the applicable Zoning District.

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.

Marsh Oriented recreation. Recreational use and incidental commercial activity focused on the marsh environment, 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, docking and storage incidental to a craft docking facility; commercial recreation use, including bait shop and refreshment stand.

Meteorological Towers. A structure used for the collection of wind energy resource data, and includes the tower, base plate, anchors, guy cables and hardware, anemometers (wind speed indicators), wind direction vanes, booms to hold equipment anemometers and vanes, data logger, instrument wiring, and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location.

Mobilehome. 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 occupancies.

Neighborhood Commercial Use. A retail store or professional office providing goods or services primarily to a residential neighborhood or rural community, conducted entirely within a building or buildings on one ownership.

Nonconforming Lots, Buildings, Structures, Uses of Land. Any lots, buildings, structures and uses which were legally established prior to the effective date of the provisions of this Chapter, or future amendments thereof, but which would be prohibited, regulated or restricted by the terms of this Chapter or future amendments.

Nursery. A commercial establishment engaged in the propagation and sale of horticultural and ornamental plants and related products. Products may be grown under cover or outdoors. A nursery with public sales shall be subject to sales and display area restrictions as may be specified by the applicable Zoning District.

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 lease for a term of 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. An ownership may include multiple contiguous parcels.

Owner. The person exercising one ownership as herein defined. A buyer under a contract to purchase property may submit an application as an owner if title will transfer to the buyer prior to the County taking final action on the application.

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

Pastured Livestock: Any livestock grazing operation that is not a confined animal facility, as defined herein. Includes supplemental feeding areas, pens, working facilities, and other areas where grazing livestock may be temporarily confined incidental to grazing activities.

Pastured Poultry: A fowl or poultry operation that is not a poultry ranch, as defined herein, where the number of animals meets any of the following thresholds. Includes supplemental feeding areas, pens, working facilities, and other areas where grazing animals may be temporarily confined incidental to grazing activities.

Turkeys	50 or more
Chickens, ducks, or fowl of similar size	100 or more
Crowing Fowl	5 or more

Does not include poultry being raised by a minor for a 4H or similar type of agricultural education program if the project is registered with the Agricultural Commissioner.

Planning Commission. The Solano County Planning Commission.

Pool house. Includes bathhouse. An accessory building adjacent to a pool or spa for dressing by bathers, which may include a bathroom and incidental storage area. A pool house shall not include indoor cooking or sleeping facilities, HVAC equipment, or greater than a 110 volt electrical connection except for a dedicated service for pool equipment.

Principal Street. A public thoroughfare that is currently developed or will be improved as part of a proposed project with a minimum roadway improvement of 40 feet or more of paved width.

Public nuisance. Public nuisance shall mean a public nuisance as defined under California Civil Code, as now in effect, or as may be amended.

Public open space area. Public recreation and education uses, including related access facilities, incidental to agricultural and open space resource preservation and conservation, limited to low-intensity uses that include, but are not limited to, the following: non-motorized public trails for hiking, biking, and equestrians; picnicking; organized nature walks; walk-in tent camping; vehicle parking lot with no greater than 75 parking spaces inclusive of parking for any horse trailers; and, buildings not exceeding 400 square feet of floor area, individually or combined.

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.

Resort Hotel: A hotel that also provides interrelated visitor services intended to serve the needs of the community and people travelling through the area. Typical uses include but are not limited to: recreation activities/facilities, meeting rooms, banquet facilities, administrative facilities, maintenance and storage facilities, and restaurant and retail uses intended for use by both guests and non-guests.

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.

Roadside Stand: An area of an agricultural property set aside for the sale of processed and unprocessed crops, that are grown primarily on the property (“on-site”). Crops that have been grown or produced off the property (“off-site”) may only be sold in conjunction with the sale of crops grown on-site or off-site on land owned or leased by the operator within Solano County and in compliance with applicable laws or regulations governing the construction, operation and maintenance of the stand. Nonagricultural products may also be sold, but only in conjunction with the sale of crops, as regulated by the applicable Zoning District. A roadside stand shall not include the sale of nursery stock or winery products, or any processing of agricultural products or “food preparation” unless conducted in compliance with the California Health and Safety Code and approved by the Department of Resource Management, Environmental Health Services Division.

Note: Sorting and packing activities may be conducted within a permitted roadside stand and are not considered agricultural processing facilities.

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

Rural resident enterprise. A small 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.

Seasonal sales lot. Pumpkin patch, Christmas tree lot and other similar sales venue, where the sale of agriculturally related products is seasonal and/or tied to an annual holiday event.

Secondary living unit. A secondary dwelling.

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

Setback. See yard.

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

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

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

Sign area. The area of a sign or other advertising device shall be measured to the outside of the sign frame, or where there is 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.

Slaughterhouse. Any building or premises used for the killing or dressing of animals, including cattle, sheep, swine, goats, horses, or poultry, and the storage, freezing, and curing of meat and preparation of meat products.

Slaughterhouse, small. A slaughterhouse that processes less than 1,000 head of livestock or less than 5,000 birds per year.

Slaughterhouse, large. A slaughterhouse that processes 1,000 head or more of livestock or 5,000 or more birds per year.

Special events or special events facility. A facility offered for use by third parties for hire for the conduct of social gatherings or similar types of events. A special events facility may be either a single-purpose facility or a secondary use of another type of facility, such as an agricultural processing facility or a winery. When a special events facility is a secondary use, events conducted by the facility operator as part of the primary use of the facility and that are directly related to products sourced from that operation, such as marketing or promotional events, are not special events being conducted as a secondary use of the facility.

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, the use of which requires location on the ground at least 30 inches in height, or attachment to something having location on the ground at least 30 inches in height, but not including any recreational vehicle or tent.

Tasting Facility: A facility in which agricultural products may be tasted and sold, such as gift/retail sales, assembly areas, and meeting rooms, as permitted within the applicable zone district.

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.

Winery. An agricultural processing facility used for the commercial purpose of processing grapes, berries, or other fruit products, to produce wine or similar wine products. Processing includes wholesale sales, crushing, fermentation and refermentation, blending, bottling, packaging, storage, aging, handling, shipping, and receiving of such products. Includes related accessory uses such as: office, laboratory, wine tasting facilities, retail sales of wine and other agricultural products produced on the premises or off-site by the winery operator, retail sales of wine and agricultural-related promotional and/or educational items, and winery tours.

Winery, small. A winery with annual production not exceeding 20,000 gallons, in bulk and bottles combined.

Winery, medium: A winery with annual production between 20,000 and 100,000 gallons per year, in bulk and bottles combined.

Winery, large. A winery with annual production greater than 100,000 gallons, in bulk and bottles combined.

Wrecking yard. See junkyard.

Yard. An open space, other than a court, on the same building site with a building, but not including any portion of any street or alley or road right-of-way. Includes setback, as may be required by this Chapter in relation to buildings, structures, property lines, or natural or manmade features.

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.

(Ord. No. 1732, §1)

28.02 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;
- 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.

28.03 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.

If an owner proposes a type of land use which is not described or identified in this Chapter, the Director of Resource Management may determine that the proposed use is substantially similar to another type of land use which is described or identified in this Chapter, and shall accept and process permit applications for proposed use as if it were functionally equivalent to the substantially similar land use. If a use permit or other discretionary approval is required by this Chapter for the substantially similar land use, the hearing body is not bound by the Director's determination.

28.04 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 sections 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, whose 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, unless otherwise required in subsection (d) following.
 - d. All owners of real property as shown on the latest equalized assessment roll within one-half mile of the property that is the subject of the hearing if the property is located in any A or R-R district.
 - e. 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 subsections (B)(2)(a) and (B)(2)(c) above is more than 1,000, the Director of the Department of Resource 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 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. Planning Commission or Zoning Administrator 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 Commission, or Board of Supervisors 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.
- F. Notice for Waivers.** To grant a waiver of any requirement authorized pursuant to the provisions of this Code, notification of intent to grant a waiver shall be sent to owners, as

shown on the latest equalized assessment roll, of real property contiguous to that property for which a request for waiver has been received, 10 days in advance of a decision on said request.

28.05 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. 1726, §2)

ARTICLE II

DISTRICTS AND ALLOWABLE USES

28.10 Zoning Districts Established

(Reserved)

28.11 Zoning Maps

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:

1-N	7-N	13-N	19-N
1-S	7-S	13-S	19-S
2-N	8-N	14-N	20-N
2-S	8-S	14-S	20-S
3-N	9-N	15-N	21-N

3-S	9-S	15-S	21-S
4-N	----	16-N	22-N
4-S	10-S	16-S	22-S
---	11-N	17-N	23-N
5-S	11-S	17-S	23-S
6-N	12-N	18-N	
6-S	12-S	18-S	

28.12 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.

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:

Agricultural Districts

A Districts	EXCLUSIVE AGRICULTURAL DISTRICTS
A-L Districts	LIMITED AGRICULTURAL DISTRICTS
A-SV District	AGRICULTURE - SUISUN VALLEY DISTRICT
ATC Districts	AGRICULTURAL TOURIST CENTER DISTRICTS
A-DR District	AGRICULTURE – DIXON RIDGE DISTRICT

Residential Districts

R-R Districts	RURAL RESIDENTIAL DISTRICTS
R-TC Districts	RESIDENTIAL-TRADITIONAL COMMUNITY DISTRICTS
R-TC-1AC	Residential Traditional Community 1 Acre
R-TC-20	Residential Traditional Community ½ Acre
R-TC-15	Residential Traditional Community 1/3 Acre
R-TC-10	Residential Traditional Community ¼ Acre
R-TC-6	Residential Traditional Community 6,000 Square Feet
R-TC-5	Residential Traditional Community 5,000 Square Feet
R-TC-D-4	Residential Traditional Community Duplex 4,000 Square Feet
R-TC-D-6	Residential Traditional Community Duplex 6,000 Square Feet

R-TC-MF Residential Traditional Community Multi-Family

R-TC-MU Residential Traditional Community Mixed Use

Commercial and Industrial Districts

Commercial Districts

C-H District HIGHWAY COMMERCIAL DISTRICT

C-N District NEIGHBORHOOD COMMERCIAL DISTRICT

C-R District COMMERCIAL RECREATION DISTRICT

C-S District COMMERCIAL SERVICE DISTRICT

C-O District BUSINESS AND PROFESSIONAL OFFICE DISTRICT

Manufacturing and Industrial Districts

M-L District LIMITED MANUFACTURING DISTRICT

M-G Districts GENERAL MANUFACTURING DISTRICTS

I-WD District WATER DEPENDENT INDUSTRIAL DISTRICT

Resource Conservation Districts

W Districts WATERSHED AND CONSERVATION DISTRICT

MP Districts MARSH PRESERVATION DISTRICT

Specialty and Overlay Districts

P Districts PARK DISTRICT

PP Overlay POLICY PLAN OVERLAY

MIDDLE GREEN VALLEY ZONING DISTRICTS ¹

¹See Middle Green Valley Specific Plan for Zoning Regulations within the Middle Green Valley.

- 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 28.11 consists of a series of maps, each entitled “Solano County Zoning Map,” identified by a number and a letter. Such maps and all notations, references, data, and other information shown thereon are hereby adopted and made part of this Chapter.

28.20 Agricultural Districts

Subsections:

- 28.20 Agricultural Districts
- 28.21 Exclusive Agricultural District
- 28.22. Limited Agricultural District
- 28.23. Suisun Valley Agricultural Districts
- 28.24 Dixon Ridge Agricultural Districts (reserved)

28.21 Exclusive Agricultural (A) Districts

Subsections:

- 28.21.10 Agricultural Districts
- 28.21.11 Purpose of Agricultural Districts
- 28.21.20 Definitions Applicable to the Agricultural Districts
- 28.21.30 Agricultural District Uses and Permit Requirements

28-21.10 Exclusive Agricultural (A) Districts

This Section includes regulations for the A-20, A-40, A-80 and A-160 zoning districts.

28.21.11 Purpose of Agricultural Districts

This Section lists the uses of land that may be allowed within the agricultural zoning districts. It also determines the type of land use approval required for each use, and provides general standards for site development.

Agriculture is the major industry in the County generating the majority of the tax revenue in the unincorporated county. Also, agriculture is the largest single zone district classification on the County zoning map. Therefore, the Board of Supervisors has determined that the promotion and preservation of agriculture is of vital interest to the county. The standards stated in this section preserve agriculture a number of ways, including allowing agricultural-related support uses, excluding incompatible uses, and protecting the viability of the family farm. These regulations support the family farm by allowing a secondary dwelling for family members that acts as a form of affordable housing and, for farms with larger acreage, permits a reasonable number of farm labor housing on or near the farming activity.

28.21.020 AGRICULTURE DISTRICTS USES AND PERMIT REQUIREMENTS

A. Allowed Uses and Permit Requirements:

Table 28-21A identifies the land uses allowed by right this Zoning Ordinance in each agricultural district and the land use permit required to establish each use. In addition to the land use permit required by Table 28-21A, special requirements may apply to certain uses.

B. Architectural Review:

Architectural Approval may be required for certain uses in compliance with Section 28.102 (Architectural Approval).

C. Land Use Regulations

Where the last column in the Table 28.21A (Land Use Regulations”) includes a section number, e.g. 28.21.10, the zoning regulations in the referenced section apply to the use. Where the last column includes a chapter number, e.g. Chapter 13.6, the regulations in the referenced Solano County Code apply to the use. Provisions in other sections of this Zoning Ordinance may also apply.

D. Site Development and Other Standards

All uses shall comply with the provisions of Article IV, Section 28-90 Site Development and Other Standards which includes standards for parking, signs and other project elements.

TABLE 28.21A TABLE OF ALLOWED USES

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited					
ALLOWED USES* *See Definitions Section 28-01	Permit Requirements				Land Use Regulations** **See Section 28-70.10
	A-40	A-80	A-20	A-160	
AGRICULTURAL USES					
A. CROP PRODUCTION AND GRAZING					
Agricultural accessory structures	A	A	A	A	28.71.10(B)(1)
Cultivated and irrigated farming	A	A	A	A	“ “
Non-irrigated and non-cultivated farming, Grazing	A	A	A	A	“ “
Grazing or pastured livestock	A	A	A	A	“ “
Pastured Poultry					28.71.10(A) & (B)(4)
<i>Not adjacent to a R District</i>	A	A	A	A	28.71.10(A) & (B)(4)
<i>Adjacent to a R District</i>	MUP	MUP	MUP	MUP	28.71.10(A) & (B)(4)
<i>With an agricultural commercial kitchen</i>	MUP	MUP	MUP	MUP	28.71.10(A) & (B)(4)
<i>With sales</i>	MUP	MUP	MUP	MUP	28.71.10(A) & (B)(4)
<i>With special events</i>	MUP	MUP	MUP	MUP	28.71.10(A) & (B)(4); 28.73.30(A) & (B)(6)
<i>With more than 4 crowing fowl</i>	UP	UP	UP	UP	28.71.10(A) & (B)(4)
B. AGRICULTURAL PROCESSING USES					
Agricultural processing facility					
<i>Small Agricultural Processing Facility</i>	AP	AP	AP	AP	28.71.20(A) & (B)(1)
<i>Medium Agricultural Processing Facility</i>	MUP	MUP	MUP	MUP	28.71.20(A) & (B)(1)
<i>Large Agricultural Processing Facility</i>	UP	UP	UP	UP	28.71.20(A) & (B)(1)
<i>With Special Events (existing facility)</i>					
<i>6 per year max, and 150 persons or less</i>	A	A	A	A	28.71.10(A) & (B)(4); 28.73.30(A)
<i>12 per year max, and 150 persons or less</i>	AP	AP	AP	AP	28.71.10(A) & (B)(4); 28.73.30(A)
<i>More than 12 per year, or more than 150 persons</i>	MUP	MUP	MUP	MUP	28.71.10(A) & (B)(4); 28.73.30(A)
Aquaculture					

**A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt,
- - - = Prohibited**

ALLOWED USES* *See Definitions Section 28-01	Permit Requirements				Land Use Regulations** **See Section 28-70.10
	A-40	A-80	A-20	A-160	
AGRICULTURAL USES					
<i>Small Aquaculture Facility</i>	AP	AP	AP	AP	28.71.20(A)
<i>Medium Aquaculture Facility</i>	MUP	MUP	MUP	MUP	28.71.20(A)
<i>Large Aquaculture Facility</i>	UP	UP	UP	UP	28.71.20(A)
Nursery with public sales ⁽⁶⁾	A	A	A	A	28.71.20(A) & (B)(2)
<i>Winery - 25% or greater on-site grapes</i>					28.71.20(A) & (B)(3)
<i>Winery, small</i>	A	A	A	A	28.71.20(A) & (B)(3)
<i>Winery, medium</i>	AP	AP	AP	AP	28.71.20(A) & (B)(3)
<i>Winery, large</i>	UP	UP	UP	UP	28.71.20(A) & (B)(3)
<i>Winery with less than 25% on-site grapes</i>	UP	UP	UP	UP	28.71.20(A) & (B)(3)
<i>Winery with Special Events 6 per year max, and 150 persons or less</i>	A	A	A	A	28.71.20(A) & (B)(3); 28.73.30(A)
<i>12 per year max, and 150 persons or less</i>	AP	AP	AP	AP	28.71.20(A) & (B)(3); 28.73.30(A)
<i>More than 12 per year, or more than 150 persons</i>	MUP	MUP	MUP	MUP	28.71.20(A) & (B)(3); 28.73.30(A)
C. ANIMAL FACILITIES AND OPERATIONS					
Confined animal facility, including dairy					28.71.30(A) & (B)(1)
<i>Small</i>	MUP	MUP	MUP	MUP	28.71.30(A) & (B)(1)
<i>Medium and Large</i>	UP	UP	UP	UP	28.71.30(A) & (B)(1)
Fowl and Poultry Ranch					28.71.30(A) & (B)(2)
<i>Small (100 - 1,000 birds)</i>	MUP	MUP	MUP	MUP	28.71.30(A) & (B)(2)
<i>Large (1,001 birds or more)</i>	UP	UP	UP	UP	28.71.30(A) & (B)(2)
Hog Ranch					28.71.30(A) & (B)(3)
<i>Small (20 - 100 hogs)</i>	AP	AP	AP	AP	28.71.30(A) & (B)(3)
<i>Medium (101 - 750 hogs)</i>	MUP	MUP	MUP	MUP	28.71.30(A) & (B)(3)
<i>Large (751 hogs or more)</i>	UP	UP	UP	UP	28.71.30(A) & (B)(3)
Slaughterhouse					
<i>Small Slaughterhouse (1,000 head</i>	MUP	MUP	MUP	MUP	28.71.30(A) & (B)(5)

**A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt,
 - - - = Prohibited**

ALLOWED USES* *See Definitions Section 28-01	Permit Requirements				Land Use Regulations** **See Section 28-70.10
	A-40	A-80	A-20	A-160	
AGRICULTURAL USES					
<i>per year or less)</i>					
<i>Large Slaughterhouse (More than 1,000 head per year)</i>	UP	UP	UP	UP	28.71.30(A) & (B)(5)
D. OTHER AGRICULTURAL OPERATIONS					
Agricultural employee housing	AP	AP	AP	AP	28.71.40(A) & (B)(1)
Commercial auction and agricultural equipment sales, temporary	MUP	MUP	MUP	MUP	28.71.40(A) & (B)(2)
HCD Agricultural employee housing	A	A	A	A	28.71.40(A) & (B)(3)
Labor Camp					28.71.40(A) & (B)(4)
Temporary Commercial Coach	AP	AP	AP	AP	28.71.40(A) & (B)(5)

**A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt,
- - - = Prohibited**

ALLOWED USES* *See Definitions Section 28-01	Permit Requirements				Land Use Regulations** **See Section 28-70.10
	A-40	A-80	A-20	A-160	
RESIDENTIAL USES					
A. DWELLINGS					
Primary dwelling	A	A	A	A	28.72.10(A)
Secondary dwelling	A	A	A	A	28.72.10(A) & (B)(6)
Second Kitchen	AP	AP	AP	AP	28.72.10(A) & (B)(7)
B. TEMPORARY RESIDENTIAL USES					
Security quarters for a construction site (commercial coach, manufactured home or recreational vehicle)	AP	AP	AP	AP	28.72.20(A) & (B)(1)
Temporary Manufactured Home Storage	AP	AP	AP	AP	28.72.20(A) & (B)(4)
Temporary single family home	AP	AP	AP	AP	28.72.20(A) & (B)(6)
C. C. AGRICULTURAL AND ANIMAL FACILITIES INCIDENTAL TO A RESIDENCE					
Small Kennel or Cattery	AP	AP	AP	AP	28.72.30(A) & (B)(3)
Stable, private	A	A	A	A	28.72.30(A) & (B)(5)
D. OTHER RESIDENTIAL USES					
Cottage Industry					
<i>Type I</i>	MUP	MUP	MUP	MUP	28.72.40(A) & (B)(1)
<i>Type II</i>	UP	UP	UP	UP	28.72.40(A) & (B)(1)
Home occupation					
<i>Type I</i>	A	A	A	A	28.72.40(A) & (B)(2)
<i>Type II</i>	AP	AP	AP	AP	28.72.40(A) & (B)(2)

TABLE 28.21A TABLE OF ALLOWED USES

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt,
- - - = Prohibited

ALLOWED USES* *See Definitions Section 28-01	Permit Requirements				Land Use Regulations** **See Section 28-70.10
	A-40	A-80	A-20	A-160	
RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES					
A. RECREATION USES					
Boating or swimming facility on existing waterway	UP	UP	UP	UP	28.73.10(A)
Hunting or fishing club	UP	UP	UP	UP	28.73.10(A) & (B)(1)
Public open space area	- - -	- - -	A	A	28.73.10(A)
Stable, public without horse shows	UP	UP	UP	UP	28.73.10(A) & (B)(3)
B. EDUCATION USES					
Agricultural education					28.73.20(A) & (B)(1)
<i>Minor Facility</i>	AP	AP	AP	AP	28.73.20(A) & (B)(1)
<i>Major Facility</i>	MUP	MUP	MUP	MUP	28.73.20(A) & (B)(1)
C. PUBLIC ASSEMBLY USES					
Limited special event	- - -	- - -	UP	- - -	28.73.30(A) & (B)(3)
Public Stable with Horse shows	UP	UP	UP	UP	28.73.30(A) & (B)(5)
Special Events Facility (other than Winery or Agricultural Processing Facility)					28.73.30(A) & (B)(6)
<i>6 per year max, and 150 persons or less</i>	AP	AP	AP	AP	28.73.30(A) & (B)(6)
<i>12 per year max, and 150 persons or less</i>	MUP	MUP	MUP	MUP	28.73.30(A) & (B)(6)
<i>More than 12 per year, or more than 150 persons</i>	UP	UP	UP	UP	28.73.30(A) & (B)(6)

TABLE 28.21A TABLE OF ALLOWED USES

**A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt,
- - - = Prohibited**

ALLOWED USES* *See Definitions Section 28-01	Permit Requirements				Land Use Regulations** **See Section 28-70.10
	A-40	A-80	A-20	A-160	
RETAIL AND OFFICE USES					
A. RETAIL USES					
Farm Equipment Sales	MUP	MUP	MUP	MUP	28.74.10(A) & (B)(4)
Farm/Ranch Supply Store	MUP	MUP	MUP	MUP	28.74.10(A) & (B)(5)
Roadside Stand					
<i>1,000 square feet or less in size</i>	A	A	A	A	28.74.10(A) & (B)(8)
<i>Between 1,000 and 2,500 square feet</i>	AP	AP	AP	AP	28.74.10(A) & (B)(8)
<i>Greater than 2,500 square feet in size</i>	MUP	MUP	MUP	MUP	28.74.10(A) & (B)(8)
<i>Non-agricultural product sales, less than 10%.</i>	A	A	A	A	28.74.10(A) & (B)(8)
<i>Non-agricultural product sales, between 10% and 25%</i>	MUP	MUP	MUP	MUP	28.74.10(A) & (B)(8)
<i>Non-agricultural product sales, greater than 25%</i>	UP	UP	UP	UP	28.74.10(A) & (B)(8)
<i>Any of the above with a Certified Farmers Market</i>					
<i>Small Certified Farmers Market</i>	AP	AP	AP	AP	28.74.10(A) & (B)(8); 28.75.20(A) & (B)(2)
<i>Medium Certified Farmers Market</i>	MUP	MUP	MUP	MUP	28.74.10(A) & (B)(8); 28.75.20(A) & (B)(2)
<i>Large Certified Farmers Market</i>	- - -	- - -	- - -	- - -	28.74.10(A) & (B)(8); 28.75.20(A) & (B)(2)
B. OFFICE USES					
Agricultural Research Facility					
<i>Small (less than 20,000 sq. ft.)</i>	AP	AP	AP	AP	28.74.20(A) & (B)(1)
<i>Medium (between 20,000 and 40,000 sq. ft.)</i>	MUP	MUP	MUP	MUP	28.74.20(A) & (B)(1)
<i>Large (more than 40,000 sq. ft.)</i>	UP	UP	UP	UP	28.74.20(A) & (B)(1)

TABLE 28.21A TABLE OF ALLOWED USES

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited					
ALLOWED USES* *See Definitions Section 28-01	Permit Requirements				Land Use Regulations** **See Section 28-70.10
	A-40	A-80	A-20	A-160	
TOURIST USES					
A. AGRITOURISM					
Agricultural homestay	A	A	A	A	28.75.10(A) & (B)(1)
B. TEMPORARY AGRITOURISM					
Amusement and entertainment uses	MUP	MUP	MUP	MUP	28.75.20(A) & (B)(1)
Certified Farmers Market					
<i>Small Certified Farmers Market</i>	AP	AP	AP	AP	28.75.20(A) & (B)(2)
<i>Medium Certified Farmers Market</i>	MUP	MUP	MUP	MUP	28.75.20(A) & (B)(2)
<i>Large Certified Farmers Market</i>	- - -	- - -	- - -	- - -	28.75.20(A) & (B)(2)
Seasonal sales lot	MUP	MUP	MUP	MUP	28.75.20(A) & (B)(3)

TABLE 28.21A TABLE OF ALLOWED USES for THE EXCLUSIVE AGRICULTURAL DISTRICT

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited					
ALLOWED USES* *See Definitions Section 28-01	Permit Requirements				Land Use Regulations** **See Section 28-70.10
	A-40	A-80	A-20	A-160	
COMMERCIAL SERVICE USES					
A. AGRICULTURAL SERVICES					
Agricultural Commercial Kitchen	MUP	MUP	MUP	MUP	28.76.10(A) & (B)(1)
Agricultural trucking services and facility					28.76.10(A) & (B)(2)
<i>Small (1 to 5 trucks)</i>	AP	AP	AP	AP	28.76.10(A) & (B)(2)
<i>Medium (between 6 and 10 trucks)</i>	MUP	MUP	MUP	MUP	28.76.10(A) & (B)(2)
<i>Large (11 or more trucks)</i>	UP	UP	UP	UP	28.76.10(A) & (B)(2)
Airfield or heliport, Agricultural	MUP	MUP	MUP	MUP	28.76.10(A)
Commercial farm equipment fabrication and repair	MUP	MUP	MUP	MUP	28.76.10(A)
Custom farm services, e.g. hay baling	MUP	MUP	MUP	MUP	28.76.10(A)
Storage and sale of agricultural service products(fertilizer/fuel)	UP	UP	UP	UP	28.76.10(A)
B. COMMERCIAL SERVICES					
Large Animal Hospital or Veterinary Clinic	MUP	MUP	MUP	MUP	28.76.20(A) & (B)(1)
Kennel or Cattery, Large	MUP	MUP	MUP	MUP	28.76.20(A) & (B)(2)

TABLE 28.21A TABLE OF ALLOWED USES for the EXCLUSIVE AGRICULTURAL DISTRICT

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited					
ALLOWED USES* *See Definitions Section 28-01	Permit Requirements				Land Use Regulations** **See Section 28-70.10
	A-40	A-80	A-20	A-160	
INDUSTRIAL, MANUFACTURING, PROCESSING AND WHOLESALE USES					
A. Industrial, Manufacturing and Processing Uses	---	---	---	---	
B. Wholesale Uses	---	---	---	---	

TABLE 28.21A TABLE OF ALLOWED USES for the EXCLUSIVE AGRICULTURAL DISTRICT

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited					
ALLOWED USES* *See Definitions Section 28-01	Permit Requirements				Land Use Regulations** **See Section 28-70.10
	A-40	A-80	A-20	A-160	
COMMUNICATION AND INFRASTRUCTURE USES					
A. COMMUNICATION USES					
Wireless communication facilities					
Co-locations	MUP	MUP	MUP	MUP	28.81
New towers	UP	UP	UP	UP	28.81
B. INFRASTRUCTURE USES					
Commercial wind turbine generator	UP	UP	UP	UP	28.80
Injection well	UP	UP	UP	UP	28.78.20(A) & (B)(4)
Non-commercial wind turbine					
<i>100 feet or less in height</i>	A	A	A	A	28.80
<i>Over 100 feet in height</i>	MUP	MUP	MUP	MUP	28.80
Oil or gas well	AP	AP	AP	AP	28.78.20(A) & (B)(7)
Pipeline, transmission or distribution line, in R.O.W.	A	A	A	A	28.78.20(A) & (B)(8)
Refuse, disposal, incineration or composting ⁽¹⁰⁾	UP	UP	UP	UP	28.78.20(B)(3)
Surface mining operation	UP	UP	UP	UP	28.78.20(A)
Utility facility or infrastructure, outside of R.O.W.	UP	UP	UP	UP	28.78.20(A) & (B)(9)
C. PUBLIC SERVICE USES					
Public service facility	UP	UP	UP	UP	28.78.30(A) & (B)(4)
D. TEMPORARY CONSTRUCTION AND INFRASTRUCTURE					
Concrete/asphaltic concrete mixing plant	MUP	MUP	MUP	MUP	28.78.40(A) & (B)(2)
Construction storage yard	MUP	MUP	MUP	MUP	28.78.40(A) & (B)(2)
Construction office, storage, stockpiling, or construction yard for public infrastructure project	MUP	MUP	MUP	MUP	28.78.40(A) & (B)(3)
Meteorological Tower, 100 feet or less in height	AP	AP	AP	AP	28.78.20(A) & (B)(6)

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited					
ALLOWED USES* *See Definitions Section 28-01	Permit Requirements				Land Use Regulations** **See Section 28-70.10
	A-40	A-80	A-20	A-160	
COMMUNICATION AND INFRASTRUCTURE USES					
Meteorological Tower, greater than 100 feet in height	MUP	MUP	MUP	MUP	28.78.20(A) & (B)(6)

Table 28.21A TABLE OF ALLOWED USES for the EXCLUSIVE AGRICULTURAL DISTRICT

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited					
ALLOWED USES* *See Definitions Section 28-01	Permit Requirements				Land Use Regulations** **See Section 28-70.10
	A-40	A-80	A-20	A-160	
RESOURCE PROTECTION USES					
A. RESOURCE PROTECTION USES					
Conservation and Mitigation Bank	UP	UP	UP	UP	28.79.10(A)

28.21.30 Agricultural Districts General Development Standards

- A. General site and building standards.** Subdivisions, new land uses, main buildings including primary and secondary dwellings, and alterations to existing land uses and buildings, shall be designed, constructed, and/or established in compliance with the applicable development standards delineated or referenced in Table 28-21B.

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Table 28.21B

Development Standards for Main Building, Primary and Secondary Dwelling		
	A-20, A-40	A-80, A-160
PRIMARY DWELLING		
Dwelling Size	<i>Minimum of 1,000 Square Feet</i>	
Setbacks	<i>30 feet, but at least 50 feet from the street centerline and unless otherwise indicated by building lines on the Zoning Maps.</i>	
Front		
Sides (each)		
Rear		
Between structures		
Height limit	<i>35 feet, and as allowed by 28-93 Special regulations</i>	
SECONDARY DWELLING		
	A-20, A-40	A-80, A-160
Dwelling Size	<i>Maximum of 1,800 Square Feet</i>	
Setbacks	<i>30 feet, but at least 50 feet from the street centerline and unless otherwise indicated by building lines on the Zoning Maps</i>	
Front		
Sides (each)		
Rear		
Between structures		
Height limit	<i>35 feet, and as allowed by 28-93 Special regulations</i>	

Notes:

- (1) Does not include a secondary dwelling as defined in Section 28-01.
- (2) Other setbacks may be required for specific uses listed in Table 28-21A, as provided elsewhere in this Chapter.
- (3) The side or rear yard requirements may be waived for an accessory building other than an animal shelter, except that such building shall not be located closer to any side street line than the main building. Waiver of said requirements shall be subject to notice as set forth in Section 04(f) of this Chapter.
- (4) Other separation between structures may be required by County Building Code.
- (5) The actual number of parcels allowed is determined through the applicable subdivision process, based on specific site characteristics and potential environmental impacts, and there is no guarantee that the maximum possible number may be achieved..
- (6) Maximum number of dwelling units allowed per parcel.

B. ACCESSORY BUILDINGS AND STRUCTURES.

New accessory buildings and other structures, including alterations to existing accessory buildings and other structures, shall be designed, constructed, and/or established in compliance with the applicable development standards in Section 28.71.10(B)(1) and in Table 28.21C below. Only one residential accessory building is allowed per lot.

Table 28.21C DEVELOPMENT STANDARDS FOR ACCESSORY BUILDINGS		
	A-20, A-40	A-80, A-160
AGRICULTURAL ACCESSORY BUILDINGS ⁽¹⁾		
Setbacks		
Attached	<i>An accessory building attached to the main building shall comply with the setback requirements for the main building</i>	
Detached		
Front	<i>60 feet or on the rear 50% of the lot</i>	
Sides (each)	<i>20 feet</i>	
Rear	<i>20 feet</i>	
Between structures	<i>10 feet from any dwelling or other main building on the same lot Stables: 20 feet from any dwelling or other main building on the same lot</i>	
Height limit	<i>35 feet, and as allowed by 28-93 General Building regulations</i>	
Parking	<i>As required by 28-94, Parking Requirements</i>	
Signs	<i>See Section 28.96 Signs</i>	
RESIDENTIAL ACCESSORY BUILDINGS ⁽¹⁾		
	A-20, A-40	A-80, A-160
Setbacks		
Attached	<i>An accessory building attached to the main building shall comply with the setback requirements for the main building</i>	
Detached		
Front	<i>60 feet or on the rear 50% of the lot</i>	
Sides (each)	<i>20 feet</i>	
Rear	<i>20 feet</i>	
Between structures	<i>10 feet from any dwelling or other main building on the same lot Stables: 20 feet from any dwelling or other main building on the same lot</i>	
Height limit	<i>35 feet, and as allowed by 28-93 Special regulations</i>	
Parking	<i>As required by 28-94, Parking Requirements</i>	
Signs	<i>See Section 28.96 Signs</i>	

Notes:

- (1) Does not include a secondary dwelling as defined in Section 28-01.
- (2) Other setbacks may be required for specific uses listed in Table 28-21A, as referenced.
- (3) The side or rear yard requirements may be waived for an accessory building other than an animal shelter, except that such building shall not be located closer to any side street line than the main building. Waiver of said requirements shall be subject to notice as set forth in Section 04(f) of this Chapter.

- (4) Other separation between structures may be required by County Building Code.

Section 28.22 – SUISUN MARSH AGRICULTURAL (A-SM) DISTRICTS

Subsections:

28.22.10 – Suisun Marsh Agriculture Districts

28.22.11 – Purposes of Suisun Marsh Agricultural Districts

28.22.20 – Suisun Marsh Agricultural District Land Uses and Permit Requirements

28.22.30 – Suisun Marsh Agricultural District Development Standards

28-22.10 – Suisun Marsh Agriculture Districts

This section includes regulations for the A-SM-80 and A-SM-160 zoning districts.

28.22.11 – Purpose of Suisun Marsh Agriculture Districts

This Section lists the uses of land that may be allowed within the Suisun Marsh Agricultural zoning districts, established by Section 28.13 (Districts Designated and Established). It also determines the type of land use approval required for each type of use and provides general standards for site development.

Agriculture is the major industry in Solano County, generating the majority of the tax revenue in the unincorporated County. In addition, certain agricultural lands serve an important function in buffering contiguous environmentally sensitive lands of the Suisun Marsh from the effects of urbanization. Therefore, the Board of Supervisors has determined that it is in the interest of the County to prevent further encroachment upon such agricultural lands by incompatible uses of property.

The purpose and intent of the A-SM districts is to preserve lands best suited for permanent agricultural use while limiting certain intensive agricultural practices which may conflict with adjoining sensitive lands. A primary intent of the A-SM districts is to assure the retention of upland and lowland grasslands adjacent to the Suisun Marsh in uses compatible with its protection.

28.22.20 – Suisun Marsh Agricultural District Land Uses and Permit Requirements

A. Allowed Uses and Permit Requirements

Table 28-22A identifies the land uses allowed by this Zoning Ordinance in each Suisun Marsh Agricultural district and the land use permit required to establish each use. In addition to the land use permit required by Table 28-22A, special requirements may apply to certain uses.

B. Marsh Development Permit Requirements

Any development within the Suisun Marsh, as defined by Section 29114 of the Public Resources Code, shall be subject to obtaining a Marsh Development Permit pursuant to the Suisun Marsh Preservation Act of 1977, and as provided for in Section 28.104 of this Code. When a land use subject to a marsh development permit is proposed in both the Primary Management Area and Secondary Management Area, as defined in the Suisun Marsh Preservation Act of 1977, the land use shall be subject to a use permit covering the whole of the project.

C. Architectural Review

Architectural Approval may be required for certain uses, in compliance with Section 28.102 (Architectural Approval).

D. Building Permits

A Building Permit shall be required prior to any construction.

E. Land Use Regulations

Where the last column in Table 28.22A (Land Use Regulations) includes a section number, e.g. 28.70.10, the zoning regulations in the referenced section apply to the use. Where the last column includes a chapter number, e.g. Chapter 13.6, the regulations in the referenced Solano County Code apply to the use. Provisions in other sections of this Zoning Ordinance may also apply.

F. Non-Conforming Uses

Within the Suisun Marsh, as defined by Section 29101 of the Public Resources Code, uses established prior to 1977 that do not conform to the uses set forth in Table 28-22A shall be considered nonconforming uses under Section 28.114, except that non-substantial changes, alterations, and additions to nonconforming uses may be allowed within the existing established project footprint area subject to a marsh development permit, pursuant to the Suisun Marsh Preservation Act of 1977 and as provided for in Section 28.104 of this code. The overall existing development area may not be expanded under these provisions. Development within the existing development area should minimize additional impervious surfaces. An adequate buffer should be established or maintained between the development areas and any water, wetlands, or other Marsh habitat to protect the habitat from adverse environmental impacts. An erosion, sediment, and runoff control plan shall be prepared in accordance with Section 31.26(b) of the Solano County Grading, Drainage, Land Leveling and Erosion Control Ordinance. When the non-conforming use is located in both the Primary and Secondary Management Areas, as defined by

the Suisun Marsh Preservation Act of 1977, non-substantial changes, alterations, and additions to the nonconforming use shall be subject to a use permit covering the whole of the project.

G. Site Development and Other Standards

All uses shall comply with the provisions of Article IV, Section 28-90 Site Development and Other Standards, which includes standards for parking, signs, and other project elements.

Table 28.22A TABLE OF ALLOWED USES		
A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit, UP = Use Permit, - - - = Prohibited		
ALLOWED USES	Permit Requirements	Land Use Regulations
See Definitions Section 28.10	AL-80 and AL-160⁽¹⁾ Zoning Districts	See Section 28.70.10
28.71 AGRICULTURAL USES		
A. CROP PRODUCTION AND GRAZING		
Agricultural accessory buildings	A	28.71(A) & (B)(1)
Cultivated and irrigated farming	A ⁽²⁾	
Non-irrigated and non-cultivated farming	A ⁽²⁾	
Grazing	A ⁽²⁾	
Pastured Poultry		
Not adjacent to a R District	A	28.71.10(A) & (B)(4)
Adjacent to a R District	MUP	28.71.10(A) & (B)(4)
With an agricultural commercial kitchen	- - -	
With sales	- - -	
With Special events	- - -	
With more than 4 crowing fowl	UP	28.71.10(A) & (B)(4)
B. AGRICULTURAL PROCESSING USES		
None allowed		
C. ANIMAL FACILITIES AND OPERATIONS		
None allowed		
D. OTHER AGRICULTURAL OPERATIONS		
Agricultural employee housing	AP	28.71.40(A) & (B)(1)
HCD Agricultural employee housing	A	28.71.40(A) & (B)(3)
Temporary commercial coach	AP	28.71.40(A) & (B)(5)
28.72 RESIDENTIAL USES		
A. DWELLINGS		
Primary Dwelling ⁽³⁾	A	28.72.10(A)
Secondary Dwelling	A	28.72.10(A) & (B)(6)
Second Kitchen	AP	28.72.10(A) & (B)(7)
B. TEMPORARY RESIDENTIAL USES		
Temporary single family dwelling	AP	28.72.20(A) & (B)(6)
C. AGRICULTURAL AND ANIMAL FACILITIES INCIDENTAL TO A RESIDENCE		
Small kennels and catteries	AP	28.72.30(A) & (B)(3)
D. OTHER RESIDENTIAL USES		

Table 28.22A TABLE OF ALLOWED USES

**A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit,
UP = Use Permit, - - - = Prohibited**

ALLOWED USES	Permit Requirements	Land Use Regulations
See Definitions Section 28.10	AL-80 and AL-160⁽¹⁾ Zoning Districts	See Section 28.70.10
Home occupation, Type I	A	28.72.40(A) & (B)(2)
28.73 RECREATION, EDUCATION, AND PUBLIC ASSEMBLY USES		
A. RECREATION USES		
Marsh oriented recreation	UP	28.73.10(A) & (B)(1)
Public open space area	A	28.73.10(A)
Stable, public without Horse Shows	UP	28.73.10(A) & (B)(3)
B. EDUCATION USES		
Agricultural Education, Minor Facility	AP	28.73.20(A) & (B)(1)
Marsh Education	UP	28.73.20(A)
C. PUBLIC ASSEMBLY USES		
Special Events Facility (other than Winery or Agricultural Processing Facility)		
<i>6 per year max, and 150 persons or less</i>	AP	28.73.30(A) & (B)(6)
<i>12 per year max, and 150 persons or less</i>	MUP	28.73.30(A) & (B)(6)
<i>More than 12 per year, or more than 150 persons</i>	UP	28.73.30(A) & (B)(6)
28.74 RETAIL AND OFFICE USES		
A. RETAIL USES		
None Allowed		
B. OFFICE USES		
Agricultural research facility, Small	UP	28.74.20(A) & (B)(1)
Marsh research facility	UP	28.74.20(A)
28.75 TOURIST USES		
A. AGRITOURISM		
None Allowed		
B. TEMPORARY AGRITOURISM		
None Allowed		
28.76 COMMERCIAL SERVICE USES		
A. AGRICULTURAL SERVICES		
None Allowed		
B. COMMERCIAL SERVICES		
None Allowed		
28.77 INDUSTRIAL, MANUFACTURING, PROCESSING AND WHOLESALE USES		
A. INDUSTRIAL, MANUFACTURING AND PROCESSING USES		
None Allowed		
B. WHOLESALE USES		
None Allowed		
28.78 COMMUNICATION, INFRASTRUCTURE AND SERVICE USES		
A. COMMUNICATION USES		
Wireless communication facility		
<i>Co-location</i>	MUP	28.81

Table 28.22A TABLE OF ALLOWED USES

**A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit,
 UP = Use Permit, - - - = Prohibited**

ALLOWED USES	Permit Requirements	Land Use Regulations
See Definitions Section 28.10	AL-80 and AL-160⁽¹⁾ Zoning Districts	See Section 28.70.10
<i>New tower</i>	UP	28.81
B. INFRASTRUCTURE USES		
Commercial wind turbine generator	UP	28.80
Extraction and Removal of Minerals or Natural Materials from Quarries and Borrow Areas existing as of January 1, 1982	UP	28.78.20(A)
Non-commercial wind turbine		
<i>100 feet or less in height</i>	A	28.80
<i>Over 100 feet in height</i>	- - -	28.80
Oil or Gas Well ⁽⁴⁾	AP	28.78.20(A) & (B)(7)
Pipeline, transmission, or distribution line, in R.O.W.	A	28.78.20(A) & (B)(8)
Utility facilities or infrastructure, outside of R.O.W.	UP	28.78.20(A) & (B)(9)
Waste disposal, processing, and composting	UP ⁽⁵⁾	28.78.20(A) & (B)(3)
C. PUBLIC SERVICE USES		
Public Service Facility	UP	28.78.30(A) & (B)(4)
D. TEMPORARY CONSTRUCTION AND INFRASTRUCTURE		
Meteorological Tower, 100 feet or less in height	AP	28.78.20(A) & (B)(6)
Meteorological Tower, greater than 100 feet in height	MUP	28.78.20(A) & (B)(6)
28.79 RESOURCE CONSERVATION USES		
Conservation and Mitigation Bank	UP	28.79.10(A)

Notes:

1. Any development within the Suisun Marsh, as defined by Section 29114 of the Public Resources Code, shall be subject to obtaining a Marsh Development Permit pursuant to the Suisun Marsh Preservation Act of 1977, and as provided for in Section 28.104 of this Code.
2. 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.
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. Oil wells not permitted in the Suisun Marsh Primary and Secondary Management Areas.

5. During or subsequent to final closure of any waste disposal site, the Planning Commission may approve any beneficial reuse of the waste disposal site that (i) is compatible with the approved closure and/or post-closure plans for the site, (ii) would not be detrimental to existing or anticipated agricultural land uses in the vicinity, and (iii) would not subject occupants of the site, neighbors, or the environment, to risks associated with the wastes which have been disposed of at the site.

28.22.30 – Suisun Marsh Agricultural District Development Standards

Subdivision, new land uses, main buildings including primary and secondary dwellings, and alterations to existing land uses and buildings, shall be designed, constructed, and/or established in compliance with the applicable development standards delineated or referenced in Table 28-22B.

TABLE 28.22B	
DEVELOPMENT STANDARDS FOR MAIN BUILDING, ACCESSORY STRUCTURES, AND USES	
MAIN BUILDING, ACCESSORY STRUCTURES, AND USES	
Minimum Lot Area	AL-80 = 80 acres AL-160 = 160 acres
Setbacks	
Front	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.
Sides (each)	20 feet
Rear	25 feet
Between structures	10 feet
Height limit	Thirty-five feet; and as allowed by 28-93 Special regulations
OTHER STANDARDS	
Parking Requirements	Parking shall be provided in conformance with the parking standards in Section 28.94
Signs	All signs shall comply with the sign requirements in Section 28.96

(Ord. No. 1732, §2)

28.23 Suisun Valley Agricultural Districts

Subsections

- 28.23.10 Purpose**
- 28.23.11 Purposes of Agriculture – Suisun Valley District**
- 28.23.12 Purposes of Agriculture Tourist Center Districts**
- 28.23.20 Definitions Applicable only to the A-SV-20, ATC and ATC-NC Districts**
- 28.23.30 Agriculture-Suisun Valley Uses and Permit Requirements**
- 28.23.40 General Development Standards**
- 28.23.50 Special Use Regulations**
- 28.23.60 Design Guidelines and Design Review**

28.23.10 - Purpose of Section

The purpose of this Section is to preserve and enhance the environment and economy of the Suisun Valley as a rural agricultural community by maintaining the agricultural character, improving agricultural production and income, promoting agricultural products grown in Solano, and providing for agricultural tourist centers.

This Section lists the uses of land allowed within the Agriculture-Suisun Valley and the Agriculture Tourist Center zoning districts (ATC and ATC-NC) zoning districts as established by Section 28.13 (Districts Designated and Established). It also determines the type of land use approval required for each use, and provides general standards for site development.

28.23.11 - Purposes of Agriculture - Suisun Valley District

The majority of land within Suisun Valley is in agricultural use, producing grapes for wine, small grains, or other fruit crops. This farmland is essential to the Valley's agricultural economy and quality of life. The standards in this section maximize the viability of the family farm by allowing uses that support agriculture and excluding incompatible uses.

28.23.12 - Purposes of Agricultural Tourist Center Districts

Development of agricultural tourism is critical to the future viability of agriculture in Solano County. The standards in this section allow a variety of uses that will help foster small tourist-oriented centers within the Valley, help attract tourists, and provide additional opportunities to market local products

28.23.20 - Definitions Applicable only to the A-SV-20, ATC and ATC-NC DISTRICTS

Hotel.

Any building, portion of a building, or group of buildings containing six or more guest rooms designed, or intended to be used, let or hired out for transient accommodations. A hotel may include accessory uses, including commercial kitchens and dining facilities open to the public.

Retail Stores and Services:

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 Resource Management for determination of consistency with the intent of the Agricultural Tourist Center (A-T-C and A-T-C-NC) districts.

Seasonal Sales Lots:

Seasonal sales lots, including pumpkin patches, Christmas tree lots and other similar sales events, where the sale of agriculturally related products is seasonal and/or tied to an annual holiday event.

Winery: An agricultural processing facility used for the commercial purpose of processing grapes, berries, or other fruit products, to produce wine or similar wine products. Processing includes wholesale sales, crushing, fermentation and refermentation, blending, bottling, packaging, storage, aging, handling, shipping, and receiving of such products. Includes related accessory uses such as: office, laboratory, wine tasting facilities, retail sales of wine and other agricultural products produced on the premises or off-site by the winery operator, retail sales of wine and agricultural related promotional and/or educational items, and winery tours.

Winery-small: A winery with annual production less than 20,000 gallons per year, in bulk and bottles combined.

Winery-medium: A winery with annual production between 20,000 and 100,000 gallons per year, in bulk and bottles combined.

Winery-large: A winery with annual production greater than 100,000 gallons per year, in bulk and bottles combined.

28.23.30 Agriculture - Suisun Valley District Uses and Permit Requirements

A. **Allowable uses:** Table 28-23A identifies the land uses allowed by these Zoning Regulations in the Agriculture – Suisun Valley (A-SV) District, the Agriculture Tourist Center (ATC) District and the Agriculture Tourist Center – North Connector (ATC-NC) District, as well as, the land use permit required to establish each use. In addition to the land use permit required by Table 28-23A, special requirements may apply to certain uses (See Section 28.23.50). Where the last column of Table 28.23A (Land Use regulations) includes a section number, e.g. 28.70, the zoning regulations referenced apply to the use. Where the last column includes

a chapter number, e.g. Chapter 13.6, the regulations in the referenced Solano County Code section apply to the use. Provisions contained in other sections of the Zoning Regulations may also apply.

- B. Building and Other Permits:** A building permit, as required under Chapter 6.3 of the County Code, and any other permits required by the County Code, shall also be required prior to any construction, demolition, or change of occupancy type.

- C. Design Review:** Design review, as described in Section 28-23.103 of the Solano County Zoning Regulations, shall be required for all new construction requiring a building permit within the Agriculture – Suisun Valley District and the Agriculture Tourist Center (ATC and ATC-NC) Districts. In carrying out the purposes of this Section, the Zoning Administrator or Planning Commission shall consider the Suisun Valley Design Guidelines as a manual for determining Architectural Approval.

TABLE 28-23A Table of Allowed Uses and Permit Requirements

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited				
ALLOWED USES*				
*See Definitions Section 28-10				
	A-SV-20	ATC	ATC-NC	Land Use Regulations** **See Section 28-70.10
AGRICULTURAL USES				
Crop production, including orchards and vineyards	A	A	A	
Agricultural accessory structures	A	A	A	
Agricultural processing facility				
On-site products ⁽¹⁾	A	A	A	28.71.20(A) & (B)(1)
Off-Site product ⁽²⁾	UP	UP	UP	28.71.20(A) & (B)(1)
With Special Events	UP			28.71.20(A) & (B)(1) & 28-23.50(A)(B)(C4)
Wineries				
Winery, small	A/UP ^{3,4}	A	A	28.23.50.10
Winery, medium	A/UP ^{3,4}	AP	AP	28.23.50.10
Winery, large	UP ⁵	UP	UP	28.23.50.10
Animal facilities and operations				
Confined animal facility, including dairy	- - -	- - -	- - -	- - -
Fowl and Poultry Ranch	- - -	- - -	- - -	- - -
Pastured poultry and livestock	A/MUP	- - -	- - -	28.23.50.10
Grazing	A	- - -	- - -	
Slaughterhouse	- - -	- - -	- - -	- - -
Aquaculture	UP	- - -	- - -	
Auctions, agricultural equipment sales, temporary	AP/MUP	AP/MUP	AP/MUP	28.23.50.10
Conservation Bank	UP	- - -	- - -	28.79.10(A)
Nursery with public sales ⁽⁶⁾	A	- - -	- - -	28.71.20(B)(3)
Temporary Agricultural office	AP	AP	AP	28.23.50.10
Wind turbine, non-commercial under 100 feet	A	A	A	28.80
Wind turbine, non-commercial over 100 feet	MUP	MUP	MUP	28.80

Notes:

- 1) Products originating on-site or off-site on land owned or leased by the operator within Solano County.
- 2) Products originating on land not owned or leased by the operator within Solano County.
- 3) At least twenty-five percent (25%) of the grapes or other fruit used in production, averaged over 5 consecutive years, must be grown on-site or off-site on land owned or leased by the operator within Solano County. If less than twenty-five percent (25%) of the grapes are sourced in this way, then a conditional use

- permit is required.
- 4) Six or fewer special events per year are allowed by right, with 150 or fewer guests per event. Otherwise, a Use Permit is required.
 - 5) Special events as permitted with a large winery use permit.
 - 6) No more than 1,500 square feet of non-plant inventory, indoor and outdoor combined, for display and sales to the general public shall be allowed.
 - 7) Does not include a guest house.

TABLE 28-23A Table of Allowed Uses and Permit Requirements (continued)

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited				
ALLOWED USES*				
*See Definitions Section 28-10				
	A-SV-20	ATC	ATC-NC	Land Use Regulations** **See Section 28-70.10
RESIDENTIAL USES				
Accessory buildings and uses ⁽⁷⁾	A	A	A	28.72.10(A) & (B)(1)
Agricultural employee housing	AP	---	---	28.23.50.20
HCD Agricultural employee housing	AP	---	---	
Cottage Industry	UP	UP	---	28.72.40(A) & (B)(1)
Home occupation	A/AP	A/AP	---	28.72.40(A) & (B)(2)
Primary dwelling	A	AP	AP	28.72.10(A)
Secondary dwelling	A	---	---	28.23.50.20
Small Kennel or Cattery				28.72.30(A) & (B)(3)
Stable, private (9 horses or less)	A	A	---	28.72.30(A) & (B)(5)
Storage, manufactured home (one per parcel)	A	A	---	28.23.70.40
Temporary Accommodations				
Security quarters for a business operation (commercial coach, manufactured home or recreational vehicle)	AP	AP	AP	28.23.50.20
Temporary single family home	UP	UP	---	28.23.70.30
Temporary storage of a mobile home	AP	AP	AP	28.23.50.20
RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES				
Agricultural education	A	A	A	28.73.20(A) & (B)(1)
Boating and swimming facility on existing waterways	---	UP	UP	28.73.10(A)
Hunting or fishing club	---	---	---	28.73.10(A) & (B)(1)
Limited Public Events	UP	UP	UP	28.23.50.30

Special Events	See Specific Use Regulations			28-23.50(A)(B)(C4)
Stable, public and horse show	---	---	---	---

TABLE 28-23A Table of Allowed Uses and Permit Requirements (continued)

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited				
ALLOWED USES*				
*See Definitions Section 28-10				
	A-SV-20	ATC	ATC-NC	Land Use Regulations** **See Section 28-70.10
RETAIL TRADE USES				
Farm/Ranch Supply Store	- - -	A	A	28.23.50.40
Farm supplies and farm equipment sales	- - -	- - -	A	28.23.50.40
Neighborhood Commercial Use				28.23.50.40
1,500 square feet or less	- - -	A	A	28.23.50.40
Greater than 1,500 square feet	- - -	MUP	MUP	28.23.50.40
Roadside stand				
1,000 square feet or less in size	A	A	A	28.23.50.40
Between 1,000 and 2,500 square feet	AP	A	A	28.23.50.40
Greater than 2,500 square feet in size	UP	A	A	28.23.50.40
Non-agricultural product sales, less than 10%	A	A	A	28.23.50.40
Non-agricultural product sales, greater than 10%	UP	A	A	28.23.50.40
TOURIST USES				
Agricultural homestay	A	- - -	- - -	28.23.50.50
Agricultural homestay with special events	UP	- - -	- - -	28.23.50.50
Agritourism	A	A	A	28.23.50.50
Bakery/Cafe/Restaurant				
1,000 square feet or less in size	A	A	A	28.23.50.50
1,001 to 5,000 square feet	AP	A	A	28.23.50.50
5,001 or more square feet in size	UP	MUP	MUP	28.23.50.50
Bed and Breakfast Inn	AP	A	A	28.23.50.50
Gallery	AP	A	A	28.23.50.50
Hotel	- - -	A	A	28.23.50.50
Local products store	- - -	A	A	28.23.50.50
Resort Hotel	UP	UP	UP	28.23.50.50
Tasting Facility	AP	A	A	28.23.50.50
Temporary Agritourism				
Amusement and entertainment use	AP/MUP	AP/MUP	AP/MUP	28.23.50.50

Farmer's Market	AP/MUP	AP/MUP	AP/MUP	28.23.50.50
Seasonal sales lot	AP/MUP	AP/MUP	AP/MUP	28.23.50.50

TABLE 28-23A Table of Allowed Uses and Permit Requirements (continued)

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited				
ALLOWED USES*				
*See Definitions Section 28-10				
	A-SV-20	ATC	ATC-NC	Land Use Regulations** **See Section 28-70.10
COMMERCIAL SERVICE USES				
Airfield or heliport, Agricultural	- - -	- - -	- - -	- - -
Commercial agricultural trucking service and facility	- - -	- - -	UP	28.76.10(A) & (B)(2)
Commercial custom farm services, e.g. hay baling	UP	- - -	UP	28.76.10(A)
Commercial farm equipment fabrication and repair	UP	- - -	A	28.76.10(A)
Commercial storage and sale of agricultural service products(fertilizer/fuel)	UP	UP	A	28.76.10(A)
<u>Large</u> Kennel or Cattery	MUP	- - -	- - -	28.76.20(A) & (B)(2)
Veterinary facility	UP	UP	UP	28.76.10(A) & (B)(1)
COMMUNICATION AND INFRASTRUCTURE USES				
Pipeline, transmission or distribution line in R.O.W.	A	A	A	28.78.20(A) & (B)(8)
Public service facility	UP	UP	UP	28.28.78.30(A) & (B)(4)
Refuse dumping, disposal, processing, composting ⁽¹⁰⁾	UP	- - -	- - -	28.78.20(A) & (B)(3)
Surface mining operation	UP	UP	UP	28.78.20(A)
Wind turbine generator, commercial	- - -	- - -	- - -	28.80
Temporary Construction and Infrastructure				
Construction office, storage and construction yard	AP	AP	AP	28.23.50.70
Utility facilities or infrastructure, outside of R.O.W.	UP	UP	UP	28.78.20(A) & (B)(9)
Wireless communication facility	UP	UP	UP	28.81

28.23.40 - General Development Standards

TABLE 28-23B Table of General Development Standards

Development Standards for Main Building, Primary and Secondary Dwelling			
	A-SV	ATC	ATC-NC
MAIN BUILDING, PRIMARY or SECONDARY DWELLING			
Dwelling Size	Minimum of 1,000 Square Feet		
Minimum Lot Area	Minimum area required for new parcels		
w/ water and sewer	20 acres	2,000 square feet	5,000 square feet
w/ water or sewer	20 acres	2.5 acres	2.5 acres
w/o water or sewer	20 acres	5 acres	5 acres
Floor Area Ratio	Maximum gross floor area for new dwellings		
w/ water and sewer	---	0.5	0.5
w/o water or sewer	---	0.3	0.3
Setbacks	Minimum Setbacks required. See Section 28-97 for setback measurement, allowed projections into setback and exceptions to setbacks.		
Front	30 feet, but at least 50 feet from the street centerline and unless otherwise indicated by building lines on the Zoning Maps.	None to 25 feet	10 to 25 feet maximum
Sides (each)	20 feet	None	15 feet on corner lot, none on interior lots
Rear	25 feet	None	15
Between structures	10 feet	None, except per building code	
Height limit	35 feet, and as allowed by 28-93 Special regulations and 28-93		
SECONDARY DWELLING			
Dwelling Size	Maximum of 1,800 Square Feet	None	N/A
Setbacks			
Front	30 feet, but at least 50 feet from the street centerline and unless otherwise indicated by building lines on the Zoning Maps	N/A	
Sides (each)	20 feet	N/A	
Rear	25 feet	N/A	
Between structures	10 feet		
Height limit	35 feet, and as allowed by 28-93 Special regulations		

Parking	As required by 28-94, Parking Requirements and the Suisun Valley Design Guidelines. Off-street parking requirements may be met through participation in a parking district that apportions off-site parking.
Signs	See Section 28-96 Signs

TABLE 28-23C Table of General Development Standards

Development Standards for Accessory Buildings²			
	A-SV	ATC	ATC-NC
ACCESSORY BUILDINGS			
Minimum Lot Area ¹	Minimum area required for new parcels		
w/ water and sewer	20 acres	2,000 square feet	5,000 square feet
w/ water or sewer	20 acres	2.5 acres	2.5 acres
w/o water or sewer	20 acres	5 acres	5 acres
Floor Area Ratio	Maximum gross floor area for new dwellings		
w/ water and sewer	---	0.5	0.5
w/o water or sewer	---	0.3	0.3
Setbacks ³	Minimum Setbacks required. See Section 28-50(e) for setback measurement, allowed projections into setback and exceptions to setbacks.		
Attached	An accessory building attached to the main building shall comply with the setback requirements for the main building		
Detached			
Front	60 feet or on the rear 50% of the lot	None to 25 feet	10 to 25 feet
Sides (each) ⁴	20 feet	None	15 feet on corner lots, none for interior lots
Rear ⁴	20 feet	None	15 feet
Between structures ⁵	10 feet from any dwelling or other main building on the same lot Stables: 20 feet from any dwelling or other main building on the same lot		
Height limit	35 feet, and as allowed by 28-93 Special regulations		
Parking	As required by 28-94, Parking Requirements		
Signs	See Section 28.96 Signs		

Notes:

- (1) The actual number of parcels allowed is determined through the applicable subdivision process, based on specific site characteristics and potential environmental impacts, and there is no guarantee that the maximum possible number may be achieved.
- (2) Does not include a secondary dwelling as defined in Section 28-01.
- (3) Other setbacks may be required for specific uses listed in Table 28-23A, as referenced.
- (4) The side or rear yard requirements may be waived for an accessory building other than an animal shelter, except that such building shall not be located closer to any side street line than the main building. Waiver of said requirements shall be subject to notice as set forth in Section 28.04(F) of this Chapter.
- (5) Other separation between structures may be required by County Building Code.

28.23.50 - Special Uses Regulations:

28.23.50.10 - Agricultural Uses

- A. Permit Required.** Agricultural uses are permitted uses, subject to the permit requirements in 28-23A.
- B. Standards** Agricultural uses must meet the applicable development standards delineated in Tables 28-23B and 28-23C and comply with the following:

1. Auctions, Agricultural Equipment Sales

- a. Permit Required.** An administrative permit is required for auctions and agricultural equipment sales uses, provided any such use shall meet the standards delineated in Table 28-23B. Permits issued under this shall be for a fixed term not to exceed one year, unless otherwise specified in this section. In the event that an agritourism use cannot meet the standards in this section, then a minor use permit shall be required to alter any of the standards in (2) below.
- b. Standards.** Auctions and agricultural equipment sales in the A-SV-20 and A-T-C districts zoning district shall comply with the following standards:
- 1. Duration.** Auctions and agricultural equipment sales shall be limited to one event, not to exceed seven days per event.
 - 2. Access.** Shall provide ingress and egress designed so as to avoid traffic congestion;
 - 3. Roads.** Shall be located on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
 - 4. Hours of Operation.** Shall be limited to 8:00am until 6:00 pm Mondays through Sunday
 - 5. Prevent Offensive Noise, Dust, Glare, Vibration or Odor.** Shall provide adequate controls or measures to prevent noise, dust, glare, vibration or odor.

2. PASTURED LIVESTOCK

- a. Permit Required.** Pastured livestock operations are a permitted use, subject to the provisions below:

- 1. When a Permit Is Not Required.** A pastured livestock operation is a

permitted use when the parcel is located is located more than 1,320 feet from any lot in an (R) District, and meets the standards in (b) below are met.

2. When a Minor Use Permit Is Required. A pastured livestock operation is a permitted use upon approval of a minor use permit, if the parcel is located within 1,320 feet on any lot in an (R) District, and/or any of the standards in (b) below cannot be met.

b. Standards. Pastured livestock operations shall comply with the following general standards:

1. Manage storm water to prevent feed and manure from entering any natural or constructed storm water facility or creek, stream or river,

2. Maintain a setback of 200 feet from any (R) district parcel,

3. Manage supplemental feeds, manure, bedding and nesting materials to lessen any potential adverse impacts that the pastured livestock operation might have on neighbors or the larger community. Pastured livestock operators are required to submit to the Agricultural Commissioner, on an annual basis, a plan for the management of the operation which will provide policies and procedures for insuring that the pastured livestock operation is not likely to become a nuisance to surrounding property owners or the community and that no health and safety problems will arise due to its operation. The Plan should describe policies and procedures that:

(a) Regulate, control or prohibit the accumulation of manure.

(b) Prevent any accumulation of animal or vegetable matter in which fly larvae exist or any accumulation of filth or source of foulness hazardous to health or comfort of people

(c) Protect pollutants from entering in creeks, streams, drainage ditches or groundwater supplies.

(d) Prohibit any nuisance, offensive matter, foul or noxious odors.

(e) Provide adequate parking and circulation for the operation.

3. PASTURED POULTRY

a. Permit Required. Pastured poultry is a permitted use, subject to the provisions below:

1. When a Permit Is Not Required. A pastured poultry operation is a permitted use if the parcel is located more than 1,320 feet from any lot in an (R) District, and meets the standards in (b) below are met.

2. When a Minor Use Permit Is Required. A pastured poultry operation is a permitted use upon approval of a minor use permit, if the parcel is located within 1,320 feet on any lot in an (R) District, and/or any of the standards in (b) below cannot be met.

3. Exemptions. Any minor raising fowl or a 4H or similar type of agricultural education program is exempt from these requirements.

b. Standards. Pastured poultry operations shall comply with the following general standards:

1. Manage storm water to prevent feed and manure from entering any natural or constructed storm water facility or creek, stream or river,

2. Maintain a setback of 200 feet from any (R) district parcel,

3. Employee best practices to ensure that stray birds do not trespass onto adjacent public rights-of-way or private lands.

4. Be limited to 3,000 birds or less,

5. Contain no more than 5 crowing fowl, and

6. Manage supplemental feeds, manure, bedding and nesting materials to lessen any potential adverse impacts that the pastured poultry operation might have on neighbors or the larger community. Pastured poultry operators are required to submit to the Agricultural Commissioner, on an annual basis, a plan for the management of the operation which will provide policies and procedures for insuring that the pastured poultry operation is not likely to become a nuisance to surrounding property owners or the community and that no health and safety problems will arise due to its operation. The Plan should describe policies and procedures that

i. Regulate, control or prohibit the accumulation of manure.

ii. Prevent any accumulation of animal or vegetable matter in which fly larvae exist or any accumulation of filth or source of foulness hazardous to health or comfort of people

iii. Protect pollutants from entering in creeks, streams, drainage ditches or groundwater supplies.

iv. Prohibit any nuisance, offensive matter, foul or noxious odors.

4. TEMPORARY AGRICULTURAL OFFICE

a. Permit Required. A commercial coach may be used as temporary agricultural

offices, incidental to the commercial agricultural operation on the property, as permitted in Table 28-23A, subject to the standards below:

b. Standards.

1. Building permit required. No commercial coach shall be used as temporary agricultural offices without first securing a building permit from the County of Solano.
2. Only one commercial coach or vehicle shall be allowed on the site,
3. The commercial coach shall be either made permanent or removed upon the expiration of 24 months.
4. The commercial coach may not be used as a residence and shall meet all building setbacks applicable to permanent development on the parcel.

5. WINERIES

- a. Small winery.** A small winery, as defined in Section 28-10, is allowed by right subject to compliance with the applicable development standards delineated in Tables 28-23B and 28-23C and as follows:

1. At least twenty-five percent (25%) of the grapes or other fruit used in production, averaged over 5 consecutive years, must be grown on-site or off-site on land owned or leased by the operator within Solano County.
2. The winery operator shall report at the end of each calendar year to the Department of Resource Management the total gallons of wine produced, in bulk and bottles combined, during the calendar year. Such reporting may alternatively include proof of payment of the annual license renewal fee to the Department of Alcoholic Beverage Control (ABC), including the dollar amount of the fee paid.
3. A conditional use permit is required for a small winery if less than 25% of the grapes or other fruit used in production are grown on-site or off-site on land owned or leased by the operator within Solano County.
4. Shall obtain Environmental Health Services Division, Department of Resource Management, and Fire Department approval, if required, prior to hosting special events.
5. Subject to (4) above, six or fewer special events, with 150 or fewer guests each, are permitted each calendar year at a small winery by right. A conditional use permit is required if more than six special events are offered at the facility in a calendar year or if any single event exceeds 150 guests.

6. A tasting facility is allowed by right, ancillary to the processing facility, and must be no larger than 1,000 square feet or 30 percent of the size of the processing facility, whichever is greater.

b. Medium winery. A medium winery, as defined in Section 28-10, is allowed by administrative use permit, subject to compliance with the applicable development standards delineated in Tables 28-23B and 28-23C and as follows:

1. Shall obtain Environmental Health Services Division, Department of Resource Management, and Fire Department approval, if required, prior to hosting special events.

2. Subject to (1) above, six or fewer special events, with 150 guests or fewer each, are permitted each calendar year at a medium winery by right. A conditional use permit is required if more than six special events are offered at the facility during a calendar year or if any single event exceeds 150 guests.

3. The winery operator shall report at the end of each calendar year to the Department of Resource Management the total gallons of wine produced, in bulk and bottles combined, during the calendar year. Such reporting may alternatively include proof of payment of the annual license renewal fee to the Department of Alcoholic Beverage Control (ABC), including the dollar amount of the fee paid.

4. A tasting facility is allowed by right, ancillary to the processing facility, and must be no larger than 2,000 square feet or 30 percent of the size of the processing facility, whichever is greater.

5. At least twenty-five percent (25%) of the grapes or other fruit used in production, averaged over 5 consecutive years, must be grown on-site or off-site on land owned or leased by the operator within Solano County. A conditional use permit is required for a medium winery if less than 25% of the grapes or other fruit used in production are grown on-site or off-site on land owned or leased by the operator within Solano County.

c. Large winery. A conditional use permit, subject to compliance with the applicable development standards delineated in Tables 28-23B and 28-23C. large winery, as defined in Section 28-10, is allowed with

1. A tasting facility is allowed by right, ancillary to the processing facility, and must be no larger than 2,000 square feet or 30 percent of the size of the processing facility, whichever is greater. Size shall be determined by measuring the total roof covered area.

2. The winery operator shall report at the end of each calendar year to the Department of Resource Management the total gallons of wine produced, in bulk and bottles combined, during the calendar year. Such reporting may

alternatively include proof of payment of the annual license renewal fee to the Department of Alcoholic Beverage Control (ABC), including the dollar amount of the fee paid.

3. Shall obtain Environmental Health Services Division, Department of Resource Management, and Fire Department approval, if required, prior to hosting special events.

4. Subject to (3) above special events at large wineries are subject to the terms of the conditional use permit.

28.23.50.20 Residential Uses

A. Permit Required. Residential uses are permitted uses, subject to the permit requirements in Table 28-23A.

B. Standards Residential uses must meet the applicable development standards delineated in Tables 28-23B and 28-23C and comply with the following:

1. AGRICULTURAL EMPLOYEE HOUSING.

a. Permit Required. Agricultural employee housing is a permitted use upon approval of an administrative permit, provided it meets the standards in (b) below, otherwise a minor use permit is required.

b. Standards. A temporary manufactured dwelling unit for an employee on parcels of twenty (20) acres or more is permitted for a maximum five (5) year period upon approval of a conditional use permit and subject to the following conditions as well as the applicable development standards delineated in Tables 28-23B and 28-23C.

(1) One or more occupants of the dwelling are employed by the owner or the lessee of the parcel;

(2) Non-employee occupants of the dwelling are members of the employee's family;

(3) The employee occupant(s) of the dwelling has rent deducted from his or her wages; and

(4) The employee occupant is required to live in the dwelling as a condition of his or her employment.

2. SECONDARY DWELLING

a. Standards. A secondary dwelling, as permitted in Table 28-23A, must meet the following specific development standards as well as the development standards delineated in Table 28-23B.

- (1) The maximum size of the secondary dwelling shall not exceed 1,800 square feet of gross floor area.
 - (2) A secondary dwelling may be a detached structure or may be attached to another building on the same lot. If attached to another building, a separate exterior entrance shall be provided, independent from the entrance for the building to which it is attached.
 - (3) A secondary dwelling shall not be allowed on a parcel that has a companion living unit or other similar accessory housing unit. It shall be allowed under the following conditions:
 - (a) Use of an existing dwelling while the replacement dwelling is under construction, in accordance with Section 28-72.20B6;
 - (b) Use of temporary dwelling while the primary dwelling is under construction, with a use permit;
 - (c) Agricultural employee housing or HCD agricultural employee housing, as permitted in Table 28-23A.
- b. Existing secondary dwellings, companion living units or guest houses.** Secondary dwellings, companion living units or guest house, existing:
- (1) A secondary living unit legally existing on the lot prior to February 1, 2011, which does not comply with the size or setback requirements of this Section shall be considered legal non-conforming and subject to the provisions of Section 28-114 (“Nonconforming Uses”). Such use may continue, provided that it is not enlarged, increased or otherwise modified and fully complies with any conditions of approval that may have been adopted.
 - (2) A guest house legally existing on the lot prior to February 1, 2011, shall be considered legal non-conforming and subject to the provisions of Section 28-60 (“Nonconforming Uses”). Such a guest house may be converted to a secondary dwelling provided all of the following are met: (1) no other secondary dwelling is on the lot; (2) all facilities necessary to convert the structure to a dwelling, including cooking, sanitation, and parking facilities shall be installed in compliance with County building and zoning standards as applicable; (3) either the primary residence or the secondary dwelling is owner-occupied; and (4) if the structure does not meet the size or setback requirements of this Section for a secondary dwelling, it shall be considered legal non-conforming and subject to the provisions of Section 28-114 (“Nonconforming Uses”).
 - (3) A companion living unit legally existing on the lot prior to February 1, 2011, pursuant to an approved conditional use permit, may be converted to a secondary dwelling provided all of the following are met: (1) no other secondary dwelling is on the lot; (2) the unit is installed on a foundation system as a fixture or

improvement to the real property, in accordance with section 18551(a) of the Health and Safety Code and implementing regulations; (3) either the primary residence or the secondary dwelling is owner-occupied; and (4) if the unit does not meet the size or setback requirements of this Section, it shall be considered legal non-conforming and subject to the provisions of Section 28-114 (“Nonconforming Uses”). If an existing companion living unit is converted to a secondary dwelling, the conditions of the use permit shall no longer be applicable. If an existing companion living unit is not converted to a secondary dwelling, it shall remain subject to the conditions of the use permit, and shall be promptly removed from the lot upon expiration or revocation of the permit.

(4) If both a secondary living unit and a companion living unit legally exist on the lot prior to June 13, 2008, the secondary living unit shall be considered the secondary dwelling on the lot and the companion living unit may continue on the lot as a temporary dwelling for the remaining term of the conditional use permit.

(5) Additional Extensions. A companion living unit legally existing on the lot prior to February 1, 2011, pursuant to an approved conditional use permit which expires, may be extended for a temporary period, not to exceed two years, upon securing a minor use permit, provided:

(a) All of the findings made in the original use permit still apply.

(b) The property owner and the occupant of the companion living unit have not changed since the original issuance of a use permit.

3. Temporary Dwellings and Accommodations

a. General Development Standards. All temporary accommodations shall comply with the standards in Tables 28.23B and Table 28.23C, as well as the standards in (b) and (c) below.

b. Security Quarters for a Business Operation

(1) Permit Required. Security quarters for a business operation may be established as permitted in Table 28-23A, subject to the standards below:

(2) Standards. Commercial coaches, manufactured homes or recreational vehicles may be maintained on a building site for use as a security guard or watchman’s quarters during periods of construction of structures on the site, provided:

(a) Building permits have been issued for the construction of the structures,

(b) Only one security coach or vehicle shall be allowed on the site,

(c) The security coach or vehicle shall be removed upon completion of construction of the structures.

(d) The manufactured home or recreational vehicle may not be used as a residence and shall meet all building setbacks applicable to permanent development on the parcel.

(e) A recreational vehicle shall be connected to permanent power and utilities provided by the installation of an RV pad. The RV pad shall be removed at the completion of construction of the structures.

c. **Temporary Dwellings**

(1) **Permit Required.** Temporary dwellings may be temporarily allowed during the construction of a permanent dwelling as permitted in Table 28-23A, subject to the standards below:

(2) **Standards.** Temporary dwellings may be permitted subject to the standards below:

(a) Building permits have been issued for the construction of the permanent dwelling,

(b) The manufactured home shall meet all building setbacks applicable to permanent development on the parcel.

(c) The manufactured home shall be removed 60 days after final inspection of the permanent dwelling

d. **Temporary Mobilehome Storage**

(1) **Permit Required.** Storage of mobilehomes shall be allowed in the A-SV-20, A-T-C or A-T-C-NC districts upon issuance of an administrative 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 deemed necessary to make this determination, and may require the posting of security satisfactory to the Zoning Administrator to guarantee performance of any conditions.

(2) **Standards.** Storage of mobilehomes shall meet the standards below:

(a) The number of units stored shall be limited to one (1) per ownership.

(b) The term of a permit shall not exceed one (1) year. In no case shall more than two (2) six month time extensions be granted or a successive permit is issued.

(c) All utilities must be disconnected and remain disconnected from a stored mobilehome.

(d) All appurtenances shall be removed including skirting, decking, and awnings.

(e) A stored mobilehome shall not be occupied or otherwise utilized.

28.23.50.30 - Recreation, Education and Public Assembly Uses

A. Permit Required. Recreation, education and public assembly uses are permitted uses, subject to the permit requirements in Table 28-23A.

B. Standards Recreation, education and public assembly uses must meet the applicable development standards delineated in Tables 28-23B and 28-23C and comply with the following:

1. Limited Public Events

a. Standards. Limited Public Events in the A-SV-20 and A-T-C districts zoning district shall comply with the following standards:

(1) Shall be limited to once per year,

(2) Shall not be open to the public for more than 10 weeks,

(3) Shall not cause significant adverse impacts to adjacent agricultural operations,

(4) Shall not operate on land which has been utilized for crop production within the past five years (operation on grazing land is acceptable), shall be limited to outdoor events (no fully enclosed structures or tents open to the public),

(5) Shall not utilize electric sound amplification systems, and shall require only minimal site alterations or permanent physical improvements.

(6) Upon termination, expiration, or revocation of the use permit, the site shall be fully restored to its original condition.

28.23.50.40 - Retail Trade Uses

A. Permit Required. Retail trade uses are permitted uses, subject to the permit requirements in Table 28-23A.

B. Standards Retail Trade uses must meet the applicable development standards delineated in Tables 28-23B and 28-23C and comply with the following:

1. Retail stores and services,

a. Permit Required. Retail stores and services are permitted uses, subject to the provisions below:

(1) **When a Permit Is Not Required.** A permit is not required when the building

area is 1,500 square feet or less.

- (2) When a Minor Use Permit Is Required.** A minor use permit is required when the building area exceeds 1,500 square feet.
- b. Standards.** Retail stores and services, as permitted in Table 28-23A, must meet the applicable development standards delineated in Tables 28-23B and 28-23C and comply with the following:
- (1)** Shall be 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 Resource Management for determination of consistency with the intent of ATC or ATC-NC districts.
- (2)** Shall provide adequate utilities, access roads, drainage and other necessary facilities.
- c. Conditional Uses.** Conditional uses, provided the conditions for a use permit and requirements set forth in Section 28-106 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, or where any yard area is utilized for the provision of goods and services regardless of the size of the building(s).
- (2)** Automobile service station and repair garage.

2. Roadside stand.

- a. Standards.** A roadside stand, as permitted in Table 28-23A, must meet the applicable development standards delineated in Tables 28-23B and 28-23C and comply with the following:
- (1)** Shall be operated by the property owner or occupant.
- (2)** Size, as regulated in Table 28-23A, shall be determined by measuring the total roof-covered area. Where a roadside stand is operated within a portion of a larger building, the roadside stand shall be functionally separated from the remainder of the building by either temporary or permanent walls and size shall be determined by measuring the gross floor area of the enclosed space plus any outdoor display area.
- (3)** At least twenty-five percent (25%) of the crops sold shall be grown on-site or off-site on land owned or leased by the operator within Solano County. The balance

of the stand shall be used for the sale and inventory of crops or other agricultural products, including nonagricultural products as regulated by this Chapter, grown or produced on-site or off-site.

- (4) An area not exceeding 50 square feet may be used for the sale and inventory of prepackaged food, provided that such food sales and inventory complies with the requirements of the Department of Resource Management, Environmental Health Services Division, and is from an “approved source” and is not a “potentially hazardous food” as defined by the California Health and Safety Code.
- (5) Nonagricultural product sales shall mean the on-site sales of nonagricultural products produced on and off the property, where the total inventory and sales area for such products is limited to a maximum percentage of the size of the stand, as specified in Table 28-23A, except that sales and inventory of prepackaged food shall be further subject to the requirements of subsection E.4.
- (6) Minimum setback from an adjacent street shall be the same as required for the main building.
- (7) Shall have ingress and egress designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
- (8) Shall provide adequate controls or measures to prevent dust, odor or light.
- (9) Shall provide off-street parking in accordance with Section 28-55 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.
- (10) Shall obtain Department of Resource Management, Environmental Health Services Division approval, if required, prior to operation.

28.23.50.50 - Tourist Uses

- A. Permit Required.** Tourist uses are permitted uses, subject to the permit requirements in Table 28-23A.
- B. General Standards.** Tourist uses must meet the applicable development standards delineated in Tables 28-23B and 28-23C and comply with the following:
 1. Within the A-SV-20 District, tourist uses shall be operated by the property owner or occupant, subject to possession of a valid Solano County business license.
 2. Minimum setback from an adjacent street shall be the same as required for the main building.

3. Shall have ingress and egress designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
4. Shall provide off-street parking in accordance with Section 28-94 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with the Building Code.
5. Shall obtain necessary approvals for sale of prepared food, including Department of Resource Management (if required) and Environmental Health Services Division approval prior to operation.
6. Shall obtain all necessary approvals with other County departments, if required, prior to operation.
7. Shall provide off-street parking in accordance with Section 28-55 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.
8. The specific retail trade and tourists uses listed below may be conducted subject to the specific regulations contained in Table 28.23A, the development standards contained in Tables 28-23 B and 28-23 C, the general requirements of (e)(1) through (7) above, and conditions of Section 28.76.20B2, and comply with the following general requirements:

C. Standards for Specific Agritourism Uses.

1. **Bakeries, Cafés and Restaurants.** A bakery, café, or restaurant as permitted in Table-28-23A. Such uses must meet the applicable development standards contained in Tables 28-23 B and 28-23 C, conditions of Section 28.76.20B2, and comply with the following specific requirements:
 - a. Shall be incidental to the principal agricultural use on the property in the Agriculture-Suisun Valley (A-SV) District.
2. **Galleries.** Such use must meet the applicable development standards delineated in Tables 28-23B and 28-23C and comply with the following specific requirements:
 - a. Shall be incidental to the principal agricultural use on the property in the Agriculture-Suisun Valley (A-SV) District.
3. **Resort Hotel.** Resort Hotels may be permitted by conditional use permit. Such uses must meet the applicable development standards delineated in Tables 28-23B and 28-23C and all standards specified in the use permit.
4. **Special Events.** Special events may be permitted by conditional use permit, incidental to the principal agricultural use on the property, except as specified for small and medium wineries above. Such use must meet the applicable development standards delineated in

Tables 28-23B and 28-23C.

- 5. Marketing Events.** Marketing events are allowed by right, incidental to the principal agricultural use on the property. Such use must meet the applicable development standards delineated in Tables 28-23B and 28-23C.
- 6. Bed and Breakfast Inn.** Bed and Breakfast Inns are allowed by right, incidental to the principal agricultural use on the property. Such use must meet the applicable development standards delineated in Tables 28-23B and 28-23C and comply with the following:
 - a. Signage shall be limited to one (1) non-illuminated wall-mounted sign not to exceed four (4) square feet in area.
 - b. Shall have no more than 10 guest rooms.
- 7. Tasting Facilities.** Tasting facilities are allowed by right, incidental to a principal agricultural processing use or winery on the property. Such use must meet the applicable development standards delineated in Tables 28-23B and 28-23C and comply with the following:
 - a. Tasting facilities must be no larger than 2,000 square feet or 30 percent of the size of the processing facility, whichever is greater. Size shall be determined by measuring the total roof covered area.
 - b. Products tasted and sold must be produced on-site or off-site on land owned or leased by the operator within Solano County.
- 8. Local Products Store.** Local Products Stores are provided by right, subject to compliance with the applicable development standards delineated in Table 28-23B.
- 9. Hotels.** Hotels are permitted by right. Such use must meet the applicable development standards delineated in Table 28-23B and all standards specified in the use permit.
 - a. Shall have no more than 30 guest rooms.
- 10. Agricultural homestay.** An agricultural homestay is subject to compliance with the applicable development standards delineated in Table 28-23B and the standards specified in this section (b) above and listed below:
 - a. Shall be restricted to one single family dwelling. No accessory structure shall be allowed for use as transient occupancy.
 - b. Shall be operated, maintained, and occupied by the property owner.

D. Standards for Temporary Agritourism

1. Permit Required. An administrative permit is required for agritourism uses, provided any such use shall meet the standards delineated in Table 28-23B. Permits issued under this shall be for a fixed term not to exceed one year, unless otherwise specified in this section. In the event that an agritourism use cannot meet the standards in this section, then a minor use permit shall be required to alter any of the standards in (2) below.

2. Standards.

a. Amusement and Entertainment Uses

(1) Amusement activities may be conducted as permitted in Table 28-23A, subject to the standards below:

- (a)** Shall provide a minimum six foot solid board fence or masonry wall separating parking areas from abutting residential property; and,
- (b)** No amusement event where liquor is served shall be established on a lot closer than two hundred feet to any boundary of any residential district unless a use permit is first secured in each case.

b. Farmer's Market

(1) A Farmer's Market may be conducted as permitted in Table 28-23A, subject to the standards below:

- (a)** The Farmers Market shall be operated by the property owner or occupant.
- (b)** Only the producer or the producers' parents, children, grandparents and grandchildren or a relative regularly residing in the producer's household or an employee of the producer may sell the producer's products at the market. An employee is any person employed by the producer at a regular salary or wage, on either a full or part time basis. It does not include a person who is reselling or for whom show compensation is primarily based on a commission on sales. Proof of status of an employee is an authorized agreement proving that the person selling is an employee of the Qualified Seller. An employee may not sell for more than one Qualified Seller at a time.
- (c)** The sale and inventory of prepackaged food, provided that such food sales and inventory complies with the requirements of the Department of Resource Management, Environmental Health Services Division, and is from an "approved source" and is not a "potentially hazardous food" as defined by the California Health and Safety Code is permitted.
- (d)** Nonagricultural product sales shall mean the on-site sales of nonagricultural products produced on and off the property, where the total inventory and sales area for such products is limited to 10% of the total sales area.

- (e) Minimum setback from an adjacent street shall be the same as required for the main building.
- (f) Shall have ingress and egress designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
- (g) Shall provide adequate controls or measures to prevent dust, odor or light.
- (h) Shall provide off-street parking in accordance with Section 28-94 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.
- (i) Shall obtain Department of Resource Management, Environmental Health Services Division approval, if required, prior to operation.

c. Seasonal Sales Lots

(1) Seasonal sales events shall be operated such that:

- (a) Adequate measures and controls shall be taken to prevent offensive noise, odors and dust, and,
- (b) Shall have a minimum six-foot high, solid board fence or masonry wall separating the lot from abutting residential uses.
- (c) Seasonal sales events are limited to one 60 day period annually, per seasonal event.

28.23.50.60 - Commercial Service Uses

- A. Permit Required.** Commercial service uses are permitted uses, subject to the permit requirements in Table 28-23A.
- B. Standards.** Commercial service uses must meet the applicable development standards delineated in Tables 28-23B and 28-23C and comply with the following:
 - 1. Access.** Commercial service uses shall provide ingress and egress designed so as to avoid traffic congestion;
 - 2. Roads.** Commercial service uses shall be located on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.

3. **Prevent Offensive Noise, Dust, Glare, Vibration or Odor.** Commercial service uses shall provide adequate controls or measures to prevent noise, dust, glare, vibration or odor.

28.23.50.70 - Communication and Infrastructure Uses

A. Specific Requirements for Temporary Construction and Infrastructure projects

1. On-site Construction Office, Storage and Construction Yard

- a. **Standards.** On-site construction offices, storage and construction yards while construction is being actively conducted pursuant to a valid building permit shall comply with the standards in Tables 28.23B and Table 28.23C, as well as the standards below.

(1) No Removal of Agricultural Uses. Facilities, temporary commercial coaches, construction yards for the storage of materials and/or construction vehicles shall not require the removal of productive agricultural uses of the land.

(2) Time Limits. On-site construction offices, storage and construction yards may be permitted for up to 24 months.

(3) Temporary Commercial Coach. A temporary commercial coach may be utilized on any construction site as an office. The commercial coach may not be used as a residence and shall meet all building setbacks applicable to permanent development on the parcel.

2. Off-Site Construction Office, Storage and Construction Yard

- a. **Standards.** Off-site construction offices, storage and construction yards shall comply with the standards in Tables 28.23B and Table 28.23C, as well as the standards below.

(1) No Removal of Agricultural Uses. Facilities, temporary commercial coaches, construction yards for the storage of materials and/or construction vehicles shall not require the removal of productive agricultural uses of the land.

(2) Time Limits. Temporary construction and public infrastructure uses shall be permitted for up to 24 months, provided a public infrastructure project which is actively under construction in the vicinity.

(3) Temporary Commercial Coach. A temporary commercial coach may be utilized on any lot as a construction office for a public infrastructure project.

28.23.60 - Design Guidelines and Design Review

- A. **Purpose.** The purpose of design review is to promote a quality rural character in new

development for Suisun Valley and to unify the design and construction of individual neighborhood agricultural tourist centers into the existing agriculturally-focused context.

B. Design Review Process. Design review is required for any new construction in the A-SV-20, A-T-C and A-T-C-NC Districts and shall follow the process described below:

1. Preliminary Plan Review. Applicants should contact the Resource Management Department to schedule a preliminary application meeting to clarify the County approval process for their particular project and discuss the Design Guidelines as adopted by resolution of the Board of Supervisors.

2. Final Design Review. Based upon the type of permitting required for the project, design review permits will be issued according the provisions of either (a) or (b), as described below:

a. Discretionary Permits. When a project requires a discretionary permit, including any rezoning, use permit, sign permit or variance, Design Review will be approved by the hearing authority as a part of the discretionary permit. The hearing authority shall consider recommendations from staff in its decision. The adopted Design Guidelines and any other established standards shall provide the basis for final approvals.

b. Non-discretionary permits. When a project requires a non-discretionary permit, such as an administrative permit or building permit, then the Director of Resource Management, or his or her designee, shall take action administratively on the design review within 10 days of filing of the non-discretionary permit. The Director shall consider recommendations from staff along with the adopted Design Guidelines and any other established standards shall provide the basis for final approvals.

C. Design Guidelines. The Suisun Valley design Guidelines (Chapter 4 of the Suisun Valley Strategic Plan) shall serve as the guidelines for the design review of all new construction in the A-SV-20, A-T-C and A-T-C-NC Districts.

D. Action by the Hearing Authority. The hearing authority shall take action to approve, conditionally approve or deny the design review within 10 days of the filing of a complete application for design review. If the hearing authority denies a Design Review Permit, then the hearing authority shall provide the applicant with written descriptions of any development proposal design features in a form that constitutes recommended modifications to the project in order to clearly provide the applicant an understanding of the desired changes that would obtain an approval from the hearing authority.

E. Findings. The hearing authority shall make the following findings prior to taking action to approve, or conditionally approve design review. The hearing authority finds that:

1. the project conforms to the Suisun Valley Design Guidelines,
2. the project will maintain and enhance the Valley's agricultural character.

3. the project will maintain, enhance, or restore natural features.
 4. the project will preserve the indigenous landscape and rural character.
 5. the project will enhance quality of life and economic vitality.
 6. the project will enhance the community brand and destination marketing the Valley.
 7. the project will ensure the highest quality new construction.
 8. the project will minimize site disturbance.
 9. the project will preserve views of natural and cultural features.
 10. the project will ensure compatibility of new projects with natural and rural landscapes.
- F. Approval.** Design Review approval shall remain valid for a period of one year after which the approval shall lapse and become null and void. The issuance of a building permit shall constitute an extension of the Design Review approval which shall remain valid during the time period the building permit is considered active.
- G. Occupancy.** No structure which has received Design Review approval shall be occupied or used in any manner or receive a certificate of occupancy until the Resource Management Department has inspected and determined that the structure(s) and site development comply with the Development Review approval.
- H. Appeals.** Appeal from any finding or action by the Director of Resource Management or the Planning Commission, unless otherwise provided for in this Division, shall be made pursuant to Section 28-112.
- I. Amendments.** Amendments or changes to existing plans: It shall be at the discretion of the Director of Resource Management to make a determination whether the proposed change or amendment constitutes a significant change requiring additional Design Review. In cases where such changes are determined to be minor in nature, the proposed changes shall be subject to administrative review and approval by the Director of Resource Management for compliance with the adopted Design Guidelines.
- J. Submittal Requirements.** All applications for Design Review shall be submitted to the Resource Management Department on forms approved by the Director of Resource Management and the Director shall establish written application instructions describing the type and size of drawings and other materials required for submittal.
- K. Fees.** Fees for design review shall be established by the Board of supervisors pursuant to Section 11-110.4 of the County Code.

28.30 RESIDENTIAL DISTRICTS

Subsections:

28.31 Rural Residential District

28.32 Residential Traditional Communities Districts

28.31. Rural Residential (R-R) Districts

Subsections:

28.31.10 - Rural Residential Districts

28.31.11 - Purposes of Rural Residential Districts

28.31.20 - Rural Residential District Land Uses and Permit Requirements

28.31.30 - Rural Residential District General Development Standards

28.31.10 Rural Residential Districts

This Section includes regulations for the RR-2.5, RR-5 and RR-10 zoning districts.

28.31.11 Purpose of Rural Residential Districts

This Section lists the uses of land that may be allowed within rural residential areas of the County represented by the Rural Residential (R-R) zoning districts. It also determines the type of land use approval required for each use within each district, and provides general standards for site development.

Rural Residential zoning is applied to areas appropriate for rural, low density, single-family homes, where agriculture is not the sole land use and commercial agricultural production capability is low, where self-sufficiency and privacy are desirable and only minimal essential public services and facilities are available. Homesites are to be self-sufficient, with individual wells and individual septic systems. Water may be supplied by a public water system, operated by a public agency, in areas where water from individual wells may be of marginal quantity or quality. Rural Residential is to be applied in a manner that preserves rural character and scenic qualities and protects sensitive resources including agricultural lands, creeks, native trees, open spaces and views. Rural Residential zoning shall not be applied to agricultural lands, or to areas with a high risk of wild fires, landslides, or flooding. Rural Residential zoning is consistent with and implements the Rural Residential land use designation of the General Plan. The three Rural Residential zoning districts are differentiated primarily by density classifications that correspond to potential agricultural productivity and the types of public services required for each district, as follows:

District	Minimum Parcel Size	Land Features	Services Required
R-R 2½	2.5 acres	Non-productive	Public water supply and individual private sewage disposal systems

R-R 5	5 acres	Non-productive	Private water wells and individual private sewage disposal systems
R-R 10	10 acres	Low capability for agricultural production	Private water wells and individual private sewage disposal systems

28.31.20 – Rural Residential District Land Uses and Permit Requirements

A. Allowed Uses and Permit Requirements:

Table 28-31A identifies the land uses allowed by this Zoning Ordinance in each rural residential district and the land use permit required to establish each use. In addition to the land use permit required by Table 28-31A, special requirements may apply to certain uses.

B. Architectural Review:

Architectural Approval may be required for certain uses in compliance with Section 28.102 (Architectural Approval).

C. Building Permits:

A Building Permit shall be required prior to any construction.

D. Special Use Regulations:

Where the last column in Table 28.31A (“Land Use Regulations”) includes a section number, e.g. 28.70.10, the zoning regulations in the referenced section apply to the use. Where the last column includes a chapter number, e.g. Chapter 13.6, the regulations in the referenced Solano County Code apply to the use. Provisions in other sections of this Zoning Ordinance may also apply.

TABLE 28.31A TABLE OF ALLOWED USES

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited				
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses			Land Use Regulations** **See Section 28-70.10
	RR-2.5	RR-5	RR-10	
28.71 AGRICULTURAL USES				
A. CROP PRODUCTION AND GRAZING				
Cultivated and irrigated farming	A	A	A	28.71.10(B)(1)
Non-irrigated and non-cultivated farming	A	A	A	28.71.10(B)(1)

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited				
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses			Land Use Regulations** **See Section 28-70.10
	RR-2.5	RR-5	RR-10	
28.71 AGRICULTURAL USES				
B. AGRICULTURAL PROCESSING USES				
<i>None Allowed</i>	- - -	- - -	- - -	
C. ANIMAL FACILITIES AND OPERATIONS				
<i>None Allowed</i>	- - -	- - -	- - -	
D. OTHER AGRICULTURAL OPERATIONS				
<i>None Allowed</i>	- - -	- - -	- - -	

TABLE 28.31A TABLE OF ALLOWED USES

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited				
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses			Land Use Regulations** **See Section 28-70.10
	RR-2.5	RR-5	RR-10	
28.72 RESIDENTIAL USES				
A. DWELLINGS				
Accessory buildings and uses ⁽¹⁾				
<i>Accessory building greater than 2,500 square feet in size⁽²⁾</i>	MUP	MUP	MUP	28.72.10(A) & (B)(1)
<i>Accessory buildings, in aggregate: 1) greater than 2,500 square feet in size combined on a lot 4 acres or less; or, 2) greater than 5,000 square feet in size combined on a lot greater than 4 acres⁽²⁾</i>	MUP	MUP	MUP	28.72.10(A) & (B)(1)
Guest house	- - -	- - -	- - -	28.72.10(A)
Primary dwelling	A	A	A	28.72.10 (A)
Rooming and boarding of not more than 3 persons per dwelling unit	A	A	A	28.72.10(A)
Secondary dwelling	A	A	A	28.72.10(A) & (B)(6)
B. TEMPORARY RESIDENTIAL USES				
Temporary emergency dwelling				28.72.20(A) & (B)(3)
Temporary manufactured home storage	AP	AP	AP	28.72.20(A) & (B)(4)
Temporary occupancy of existing dwelling while replacement dwelling is under construction	A	A	A	28.70.20(B)(5)
Temporary single-family dwelling ⁽³⁾	MUP	MUP	MUP	28.72.20(B)(6)
C. AGRICULTURAL AND ANIMAL FACILITIES INCIDENTAL TO A RESIDENCE				
Grazing or keeping of animals other than hogs, not exceeding two animal units per net acre of ownership	A	A	A	28.72.30(A) & (B)(1)
Hog raising	A	A	A	28.72.30(A) & (B)(2)
Small animal husbandry	A	A	A	28.72.30(A) & (B)(4)
Kennel or cattery, small	MUP	MUP	MUP	28.72.30(A) & (B)(3)
Stable, private	A	A	A	28.72.30(A) & (B)(5)
D. OTHER RESIDENTIAL USES				
Cottage Industry				
<i>Type I</i>	MUP	MUP	MUP	28.72.40(A).& (B)(1)
<i>Type II</i>	UP	UP	UP	28.72.40(A) & (B)(1)

**A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt,
 - - - = Prohibited**

ALLOWED USES* *See Definitions Section 28-10	Permitted Uses			Land Use Regulations** **See Section 28-70.10
	RR-2.5	RR-5	RR-10	
28.72 RESIDENTIAL USES				
Home occupation				
<i>Type I</i>	A	A	A	28.72.40(A) & (B)(2)
<i>Type II</i>	AP	AP	AP	28.72.40(A) & (B)(2)
Temporary subdivision sales office	MUP	MUP	MUP	28.72.40(A) & (B)(4)

TABLE 28.31A TABLE OF ALLOWED USES

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited				
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses			Land Use Regulations** **See Section 28-70.10
	RR-2.5	RR-5	RR-10	
28.73 RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES				
A. RECREATION USES				
None Allowed	- - -	- - -	- - -	
B. EDUCATION USES				
None Allowed	- - -	- - -	- - -	
C. PUBLIC ASSEMBLY USES				
Church	MUP	MUP	MUP	28.73.30(A) & (B)(1)
Nursery school	MUP	MUP	MUP	28.73.30(A)
Nursing home, rest home	MUP	MUP	MUP	28.73.30(A)
Public Stable with horse show	MUP	MUP	MUP	28.73.30(A) & (B)(5)
28.74 RETAIL AND OFFICE USES				
A. RETAIL USES				
Bulk storage and sales of hay crops other than those produced on the premises	MUP	MUP	MUP	28.74.10(A)
Roadside stand for sales of agricultural crop products grown or produced on the premises	A	A	A	28.74.10(A) & (B)(8)
B. OFFICE USES				
None Allowed	- - -	- - -	- - -	
28.75 TOURIST USES				
C. AGRITOURISM				
None Allowed	- - -	- - -	- - -	
D. TEMPORARY AGRITOURISM				
None Allowed	- - -	- - -	- - -	

TABLE 28.31A TABLE OF ALLOWED USES

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited				
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses			Land Use Regulations**
	RR-2.5	RR-5	RR-10	**See Section 28-70.10
28.76 COMMERCIAL SERVICE USES				
A. AGRICULTURAL SERVICES				
None Allowed	- - -	- - -	- - -	
B. COMMERCIAL SERVICES				
Kennel or Cattery, Large	MUP	MUP	MUP	28.76.20(A) & (B)(2)
28.77 INDUSTRIAL, MANUFACTURING, PROCESSING AND WHOLESALE USES				
A. INDUSTRIAL, MANUFACTURING AND PROCESSING USES				
None Allowed	- - -	- - -	- - -	
B. WHOLESALE USES				
None Allowed	- - -	- - -	- - -	

TABLE 28.31A TABLE OF ALLOWED USES

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited				
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses			Land Use Regulations** **See Section 28-70.10
	RR-2.5	RR-5	RR-10	
28.78 COMMUNICATION, INFRASTRUCTURE AND SERVICE USES				
E. COMMUNICATION USES				
Wireless communication facility				
Co-location	MUP	MUP	MUP	
New tower	UP	UP	UP	
F. INFRASTRUCTURE USES				
Commercial wind turbine generator	- - -	- - -	- - -	
Non-commercial wind turbine				28.80
<i>100 feet or less in height</i>	A	A	A	28.80
<i>Over 100 feet in height</i>	MUP	MUP	MUP	28.80
Pipeline, transmission or distribution line in R.O.W.	A	A	A	28.78.20(A) & (B)(8)
Utility facilities or infrastructure, outside of R.O.W.	UP	UP	UP	28.78.20(A) & (B)(9)
TEMPORARY CONSTRUCTION AND INFRASTRUCTURE				
Meteorological Tower, 100 feet or less in height	AP	AP	AP	28.78.20(A) & (B)(6)
Meteorological Tower, greater than 100 feet in height	MUP	MUP	MUP	28.78.20(A) & (B)(6)
G. SERVICE USES				
Cemetery	UP	UP	UP	28.78.30(A) & (B)(1)
Community care facility	UP	UP	UP	28.78.30(A) & (B)(2)
Hospital or sanitarium	UP	UP	UP	28.78.30(A) & (B)(3)
Public Service Facility	UP	UP	UP	28.78.30(A) & (B)(4)
28.79 RESOURCE CONSERVATION USES				
None Allowed	- - -	- - -	- - -	

Notes:

- (1) Accessory building:
 - a) Does not include a guest house.
 - b) May be established prior to construction or installation of a dwelling on the same property.

- (2) Use permit approval is required by the Zoning Administrator only, unless otherwise referred to the Planning Commission by the Zoning Administrator. Aggregate square footage shall include all accessory buildings, except as follows:
- a) Any structure used for the keeping of animals, such as a stable or corral, or for crop storage, which is unenclosed with an open side and no flooring, shall not require a use permit and shall not be counted as part of the aggregate total for accessory buildings.
 - b) Any structure 120 square feet in size or less and exempt from the permit requirements of County Building Code shall not be counted as part of the aggregate total for accessory buildings.
- (3) Allowed only when the primary dwelling is under construction, and the temporary dwelling is installed on a temporary foundation.

28.31.030 Rural Residential Districts General Development Standards

General site and building standards. Subdivision, new land uses, main buildings inclusive of primary dwellings, secondary dwellings, and alterations to existing land uses and buildings, shall be designed, constructed, and/or established in compliance with the applicable development standards delineated or referenced in Table 28-23B.

TABLE 28-31B			
Development Standards for Main Building⁽¹⁾ and Secondary Dwelling			
Development Feature	Requirement by Zoning District		
	R-R 2-1/2	R-R 5	R-R 10
Minimum Lot Area ⁽²⁾	<i>Minimum area required for new lots</i>		
	2-1/2 acres	5 acres	10 acres
Minimum Lot Frontage	<i>Minimum frontage required for new lots</i>		
Lot (typical)	40 feet	40 feet	40 feet
Flag lot or cul-de-sac ⁽³⁾	30 feet	30 feet	30 feet
Dwelling Size	<i>Minimum or maximum gross floor area for new dwellings</i>		
Primary dwelling	1,000 square feet minimum		
Secondary dwelling	See Section 28.72.10 B.8		
Setbacks ⁽⁴⁾	<i>Minimum setbacks required. See Section 28-97 for setback measurement, allowed projections into setbacks, and exceptions.</i>		
Front	30 feet, and 50 feet from the street centerline, unless otherwise indicated by building lines on the Zoning Map.		
Sides (each)	10 feet		
Rear	25 feet		
Between structures ⁽⁵⁾	10 feet		

Rural Residential Districts 28.23

TABLE 28-31B - Continued			
Development Standards for Main Building⁽¹⁾ and Secondary Dwelling			
Development Feature	Requirement by Zoning District		
	R-R 2-1/2	R-R 5	R-R 10
Height limit	<i>Maximum allowed height of structures. See also: Sect. 28-80 (wind turbine generators), Sect. 28-93 (height exceptions), and Sect. 28-99 (Airport Flight Obstruction Areas)</i>		
	35 feet		
Parking	As required by Section 28-94 (“Parking Requirements”) and Section 28-102 (“Architectural Approval”)		
Signs	See Section 28.96 (“Signs”)		

Notes:

- (1) In any R district, the primary dwelling shall be deemed the main building on the building site.
- (2) The following may be used to determine acceptable lot area:
 - a) The actual number of lots allowed is determined through the applicable subdivision process, based on specific site characteristics and potential environmental impacts, and there is no guarantee that the maximum possible number may be achieved.
 - b) The area bounded by the centerline of the right-of-way on which the lot fronts, and the lot sidelines extended to such right-of-way centerline may be included in the computation of the minimum lot area requirement.
 - c) Reduced lot area may be allowed for specific uses with a use permit, see Section 28-97.
- (3) For flag lot requirements, see Subdivision Ordinance Section 26-72.2. The required minimum lot frontage for a flag lot shall be measured along the access strip frontage, and no flag lot shall have an access strip less than 30 feet or more than 40 feet in width at any point.
- (4) Other setbacks may be required for specific uses listed in Table 28-31A, as referenced.
- (5) Other separation between structures may be required by County Building Code.

B. Accessory buildings and structures. New accessory buildings and other structures, including alterations to existing accessory buildings and other structures, shall be designed, constructed, and/or established in compliance with the applicable development standards in Table 28-23C.

TABLE 28-31C			
Development Standards for Accessory Buildings⁽¹⁾			
Development Feature	Requirement by Zoning District		
	R-R 2-1/2	R-R 5	R-R 10
Setbacks ⁽²⁾	<i>Minimum setbacks required. See Section 28-93 for setback measurement, allowed projections into setbacks, and exceptions. See also: Section 28-72.10B1 (Regulations for accessory buildings)</i>		
Attached	An accessory building attached to the main building shall comply with the setback requirements for the main building.		
Detached	60 feet or on the rear 50% of the lot, 60 feet for private stables		
Front			
Side (each) ⁽³⁾	10 feet, 20 feet for private stables		
Rear	10 feet, 20 feet for private stables		
Between structures ⁽⁴⁾	10 feet from any dwelling or other main building on the same lot Stables: 20 feet from any dwelling or other main building on the same lot		
Height limit	<i>Maximum allowed height of structures. See also: Sect. 28-93 (height exceptions), and Sect. 28.99 (Airport Flight Obstruction Areas)</i>		
	35 feet, and as allowed by 28-93 Special regulations		
Parking	As required by Section 28-94 (“Parking Requirements”) and Section 28-102 (“Architectural Approval”)		
Signs	See Section 28.96 (“Signs”)		

Notes:

- (1) Does not include a secondary dwelling as defined in Section 28-01.
- (2) Other setbacks may be required for specific uses listed in Table 28-31A, as referenced.
- (3) The side or rear yard requirements may be waived for an accessory building other than an animal shelter, except that such building shall not be located closer to any side street line than the main building. Waiver of said requirements shall be subject to notice as set forth in Section 28-04(F) of this Chapter.
- (4) Other separation between structures may be required by County Building Code.

28.32 RESIDENTIAL--TRADITIONAL COMMUNITY DISTRICTS

Subsections:

28.32.10 - Purpose of Section

28.32.11 - Purposes of Traditional Community Residential Districts

28.32.20 - Residential - Traditional Community District Land Uses and Permit Requirements

28.32.30 - Residential - Traditional Community District Development Standards

28.32.10 – Residential–Traditional Community Districts

This Section includes regulations for the following zoning districts

A. Residential – Traditional Community (R-TC) Districts

B. Residential – Traditional Community Mixed Use (R-TC-MU) Districts

28.32.11 – Purpose of Residential–Traditional Community Districts

This Section lists the uses of land that may be allowed within the traditional community residential areas of the County represented by the Residential–Traditional Community (R-TC) zoning districts. It also determines the type of land use approval required for each use within each district, and provides general standards for site development.

Residential–Traditional Community districts recognize current residential and mixed-use communities located outside agricultural or municipal service areas where previous development has occurred at higher densities or intensities than currently allowed under County policy. It is the intent to preserve and enhance the character and quality of these communities and promote future infill residential and mixed use development but not to expand the area of these communities.

The R-TC Districts replace the following previous districts:

R-TC-1AC replaces RE-1;
R-TC-20 replaces RE-1/2
R-TC-15 replaces RE-1/3
R-TC-10 replaces RE-1/4
R-TC-6 replaces R-S-6
R-TC-5 replaces R-S-5
R-TC-D-4 replaces R-D (Starr Subdivision)
R-TC-D-6 replaces R-D (Homeacres)
R-TC-MF replaces R-M

The purpose of the different residential – traditional community zoning districts and the manner in which they are applied are as follows:

A. Residential–Traditional Community (R-TC) Districts

The R-TC zoning districts are intended for areas that have previously been subdivided for single family residential development and provide the community services appurtenant thereto. The regulations for these districts are designed to stabilize and protect the residential characteristics of the districts, to promote and encourage a suitable environment for family life. Nine R-TC zoning districts are denoted with a suffix to indicate the minimum parcel size (e.g. R-TC-4 requires a minimum parcel size of 4,000 square feet), minimum building setbacks, and other requirements. The R-TC zoning districts are consistent with and implement the Traditional Community - Residential land use designation of the General Plan as follows:

Birds Landing	R-TC-1AC
Collinsville Township	R-TC-4
Cordelia area	R-TC-15
Elmira area	R-TC-1AC and R-TC-20
Fairfield Unincorporated area	R-TC-1AC, R-TC-20, R-TC-10 and R-TC-D
Green Valley area	R-TC-1AC, R-TC-20, and R-TC-15
Rockville Corners	R-TC-1AC
Snug Harbor area	R-TC-10
Vallejo Unincorporated area	R-TC-20, R-TC-10, R-TC-6, R-TC-5, R-TC-D & R-TC-MF
Willotta Oaks area	R-TC-15, R-TC-10

B. Residential-Traditional Community Mixed Use (R-TC-MU) Districts

The Residential -Traditional Community Mixed Use (R-TC-MU) zoning district is intended for certain medium-density residential and retail commercial and business areas that are appropriate for residential and commercial uses, and that can be served by community services. 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 and to provide for the integration of retail shops and businesses into the neighborhood. The R-TC-MU zoning district is consistent with and implements the Traditional Community-Mixed Use land use designation of the General Plan as follows:

Vallejo Unincorporated Area	R-TC-MU
Birds Landing Area	R-TC-MU
Cordelia area	R-TC-MU
Elmira area	R-TC-MU

28.32.20 Residential--Traditional Community District Land Uses and Permit Requirements

A. Allowed Uses and Permit Requirements

Tables 28-32A and 28-32A1 identifies the land uses allowed by this Zoning Ordinance in each residential-traditional community district and the land use permit required to establish

each use. In addition to the land use permit required by Tables 28-32A and 28-32B, special requirements may apply to certain uses.

B. Marsh Development Permit Requirements

Any development within the Suisun Marsh, as defined by Section 29114 of the Public Resources Code, shall be subject to obtaining a Marsh Development Permit, pursuant to the Suisun Marsh Preservation Act of 1977 and as provided for in Section 28.104 of this Code. When a land use subject to a marsh development permit is proposed in both the Primary Management Area and Secondary Management Area as defined in the Suisun Marsh Preservation Act of 1977, the land use shall be subject to a use permit covering the whole of the project.

C. Architectural Review

Architectural Approval may be required for certain uses, in compliance with Section 28.102 (Architectural Approval).

D. Building Permits

A Building Permit shall be required prior to any construction.

E. Land Use Regulations

Where the last column in Table 28.32A or 28.32B (Land Use Regulations) includes a section number, e.g. 28.70.10, the zoning regulations in the referenced section apply to the use. Where the last column includes a chapter number, e.g. Chapter 13.6, the regulations in the referenced Solano County Code apply to the use. Provisions in other sections of this Zoning Ordinance may also apply.

F. Non-Conforming Uses.

Within the Suisun Marsh, as defined by Section 29101 of the Public Resources Code, uses established prior to 1977 that do not conform to the uses set forth in Table 28.32B shall be considered nonconforming uses under Section 28.114, except that non-substantial changes, alterations, and additions to nonconforming uses may be allowed within the existing established project footprint area subject to a marsh development permit, pursuant to the Suisun Marsh Preservation Act of 1977 and as provided for in Section 28.104 of this Code. The overall existing development area may not be expanded under these provisions. Development within the existing development area should minimize additional impervious surfaces. An adequate buffer should be established or maintained between the development areas and any water, wetlands, or other Marsh habitat to protect the habitat from adverse environmental impacts. An erosion, sediment, and runoff control plan shall be prepared in accordance with Section 31.26(b) of the Solano County Grading, Drainage, Land Leveling and Erosion Control Ordinance. When the non-conforming uses is located in both the Primary Management Area and Secondary Management Area, as defined by the Suisun

Marsh Preservation Act of 1977, non-substantial changes, alterations, and additions to the nonconforming use shall be subject to a use permit covering the whole of the project.

G. Site Development and Other Standards

All uses shall comply with the provisions of Article IV, Section 28-90 Site Development and Other Standards which includes standards for parking, signs and other project elements.

TABLE 28.32A ALLOWED USES: R-TC-1AC, R-TC-20, R-TC-15, R-TC-10, R-TC-6 DISTRICTS

**A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt,
- - - = Prohibited**

ALLOWED USES* *See Definitions Section 28-10	Permitted Uses					Land Use Regulations** **See Section 28-70.10
	R-TC-1AC	R-TC-20	R-TC-15	R-TC-10	R-TC-6	
AGRICULTURAL USES						
A. CROP PRODUCTION						
Cultivated and irrigated farming	A	A	A	A	- - -	
Non-irrigated and non-cultivated farming	A	A	A	A	- - -	
RESIDENTIAL USES						
A. DWELLINGS						
Accessory buildings and uses ⁽¹⁾						28.72.10 (A) & (B)(1)
<i>Accessory building greater than 2,500 square feet in size⁽²⁾</i>	A	A	A	A	A	28.72.10 (A) & (B)(1)
<i>Accessory buildings, aggregate: 1) greater than 2,500 square feet in size combined on a lot 4 acres or less; or, 2) greater than 5,000 square feet in size combined on a lot greater than 4 acres⁽²⁾</i>	MUP	MUP	MUP	MUP	MUP	28.72.10 (A) & (B)(1)
Duplex	- - -	- - -	- - -	- - -	- - -	28.72.10(A)
Dwelling group	- - -	- - -	- - -	- - -	- - -	28.72.10 (A) & (B)(2)
Guest house	- - -	- - -	- - -	- - -	- - -	28.72.10 (A) & (B)(6)
Multifamily Dwelling	- - -	- - -	- - -	- - -	- - -	28.72.10(A)
Primary dwelling	A	A	A	A	A	28.72.10(A)
Rooming and boarding house	- - -	- - -	- - -	- - -	- - -	
Secondary dwelling	A	A	A	A	A	28.72.10 (A) & (B)(6).
Second kitchen	AP	AP	AP	AP	AP	28.72.10 (A) & (B)(7)
B. TEMPORARY RESIDENTIAL USES						
Temporary emergency dwelling	AP	AP	AP	AP	AP	28.72.20 (A) & (B)(3)
Temporary manufactured home storage	AP	AP	AP	AP	AP	28.72.20 (A) & (B)(4)
Temporary occupancy of existing dwelling while replacement dwelling is under construction	AP	AP	AP	AP	AP	28.72.20 (A) & (B)(5)
Temporary single-family dwelling ⁽³⁾	AP	AP	AP	AP	AP	28.72.20 (A) & (B)(6)
C. AGRICULTURAL AND ANIMAL FACILITIES INCIDENTAL TO A RESIDENCE						
Grazing or keeping of animals, not exceeding two	A	A	A	A	- - -	28.72.30 (A) & (B)(1)

**A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt,
 - - - = Prohibited**

ALLOWED USES* *See Definitions Section 28-10	Permitted Uses					Land Use Regulations** **See Section 28-70.10
	R-TC-1AC	R-TC-20	R-TC-15	R-TC-10	R-TC-6	
animal units per net acre of ownership, excepting an animal feed yard, which shall not be allowed						
Small animal husbandry	A	A	A	A	- - -	28.72.30 (A) & (B)(4)
Stable, private	A	A	A	A	- - -	28.72.30 (A) & (B)(5)
D. OTHER RESIDENTIAL USES						
Home occupation						
<i>Type I</i>	A	A	A	A	A	28.72.40 (A) & (B)(2)
<i>Type II</i>	AP	AP	AP	AP	AP	28.72.40 (A) & (B)(2)
Temporary subdivision sales office	MUP	MUP	MUP	MUP	MUP	28.72.40 (A) & (B)(3)

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited						
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses					Land Use Regulations** **See Section 28-70.10
	R-TC-1AC	R-TC-20	R-TC-15	R-TC-10	R-TC-6	
RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES ²						
A. RECREATION USES						
None Allowed						
B. EDUCATION USES						
None Allowed						
C. PUBLIC ASSEMBLY USES						
Church	- - -	UP	UP	UP	UP	28.73.30 (A) & (B)(1)
Club, lodge, or fraternal organization	- - -	- - -	- - -	- - -	- - -	28.73.30 (A) & (B)(2)
Nursery school	- - -	MUP	MUP	MUP	MUP	
Nursing home, rest home	- - -	MUP	MUP	MUP	MUP	
RETAIL AND OFFICE USES						
A. RETAIL USES						
Automobile parking lot ⁽⁴⁾	UP	UP	UP	UP	UP	28.78.10 (A) & (B)(2)
B. OFFICE USES						
None Allowed						

**A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt,
 - - - = Prohibited**

ALLOWED USES* *See Definitions Section 28-10	Permitted Uses					Land Use Regulations** **See Section 28-70.10
	R-TC-1AC	R-TC-20	R-TC-15	R-TC-10	R-TC-6	
TOURIST USES						
None Allowed						
COMMERCIAL SERVICE USES						
None Allowed						
INDUSTRIAL, MANUFACTURING, PROCESSING AND WHOLESALE USES						
None Allowed						

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited						
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses					Land Use Regulations** **See Section 28-70.10
	R-TC-1AC	R-TC-20	R-TC-15	R-TC-10	R-TC-6	
COMMUNICATION, INFRASTRUCTURE AND SERVICE USES						
A. COMMUNICATION USES						
Wireless communication facility						
Co-location	MUP	MUP	MUP	MUP	MUP	See Section 28.81
New tower	UP	UP	UP	UP	UP	See Section 28.81
B. INFRASTRUCTURE USES						
Pipeline, transmission, or distribution line, in R.O.W.	A	A	A	A	A	28.78.20 (A) &(B)(8)
Utility facilities or infrastructure, outside of R.O.W.	MUP	MUP	MUP	MUP	MUP	28.78.20 (A)& (B)(9)
C. SERVICE USES						
Community care facility	UP	UP	UP	UP	UP	28.78.30 (A) & (B)(2)
Public Service Facility	UP	UP	UP	UP	UP	28.78.30 (A) & (B)(4)
D. TEMPORARY CONSTRUCTION AND INFRASTRUCTURE USES						
None Allowed	- - -	- - -	- - -	- - -	- - -	
RESOURCE CONSERVATION USES						
None Allowed	- - -	- - -	- - -	- - -	- - -	

Notes:

- (1) Accessory building:
 - a) Does not include a guest house
 - b) May be established prior to construction or installation of a dwelling on the same property.

- (2) Use permit approval is required by the Zoning Administrator only, unless otherwise referred to the Planning Commission by the Zoning Administrator. Aggregate square footage shall include all accessory buildings, except as follows:
 - a) Any structure used for the keeping of animals, such as a stable or corral, or for crop storage, which is unenclosed with an open side and no flooring, shall not required a use permit and shall not be counted as part of the aggregate total for accessory buildings
 - b) Any structure 120 square fee in size or less and exempt from the permit requirements of County Building Code shall not be counted as part of the aggregate total for accessory buildings.

- (3) Allowed only when the primary dwelling is under construction, and the temporary dwelling is installed on a temporary foundation.

- (4) An automobile parking lot must be adjacent to any C or M District.

Table 28.32B ALLOWED USES: R-TC-5, R-TC-4 R-TC-D, R-TC-MF, R-TC-MU DISTRICTS

**A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt,
- - - = Prohibited**

ALLOWED USES* *See Definitions Section 28-10	Permitted Uses						Land Use Regulations** **See Section 28-70.10
	R-TC-5	R-TC-4 ⁽¹⁾	R-TC-D-4	R-TC-D-6	R-TC-MF	R-TC-MU	
AGRICULTURAL USES							
A. CROP PRODUCTION							
Cultivated and irrigated farming	---	---	---	---	---	---	
Non-irrigated and non-cultivated farming	---	---	---	---	---	---	
RESIDENTIAL USES							
A. DWELLINGS							
Accessory buildings and uses ⁽²⁾							28.72.10 (A) & (B)(1)
<i>Accessory building greater than 2,500 square feet in size⁽³⁾</i>	A	A	A	A	A	A	28.72.10 (A) & (B)(1)
<i>Accessory buildings, aggregate: 1) greater than 2,500 square feet in size combined on a lot 4 acres or less; or, 2) greater than 5,000 square feet in size combined on a lot greater than 4 acres⁽³⁾</i>	MUP	MUP	MUP	MUP	MUP	MUP	28.72.10 (A) & (B)(1)
Duplex	---	---	A	A	A	---	28.72.10(A)
Dwelling group	---	---	---	---	A	---	28.72.10(A) & (B)(1)
Guest house	---	---	---	---	---	---	
Multifamily Dwelling	---	---	---	---	A	A	28.72.10(A)
Primary dwelling	A	A	A	A	A	A	28.72.10(A)
Rooming and boarding house	---	---	---	---	A		28.72.10(A)
Secondary dwelling	A	A	---	---	---	---	28.72.10(A) & (B)(6)
Second kitchen	AP	AP	---	---	---	---	28.72.10(A) & (B)(7)
B. TEMPORARY RESIDENTIAL USES							
Temporary emergency dwelling	AP	AP	AP	AP	AP	AP	28.72.20(A) & (B)(3)
Temporary manufactured home storage	AP	AP	AP	AP	---	---	28.72.20(A) & (B)(4)
Temporary occupancy of existing dwelling while replacement dwelling is under construction	AP	AP	AP	AP	AP	A	28.72.20(A) & (B)(5)
Temporary single-family dwelling ⁽⁴⁾	AP	AP	AP	AP	---	AP	28.72.20(A) & (B)(6)
C. AGRICULTURAL AND ANIMAL FACILITIES INCIDENTAL TO A RESIDENCE							

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited							
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses						Land Use Regulations** **See Section 28-70.10
	R-TC-5	R-TC-4⁽¹⁾	R-TC-D-4	R-TC-D-6	R-TC-MF	R-TC-MU	
Grazing or keeping of animals, not exceeding two animal units per net acre of ownership, excepting an animal feed yard, which shall not be allowed	---	---	---	---	---	---	28.72.30(A) & (B)(1)
Small animal husbandry	---	---	---	---	---	---	28.72.30(A) & (B)(4)
Stable, private	---	---	---	---	---	---	28.72.30(A) & (B)(5)
D. OTHER RESIDENTIAL USES							
Home occupation							
<i>Type I</i>	A	A	A	A	A	A	28.72.40(A) & (B)(2)
<i>Type II</i>	AP	AP	AP	AP	AP	AP	28.72.40(A) & (B)(2)
Temporary subdivision sales office	MUP	MUP	MUP	MUP	MUP	---	28.72.40(A) & (B)(3)

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited							
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses						Land Use Regulations** ** See Section 28-70.10
	R-TC-5	R-TC-4 ⁽¹⁾	R-TC-D-4	R-TC-D-6	R-TC-MF	R-TC-MU	
RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES ²							
A. RECREATION USES							
None Allowed							
B. EDUCATION USES							
None Allowed							
C. PUBLIC ASSEMBLY USES							
Church	UP	- - -	UP	UP	UP	UP	28.73.30 (A) & (B)(1)
Club, lodge, or fraternal organization	- - -	- - -	- - -	- - -	UP	UP	28.73.30 (A) & (B)(2)
Nursery school	MUP	- - -	MUP	MUP	MUP	MUP	28.73.30 (A)
Nursing home, rest home	MUP	- - -	MUP	MUP	MUP	MUP	28.73.30 (A)
School						MUP	28.73.30 (A)
RETAIL AND OFFICE USES							
A. RETAIL USES							
Automobile parking lot ⁽⁵⁾	MUP	- - -	MUP	MUP	MUP	A	28.74.10 (A) & (B)(2)
B. OFFICE USES							
None Allowed							

**A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt,
 - - - = Prohibited**

ALLOWED USES* *See Definitions Section 28-10	Permitted Uses						Land Use Regulations** **See Section 28-70.10
	R-TC-5	R-TC-4⁽¹⁾	R-TC-D-4	R-TC-D-6	R-TC-MF	R-TC-MU	
TOURIST USES							
None Allowed							
COMMERCIAL SERVICE USES							
None Allowed							
INDUSTRIAL, MANUFACTURING, PROCESSING AND WHOLESALE USES							
None Allowed							

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited							
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses						Land Use Regulations** **See Section 28-70.10
	R-TC-5	R-TC-4 ⁽¹⁾	R-TC-D-4	R-TC-D-6	R-TC-MF	R-TC-MU	
COMMUNICATION, INFRASTRUCTURE AND SERVICE USES							
A. COMMUNICATION USES							
Wireless communication facility							
Co-location	MUP	MUP	MUP	MUP	MUP	MUP	See Section 28.81
New tower	UP	UP	UP	UP	UP	UP	See Section 28.81
B. INFRASTRUCTURE USES							
Pipeline, transmission, or distribution line, in R.O.W.	A	A	A	A	A	A	28.78.20 (A) & (B)(8)
Utility facilities or infrastructure, outside of R.O.W.	UP	UP	UP	UP	UP	UP	28.78.20 (A) & (B)(9)
C. SERVICE USES							
Community care facility	UP	- - -	UP	UP	UP	UP	28.78.30 (A) & (B)(2)
Public Service Facility	UP	- - -	UP	UP	UP	UP	28.78.30 (A) & (B)(4)
D. TEMPORARY CONSTRUCTION AND INFRASTRUCTURE USES							
None Allowed							
RESOURCE CONSERVATION USES							
None Allowed							

Notes:

- (1) Any development within the Suisun Marsh, as defined by Section 29114 of the Public Resources Code, shall be subject to obtaining a Marsh Development Permit, pursuant to the Suisun Marsh Preservation Act of 1977 and as provided for in Section 28.104 of this Code.
- (2) Accessory building:
 - a) Does not include a guest house
 - b) May be established prior to construction or installation of a dwelling on the same property.
- (3) Use permit approval is required by the Zoning Administrator only, unless otherwise referred to the Planning Commission by the Zoning Administrator. Aggregate square footage shall include all accessory buildings, except as follows:

- a) Any structure used for the keeping of animals, such as a stable or corral, or for crop storage, which is unenclosed with an open side and no flooring, shall not required a use permit and shall not be counted as part of the aggregate total for accessory buildings
 - b) Any structure 120 square fee in size or less and exempt from the permit requirements of County Building Code shall not be counted as part of the aggregate total for accessory buildings.
- (4) Allowed only when the primary dwelling is under construction, and the temporary dwelling is installed on a temporary foundation.
- (5) An automobile parking lot must be adjacent to any C or M District.

28.32.30 – Residential–Traditional Community District Development Standards

A. General site and building standards

Subdivision, new land uses, main buildings inclusive of primary dwellings, secondary dwellings, and alterations to existing land uses and buildings, shall be designed, constructed, and/or established in compliance with the applicable development standards delineated or referenced in Tables 28-32C.

TABLE 28-32C Development Standards for Main Building ⁽¹⁾ and Secondary Dwelling												
Development Feature	Requirement by Zoning District											
	R-TC-1AC	R-TC-20	R-TC-15	R-TC-10	R-TC-6	R-TC-5	R-TC-4	R-TC-D-6	R-TC- MF	<u>R-TC-MU</u>		
Minimum Lot Area ⁽²⁾	<i>Minimum area required for new lots</i>											
	1 acre	20,000 s.f.	15,000 s.f.	10,000 s.f.	6,000 s.f.	5,000 s.f.	4,000 s.f. ⁽³⁾	6,000 s.f. ⁽³⁾	5,000 s.f.	<u>4,000 s.f.</u>		
Dwelling Size	<i>Minimum or maximum gross floor area for new dwellings</i>											
Primary dwelling	1,000 square feet minimum											
Secondary dwelling	850 square feet maximum. See Section 28.72.10.A.1. & B.10.						N/A					
Setbacks	<i>Minimum setbacks required. See Section 28-50(e) for setback measurement, allowed projections into setbacks, and exceptions.</i>											
Front	20 feet ⁽⁵⁾			20 feet ⁽⁶⁾		0 feet ⁽⁶⁾		20 feet ⁽⁶⁾		30 feet ⁽⁶⁾	<u>0 feet ⁽⁶⁾</u>	
Sides (each)	10 feet				5 feet			10 feet		<u>5 feet</u>		
Sides (combined)	N/A				15 feet		10 feet		20 feet		<u>10 feet</u>	
Rear	25 feet				20% of lot depth, not exceeding 25 feet, and no less than 15 feet		0 feet		20% of lot depth, not exceeding 25 feet, and no less than 15 feet		15 feet	<u>0 feet</u>
Between Structures ⁽⁷⁾	10 Feet						10 feet between single family dwelling on the same lot when placed side-by-side and 20 feet between such buildings placed in any other manner.		10 Feet		<u>10 feet between single family dwelling on the same lot when placed side-by-side and 20 feet between such buildings placed in any other manner</u>	



TABLE 28-32C, cont.										
Development Standards for Main Building ⁽¹⁾ and Secondary Dwelling										
Development Feature	Requirement by Zoning District									
	R-TC-1AC	R-TC-20	R-TC-15	R-TC-10	R-TC-6	R-TC-5	R-TC-4	R-TC-D-6	R-TC- MF	<u>R-TC-MU</u>
Height Limit	<i>Maximum allowed height of structures. See Section 28.93 (height exceptions) and Section 28.99 (Airport flight Obstruction Areas)</i>									
	<i>35 feet</i>								<i>50 feet</i>	<i>35 feet</i>
Parking	<i>As required by Section 28-94 (Parking Requirements) and Section 28-102 (Architectural Approval)</i>									

Notes:

- (1) In any R district, the primary dwelling shall be deemed the main building on the building site on which the same is situated.
- (2) The following may be used to determine acceptable lot area:
 - a) The actual number of lots allowed is determined through the applicable subdivision process, based on specific site characteristics and potential environmental impacts, and there is no guarantee that the maximum possible number may be achieved.
 - b) Reduced lot area may be allowed with a use permit for specific uses permitted by zoning district, see Section 28-97.
- (3) A duplex or up to two single family dwellings in any arrangement is allowed on a lot in the R-TC-D -4 District when a minimum of 2,000 sq. ft. of land area is provided for each one family dwelling or a minimum of 2,000 sq. ft. of land area is provided for each duplex unit.
 A duplex or up to two single family dwellings in any arrangement is allowed on a lot in the R-TC-D -6 District when a minimum of 3,000 sq. ft. of land area is provided for each one family dwelling or a minimum of 3,000 sq. ft. of land area is provided for each duplex unit. An allowed second single family dwelling shall be deemed to be a second main building and not a secondary dwelling or accessory building.
- (4) Other setbacks may be required for specific uses listed in Table 28-32A and 28-32B, as referenced.
- (5) Exception: buildings shall be not less than 50 feet from the centerline of the street, and unless otherwise indicated by building lines on the zoning maps.
- (6) Exception: unless otherwise indicated by building lines shown on the zoning maps.
- (7) Other separation between structures may be required by County Building Code.

B. Accessory Buildings and Structures Development Standards.

New accessory buildings and other structures including alternations to existing accessory buildings and other structures, shall be designed, constructed, and/or established in compliance with the applicable development standards in Tables 28-32D.

TABLE 28-32D										
Development Standards for Accessory Buildings and Structures ⁽¹⁾										
Development Feature	Requirement by Zoning District									
	R-TC-1AC	R-TC-20	R-TC-15	R-TC-10	R-TC-6	R-TC-5	R-TC-4	R-TC-D4	R-TC-D6	R-TC-MF
Setbacks ⁽²⁾	<i>Minimum setbacks required. See Section 28.90 for setback measurement, allowed projections into setbacks, and exceptions. See also: Section 28.72.10 A.1. & B.1. (Accessory buildings and uses, residential)</i>									
Attached	An accessory building attached to the main building shall comply with the setback requirements for the main building.									
Detached	60 feet or on the rear 50% of the lot									
Front				60 feet for private stables						
Sides (each) ⁽³⁾	10 feet			10 feet, 20 feet for private stables	5 feet				10 feet	<u>5 feet</u>
Sides (combined)	N/A				15 feet	10 feet			20 feet	<u>10 feet</u>
Rear ⁽³⁾	10 feet			10 feet, 20 feet for private stables	10 feet	0 feet	10 feet			<u>0 feet</u>
Between structures ⁽⁴⁾	10 feet from any dwelling or other main building on the same lot									
Site coverage (maximum)	In a required rear setback for the main building: the aggregate total of all accessory buildings shall not occupy more than 30% of the required rear setback area for the main building.									
Height limit	<i>Maximum allowed height of structures. See Section 28.93 (height exceptions) and Section 28-99 (Airport Flight Obstruction Areas)</i>									
	15 feet									
Parking	As required by Section 28-94 (Parking Requirements) and Section 28.72.10.A.1.									

Notes:

- (1) Does not include a secondary dwelling as defined in Section 28.01.
- (2) Other setbacks may be required for specific uses listed in Table 28-32A and 28-32B, as referenced.
- (3) The side or rear yard requirements may be waived for an accessory building other than an animal shelter, except that: a) such building shall not be located closer to any side street line than the main building; and, b) such buildings in the aggregate shall not exceed the maximum site coverage in the rear yard for the main building. Waiver of said requirements shall be subject to provisions set forth in Section 28.102 and notice as set forth in Section 28.14(f) of this Chapter.
- (4) Other separation between structures may be required by County Building Code.

(Ord. No. 1732, §3)

28.40 Commercial and Industrial Districts

Sections:

28.41 Commercial Districts

28.42 Manufacturing and Industrial Districts

28.41. COMMERCIAL (C) DISTRICTS

Subsections:

28.41.10 - Purpose of Section

28.41.11 – Purpose of Commercial Districts

28.41.20 – Commercial Districts Land Uses and Permit requirements

28.41.30 – Commercial District Development Standards

28.41.10 Commercial District(s)

This Section includes regulations for the following zoning districts

- A. Highway Commercial (C-H) District**
- B. Neighborhood Commercial (C-N) District**
- C. Commercial Recreation (C-R) District**
- D. Commercial Recreation – Limited (C-R-L)**
- E. Commercial-Service (C-S) District**
- F. Commercial-Office (C-O) District**

28.41.11 Purpose of Commercial Districts

This Section lists the uses of land that may be allowed within the areas of the County designated for commercial land uses. It also determines the type of land use approval required for each use within each district, and provides general standards for site development.

The purposes of the different commercial zoning districts are as follows:

A. Highway Commercial (C-H) District

The 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. Neighborhood Commercial (C-N) District

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.

C. Commercial Recreation (C-R) District

The C-R zoning district is intended to provide appropriate commercial recreation uses that support recreational activities and resource based recreational uses within the County in a manner compatible with surrounding land uses. The C-R zoning district is consistent with the commercial recreation designations of the General Plan outside the Suisun Marsh management area.

D. Commercial Recreation- Limited (C-R-L) District

The C-R-L zoning district is intended to provide for limited commercial recreational uses adjacent to the Suisun Marsh compatible with its protection. The C-R-L zoning district is consistent with the Commercial Recreation land use designation of the General Plan within the Secondary Management Area of the Suisun Marsh.

E. Commercial Service (C-S) District

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.

F. Business and Professional Office (C-O) District

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

28.41.20 Commercial District(s) Land Uses and Permit Requirements

A. Allowed Uses and Permit Requirements

Table 28.41A identifies the land uses allowed by this Zoning Ordinance in each commercial zoning district and the land use permit required to establish each use. In addition to the land use permit required by Table 28.41A, special requirements may apply to certain uses.

B. Marsh Development Permit Requirements

Any development within the Suisun Marsh, as defined by Section 29114 of the Public Resources Code, shall be subject to obtaining a Marsh Development Permit pursuant to the Suisun Marsh Preservation Act of 1977 and as provided for in Section 28.104 of this Code. When a land use subject to a marsh development permit is proposed in both the Primary Management Area and Secondary Management Area, as defined in the Suisun Marsh

Preservation Act of 1977, the land use shall be subject to a use permit covering the whole of the project.

C. Architectural Review

Architectural Approval may be required for certain uses, in compliance with Section 28.102 (Architectural Approval).

D. Building Permits

A Building Permit shall be required prior to any construction.

E. Land Use Regulations

Where the last column in Table 28-41A (Land Use Regulations) includes a section number, e.g. 28.70.10, the zoning regulations in the referenced section apply to the use. Where the last column includes a chapter number, e.g. Chapter 13.6, the regulations in the referenced Solano County Code apply to the use. Provisions in other sections of this Zoning Ordinance may also apply.

F. Non-Conforming Uses

Within the Suisun Marsh, as defined by Section 29114 of the Public Resources Code, uses established prior to August 4, 1981 that do not conform to the uses set forth in Table 28-41A shall be considered nonconforming uses under Section 28.114, except that non-substantial changes, alterations, and additions to nonconforming uses may be allowed within the existing established project footprint area subject to a marsh development permit, pursuant to the Suisun Marsh Preservation Act of 1977 and as provided for in Section 28.104 of this Code. The overall existing development area may not be expanded under these provisions. Development within the existing development area should minimize additional impervious surfaces. An adequate buffer should be established or maintained between the development areas and any water, wetlands, or other Marsh habitat to protect the habitat from adverse environmental impacts. An erosion, sediment, and runoff control plan shall be prepared in accordance with Section 31.26(b) of the Solano County Grading, Drainage, Land Leveling and Erosion Control Ordinance. When the non-conforming uses is located in both the Primary Management Area and Secondary Management Area, as defined by the Suisun Marsh Preservation Act of 1977, non-substantial changes, alterations, and additions to the nonconforming use shall be subject to a use permit covering the whole of the project.

G. Site Development and Other Standards

All uses shall comply with the provisions of Section 28-90, Site Development and Other Standards, which includes standards for parking, signs, and other project elements

TABLE 28.41A ALLOWED USES: (C-H), (C-N), (C-R), (C-R-L), (C-S), (C-O) DISTRICTS

A= Allowed by right, AP= Administrative Permit, MUP= Minor use permit, PD = Planned Unit Development, UP= Use permit, E=Exempt, - - -= Prohibited							
ALLOWED USES* *See Definition Section 28-10	Permitted Uses						Land Use Regulations** **See Section 28.70.10
	C-H	C-N	C-R	C-R-L ⁽⁶⁾	C-S	C-O	
28.71 AGRICULTURAL USES²							
A. CROP PRODUCTION							
Accessory uses and structures	---	---	A	A	---	---	28.71.10(A) & (B)(1)
Crop Production	---	---	A	---	---	---	28.71.10(A)
Non-irrigated and non-cultivated farming	---	---	---	A	---	---	28.71.10(A)
Grazing	---	---	A	A	---	---	28.71.10(A)
B. AGRICULTURAL PROCESSING USES							
On-site Agricultural Processing	---	---	A	---	---	---	28.71.20(A) & (B)(1)
28.72 RESIDENTIAL USES							
A. DWELLINGS							
Primary Dwelling	---	---	A	A	---	---	28.72.10
B. TEMPORARY RESIDENTIAL USES							
None Allowed							
C. AGRICULTURAL AND ANIMAL FACILITIES INCIDENTAL TO A RESIDENCE							
None Allowed							
D. OTHER RESIDENTIAL USES							
None Allowed							

TABLE 28.412A ALLOWED USES: (C-H), (C-N), (C-R), (C-R-L), (C-S), (C-O) DISTRICTS

A= Allowed by right, AP= Administrative Permit, MUP= Minor use permit, PD = Planned Unit Development, UP= Use permit, E=Exempt, - - - = Prohibited							
ALLOWED USES* *See Definition Section 28-10	Permitted Uses						Land Use Regulations** **See Section 28.70.10
	C-H	C-N	C-R	C-R-L ⁽⁶⁾	C-S	C-O	
28.73 RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES²							
A. RECREATION USES							
Amusement Facilities	MUP	---	---	---	---	---	
Commercial Outdoor Recreation							28.73.10(A)
Not including enclosed structures	---	---	A	A	---	---	28.73.10(A)
Including enclosed structures	---	---	UP	UP	---	---	28.73.10(A)
Complementary commercial facilities	---	---	---	UP	---	---	
Marina							
Boat launching facilities	---	---	UP	UP	---	---	
Boat and boat trailer storage	---	---	UP	UP	---	---	
Boat construction, servicing, sales and repair	---	---	UP	UP	---	---	
Floating home	---	---	UP	---	---	---	
Marsh oriented recreation	---	---	---	UP	---	---	
Recreational Vehicle Park and/or Campground	---	---	UP ¹	UP ¹	---	---	28.73.10(A)
B. EDUCATION USES							
Ecological and agricultural education	---	---	UP	UP	---	---	
Business school; art, modeling, music, or dance studio	---	---	---	---	---	---	
C. PUBLIC ASSEMBLY USES							
Auditorium, exhibition hall, sports arena, drive-in theater	---	---	---	---	UP ⁴	---	28.73.30(A)
Church	MUP	MUP	---	---	MUP ⁴	MUP	28.73.30(A) & (B)(1)
Circus, Carnival, Fair, or Revival	MUP	---	---	---	MUP ⁴	---	28.73.30(A)
Nursery School	---	---	---	---	MUP ⁴	MUP	28.73.30(A)
28.74 RETAIL AND OFFICE USES							
A. RETAIL USES							
Automobile parking lot	---	A	---	---	A ⁴	A	28.74.10(A) & (B)(2)

A= Allowed by right, AP= Administrative Permit, MUP= Minor use permit, PD = Planned Unit Development, UP= Use permit, E=Exempt, - - = Prohibited

ALLOWED USES* *See Definition Section 28-10	Permitted Uses						Land Use Regulations** **See Section 28.70.10
	C-H	C-N	C-R	C-R-L ⁽⁶⁾	C-S	C-O	
Automobile Repair Garage	MUP	MUP	---	---	MUP ⁴	---	28.74.10(A) & (B)(3)
Automobile Service Station	A	MUP	---	---	A ⁴	---	28.74.10(A)
Food Establishments open to the outside air	MUP	---	---	---	---	---	28.74.10(A)
Bank	---	---	---	---	---	A	28.74.10(A)
Florist Shop (Indoor)	---	---	---	---	---	A	28.74.10(A)
Hotel, Motel	A	---	---	---	---	---	28.74.10(A)
Massage establishments, slenderizing establishments, and similar personal services	---	---	UP	---	---	---	28.74.10(A)
Merchandise Showroom	---	---	---	---	---	A	28.74.10(A)
Neighborhood Commercial Uses							28.74.10(A)
Less than 1,500 square feet	---	A	---	---	MUP ⁴	---	28.74.10(A)
More than 1,500 square feet	---	UP	---	---	UP ⁴	---	28.74.10(A)
Outdoor sales and service	---	MUP	---	---	MUP ⁴	---	28.74.10(A)
Serving Liquor within 200 feet of an R-District	---	MUP	---	---	MUP ⁴	---	28.74.10(A)
Pharmacy	---	---	---	---	---	A	28.74.10(A)
Refreshment Stand	A	---	---	---	---	---	28.74.10(A)
Restaurant	A	---	---	---	---	MUP	28.74.10(A)
Serving Liquor within 200 feet of an R-District	UP	---	---	---	---	MUP	28.74.10(A)
Retail Dairies	MUP	---	---	---	---	---	28.74.10(A)
Roadside Stand	MUP	---	---	---	---	---	28.74.10(A) & (B)(8)
Roadside stand for the sale of agricultural products grown on-site							28.74.10(A) & (B)(8)
More than 80 feet from the centerline of the street	---	---	A	---	---	---	28.74.10(A) & (B)(8)
Less than 80 feet from the centerline of the street	---	---	MUP	---	---	---	28.74.10(A) & (B)(8)
Shop, store and service for retail sales (indoor)	---	---	A	---	---	---	28.74.10(A)
Serving Liquor within 200 feet of an R-District	---	---	MUP	---	---	---	28.74.10(A)

TABLE 28.41A ALLOWED USES: (C-H), (C-N), (C-R), (C-R-L), (C-S), (C-O) DISTRICTS

A= Allowed by right, AP= Administrative Permit, MUP= Minor use permit, PD = Planned Unit Development, UP= Use permit, E=Exempt, - - = Prohibited							
ALLOWED USES*	Permitted Uses						Land Use Regulations**
*See Definition Section 28-10							** See Section 28.70.10
	C-H	C-N	C-R	C-R-L ⁽⁶⁾	C-S	C-O	
28.75 TOURIST USES							
None Allowed							
28.76 COMMERCIAL SERVICE USES							
Animal Hospital					MUP ⁴	---	28.76.20(A) & (B)(1)
Automobile, mobilehome, recreational vehicle or boat sales garage	---	---	---	---	A ⁴	---	28.76.20(A)
Automobile, mobilehome, recreational vehicle or boat sales lot	---	---	---	---	A ⁴	---	28.76.20(A)
Bakery, dairy creamery, laundry and dry cleaning establishment	---	---	---	---	A ⁴	---	28.76.20(A)
Corporation Yard	---	---	---	---	A ^{4,5}	---	28.76.20(A)
Equipment Rental Lot	---	---	---	---	MUP ⁴	---	28.76.20(A)
General Service Uses	---	---	---	---	A ⁴	---	28.76.20(A)
Lumber yard	---	---	---	---	MUP ⁴	---	28.76.20(A)
Medical laboratory	---	---	---	---	A ⁴	MUP	28.76.20(A)
Mortuary, Funeral Home	---	---	---	---	---	MUP	28.76.20(A)
Newspaper and commercial printing shop, blueprint shop	---	---	---	---	A ⁴	---	28.76.20(A)
Nursery and Landscaping Materials and Supplies	UP	---	---	---	A ⁴	---	28.76.20(A)
Outdoor Storage	---	---	---	---	MUP ⁴	---	28.76.20(A)
Sales of Construction and Landscaping Supplies and Materials	---	---	---	---	MUP ⁴	---	28.76.20(A)

TABLE 28.41A ALLOWED USES: (C-H), (C-N), (C-G), (C-S), (C-O) DISTRICTS

A= Allowed by right, AP= Administrative Permit, MUP= Minor use permit, PD = Planned Unit Development, UP= Use permit, E=Exempt, - - -= Prohibited							
ALLOWED USES* *See Definition Section 28-10	Permitted Uses						Land Use Regulations**
	C-H	C-N	C-R	C-R-L ⁽⁶⁾	C-S	C-O	**See Section 28.70.10
28.78 COMMUNICATION, INFRASTRUCTURE AND SERVICE USES							
A. COMMUNICATION USES							
Wireless communication facility							
Co-location	MUP	MUP	MUP	---	MUP	MUP	28.78.10 & 28.81
New tower	UP	UP	UP	---	UP	UP	28.78.10 & 28.81
B. INFRASTRUCTURE USES							
Commercial wind turbine generator	UP	UP	---	---	UP	UP	28.80
Non-commercial wind turbine							28.80
<i>Under 100 feet</i>	A	A	A	A	A	A	28.80
<i>Over 100 feet</i>	MUP	MUP	MUP	---	MUP	MUP	28.80
Pipeline, transmission, or distribution line, in R.O.W.	A	A	A	A	A	A	28.78.20(B)(8)
Utility facilities or infrastructure, outside of R.O.W.	UP	UP	UP	UP	UP	UP	28.78.20(B)(9)
C. TEMPORARY CONSTRUCTION AND INFRASTRUCTURE USES							
Meteorological Tower, 1000 feet or less in height	AP	AP	AP	AP	AP	AP	28.78.20(A) & (B)(6)
Meteorological Tower, greater than 100 feet in height	MUP	MUP	MUP	MUP	MUP	MUP	28.78.20(A) & (B)(6)
D. SERVICE USES							
Hospital	---	---	---	---	---	A	28.78.30(A) & (B)(3)
Club, lodge, fraternal organization	---	MUP	---	---	MUP		28.78.30(A)

A= Allowed by right, AP= Administrative Permit, MUP= Minor use permit, PD = Planned Unit Development, UP= Use permit, E=Exempt, - - -= Prohibited

ALLOWED USES* *See Definition Section 28-10	Permitted Uses						Land Use Regulations** **See Section 28.70.10
	C-H	C-N	C-R	C-R-L⁽⁶⁾	C-S	C-O	
Public Service Facility	UP	UP	UP	---	UP	UP	28.78.30(A) & (B)(4)
28.79 RESOURCE CONSERVATION USES							
None Allowed							

Notes:

1. Where uses are conducted entirely within a building and do not produce any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration; smoke, dust, odor, or other form of air pollution; radioactivity, electrical or other disturbances; glare; liquid or solid refuse or wastes; in such amount as to adversely affect the surrounding area or adjoining premises and shall not exceed 50% of the net usable floor area per tenant.
2. Total square footage devoted to uses allowed shall not exceed 80% of the net usable floor area per tenant space and shall not generate more than one commercial delivery per day per tenant.
3. Shall not exceed 50% of the net usable floor area per tenant space and shall not generate more than one commercial delivery per day per tenant.
4. 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.
5. When enclosed by a minimum eight foot fence, wall or vegetative screening.
6. Any development within the Suisun Marsh, as defined by Section 29114 of the Public Resources Code, shall be subject to obtaining a Marsh Development Permit pursuant to the Suisun Marsh Preservation Act of 1977, and as provided for in Section 28.104 of this Code.

28.41.30 Commercial District Development Standards

Subdivision, new land uses, main buildings including primary and secondary dwellings, and alterations to existing land uses and buildings, shall be designed, constructed, and/or established in compliance with the applicable development standards delineated or referenced in Table 28-41B.

TABLE 28-41B	
Development Standards for Main Building, ACCESSORY STRUCTURES and USES	
PRIMARY BUILDING	
Minimum Lot Area	<i>None</i>
Setbacks	
Front	
C-H District	<i>Twenty feet; unless otherwise indicated by building lines on the zoning maps.</i>
C-N District C-S District	<i>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.</i>
C-R-District C-R-L District	<i>Twenty 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.</i>
C-O District	<i>15 feet</i>
Sides (each)	
C-H District	<i>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.</i>
C-N District C-S District	<i>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 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.</i>
C-R District C-R-L District	<i>None</i>
C-O District	<i>10 feet</i>
Rear	<i>None; except in the C-O District, 10 feet; except when adjacent to a residential zone, then the minimum yard shall be fifteen feet.</i>
Between structures	<i>10 feet</i>
Height limit	
C-H District C-R District C-N District	<i>Thirty-five feet; provided that additional height may be permitted if a use permit is first secured.</i>
C-R-L District	<i>Thirty-five feet; provided that additional height may be permitted if a use permit is first secured, but in no case more than 50 feet</i>
C-S District	<i>50 feet; provided, that the additional height may be allowed upon the obtaining of a use permit.</i>
C-O District	<i>35 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.</i>

Accessory Structures	<i>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>
OTHER STANDARDS	
Loading Requirements	<i>Adequate, private, off-street space for the loading and unloading of all materials.</i>
Parking Requirements	<i>Parking shall be provided in conformance with the parking standards in Section 28.94</i>
Signs	<i>All signs shall comply with the sign requirements in Section 28.96</i>
Fencing Requirements	<i>In the C-S District, a minimum, six-foot high separating masonry wall or solid board shall be erected and maintained where any use abuts any R district.</i>
Walls and Fences	<i>In the C-O District, a six foot high decorative masonry wall shall be constructed and maintained on all side and rear property lines abutting R Districts, excepting the Rural Residential (R-R) District. For property lines abutting R-R Districts, a screen consisting of walls, fences, landscaping, berms or any combination to form a six foot high opaque screen shall be provided.</i>
Lighting	<i>In the C-O District, parking areas shall have lighting capable of providing adequate illumination for security and safety. Any illumination shall be directed away from adjacent properties and public rights-of-way. Low level lighting shall be used where possible.</i>
Other Standards	<i>Table 28.41A refers identifies allowable uses and permitting requirements. The last column of the table points to additional land use regulations for permitted uses, contained within Section 28-70. Please refer to this section for the additional requirements.</i>

(Ord. No. 1732, §5)

28.42 MANUFACTURING AND INDUSTRIAL DISTRICTS

Subsections:

- 28.42.10 – Manufacturing and Industrial District(s)
- 28.42.11 – Purpose of Manufacturing and Industrial Districts
- 28.42.20 – Manufacturing and Industrial Districts Land Uses and Permit requirements
- 28.42.30 – Manufacturing and Industrial District Development Standards

28.42.10 Manufacturing and Industrial Districts

This Section includes regulations for the following zoning districts

- A. Manufacturing - Limited (M-L) District**
- B. Manufacturing - General (M-G) Districts**
 - 1. M-G-1/2 District
 - 2. M-G-3 District
- C. Industrial – Water Dependent (I-WD) District**

28.42.11 Purpose of Manufacturing and Industrial District(s)

This Section lists the uses of land that may be allowed within the areas of the County designated for industrial and manufacturing land uses. It also determines the type of land use approval required for each use within each district, and provides general standards for site development.

The purpose of the different industrial and manufacturing zoning districts and the manner in which they are applied are as follows:

A. Manufacturing - Limited (M-L) District

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. Manufacturing - General (M-G) District

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.

C. Industrial – Water Dependent (I-WD) District

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 I-WD 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.

Some of the land in this district is lowland grassland or seasonal marsh which has existing value as wetland habitat or is suitable for restoration to wetland habitat. These areas have subsided and may be filled, using approved dredged sediments, and restored to tidal, managed, or seasonal wetlands, for the purpose of increasing their natural resource value and restoring some of the formerly natural tidal wetland area. Restored wetlands shall remain as wetlands and not be developed for industrial uses.

28.42.20 Manufacturing and Industrial (s) Land Uses and Permit Requirements

A. Allowed Uses and Permit Requirements

Tables 28-42A and 28-42B identifies the land uses allowed by this Zoning Ordinance in each manufacturing and industrial district and the land use permit required to establish each use. In addition to the land use permit required by Tables 28-42A and 28-42B, special requirements may apply to certain uses.

B. Marsh Development Permit Requirements

Any development within the Suisun Marsh, as defined by Section 29114 of the Public Resources Code, shall be subject to obtaining a Marsh Development Permit pursuant to the Suisun Marsh Preservation Act of 1977 and as provided for in Section 28.104 of this Code. When a land use subject to a marsh development permit is proposed in both the Primary Management Area and Secondary Management Area, as defined in the Suisun Marsh Preservation Act of 1977, the land use shall be subject to a use permit covering the whole of the project.

C. Architectural Review

Architectural Approval may be required for certain uses, in compliance with Section 28.102 (Architectural Approval).

D. Building Permits

A Building Permit shall be required prior to any construction. Prior to the issuance of a building permit, the Zoning Administrator or 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 28.95, all to insure and protect the public interest, health, comfort, convenience, safety, and general welfare.

E. Land Use Regulations

Where the last column in Table 28.42A (Land Use Regulations) includes a section number, e.g. 28.70.10, the zoning regulations in the referenced section apply to the use. Where the last column includes a chapter number, e.g. Chapter 13.6, the regulations in the referenced Solano County Code apply to the use. Provisions in other sections of this Zoning Ordinance may also apply.

F. Non-Conforming Uses

Within the Suisun Marsh, as defined by Section 29114 of the Public Resources Code, uses established prior to August 4, 1981 that do not conform to the uses set forth in Table 28.41A shall be considered nonconforming uses under Section 28.114, except that non-substantial changes, alterations, and additions to nonconforming uses may be allowed within the existing established project footprint area subject to a marsh development permit, pursuant to the Suisun Marsh Preservation Act of 1977 and as provided for in Section 28.104 of this Code. The overall existing development area may not be expanded under these provisions. Development within the existing development area should minimize additional impervious surfaces. An adequate buffer should be established or maintained between the development areas and any water, wetlands, or other Marsh habitat to protect the habitat from adverse environmental impacts. An erosion, sediment, and runoff control plan shall be prepared in accordance with Section 31.26(b) of the Solano County Grading, Drainage, Land Leveling and Erosion Control Ordinance. When the non-conforming uses is located in both the Primary Management Area and Secondary Management Area, as defined by the Suisun Marsh Preservation Act of 1977, non-substantial changes, alterations, and additions to the nonconforming use shall be subject to a use permit covering the whole of the project.

G. Site Development and Other Standards

All uses shall comply with the provisions of Article IV, Section 28-90 Site Development and Other Standards which includes standards for parking, signs and other project elements.

TABLE 28.42A ALLOWED USES: (M-L), (M-G), (I-WD) DISTRICTS

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt,
 - - - = Prohibited

ALLOWED USES* *See Definitions Section 28-10	Permitted Uses					Land Use Regulations** **See Section 28-70.10
	M-L	M-G-1/2	M-G-3	I-WD ⁸		
28.71 AGRICULTURAL USES						
A. CROP PRODUCTION						
Crop Production and Grazing	A	- - -	- - -	- - -		
Non-irrigated and non-cultivated farming, grazing	- - -	- - -	- - -	A ⁵		
B. AGRICULTURAL PROCESSING USES						
None Allowed						
C. ANIMAL FACILITIES AND OPERATIONS						
Confined Animal Facility	- - -	- - -	- - -	UP ⁶⁵		28.73.30(A) & (B)(1)
Fowl and Poultry Ranch	- - -	- - -	- - -	UP ⁶⁵		28.73.30(A) & (B)(2)
28.72 RESIDENTIAL USES						
A. DWELLINGS						
Primary residence	A ¹	A ^{1,4}	A ^{1,4}	- - -		28.72.10(A)
B. TEMPORARY RESIDENTIAL USES						
None Allowed						
A. AGRICULTURAL AND ANIMAL FACILITIES INCIDENTAL TO A RESIDENCE						
None Allowed						
C. OTHER RESIDENTIAL USES						
None Allowed						

TABLE 28.42A ALLOWED USES: (M-L), (M-G), (I-WD) DISTRICTS

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited						
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses					Land Use Regulations** **See Section 28-70.10
	M-L	M-G-1/2	M-G-3	I-WD ⁸		
28.73 RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES						
A. RECREATION USES						
None Allowed						
B. EDUCATION USES						
None Allowed	---	---	---	---		
C. PUBLIC ASSEMBLY USES						
Circus, Carnival, Fair, or Revival	MUP	MUP	MUP	---		28.73.30(A)
28.74 RETAIL AND OFFICE USES						
A. RETAIL USES						
Automobile parking lot ⁽⁷⁾	A	A	A	---		28.74.10(A) & (B)(2)
B. OFFICE USES						
Administrative, Executive, and Financial Office	A	---	---	---		28.74.20(A)

TABLE 28.42A ALLOWED USES: (M-L), (M-G), (I-WD) DISTRICTS

**A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt,
- - - = Prohibited**

ALLOWED USES* *See Definitions Section 28-10	Permitted Uses					Land Use Regulations** **See Section 28-70.10
	M-L	M-G-1/2	M-G-3	I-WD ⁸		
28.75 TOURIST USES						
None Allowed						
28.76 COMMERCIAL SERVICE USES						
Research and Development Laboratory	A	- - -	- - -	- - -		28.76.20(A)
28.77 INDUSTRIAL, MANUFACTURING, PROCESSING AND WHOLESALE USES						
A. Industrial, Manufacturing and Processing Uses						28.77.10
Accessory buildings and uses	A	- - -	- - -	- - -		28.77.10(A)
General Manufacturing	- - -	A ⁴	A ⁴	- - -		28.77.10(A) & (B)(1)
Junk Yard, Wrecking Yard	- - -	MUP ⁴	MUP ⁴	- - -		28.77.10(A) & (B)(2)
Manufacturing, Assembly, Printing or Packaging from previously prepared materials.	A	- - -	- - -	- - -		28.77.10(A)
Manufacturing of electrical and electronic instruments	A	- - -	- - -	- - -		28.77.10(A))
Manufacturing of bakery goods, candy, cosmetics, pharmaceuticals	A	- - -	- - -	- - -		28.77.10(A)
Outdoor storage, incidental to an allowed use	A ³	- - -	- - -	- - -		28.77.10(A)
Waterfront Facilities						
Waterfront Storage Facility	- - -	- - -	- - -	UP7		
Waterfront Manufacturing or Processing Facility	- - -	- - -	- - -	UP7		
Water-Using Facility	- - -	- - -	- - -	UP7		
Associated Manufacturing or Processing Uses	- - -	- - -	- - -	UP7		
Berthing Facility	- - -	- - -	- - -	UP7		
Support Facilities	- - -	- - -	- - -	UP7		
Accessory Structures and Uses	- - -	- - -	- - -	UP7		

**A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt,
 - - - = Prohibited**

ALLOWED USES* *See Definitions Section 28-10	Permitted Uses					Land Use Regulations** **See Section 28-70.10
	M-L	M-G-1/2	M-G-3	I-WD⁸		
B. Wholesale Uses						
Wholesale uses, warehouse	A	- - -	- - -	- - -		28.77.20(A)

TABLE 28.42A ALLOWED USES: (M-L), (M-G), (I-WD) DISTRICTS

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited						
ALLOWED USES*	Permitted Uses					Land Use Regulations**
*See Definitions Section 28-10						**See Section 28-70.10
	M-L	M-G-1/2	M-G-3	I-WD ⁸		
28.78 COMMUNICATION, INFRASTRUCTURE AND SERVICE USES						
A. COMMUNICATION USES						
Wireless communication facility						
Co-location	MUP	MUP	MUP	MUP		28.78.10(A) & (B)(1) and 28.81
New tower	UP	UP	UP	UP		28.78.10(A) & (B)(1) and 28.81
B. INFRASTRUCTURE USES						
Airport, heliport	A	- - -	- - -	- - -		28.78.20(A) & (B)(1)
Commercial wind turbine generator	UP	UP	UP	UP		28.78.20(A) & 28.80
Dredge Disposal Site	- - -	- - -	- - -	UP		28.78.20(A)
Waste disposal, processing, and composting	- - -	UP ⁴	UP ⁴	- - -		28.78.20(A) & (B)(3)
Non-commercial wind turbine						28.80
<i>100 feet or less in height</i>	A	A	A	A		28.80
<i>Over 100 feet in height</i>	MUP	MUP	MUP	MUP		28.80
Gas Well ⁽⁹⁾	- - -	AP	AP	AP		28.78.20(A) & (B)(7)
Pipeline, transmission, or distribution line, in R.O.W.	A	A	A	A		28.78.20(A) & (B)(8)
Utility facilities or infrastructure, outside of R.O.W.	UP	UP	UP	UP		28.78.20(A) & (B)(9)
C. TEMPORARY CONSTRUCTION AND INFRASTRUCTURE USES						
Meteorological Tower, 100 feet or less in height	AP	AP	AP	AP	AP	28.78.20(A) & (B)(6)
Meteorological Tower, greater than 100 feet in height	MUP	MUP	MUP	MUP	MUP	28.78.20(A) & (B)(6)

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited						
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses					Land Use Regulations** **See Section 28-70.10
	M-L	M-G-1/2	M-G-3	I-WD ⁸		
D. SERVICE USES						
Public Service Facility	UP	UP ⁵	UP ⁵	- - -		28.78.20(A) & (B)(4)
28.79 RESOURCE CONSERVATION USES						
Rehandling of dredged materials for on-site and off-site use.	- - -	- - -	- - -	UP ⁶		28.79(A)
Restoration of Tidal, Managed and Seasonal Wetlands using dredge sediments	- - -	- - -	- - -	UP		28.79(A)

Notes:

- ¹ On parcels of twenty acres or more
- ² All uses located within the Fairfield Train Station Area, designated an Urban Project Area by the Solano County General Plan require a minor use permit.
- ³ 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.
- ⁴ Except Public Utility Uses
- ⁵ As an interim use.
- ⁶ Where a use is granted pursuant to an approved and certified Specific Plan or Policy Plan the further requirement of a Use Permit may be waived
- ⁷ Water Front facilities are subject to adoption of a Specific Plan or Policy Plan by the Board of Supervisors and certification of the plan by the Bay Conservation and Development Commission prior to development.
- ⁸ Any development within the Suisun Marsh, as defined by Section 29114 of the Public Resources Code, shall be subject to obtaining a Marsh Development Permit pursuant to the Suisun Marsh Preservation Act of 1977 and as provided for in Section 28.104 of this Code.

9. Oil wells not permitted in the Suisun Marsh primary and secondary management areas

28.42.30 Manufacturing and Industrial District Development Standards

Subdivision, new land uses, main buildings including primary and secondary dwellings, and alterations to existing land uses and buildings, shall be designed, constructed, and/or established in compliance with the applicable development standards delineated or referenced in Table 28-42B.

TABLE 28.42B	
Development Standards for Main Building, ACCESSORY STRUCTURES and USES	
PRIMARY BUILDING	
Minimum Lot Area	
M-L District	<i>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.</i>
M-G-1/2 District	<i>One-half acre</i>
M-G-3 District	<i>Three acres</i>
I-WD District	<i>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.</i>
Front	
M-L District	<i>Thirty feet, unless otherwise indicated by building lines on the zoning maps.</i>
M-G-1/2 District	<i>Ten feet; except that buildings shall not be less than fifty feet from the centerline of the public road, or unless otherwise indicated by building lines on the zoning maps.</i>
M-G-3 District	
I-WD District	<i>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 a specific plan or policy plan for the Collinsville area. Other setbacks shall be established by the Planning Commission or Zoning Administrator in conformance with the specific setback requirements set forth in a specific plan or policy plan for the Collinsville area.</i>
Sides (each)	
M-L District	<i>Ten feet; except that twenty-five feet shall be required adjacent to any R-TC 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.</i>
M-G-1/2 District	<i>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>
M-G-3 District	
I-WD District	<i>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 a specific plan or policy plan for the Collinsville area. Other setbacks shall be established by the Planning Commission or Zoning Administrator in conformance with the specific setback requirements set forth in a specific plan or policy plan for the Collinsville area.</i>
Rear	<i>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>
Between	<i>10 feet</i>

TABLE 28.42B	
Development Standards for Main Building, ACCESSORY STRUCTURES and USES	
structures	
Height limit	
M-L District	<i>50 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.</i>
M-G-1/2 District M-G-3 District	<i>50 feet; provided that additional height may be allowed provided a use permit is first secured in each case and that no structure shall exceed the height limitations of Section 28-99, if located in an airport flight obstruction area.</i>
I-WD District	<i>Height limits as established in a specific plan or policy plan for the Collinsville area; provided, that no structure shall exceed the height limitations of Section 28-99 if located in an airport flight obstruction area.</i>
Accessory Structures	<i>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>
OTHER STANDARDS	
Loading Requirements	<i>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.</i>
Parking Requirements	<i>Parking shall be provided in conformance with the parking standards in Section 28.94</i>
Signs Fencing Requirements Walls and Fences	<i>All signs shall comply with the sign requirements in Section 28.96</i>
Lighting	
Other Requirements	<p><i>Table 28.42A refers identifies allowable uses and permitting requirements. The last column of the table points to additional land use regulations for permitted uses, contained within Article III. Please refer to this section for the additional requirements.</i></p> <p><i>In the M-L District, 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.</i></p> <p><i>Manufacturing processes shall use only gas or electricity as a source of power.</i></p> <p><i>In the I-WD District, application for planned unit development permits shall be prepared in accordance with the provisions of Section 28-105, 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:</i></p> <ol style="list-style-type: none"> <i>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.</i> <i>2. Adequate safeguards are provided for the safe transport, transfer, storage, and emission of substances potentially hazardous to health, life or property.</i>

28.50 Resource Conservation Districts

Subsections

28.51 Watershed and Conservation (W) District

28.52 Marsh Protection (MP) District

28.51. Watershed and Conservation (W) District

A. Purpose:

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. W District Land Uses and Permit Requirements. Table 28-51A identifies the land uses allowed by this Zoning Ordinance in the W district and the land use permit required to establish each use. In addition to the land use permit required by Table 28-51A, special requirements may apply to certain uses. Architectural Approval may also be required for certain uses in compliance with Section 28.102 (Architectural Approval). A Building Permit shall also be required prior to any construction, alteration, remodeling or change in occupancy from a previous building permit.

Note: Where the last column in Table 28-51A (“Land Use Regulations”) includes a section number, e.g. 28.74, the zoning regulations in the referenced section apply to the use. Where the last column includes a chapter number, e.g. Chapter 13.6, the regulations in the referenced Solano County Code apply to the use. Provisions in other sections of this Zoning Ordinance may also apply.

TABLE 28.51A TABLE OF ALLOWED USES

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited		
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses	Land Use Regulations** **See Section 28-70.10
	W District	
28.71 AGRICULTURAL USES		
A. CROP PRODUCTION AND GRAZING		
Crop Production	A	28.70.10
Grazing	A	28.70.10
B. AGRICULTURAL PROCESSING USES		
<i>None Allowed</i>	- - -	
C. ANIMAL FACILITIES AND OPERATIONS		
Fowl and Poultry Ranch	UP ¹	28.71.30(B)(2)
D. OTHER AGRICULTURAL OPERATIONS		
Additional One-Family Homes for persons employed in agriculture	UP	28.71.40(A)
28.72 RESIDENTIAL USES		
A. DWELLINGS		
Primary residence dwelling	A	28.72.10(A)
B. TEMPORARY RESIDENTIAL USES		
<i>None Allowed</i>	- - -	
C. AGRICULTURAL AND ANIMAL FACILITIES INCIDENTAL TO A RESIDENCE		
Private stable	A	28.72.30(A) & (B)(5)
D. OTHER RESIDENTIAL USES		
<i>None Allowed</i>	- - -	

TABLE 28.51A TABLE OF ALLOWED USES

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited

ALLOWED USES* *See Definitions Section 28-10	Permitted Uses	Land Use Regulations** ** See Section 28-70.10
W District		
28.73 RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES		
A. RECREATION USES		
Lodge, club, resort for swimming, boating, fishing, hunting or shooting	UP	28.73.10(A) & (B)(1)
Public Stable	UP	28.73.10(A) & (B)(3)
B. EDUCATION USES		
None Allowed	- - -	
C. PUBLIC ASSEMBLY USES		
None Allowed	- - -	
28.74 RETAIL AND OFFICE USES		
A. RETAIL USES		
None Allowed	- - -	
B. OFFICE USES		
None Allowed	- - -	
28.75 TOURIST USES		
A. AGRITOURISM		
None Allowed	- - -	
B. TEMPORARY AGRITOURISM		
None Allowed	- - -	

TABLE 28.51A TABLE OF ALLOWED USES

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited

ALLOWED USES* *See Definitions Section 28-10	Permitted Uses	Land Use Regulations** ** See Section 28-70.10
	W District	
28.76 COMMERCIAL SERVICE USES		
A. AGRICULTURAL SERVICES		
None Allowed	- - -	
B. COMMERCIAL SERVICES		
None Allowed	- - -	
28.77 INDUSTRIAL, MANUFACTURING, PROCESSING AND WHOLESALE USES²		
A. INDUSTRIAL, MANUFACTURING AND PROCESSING USES		
None Allowed	- - -	
B. WHOLESALE USES		
None Allowed	- - -	

TABLE 28.51A TABLE OF ALLOWED USES

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited		
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses	Land Use Regulations** **See Section 28-70.10
W District		
28.78 COMMUNICATION, INFRASTRUCTURE AND SERVICE USES		See Section 28.78
A. COMMUNICATION USES		
Wireless communication facility		
Co-location	MUP	28.81
New tower	UP	28.81
B. INFRASTRUCTURE USES		
Commercial wind turbine generator	UP	28.80
Meteorological Tower, Temporary	MUP	28.78.20(A) & (B)(6)
Non-commercial wind turbine		
<i>100 feet or less in height</i>	A	28.80
<i>Over 100 feet in height</i>	MUP	28.80
Pipeline, transmission or distribution line in R.O.W.	A	28.78.20(A) & (B)(8)
Utility facilities or infrastructure, outside of R.O.W.	UP	28.78.20(A) & (B)(9)
C. SERVICE USES		
Cemetery	UP	28.78.30(A) & (B)(1)
Public Service Facility	UP	28.78.30(A) & (B)(4)
D. TEMPORARY CONSTRUCTION AND INFRASTRUCTURE		
Meteorological Tower, 100 feet or less in height	AP	28.78.20(A) & (B)(6)
Meteorological Tower, greater than 100 feet in height	MUP	28.78.20(A) & (B)(6)
28.79 RESOURCE CONSERVATION USES		
None Allowed	- - -	

C. General Development Standards:

Subdivision, new land uses, main buildings including primary and secondary dwellings, and alterations to existing land uses and buildings, shall be designed, constructed, and/or established in compliance with the applicable development standards delineated or referenced in Table 28-51B.

TABLE 28-51B	
DEVELOPMENT STANDARDS FOR MAIN BUILDING, ACCESSORY STRUCTURES AND USES	
W District	
PRIMARY BUILDING	
Minimum Lot Area	<i>160 acres</i>
Setbacks	
Front	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.
Sides (each)	<i>20 feet</i>
Rear	<i>20 feet</i>
Between structures	<i>10 feet</i>
Height limit	<i>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 28-99, if located in an airport flight obstruction area.</i>
Accessory Structures	<i>Accessory buildings shall not be less than sixty feet from the front property line or less than twenty feet from any side or rear property line, nor less than thirty feet from any dwelling unit on the property.</i>
OTHER STANDARDS	
Parking Requirements	<i>Parking shall be provided in conformance with the parking standards in Section 28.94</i>
Signs	<i>All signs shall comply with the sign requirements in Section 28.96</i>
	1.

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.

D. 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 28-99, if located in an airport flight obstruction area.

Section 28.52 – MARSH PRESERVATION (MP) DISTRICT

Subsections:

28.52.10 – Marsh Preservation District

28.52.11 – Purposes of Marsh Preservation District

28.52.20 – Marsh Preservation District Land Uses and Permit Requirements

28.52.30 – Marsh Preservation District Development Standards

28.52.10 – Marsh Preservation District

This Section includes regulations for MP zoning district.

28.52.11 – Purpose of Marsh Preservation District

This Section lists the uses of land that may be allowed within the Marsh Preservation (MP) zoning district, established by Section 28.13 (Districts Designated and Established). It also determines the type of land use approval required for each type of use and provides general standards for site development.

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. Therefore, the Board of Supervisors has determined it is in the interest of the County to preserve and enhance the quality and diversity of marsh habitats, 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.

28.52.20 – Marsh Preservation District Land Uses and Permit Requirements

A. Allowed Uses and Permit Requirements

Table 28-52A identifies the land uses allowed by this Zoning Ordinance in the marsh preservation district and the land use permit required to establish each use. In addition to the land use permit required by Table 28-38A, special requirements may apply to certain uses.

B. Marsh Development Permit Requirements

Any development within the Suisun Marsh, as defined by Section 29114 of the Public Resources Code, shall be subject to obtaining a Marsh Development Permit pursuant to the Suisun Marsh Preservation Act of 1977 and as provided for in Section 28.104 of this Code. When a land use subject to a marsh development permit is proposed in both the Primary Management Area and Secondary Management Area, as defined in the Suisun Marsh Preservation Act of 1977, the land use shall be subject to a use permit covering the whole of the project.

C. Architectural Review

Architectural Approval may be required for certain uses, in compliance with Section 28.102 (Architectural Approval).

D. Building Permits

A Building Permit shall be required prior to any construction.

E. Land Use Regulations

Where the last column in Table 28.52A (Land Use Regulations) includes a section number, e.g. 28.70.10, the zoning regulations in the referenced section apply to the use. Where the last column includes a chapter number, e.g. Chapter 13.6, the regulations in the referenced Solano County Code apply to the use. Provisions in other sections of this Zoning Ordinance may also apply.

F. Non-Conforming Uses

Within the Suisun Marsh, as defined by Section 29101 of the Public Resources Code, uses established prior to 1977 that do not conform to the uses set forth in Table 28.38A shall be considered nonconforming uses under Section 28.114 and subject to Section 28.18, except that non-substantial changes, alterations, and additions to nonconforming uses may be allowed within the existing established project footprint area subject to a marsh development permit pursuant to the Suisun Marsh Preservation Act of 1977 and as provided for in Section 28.104 of this code. The overall existing development area may not be expanded under these provisions. Development within the existing development area should minimize additional impervious surfaces. An adequate buffer should be established or maintained between the development areas and any water, wetlands, or other Marsh habitat to protect the habitat from adverse environmental impacts. An erosion, sediment, and runoff control plan shall be prepared in accordance with Section 31.26(b) of

the Solano County Grading, Drainage, Land Leveling and Erosion Control Ordinance. When the non-conforming uses is located in both the Primary Management Area and Secondary Management Area, as defined by the Suisun Marsh Preservation Act of 1977, non-substantial changes, alterations, and additions to the nonconforming use shall be subject to a use permit covering the whole of the project.

G. Site Development and Other Standards

All uses shall comply with the provisions of Article IV, Section 28-90 Site Development and Other Standards which includes standards for parking, signs and other project elements.

Table 28.52A TABLE OF ALLOWED USES		
A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit, UP = Use Permit, - - - = Prohibited		
ALLOWED USES	Permit Requirements	Land Use Regulations
See Definitions Section 28.10	MP⁽¹⁾ Zoning District	See Section 28.70.10
28.71 AGRICULTURAL USES		
A. CROP PRODUCTION AND GRAZING		
Non-irrigated and non-cultivated farming	A ⁽²⁾	
Grazing	A ⁽²⁾	
B. AGRICULTURAL PROCESSING USES		
None allowed		
C. ANIMAL FACILITIES AND OPERATIONS		
None allowed		
D. OTHER AGRICULTURAL OPERATIONS		
Agricultural employee housing	UP	28.71.40(A) & (B)(1)
28.72 RESIDENTIAL USES		
A. DWELLINGS		
Primary Dwelling ⁽³⁾	A	28.72.10(A)
B. TEMPORARY RESIDENTIAL USES		
None allowed		
C. AGRICULTURAL AND ANIMAL FACILITIES INCIDENTAL TO A RESIDENCE		
None allowed		
D. OTHER RESIDENTIAL USES		
None allowed		
28.73 RECREATION, EDUCATION, AND PUBLIC ASSEMBLY USES		
A. RECREATION USES		
Complementary Commercial Facility	UP	28.73.10(A)
Marsh oriented recreation	UP	28.73.10(A)
Public open space area	A	28.73.10(A)
B. EDUCATION USES		
Marsh Education	UP	28.73.20(A)
C. PUBLIC ASSEMBLY USES		
None allowed		
28.74 RETAIL AND OFFICE USES		

Table 28.52A TABLE OF ALLOWED USES

**A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit,
UP = Use Permit, - - - = Prohibited**

ALLOWED USES	Permit Requirements	Land Use Regulations
See Definitions Section 28.10	MP⁽¹⁾ Zoning District	See Section 28.70.10
A. RETAIL USES		
None Allowed		
B. OFFICE USES		
Marsh research facility	UP	28.74.20(A)
28.75 TOURIST USES		
None Allowed		
28.76 COMMERCIAL SERVICE USES		
None Allowed		
28.77 INDUSTRIAL, MANUFACTURING, PROCESSING AND WHOLESALE USES		
None Allowed		
28.78 COMMUNICATION, INFRASTRUCTURE AND SERVICE USES		
A. COMMUNICATION USES		
None Allowed		
B. INFRASTRUCTURE USES		
Commercial wind turbine generator	- - -	
Dredging of minerals and natural resources	UP	28.78.20(A)
Non-commercial wind turbine		
<i>100 feet or less in height</i>	A	28.80
<i>Over 100 feet in height</i>	- - -	
Oil or Gas Well ⁽⁴⁾ , Natural Gas Storage	UP	28.78.20(A) & (B)(7)
Pipeline, transmission or distribution line in R.O.W.	A	28.78.20(A) & (B)(8)
Utility facilities or infrastructure, outside of R.O.W.	UP	28.78.20(A) & (B)(9)
C. PUBLIC SERVICE USES		
Public Service Facility	UP	28.78.30(A) & (B)(4)
D. TEMPORARY CONSTRUCTION AND INFRASTRUCTURE		
Temporary facility for the transfer of material from shore to barge	UP	28.78.40(A)
28.79 RESOURCE CONSERVATION USES		
Conservation and Mitigation Bank	UP	28.79.10(A)
Growing of plants and natural feed important to wildlife habitat	A	28.79.10(A)
Restoration of tidal, managed, and seasonal wetlands	UP	28.79.10(A)

Notes:

1. Any development within the Suisun Marsh, as defined by Section 29114 of the Public Resources Code, shall be subject to obtaining a Marsh Development Permit pursuant to the Suisun Marsh Preservation Act of 1977, and as provided for in Section 28.104 of this Code.

- 2 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.
- 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. Oil wells not permitted in the Suisun Marsh primary and secondary management areas.

28.52.30 – Marsh Preservation District Development Standards

Subdivision, new land uses, main buildings including primary and secondary dwellings, and alterations to existing land uses and buildings, shall be designed, constructed, and/or established in compliance with the applicable development standards delineated or referenced in Table 28-52B.

TABLE 28.52B	
DEVELOPMENT STANDARDS FOR MAIN BUILDING, ACCESSORY STRUCTURES, AND USES	
MAIN BUILDING	
Minimum Lot Area	250 acres
Setbacks	
Front	Ten feet; unless otherwise indicated by building lines on the zoning maps.
Sides (each)	Ten feet; unless otherwise indicated by building lines on the zoning maps.
Rear	Ten feet; unless otherwise indicated by building lines on the zoning maps.
Between structures	10 feet
Height limit	<i>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 28-99 of this code, if located in an airport flight obstruction area.</i>
ACCESSORY STRUCTURES AND USES	
Setbacks	<i>Accessory buildings shall not be less than sixty feet from the</i>

	<i>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>
OTHER STANDARDS	
Parking Requirements	<i>Parking shall be provided in conformance with the parking standards in Section 28.94</i>
Signs	<i>All signs shall comply with the sign requirements in Section 28.96</i>

(Ord. No. 1732, §4)

28.60 Special and Overlay Districts

Subsections

28.61 Park (P) District

28.68 Policy Plan Overlay (PP) Districts

28.61. Park (P) District

A. Purpose:

The P District is designated to preserve land well suited for outdoor recreational purposes and to provide for recreation, amusement, play or relaxation.

B. P District Land Uses and Permit Requirements.

Table 28-61A identifies the land uses allowed by this Zoning Ordinance in the P District and the land use permit required to establish each use. In addition to the land use permit required by Table 28-61A, special requirements may apply to certain uses. Architectural Approval may also be required for certain uses in compliance with Section 28.102 (Architectural Approval). A Building Permit shall also be required prior to any construction, alteration, remodeling or change in occupancy from a previous building permit.

Note: Where the last column in the table (“Land Use Regulations”) includes a section number, e.g. 28.74, the zoning regulations in the referenced section apply to the use. Where the last column includes a chapter number, e.g. Chapter 13.6, the regulations in the referenced Solano County Code apply to the use. Provisions in other sections of this Zoning Ordinance may also apply.

TABLE 28.61A TABLE OF ALLOWED USES

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited		
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses	Land Use Regulations** **See Section 28-70.10
	P District	
28.71 AGRICULTURAL USES		
A. CROP PRODUCTION AND GRAZING		28.71.10
Agricultural Accessory structures	A	28.71.10(A) & (B)(1)
Crop Production	A	28.71.10(A)
Grazing	A	28.71.10(A)
B. AGRICULTURAL PROCESSING USES		
On-site Agricultural Processing	- - -	28.71.20(A) & (B)(1)
C. ANIMAL FACILITIES AND OPERATIONS		
None Allowed	- - -	
D. OTHER AGRICULTURAL OPERATIONS		
None Allowed	- - -	
28.72 RESIDENTIAL USES		
A. DWELLINGS		28.72.10
Primary Dwelling	A ⁽¹⁾	28.72.10(A)
B. TEMPORARY RESIDENTIAL USES		
<i>None Allowed</i>	- - -	
C. AGRICULTURAL AND ANIMAL FACILITIES INCIDENTAL TO A RESIDENCE		
<i>None Allowed</i>	- - -	
D. OTHER RESIDENTIAL USES		
<i>None Allowed</i>	- - -	

(1) TABLE 28.61A TABLE OF ALLOWED USES

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited

ALLOWED USES* *See Definitions Section 28-10	Permitted Uses	Land Use Regulations** **See Section 28-70.10
P District		
28.73 RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES		
A. RECREATION USES		
Commercial Outdoor Recreation		
Not including enclosed structures	A	28.73.10(A)
Including enclosed structures	UP	28.73.10(A)
Public Outdoor recreation	A	28.73.10(A)
B. EDUCATION USES		
Ecological and agricultural education	A	28.73.20(A)
C. PUBLIC ASSEMBLY USES		
Circus, Carnival, Fair, or Revival	MUP	28.70.10; 28.73.30(A)
Special Events incidental to Commercial Agriculture		
<i>6 per year max, and 150 persons or less</i>	AP	28.73.30(A) & (B)(6)
<i>12 per year max, and 150 persons or less</i>	MUP	28.73.30(A) & (B)(6)
<i>More than 12 per year, or more than 150 persons</i>	UP	28.73.30(A) & (B)(6)
28.74 RETAIL AND OFFICE USES		
A. RETAIL USES		
Roadside stand for the sale of agricultural products grown on-site		
More than 80 feet from the centerline of the street	A	28.74.10(A) & (B)(8)
Less than 80 feet from the centerline of the street	UP	28.74.10(A) & (B)(8)
B. OFFICE USES		
None Allowed	- - -	
28.75 TOURIST USES		
A. AGRITOURISM		
None Allowed	- - -	
B. TEMPORARY AGRITOURISM		
None Allowed	- - -	

TABLE 28.61A TABLE OF ALLOWED USES

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited

ALLOWED USES* *See Definitions Section 28-10	Permitted Uses	Land Use Regulations** **See Section 28-70.10
	P District	
28.76 COMMERCIAL SERVICE USES		
A. AGRICULTURAL SERVICES		
None Allowed	- - -	
B. COMMERCIAL SERVICES		
None Allowed	- - -	
28.77 INDUSTRIAL, MANUFACTURING, PROCESSING AND WHOLESALE USES		
A. INDUSTRIAL, MANUFACTURING AND PROCESSING USES		
None Allowed	- - -	
B. WHOLESALE USES		
None Allowed	- - -	

TABLE 28.61A TABLE OF ALLOWED USES

A= Allowed by right, AP= Administrative Permit, MUP= Minor Use Permit, UP= Use Permit, E=Exempt, - - - = Prohibited		
ALLOWED USES* *See Definitions Section 28-10	Permitted Uses	Land Use Regulations** **See Section 28-70.10
P District		
28.78 COMMUNICATION, INFRASTRUCTURE AND SERVICE USES		
A. COMMUNICATION USES		
Wireless communication facility		
Co-location	MUP	28.78.10; 28.81
New tower	UP	28.78.10; 28.81
B. INFRASTRUCTURE USES		
Commercial wind turbine generator	UP	28.80
Non-commercial wind turbine		
<i>100 feet or less in height</i>	A	28.80
<i>Over 100 feet in height</i>	MUP	28.80
Pipeline, transmission or distribution line in R.O.W.	A	28.78.20(A) & (B)(8)
Utility facilities or infrastructure, outside of R.O.W.	UP	28.78.20(A) & (B)(9)
C. SERVICE USES		
Public Service Facility	UP	28.78.30(A) & (B)(4)
D. TEMPORARY CONSTRUCTION AND INFRASTRUCTURE		
Meteorological Tower, 100 feet or less in height	AP	28.78.20(A) & (B)(6)
Meteorological Tower, greater than 100 feet in height	MUP	28.78.20(A) & (B)(6)
28.79 RESOURCE CONSERVATION USES		
None Allowed	- - -	

Notes:

- (1) On parcels with 20 acres or more.

C. General Development Standards:

Subdivision, new land uses, main buildings including primary and secondary dwellings, and alterations to existing land uses and buildings, shall be designed, constructed, and/or established in compliance with the applicable development standards delineated or referenced in Table 28-61B.

TABLE 28-61B	
DEVELOPMENT STANDARDS FOR MAIN BUILDING, ACCESSORY STRUCTURES AND USES	
P District	
PRIMARY BUILDING	
Minimum Lot Area	<i>None</i>
Setbacks	
Front	Twenty 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.
Sides (each)	<i>None</i>
Rear	<i>None</i>
Between structures	<i>Ten feet</i>
Height limit	<i>Thirty-five feet; provided, that additional height may be permitted if a use permit is first secured</i>
OTHER STANDARDS	
Parking Requirements	<i>Parking shall be provided in conformance with the parking standards in Section 28.94</i>
Signs	<i>All signs shall comply with the sign requirements in Section 28.96</i>
	1.

28.68. 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 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 Resource 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 28-111 of this Chapter. Application shall be in the form prescribed by the Director of Resource management. The application shall consist of a written plan and graphics for policy guidance, and a detailed statement of standards and uses to determine consistency with the Solano County general plan. The application shall, at a minimum, include the items and information described in this Section.
1. Fee or fees as set by the Board of Supervisors pursuant to Section 11-111 of this code. No part of such fee shall be refundable.
 2. A complete legal description of the subject property.
 3. A narrative description of existing uses of the subject property and adjacent properties.
 4. Enumeration of existing and proposed ordinance standards along with a detailed explanation of the differences between them.
 5. Findings of fact demonstrating the proposed policy plan overlay district in its entirety is consistent with the Solano County general plan and findings set forth in 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
- 1.** 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.
 - 2.** 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.
 - 3.** A development schedule describing the sequence and timing of subdivision and capital improvements, along with estimated capital costs and proposed funding mechanism.
 - 4.** Such other information as may be required by the Board of Supervisors, Planning Commission, or Director of Resource 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 Resource Management.

5. 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.

B. 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 28-111 of this code.

The Board of Supervisors shall not approve a policy plan overlay district unless it makes the following findings:

- (1) The proposed development is in conformity with the general plan and any applicable specific plan.
- (2) The proposed development is designed to produce an environment of stable and desirable character consistent with all applicable goals, objectives, policies, proposals, criteria, standards and procedures of the general plan, and any applicable specific plan for the area in which the proposed development is a part.
- (3) The proposed development meets applicable development requirements and where possible, exhibits creativity and innovation in architectural, engineering, planning, and environmental design.
- (4) Adequate mitigation is provided for any use, process, equipment, or materials which are found to be objectionable or to be injurious to property located in the vicinity by reason of odor, fumes, dust, smoke, 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 28-112 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 Resource 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 Resource 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.

(Ord. No. 1726, §2)

ARTICLE III LAND USE REGULATIONS

Subsections:

- 28.70 Land Use Regulations
- 28.71 Agricultural Uses
- 28.72 Residential Uses
- 28.73 Recreation, Education, and Public Assembly Uses
- 28.74 Retail and Office Uses
- 28.75 Tourist Uses
- 28.76 Commercial Service Uses
- 28.77 Industrial, Manufacturing, Processing and Wholesale Uses
- 28.78 Communication and Infrastructure Uses
- 28.79 Resource Protection Uses
- 28.80 Commercial Wind Energy Facilities
- 28.81 Wireless Communications Facilities

28.70 Land Use Regulations

28.70.10 General Development Standards Applicable to All Uses in Every Zoning District

No use of land or buildings shall be conducted except in compliance with these general development standards.

- A. **Zoning District Standards.** Any use of land or buildings must meet the general development standards described in this section unless more stringent permitting and development standards are delineated in the applicable zoning district.
- B. **Performance Standards.** Except as provided in Chapter 2.2, any use of land or buildings must meet the applicable performance standards listed below:
 - 1. **Prevent Offensive Noise, Dust, Glare, Vibration or Odor.** All uses of land and buildings shall be conducted in a manner, and provide adequate controls and operational management to prevent:
 - a. Dust, glare, vibration which are detectable beyond any property line, and
 - b. Noise that exceeds 65dBA LDN at any property line.
 - 2. **Prevent Storm Water Pollution.** Any use of land or buildings shall contain measures to manage storm water to prevent any potential contaminants, processing wastes or by-products from entering any natural or constructed storm water facility or canal, creek, lake, pond, stream or river
 - 3. **Parking.** Adequate off-street parking shall be provided pursuant to Section 28-94; parking areas and driveways shall be treated as necessary to control dust. Parking areas shall not be

located any closer than 200 feet to an adjoining property. Shall provide off-street parking in accordance with Section 28-94 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.

4. **Removal of Natural Material.** Removal of natural material 1) shall prevent offensive noise, dust, vibrations or standing water from occurring beyond any property line; 2) shall not create finished grades of a greater slope than two to one; and 3) shall be so located that generated traffic will not constitute a hazard or nuisance to surrounding property.
5. **Solid Waste and General Liquid Waste Storage and Disposal.**
 - a. All uses are prohibited from discharging liquid, solid, toxic, or hazardous wastes onto or into the ground and into streams, lakes, or rivers except as allowed by applicable local, State and federal laws and regulations.
 - b. The handling and storage of hazardous materials, the discharge of hazardous materials into the air and water, and the disposal of hazardous waste in connection with all uses shall be in conformance with all applicable local, State and federal regulations.
 - c. All burning of waste materials accessory to any use shall comply with the Yolo-Solano Air Quality Management District or the San Francisco Bay Area Air Quality Management district based on geographic location of the activity specific to each air quality management district.
 - d. The disposal or dumping of solid wastes accessory to any use, including, but not limited to, slag, paper and fiber wastes or other industrial wastes, shall be in compliance with applicable local, State, and federal laws and regulations.

Should the Director of Resource Management believe that a proposed use in any district is likely to violate the performance standards in B.1-8 above, the Director may invoke the performance standard procedures contained in Section 28-95.

- C. **Fairfield Train Station Specific Plan Area.** Uses established in the Fairfield Train Station Area, designated an Urban Project Area by the Solano County General Plan shall, be consistent with existing development and considered interim uses which terminate upon annexation to the City of Fairfield.
- D. **Airport Land Use Compatibility Plans.** Within an airport area of influence or area of concern depicted in an airport land use compatibility plan adopted by the Solano County Airport Land Use Commission, land uses allowed by this Zoning Ordinance shall conform with the applicable compatibility policies and criteria set forth in that airport land use compatibility plan.
- E. **Other Permits.** The use of lands and buildings may be subject to additional permits from the County of Solano or other public agencies. Prior to conducting any land use authorized under this Chapter, please check with the following agencies for additional permit requirements:
 1. **Building and Safety Division.** The Building Services Division may require a building

permit and/or occupancy permit prior to conducting any use authorized by this Chapter. A building permit may also be required prior to any change in the occupancy type of a previously permitted building or structure.

2. **Environmental Health Services Division.** The Environmental Health Services Division administers a variety of laws and regulations which may require permits prior to conducting specific land uses authorized under this Chapter, including:
 - a. **Food facility permits.**
 - (1) **Sale and Consumption of Food and Beverage.** Any use of land or buildings which provide for the sale and/or consumption of the food or beverage must meet all federal, state and local laws and regulations, including Department of Resource Management Environmental Health Services Division approval (if required) prior to operation.
 - (2) **Food Preparation.** Any use of land or buildings which provide for the sale of prepared food, must meet all federal, state and local laws and regulations, including Department of Resource Management Environmental Health Services Division approval (if required) prior to operation.
 - b. **Hazardous materials and waste program permits.**
 - c. **Recreational health facility permits.**
 - d. **Liquid and solid waste permits including septic system permits.**
 - e. **State Small water system permits, and**
 - f. **Water well permits.**
3. **Public Works Engineering Division.** The Engineering Services Division administers a variety of regulations which may require permits including encroachment permits and grading and drainage permits.
4. **Fire Protection District.** Local fire protection districts may regulate certain uses of buildings and land.
5. **Other Agencies.** Certain land uses are subject to laws and regulations administered by federal, state, regional and local agencies and may require additional licenses or permits, prior to conducting the land use. Prior to conducting any land use authorized under this Chapter, any other licenses or permits required by any other agency must be obtained.

6. 28.71 AGRICULTURAL USES

(This section reserved)

28.71.10 CROP PRODUCTION AND GRAZING

A. General Requirements

-Reserved-

B. Specific Requirements

The specific crop production and grazing uses listed below shall comply with the general performance standards (28.70.10A) and the following specific standards:

1. Agricultural Accessory Structures

New accessory buildings and other structures, including alterations to existing accessory buildings and other structures, shall be designed, constructed, and/or established in compliance with the development standards in the applicable zoning district and the following standards:

- a. Attached accessory structure setbacks.** 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. Detached accessory structure setbacks.** An accessory building detached from the main building shall be located sixty feet from the front property line or on the rear fifty percent of the lot, unless otherwise specified in the applicable zoning district.
- c. Side and rear yard setback waiver.** The side and rear yard requirements may be waived for an accessory building other than an animal shelter, except that such building shall not be located closer to any side street line than the main building, and such buildings, in the aggregate, shall not exceed the maximum site coverage in the rear yard for the main building as may be specified in the applicable zoning district. Waiver of said requirements shall be subject to notice as set forth in Section 14 (f) of this Chapter.
- d. Setback between buildings.** 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. Animal shelter setbacks.** 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 unless greater setbacks are required by the zoning district.
- f. Not a secondary dwelling.** An accessory building does not include a secondary dwelling as defined in Section 28-10.
- g. Sequence of construction.** Accessory structures shall not be constructed on a lot until a principal use has been established on the lot, and an accessory structure shall not be used unless the principal use has been established.

A. General Requirements

All agricultural processing uses shall comply with the general performance standards (28.70.10) and the following general standards:

1. Trucking access with shall not interference with normal traffic;
2. Processing facilities may be located on a private road only if there is a recorded maintenance agreement executed by all lot owners served by the private road.
3. Storm water shall be managed to prevent any processing wastes or by-products from entering any natural or constructed storm water facility or canal, creek, lake, pond, stream or river.

B. Specific Requirements

The specific agricultural processing uses listed below shall comply with the following specific standards:

1. Agricultural Processing Facility

- a. **Small Agricultural Processing Facility.** A small agricultural processing facility, as defined in Section 28-10, is shall comply with the applicable development standards delineated in the zoning district, the general requirements for agricultural processing uses (28.71.20A above) and the following standards:

- (1) At least ten percent (10%) of the product used in production, averaged over 5 consecutive years, must be grown on-site or off-site on land owned or leased by the operator within Solano County.
- (2) The facility operator shall report at the end of each calendar year to the Department of Resource Management the amount and source of product processed during the calendar year.
- (3) Shall obtain Environmental Health Services Division of the Department of Resource Management, and Fire Department approval, if required, and notify the Sheriff's Office prior to hosting special events.
- (4) A retail sales and tasting facility, ancillary to the processing facility, must be no larger than 1,000 square feet.
- (5) If less than ten percent (10%) of the product used in production, averaged over 5 consecutive years, is grown on-site or off-site on land owned or leased by the operator in Solano County, then the facility shall be subject to the permitting requirements of the zoning district applicable to a Medium Agricultural Processing Facility.

- b. **Medium Agricultural Processing Facility.** A medium agricultural processing facility,

as defined in Section 28-10, shall comply with the applicable development standards delineated in the zoning district, the general requirements for agricultural processing uses (28.71.20A above) and the following standards:

- (1) A least ten percent (10%) of the product used in production, averaged over 5 consecutive years, must be grown on-site or off-site on land owned or leased by the operator within Solano County.
 - (2) The facility operator shall report at the end of each calendar year to the Department of Resource Management the amount and source of product processed during the calendar year.
 - (3) Provided that adequate measures shall be taken to control odor, dust, noise, and waste disposal so as not to constitute a nuisance, special events are allowed as permitted under the use permit.
 - (4) A retail sales and tasting facility, ancillary to the processing facility, must be no larger than 1,000 square feet.
 - (5) Shall show that proposed source of water will not deprive others of normal supply.
 - (6) Shall provide loading spaces as required by the Zoning Administrator or Planning Commission;
 - (7) If less than ten percent (10%) of the product used in production, averaged over 5 consecutive years, is grown on-site or off-site on land owned or leased by the operator in Solano County, then the facility shall be subject to the permitting requirements of the zoning district applicable to a Large Agricultural Processing Facility.
- c. Large Agricultural Processing Facility.** A large, as defined in Section 28-10, shall comply with the applicable development standards delineated in the zoning district, the general requirements for agricultural processing uses ((28.71.20A above) and the following standards:
- (1) Provided that adequate measures shall be taken to control odor, dust, noise, and waste disposal so as not to constitute a nuisance, special events are allowed as permitted under the use permit.
 - (2) A retail sales and tasting facility, ancillary to the processing facility, must be no larger than 2,000 square feet.
 - (3) Shall show that proposed source of water will not deprive others of normal supply.
 - (4) Shall provide loading spaces as required by the Zoning Administrator or Planning Commission;

2. **Nursery with Public Sales**

a. **Standards.** Nurseries shall:

- (1) Be limited to 1,500 square feet in total display area for non-plant products,
- (2) Shall provide at least 5 on-site parking spaces,

3. **Wineries**

a. **Small winery.** A small winery, as defined in Section 28-10, is allowed by right subject to compliance with the development standards delineated in the zoning district, the general requirements for agricultural processing uses (28-70.20B.1(a-i) above) and the standards below:

- (1) At least twenty-five percent (25%) of the grapes or other fruit used in production, averaged over 5 consecutive years, must be grown on-site or off-site on land owned or leased by the operator within Solano County.
- (2) The winery operator shall report at the end of each calendar year to the Department of Resource Management the total gallons of wine produced, in bulk and bottles combined, during the calendar year. Such reporting may alternatively include proof of payment of the annual license renewal fee to the Department of Alcoholic Beverage Control (ABC), including the dollar amount of the fee paid.
- (3) A tasting facility is allowed by right, ancillary to the winery, and must be no larger than 1,000 square feet.

b. **Medium winery.** A medium winery, as defined in Section 28-10, is allowed by administrative permit, subject to compliance with the development standards delineated in the applicable zoning district, the general requirements for agricultural processing uses (28-70.20B.1(a-i) above) and as follows:

- (1) Shall obtain Environmental Health Services Division of the Department of Resource Management, and Fire Department approval, if required, and notify the Sheriff's Office prior to hosting special events.
- (2) The winery operator shall report at the end of each calendar year to the Department of Resource Management the total gallons of wine produced, in bulk and bottles combined, during the calendar year. Such reporting may alternatively include proof of payment of the annual license renewal fee to the Department of Alcoholic Beverage Control (ABC), including the dollar amount of the fee paid.
- (3) A tasting facility is allowed by right, ancillary to the winery, and must be no larger than 2,000 square.

c. **Large winery.** A large winery, as defined in Section 28-10, is allowed with a use

permit, subject to compliance with the applicable development standards delineated in the applicable zoning district, the general requirements for agricultural processing uses (28-70.20 B.1. (a-i) above) and the standards below:

- (1) A tasting facility is allowed by right, ancillary to the winery, and must be no larger than 2,000 square feet.
- (2) The winery operator shall report at the end of each calendar year to the Department of Resource Management the total gallons of wine produced, in bulk and bottles combined, during the calendar year. Such reporting may alternatively include proof of payment of the annual license renewal fee to the Department of Alcoholic Beverage Control (ABC), including the dollar amount of the fee paid.

28.71.30 ANIMAL FACILITIES AND OPERATIONS

A. General Requirements

Animal facilities and operations shall comply with the following general standards:

1. Shall be located no closer than two hundred (200) feet from any property line;
2. Processing facilities may be located on a private road only if there is a recorded maintenance agreement executed by all lot owners served by the private road.
3. Shall manage storm water to prevent any processing wastes or by-products from discharging into any natural or constructed storm water facility or canal, creek, lake, pond, stream or river.

B. Specific Requirements

The animal facilities and operations listed below shall comply with the general requirements for animal facilities and operations (A) above and the following specific standards:

1. Confined Animal Facilities

Confined Animal Facilities shall conform to the following standards:

- a. Small Confined Animal Facilities.** Small Confined Animal Facilities may be permitted, provided the facilities shall not locate any developed portions of the facility, including barns, corrals, feed and manure storage areas, milking parlor, lagoons, structures not used as dwelling units, labor quarters, or administration, and any ancillary facilities other than grazing and cropland, closer than 200 feet from any property line. Truck loading areas may occur within the front setback area, provided that they do not encroach into the road right of way.
- b. Medium Confined Animal Facilities.** Medium Confined Animal Facilities may be permitted upon the issuance of a Use Permit, provided the facilities conform to the following minimum development standards:

(1) Minimum Setbacks. To minimize potential impacts of odor, dust and noise, the developed portions of the facility, including barns, corrals, feed and manure storage areas, milking parlor, lagoons, structures not used as dwelling units, labor quarters, or administration, and any ancillary facilities other than grazing and cropland, shall be located no closer than:

- i. One (1) mile from any city's sphere of influence line, as established by the Solano Local Agency Formation Commission, or, where no sphere of influence line has been established, from any city limit line. This requirement may be reduced in distance or waived if the area within the sphere of influence line or city limit line is being used, or will be used, for municipal wastewater treatment facilities. This minimum distance may be increased based on site specific factors and potential impacts identified through the environmental review process.
- ii. This requirement shall only apply at the time of the facility's initial approval, and a change in the sphere of influence shall not alone render an operating facility non-conforming, as described in Subsection 3.5.5.
- iii. Two hundred (200) feet from any property line. Truck loading areas may occur within the front setback area, provided that they do not encroach into the road right of way.
- iv. Manure used as fertilizer and process water used to irrigate cropland may be used on the project site within these minimum setback areas.

(2) Water Protection. The following minimum water protection standards are applicable:

- i. **Ground Water Monitoring Standards.** As part of the use permit application materials, the applicant shall submit a proposed ground water monitoring plan. The Division of Environmental Health shall review the proposed plan and recommend appropriate revisions, if any. The plan shall provide for the testing and reporting of ground water quality on the project site both prior to, and at least once every six months during, the operation of the facility. In granting a use permit, the ground water monitoring plan shall be approved as a component of the approved land use operation and the permit shall be conditioned to require that the permittee comply with the provision of the approved plan.
- ii. **Wastewater Pond Design Standards.** All wastewater storage ponds and treatment lagoons shall be designed and constructed to meet the following standards:
 - a) A liner of compacted clay that is a minimum of 1 foot thick, with a maximum permeability of 1×10^{-6} cm/sec.
 - b) Minimum of 5 feet separation between bottom of liner and groundwater.

- c) Must be designed and operated with a minimum of 2 feet of freeboard and must be capable of accommodating a 100 year precipitation event occurring over a 24 hour period.
- d) Retention ponds and settling basins shall be designed to minimize odor, to the greatest extent feasible, by using the best available proven technology at the time of application. This includes, but is not limited to, pond covers, methane digesters, aerobic and anaerobic systems or operational or management practices.
- e) .Performance based, engineered alternatives that meet or exceed the above requirements may be considered and approved.

These standards are minimums. Stricter standards may be required if recommended pursuant to environmental review or by other regulatory agencies.

- c. **Large Confined Animal Facilities.** Large Confined Animal Facilities may be permitted provided the facilities conform to the following minimum development standards:
 - (1) **Minimum Setbacks.** To minimize potential impacts of odor, dust and noise, the developed portions of the facility, including barns, corrals, feed and manure storage areas, milking parlors, lagoons, structures not used as dwelling units, labor quarters, or administration, and any ancillary facilities other than grazing and cropland, shall be located no closer than:
 - i. Three (3) miles from any city's sphere of influence line, as established by the Solano Local Agency Formation Commission, or, where no sphere of influence line has been established, from any city limit line. This requirement may be reduced in distance or waived if the area within the sphere of influence line or city limit line is being used, or will be used, for municipal wastewater treatment facilities. This minimum distance may be increased based on site specific factors and potential impacts identified through the environmental review process.
 - ii. This requirement shall only apply at the time of the facility's initial approval, and a change in the sphere of influence shall not alone render an operating facility non-conforming, as described in Subsection 3.5.5.
 - iii. One (1) mile from the nearest large confined animal facility
 - iv. 2,500 feet from any natural public drinking surface water supply intake and 200 feet from a primary tributary to a domestic surface water supply (measured from any liquid or solid waste storage area or land application area only), including but not limited to the Barker Slough intake.
 - v. One (1) mile from any Residential zoning district, as established in Section

28-15 of this Chapter.

- vi.** Two hundred (200) feet from any property line. Truck loading areas may occur within the front setback area, provided that they do not encroach into the road right of way.
- vii.** One quarter ($\frac{1}{4}$) mile (1,320 feet) downwind and one half ($\frac{1}{2}$) mile (2,640 feet) upwind of any existing occupied dwelling unit not owned or occupied by the facility's owner or personnel. This requirement may be waived if the owner of the dwelling has provided comment, in writing, that he or she has no objection to the location of developed portions of the facility within such setback area.
- viii.** Two (2) miles from the boundary of the National Veterans Cemetery.
- ix.** Manure used as fertilizer and process water used to irrigate cropland may be used on the project site within these minimum setback areas.

d. Other Standards

- (1) All structures shall be constructed with materials suitable to prevent excessive glare so as not to create a nuisance to neighbors or a danger to aircraft.
- (2) All exterior night lighting shall be directional lighting that directs the light downward and inward toward the project site so as not to create a nuisance to neighbors.
- (3) Applications must meet all requirements set forth in Chapter 27 of the Solano County Code regulating Large Confined Animal Facilities.
- (4) Notice of a hearing on a use permit application for a Large Confined Animal Facility, or any revision to such permit, shall be provided to any affected local governmental agencies and to all owners of real property, as shown on the latest equalized assessment roll, within one (1) mile of the property that is the subject of the hearing.

(4) Standards for All Confined Animal Facilities

- (a) Manure and Silage Storage.** Storage or stockpiling of manure and silage shall occur in a manner which minimizes odor and vector nuisances to the greatest extent practicable, based on current industry practices.
- (b) Loading Areas and Access.** Adequate truck loading areas shall be provided within the developed portion of the facility. Ingress and egress shall be designed to avoid creation of traffic hazards and congestion, odor, dust, noise or drainage impacts.

(c) Grandfathered Non-conforming Uses. Any confined animal facility, including any sales and feed lot, stockyard, or dairy, legally established prior to May 3, 2005, which does not meet the standards set forth above [excepting Subsections 28-70.20.C.2(a)(1) and 28-70.20.C.3(a)(1)], shall be considered legal non-conforming.

(d) Expansion of Grandfathered Non-Conforming Uses. A legal non-conforming confined animal facility shall not be allowed to physically expand its use or increase the number of animals allowed unless the standards set forth in 28-71.30.A and B1 [excepting Subsections 28-71.30.B1b (1) i and 28-71.30.B1c (1) i] are met.

2. Fowl and Poultry Ranch

“Fowl and Poultry Ranches” are distinguished from “Pastured Poultry” operations in the definitions found in Section 28.10. Regulations for pastured poultry operations may be found in Section 28.71.30.B4.

a. Standards. Fowl and poultry ranches shall:

- (1)** Employ best practices to ensure that stray birds do not trespass onto adjacent public rights-of-way or private lands, and
- (2)** Manage supplemental feeds, manure, bedding and nesting materials to lessen any potential adverse impacts that the pastured poultry operation might have on neighbors or the larger community. Fowl and poultry ranch operators are required to submit to the Agricultural Commissioner, on an annual basis, a plan for the management of the operation which will provide policies and procedures for insuring that the pastured poultry operation is not likely to become a nuisance to surrounding property owners or the community and that no health and safety problems will arise due to its operation. The Plan should describe policies and procedures that:
 - i.** Regulate, control or prohibit the accumulation of manure.
 - ii.** Prevent any accumulation of animal or vegetable matter in which fly larvae exist or any accumulation of filth or source of foulness hazardous to health or comfort of people
 - iii.** Protect pollutants from entering in creeks, streams, drainage ditches or groundwater supplies.

3. Hog Ranch

All hog ranches shall regulate, control or prohibit the accumulation of animal matter in which fly larvae exist or any accumulation of filth or source of foulness hazardous to health or comfort of people.

a. Standards for Large Hog Ranches. Large hog ranches:

- (1) Trucking access shall not interfere with normal traffic;
- (2) Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; and,
- (3) Shall show that adequate measures shall be taken to control odor, dust, noise, and waste disposal so as not to constitute a nuisance or a hazard;
- (4) Shall show that proposed source of water will not deprive others of normal supply.

4. Pastured Poultry

“Pastured Poultry” operations are distinguished from “Fowl and Poultry Ranches” in the definitions found in Section 28.10. Regulations for fowl and poultry ranches may be found in Section 28.71.30.B2.

a. Standards. Pastured poultry operations shall:

- (1) Manage storm water to prevent feed and manure from entering any natural or constructed storm water facility or canal, creek, lake, pond, stream or river,
- (2) Maintain a setback of 200 feet from any (R) district parcel,
- (3) Employ best practices to ensure that stray birds do not trespass onto adjacent public rights-of-way or private lands.
- (4) Be limited to 3,000 birds or less,
- (5) Manage supplemental feeds, manure, bedding and nesting materials to lessen any potential adverse impacts that the pastured poultry operation might have on neighbors or the larger community. Pastured poultry operators are required to submit to the Agricultural Commissioner, on an annual basis, a plan for the management of the operation which will provide policies and procedures for insuring that the pastured poultry operation is not likely to become a nuisance to surrounding property owners or the community and that no health and safety problems will arise due to its operation. The Plan should describe policies and procedures that:
 - i. Regulate, control or prohibit the accumulation of manure.
 - ii. Prevent any accumulation of animal or vegetable matter in which fly larvae

exist or any accumulation of filth or source of foulness hazardous to health or comfort of people

iii. Prohibit any nuisance, offensive matter, foul or noxious odors.

- b. **Special Events Facility.** A special events facility may be operated in conjunction with a pastured poultry operation subject to the provisions of Section 28.73.30.A and B8 of this Chapter.
- c. **Public Sales.** Public sales, as permitted in the applicable zoning district, must meet the applicable development standards delineated in the applicable zoning district, as well as the following specific development standards:
- (1) Shall be operated by the property owner or occupant.
 - (2) Shall not exceed 1,000 square feet. Size shall be determined by measuring the total roof-covered area. Where public sales are operated within a portion of a larger building, the public sales shall be functionally separated from the remainder of the building by permanent walls and size shall be determined by measuring the gross floor area of the enclosed space plus any outdoor display area.
 - (3) Public sales of on-site eggs are permitted. No meat sales are permitted. At least twenty-five percent (25%) of the product sold shall be grown on-site or off-site on land owned or leased by the operator within Solano County. The balance of the stand shall be used for the sale and inventory of crops or other agricultural products, including nonagricultural products as regulated by this Chapter, grown or produced on-site or off-site.
 - (4) An area not exceeding 50 square feet may be used for the sale and inventory of prepackaged food, provided that such food sales and inventory complies with the requirements of the Department of Resource Management, Environmental Health Services Division, and is from an "approved source" and is not a "potentially hazardous food" as defined by the California Health and Safety Code.
 - (5) Nonagricultural product sales shall mean the on-site sales of nonagricultural products produced on and off the property, where the total inventory and sales area for such products is limited to an area of 50 square feet, except that sales and inventory of prepackaged food shall be allowed subject to the requirements of paragraph (4) above.
 - (6) Minimum setback from an adjacent street shall be the same as required for the main building.
 - (7) Shall have ingress and egress designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-

of-way.

- (8) Shall provide adequate controls or measures to prevent dust, odor or light.
- (9) Shall provide off-street parking in accordance with Section 28-55 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.
- (10) Shall obtain Department of Resource Management, Environmental Health Services Division approval, if required, prior to operation.

g. Agricultural Commercial Kitchen.

A commercial kitchen, as permitted in the applicable zoning district, must meet the applicable development standards delineated in the applicable zoning district, as well as the specific development standards in Section 28.76.10.A and B1.

5. Slaughterhouse

a. Standards. Slaughterhouses shall:

- (1) Regulate, control or prohibit the accumulation of animal matter in which fly larvae exist or any accumulation of filth or source of foulness hazardous to health or comfort of people,
- (2) Trucking access shall not interfere with the normal traffic;
- (3) Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; and,
- (4) Shall control odor, dust, noise, and waste disposal;
- (5) Shall show that proposed source of water will not deprive others of normal supply.

28.71.40 OTHER AGRICULTURAL OPERATIONS

A. General Requirements

This section reserved

B. Specific Requirements

Other agricultural operations listed below shall comply with the general performance standards (28.70.10 above) and the following specific standards:

1. Agricultural Employee Housing

a. Standards. A temporary manufactured dwelling unit for an employee on parcels of twenty (20) acres or more is permitted for a maximum five (5) year period subject to the following conditions as well as the applicable development standards as permitted in the applicable zoning district, as well as the following specific development standards:

- (1) One or more occupants of the dwelling are employed by the owner or the lessee of the parcel;
- (2) Non-employee occupants of the dwelling are members of the employee's family;
- (3) The employee occupant(s) of the dwelling has rent deducted from his or her wages; and
- (4) The employee occupant is required to live in the dwelling as a condition of his or her employment.

2. Auctions, Agricultural Equipment Sales, Commercial

a. Standards. Auctions and agricultural equipment sales shall comply with the following standards:

- (1) **Duration.** Auctions and agricultural equipment sales shall be limited to three events per year, not to exceed seven days per event.
- (2) **Access.** Shall provide ingress and egress designed so as to avoid traffic congestion;
- (3) **Roads.** Shall be located on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
- (4) **Hours of Operation.** Shall be limited to 8:00am until 6:00 pm Mondays through Sunday.
- (5) **Prevent Offensive Noise, Dust, Glare, Vibration or Odor.** Shall provide adequate controls or measures to prevent noise, dust, glare, vibration or odor.

3. HCD Agricultural Employee Housing

Agricultural employee housing as regulated by the State of California is permitted provided all necessary permits have been obtained from the State.

4. Labor Camps

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

5. Temporary Commercial Coach

- a. No Removal of Agricultural Uses.** Siting of temporary commercial coaches utilized as temporary agricultural offices, shall not result in the removal of productive agricultural uses of the land.
- b. Time Limits.** Temporary commercial coaches utilized as temporary agricultural offices, shall be permitted for up to 24 months, provided a building permit has been issued for the construction of a permanent agricultural office.

28.72 RESIDENTIAL USES

28.72.10 DWELLINGS

A. General Requirements

1. Minimum development standards for dwelling units.

- a.** All dwellings shall conform to the following minimum development standards:
 - (1)** Except as otherwise provided for in this section, each dwelling shall have a minimum gross floor area of one thousand square feet.
 - (2)** 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.
 - (3)** Roof eave or gable overhang shall be not less than twelve inches measured horizontally from the vertical side of the dwelling.
 - (4)** Roofing material shall be limited to materials commonly found on conventionally built residential structures. Roofing material with a shiny, metallic appearance in not allowed. The minimum pitch of the roof shall be three inches vertical to twelve inches horizontal.
 - (5)** 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.
 - (6)** A two-car enclosed garage shall accompany each primary dwelling, and the siding and roofing materials shall match the dwelling.

- b. Should the Zoning Administrator determine that a dwelling unit does not meet these minimum development standards, zoning consistency approval of the building permit shall not be granted.

2. Minimum Architectural Standards *(See Section 28.91)

- 3. Exception.** A maximum of one single-family dwelling may be built on a parcel that existed and was designated “Agricultural” by the General Plan as of January 1, 1984, provided that the owner demonstrates compliance with all other applicable County requirements.

B. Specific Requirements

The specific residential uses listed below shall comply with the following specific standards:

1. Accessory Buildings and Uses, Residential

Residential accessory buildings and uses, subject to the provisions within the applicable zoning district, shall comply with the following standards:

- a. **Attached Accessory Structure.** 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. **Detached Accessory Structure.** An accessory building detached from the main building shall be located sixty feet from the front property line or on the rear fifty percent of the lot, unless otherwise specified in the applicable zoning district.
- c. **Side and Rear Setback Waiver.** The side and rear yard requirements may be waived for an accessory building other than an animal shelter, except that such building shall not be located closer to any side street line than the main building, and such buildings, in the aggregate, shall not exceed the maximum site coverage in the rear yard for the main building as may be specified in the applicable zoning district. Waiver of said requirements shall be subject to notice as set forth in Section 14 (f) of this Chapter.
- d. **Setback from Main Building.** 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. **Animal Shelter Setbacks.** 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 unless greater setbacks are required by the zoning district.
- f. **Living Spaces Accessory Structures.** In any A or R district, an accessory building that includes an art or music studio, recreation or exercise room, office, or other similar use, including a pool house in any R district, if allowed by the zoning district

in which it is located, shall comply with the following standards:

- (1) **Number of Accessory Structures.** Only one accessory building shall be allowed on a lot.
 - (2) **Living Unit Prohibited.** The building shall not be designed for, or used as, a living or sleeping quarters, or commercial use, unless otherwise allowed by this Chapter.
 - (3) **Number of Bathrooms.** Shall not contain more than one bathroom.
 - (4) **Electrical Service.** Only one electric service drop and one electric meter to serve both the main building or dwelling and such accessory building shall be permitted.
- g. Not A Secondary Dwelling.** An accessory building does not include a secondary dwelling as defined in Section 28-10.
- h. Sequence of Construction.** Accessory structures shall not be constructed on a lot until construction of the principal structure has commenced or a principal use has been established on the lot, and an accessory structure shall not be used unless the principal structure is being used or a principal use has been established.

2. Dwelling Group

Dwelling groups located on the same parcel in the R-TC-MF district, must meet the applicable development standards delineated in Table 28-26C and the specific building setback and siting requirements as follows:

- a.** Where the front of a building abuts the rear of another building (i.e., a front-to-back series) in a dwelling group on the lot, the minimum building separation shall be 20 feet, and the yard providing access shall be no less than 8 feet.
- b.** Where both the front and rear of a building abut a side yard (i.e. a single row side-to-side series) in a dwelling group on the lot, the side yard providing access shall have a width of not less than 12 feet.
- c.** Where the rear of a building abuts a side yard and the front faces a court (i.e. a double row side-to-side series) in a dwelling group on the lot, the court shall have a width of not less than 20 feet.
- d.** Buildings within a dwelling group on the lot shall be separated by a minimum distance of 10 feet.
- e.** No building in any group shall be located on the lot such that the rear thereof abuts on any street right-of-way.

- f. Distances required between buildings and as yards and courts for dwelling groups on the lot shall be increased by two feet for each story that the height of any building or dwelling group on the lot exceeds two stories.

3. Floating Home

- a. Floating homes must be located within and part of a marina and shall contain no more than one dwelling unit. No living or storage space may be located below the water line
- b. Must be connected to an approved electrical, water and sewage disposal systems.
- c. The float area shall not exceed a maximum 1,200 sq. ft.
- d. The floatation system shall be designed according to accepted marine engineering principles by a licensed engineer.
- e. The height of the floating home shall not exceed 21 ft. at highest point measured from water level.
- f. A 10 ft. minimum distance shall be maintained between floats or walls. A 10 ft. minimum distance shall be maintained between walls of FM home on opposite sides of moorage walkway. A 5 ft. minimum distance shall be maintained between floating home and any lot line.
- g. No part of the floating home may be further extended over water beyond float edge.
- h. A floating home shall abut at least 20 feet wide open navigable water.
- i. Clearance at zero tide (hydrographic datum – the level of lowest normal tides) shall be a minimum 2 foot of water depth beneath the floating home.
- j. No accessory float structures are permitted.
- k. A minimum of two off street parking spaces per floating home.

4. Reserved

5. Reserved

6. Secondary Dwelling

- a. **Secondary Dwelling.** A secondary dwelling, as permitted in the applicable zoning district, must meet the development standards delineated within the applicable zoning district, as well as the following specific development standards:

(1) **Maximum Size.** The maximum size of the secondary dwelling shall not exceed the

following maximum sizes:

Maximum Size for a Secondary Dwelling	
(R-E) Districts	850 Square Feet
(R-R) Districts	1,500 Square Feet
(A)(A-L)(W) Districts	1,800 Square Feet

- (2) **Minimum Lot Size.** The minimum lot size for a secondary dwelling shall be 7,500 square feet.
- (3) **Secondary Dwelling and Temporary Dwellings.** Only one secondary dwelling is allowed on a lot, except when any of the following temporary uses may be additionally permitted:
 - a) **Temporary Use of a Dwelling during Construction.** Use of an existing dwelling while the replacement dwelling is under construction, in accordance with Section 28-72.20A and B6.
 - b) **Temporary Dwelling during Construction.** Use of temporary dwelling while the primary dwelling is under construction, in accordance with Section 28-72.20A and B7.
- (4) **Secondary Dwellings and Companion Living Units.** A secondary dwelling shall not be allowed on a lot that has a companion living unit or other similar accessory housing unit.
- (5) **Attached / detached secondary living units.** A secondary dwelling may be a detached structure or may be attached to another building on the same lot. If attached to another building, a separate exterior entrance shall be provided, independent from the entrance for the building to which it is attached.
- (6) **Not allowed with companion living unit.** A secondary dwelling shall not be allowed on a parcel that has a companion living unit or other similar accessory housing unit.

b. Secondary dwelling or guest house, existing:

- (1) **Non-conforming Secondary Dwelling.** A secondary living unit legally existing on the lot prior to October 27, 2006 in the R-R District, June 13, 2008 in the A and R-TC Districts, and February 1, 2011 in the A-SV-20, ATC, and ATC-NC Districts, which does not comply with the size or setback requirements of this Section shall be considered legal non-conforming and subject to the provisions of Section 28-114 (“Nonconforming Uses”). Such use may continue, provided that it is not enlarged, increased or otherwise modified and fully complies with any conditions of approval that may have been adopted.

- (2) Non-conforming Guest House.** A guest house legally existing on the lot prior to October 27, 2006 in the R-R District, June 13, 2008 in the A and R-TC Districts, and February 1, 2011 in the A-SV-20, ATC, and ATC-NC Districts, shall be considered legal non-conforming and subject to the provisions of Section 28-114 (“Nonconforming Uses”). Such a guest house may be converted to a secondary dwelling provided all of the following are met: (1) no other secondary dwelling is on the lot; (2) all facilities necessary to convert the structure to a dwelling, including cooking, sanitation, and parking facilities shall be installed in compliance with County building and zoning standards as applicable; (3) either the primary residence or the secondary dwelling is owner-occupied; and (4) if the structure does not meet the size or setback requirements of this Section for a secondary dwelling, it shall be considered legal non-conforming and subject to the provisions of Section 28-114 (“Nonconforming Uses”).
- (3) Non-conforming Companion Living Unit.** A companion living unit legally existing on the lot prior to October 27, 2006 in the R-R District, June 13, 2008 in the A and R-TC Districts, and February 1, 2011 in the A-SV-20, ATC, and ATC-NC Districts, pursuant to an approved conditional use permit, may be converted to a secondary dwelling provided all of the following are met: (1) no other secondary dwelling is on the lot; (2) the unit is installed on a foundation system as a fixture or improvement to the real property, in accordance with section 18551(a) of the Health and Safety Code and implementing regulations; (3) either the primary residence or the secondary dwelling is owner-occupied; and (4) if the unit does not meet the size or setback requirements of this Section, it shall be considered legal non-conforming and subject to the provisions of Section 28-114 (“Nonconforming Uses”). If an existing companion living unit is converted to a secondary dwelling, the conditions of the use permit shall no longer be applicable. If an existing companion living unit is not converted to a secondary dwelling, it shall remain subject to the conditions of the use permit, and shall be promptly removed from the lot upon expiration or revocation of the permit.
- (4) Secondary Dwelling and Companion Living Unit.** If both a secondary living unit and a companion living unit legally exist on the lot prior to October 27, 2006 in the R-R District, June 13, 2008 in the A and R-TC Districts, and February 1, 2011 in the A-SV-20, ATC, and ATC-NC Districts, the secondary living unit shall be considered the secondary dwelling on the lot and the companion living unit may continue on the lot as a temporary dwelling for the remaining term of the conditional use permit.
- c. Time Extensions.** A companion living unit legally existing on the lot prior to March 13, 2011, pursuant to an approved conditional use permit which expires, may be extended for a temporary period, not to exceed two years, upon securing a minor use permit, provided:
- (1)** All of the findings made in the original use permit still apply.

- (2) The property owner and the occupant of the companion living unit have not changed since the original issuance of a use permit. (note: time extension not in RR)

7. Second Kitchens

The following regulations shall apply to all second kitchens in dwellings:

- (1) A second kitchen may be approved only for a detached, single-family dwelling, and a dwelling shall not have more than one second kitchen.
- (2) The second kitchen must be for the use of the family occupying the dwelling unit.
- (3) The second kitchen shall not be used for any commercial purposes other than a licensed home occupation.
- (4) The second kitchen must be arranged and located to be available for use by, and readily accessible to, all residents of the dwelling. The second kitchen shall not have primary access from a bedroom or other private area of the dwelling, or any similar arrangement that could limit its use to only some of the residents.
- (5) The dwelling in which the second kitchen is located must have only one electric service drop and electric meter, one water meter if the dwelling is served by public water, and one assigned address.
- (6) The dwelling in which the second kitchen is located may not be represented in any way as having a secondary dwelling or any other quarters that can be rented or otherwise used as a private, separate or independent living area.
- (7) An application for a second kitchen shall be approved by the Zoning Administrator, without a public hearing, if the kitchen satisfies the requirements of this subsection and the required application fee has been paid.
- (8) Upon approval of a second kitchen, the property owner shall enter into an Agreement for Registration of Second Kitchen with the County, on a form to be provided by the Department of Resource Management, and such Agreement shall be recorded with the County Recorder. The Agreement will remain in effect, and will be binding on all future owners of the property, unless/until the second kitchen is removed from the dwelling in compliance with County Building Codes.

28.72.20 TEMPORARY RESIDENTIAL USES

A. General Requirements

This section reserved

B. Specific Requirements

The specific temporary residential uses listed below shall comply with the following specific standards:

1. Security Quarters During Construction

a. Standards. A recreational vehicle, manufactured home or commercial coach may be used, on a temporary basis, to provide security quarters during construction of a permitted use, provided the following standards are met:

(1) Building permits have been issued for the construction of the structures,

(2) Only one security coach or vehicle shall be allowed on the site,

(3) The security coach or vehicle shall be removed upon completion of construction of the structures.

(4) A recreational vehicle shall be connected to permanent power and utilities provided by the installation of an RV pad. The RV pad shall be removed at the completion of construction of the structures.

2. Temporary dwellings. Temporary dwellings may be permitted in any A-L, MP, R-E, P and M-G districts for a temporary, fixed term corresponding to the circumstances of the particular case, and provided a use permit is first secured by the owner of the lot in each case except that a temporary dwelling may be utilized on any such site to provide emergency replacement housing in the event of loss due to fire, flood or other disaster for up to 18 months, with written approval from the Zoning Administrator and without the granting of a use permit.

3. Temporary Emergency Dwelling

Temporary dwelling may be utilized provide emergency replacement housing on any lot where a dwelling is destroyed due to fire, flood or other disaster for a period of up to 18 months.

4. Temporary Manufactured Home Storage

Temporary storage of a manufactured home shall comply with the following conditions and standards:

a. The number of units stored shall be limited to one (1) per ownership.

b. The term of a permit shall not exceed one (1) year. In no case shall more than two (2) six month time extensions be granted or a successive permit is issued.

c. All utilities must be disconnected and remain disconnected from a stored manufacture home.

- d. All appurtenances shall be removed including skirting, decking, and awnings.
- e. A stored manufactured home shall not be occupied or otherwise utilized.
- f. Posting of security satisfactory to the Zoning Administrator to guarantee performance of any conditions.

5. Temporary Occupancy of Existing Dwelling while Replacement Dwelling is under Construction

- A. In any district where one-family dwellings are an allowed use, an owner may occupy an existing dwelling for the term of construction of the replacement dwelling provided that:
 - (1) **Standards.** The replacement dwelling shall comply in all respects with yard, building, location, height and parking space requirements of this Chapter.
 - (2) **Written Agreement.** The owner executes a written agreement with the County guaranteeing the demolition and removal of the existing dwelling.
 - (3) **Security Deposit.** The owner shall, upon execution of the agreement, deliver to the County a Certificate of Deposit, 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 certificate, 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.
 - (4) **Access.** 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 as stipulated in the agreement.

6. Temporary Single Family Dwelling

Temporary single family dwelling may be permitted for a temporary, fixed term corresponding to the circumstances of the particular case when the primary dwelling is under construction.

- a. **Development Standards.** Dwelling must be consistent with the development standards of the applicable zoning district.
- b. **Temporary Foundation.** Dwelling must be placed on a temporary foundation.

28.72.30 ANIMAL FACILITIES AND OPERATIONS INCIDENTAL TO A RESIDENTIAL USE

A. General Requirements

Animal facilities and operations shall comply with the following general standards:

1. Must meet the applicable development standards delineated in the applicable zoning district and the standards of this Section.
2. Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; and,

B. Specific Requirements

The specific animal facilities and operations listed below shall comply with the general requirements (A.1-3) above and the following specific standards:

1. Grazing or Keeping of Animals Other Than Hogs

Grazing, or keeping of animals, when permitted in an R district shall comply with the following standards:

- a. **Minimum Parcel Size.** The parcel size shall be one acre or greater.
- b. **Maximum Number of Animals.** The number of animal units shall not exceed two animal units per acre of ownership.
- c. **Limitations on Number of Horses.** 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.
- d. **Keeping of Hogs Prohibited.** Hogs are not permitted.
- e. **Setbacks.** Private stables shall be located no closer than twenty (20) feet from the side and rear lot lines, and no closer than sixty (60) feet from the front lot line, and no less than twenty (20) feet from any dwelling unit on the property. Corrals shall be located on the rear half of the lot.

2. Hog Raising, Residential

The raising of hogs incidental to a dwelling in any R district, must meet the following specific development standards:

- a. **Maximum Parcel Area.** The parcel upon which the hogs are kept shall contain a minimum of two net acres.
- b. **Maximum Number of Animals.** The total number of hogs kept on such parcel shall not exceed three, one of which may be a brood sow.

- c. **Limitations on Litters.** In the event that the brood sow farrows, the litter resulting there from 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. **Operational Requirements.** 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. **Setbacks.** The hogs shall be kept within a secure enclosure which is located within the rear half of the parcel and maintained at least two hundred (200) feet from all property lines and at least one hundred (100) feet distance from any water well.

3. **Kennels and Catteries, Small**

- a. **Standards.** Small kennels and catteries shall:

- (1) Manage storm water to prevent feed and manure from entering any natural or constructed storm water facility, canal, creek, lake, pond, stream or river,
- (2) Maintain a setback of 200 feet from any lot for all activities, buildings and uses of the land,
- (3) Employ best practices to ensure that stray dogs or cats do not trespass onto adjacent public rights-of-way or private lands.
- (4) Regulate, control or prohibit the accumulation of animal or vegetable matter in which fly larvae exist or any accumulation of filth or source of foulness hazardous to health or comfort of people

4. **Small Animal Husbandry**

Small animal husbandry shall meet the following standards:

- a. **Maximum Number of Animals.** The total number of small animals kept on one parcel shall not exceed twenty (20) per acre.
- b. **Operational requirements.** 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 Resource Management.
- c. **Limitations on Noise.** Small animals that create noise audible on adjacent properties that is deemed by the County to be excessive or not in harmony with the suburban 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. **Maximum Number of Roosters.** No more than one (1) rooster per acre may be kept, providing further that no more than 4 roosters may be kept.

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

5. **Stable, Private**

- a. **Minimum Lot Area.** 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. **Setbacks.** Private stables 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 TC district shall be located on the rear half of the lot. Private stables shall conform to the development standards in Table 28-70A below:

Table 28-70A Development Standards for PRIVATE STABLES

	Minimum Distance from any Dwelling Unit	Minimum Distance from Side and Rear Property Lines*	Minimum Distance from Front Property Lines*
Use			
Pens for no more than one horse; Barns and other similar shelters <u>for nine horses or less</u>	20 feet	20 feet	60 feet
Corrals, paddocks, riding rings and other similar horse arena arenas	20 feet	60 feet	60 feet
* Where the front property line lies within a county road easement, the setback shall be measured from the outer easement line.			

28.72.40 OTHER USES INCIDENTAL TO A RESIDENTIAL USE

A. General Requirements

Other uses incidental to a residential use shall comply with the following general standards:

- 1. Access.** Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way. and,
- 2. Food and Beverage.** Food and/or beverages provided for sale and/or consumption must meet all federal, state and local regulations.
- 3. Parking.** Shall provide off-street parking in accordance with Section 28-94 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.
- 4. Permit Requirements.** Shall obtain all necessary approvals with other County departments and from the applicable fire protection district, if required, prior to operation.
- 5. Prevent Storm Water Pollution.** Shall manage storm water to prevent any processing wastes or by-products from entering any natural or constructed storm water facility or canal, creek, lake, pond, stream or river.
- 6. Setbacks.** Minimum setback from an adjacent street shall be the same as required for the main building.
- 7. Signs.** All signs shall be installed in accordance with the requirements of Section 28.96.

B. Specific Requirements

The specific uses listed below shall comply with the general requirements (A.1-6) above and the following specific standards:

1. Cottage Industries

a. Purpose of Regulations

These Cottage Industry regulations provide for the accessory use of a dwelling or accessory building(s) on the same parcel as the dwelling for gainful employment involving limited amounts of manufacturing or sales of goods or services. The use must be clearly incidental and secondary to the use of the premises for residential purposes and must not change or adversely affect the residential or rural character of the property or its surroundings.

b. Types of Cottage Industries

There are two classes of Cottage Industry:

Cottage Industry – Limited, and

Cottage Industry - General

c. Use Permit Required

Cottage Industries may be permitted in zoning districts as specified in this Chapter, upon issuance of a Use Permit. A business license is first secured pursuant to Chapter 14 of this Code prior to operation of a Cottage Industry.

A Use Permit for a Cottage Industry may be granted for an unlimited period of years, unless the Zoning Administrator or Planning Commission determines that a shorter period is more appropriate to ensure conformance with the intent and standards of this Section or other applicable requirements.

The Zoning Administrator shall be the hearing authority for Cottage Industry-Limited permits and the Planning Commission shall be the hearing authority for Cottage Industry-General Use Permits.

d. General Requirements for all Cottage Industries

- (1) The cottage industry shall be clearly incidental and subordinate to the use of the premises for residential purposes. Only a resident-occupant of an existing on-site primary residence may operate a cottage industry; a cottage industry cannot exist in the absence of a dwelling unit.
- (2) Cottage industries shall not produce evidence of their existence in the external appearance of the dwelling, accessory structures or premises, or in the creation of noise, odors, smoke, vibrations or other nuisances to a degree greater than that normal for the neighborhood.
- (3) The conduct of cottage industries shall not prevent the use of the required garage or parking spaces for vehicle parking on a daily basis.
- (4) The site of the cottage industry shall have direct access to a public road or access from an adequate private road. Where access to the site is by private road, the applicant for the cottage industry permit must demonstrate either (1) active financial participation in a road maintenance association, or (2) written consent to use the private road for business purposes from all co-owners of the private road easement.
- (5) A maximum of one cottage industry per parcel shall be allowed.
- (6) All aspects of the cottage industry shall be located and conducted within a dwelling unit or enclosed accessory building(s), with the exception of outdoor storage of

materials or products as specifically provided by the use permit, when completely screened from the street and adjoining properties. Any accessory building used for a cottage industry must comply with applicable building codes.

- (7) No equipment or process used in the cottage industry shall create noise, vibration, glare, fumes, dust, odors, smoke, electrical interference or other impacts in excess of those customarily generated by single-family residential uses in the neighborhood. The Zoning Administrator or Planning Commission may impose performance standards to address these requirements. Performance standards may include additional setbacks to property lines, screening, soundproofing, restricted hours of operation, or other measures that mitigate the impacts of the business.
- (8) No land or building 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.
- (9) The applicant shall submit plans and a complete statement of any 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.

e. Specific Standards for Cottage Industries – Limited.

Cottage Industries—Limited shall conform to the following additional requirements:

- (1) Not more than two (2) employees may work on the premises in addition to the members of the family residing on the premises. This limitation applies to all employees who come onto the property on a daily basis, even if they work primarily at off-site locations.
- (2) The total area occupied by the cottage industry, including storage, shall not exceed one thousand five hundred (1,500) square feet.
- (3) There shall be no change in the outside appearance of the building used for the cottage industry or premises, except one (1) non-illuminated sign not exceeding four (4) square feet may be permitted.
- (4) A maximum 500 square foot area may be devoted to retail sales. Retail sales are only allowed on site when the merchandise sold was produced by the operator of the cottage industry or is incidental to a service provided by the operator. Businesses that purchase goods wholesale may store those goods on the property, but may not conduct retail sales on the property; such transactions must occur by telephone, online, and by mail. Not more than three (3) delivery vehicles shall

access the premises each day.

- (5) The operator of the cottage industry shall provide sufficient on-site parking to accommodate both customers and employees. One work vehicle and two personal employee vehicles may be parked in public view. Additionally, one customer parking space shall be provided for any retail area. This parking area does not count toward the 1,500 square foot limitation.
- (6) A maximum of three large vehicles and one trailer per large vehicle may be kept on the property in connection with a cottage industry. Large vehicles are defined as having a gross vehicle weight rating (GVWR) in excess of 14,000 pounds. Such vehicles may only be stored in an enclosed building in connection with a cottage industry. Storage of large vehicles shall be counted as part of the square footage of a cottage industry.
- (7) Customers or clients may come to premises during the hours 8:00 a.m. to 6:00 p.m.

f. Specific Standards for Cottage Industries—General.

Cottage Industries—General shall conform to the following requirements:

- (1) Not more than three (3) employees may work on the premises in addition to the members of the family residing on the premises. This limitation applies to all employees who come onto the property on a daily basis, even if they work primarily at off-site locations.
- (2) The total area occupied by the cottage industry, including storage, shall not exceed three thousand (3,000) square feet
- (3) The parcel on which the cottage industry is conducted must be at least four acres in size, excluding roads, canals, or railroad rights of way.
- (4) A maximum 1,000 square foot area may be devoted to retail sales. Retail sales are only allowed on site when the merchandise sold was produced by the operator of the cottage industry or is incidental to a service provided by the operator. Businesses that purchase goods wholesale may store those goods on the property, but may not conduct retail sales on the property; such transactions must occur by telephone, online, and by mail. Not more than three (3) delivery vehicles shall access the premises each day.
- (5) The operator of the cottage industry shall provide sufficient on-site parking to accommodate both customers and employees. One work vehicle belonging to the operator and three personal employee vehicles may be parked in public view. Additionally, one customer parking space shall be provided for every 500 square feet of retail area. This parking area shall not count toward the 3,000 square foot limitation.

- (6) A maximum of three large vehicles and one trailer per large vehicle may be kept on the property in connection with a cottage industry. Large vehicles are defined as having a gross vehicle weight rating (GVWR) between 14,001 lbs. and 26,000 lbs. Such vehicles may only be stored in an enclosed building in connection with a cottage industry. Storage of large vehicles shall be counted as part of the square footage of a cottage industry. Vehicles with a GVWR exceeding 26,000 lbs. may not be stored on the property in connection with a cottage industry.
- (7) No more than one (1) non-illuminated sign not exceeding four (4) square feet may be permitted.
- (8) Two or more separate businesses, with separate business licenses, may be permitted as a single cottage industry. However, when added together, those businesses cannot exceed the limitations set forth above for a single cottage industry;
- (9) Customers or clients may come to premises during any the hours 8:00 a.m. to 6:00 p.m.

g. Prohibited Uses.

The following uses shall not be permitted as Cottage Industries:

- (1) Outside storage of materials and equipment other than permitted vehicles
- (2) Concrete crushing, batching or mixing,
- (3) Corporation yards,
- (4) Motor vehicle and other vehicle repair or maintenance conducted outside,
- (5) Storage of motor vehicles, boats, trailers, mobile or manufactured homes for hire,
- (6) Welding and machining conducted outside,

Any other use that is not incidental to the residential use of the property or is not compatible with the residential character of the neighborhood.

2. Home Occupations

a. Purpose of Regulations

These Home Occupation regulations provide for the accessory use of a dwelling or accessory building(s) on the same parcel as the dwelling for gainful employment involving the manufacture, provision, or sale of goods and/or services. The use must be clearly incidental and secondary to the use of the premises for residential purposes and must not change or adversely affect the residential or rural character of the property or its surroundings. A use permit is not required to conduct a home occupation; however, such use shall be subject to all conditions of this Chapter generally, such as off-street

parking, and all other permits required under County Code, such as building permits and business licenses.

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. In approving a business license, the Business Licensing Officer must find that the proposed activity will conform to all requirements set forth in this Section. In making this finding, the Business Licensing Officer shall rely on the recommendation provided by the Department of Resource Management.

b. Types of Home Occupations

There are two types of Home Occupations, as follows:

Type I Home Occupation, and

Type II Home Occupation

c. Type I Home Occupations

Type I Home Occupations are service-type businesses which require a home office and may require storage of supplies utilized in the business. A Type I Home Occupation requires a business license prior to commencing operations. Type I Home Occupations must comply with the following standards:

General Standards – Type I Home Occupations

- (1) The particular uses conducted as a Type I Home Occupation, and their operation and appearance, shall not change or disturb the residential or rural character of the premises or its surrounding.
- (2) The home occupation shall be clearly incidental and subordinate to the use of the premises for residential purposes. All aspects of the home occupation, including storage, shall be conducted entirely within the dwelling unit or enclosed accessory building(s) on the premises. The square footage allocations are as follows:
 - i. The total area used for the home occupation, exclusive or incidental storage, shall not exceed four hundred forty (400) square feet of the habitable floor area of the dwelling. The home occupation may be conducted within a detached building otherwise allowed by zoning and in compliance with applicable building codes, as long as its square footage does not exceed 400 square feet.
 - ii. Incidental storage in an accessory structure not exceeding 120 square feet shall be allowed.
 - iii. Incidental storage in the required enclosed two-car garage shall be permissible, provided that two cars can still be parked in the garage.

- (3) There shall be no merchandise offered for sale, except that produced on the premises. Internet-based businesses that do not involve the storage of product on site are exempt from this requirement.
- (4) No person other than members of the family residing on the premises shall be engaged in the home occupation.
- (5) No clients or customers shall come onto the property in conjunction with the business.
- (6) The use shall not generate traffic in excess of that normally associated with the residential use. Heavy commercial vehicles shall not be used in the home occupation for delivery of materials to or from the premises.
- (7) No more than one vehicle or truck with a maximum one ton capacity and one trailer shall be permitted on the site in conjunction with any home occupation.
- (8) No mechanical or electrical equipment shall be employed other than machinery or equipment typical of the type or specifications used in a hobby or a vocation customarily conducted within the confines of a dwelling unit.
- (9) 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.

d. Type II Home Occupations

Type II Home Occupations may involve retail sales of merchandise and service type businesses which require a home office and may require storage of supplies utilized in the business as well as inventories of merchandise. A Type II Home Occupation requires both a business license and a Home Occupation permit prior to commencing operations. Type II Home Occupations must meet the following standards:

General Standards – Type II Home Occupations

- (1) The particular uses conducted as a Type II Home Occupation, and their operation and appearance, shall not change or disturb the residential or rural character of the premises or its surrounding.
- (2) The home occupation shall not result in any change in the outside appearance of the building or premises, or other visible evidence of the conduct of such occupation, other than one (1) non-illuminated sign not exceeding two (2) square feet.
- (3) The home occupation shall be clearly incidental and subordinate to the use of the premises for residential purposes. All aspects of the home occupation, including storage, shall be conducted entirely within the dwelling unit or enclosed accessory building(s) on the premises. The square footage allocations are as follows:

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 non-illuminated 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.

4. Temporary Subdivision Sales Office

- a. **Hours of Operation.** Shall be limited to 9:00am until 6:00 pm Mondays through Sunday.

28.73 RECREATION, EDUCATION, AND PUBLIC ASSEMBLY USES

28.73.10 RECREATIONAL USES

A. General Requirements

Recreational uses, as permitted in the applicable zoning district, shall meet the following standards:

1. **Access.** Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
2. **Exterior Lighting.** Lighting capable of providing adequate illumination for security and safety and directed away from adjacent properties and public rights-of-way to prevent offensive light or glare.
3. **Roads.** Shall be located on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
4. **Setbacks.** Minimum setback from an adjacent street shall be the same as required for the main building.
5. **Screening of Parking.** 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 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.

B. Specific Requirements

The specific recreational uses listed below shall comply with the general requirements (28.73.10A) above and the following specific standards:

1. Hunting and Fishing Clubs.

Facilities must be connected to an approved sewage disposal system.

2. Marinas

- a.** Shall provide sufficient and conveniently located restrooms, showers, garbage disposal facilities, parking, and sewage pumpout facilities.
- b.** Floating homes and live aboard boats may not exceed 10% of the total authorized boat berths.

3. Stable, Public without Horse Shows

- a. Public stables standards.** Public stables shall meet the following standards:
 - (1)** All public stables 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 permit application to vary the minimum distance requirements.
 - (2)** 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.
 - (3)** Subject to the provisions of the applicable zoning district, public stables shall comply with the standards in Table 28-73A below:

Table 28-73.A Development Standards for Public Stables without Horse Shows

	Minimum Distance from any Dwelling Unit	Minimum Distance from Side and Rear Property Lines	Minimum Distance from Front Property Lines*
Use			
Pens for no more than one horse; Barns and other similar shelters for nine horses or less	20 feet	20 feet	60 feet*
Corrals, paddocks, riding rings and other similar horse arenas	20 feet	60 feet	60 feet*
Barns, pens, corrals and other similar shelters for 10 or more horses and accessory buildings and areas.	20 feet	200 feet	200 feet*

* *Where the front property line lies within a county road easement, the setback shall be measured from the outer easement line.*

28.73.20 EDUCATION USES

A. General Requirements

Educational uses, as permitted in the applicable zoning district, shall meet the following standards:

1. **Access.** Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
2. **Roads.** Shall be located on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
3. **Setbacks.** Minimum setback from an adjacent street shall be the same as required for the main building.
4. **Screening of Parking.** 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 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.

B. Specific Requirements

The specific educational uses listed below shall comply with the general requirements (28.73.20A.1-13) above and the following specific standards:

1. Agricultural Education.

Agricultural education, conducted as an incidental activity to the production and/or processing of crops and other agricultural products, shall be permitted, subject to the permitting requirements and standards below:

A. Permit requirements.

- (1) **Minor Facility.** An administrative permit is required for any minor agricultural education facility which meets the requirements in a-c below:
 - i. No new buildings or structures are proposed,
 - ii. No building occupancy changes are required

iii. Not more than 25 people per day are visiting the site

(2) Major Facility. A minor use permit is required for any major agricultural education facility.

B. Standards for All Agricultural Education Facilities.

(1) Operator. Shall be operated by the owner or occupant of the property.

(2) Public Road Access. Shall be located on a public road.

(3) Purpose of Educational Facility. Shall offer educational services for the purpose of furthering the understanding of agricultural crop or livestock production and processing.

(4) No Removal of Agriculture. Shall not require the removal of any crops or grazing plants.

(5) Hours of Operation. Shall be limited to 8:00am until 6:00 pm Mondays through Sunday.

28.73.30 PUBLIC ASSEMBLY USES

A. General Requirements

Public assembly uses shall comply with the following general standards:

1. **Access.** Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
2. **Exterior Lighting.** Lighting capable of providing adequate illumination for security and safety and directed away from adjacent properties and public rights-of-way to prevent offensive light or glare.
3. **Parking - Screening.**
 - a. Parking areas shall be enclosed and screened by a minimum six-foot high, solid board fence or a minimum six-foot high masonry wall which shall separate the parking lot from the adjoining residential uses; and shall provide traffic surfaces that are maintained in a dust-free manner.
4. **Roads.** Shall be located on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection

within the County road right-of-way.

5. **Setbacks.** The minimum setback from an adjacent street shall be the same as required for the main building. All public assembly uses where liquor is served shall be located at least 200 feet from any boundary of a residential district, unless a use permit is first secured.

B. Specific Requirements

The specific public assembly uses listed below shall comply with the general requirements (A.1-13) above and the following specific standards:

1. Churches

Churches shall meet the following minimum development standards:’

- a. Located on a principal street on a minimum one acre site.
- b. In R Districts, except the R-R District, located on a site at least one-thousand five hundred feet (1,500) from any other site containing a church or museum.
- c. A six foot high decorative masonry wall shall be constructed and maintained on all side and rear property lines abutting R Districts, excepting the Rural Residential (R-R) District. For property lines abutting R-R Districts, a screen consisting of walls, fences, landscaping, berms or any combination to form a six foot high opaque screen shall be provided.
- d. No building shall be located closer than twenty-five feet to any property line constituting the parcel boundary.
- e. The required front yard setback as determined by the zone district shall be landscaped in accordance with a landscape and irrigation plan approved by the Department of Resource Management. At least two twenty-four inch (24”) box street trees are required for each 50 feet of street frontage or fraction thereof.
- f. Landscaping shall be provided equivalent to at least fifteen percent of the total parking area hardscape. The parking area hardscape includes parking stalls, sidewalks, and all driveways outside of the front yard setback. Such landscaping shall be located throughout the parking area and at a minimum shall include one twenty-four inch box tree for every five parking stalls.
- g. Parking areas shall have lighting capable of providing adequate illumination for security and safety. Any illumination shall be directed away from adjacent properties and public rights-of-way.
- h. Parking areas, including driveways and loading areas, used for primary circulation and for frequent idling of vehicle engines shall be designed and located to minimize the impact of noise on adjacent properties.

- i. Churches adjacent to agricultural activities shall provide sufficient buffer so as not to burden or interfere with normal agricultural operations.
- j. The development standards set forth in subdivisions (1) through (9), inclusive, shall not apply to the review and consideration of any conditional use permit application that was filed prior to November 4, 1997. The minimum development standards for such applications are that the use 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 landscape strip on all property lines abutting R districts.

2. Clubs, Lodges and Fraternal Organizations

Clubs, lodges, and fraternal organizations shall comply with the following standards:

- a. Maintain a minimum ten-foot landscaped strip on all property lines abutting residential property;

3. Limited Public Event

Limited public events, as permitted in the applicable zoning district, shall meet the following standards:

- a. Shall be limited to once per year and shall not be open to the public for more than 10 weeks,
- b. Shall not cause significant adverse impacts to adjacent agricultural operations,
- c. Shall not operate on land which has been utilized for crop production within the past five years (operation on grazing land is acceptable),
- d. Shall be limited to outdoor events (no fully enclosed structures or tents open to the public),
- e. Shall not utilize electric sound amplification systems, and
- f. Shall require only minimal site alterations or permanent physical improvements.

Upon termination, expiration, or revocation of the use permit, the site shall be fully restored to its original condition.

- 4. **Outdoor Theaters.** Outdoor theaters or drive-in theaters shall be located only on a principal 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.

5. Public Stable with Horse Shows

- a. Horse shows standards.** Subject to the provisions of the applicable zoning district,
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Table 28-73B Development Standards for PUBLIC STABLES WITH HORSE SHOWS

	Minimum Distance from any Dwelling Unit	Minimum Distance from Side and Rear Property Lines	Minimum Distance from Front Property Lines*
Use			
Pens for no more than one horse; Barns and other similar shelters for nine horses or less	20 feet	20 feet	60 feet*
Corrals, paddocks, riding rings and other similar horse arena arenas	20 feet	60 feet	60 feet*
Horse Shows, barns and other similar shelters for 10 or more horses and accessory buildings and areas.	20 feet	200 feet	200 feet*
* Where the front property line lies within a county road easement, the setback shall be measured from the outer easement line.			

se shows shall comply with the standards in Table 28-73.B

b. Other standards.

Horse shows shall meet the following additional standards:

- (1) 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.
- (2) Public stables shall comply with the permitting requirements for the applicable zoning district.
- (3) All 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 provide an emergency response plan to address fire protection and prevention and medical and emergency response; 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.
- (4) Horse shows shall be located no closer than two hundred feet from any property line; shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; and shall show that odor, dust, noise or drainage will not constitute a nuisance or a hazard.

6. Special Events Facility

Except as otherwise provided for in this Chapter, a special events facility shall be permitted, incidental to the principal agricultural use of the property for commercial agricultural purposes, provided the facility complies with the standards in (a) below.

a. Standards

- (1) **Standards for Events.** A special events facility permitted under this Chapter shall comply with the following standards:
 - i. Must meet the applicable development standards delineated in the applicable zoning district, as well as the following specific development standards:
 - ii. events shall be located on property with convenient access with minimum interferences to normal traffic; shall provide parking spaces as required by this Chapter; shall show that adequate measures shall be taken to control odor, dust, noise, and waste disposal so as not to constitute a nuisance.
 - iii. Special events shall be located on a lot on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by

the private road.

- iv. Special events conducted in the Exclusive Agricultural (A) District shall be incidental to the commercial agricultural use of the property and shall not result in the loss of commercial agricultural use of the land.

28.74 RETAIL AND OFFICE USES

28.74.10 RETAIL USES

A. General Requirements

Retail uses shall comply with the following general standards:

1. **Access.** Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
2. **Roads.** Shall be located on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
3. **Setbacks.** Minimum setback from an adjacent street shall be the same as required for the main building.

B. Specific Requirements

The specific retail uses listed below shall comply with the general requirements (28.74.10A.1-10) above and the following specific standards:

1. Automobile, Mobilehome, Recreational Vehicle or Boat Sales Lots.

- a. 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.
- b. 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.
- c. Automobile, mobilehome, recreational vehicle, or boat storage garages shall provide ingress and egress so designed as to avoid traffic congestion.

- d. Automobile, mobilehome, recreational vehicle or boat storage lots shall provide ingress and egress designed to avoid traffic congestions; shall be enclosed and screened by a solid fence or wall of a minimum height of eight feet or vegetation except as may be waived by the Zoning Administrator or Planning Commission; and shall provide traffic surfaces that are maintained in a dust-free manner.

2. Automobile Parking Lots.

Automobile parking lots in R districts, except RR districts, adjacent to a C, M or R-TC-MU district shall meet the following standards in addition to the standards set forth in Section 28.94:

- a. The parking lot must be appurtenant to a permitted use in the C, M or R-TC-MU District.
 - b. The parking area shall be paved.
 - c. A minimum six-foot high, solid board fence, or a minimum six-foot high masonry wall shall separate the parking lot from the adjoining residential uses.
 - d. Lighting capable of providing adequate illumination for security and safety and directed away from adjacent properties and public rights-of-way to prevent offensive light or glare.
- 3. Automobile Repair Garages.** 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.

4. Farm Equipment Sales

Farm equipment sales stores, incidental to the principal agricultural use on the property, as permitted in the applicable zoning district, must meet the applicable development standards delineated in the applicable zoning district, as well as the following specific development standards:

- a. Shall be operated, maintained, and occupied by the property owner or occupant.

5. Farm and Ranch Supply Store

A farm or ranch supply store, incidental to the principal agricultural use on the property, as permitted in the applicable zoning district, must meet the applicable development standards delineated in the applicable zoning district, as well as the following specific development standards:

- a. Shall be operated, maintained, and occupied by the property owner or occupant.

6. Neighborhood Commercial Uses.

A commercial center where building(s) or uses do not exceed one thousand five hundred square feet of floor area, unless the Director of Resource Management ~~for~~ determines the proposed use is consistent with the intent of the Neighborhood Commercial (C-N) District.

7. Outdoor Sales and Rental Lots

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

8. Roadside Stand (A, CR, P and R districts)

General. 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 Environmental Health Division approval prior to issuance of the use permit, and shall be determined to be in harmony with the committed character of the subject locality.

a. Roadside Stands within the (R) Districts:

A roadside stand incidental to a dwelling as permitted in an R district, must meet the following specific development standards:

- (1) Maximum Size.** Shall not be greater than 500 square feet in size, as determined by measuring the total roof-covered area.
- (2) Non-agricultural Product Sales.** Sales of non-agricultural products including pre-packaged food shall not be allowed.
- (3) Setbacks.** Minimum setback from an adjacent street shall be the same as required for the main building.
- (4) Ingress and Egress.** Shall have ingress and egress designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the encroachment permit requirements of the Director of Transportation, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
- (5) Operational Controls.** Shall provide adequate controls or measures to prevent dust, odor or light.
- (6) Off-Street Parking Requirements.** Shall provide off-street parking in accordance with Section 28-55 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.
- (7) Environmental Health Approval.** Shall obtain Department of Resource

Management, Environmental Health Services Division approval, if required, prior to operation.

(8) Compatibility with Community. Shall be determined to be in harmony with the community character of the subject locality.

b. Roadside Stands within the (A) and (CR) Districts:

A roadside stand, as permitted in any (A) District, must meet the applicable development standards delineated in the applicable zoning district, as well as the following specific development standards:

(1) Determining the Size of a Roadside Stand. Size, as regulated in the applicable zoning district, shall be determined by measuring the total roof covered area.

(2) On-site growing requirement. At least fifty percent (50%) of the crops sold shall be grown on-site or off-site on land owned or leased by the operator within Solano County. The balance of the stand shall be used for the sale and inventory of crops or other agricultural products, including non-agricultural products as regulated by this Chapter, grown or produced on-site or off-site.

(3) Pre-Packaged Food Sales. An area not exceeding 50 square feet may be used for the sale and inventory of pre-packaged food, provided that such food sales and inventory complies with the requirements of the Department of Resource Management, Environmental Health Services Division, and is from an “approved source” and is not a “potentially hazardous food” as defined by the California Health and Safety Code.

(4) Non-agricultural Product Sales. Non-agricultural product sales shall mean the on-site sales of non-agricultural products produced on and off the property, where the total inventory and sales area for such products is limited to fifty (50) square feet, except that sales and inventory of pre-packaged food shall be further subject to the requirements of (4) above.

(5) Setbacks. Minimum setback from an adjacent street shall be the same as required for the main building.

(6) Ingress and Egress. Shall have ingress and egress designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the encroachment permit requirements of the Director of Transportation, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.

(7) Operational Controls. Shall provide adequate controls or measures to prevent dust, odor or artificial light and glare.

(8) Off-Street Parking Requirements. Shall provide off-street parking in accordance with Section 28-94 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.

(9) Environmental Health Approval. Shall obtain Department of Resource Management, Environmental Health Services Division approval, if required, prior to operation.

(10) Compatibility with Community. Shall be determined to be in harmony with the community character of the subject locality.

28.74.20 OFFICE USES

A. General Requirements

Recreation uses shall comply with the following general standards:

1. **Access.** Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
2. **Roads.** Shall be located on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
3. **Setbacks.** Minimum setback from an adjacent street shall be the same as required for the main building.

B. Specific Requirements

The specific office uses listed below shall comply with the general requirements (28.74.20.A.1-10) above and the following specific standards:

1. Agricultural Research Facilities

Agricultural research facilities, conducted as an incidental activity to the production and/or processing of crops and other agricultural products, shall be permitted, subject to the standards below:

a. Standards.

(1) Public Road Access. Shall be located on a public road.

No Removal of Agricultural. Shall not require the removal of any crops or grazing plants.

2. Medical and Dental Laboratories

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

28.75 TOURIST USES

28.75.10 AGRITOURISM

A. General Requirements. Agritourism, incidental to the principal agricultural use of the property for commercial agricultural purposes, as permitted in the applicable zoning district, must meet the applicable development standards delineated in the zoning district and comply with the following:

- 1. Parking.** Adequate off-street parking shall be provided; parking areas and driveways shall be treated as necessary to control dust. Parking areas shall not be located any closer than 200 feet to an adjoining property. Shall provide off-street parking in accordance with Section 28-94 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.
- 2. Setback.** Minimum setback from an adjacent street shall be the same as required for the main building.
- 3. Ingress/Egress.** Shall have ingress and egress designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.

B. Specific Requirements

The specific agritourism uses listed below shall comply with the general requirements (28.75.10A.1-10) above and the following specific standards:

1. Agricultural Homestay

An agricultural homestay incidental to the principal agricultural use on the property, as permitted in the applicable zoning district, must meet the applicable development standards delineated in the zoning district and comply with the following:

- a.** Shall be restricted to one single family dwelling. No accessory structure shall be allowed for use as transient occupancy.

28.75.20 TEMPORARY AGRITOURISM

A. General Requirements

Agritourism, incidental to the principal agricultural use of the property for commercial agricultural purposes, as permitted in the applicable zoning district, must meet the applicable development standards delineated in the zoning district and comply with the following:

1. **Setback.** Minimum setback from an adjacent street shall be the same as required for the main building.
2. **Ingress/Egress.** Shall have ingress and egress designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.

B. Specific Requirements

The specific temporary agritourism uses listed below shall comply with the general requirements (28.75.20A.1-10) above and the following specific standards:

1. Amusement and Entertainment Uses

Amusement and entertainment uses incidental to the principal agricultural use on the property, as permitted in the applicable zoning district, must meet the applicable development standards delineated in the zoning district, comply with the general requirements for agritourism general requirements (28-75.20.A.1-10) above, and comply with the following:

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

2. Certified Farmer's Market

A certified farmer's market incidental to the principal agricultural use on the property, as permitted in the applicable zoning district, must meet the applicable development standards delineated in the zoning district, comply with the general requirements for agritourism (28-75.20.A.1-10) above, and comply with the following:

- a. The Farmers Market shall be operated, maintained and managed by the property owner or occupant.
- b. Only the producer or the producers' parents, children, grandparents and grandchildren or a relative regularly residing in the producer's household or an employee of the producer may sell the producer's products at the market. An employee is any person employed by the producer at a regular salary or wage, on either a full or part time basis. It does not include a person who is reselling or for whom compensation is primarily based on a commission on sales. Proof of status of an employee is an authorized agreement proving that the person selling is an employee of the Qualified Seller. An employee may not sell for more than one Qualified Seller at a time.
- c. The sale and inventory of prepackaged food, provided that such food sales and

- inventory complies with the requirements of the Department of Resource Management, Environmental Health Services Division, and is from an "approved source" and is not a "potentially hazardous food" as defined by the California Health and Safety Code is permitted.
- d. Nonagricultural product sales shall mean the on-site sales of nonagricultural products produced on and off the property, where the total inventory and sales area for such products is limited to 10% of the total sales area.
 - e. Minimum setback from an adjacent street shall be the same as required for the main building.
 - f. Shall have ingress and egress designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
 - g. Shall provide adequate controls or measures to prevent dust, odor or glare.
 - h. Shall provide off-street parking in accordance with Section 28-94 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.
 - i. Shall obtain Department of Resource Management, Environmental Health Services Division approval, if required, prior to operation.

3. Seasonal Sales Lots

Outdoor sales and rental lots shall show that adequate measures and controls shall be taken to prevent offensive noise, glare, odors and dust.

28.76 COMMERCIAL SERVICE USES

28.76.10 AGRICULTURAL SERVICES

A. General Requirements

- 1. Minimum setback from an adjacent street shall be the same as required for the main building.
- 2. Shall have ingress and egress on a county public road and shall be designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
- 3. Shall provide adequate controls or measures to prevent offensive noise, dust, odor or light and shall not constitute a nuisance.

4. Shall not require the removal of agricultural crops or grazing areas.

B. Specific Requirements.

The specific agricultural service uses listed below shall comply with the general requirements (A.1-7) above and the following specific standards:

1. Agricultural Commercial Kitchen

A commercial kitchen, as permitted in the applicable zoning district, must meet the applicable development standards delineated in the applicable zoning district, as well as the following specific development standards:

- a. Shall not exceed 400 square feet.
- b. At least twenty-five percent (25%) of the product processed within the commercial kitchen, averaged over 5 consecutive years, shall be grown on-site or off-site on land owned or leased by the operator within Solano County. The balance of the commercial kitchen may be used for the processing of crops or other agricultural products, grown or produced on-site or off-site.
- c. Product sales shall mean the on-site sales of nonagricultural products produced on and off the property, where the total inventory and sales area for such products is limited to a maximum percentage of the size of the stand, as specified in the applicable zoning district, except that sales and inventory of prepackaged food shall be further subject to the requirements of subsection (b) above.

2. Agricultural Trucking Services and Facilities

a. Standards.

- (1) Must meet the applicable development standards delineated in the applicable zoning district.
- (2) Shall be located to provide convenient trucking access with minimum interferences to normal traffic;
- (3) Shall provide loading spaces as required by the Zoning Administrator or Planning Commission;
- (4) Shall show that adequate measures shall be taken to control odor, dust, noise, and waste disposal so as not to constitute a nuisance;
- (5) Shall show that proposed source of water will not deprive others of normal supply.

28.76.20 COMMERCIAL SERVICE USES

A. General Requirements

1. Minimum setback from an adjacent street shall be the same as required for the main building.
2. Shall have ingress and egress on a county public road and shall be designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
3. Shall not require the removal of agricultural crops or grazing areas.

B. Specific Requirements

The specific commercial service uses listed below shall comply with the general requirements (28.76.20A.1-6) above and the following specific standards:

1. **Animal Hospitals and Veterinary Clinics.** Animal hospitals shall be operated by the property owner or occupant and 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.
2. **Large Kennels and Catteries.**
 - a. **Permit Requirements.** A large kennel or cattery is allowed, subject to the permit requirements in the applicable zoning district, and must meet the standards in (2) below:
 - b. **Standards.** Large kennels and catteries shall:
 - (1) Manage storm water to prevent feed and animal waste from entering any natural or constructed storm water facility, canal, creek, lake, pond, stream or river,
 - (2) Maintain a setback of 200 feet from any lot, for all activities, buildings and uses of the land,
 - (3) Utilize best practices to ensure that stray dogs or cats do not trespass onto adjacent public rights-of-way or private lands.
 - (4) Regulate, control or prohibit the accumulation of animal or vegetable matter in which fly larvae exist or any accumulation of filth or source of foulness hazardous to health or comfort of people, and
 - (5) Prohibit any nuisance, offensive matter, foul or noxious odors.

28.77 INDUSTRIAL, MANUFACTURING, PROCESSING AND WHOLESALE USES

28.77.10 INDUSTRIAL, MANUFACTURING AND PROCESSING USES

A. General Requirements

Recreation uses shall comply with the following general standards:

- 1. Access.** Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
- 2. Exterior Lighting.** Lighting capable of providing adequate illumination for security and safety and directed away from adjacent properties and public rights-of-way to prevent offensive light or glare.
- 3. Parking - Screening.** Parking areas shall be enclosed and screened by a solid fence or wall of a minimum height of six feet high or vegetation, except as may be waived by the Zoning Administrator or Planning Commission; and shall provide traffic surfaces that are maintained in a dust-free manner.
- 4. Roads.** Shall be located on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
- 5. Setbacks.** Minimum setback from an adjacent street shall be the same as required for the main building.

B. Specific Requirements

The specific industrial, manufacturing and processing uses listed below shall comply with the general requirements (28.77.10A.1-13) above and the following specific standards:

- 1. General Manufacturing Uses.** 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 28-95, all to insure and protect the public interest, health, comfort, convenience, safety and general welfare.
- 2. Junk and Wrecking Yards.** 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.

3. **Newspaper and Commercial Printing Shops.** 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.
4. **Warehouses.** 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.

28.77.10 WHOLESALE USES

A. **General Requirements.**

Wholesale uses shall comply with the following general standards:

1. **Access.** Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
2. **Exterior Lighting.** Lighting capable of providing adequate illumination for security and safety and directed away from adjacent properties and public rights-of-way to prevent offensive light or glare.
3. **Roads.** Shall be located on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
4. **Setbacks.** Minimum setback from an adjacent street shall be the same as required for the main building.

B. **Specific Requirements**

This section reserved.

28.78 COMMUNICATIONS INFRASTRUCTURE AND SERVICE USES

28.78.10 COMMUNICATIONS USES

A. **General Requirements**

Communication facilities may be permitted in any district; provided, that the provisions of Section 28-99 shall prevail when such facilities are within airport flight obstruction areas and a use permit is first secured in each case

B. Specific Requirements

The specific recreational uses listed below shall comply with the general requirements above and the following specific standards.

1. Wireless Communication Facilities.

See Section 28.81

28.78.20 INFRASTRUCTURE USES

A. General Requirements

Infrastructure uses, as permitted in the applicable zoning district, must meet the applicable development standards delineated in the zoning district and comply with the following general requirements:

- 1. Access.** Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
- 2. Roads.** Shall be located on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
- 3. Setbacks.** Minimum setback from an adjacent street shall be the same as required for the main building.

B. Specific Requirements

The specific infrastructure uses listed below shall comply with the general requirements (28.78.20.A.1-10) above and the following specific standards:

1. Airports

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.

2. Commercial Wind-turbine Generators

See Section 28-80

3. Waste Disposal, Processing, or Composting.

Disposal, processing, or composting of waste shall show that adequate controls or measures will be taken to prevent offensive smoke, odors, and fumes; and shall be located so that truck traffic noise and vibration shall not be offensive to neighboring dwellings.

4. Injection wells

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.

5. Reserved

6. Meteorological Towers

Meteorological towers may be allowed for a limited period of time. Towers less than 200 feet in height and not subject to review by the FAA, shall be marked and lighted for safety in the same manner as would be required by the FAA.

7. Oil and Gas Well

Oil and gas well drilling shall be allowed in A, A-L, M-G, I-WD and R-R, 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 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 watercourses.

- 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.

8. Pipeline, transmission line, or distribution line, inside of R.O.W.

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 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 11-111 of this Code. No part of such fee shall be refundable.

9. Utility Facilities or Infrastructure, outside of R.O.W.

All utility accessory uses and structures for transmission or distribution of electricity, gas, water, oil, gasoline, telephone, television or other utility services may be permitted in any district. Utility accessory uses and structures include, but are not limited to, compression, drying, regeneration stations, substations, or pumping stations.

10. Wind-turbines, non-commercial

See Section 28.80

(Ord. No. 1732, §7)

28.78.30 PUBLIC SERVICE USES

A. General Requirements

Public service uses, as permitted in the applicable zoning district, must meet the applicable development standards delineated in the zoning district and comply with the following general requirements:

- 1. **Access.** Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall

not be limited to, paving of the connection within the County road right-of-way.

2. **Roads.** Shall be located on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
3. **Setbacks.** Minimum setback from an adjacent street shall be the same as required for the main building.

B. Specific Requirements

The specific public service uses listed below shall comply with the general requirements (28.78.30.A.1-10) above and the following specific standards:

1. Cemeteries

Cemeteries, crematories, mausoleums, columbariums and mortuaries shall provide ingress and egress so designed as to avoid traffic congestion and shall maintain a minimum twenty-foot landscaped strip on all property lines abutting residential property and residential streets.

2. Community Care facilities

Community care facilities shall comply with the following standards:

- a. 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.
- b. 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.
- c. Shall obtain required state authorization, certification or licensing by the appropriate agency within six months of issuance of a use permit. If not obtained within six months, the use permit becomes null and void.

3. Hospitals and Sanitariums.

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 landscaped strip on all property lines abutting residential property.

4. Public Service Facility

A public service facility shall comply with the following standards and conditions:

- a. **Landscaping.** Public service facilities shall maintain a minimum ten-foot landscaped strip on all property lines abutting residential property.

28.78.40 TEMPORARY PUBLIC CONSTRUCTION AND INFRASTRUCTURE

The temporary use of land for on-site(private projects) and off-site (public infrastructure projects) construction offices, storage, stockpiling and construction yards and concrete/asphaltic mixing plants may be permitted while construction is being actively conducted pursuant to a valid building permit shall comply with the standards delineated in the applicable zoning district, as well as the standards below.

A. General Requirements

Temporary public construction and infrastructure uses, as permitted in the applicable zoning district, must meet the applicable development standards delineated in the zoning district and comply with the following general requirements:

1. **Access.** Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
2. **No Removal of Agricultural Uses.** Facilities, temporary commercial coaches, construction yards for the storage of materials and/or construction vehicles shall not result in the removal of productive agricultural uses of the land.
3. **Roads.** Shall be located on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
4. **Setbacks.** Minimum setback from an adjacent street shall be the same as required for the main building.
5. **Time Limits.** Temporary construction and infrastructure uses may be permitted for up to 24 months.

B. Specific Requirements

The specific temporary public construction and infrastructure uses listed below shall comply with the general requirements (28.78.40.A.1-12) above and the following specific standards:

1. **Temporary Commercial Coach**

A temporary commercial coach may be utilized on any construction site as an office. The commercial coach may not be used as a residence and shall meet all building setbacks applicable to permanent development on the parcel.

2. Temporary Concrete/Asphaltic concrete mixing plants and construction storage yards

Concrete and asphaltic concrete mixing plants and construction storage yards incidental to construction or public works projects may be allowed in any P district for a limited time, provided, a use permit is first secured in each case.

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.

3. Temporary Construction Office, Storage and Construction Yards, Stockpiling of dirt, gravel, asphalt for offsite construction

A temporary commercial coach may be utilized on any construction site as an office or storage area while construction is being actively conducted pursuant to a valid building permit for up to 18 months without the granting of a use permit. The commercial coach may not be used as a residence and shall meet all building setbacks applicable to permanent development on the parcel.

28.79 RESOURCE PROTECTION USES

A. General Requirements

Resource protection uses, subject to the provisions of the applicable zoning district, shall comply with the following general requirements:

1. Shall be consistent with the 2008 Solano County General Plan, as may be amended;
2. 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.
3. Shall show that adequate controls or measures will be taken to prevent invasive weeds, plants or animals from becoming a nuisance to surrounding properties.

B. Specific Requirements

This section reserved

28.80 COMMERCIAL WIND ENERGY FACILITIES

- A.** A wind turbine generator shall be permitted as prescribed in Article II by the Land Use Tables located within each zoning district.

- 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 bladetips 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 certify 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.
- 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.

28.81 WIRELESS COMMUNICATIONS FACILITIES

- A. Purpose.** This section is enacted to establish a consistent set of standards regulating the placement and design of wireless communication facilities in unincorporated areas of Solano County. These standards are intended to protect and promote public health, safety, community welfare and the unique visual character of Solano County by encouraging the orderly development of wireless communication infrastructure.
- B. Definitions.** For the purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them by this sub-section.

Amateur Radio (HAM) Operator. A person holding a written authorization to be the control operator of an Amateur Radio Facility. This authorization shall be in the form of a license or permit issued by the Federal Communications Commission or a foreign national or multinational license or permit recognized by treaty as valid in the United States.

Amateur Radio (HAM) Service. The radio communication services, including the amateur-satellite service and the amateur service, which are for the purpose of self-training, intercommunication and technical investigations carried out by amateurs who are duly authorized persons interested in radio technique solely with a personal aim and without pecuniary interest, as defined in Title 47, Code of Federal Regulations, Part 97 and regulated thereunder.

Amateur Radio (HAM) Facility. A wireless communication facility operated by a Federally-licensed Amateur Radio Operator as part of the Amateur Radio Services.

Antenna. Any system of towers, poles, panels, rods, wires, drums, reflecting discs or similar devices used for the transmission or reception of electromagnetic waves. The distinction is made between the support structure and the antenna(s) mounted thereon. See also Satellite Dish or Satellite Antenna.

Broadcast. To transmit a signal for direct reception by the general public.

Broadband. Pertaining to a transmission system or facility with an information bandwidth capacity greater than a single voice channel (3 kHz).

Cell. A geographic area covered by a single cellular, ESMR or PCS transmitter.

Cellular Network. A system providing mobile telephone services through all the cells in a coverage area. A coverage area consists of multiple adjacent cells operating on slightly different frequencies. Calls are “handed-off” from one cell to the next as a mobile unit moves from cell to cell. This is the fundamental innovation that has allowed for the development of cellular, ESMR and mobile PCS services.

Cellular Telephone System. A mobile radio system that connects subscriber hand held devices to each other through the cellular network and with wireline telephones through the public switched network.

Co-location. The installation of wireless communication facilities owned and/or operated by two or more entities on a single structure or tower.

Commercial Wireless Communication Facility. A wireless communication facility operated by a for-profit business, and includes Commercial Private Wireless Communication Facilities and Commercial Public Wireless Communication Facilities.

Commercial Private Wireless Communication Facility. A wireless communication facility operated by a for-profit business for its own internal purposes and without supplying access to members of the general public. See, by contrast, Non-Commercial Wireless Communication Facility and Commercial Public Wireless Communication Facility.

Commercial Public Wireless Communication Facility. A wireless communication facility operated by a for-profit business whose business is provision of wireless communication

services to subscribers or the general public. See, by contrast, Non-Commercial Wireless Communication Facility and Commercial Private Wireless Communication Facility.

Enhanced Specialized Mobile Radio Service (ESMR). A Specialized Mobile Radio Service (SMR) system (see definition below) which utilizes digital cellular technology to enable wide-area coverage as well as interconnection with other users and the cellular and public switched (landline) telephone networks.

Federal Communications Commission (FCC). The Federal regulatory agency established and provided for in Title 47, U.S. Code, and charged with regulation of communication by wire and radio (which includes broadcast and non-broadcast communication of any type).

Gigahertz (GHz). A unit of measurement of radio frequency equal to one billion Hertz (cycles per second). One gigahertz is equivalent to 1000 megahertz (MHZ). Microwave frequencies are usually expressed in gigahertz.

Ground-Mounted Antenna. An antenna which is attached to a support structure resting on the ground, and has an overall height not greater than fifteen feet above finished grade at the base of the structure. This definition includes antennas which are sometimes referred to as “post mounts” and “ground builds.”

Grouped Facility. The installation of several wireless communication facilities owned and/or operated by two or more entities on separate structures or towers within a single parcel and with each facility no more than 100 feet from at least one other facility.

Kilohertz (kHz). A unit of measurement of radio frequency equal to one thousand Hertz (cycles per second). One thousand kilohertz is equivalent to one megahertz (MHZ). AM and “shortwave” Broadcast frequencies are usually expressed in kilohertz.

Megahertz (MHz). A unit of measurement of radio frequency equal to one million Hertz (cycles per second). One thousand kilohertz is equivalent to one megahertz, and one thousand megahertz is equivalent to one gigahertz. FM and TV Broadcast frequencies and “VHF” and “UHF” communication frequencies are usually expressed in megahertz.

Non-Commercial Wireless Communication Facility. A wireless communication facility operated by a government agency, a non-profit organization, or a private citizen for personal use. It includes all Amateur Radio Facilities. See, by contrast, Commercial Wireless Communication Facility.

Operator. Any person or organization that controls the operation and maintenance of a wireless communication facility.

Paging. A wireless communication service that communicates a limited message to a subscriber units which are relatively small and can be carried on the subscriber’s person. Current paging systems are one-way (subscriber receives the message) but future systems can be two-way in nature. Paging systems are not considered “real time” interactive systems.

Personal Communications Services (PCS). Digital wireless services that offer high quality voice and data communication.

Radio. A generic term for communication of sound, data, or energy by means of electromagnetic wave propagation. For regulatory purposes “radio” includes the popular terms “television” and “microwave”. The term “wireless” is interchangeable with “radio” and is the popular term in several other English-speaking countries and some translations.

Radio-frequency (RF). A description pertaining to the electromagnetic spectrum between the audio-frequency portion and the infrared portion.

Radio-frequency Exposure Professional. A certified professional electrical engineer, health physicist or other technical expert with an understanding of the effects and measurement of exposure of the human body to radio frequency energy. Such professional must have substantial professional experience performing environmental measurements of radio frequency (RF) exposure and preparing radio frequency exposure evaluation reports for a variety of entities.

Roof-Mounted. An antenna that is mounted directly to, or on a support structure mounted to, the roof or otherwise on the top most level or levels of a building exterior.

Satellite Dish or Satellite Antenna. An antenna incorporating a reflective surface that is solid, open mesh, or bar configured to form a shallow dish, cone, horn or cornucopia used to transmit and/or receive electromagnetic signals to or from a satellite. This definition includes antennas that are sometimes called “SES,” “TVRO,” “TVBS,” and “DBS” antennas.

Satellite Transmission. A communication system involving signals sent to (“uplink”) and/or by (“downlink”) an orbiting communication relay satellite.

Site. A legal parcel accommodating a wireless communication facility.

Specialized Mobile Radio (SMR). A radio system in which licensees provide land mobile communication services in the 800 MHZ and 900 MHZ bands on a commercial basis to entities eligible to be licensed in the Private Radio Services (Part 90 of the FCC Rules), federal government entities and individuals. See also Enhanced Specialized Mobile Radio System (ESMR).

Stealth Mount. A way of mounting an antenna that hides the antenna by making it appear to be a part of a structure, tree or other natural object.

Structure-Mounted. Any antenna which (1) is not attached to a dedicated support structure resting on the ground and (2) is attached to a building, billboard, tank, sign, utility pole, or other structure. This definition includes antennas sometimes referred to as “facade mounts” and “sign mounts”.

Tower. A dedicated support structure resting on the ground or attached to another structure, whose principal use is to support wireless communication equipment.

Tower-Mounted. Any antenna which is attached to a tower and has an overall height greater than ten feet above finished grade at the base of the structure. This definition includes antennas that are sometimes referred to as “monopoles”, “lattice towers” and “guyed towers”.

Wireless Communication. Electronic communication using radio signals sent between two or more points.

Wireless Communication Facility. The equipment and associated unmanned structures needed to transmit and/or receive electromagnetic signals. A wireless communication facility typically includes antennas, supporting structures, enclosures and/or cabinets housing associated equipment, cable, service parking, and access. Receive-only radio and television antennas and satellite dishes or antennas are excluded from this definition.

Wireline Communication. Electronic communication using physical connections such as wire cables or fiber optics to transmit signals between two or more points.

C. **Exemptions.** The following wireless communication facilities shall be exempt from this section, and shall be permitted without review by the Planning Commission or Zoning Administrator, provided that the specified conditions are met:

1. Receive-only radio and television antenna, including satellite dishes, provided that:
 - a. The antenna must meet all height, setback, lot coverage and other limitations on structures in its zoning district;
 - b. The antenna may not be installed between a public street and a structure;
 - c. All required building permits must be obtained;
 - d. If installed in the R-S, R-D, R-M or R-E zoning districts and the antenna is mounted on a tower less than 12 feet high; and
 - e. These requirements do not (1) unreasonably delay or prevent the installation, maintenance or use; (2) unreasonably increase the cost of installation, maintenance or use; or (3) preclude reception of an acceptable signal.
2. Temporary wireless communication facilities providing public information coverage of a news event, provided that they are set up for a duration of 72 hours or less.
3. Cell on Wheels (C.O.W.) and Cell on Light Truck (COLT) facilities replacing a damaged facility and/or meeting the public need in the event of a public emergency or disaster declared by the County or other governmental authority.
4. Temporary crank-up towers up to 100 feet erected for a duration of 24 hours or less for the purposes of testing.
5. Amateur radio station facilities, provided that all antennas and supporting structures meet the following requirements:

- a. Only one amateur radio station facility shall be installed on any single parcel, and all fixed radio equipment, antennas and antenna support structures so installed shall be included as part of that single facility.
- b. All fixed radio equipment, antennas and antenna support structures shall comply with setback, lot coverage and other standards, except height, required in its zoning district.
- c. In the R-S, R-D, R-M and R-E zoning districts, the height of the supporting tower shall not be more than 35 feet above natural grade when the station is not in use, and not more than 75 feet above natural grade when the station is in use.
- d. In non-residential districts and the Rural Residential (R-R) district, the height of the supporting tower shall not be more than 75 feet above natural grade at any time.
- e. Multiple antennas shall be grouped so as not to exceed 16 square feet in area when feasible.
- f. All required building permits shall be obtained.

D. General Requirements. All new, altered and re-permitted wireless communication facilities in unincorporated Solano County, with the exception of those exempted in Sub-Section (c), shall meet the following general requirements, regardless of the zoning district in which they occur:

1. **Zoning Districts.** Wireless communication facilities may be located in all zoning districts, except the Marsh Preservation (MP) District, upon approval of a Use Permit as described below.
2. **Use Permit Required.** All wireless communication facilities, other than those designated as exempt in Sub-Section (C), require a Use Permit. To obtain a use permit, a hearing is required before either the Zoning Administrator or the Planning Commission, as described in Sub-Section (E).
3. **Building Permit Required.** All wireless communication facilities shall require a building permit issued by the County of Solano.
4. **Design Consistency with the Surrounding Environment.** To the maximum extent feasible, all wireless communication facilities shall blend in with the predominant features of the existing natural and/or built environments in which they are located. To this end, co-location, stealth mounts, structure mounts and ground mounts are particularly encouraged.
5. **Height.** All wireless communication facilities shall conform to the following height requirements:
 - a. All wireless communication facilities shall be of the minimum functional height, with additional provisions for co-location, as allowed in Sub-Section c., below.
 - b. All wireless communication facilities constructed within 3/4 mile of a designated

- scenic corridor shall conform with the height limit in the zoning district in which they are located. New facilities that are co-located with an existing facility may exceed their zoning district's height limit, provided that the installation of the new facility does not require a height increase of the existing facility.
- c. Outside of 3/4 mile of a designated scenic corridor, no wireless communication facility, except an exempt facility, may exceed 65 feet. A bonus of 20 additional feet per facility, up to a maximum height of 105 feet, is permissible for operators co-locating on a single tower.
 - d. No roof-mounted wireless communication facility, except an exempt facility, may be more than 15 feet taller than the roof of the building on which it is mounted.
 - e. If an operator wishes to apply for an exception to these height limitations, then the facility shall be subject to a Use Permit before the Planning Commission, as described in Sub-Section (e) 2, below.
6. **Screening.** All wireless communication facilities shall be screened to the maximum extent possible, pursuant to the following requirements.
- a. Ground- and tower-mounted antennas and all accessory structures shall be located within areas where substantial screening by vegetation, landform and/or buildings can be achieved. Additional vegetation and/or other screening may be required as a condition of approval.
 - b. The projection of structure-mounted antennas from the face of the structure to which they are attached shall be minimized.
 - c. Roof-mounted antennas shall be set back from the edge of the roof a distance greater than or equal to the height of the antenna. For roof-mounted antennas, a screening structure that is architecturally compatible with the building on which it is mounted may also be required as a condition of approval.
7. **Radio-frequency exposure.** No wireless communication facility shall be sited or operated in such a manner that it poses, either by itself or in combination with other such facilities, a potential threat to public health. To that end, no wireless communication facility or combination of facilities shall produce at any time power densities that exceed the current FCC adopted standards for human exposure to RF fields. Certification that a facility meets this standard is required as described in Sub-Section (h).
8. **Cabling.** For structure mounted antennas, all visible cabling between equipment and antennas shall be routed within the building wherever feasible. Cabling on the exterior of a building or monopole shall be located within cable trays painted to match. All cabling shall be performed in accordance with the NEC.
9. **Painting and Lighting.** No wireless communication facility shall be installed at a location where special painting or lighting will be required by FAA regulations unless technical

evidence acceptable to the Planning Commission is submitted showing that this is the only technically feasible location for this facility. Facilities shall be generally unlit except when authorized personnel are present at night. All facilities shall be painted or constructed of materials to minimize visual impact.

- 10. Noise.** All wireless communication facilities shall be designed to minimize noise. If a facility is located in or within 100 feet of a residential district, noise attenuation measures shall be included to reduce noise levels to a maximum exterior noise level of 50 L_{dn} at the facility site's property lines.
- 11. Accessory Structures.** Enclosures and cabinets housing equipment related to a wireless communication facility shall meet setback and height restrictions for such structures in their zoning districts. Such structures shall appear architecturally compatible with their surroundings and be designed to minimize their visual impact. To meet this requirement, underground vaults may be required.
- 12. Roads and Parking.** Wireless communication facilities shall be served by the minimum roads and parking areas necessary and shall use existing roads and parking areas whenever possible.
- 13. Provisions for Future Co-location.** All commercial wireless communication facilities shall be encouraged to promote future facility and site sharing. Technical evidence will be provided as to the infeasibility of co-location or grouping prior to the issuance of a new use permit for a facility that would not be considered to be co-located or grouped under this ordinance.
- 14. Removal Upon Discontinuation of Use.** All equipment associated with a wireless communication facility shall be removed within 90 days of the discontinuation of the use and the site shall be restored to its original pre-construction condition. The operator's agreeing to such removal and allowing the County access across private property to effect such removal shall be a condition of approval of each permit issued. At its discretion, the County may require a financial guarantee acceptable to the County to ensure removal.

E. Permitting Requirements. All wireless communication facilities not specifically exempted from these regulations are subject to one of the two permit processes described below.

- 1. Use Permit before the Zoning Administrator.** Certain wireless communication facilities may be conditionally approved by the Zoning Administrator, as described in this sub-section.
 - a. Qualifying Facilities.** The following types of wireless communication facilities qualify for a use permit before the Zoning Administrator:
 - (1)** Receive-only radio and television antennas and satellite dishes or antennas that do not qualify for exemption under Sub-Section (c), including multiple antennas or dishes on a single parcel.

- (1) No alternative site or design is available that would allow for issuance of a Use Permit before the Zoning Administrator for the facility. This finding shall be based on the results of an Alternatives Analysis, as described in Sub-Section (f), below.
 - (2) The facility either 1) does not require an RF Environmental Evaluation Report as described in Sub-Section (h), or 2) the RF Environmental Evaluation Report for the facility shows that the cumulative Radio-frequency exposure emitted by the facility and any near-by facilities will be consistent with FCC regulations.
 - (3) The facility blends in with its existing environment and will not have significant visual impacts.
- F. Alternatives Analysis.** For a facility requiring a Use Permit before the Planning Commission, an Alternatives Analysis shall be prepared by or on behalf of the Operator, as described below.
1. **Alternatives to be Considered.** The Alternatives Analysis shall consider alternative locations and designs for the proposed facility, including those which would not require a Use Permit. At a minimum, alternatives included in the analysis shall include 1) co-location at all existing wireless communication facilities whether in the unincorporated County, a city or an adjacent county, 2) lower, more closely spaced wireless communication facilities; and 3) mounting on any existing non-residential structure within 2-mile of the proposed facility in unincorporated Solano County. The alternatives analyzed shall be approved by the Zoning Administrator. For facilities to be located near an incorporated city, the analysis shall also explain why siting within the city is not possible.
 2. **Findings.** The Alternatives Analysis shall show whether or not the proposed siting and design would have the least possible environmental and visual effect on the community and whether any alternative site or design is available that would allow for issuance of a Use Permit before the Zoning Administrator for the facility.
 3. **Review.** The Zoning Administrator may, at his/her discretion, employ on behalf of the County an independent technical expert to review this Alternatives Analysis. The Operator shall bear the reasonable costs of this review.
- G. Visual Analysis.** For a facility requiring review before the Planning Commission and located within 3/4 mile of a designated scenic roadway, a visual analysis shall be prepared by or on behalf of the Operator, as described below. This visual analysis shall demonstrate compliance with provisions of the Scenic Roadway Element of the Solano County General Plan.
1. **Contents.** The visual analysis shall include the following contents.
 - a. A map of the visual units (as defined in the Scenic Roadway Element) from which the proposed facility will be visible.
 - b. A map of foreground and distant view components, as defined by the Scenic Roadways Elements.

- e. The RF Environmental Evaluation Report shall compare RF measurements and/or calculations of RF exposure to the applicable FCC exposure standard. The comparison shall include the power density in micro-watts per square centimeter and as a percentage of the applicable FCC exposure standard.
 - f. RF field measurements of power density of the proposed facility and/or surrounding facilities are required to be included in the RF Environmental Evaluation Report when:
 - 1. Adequate technical information regarding other wireless communication facilities that may substantially contribute to RF exposure at the subject site is unavailable;
 - 2. Calculations of RF exposure indicate the possibility of exposures in excess of the FCC exposure standard; or
 - 3. So directed by the Zoning Administrator because of concerns about the number of near-by facilities.
 - g. All required RF field measurements shall be performed by a Radio-frequency Exposure Professional. Evidence must be submitted showing that the testing instrument(s) used were calibrated within their manufacturer's suggested periodic calibration interval, and that the calibration is by methods traceable to the National Institute of Standards and Technology. Measurements shall be performed in compliance with FCC guidance regarding the measurement of RF emissions and shall be conducted during normal business hours on a non-holiday week day.
 - h. The Zoning Administrator or his/her designee may monitor the performance of testing required for preparation of the RF Environmental Evaluation Report. The cost of such monitoring shall be borne by the Operator.
 - i. For an amateur radio station facility, self-certification of compliance by the amateur radio station license is acceptable if permitted by FCC regulations and conducted under standards and procedures set forth by the FCC.
3. **Modifications to Facilities.** To the extent necessary to ensure compliance with adopted FCC regulations regarding human exposure to RF emissions, or upon the recommendation of the Zoning Administrator, the operator shall modify the placement of the facilities; install fencing, barriers or other appropriate structures or devices to restrict access to the facilities; install signage, including the radio-frequency hazard warning symbol identified in ANSI C95.2-1982 and multi-lingual warnings if deemed necessary by the Zoning Administrator to notify persons that the facility could cause exposure to RF emissions; and/or implement any other practice reasonably necessary to ensure that the facility is operated in compliance with adopted FCC RF emission standards.
4. **Changes to FCC Standards.** If the FCC RF emission standards are modified, the operator shall ensure that the facility is reevaluated for compliance with the new standards, and a recertification statement prepared by a Radio-frequency Exposure Professional shall be submitted by the Operator to the Zoning Administrator prior to the

effective date of the new FCC RF emission standards. For an amateur radio station facility, self-certification of compliance by the amateur radio station license is acceptable if permitted by FCC regulations and conducted under standards and procedures set forth by the FCC.

I. Application: Applications for use permits shall be made in writing on a form prescribed by the Zoning Administrator, and shall be accompanied by plans and data to assure the fullest practical presentation of facts for the permanent record. Such application shall be accompanied by a fee or fees as may be set by the Board of Supervisors. Not part of such fee shall be refundable.

J. Life of Approval

- 1. General Term.** Permits for wireless communication facilities issued under these regulations shall generally be valid for a fixed term of ten years. All permits issued prior to January 1, 2012, shall become fixed term permits and shall expire December 31, 2022.
- 2. Co-located facilities.** A permit for a new co-located facility at a facility with an existing permit that has more than five years remaining on it shall have the same term as the existing permit. If a permit is issued for a new co-located facility at a facility with an existing permit that has less than five years remaining on it, than the existing permit shall be extended to the same term as the new permit.
- 3. Revocation.** If the conditions of a Use Permit granted under this Section are not complied with, the Use Permit may be revoked pursuant to Section 28.53 (j) of the Zoning Code.

K. Facilities in Existence Prior to Adoption of these Regulations

- 1. Facilities Permitted Prior to Adoption of these Regulations.** Wireless communication facilities that obtained valid permits from Solano County and were constructed prior to the enactment of this Ordinance are not subject to these regulations. However, permits that require renewal will be renewed under these regulations, and any facilities operating with existing permits which are proposed for modification must acquire new permits under these regulations.
- 2. Facilities Operating Without Permits but Existing Prior to Adoption of these Regulations.** All non-exempt wireless communication facilities without permits issued by Solano County must acquire them under the provisions of these regulations within 90 days of the adoption of these regulations

(Ord. No. 1726, §2)

ARTICLE IV

SITE DEVELOPMENT AND OTHER STANDARDS

Sections:

- 28.90 Site Development Standards (Reserved)**
- 28.91 Architectural Standards**
- 28.92 Building Site Special Provisions**
- 28.93 General Height Regulations and Exceptions**
- 28.94 Parking Requirements**
- 28.95 Performance Standards**
- 28.96 Signs**
- 28.97 Yards**
- 28.98 Miscellaneous Provisions**
- 28.99 Airport Flight Obstructions**

28.90 Site Development Standards (Reserved)

28.91 Architectural Standards

28.91.10 Purpose

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.

28.91.20 Applicability

The provisions of this Section shall apply to all zoning districts.

28.91.30 Architectural Standards

In carrying out the purposes of this Section, the Zoning Administrator or Planning Commission shall keep in mind the following standards:

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

28.91.40 Other Requirements

- A. In carrying out the purposes of this Section, the Zoning Administrator or Planning Commission 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.
- B. 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 28.72.10(A)(1), existing architecture, and use of exterior materials used on structures in the immediate neighborhood.

28.92 Building Site Special Provisions

- A. **Establishment of building lines.** For the purpose of assuring the proper right-of-way width of certain streets or highways designated by the General 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 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.
- C. **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 area bounded by the centerline of the public or private road right-of-way on which the parcel fronts, and the parcel sidelines extended to such right-of-way centerline may be included in the computation of the minimum parcel area requirement.

4. 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.

5. In any district where one-family dwellings are an allowed use, the Zoning Administrator 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 or authorize a temporary deferral to complete a zoning requirement to issue a building permit or Certificate of Occupancy; 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 or timely completion of a specified zoning requirement. The owner shall, upon execution of the agreement, deliver to the County a Certificate of Deposit, 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 certificate, 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 or comply with the zoning requirement 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 or verify compliance with the zoning requirement as stipulated in the agreement.

6. The minimum parcel area requirement of the zoning district wherein certain uses maybe 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.

28.93 General Height Regulations and Exceptions

A. 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 provided a use permit is first secured for such structures in the M-G District; except that the provisions of Section 28-99 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, provided however that a fence between the building line and any street line may exceed three feet in height if the portion of the fence that exceeds three feet in height is open so that it permits adequate visibility. Examples of open fences include chain link, wire fences and wrought iron fences.
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.

28.94 Parking Requirements

A. Minimum number of off-street parking spaces required in any district shall be as follows:

<u>Land Use</u>	<u>Number of Off-Street Parking Spaces Required</u>
1. Residential uses	Two spaces per each primary dwelling unit and one space for each secondary dwelling, 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. Spaces shall also comply with the development and architectural standards in Section 28-102 (Architectural Approval) of this Chapter. Exception to the above: one enclosed space plus one unenclosed space per dwelling unit in a duplex in the R-D district.
2. Boardinghouses and rooming houses	One space per each guest.
3. Agricultural homestay	One space per each guest room, plus spaces required for the primary residence and any secondary dwelling.
4. Motel	One and one-tenth space per unit.
5. Mobilehome park	One and one-half spaces per mobilehome space, plus one visitor space per four mobilehome spaces.
6. Hospital	One space per five hundred square feet of gross floor area.
7. Medical and dental gross floor area.	One space per one hundred fifty square feet of clinics
8. Public assembly -- church, theater, lodge, hall, auditorium, stadium, arena, gymnasium, mortuary, special events, and similar uses.	One space per four seats or one space per each four persons at capacity.
9. Industrial uses	One space per two employees.
10. Retail and office buildings and roadside stands.	One space per two hundred square feet of gross floor area.
11. Commercial service buildings, workshops, warehouses, etc.	One space per eight hundred square feet of gross floor area.
12. 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

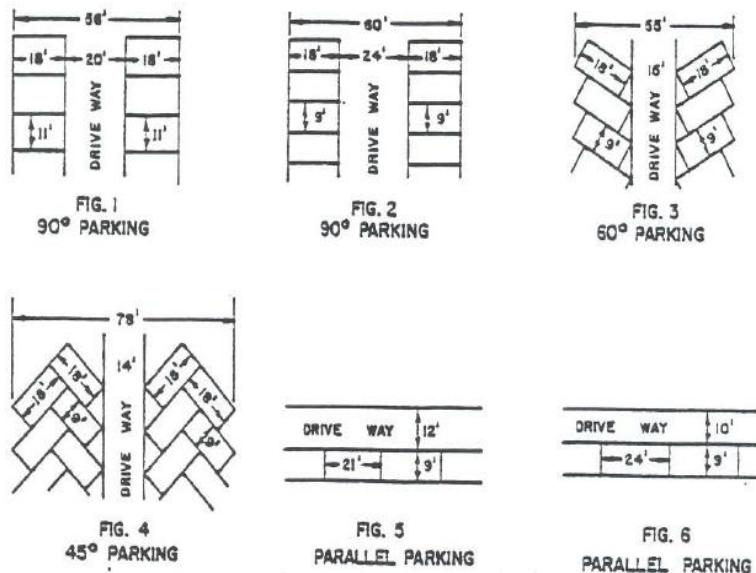
1. The parking area shall be on-site, unless, due to unusual circumstances, proposed off-site parking is found by the Zoning Administrator or Planning Commission to be reasonably

acceptable.

2. No on-street parking shall satisfy any of the parking requirements of Section 28-94(a).

C. Standard parking arrangements and dimensions

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.
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. All connections to County roads shall meet the encroachment permit requirements of the Director of Transportation, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.



3. All required parking spaces for residential uses shall be a minimum nine (9) feet in width by eighteen (18) feet in length unless otherwise provided in subsection (c)(1).
4. Where a two-car enclosed garage for dwellings is required by Section 28-94 (Architectural Approval) of this Chapter, the minimum interior parking area within the garage shall be eighteen (18) feet wide by eighteen (18) feet deep.

D. Curb openings

1. The width, placement and construction of curb openings shall conform to the requirements of the Director of Transportation.

E. Grading and drainage

1. The grading and drainage of all parking areas shall conform to the requirements of the Director of Transportation.

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 unless precluded by access requirements for the disabled, pursuant to Building Code.
 - 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, and unless otherwise precluded by access requirements for the disabled, pursuant to Building Code.
 - c. Notwithstanding the requirements in paragraphs a and b above, parking areas shall comply with the Building Codes applicable at the time of issuance of permits by the County.
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, unless a greater width is required by Fire Code.
2. The minimum width of any driveway shall be ten feet, unless a greater width is required by Fire Code.

H. Emergency vehicle access

1. Notwithstanding the requirements in subsections (G)(1) and (G)(2), emergency access roads and lanes for fire apparatus and other emergency vehicles and equipment shall comply with the following:
 - a. Have an unobstructed width of not less than 20 feet.
 - b. Have an unobstructed vertical clearance of not less than 13.5 feet.
 - c. Meet all other requirements of the Building and Fire Codes applicable at the time of

issuance of permits by the County.

I. 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.

J. Lighting

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.

K. Accessible parking for the disabled

1. Parking spaces for the disabled shall be provided in accordance with the Building Codes applicable at the time of issuance of permits by the County and are to be included as part of the total number of parking spaces required by this Chapter.

28.95 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. Performance standards may be imposed on a proposed use otherwise allowed by right within the zoning district if the Director determines that the proposed use is likely to create or emit dangerous or objectionable elements. The Director's determination may be appealed to the Planning Commission.
2. If the Director determines that the proposed use may cause the emission of dangerous or objectionable elements, the Director 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 Zoning Administrator and a copy to the applicant at the same time.

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. Building permits may be issued only as described in the performance standards approved by the Zoning Administrator for the use.
4. Within thirty days after the Zoning Administrator has received the aforesaid application, or the aforesaid report if a report be required, the Zoning Administrator 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 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 Zoning Administrator or Planning Commission to advise in establishing a violation shall be financed by the violator, if such violation is established; otherwise by the County.

D. **Appeals.** Appeal from the action of the Zoning Administrator may be made according to the provisions of Section 28-112.

28.96 Signs

Subsections

- 28.96.10 Purpose of Section**
- 28.96.20 Applicability**
- 28.96.30 Sign Permit Requirements**

28.96.40 Prohibited Signs
28.96.50 General Requirements for All Signs
28.96.60 Zoning District Sign Standards
28.96.70 Standards for Specific Types of Signs
28.96.80 Exceptions to Sign Standards
28.96.90 Nonconforming Signs
28.96.100 Violations and Abatement
28.96.110 Appeal
28.96.120 Judicial Review
28.96.130 Definitions
28.96.10 - Purpose of Section

The regulations established by this Section are intended to specify standards for the placement, type, size, and number of signs allowed within the unincorporated areas of the County, and to require the proper maintenance of signs. The purposes of these standards and requirements are to:

- A. Avoid traffic safety hazards to motorists and pedestrians caused by visual distractions and obstructions;
- B. Promote the aesthetic and environmental values of the community by providing for signs that do not impair the attractiveness of the County as a place to live, work, and shop;
- C. Provide for signs as an effective channel of communication, while ensuring that signs are aesthetically proportioned in relation to adjacent structures and the structures to which they are attached; and
- D. Safeguard and protect the public health, safety, and general welfare.

28.96.20 - Applicability

- A. **Signs regulated.** The requirements of this Section shall apply to all signs in all zoning districts.
- B. **Applicability to sign content.** The provisions of this Section do not regulate the message content of signs (sign copy), regardless of whether the message content is commercial or noncommercial.

28.96.30 - Sign Permit Requirements

No sign shall be installed, constructed, or altered unless it is first approved in compliance with this Section, or allowed without Sign Permit approval by Subsection F., below.

- A. **Fees and plans required.** An application for a Sign Permit shall be filed and processed. The application shall also include architectural elevations and plans of all proposed signs drawn to scale, with all dimensions noted, and include illustrations of copy, colors, materials, and samples of the proposed colors and materials. The required architectural elevations shall

show both the proposed signs, and any structures on which they will be placed.

B. Review and approval. The Zoning Administrator shall review all Sign Permit applications and approve only those that comply with the findings required in Subsection D. The Zoning Administrator may require conditions of approval as are reasonably necessary to achieve the purposes of this Section.

C. Master Sign Plan.

1. When required. The Zoning Administrator has the authority to approve or disapprove a Master Sign Plan. A Master Sign Plan is required prior to the issuance of any Sign Permit for:

- a. A new nonresidential project with four or more tenants; and
- b. Major rehabilitation work on an existing nonresidential project with four or more tenants, that involves exterior remodeling, and/or application requests to modify 50percent or more of the existing signs on the site within a 12-month period. For the purposes of this Section, major rehabilitation means adding more than 50 percent to the gross floor area of the building/buildings, or exterior redesign of more than 50 percent of the length of any facade within the project.

All signs installed or replaced within the nonresidential project shall comply with the approved Master Sign Plan.

2. Content of plan. A Master Sign Plan shall provide standards for the uniform style, construction, size, and placement of signs within the proposed nonresidential project.

D. Findings for approval. The approval of a Sign Permit or Master Sign Plan shall require that the Zoning Administrator first make all the following findings:

1. The proposed signs do not exceed the standards of Sections 28.96.060 (Zoning District Sign Standards) and 28.96.070 (Standards for Specific Types of Signs), and are of the minimum size and height necessary to enable motorists and pedestrians to readily identify the facility or site from a sufficient distance to safely and conveniently access the facility or site;
2. The size, location, and design of the signs are visually complementary and compatible with the size and architectural style of the primary structures on the site, any prominent natural features of the site, and structures and prominent natural features on adjacent properties on the same street in the immediate vicinity; and
3. The proposed signs are in substantial conformance with the sign design criteria provided in Section 28.96.050 D and E.

E. Time limit for action. A Sign Permit or a Master Sign Plan shall be approved or disapproved by the Zoning Administrator within 30 days of the application being accepted as

complete.

F. Signs and sign changes allowed without a Sign Permit. The following are allowed without a Sign Permit, provided that they comply with Section 28.96.050 (General Requirements for All Signs), and any required Building Permit is obtained.

1. Nonstructural modifications, and maintenance.

- a. Modifications to sign copy on conforming signs, or changes to the face or copy of conforming changeable copy signs;
- b. The normal maintenance of conforming signs, except as set forth in 28.96.050 F.

2. Temporary signs. Temporary signs that are allowed without a Sign Permit by Section 28.96.070 D.

3. Governmental signs. Signs installed by the County, or a Federal or State governmental agency within a public right-of-way; and any sign, posting, notice, or similar sign placed by or required by a governmental agency in carrying out its responsibility to protect public health, safety, and general welfare.

4. Official flags. Flags of national, State, or local governments, or nationally recognized religious, fraternal, or public service agencies, provided that the length of the flag shall not exceed one-fourth the height of the flag pole. The maximum allowed height of a flag pole in a residential zoning district shall be 12 feet; the maximum height of a flag pole in a non-residential zoning district shall be 30 feet.

5. Public directional signs and notices. Signs showing the location of public facilities such as public telephones, restrooms, and underground utilities, and no trespassing signs.

6. Service station price signs. Service station price signs required by State law.

7. Street addresses. Street address numbers not exceeding an aggregate area of two square feet.

8. Time and Temperature displays.

9. Existing off-premise signs.

28.96.40 - Prohibited Signs

In order to achieve the purposes of this Section described in Section 28.96.010 (Purpose of Section), the following types of signs and devices are prohibited:

A. Abandoned signs;

B. Animated signs, including electronic message display signs, and variable intensity, blinking, or flashing signs, except time and temperature displays (which are not considered signs);

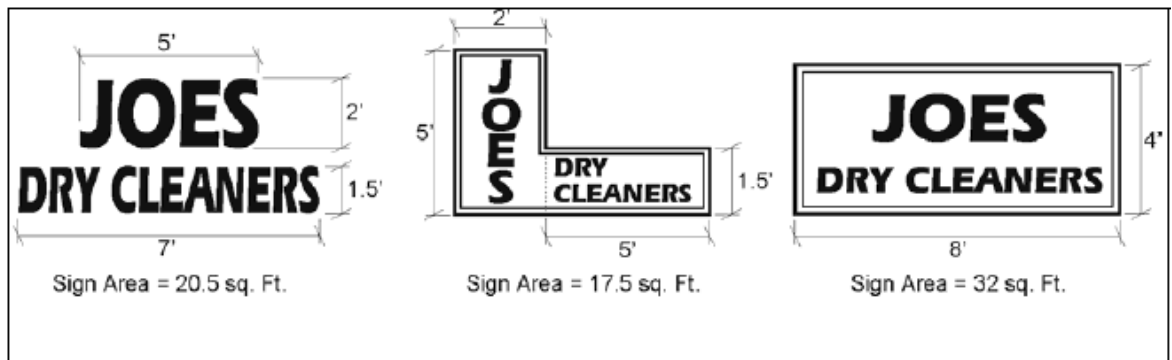
- C. Signs attached to balloons and other inflatable devices;
- D. Banners and pennants;
- E. Flags, except as allowed by Section 28.96.030.D;
- F. Moving signs, except barber poles;
- G. Off-premise signs, except as provided in Section 28.96.070 F;
- H. Pole signs and other freestanding signs over six feet in height;
- I. Roof signs;
- J. Signs that simulate in color, size, or design, any traffic control sign or signal, or that make use of words, symbols, or characters in a manner that interferes with, misleads or confuses pedestrian or vehicular traffic;
- K. Signs attached to or suspended from a vehicle parked within a public right-of-way, or in a location on private property that is visible from a public right-of-way, except a sign painted directly upon, magnetically affixed to, or permanently affixed to the body or other integral part of the vehicle; and
- L. Temporary and portable signs, except as allowed by Section 28.96.070 D.

28.96.50 - General Requirements for All Signs

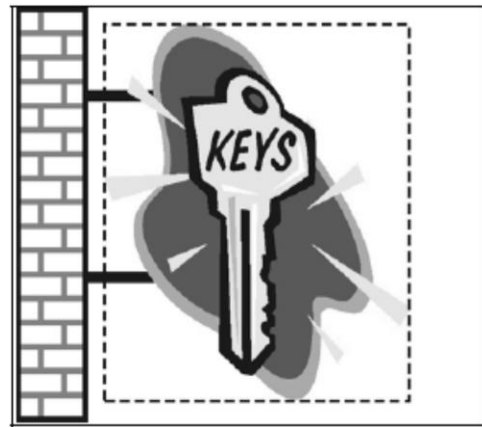
- A. **Sign area.** The measurement of sign area to determine compliance with the sign area limitations of this Section shall occur as follows:
 - 1. The surface area of a sign shall be calculated by enclosing the extreme limits of all framing, writing, logo, representation, emblem, or other display within a single continuous perimeter composed of squares or rectangles with no more than eight lines. See Figure A.

Figure A

SIGN AREA MEASUREMENT



2. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area.
3. The area of a double-faced (back-to-back) sign shall be calculated as a single sign face if the distance between each sign face does not exceed 18 inches, and the two faces are parallel with each other.
4. Where a sign consists of one or more three-dimensional objects (e.g., balls, cubes, clusters of objects, sculpture or statue-like trademarks), the sign area shall be measured their maximum projection upon a vertical plane. See Figure B.



as

5. For signs that incorporate time and temperature devices, the area of these devices shall not be included in the total area of the sign.

B. Sign height (freestanding). The height of a freestanding sign shall be measured as the vertical distance from the finished grade adjacent to the base of the sign structure to the highest point of the structure, where finished grade does not include fill, planters, or other material artificially placed to increase sign height.

C. Sign location requirements.

1. All signs shall be located on the same site as the subject of the sign, except as otherwise allowed by this Section. A sign may project over an adjacent public right-of-way only when authorized by an encroachment permit as well as a Sign Permit.
2. No sign shall be located within, or so that it overhangs a public right-of-way, except as otherwise allowed by this Section.
3. The location of each sign shall be evaluated during the Sign Permit process to ensure that:

- a. The proposed setback is appropriate for the height and area of a freestanding or projecting sign;
- b. A wall-mounted flush or projecting sign is consistent with the architectural design of the building, and does not cover windows or architectural features other than undecorated wall surfaces;
- c. A sign does not unreasonably block sight lines to an existing sign on adjacent property; and
- d. The sign does not impair pedestrian or vehicular safety.

D. Design criteria for signs. The following design criteria shall be used in reviewing the design of individual signs. Substantial conformance with each of the following design criteria shall be required before a Sign Permit or Building Permit can be approved.

1. Color. Colors on signs and structural members should be harmonious with one another and reflective of the dominant colors of the building or buildings being identified. Contrasting colors may be utilized if the overall effect of the sign is still compatible with the building colors and prevailing colors in the surrounding neighborhood (where a theme can be identified).

2. Materials and structure.

- a. Sign materials (including the materials used in framing and support structures) should be representative of the type and scale of materials used on the building or buildings which the sign identifies. Insofar as possible, sign materials should match the materials used on the building and on other signs.
- b. Materials selected for permanent signs shall be durable and capable of withstanding weathering over the life of the sign with reasonable maintenance.
- c. The size of the structural members (e.g. columns, crossbeams, and braces) should be proportional to the sign panel they are supporting. In general, fewer larger supporting members are preferable to many smaller supports.
- d. The use of individual letters incorporated into the building design is encouraged, rather than signs with background and framing other than the building wall.
- e. The use of reflective materials or surfaces should be minimized, and may be approved only where the Zoning Administrator determines that they will not distract motorists or create other hazards.

E. Illumination of signs. When allowed by Section 28.96.060 (Zoning District Sign Standards), the artificial illumination of signs, either from an internal or external source, shall be designed to minimize light and glare on surrounding rights-of-way and properties.

1. External light sources shall be directed and shielded to limit direct illumination of any object other than the sign.
 2. The light from an illuminated sign shall not be of an intensity or brightness that will interfere with the reasonable enjoyment of residential properties. In areas with low ambient nighttime illumination levels (e.g., residential neighborhoods or business districts with little or no illuminated signing) applicants shall be encouraged to use light, illuminated copy against dark or opaque backgrounds.
 3. Signs shall not have blinking, flashing, or fluttering lights or other illuminating devices that have a changing light intensity, brightness or color.
 4. Sign lighting shall be designed and located so that it will not be confused with or construed as traffic control devices, and so that neither the direct nor reflected light from a sign will create a hazard to motorists.
 5. The direct lighting of signs shall be prohibited. For the purposes of this Section, “direct lighting” means the use of reflective-type bulbs or incandescent lamps on the exterior surface of a sign to form the text or images of sign copy.
 6. Light sources shall utilize energy efficient fixtures to the greatest extent possible.
 7. Illuminated panels, visible tubing, and strings of lights outlining all or a portion of a building, other than lighting that is primarily for indirectly illuminating architectural features, signs, or landscaping, shall be deemed “signs” subject to this Section and shall be counted as part of the allowed sign area. Each line of tubing or lights shall be deemed to have a minimum width of at least six inches for the purpose of area calculation.
- F. Maintenance of signs.** Signs and supporting hardware, including temporary signs, shall be maintained in good repair at all times. Repairs to signs shall be of equal or better in quality of materials and design as the original sign. Signs that are not properly maintained and are dilapidated shall be deemed a public nuisance, and may be abated.
- G. Removal of signs.** When existing signs are removed or replaced, all brackets, poles, and other supports that are no longer required shall also be removed. Unpainted areas shall be painted to match the adjacent portion of the building or sign support structure.

Section 28.96.60 – Zoning District Sign Standards

All signs shall comply with the following sign standards for the applicable zoning district, except as otherwise provided by Section 28.96.030 F (Exempt signs) or Section 28.96.070 (Standards for Specific Types of Signs).

Zoning District	Allowed Sign Types (1)	Maximum Number (2)	Maximum Sign Area (3)	Maximum Sign Height	Type of Lighting Allowed
A	Freestanding, wall	3	60 sf	6 ft freestanding; eave height for wall-mounted.	Indirect
A-L					
A-SV-20					
R-R					
R-E	Wall	1	2 sf	Eave height	None
R-S					
R-D					
R-M					
P	Freestanding, wall	3	60 sf	6 ft freestanding; eave height for wall-mounted; as provided by 28.96.070.C for projecting. 6 ft freestanding; eave height for wall-mounted; as provided by 28.96.070.C for projecting	Indirect
C-H	Awning, freestanding, projecting, wall, window		200 sf		
ATC and ATC-CN			200 sf		
			C-N		
C-G					
C-S					
C-O			30 sf		
M-L	Wall	2	200 sf	Eave height	Indirect
M-G					
W	Wall or freestanding	1	15 sf	6 ft freestanding; eave height for wall-mounted.	Indirect
MP					

Notes:

- (1) Any of the sign types allowed in the applicable zoning district may be installed, provided that they do not exceed the maximum number, total combined area, height, or type of lighting allowed.
- (2) The maximum total number of signs that may be installed on the site.
- (3) The maximum total combined area of all signs that may be allowed on the site.

28.96.70 - Standards for Specific Types of Signs

Proposed signs shall comply with the following standards where applicable, in addition to the sign area and height limitations, and other requirements of Section 28.96.060 (Zoning District Sign Standards), and all other applicable provisions of this Section.

A. Awning signs. The following standards apply to awning signs in all zoning districts where allowed by Section 28.96.060 (Zoning District Sign Standards).

1. Signs on awnings are limited to ground level and second story occupancies only.
2. Awnings shall not be internally illuminated. Translucent awning materials are prohibited.
3. A tenant space may use either an awning sign or storefront (wall or projecting) sign, but not both.
4. Sign letter height shall not exceed eight inches.
5. The use of logos or symbols depicting the unique nature of a business are encouraged on the sloped face of awnings, provided that their area shall not exceed 10 percent of the total sloped awning face. Logo or symbol area is defined by the smallest continuous line rectangle that can be drawn around the logo or symbol. Sign copy other than logos or symbols is prohibited on the sloped face of awnings.

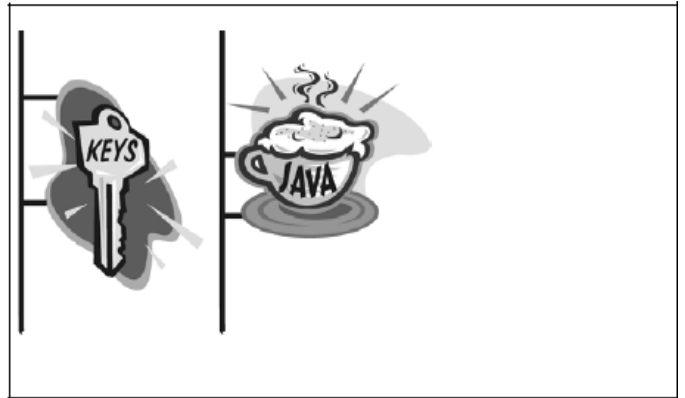
B. Freestanding signs. The following standards apply to freestanding signs in all zoning districts where allowed by Section 28.96.060 (Zoning District Sign Standards).

1. General requirements.

- a. Sign height shall not exceed six feet. (See Section 28.96.050.B for measurement.)
- b. A freestanding sign may be placed only on a site frontage adjoining a public street.
- c. Multiple signs shall be separated by a minimum of 75 feet to ensure adequate visibility for all signs. The Zoning Administrator may waive this requirement where the locations of existing signs on adjacent properties would make the 75-foot separation impractical.
- d. The sign shall not project over public property, vehicular easements, or rights-of-way.
- e. To assist emergency response personnel in locating the site, a freestanding sign should contain an illuminated street address plate. Numbers should be a minimum of six inches in height. Address plates shall not be calculated as part of the allowed sign area.

C. Projecting signs. Projecting signs are allowed as follows.

1. The maximum projection of a sign from a building wall over a public right-of-way shall not exceed 36 inches.
2. The maximum height of a projecting sign shall not exceed 14 feet, eave height, parapet height, or sill height of a second floor window, whichever is less. No portion of the sign shall project above the eave line of a sloped roof or the top of the parapet on a flat roof.
3. A projecting sign shall be installed to maintain a minimum clearance of eight feet from the bottom of the sign to the finished grade below.
4. Icon signs using shapes or symbols, creative shapes, and three-dimensional signs are encouraged.
5. The sign shall be graphically designed for pedestrians, with a maximum area of nine square feet on each sign face, regardless of the length of the building frontage.
6. Sign supports shall be well-designed and compatible with the design of the sign.
7. Interior illuminated boxed display signs (“can” signs) are prohibited.



D. Temporary signs. Temporary signs are allowed subject to the following requirements.

1. **Construction signs.** Construction identification signs may be allowed in all zoning districts with Sign Permit approval, in compliance with the following standards:
 - a. Only one sign, located on-premise, shall be allowed;
 - b. The area of the sign shall not exceed 32 square feet;
 - c. Sign height shall not exceed six feet;
 - d. The sign shall not be illuminated; and
 - e. A construction sign shall not be allowed if an on-premise subdivision sign is approved.
2. **Campaign signs.** Campaign signs are allowed without a Sign Permit provided that the signs:
 - a. May be installed on private property with the property owner’s consent for up to 60 days prior to an election;
 - b. Shall not exceed 12 square feet in area within residential zoning districts and 32 square feet in area within nonresidential zoning districts; and

- b. The area of each sign shall not exceed 32 square feet;
- c. Sign height shall not exceed six feet;
- d. The signs shall not be illuminated; and
- e. The signs may be displayed only during the two years following the date of recordation of the final map, or until all of the units have been sold, whichever occurs first.

6. Temporary signs within commercial zoning districts. Temporary on-premise signs are allowed within commercial zoning districts without a Sign Permit for a maximum of 30 days after the opening of a new business, provided that the area of the temporary signs shall not exceed 50 percent of the total sign area allowed on the site by Section 28.66.060 (Zoning District Sign Standards).

7. Temporary signs within agricultural zoning districts. Temporary on-premise signs are allowed within agricultural zoning districts with a Sign Permit, provided that the area of the temporary signs shall not exceed 50 percent of the total sign area allowed on the site by Section 28.66.060 (Zoning District Sign Standards).

E. Wall signs. The following standards apply to wall signs in all zoning districts where allowed by Section 28.66.060 (Zoning District Sign Standards).

- 1. Wall signs may be located on any primary or secondary building frontage.
- 2. The area of the largest wall sign shall not exceed seven percent of the area of the building facade on which the sign is mounted or painted, including the area of windows, doors, and recesses.
- 3. The signs shall not project from the surface upon which they are attached more than required for construction purposes and in no case more than 12 inches.
- 4. The signs shall not project above the eave line or the edge of the roof of a building.
- 5. The signs shall not be placed so as to interfere with the operation of a door or window.

F. Window signs. The following standards apply to window signs in all zoning districts where allowed.

- 1. **Maximum sign area.** Permanent and temporary window signs shall not occupy more than 20 percent of the total window area.
- 2. **Permanent window signs.** Permanent window signs shall:
 - a. Be allowed only on windows located on the ground level and second story of a

A. Public nuisance declared. The Board of Supervisors may declare a sign a public nuisance and require its correction or removal if:

1. The sign is significantly damaged either in support structure or sign face, as determined by the Building Official;
2. The sign is illegible either through fading, rusting, or erosion of the sign face or through faulty or missing illumination;
3. The sign is unsafe for vehicles or pedestrians;
4. The sign is otherwise erected or maintained contrary to the provisions of this Section.

B. Removal of abandoned sign. A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business that it advertises is no longer conducted on the premises. If the owner or lessee fails to remove the sign, the Zoning Administrator shall give the owner 30 days written notice to remove it. Upon failure to comply with the notice, the Zoning Administrator may have the sign removed at the owner's expense.

28.96.110 - Appeal

The denial of an application for a Sign Permit, may be appealed in compliance with Section 28.63 (Appeals). The Planning Commission shall act to grant or deny the appeal within 60 days of receipt of the request for review/appeal.

28.96.120 - Judicial Review

Any permit issued or denied in compliance with this Section shall be subject to expedited judicial review in accordance with the time limits set forth in Code of Civil Procedure Section 1094.6 et seq.

28.96.130 - Definitions

For the purposes of this Section, the following terms and phrases shall have the meanings ascribed to them in this Section.

Abandoned Sign. A sign that advertises a business, lessor, owner, product, service or activity which has not been located on the premises where the sign is displayed for 30 days or more.

Animated or Moving Sign. A sign which uses movement, lighting, or special materials to depict action or create a special effect to imitate movement.

Awning Sign. A sign copy or logo attached to or painted on an awning.

Banner or Pennant. Cloth, bunting, plastic, paper, or similar non-rigid material used for advertising purposes attached to a structure, staff, pole, line, framing, or vehicle.

Bench Sign. Copy painted on a portion of a bench.

Cabinet Sign (Can Sign). A sign which contains all the text and/or logo symbols within a single enclosed cabinet and may or may not be internally illuminated.

Changeable Copy Sign. A sign designed to allow the changing of copy through manual, mechanical, or electrical means including time and temperature.

Contractor or Construction Sign. A sign which states the name of the developer and contractor(s) working on the site and related engineering, architectural or financial firms involved with the project.

Direct Lighting. The use of reflective-type bulbs or incandescent lamps on the exterior surface of a sign to form the text or images of sign copy.

Directional Sign. An on-premise sign which is designed and erected solely for the purposes of directing vehicular and/or pedestrian traffic within a project.

Directory Sign. A sign for listing the tenants and their suite numbers of a multiple tenant structure or center.

Double-Faced Sign. A sign constructed to display its message on the outer surfaces of two identical and/or opposite parallel planes.

Grand Opening. A promotional activity not exceeding 30 calendar days used by newly established businesses, within two months after initial occupancy, to inform the public of their location and services available to the community. "Grand Opening" does not mean an annual or occasional promotion of retail sales by a business.

Freestanding Sign. A sign fixed in an upright position on the ground not attached to a structure other than one erected primarily to support the sign. Includes monument signs and pole signs.

Illegal Sign. An illegal sign is any sign erected without first complying with all regulations in effect at the time of its construction or use.

Indirectly Illuminated Sign. A sign whose light source is external to the sign and which casts its light onto the sign from some distance.

Internally Illuminated Sign. A sign whose light source is located in the interior of the sign so that the rays go through the face of the sign, or light source which is attached to the face of the sign and is perceived as a design element of the sign.

Marquee (Canopy) Sign. A sign which is attached to or otherwise made a part of a permanent roof-like structure which projects beyond the building wall in the form of a large canopy to provide protection from the weather.

Monument Sign. An independent, freestanding structure supported on the ground having a solid base as opposed to being supported by poles or open braces.

Multi-Tenant Sign. An identification sign for a commercial site with multiple tenants, displaying the names of each tenant on the site.

Nonconforming Sign. An advertising structure or sign that was lawfully erected and maintained prior to the adoption of this Zoning Ordinance, but does not now completely comply with current regulations.

Off-premise Sign. A sign identifying a use, facility, service, or product which is not located, sold, or manufactured on the same premise as the sign or which identifies a use, service, or product by a brand name which, although sold or manufactured on the premise, does not constitute the principal item for sale or manufactured on the premise.

Permanent Sign. A sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises.

Campaign Sign. A sign designed for the purpose of advertising support of or opposition to a candidate or proposition for a public election.

Pole Sign. An elevated freestanding sign, typically supported by one or two poles or columns.

Portable Sign. A sign that is not permanently affixed to a structure or the ground.

Projecting Sign. A sign other than a wall sign suspending from, or supported by, a structure and projecting outward.

Real Estate Sign. A sign indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary subdivision signs.

Roof Sign. A sign constructed upon or over a roof, or placed so as to extend above the edge of the roof.

Sign. A structure, device, figure, display, message placard, or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended, or used to advertise, or to provide information in the nature of advertising, to direct or attract attention to an object, person, institution, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Does not include murals, paintings and other works of art that are not intended to advertise or identify any business or product.

Temporary Sign. A sign intended to be displayed for a limited period of time and capable of being viewed from a public right-of-way, parking area or neighboring property.

Vehicle Sign. A sign which is attached to or painted on a vehicle which is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or business located on the property.

Wall Sign. A sign that is attached to or painted on the exterior wall of a structure which the display surface of the sign is approximately parallel to the building wall.

Window Sign. A sign posted, painted, placed or affixed in or on a window exposed to public view. An interior sign which faces a window exposed to public view and is located within three feet of the window.

28.97 Yards

- A.** 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.
- B.** In any case where a building line has been established in accordance with Section 28-92, 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.
- C.** For the purpose of measuring yards, fireplaces, chimneys and cantilevered walls, shall be considered as exterior walls.
- D.** Cornices, eaves, canopies and similar architectural features may extend into any required yard not exceeding two and one-half feet.
- E.** Unenclosed porches or stairways, fire escapes or landing places may extend into any required front or rear yard, not exceeding six feet, and into any required side yard, not exceeding three feet.
- F.** 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.
- G.** In any R-TC 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.
- H.** 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.

- I. 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.
- J. 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.
- K. In any district in which a dwelling is allowed, a required yard distance may be waived up to a distance equal to that established in such yard by the foundation of an existing legal non-conforming dwelling, subject to notice as set forth in Section 28.04 of this Chapter.

28.98 Miscellaneous Provisions

A. 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.

28.99 Airport Flight Obstructions

- 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
 - i. 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:

Distance (feet)					
<u>Airport Classification</u>	a	b	c	d	e
Personal	200	2200	1850	5000	8000
Secondary	250	2250	2000	5000	8000
Feeder	300	2300	2600	6000	11000

Trunk Line	400	2400	3100	7000	12000
Express	500	2500	3300	8500	13500
Continental	500	2500	3700	10000	15000
Intercontinental	500	2500	4200	11500	18500
Intercontinental Express	500	2500	4900	13000	20000
Military Airport	2350	4000	4900	13000	20000

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 angles to the extended runway centerline.

(Ord. No. 1726, §2)

ARTICLE V

OPERATIONS OF CHAPTER

Sections:

- 28.100 Permits and Procedures**
- 28.101 Administrative Permit**
- 28.102 Architectural Approval**
- 28.103 Design Review**
- 28.104 Marsh Development Permit**
- 28.105 Reserved**
- 28.106 Use Permit**
- 28.107 Variance**
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- 28.109 Zoning Clearance**

- 28.110 Operations of Chapter**
- 28.111 Amendment of Chapter**
- 28.112 Appeals**
- 28.113 Enforcement of Chapter**
- 28.114 Nonconforming Uses**
- 28.115 Planning Commission**
- 28.116 Rules of Procedure**
- 28.117 Zoning Administrator**
- 28.118 Rules of Interpretation**
- 28.119 Reserved**

28.100 Permits and Procedures (Reserved)

28.101 Administrative Permit

- A. Purpose.** For some uses allowed by right within a zoning district, this Chapter requires issuance of an administrative permit prior to development or operation of the use on an ownership. The purpose of an administrative permit is to provide for a mechanism for verifying that all standards and requirements for the use, as described in this Chapter or elsewhere in the Code, are met prior to commencement of the use and can continue to be met during operation of the use.
- B. Application.** Applications for an administrative permit shall be made by the owner or the owner's agent in writing on a form prescribed by the Zoning Administrator, and shall include all information necessary to support issuance of the permit. Such application shall not be accepted unless accompanied by a fee or fees as may be set by the Board of Supervisors pursuant to section 11-111 of this code.

C. Action. The Director of Resource Management shall administratively approve an application for an administrative permit if all standards and requirements specified in this Chapter and elsewhere in the Code are satisfied. Action on an administrative permit is ministerial and shall be taken without notice or public hearing.

D. Revocation.

1. In any case where the requirements of an administrative permit have not been complied with, or where the use has been abandoned, the Zoning Administrator may revoke the permit after first conducting a public hearing.
2. The permittee shall be given notice of intention to revoke the permit at least fifteen days prior to the Zoning Administrator's hearing. Formal rules of evidence shall not apply to revocation proceedings, and witnesses need not be sworn, but the permittee shall be given an opportunity to respond to any evidence or testimony presented at the hearing. After conclusion of the review, the Zoning Administrator may revoke the administrative permit based on a finding that the conditions of the permit have not been complied with or that the use has been abandoned.

E. Appeal. Appeal from the action of the Zoning Administrator or Planning Commission may be made according to the provisions of Section 28-112.

28.102 Architectural Approval

A. Purpose

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.

B. Procedure

The Zoning Administrator and Planning Commission are authorized to review and approve or disapprove, or approve subject to compliance, the external design of all proposed new uses, dwellings, buildings or structures with such modifications or conditions as may be deemed necessary to carry out the purpose of this Chapter.

Should the Zoning Administrator or Planning Commission determine that a proposed use or structure does not meet the architectural standards set forth in Section 28.72.10(A) and 28.91, zoning approval of the permit or entitlement authorizing such use or structure shall not be granted.

28.103 Design Review – Suisun Valley

A. Purpose. The purpose of design review is to promote a quality rural character in new development for Suisun Valley and to unify the design and construction of individual neighborhood agricultural tourist centers into the existing agriculturally-focused context.

B. Applicability. Design review is required for any new construction in the A-SV-20, A-T-C and A-T-C-NC Districts.

C. Design Review Process. Based upon the type of permitting required for the project, design review permits will be issued according the following provisions:

a. Discretionary Permits. When a project requires a discretionary permit, including any use permit, sign permit or variance, Design Review will be approved by the hearing authority as a part of the discretionary permit. The hearing authority shall consider recommendations from staff in its decision. The adopted Design Guidelines and any other established standards shall provide the basis for final approvals.

b. Non-discretionary permits. When a project requires a non-discretionary permit, such as an administrative permit or building permit, the Director of Resource Management shall take action administratively on the design review in conjunction with the action being taken on the non-discretionary permit. The Director shall consider recommendations from staff along with the adopted Design Guidelines and any other established standards shall provide the basis for final approvals.

D. Design Guidelines. The Suisun Valley design Guidelines (Chapter 4 of the Suisun Valley Strategic Plan) shall serve as the guidelines for the design review of all new construction in the A-SV-20, A-T-C and A-T-C-NC Districts.

E. Action by the Hearing Authority. If a proposed design is not approved, the applicant shall be provided with a written description of any development proposal design features in a form that constitutes recommended modifications to the project in order to clearly provide the applicant an understanding of the desired changes that would obtain an approval from the Director or hearing authority.

F. Findings. A proposed design shall be approved if the following findings can be made :

1. the project conforms to the Suisun Valley Design Guidelines,
2. the project will maintain and enhance the Valley's agricultural character.
3. the project will maintain, enhance, or restore natural features.
4. the project will preserve the indigenous landscape and rural character.
5. the project will enhance quality of life and economic vitality.

6. the project will enhance the community brand and destination marketing the Valley.
 7. the project will ensure the highest quality new construction.
 8. the project will minimize site disturbance.
 9. the project will preserve views of natural and cultural features.
 10. the project will ensure compatibility of new projects with natural and rural landscapes.
- G. Occupancy.** No structure which has received Design Review approval shall be occupied or used in any manner or receive a certificate of occupancy until the Resource Management Department has inspected and determined that the structure(s) and site development comply with the Development Review approval.
- H. Submittal Requirements.** All applications for Design Review shall be submitted by the owner or the owner's agent to the Resource Management Department on forms approved by the Director of Resource Management and the Director shall establish written application instructions describing the type and size of drawings and other materials required for submittal.
- I. Fees.** Fees for design review shall be established by the Board of supervisors pursuant to Section 11-110.4 of the County Code.

Section 28.104 – 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. County marsh development permits issued in the secondary management area may be appealed to the San Francisco Bay Conservation and Development Commission pursuant to Section 29504 of the Public Resources Code.

B. When Required

A marsh development permit 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 Director of Resource Management. If all or a portion of the site or development is within the Primary Management Area, any required County land use or development permit shall be obtained prior to application for a marsh development permit from

the San Francisco Bay Conservation and Development Commission for development within the Primary Management Area, unless that Commission has delegated its permit authority as described in section 29501 of the Public Resources Code. 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, such existing use does not have an adverse impact upon the Suisun Marsh.

C. Compliance with Building Codes and Other Ordinances

Approval of a marsh development permit does not exempt the applicant from complying with the requirements of building codes adopted pursuant to other provisions of this Code, or from other ordinances.

D. Application

Application for a marsh development permit within the Secondary Management Area shall be filed by the owner or the owner's agent with the Department of Resource Management. The application shall be in the form prescribed by the Director of Resource Management. The application shall consist of a written narrative and detailed site plan. When a land use subject to a marsh development permit is proposed in both the Primary Management Area and Secondary Management Area, the land use shall be subject to a marsh development permit covering the whole of the project. The application shall, at a minimum, include the following items and information:

1. Fee or fees as set by the Board of Supervisors, pursuant to Section 11-111 of this code. No part of such fee shall be refundable.
2. A complete legal description of the property.
3. A narrative description of existing uses of the subject property and adjacent properties, proposed uses and improvements on the subject property, and existing and proposed water supply, sewage disposal, and utility service.
4. Facts demonstrating that the proposed marsh development permit, in its entirety, is consistent with the Solano County General Plan, the certified Suisun Marsh Local Protection Program, and the findings described in subsection (h) of this Section.
5. A site plan at a scale no smaller than one inch equal to one hundred feet depicting the following: property lines; the foot print of any pre-existing use or development area; location of proposed work, buildings, and uses, clearly distinguishing existing and proposed improvements; building, parking and landscape coverage and yard setbacks; drainage, water supply, sewage disposal, and utility service; existing and proposed public access areas; Primary and Secondary Management Area boundaries; the approximate distance to the nearest

marsh, managed wetland, or tidal areas; and the location and name of nearest public road and private access.

6. Project design and improvement details, including but not limited to preliminary grading plans, building elevations, landscaping, and signs.
7. Performance standards as may be applicable (e.g., hazardous materials and waste management).
8. Such other information as may be required by the Director of Resource Management concerning the proposed development and use of the property, or which the applicant may deem appropriate for a full consideration of the proposal by the Planning Commission or Zoning Administrator.
9. 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.

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, which shall maintain a public record of all hearings.

F. Public Notice

Notice of this hearing shall be given pursuant to Section 28.04 of this Chapter.

G. Action

1. The Zoning Administrator or Planning Commission may approve a marsh development permit if it finds that the requirements set forth in the certified Suisun Marsh Local Protection Program, this Chapter, and in subsection (h) of this Section are fulfilled.
2. When approving a marsh development permit, the Zoning Administrator or Planning Commission may impose conditions to support the finding enumerated in subsection (h) of this Section, together with guarantees that such conditions will be complied with, based on a finding that such conditions and guarantees are in the public interest.
3. Unless the marsh development permit application is withdrawn, action to approve, conditionally approve, or deny the marsh development permit shall be taken by the Zoning Administrator or Planning Commission within the time limits

specified in the Permit Streamlining Act, except that the applicant and Zoning Administrator may mutually agree to extend such period.

4. Any action taken by the Zoning Administrator or the Planning Commission on a marsh development permit application shall not become effective until:
 - (i) The time period for filing an appeal pursuant to Section 28.112 of this Chapter has expired or, if an appeal has been filed, the appeal has been finally decided or withdrawn; and
 - (ii) The twenty (20) working day period after the Bay Conservation and Development Commission has received notice of the County's final action approving the marsh development permit has expired or, if an appeal by or to the Bay Conservation and Development Commission has been filed, the appeal has been withdrawn or the Bay Conservation and Development Commission either determines that the appeal raises no substantial issue or takes no action on the appeal within the time limits specified in section 29524 of the Public Resources Code.

H. Required Findings

A marsh development permit shall not be approved unless the all of the following general findings are made:

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. Where the proposed development is located in both the Secondary and Primary Management Areas, all portions of the proposed development shall be consistent with the certified Suisun Marsh Local Protection Program.

I. Revocation

1. In any case where the conditions of a marsh development permit have not been or are not complied with, or where the use has been abandoned, the Zoning Administrator shall give to the permittee notice of intention to revoke such permit, at least fifteen days prior to a Planning Commission review thereof.
2. Formal rules of evidence shall not apply to revocation proceedings, and witnesses need not be sworn, but the permittee shall be given an opportunity to respond to any evidence or testimony presented by the Zoning Administrator or the public. After conclusion of the review, the Planning Commission may revoke such permit or modify the permit by imposing new or modified conditions to address the previous noncompliance.

J. Expiration

1. Marsh development permits approved for a temporary, fixed period of time shall expire on the date specified in the permit and shall thereafter be null and void, but any such permit may be revised to modify its expiration date if an application to do so is filed at least 30 days prior to the expiration date. Marsh development permits approved for an indefinite period do not expire but shall be revoked by the Planning Commission if abandoned or not timely renewed.
2. In any case where a marsh development permit has not been exercised within one year after the date of approval thereof, or any other period for exercise stated in a condition of the permit, then without further action by the Zoning Administrator or Planning Commission, the marsh development permit shall expire and thereafter be null and void; except that upon written request by the permittee, the Zoning Administrator may authorize an extension of the permit not to exceed one year. Only one such extension may be granted.

K. 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 Department of Resource Management 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 allow the filing of a new application prior to the expiration of the 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 28.112 of this code.

M. 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.

N. Renewal

A marsh development permit approved for an indefinite period shall be subject to periodic renewal every five years, or such other period of time as may be set by the zoning administrator or planning commission in approving a marsh development permit. The zoning administrator shall administratively approve a marsh development renewal if the following conditions are satisfied:

1. The permittee has requested renewal;
2. The permittee has paid a renewal fee as may be set by the Board of Supervisors, pursuant to Section 11-111 of this Code: and
3. The development is in full compliance with all conditions of the marsh development permit.

If the Zoning Administrator is unable to approve a renewal, the marsh development permit shall be set for revocation. Every marsh permit approved in conjunction with a use permit prior to September 27, 2012, and still in effect as of that date shall be subject to the renewal period and procedure described in this subsection unless a different period or procedure is specifically described in the conditions of the marsh development permit or use permit.

(Ord. No. 1732, §8)

28.105 (Reserved)

28.106 Use Permit

- A. Purpose.** The purpose of the use permit is to provide for public review of certain land uses that may be compatible with other allowed and permitted land uses within a zoning district, but due to their type or intensity, require consideration of location, site design, adjacent land uses, availability of public infrastructure and services, and environmental impacts. A use permit may be approved either for a temporary, fixed period or for an indefinite period subject to periodic renewal. Action on a use permit is discretionary.
- B. Compliance with building codes or other ordinances.** Approval of a use permit does not exempt the 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, site plans, operating plans and data necessary to show that requirements set forth in subsection (H) and Article III of this Chapter are fulfilled. Such application shall not be accepted as complete unless 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.

Once a complete application is submitted, additional information and processing fees may be required in order to conduct environmental review of the proposal. When additional information or processing fees are required and not provided by the applicant within sixty days of such a request, the Director of Resource Management may determine that the application has been abandoned and shall promptly notify the applicant of such determination.

- D. Public hearing.** A public hearing on any use permit application shall be held by the Zoning Administrator or Planning Commission, who shall maintain a public record of all hearings. Applications for minor use permits, extensions of time to exercise a previously approved use permits, amendments to use permits, and projects that are categorically exempt from the California Environmental Quality Act (CEQA) shall be heard by the Zoning Administrator, who may administratively refer any such application to the Planning Commission for hearing. All other applications shall be heard by the Planning Commission.

- E. Public notice.** Notice of the hearing shall be given pursuant to Section 28-14 of this Chapter.

- F. Minor use permits.** Uses which are eligible for a minor use permits are designated in the Table of Allowable Uses contained within each zoning district in Article II of this Chapter. All references to use permits in this Article include minor use permits, unless different rules or procedures are described for minor use permits.

G. Action

1. The Zoning Administrator or Planning Commission may approve a use permit for an ownership if it finds that the requirements set forth in this Chapter and in subsections (H) of this Section and Article III of this Chapter are fulfilled.
2. When approving a use permit, the Zoning Administrator or Planning Commission may impose conditions in addition to the general conditions enumerated in subsections (H) of this Section, together with guarantees that such conditions will be complied with, when such additional conditions are in the public interest.
3. If a project is revised during the hearing, then the Zoning Administrator of the Planning Commission may require that a revised development plan be submitted which reflects all of the changes approved at the hearing.
4. 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 the time limits specified in the Permit Streamlining Act; except that the applicant and Zoning Administrator or Planning Commission may mutually agree to extend such period.

5. Any action taken by the Zoning Administrator or the Planning Commission on a use permit application shall not become effective until the time for filing an appeal has expired or, if an appeal has been filed, the appeal has been decided or withdrawn.

H. Required Findings. A use permit shall not be approved unless the Zoning Administrator or Planning Commission first makes all of the following general findings:

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.

I. Revision or Amendment. Once a use permit becomes effective, the land use subject to the permit may be developed and operated only in substantial conformance with the terms and conditions of the approved permit. Any development or operation on the ownership that would not be in substantial conformance with the terms and conditions of the use permit shall not be initiated or undertaken until a revision or amendment to the permit has been approved. When an owner proposes changes to a use permit, the Director shall determine whether the proposed change shall be process either as a minor revision or an amendment to the use permit. The Director's determination shall be final and not subject to appeal.

- a. **Interpretation of Conditions.** If an owner believes that a condition in an approved use permit is unclear, the Director shall determine the intent of the Zoning Administrator or Planning Commission in imposing the condition and provide a written clarification to the permittee.
- b. **Minor revision.** Minor revisions not constituting significant change in the use, not requiring a substantial alteration in the use permit or any element thereof, may be reviewed and approved by the Zoning Administrator. 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.

- c. **Amendment.** Significant changes in the use or the size or intensity of the use, requiring a substantial alterations of the use permit, shall be in the same manner as a new use permit, in compliance with this Section. Amendments shall be heard by either the Zoning Administrator or Planning Commission, whichever first heard the original use permit. Each application for an amendment 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.
- d. The approval of a minor revision or amendment to a use permit shall supersede the previously approved permit.

J. Revocation.

1. In any case where the conditions of a use permit have not been or are not substantially complied with, or where the use has been abandoned, the Zoning Administrator may initiate permit revocation proceedings.
2. Notice of intention to revoke the use permit shall give to the owner at least fifteen days prior to the Planning Commission's revocation hearing. Formal rules of evidence shall not apply to revocation proceedings, and witnesses need not be sworn, but the owner shall be given an opportunity to respond to any evidence or testimony presented by the Zoning Administrator or the public. After conclusion of the review, the Planning Commission may revoke the permit or may modify the permit by imposing new or modified conditions to address the previous noncompliance.

K. Expiration.

1. In any case where a use permit has not been exercised within one year after the date of approval thereof, or any other period for exercise as stated in a condition of the permit, the use permit shall expire and thereafter be null and void without further action by the Zoning Administrator or Planning Commission; except that, upon written request by the owner, the Zoning Administrator may authorize an extension of time to exercise the permit, not to exceed one year. Only one such extension may be granted.
2. Once exercised, a use permits approved for a temporary, fixed period of time shall expire on the date specified in the permit and shall thereafter be null and void, but any such permit may be revised pursuant to subsection 28.106.2C to modify its expiration date if an application to do so is filed at least 30 days prior to the expiration date.
3. A use permits approved for an indefinite period does not expire once exercised, but shall be revoked by the Planning Commission if abandoned or not timely renewed.

L. 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 Department of Resource Management 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 Director may permit the filing of such new application prior to the expiration of such six-month period.

M. Appeal. Appeal from the action of the Zoning Administrator or Planning Commission may be made according to the provisions of Section 28-112.

N. Renewal. A use permit approved for an indefinite period shall be subject to periodic renewal every five years, or such other period of time as may be set by the Zoning Administrator or Planning Commission in approving a use permit. The Zoning Administrator shall administratively approve a use permit renewal if:

1. the owner has requested renewal,
2. the owner has paid a renewal fee as may be set by the Board of Supervisors pursuant to Section 11-111 of this Code, and
3. the use is being conducted in full compliance with all conditions of the use permit. If the Zoning Administrator is unable to approve a renewal, the use permit shall be set for revocation.

Every use permit approved prior to October 28, 2010, and still in effect as of that date shall be subject to the renewal period and procedure described in this subsection unless a different renewal period or procedure is specifically described in the conditions of the permit.

28.107 Variance

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.
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 by the owner or the owner's agent with the Department 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.

The Planning Commission shall hold a public hearing on a variance permit 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. Expiration. 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 28-112.

28.108 Waiver

Waiver of any of the residential minimum development standards in Section 28.72.10(A)(1) may be granted if the proposed dwelling is compatible with the surrounding neighborhood in accord with the architectural standards set forth in Section 28.91, subject to notice as set forth in Section 28-04(F) of this Chapter.

28.109 Zoning Clearance

28.109.10 Purpose

A zoning clearance certifies that an existing development or use of property conforms with all current requirements of the Solano County zoning regulations and, if applicable, the terms and conditions of any previously approved development permit or variance.

28.109.20 Procedure

A. Application. An owner may apply for a zoning clearance in order to obtain verification that a land use conforms to the requirements of this Chapter. Applications for a zoning clearance

shall be filed with the Planning Division of the Department of Resource Management on the forms prescribed by the Zoning Administrator. At the time the application is filed, the applicant shall submit the required filing fees prescribed by the Board of Supervisors. All other plans, specifications and information that may be required by the Department to demonstrate compliance with the zoning regulations shall be filed with the application.

- B. Processing Applications.** Within ten (10) working days of accepting an application, the Planning Division shall review the proposed development for conformance with the Solano County Zoning Regulations and, if applicable, the terms and conditions of any previously approved development permit, variance, or subdivision.

28.109.30 Issuance

- A. Approval.** Upon completion of the required Planning Division review, a zoning clearance certificate shall be approved by the Director if, based upon information provided by the applicant, all of the following findings are made:
- a.** The development or land use complies with the terms and conditions of any applicable permit and/or subdivision map that was previously approved for such development; and
 - b.** The development or land use is not located on the same lot or ownership where conditions exist or activities are being conducted in violation of the Solano County Code
- B. Decision Final.** The Director's approval of a zoning clearance is final and may not be appealed, but it may be reviewed by the Board of Supervisors pursuant to Section 28.112(F).

28.110 Operations of Chapter (Reserved)

28.111 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.** One or more owners of property to be affected by the proposed amendment, upon a verified petition filed with the Department of Resource Management, 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.
 - 2.** By the Director of Resource Management as the Director deems necessary, or at the direction of the Planning Commission or the Board of Supervisors.
- 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 28-04 of this Chapter. After conclusion of its hearing, the Planning Commission shall render its decision by recommending approval, approval with modifications, or disapproval of the proposed amendment. The recommendation shall include the reasons for the recommendation, and shall describe the relationship of the proposed amendment to the General Plan and any applicable specific plan. The Planning Commission shall file with the Board of Supervisors an attested copy of a report of its recommendations within ninety days after the conclusion of the public hearings.
3. Upon receipt of such report from the Planning Commission 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 its hearing, the Board of Supervisors may enact the proposed amendment or any part thereof in such form as the Board may deem advisable to protect the public health, safety, and general welfare of the County, or it may deny the propose amendment. Prior to enacting any alternative to the proposed amendment that was not previously considered by the Planning Commission during its hearing, the Board shall first refer the alternative to the Planning Commission for report and recommendation. The Planning Commission is not required to hold a public hearing or issue a report and recommendation on the alternative. Failure of the Planning Commission to issue a report and recommendation within sixty (60) days after the Board makes its referral shall be deemed to be a positive recommendation on the alternative.
4. 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 signed the 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 direction; 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 Department 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 Director may permit the filing of 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.

28.112 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 Planning 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 therefore.
- 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 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 28-04 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 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 28-04 of this Chapter, except that if the project has been previously posted, it need not be reposted.

28.113 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, resource 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 1-17 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 previously convicted one 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.
- E.** Any violation of the terms or conditions of any permit or entitlement issued by the zoning administrator, planning commission, or board of supervisors pursuant to this Chapter shall constitute a violation of this Chapter and shall be deemed to be a public nuisance.
- F.** Any violation of the provisions of this Chapter may be remedied by civil action for injunctive relief or other appropriate proceedings.
- G.** All remedies listed in this Chapter, including permit revocation, shall be cumulative and not exclusive.

28.114 Nonconforming Uses

- A. **Purpose.** The purpose of this section is to establish uniform provisions for the regulation of nonconforming structures, and uses of land that were legally established before the amendment, of this Chapter, or previously adopted County ordinances, but which would be prohibited, regulated, or restricted differently under the current provisions of this Chapter or future amendments.
- B. **Intent.** It is the intent of this Chapter to:
1. Discourage the long-term continuance of these nonconformities, providing for their eventual elimination, but to permit them to exist under the limited conditions outlined in this section.
 2. Prevent nonconforming uses and structures from being enlarged, expanded, or extended, or being used as justification for adding other structures or uses that are prohibited by the provisions of this Chapter applicable to the zoning district in which the nonconformity is located.
- C. **Continuance of Existing Nonconforming Uses.** An ongoing use of land or buildings lawfully established and existing prior to the adoption of any provision of this Chapter that renders such use nonconforming with the regulations currently 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 such use was rendered nonconforming; 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.
1. **Repairs and Maintenance.** Except as may be provided in 28.114(H) below, ordinary maintenance and repairs may be made to any nonconforming structure or 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 of the structure or building in any one-year period.
 2. **Destruction and Reconstruction.** Except as may be provided in 28.114H below, if at any time a building in existence prior to an amendment to this Chapter which does not conform to the regulations, including parking regulations for the district in which it is located, is damaged or destroyed by fire or other natural hazard, explosion, act of God, or act of the public enemy, to the extent of more than sixty percent of the actual value of the structure or building 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.
 3. **Expansion.** Except as provided in 28.114(H) below, a non-conforming use of the land or structure shall not be permitted to expand.

- 4. Structural Alterations.** Except as provided in 28.114(H) below, a non-conforming use of the land or structure shall not be permitted to make structural alterations.
- D. Nonconforming Lots.** Nonconforming lots are lots legally established prior to the adoption of this Chapter or any subsequent amendments, which do not meet one or more development standards for lot area, lot frontage or lot access. Notwithstanding such nonconformities, development may be approved pursuant to this Chapter if the Director of Resource Management determines that such development is in compliance with all other provisions of this Chapter.
- E. Use Permits.** Any use for which a use permit is required and may be granted by the terms of this Chapter shall be considered a nonconforming use unless and until a use permit is obtained in accordance with Section 28-106. The approval of a use permit shall supersede and extinguish any grandfathered rights to continue the nonconforming use.
- F. Termination.** 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.
- G. Zoning Clearance.** Prior to the issuance of a building permit, business license, grading permit, well or septic permit for a nonconforming use, a zoning clearance must be issued by the Director of Resource Management that sets forth the extent of nonconformity and the permissible repair, maintenance, or alteration that may be made to the structures, buildings, and ownership.
- H. Exceptions.**
- 1. Prior Commencement of Construction.** Nothing contained in this Chapter shall be deemed to require any change in the plans, construction or designated use of any building for which a building or other construction permit was issued and upon which actual construction was lawfully begun prior to the adoption of any amendment to this Chapter. 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.
 - 2. Companion Living Units.** Notwithstanding the provisions of Section 10 of this Chapter, where Companion Living Unit and Secondary Living Unit are defined, certain unpermitted, non-conforming dwelling units may be brought into compliance with the Solano County Code and the California Building Code. The provisions set forth in this subsection shall only be applicable through December 31, 1996, after which all provisions of this Code shall apply. In determining whether a non-permitted improved

residential structure may achieve permitted status as either a Companion Living Unit or a Secondary Living Unit, the following criteria shall apply:

- a. The unit shall have existed as a substantially improved dwelling prior to December 8, 1994; and
 - b. In the case of Companion Living Unit, as defined, the improved livable space may be no larger than 850 square feet, either as it existed or as it shall be altered, so as to not exceed the maximum square footage allowable under the Solano County. Code immediately prior to the adoption of Ordinance No. 1497. The 850 sq. ft. maximum livable space shall not be retroactively applied to Secondary Living Units, as defined, seeking permitted status under this section; and
 - c. All necessary building permits shall be applied for and obtained and as-built construction approved by the Building Official as conforming with the applicable zoning and building codes; and
 - d. The property owner shall certify that the Companion Living Unit shall be solely used for the purposes of providing independent living quarters 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.
3. **Dwellings.** Nonconforming primary and secondary dwellings, and duplexes, which were lawfully established, may continue subject to the following restrictions:
- a. **Repairs and Maintenance.** Ordinary maintenance and repairs may be made to any nonconforming primary or secondary dwelling or duplex, provided that, no expansion or structural alterations are made except those required by law or ordinance, or as provided for below.
 - b. **Destruction and Reconstruction.** If at any time a primary or secondary dwelling or duplex in existence prior to the adoption of any amendment to this Chapter. 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, a new primary or secondary dwelling or duplex may be constructed in the same location, provided it does not expand the area of the previous footprint by more than 25 percent. The new dwelling will remain legal nonconforming.
 - c. **Expansion.** The square footage area of a primary or secondary dwelling or duplex may be expanded by up to 25 percent, or to the maximum size permitted under current regulations, whichever is less.
 - d. **Structural Alterations.** Structural alterations are permitted for a nonconforming primary or secondary dwelling or duplex.
 - e. **Zoning Clearance Required.** Prior to the issuance of a building permit, grading permit, septic or well permit for a nonconforming primary or secondary dwelling or

duplex, a zoning clearance must be issued by the Director of Resource Management which sets forth the extent of nonconformity and the permissible repair, maintenance, alteration or expansion of the dwelling.

28.115 Planning Commission.

The Commission shall perform the duties and functions prescribed by State law and Solano County ordinances, including the following:

1. The review and approval, conditional approval or denial of development projects under the jurisdiction of the Commission as provided for by this Chapter; and
2. The making of recommendations to the Board for final decisions on General Plan Amendments, Development Agreements, Zoning Regulation Amendments, Specific Plans and Amendments, Zoning Map Amendments, environmental documents associated with the preceding project types, and other applicable policy or ordinance matters related to the County's planning process.
3. 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.

28.116 Reserved

28.117 Zoning Administrator

The Director of Resource Management or his or her designee shall serve as the Zoning Administrator and perform the duties and functions assigned by this Chapter

28.118 Director of Resource Management

A. Authority.

The Director of Resource Management may designate one or more employees of the Department to perform the duties and functions assigned to the Director by this Chapter.

28.119 Reserved

(The entire chapter was revised by Ord. No. 1726, §2)