



## COUNTY OF SOLANO GENERAL PLAN IMPLEMENTATION

Department of Resource Management  
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### **MEMORANDUM:**

### **Agenda Item No. 2**

**TO:** Solano County Planning Commission

**FROM:** Jim Louie, Principal Planner  
Jim Leland, Principal Planner

**DATE:** January 6, 2011

**RE:** Zone Text Amendment (ZT-10-03), amending Chapter 28 Zoning Regulations of the Solano County Code, implementing the Suisun Valley Strategic Plan.

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### **RECOMMENDTION:**

Staff recommends that the Planning Commission:

- Conduct a Public Hearing and recommend approval of Zone Text Amendment (ZT-10-03), amending Chapter 28 Zoning Regulations of the Solano County Code, implementing the Suisun Valley Strategic Plan.

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### **I. General Plan Background & Implementation:**

The 2008 Solano County General Plan was adopted by the Solano County Board of Supervisors on August 5, 2008 and the Orderly Growth policies of that Plan came before the voters as Measure T on the November 2008 ballot. Measure T was passed by the voters, confirming the approval of the 2008 General Plan. One of the major elements of the 2008 General Plan and its Orderly Growth policies is the preservation of the County's agricultural resources and the identification of ten agricultural regions that have unique agricultural issues applicable to each area. The ten agricultural regions are identified as Suisun

Valley, Green Valley, Dixon Ridge, Elmira/Maine Prairie, Jepson Prairie, Montezuma Hills, Pleasants/Vaca/Lagoon Valleys, Ryer Island, Western Hills and Winters. A General Plan implementation measure calls for the development of a regional strategic plan for the Suisun Valley.

## **II. Background - Suisun Valley Strategic Plan:**

On October 7, 2010, the Planning Commission considered zoning amendments along with the Suisun Valley Strategic Plan and forwarded a recommendation for approval to the Board of Supervisors. Since that hearing, it has become apparent to staff that some further changes to the zoning regulations proposed for Suisun Valley need to be considered by the Planning Commission. As a result, staff has prepared a new set of zoning regulations amending Chapter 28 of the county code for the Commission's consideration.

### **DISCUSSION**

The Resource Management Department is working with the Commissioner of Agriculture, the Farm Bureau and the Agriculture Advisory Committee on comprehensive changes to the Exclusive Agriculture District. Staff expects these changes to be before the Planning Commission early in 2011. It became apparent that some of this work was appropriate for inclusion in the Suisun Valley zoning districts. In addition, while preparing the Suisun Valley zoning districts for incorporation into the county code, it became apparent that formatting changes were required, additional definitions were necessary and some provisions required reconsideration.

Consequently, staff prepared proposed revisions to the Suisun Valley zoning regulations and has scheduled this public hearing in order that the Planning Commission may consider these additional changes for Suisun Valley, prior to the ordinance proceeding to the Board of Supervisors for final disposition.

The changes being proposed are shown in blue ink on the attached Exhibit A, and fall into the following broad categories:

- 1) Formatting changes,**
- 2) Changes and additions to the definitions in Section 28-10 and 28-41.20,**
- 3) Modifications to the allowable uses and permitting requirements, in Section 28-41.30**
- 4) Additional development standards and use regulations in Sections 28-41.40, 28-41.50 and Section 28-66.060, and**

## **5) Addition of Design Guidelines and Design Review in Section 28-41.60**

### **1) Formatting Changes**

Several formatting changes have been made to make the ordinance consistent with the overall Zoning Regulations published by the Department. The two-column format has been replaced by a standard one-column layout. Bold, descriptive headings have been added to facilitate quicker navigation through the document, and the three districts' have been combined into one set of tables (28-41A, B and C) for easier comparisons.

### **2) Changes and additions to the Definitions**

#### **Section 28-10 Definitions**

The revised ordinance contains new definitions added to Section 28-10 Definitions, including:

- (a) Crowing Fowl
- (b) Pastured Livestock
- (c) Pastured Poultry

#### **Crowing Fowl**

Staff has been working with the Agriculture Commissioner to develop a definition for Crowing Fowls (roosters, etc) and permitting requirements in order to provide greater control over an increasing number of cock-fighting establishments emerging in Solano County.

#### **Pastured Livestock**

Staff is providing a definition for pastured livestock in order to permit easier administration and enforcement. Since confined animal facilities are prohibited, it is necessary to define a pastured livestock operation.

#### **Pastured Poultry**

Staff is providing a definition for pastured poultry in order to permit easier administration and enforcement. Since poultry ranches are prohibited, it is necessary to define a pastured poultry operation.

In addition, staff is recommending modifications to the following definitions in Section 28-10:

- (a) Agritourism
- (b) Bed and Breakfast Inn
- (c) Farmer's Market
- (d) Fowl and Poultry Ranch
- (e) Local Products Store
- (f) Resort Hotel

(g) Special events

Agritourism

Staff is recommending an enhanced definition of agritourism, including permitting both temporary and permanent agritourism uses. The expanded definition will provide greater clarity and assist in the administration and enforcement of the district regulations.

Bed and Breakfast Inn

Staff is including “Inn” as a part of the term for Bed and Breakfast uses.

Farmer’s Market

Staff is replacing “farm” with “agricultural” in the definition to be consistent with the overall code’s treatment of agriculture.

Fowl and Poultry Ranch

Staff is proposing a modification to the definition and the establishment of a threshold of 5 or more crowing fowl for the definition of a Poultry Ranch.

Local Products Store

Staff is recommending a minor change to provide a more focused definition.

Resort Hotel

Staff is providing a definition for Resort Hotel

Special events

Staff is providing a definition of special events with a clarification that marketing events are not subject to the special event regulations.

**Section 28-41.20 Definitions Applicable only to the A-SV-20, ATC and ATC NC Districts**

The revised ordinance contains new definitions added to Section 28-41.20, including:

- (a) Hotel
- (b) Retail Stores and Services
- (c) Seasonal Sales Lots, and
- (d) Modifications to the definition of Winery

Hotel

Staff is recommending the inclusion of a definition of “Hotel”.

Retail Stores and Services

Staff is recommending the inclusion of a definition of “Retail stores and services”.

Seasonal Sales Lots

Staff is recommending the inclusion of a definition of “Seasonal sales lots”.

### Winery

In addition, staff is recommending modifications to the definition for winery in Section 28-41.20 to make 20,000 gallons and 100,000 gallons the thresholds for the three levels of wineries because the quantities align with the state regulations.

### **3) Modifications to the allowable uses and permitting requirements in Section 28-41.30**

#### **Section 28-41.30**

Staff is recommending several modifications to the allowable uses and permitting requirements expressed in Table 28-41A, including:

#### General

The specific use regulations citation in Table 28-41A have been modified as required by the other revisions to the ordinance.

#### Agricultural Uses

##### 1. Modifications to Uses

- (a) Pastured livestock and poultry. The pastured livestock and pastured poultry provisions have been modified to provide for a minor use permit in circumstances where the operation is being conducted on a parcel within 1,320 feet of an R-District, or where the pastured livestock or pastured poultry operation cannot meet one or more of the required standards.

##### 2. Addition of New Uses

- (a) Auctions, agricultural equipment sales. The temporary use of the property for auctions and agricultural equipment sales with an administrative or minor use permit has been added to Table 28-41A.
- (b) Limited special event. The temporary use of the property for limited special events with a use permit has been added to Table 28-41A.
- (c) Temporary agricultural office. The temporary use of the property for a temporary agricultural office with an administrative permit has been added to Table 28-41A.
- (d) Wind-turbines, non-commercial, less than 100 feet in height. The use of the property for a non-commercial wind turbine less than 100 feet in height has been added to Table 28-41A.

#### Residential Uses

##### 1. Modifications to Uses

- (a) Rural Residential Enterprises have been deleted and Cottage Industries have been added to Table 28-41A, with appropriate permitting requirements, to reflect recent changes to the Zoning Regulations.

- (b) Private stables have been limited to 9 or less horses. Since confined animal facilities are prohibited in the district, it is necessary to make explicit that only nine horses may be allowed, since 10 or more horses are considered a confined animal facility.

## 2. Addition of New Uses

- (a) The use of the land for security quarters for a business operation has been added to Table 28-41A, subject to an administrative permit.
- (b) The temporary use of the land for the storage of a mobile home has been added to Table 28-41A, subject to an administrative permit.

## Recreational, Educational and Public Assembly Uses

### 1. Modifications to Uses

- (a) The use of the land for “Special Events” has been added to Table 28-41A, subject to permit requirements in Section 28-41.50.
- (b) Public open space uses have been deleted since public agencies would be exempt from the zoning requirements.

## Retail Trade Uses

### 1. Modifications to Uses

- (a) Staff is recommending a modification to the “retail stores and services” provisions to require a minor use permit for a facility in excess of 1,500 square feet.

## Tourist Uses

### 1. Modifications to Uses

- (a) Staff is recommending the addition of a third threshold of 5,000 square feet for “Bakery/Café/Restaurant” and to require a discretionary permit for large-scale operations in order to insure that larger scaled facilities are in keeping with the Suisun Valley Strategic Plan.

### 2. Addition of New Uses

- (a) Temporary agritourism uses have been added to include amusement and entertainment uses, farmer’s markets and seasonal sales lots, subject to administrative or minor use permits.

## Commercial Service Uses

### 1. Modifications to Uses

- (a) The use of the land for “commercial agricultural trucking services” has been modified in Table 28-41A to require a use permit subject to the applicable standards in Section 28-41.50.

- (b) The use of the land for “commercial farm equipment fabrication and repair” has been modified in Table 28-41A to require a use permit subject to the applicable standards in Section 28-41.50.
- (c) The use of the land for “commercial storage and sale of agricultural service products” has been modified in Table 28-41A to require a use permit subject to the applicable standards in Section 28-41.50.

## 2. Addition of New Uses

- (a) “Catteries” has been added to “Kennels” to be consistent with other Districts in the Zoning Regulations.

## Communication and Infrastructure Uses

### 1. Modifications to Uses

- (a) “Injection wells” and “oil and gas wells” have been deleted as allowable uses. Staff is unaware of any oil and gas resources in Suisun Valley.

### 2. Addition of New Uses

- (a) A “Temporary Construction and Infrastructure” section has been added to Table 28-41A to permit certain types of construction office and construction storage yards to be permitted uses.

## Other Uses

### 1. Modifications to Uses

- (a) Staff is recommending eliminating “cemetery” uses from the district, consistent with the other agricultural districts in the county.
- (b) Staff is recommending eliminating the “Signs- commercial and Real Estate” use and to add the A-SV-20, ATC and ATC-NC Districts to the table in Section 28.66.060 as follows:
  - i. Make the A-SV District sign standards the same as the (A) District sign standards, and
  - ii. Make the (ATC) and the (ATC-NC) District sign standards the same as the (C-N) District sign standards.

## **4) Additional development standards and use regulations.**

### **Section 28-41.40 General development Standards**

The ordinance considered by the Planning Commission in October, 2010 included a reference to the development standards in the Exclusive Agriculture (A) District. Staff is recommending the addition of Table 28-41B and Table 28-41C to the Suisun Valley Districts to locate the development standards for main buildings, accessory buildings, primary residences and secondary residences with the Suisun Valley Zoning Districts code sections.

### **Section 28-41.50 Special Uses Regulations**

As discussed above, Table 28-41A has been modified to add new uses and modify the permit requirements for previously listed uses. Staff is recommending the establishment of specific standards for many of the uses listed in Table 28-41A in order to provide for clarity and to promote efficient administration of the regulations and provide for objective review of use permits and clearer standards for code compliance.

Standards and permit requirements are added for the following uses:

1. Agricultural Uses
  - i. Pastured livestock and poultry.
  - ii. Auctions, agricultural equipment sales.
  - iii. Temporary agricultural office.
2. Residential Uses
  - i. Agricultural Employee Housing
  - ii. Secondary Dwellings
  - iii. Security quarters for a business operation
  - iv. Storage of a mobile
3. Recreational, Educational and Public Assembly Uses
  - i. Limited Public Event
4. Retail Trade Uses
  - i. Retail Stores and Services
  - ii. Roadside Stand
5. Tourist Uses
  - i. Bakery/Café/Restaurant
  - ii. Galleries
  - iii. Resort Hotel
  - iv. Special Event
  - v. Marketing Event
  - vi. Bed and Breakfast Inn
  - vii. Tasting Facility
  - viii. Local Products Store
  - ix. Hotel
  - x. Agricultural Homestay
  - xi. Temporary Agritourism
    - (a) Amusement and entertainment uses,
    - (b) Farmer's markets and
    - (c) Seasonal sales lots
6. Commercial Service Uses

General standards for all uses in this section have been provided.
7. Communication and Infrastructure Uses

- i. On-site construction office, storage and construction yards, and
- ii. Off-site construction office, storage and construction yards.

**Section 28-66.060 Zoning District Sign Standards**

Staff is recommending adding the A-SV-20, ATC and ATC-NC Districts to the table in Section 28.66.060 as follows:

- i. Modify the table in Section 28-66.060 to make the A-SV District sign standards the same as the (A) District sign standards, and
- ii. Modify the table in Section 28-66.060 to make the (ATC) and the (ATC-NC) District sign standards the same as the (C-N) District sign standards.

**5) Design Guidelines and Design Review**

**Section 28-41.60 Design Guidelines and Design Review**

Staff has added a Section to establish design guidelines (referencing the Suisun Valley Strategic Plan) and providing a design review permit process, including the following items.

- (a) Purpose
- (b) Design Review Process
  - (1) Preliminary Plan Review
  - (2) Final Design Review
    - a. Discretionary Permits
    - b. Non-discretionary permits
- (c) Design Guidelines
- (d) Action by the Hearing Authority
- (e) Findings
- (f) Approval
- (g) Occupancy
- (h) Appeals
- (i) Amendments.
- (j) Submittal Requirements.
- (k) Fees.

**RECOMMENDATION**

- Staff recommends that the Planning Commission approve Zone Text Amendment (ZT-10-03), amending Chapter 28 Zoning Regulations of the Solano County Code, implementing the Suisun Valley Strategic Plan.

**Exhibits:**

- A. Draft Ordinance
- B. Zoning Map