ORDINANCE NO. 1254

SUMMARY: The following ordinance amends Chapter 28 of the Solano County Code by adding provisions to allow home occupations in all zoning districts where one-family dwellings are allowed, permitting sales and bulk storage of hay produced off-site in Rural Residential Districts, and repealing and adding zoning regulations and standards pertaining to rural resident enterprises.

AN ORDINANCE AMENDING THE SOLANO COUNTY ZONING ORDINANCE RELATIVE TO RURAL RESIDENT ENTERPRISES HAY SALES, AND HOME OCCUPATIONS

The Board of Supervisors of the County of Solano does ordain as follows:

SECTION I.

Chapter 28, Section 28-1, of the Solano County Code is amended to read as follows:

Section 28-1. Definitions.

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

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.

SECTION II

Section 28-11(c) is amended by adding a new subsection (8) to read as follows:

Section 28-11. Rural Residential (R-R) Districts.

(c) Use permitted, provided the conditions for a use permit as set forth in Section 28-27 are fulfilled:
(1) Public stable, horse show, commercial kennel for dogs and cats.
(2) Cemetery, crematory, mausoleum and columbarium.
(3) Tract office, for a period to be specified in the use permit.
(4) Public service facility, nursery school, church, nursing home or community care facility.
(5) Oil and gas wells.
(6) Sign not to exceed 300 square feet in area advertising the sale of a subdivision.
(7) Rural resident enterprise.
(8) Bulk storage and sales of hay crops other than those produced on the premises.

SECTION III.
Section 28-27(i)(41), providing conditions relating to rural resident enterprises, is hereby repealed.

SECTION IV.
Section 28-24(b)(6) is added to the Solano County Code to read as follows:

(b) Special Regulations.
(6) Regulations for Rural Resident Enterprises:

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

a. Uses shall not exceed a total area of 1500 square feet of contiguous indoor or outdoor space of which a maximum of 500 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 (1) non-resident 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 20 feet from side property lines and 25 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 20 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.

SECTION V.

Section 28-24(b)(7) is added to the Solano County Code as follows:

(b) Special Regulations.

(7) Regulations for Home Occupations.

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

a. The use shall not occupy more than 20 percent of the habitable floor area of the dwelling nor require structural modifications so as to change the residential character of the dwelling.

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

c. The use shall not necessitate the conduct of business with customers or clients on the premises except by telephone or by appointment only when limited to not more than one client.
d. The use shall not generate traffic in excess of that normally associated with residential use, and no more than one vehicle or truck with a maximum 3/4 ton capacity shall be permitted in conjunction with any home occupation.

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

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

SECTION VI.

This ordinance shall be published once before the expiration of FIFTEEN (15) DAYS after its final passage in the Daily Republic, a newspaper of general circulation, printed and published in the County of Solano, State of California, and shall be in full force and effect THIRTY (30) DAYS after its passage.

ATTEST:

DON PIPPO, Chairman of the Board of Supervisors

LINDA TERRA, Clerk to the Board

I, LINDA TERRA, Clerk to the Board of Supervisors of the County of Solano, State of California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting held August 13, 1985.
On motion of Supervisor Brann, Seconded by Supervisor Sturn, this Ordinance was adopted at a regular meeting of said Board on August 13, 1985, by the following vote:

AYE-S: SUPERVISORS: Brann, Davis, Hewitt and Sturn

NOES: SUPERVISORS: Chairman Pippo

ABSTAINED: SUPERVISORS: None

ABSENT: SUPERVISORS: None

WITNESS my hand and the Seal of said Board this 13th day of August, 1985.

LINDA L. TERRA, Clerk to the Board of Supervisors

MRC/EB