ORDINANCE NO. 1440

AN ORDINANCE AMENDING SECTION 28-10, 28-23(b)(3), 28-23(b)(5) AND ADDING 28-60 TO CHAPTER 28 OF THE SOLANO COUNTY CODE ENTITLED ZONING REGULATIONS

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

SECTION I.

Section 28-10, Definitions, of Chapter 28, entitled "Zoning Regulations," of the Solano County Code is hereby amended to add a definition of public nuisance, as follows:

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

Public nuisance. Public nuisance shall mean a public nuisance as defined under California Civil Code §§ 3479 and 3480, as now in effect, or as may be amended from time to time.

SECTION II.

Section 28-23(b)(3), pertaining to uses allowed in a Rural Residential (R-R) district, is amended to read as follows:

(b) Uses allowed:

(3) Growing of crops or plants.

SECTION III.

Section 28-23(b)(5), pertaining to uses allowed in a Rural Residential (R-R) district, is amended to read as follows:

(b) Uses allowed:

(5) Small animal husbandry incidental to a dwelling; provided, that:
   a. The total number of small animals kept on one ownership shall not exceed twenty (20) per acre.
   b. 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 environmental management.
   c. Small animals that create noise audible on adjacent properties that is deemed by the County to be excessive or not in harmony with the rural 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. No more than one (1) rooster per acre may be kept.

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

SECTION IV.

Section 28-60(i), pertaining to nonconforming uses, is added to Chapter 28, to read as follows:

Section 28-60. Nonconforming uses.

(i) Any ownership located within the "R-R" rural residential district on which more than one (1) rooster per acre is kept which is lawfully permitted on July 22, 1992, although such use does not conform to the regulations specified by this chapter for the "R-R" rural residential district in which such ownership is located, may continue for a period of ninety (90) days from July 22, 1992, or until October 20, 1992, at which time the nonconforming number of roosters shall be corrected, as provided in subsection (a) above and the subsequent number of roosters shall be in conformity with the regulations specified by this chapter for the "R-R" district in which such use is located.

SECTION V.

Pursuant to provisions of Government Code Section 25124(b)(1), a summary of this Ordinance and the vote of the members of the Board of Supervisors thereon shall be published once before the expiration of FIFTEEN (15) DAYS after adoption of the Ordinance, in the FAIRFIELD 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.

A certified copy of the full text of the proposed ordinance shall be posted in the office of the Clerk to the Board of Supervisors at least FIVE (5) DAYS prior to the meeting of the Board of Supervisors, at which the Ordinance is to be finally considered for adoption (second reading). A certified copy of the final Ordinance shall be posted in the office of the Clerk of the
Board of Supervisors, at least FIFTEEN (15) DAYS after adoption of the Ordinance, and the posting shall include the vote of the supervisors for or against the Ordinance.

JON STEWART, Vice-Chairman, Board of Supervisors

ATTEST:

LINDA TERRA, Clerk to the Board of Supervisors

I, LINDA TERRA, Clerk to the Board of Supervisors of the County of Solano, State of California, do hereby certify that the above and foregoing Ordinance was introduced at a regular meeting thereof held the 9th day of June , 1992.

On the motion of Supervisor Carroll and the Second of Supervisor Caddle, this Ordinance was adopted at a regular meeting of said Board on June 23, 1992, by the following vote:

AYES: SUPERVISORS Caddle, Carroll and Stewart

NOES: SUPERVISORS None

ABSTAINED: SUPERVISORS None

ABSENT: SUPERVISORS Davis and Chairwoman Simmons

WITNESS my hand and the Seal of said Board this 23rd day of June , 1992.

LINDA TERRA, Clerk to the Board of Supervisors

By LINDA TERRA, Clerk to the Board of Supervisors