

**DEL NORTE COUNTY  
BOARD OF SUPERVISORS**

**ORDINANCE NO. 99-002**

**AN ORDINANCE AMENDING TITLES 20 AND 21 ZONING TEXT  
REGARDING HOME BUSINESSES**

The following ordinance, consisting of twenty sections, shall take effect and be enforced thirty (30) days after the date of its passage or after approval of the rezone by the California Coastal Commission, whichever is the later.

The ordinance was duly and regularly passed and adopted by the Board of Supervisors of the County of Del Norte, State of California, at a regular meeting of the Board of Supervisors held on the 12<sup>th</sup> day of January 1999 by the following polled vote:

AYES: Supervisors Eller, Reese, Blackburn, McClure and Finigan

NOES: None

ABSENT: None



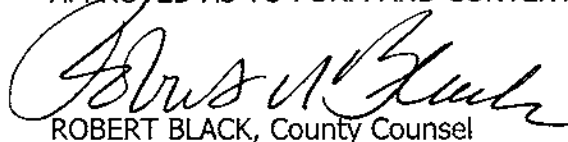
DAVID FINIGAN, Chairman of the  
Board of the Supervisors

ATTEST:



KAREN L. WALSH, Clerk of the Board  
Of Supervisors, State of California, County of Del Norte

APPROVED AS TO FORM AND CONTENT:



ROBERT BLACK, County Counsel

**TITLE 20 ZONING (non-Coastal) AMENDMENTS:**

**ADD CHAPTER 20.04 DEFINITIONS SECTION:**

20.04.175 Care Facility, Residential A "Residential Care Facility" shall be as defined by California Health and Safety Code, including habilitative, congregate, foster or group home in a health care, community care, or recovery care facility for six or fewer persons, or in a Small Day Care Facility and shall, under state law, be considered a single family residence for the purpose of this Zoning code. Large Day Care Facilities, as defined by California Health and Safety Code, shall also be considered a single family residence however a Use Permit will be required in all R zone districts to address potential local health and safety issues.

**REVISE CHAPTER 20.04 DEFINITIONS SECTION:**

20.04.370 Hotel. "Hotel" means any building or portion thereof containing four or more guest rooms used, designed, or intended to be used, let or hired out to be occupied, whether the compensation be paid directly or indirectly.

**REVISE CHAPTER 20.04 DEFINITIONS SECTION:**

20.04.360 Home occupation. "Home occupation" means an individually provided service, or an individual office or studio use conducted within a dwelling by the inhabitants thereof which use is clearly incidental and secondary to the use of the property for dwelling purposes and does not change the character thereof and which use;

A. Is confined within the dwelling and occupies not more than twenty-five percent of the floor space thereof, or is confined to a garden or orchard where unprocessed food or flora is grown on-site;

B. Involves no on-site sales of merchandise other than that produced on the premises, or merchandise directly related to, and incidental to the services offered;

C. Is carried on by the members of the family occupying the dwelling with no other person employed;

D. Does not entail the conversion of a room into a salesroom or group meeting room;

E. Produces no evidence of its existence beyond the dwellings (except one unlighted signs of not more than one square foot) such as noise, smoke, odors, vibration, lighting, exterior storage yards, excessive or intrusive electronics or communications devices , etc.;

F. Does not generate pedestrian or vehicular traffic (including delivery vehicles) beyond that normal in the neighborhood in which located and provides off-street parking adequate for clients in addition to that required for the residence;

G. Includes no outside storage of materials, products, equipment or business vehicles, other than the personal transport vehicle(s) of the resident business owner(s);

H. Clinics, medical laboratories, hospitals, residential care facilities, antique shops, guest lodging, food or liquor service establishments such as bakeries, restaurants or bars, food processing, beauty or similar personal service shops (exceeding more than one operator), animal hospitals or kennels, raising or sales of animals and/or animal products, contractors yards, retail merchandise warehousing or sales, on-going yard or crafts sales, and commercial wood-working or repair shops, shall not be deemed to be home occupations.

ADD CHAPTER 20.04 DEFINITIONS SECTION:

20.04.355 Home Enterprise: "Home Enterprise" means a service, office, studio or production use conducted in conjunction with a dwelling unit, managed by the inhabitants thereof, which use includes business activities more intense than those of a home occupation. Home enterprises may be considered in specified zoning districts subject to the issuance of a Use Permit which shall find that the use is clearly incidental and secondary to the use of the property for dwelling purposes, does not substantially change the character of the dwelling or neighborhood thereof, and which use;

A. Is confined within an on-site dwelling or accessory structure thereto, occupies not more than 33% of the total on-site building square footage, and/or is confined to a garden or orchard where food or flora is grown on-site;

B. Involves no sales of new or used merchandise other than that produced on the premises, or merchandise directly related to, and incidental to the services offered;

C. Is managed by the family occupying the dwelling with no more than (3) non-resident employees at the site where the residence is located within any General Plan designated Urban or Rural area, or nor more than (5) non-resident employees at the site where the residence is located within any General Plan designated Resource area;

D. Does not entail the establishment of a permanent salesroom or group meeting room, except that provision for occasional temporary sales areas or group meetings may be established by the use permit where no impact upon the surrounding neighborhood is found;

E. Is in compliance with applicable health, safety and welfare standards such as the Uniform Building Code, Uniform Fire Code, Americans with Disabilities Act, OSHA, etc;

F. Produces no evidence of its existence beyond the property line (except one unlighted sign of not more than ten square feet which shall be considered a residential sign) such as noise, smoke, odors, vibration, lighting, exterior storage, excessive or intrusive electronic and/or communication devices, etc;

G. Does not establish or create a health or safety hazard;

H. Does not generate pedestrian or vehicular traffic, including delivery vehicles, beyond that normal in the neighborhood in which located and provides off-street parking adequate for clients and employees in addition to that required for the residence;

I. Includes no outside storage of materials, products, equipment or business vehicles, other than the personal transport vehicle(s) of the resident business owner(s);

J. Clinics (exceeding more than one doctor/practitioner), medical laboratories, hospitals, residential care facilities, animal hospitals, outdoor contractors yards, storage rental (ie mini storage), food or liquor service establishments such as bakeries, restaurants or bars, and auto repair and/or painting, shall not be deemed to be home enterprises. Animal kennels, raising or sales of animals and/or animal products, and food processing shall not be deemed to be home enterprises where the residence is located within a General Plan designated Urban area.

ADD CHAPTER 20.04 DEFINITIONS SECTION:

20.04.445 Lodging, house or guest. "Lodging house" or "guest lodging" are synonymous and mean any building dwelling or portion thereof containing not more than three guest rooms which are used by not more than six guests where compensation is paid in money, goods, labor or otherwise and where the use is accessory to a residential occupancy. Incidental food service, for guests only, may be included subject to County Health regulations, provided that no second

separate cooking facility shall be established. One on-site parking space shall be provided for each guest room in addition to those spaces required for the residence and signage shall not exceed that permitted for the residence itself.

REVISE CHAPTER 20.04 DEFINITIONS SECTION:

20.04.580 Motel. "Motel" means a building or group of buildings containing four guest rooms and/or apartments or more, which group is designed, intended and or used primarily for the accommodation of automobile travelers, for compensation whether paid directly or indirectly, including, but not limited to, buildings designated as automobile courts, auto cabins and motor lodges.

ADD CHAPTER 20.10 AGRICULTURE EXCLUSIVE DISTRICT SECTIONS:

20.10.020 Uses permitted.

G. Home enterprises which are agricultural in nature as outlined in D and F above.

H. Guest lodging.

20.10.030 Uses permitted with a use permit.

L. Home enterprises which are not agricultural in nature.

ADD CHAPTER 20.11 A AGRICULTURAL DISTRICT SECTIONS:

20.11.020 Permitted uses.

H. Home enterprises which are agricultural in nature as outlined in C and E above.

I. Guest lodging.

20.11.030 Uses permitted with a use permit.

N. Home enterprises which are not agricultural in nature.

ADD CHAPTER 20.12 RR (2 acre) RURAL RESIDENTIAL DISTRICT SECTIONS:

20.12.020 Uses permitted with a use permit

F. Home enterprises.

G. Guest lodging.

ADD CHAPTER 20.12A RURAL RESIDENTIAL (RR3) DISTRICT SECTIONS:

20.12A.020 Uses permitted with a use permit.

G. Guest lodging.

H. Home enterprises.

ADD CHAPTER 20.13 RESIDENTIAL AND AGRICULTURAL DISTRICT SECTIONS:

20.13.030 Uses permitted with a use permit

F. Home enterprises.

G. Guest lodging.

ADD CHAPTER 20.15 RR-5 RURAL RESIDENTIAL DISTRICT SECTIONS:

20.15.030 Uses permitted with a use permit.

- G. Home enterprises.
- H. Guest lodging.

REVISE AND ADD CHAPTER 20.16 R-1 ONE FAMILY RESIDENCE DISTRICT SECTIONS:

- 20.16.020 Permitted uses.
- C. Home occupations.

- 20.16.030 Uses permitted with a use permit.
- F. Home enterprises.
- G. Guest lodging.

ADD CHAPTER 20.17 RR-1 RURAL RESIDENTIAL DISTRICT SECTION:

- 20.17.101 Uses permitted with a use permit.
- E. Guest lodging.

**TITLE 21 COASTAL ZONING AMENDMENTS:**

ADD CHAPTER 21.04 DEFINITIONS SECTION:

21.04.165 Care Facility, Residential A "Residential Care Facility" shall be as defined by California Health and Safety Code, including habilitative, congregate, foster or group home in a health care, community care, or recovery care facility for six or fewer persons, or in a Small Day Care Facility and shall, under state law, be considered a single family residence for the purpose of this Zoning code. Large Day Care Facilities, as defined by California Health and Safety Code, shall also be considered a single family residence however a Use Permit will be required in all R zone districts to address potential local health and safety issues.

REVISE CHAPTER 21.04 DEFINITIONS SECTION:

21.04.340 Hotel. "Hotel" means any building or portion thereof containing four or more guest rooms used, designed, or intended to be used, let or hired out to be occupied, whether the compensation be paid directly or indirectly.

REVISE CHAPTER 21.04 DEFINITIONS SECTION:

21.04.330 Home occupation. "Home occupation" means an individually provided service, or an individual office or studio use conducted within a dwelling by the inhabitants thereof which use is clearly incidental and secondary to the use of the property for dwelling purposes and does not change the character thereof and which use;

A. Is confined within the dwelling and occupies not more than twenty-five percent of the floor space thereof, or is confined to a garden or orchard where unprocessed food or flora is grown on-site;

B. Involves no on-site sales of merchandise other than that produced on the premises, or merchandise directly related to, and incidental to the services offered;

C. Is carried on by the members of the family occupying the dwelling with no other person employed;

D. Does not entail the conversion of a room into a salesroom or group meeting room;  
E. Produces no evidence of its existence beyond the dwellings (except one unlighted signs of not more than one square foot) such as noise, smoke, odors, vibration, lighting, exterior storage yards, excessive or intrusive electronics or communications devices , etc.;

F. Does not generate pedestrian or vehicular traffic (including delivery vehicles) beyond that normal in the neighborhood in which located and provides off-street parking adequate for clients in addition to that required for the residence;

G. Includes no outside storage of materials, products, equipment or business vehicles, other than the personal transport vehicle(s) of the resident business owner(s);

H. Clinics, medical laboratories, hospitals, residential care facilities, antique shops, guest lodging, food or liquor service establishments such as bakeries, restaurants or bars, food processing, beauty or similar personal service shops (exceeding more than one operator), animal hospitals or kennels, raising or sales of animals and/or animal products, contractors yards, retail merchandise warehousing or sales, on-going yard or crafts sales, and commercial wood-working or repair shops, shall not be deemed to be home occupations.

#### ADD CHAPTER 21.04 DEFINITIONS SECTION:

21.04.325 Home Enterprise: "Home Enterprise" means a service, office, studio or production use conducted in conjunction with a dwelling unit, managed by the inhabitants thereof, which use includes business activities more intense than those of a home occupation. Home enterprises may be considered in specified zoning districts subject to the issuance of a Use Permit which shall find that the use is clearly incidental and secondary to the use of the property for dwelling purposes, does not substantially change the character of the dwelling or neighborhood thereof, and which use;

A. Is confined within an on-site dwelling or accessory structure thereto, occupies not more than 33% of the total on-site building square footage, and/or is confined to a garden or orchard where food or flora is grown on-site;

B. Involves no sales of new or used merchandise other than that produced on the premises, or merchandise directly related to, and incidental to the services offered;

C. Is managed by the family occupying the dwelling with no more than (3) non-resident employees at the site where the residence is located within any General Plan designated Urban or Rural area, or nor more than (5) non-resident employees at the site where the residence is located within any General Plan designated Resource area;

D. Does not entail the establishment of a permanent salesroom or group meeting room, except that provision for occasional temporary sales areas or group meetings may be established by the use permit where no impact upon the surrounding neighborhood is found;

E. Is in compliance with applicable health, safety and welfare standards such as the Uniform Building Code, Uniform Fire Code, Americans with Disabilities Act, OSHA, etc;

F. Produces no evidence of its existence beyond the property line (except one unlighted sign of not more than ten square feet which shall be considered a residential sign) such as noise, smoke, odors, vibration, lighting, exterior storage, excessive or intrusive electronic and/or communication devices, etc;

G. Does not establish or create a health or safety hazard;

H. Does not generate pedestrian or vehicular traffic, including delivery vehicles, beyond that normal in the neighborhood in which located and provides off-street parking adequate for

clients and employees in addition to that required for the residence;

I. Includes no outside storage of materials, products, equipment or business vehicles, other than the personal transport vehicle(s) of the resident business owner(s);

J. Clinics (exceeding more than one doctor/practitioner), medical laboratories, hospitals, residential care facilities, animal hospitals, outdoor contractors yards, storage rental (ie mini storage), food or liquor service establishments such as bakeries, restaurants or bars, and auto repair and/or painting, shall not be deemed to be home enterprises. Animal kennels, raising or sales of animals and/or animal products, and food processing shall not be deemed to be home enterprises where the residence is located within a General Plan designated Urban area.

REVISE CHAPTER 21.04 DEFINITIONS SECTION:

21.04.406 Lodging, house or guest. "Lodging house" or "guest lodging" are synonymous and mean any dwelling or portion thereof containing not more than three guest rooms which are used by not more than six guests where compensation is paid in money, goods, labor or otherwise and where the use is accessory to a residential occupancy. Incidental food service, for guests only, may be included subject to County Health regulations, provided that no second separate cooking facility shall be established. One on-site parking space shall be provided for each guest room in addition to those spaces required for the residence and signage shall not exceed that permitted for the residence itself.

REVISE CHAPTER 21.04 DEFINITIONS SECTION:

21.04.560 Motel. "Motel" means a building or group of buildings containing four guest rooms and/or apartments or more, which group is designed, intended and/or used primarily for the accommodation of automobile travelers for compensation whether paid directly or indirectly, including, but not limited to, buildings designated as automobile courts, auto cabins and motor lodges.

ADD CHAPTER 21.08 AE AGRICULTURE EXCLUSIVE DISTRICT SECTIONS:

21.08.02 The principal permitted use.

E. Home enterprises which are agricultural in nature as outlined in A and C above.

21.08.030 Uses permitted with a use permit.

H. Home enterprises which are not agricultural in nature.

CORRECT DUPLICATION AND ADD NEW ITEM CHAPTER 21.09 A AGRICULTURAL GENERAL DISTRICT SECTION:

21.09.020 The principal permitted use.

C. A one-family residence with appurtenant uses including home occupations, guest lodging, and appurtenant accessory structures. A manufactured home may be placed in lieu of a conventional residential unit.;

D. Home enterprises which are agricultural in nature as outlined in A above.

CORRECT EXISTING TEXT CONFLICT AND ADD CHAPTER 21.09 A AGRICULTURAL GENERAL DISTRICT SECTION:

21.09.030 Uses permitted with a use permit.

H. Guest ranches.

J. Home enterprises which are not agricultural in nature.

ADD CHAPTER 21.17 RRA RURAL RESIDENTIAL AGRICULTURE DISTRICT SECTION:

21.17.030 Uses permitted with a use permit.

C. Home enterprises.

REVISE AND ADD CHAPTER 21.19 R-1 ONE-FAMILY RESIDENCE DISTRICT SECTIONS:

21.19.020 The principal permitted use.

C. Home occupations.

21.19.030 Uses permitted with a use permit.

C. Home enterprises.

D. Guest lodging.