

## Article 06. Agricultural and Resource Zones.<sup>1</sup>

### Sec. 26-06-010. Purpose of article.

This article identifies allowed land uses in the agricultural and resource zones, permits required for allowed uses, and general standards for site development.

( Ord. No. 6335 , § III(Exh. A), 2-9-2021)

### Sec. 26-06-020. Purpose of agricultural and resource zones.

- A. **General.** The agricultural and resource zones protect agricultural land and natural resource and open space areas, support the county's agricultural and natural resource economic base in a sustainable manner, and manage and conserve natural resources to avoid depletion and promote replenishment of these resources.
- B. **Specific.**
1. **Land intensive agriculture (LIA).** The LIA zone:
    - a. Enhances and protects lands best suited for permanent agricultural use and capable of relatively high production per acre of land; and
    - b. Implement the land intensive agriculture land use category of the general plan and the policies of the agricultural resources element.
  2. **Land extensive agriculture (LEA).** The LEA zone:
    - a. Enhances and protects lands best suited for permanent agricultural use and capable of relatively low production per acre of land; and
    - b. Implements the land extensive agriculture land use category of the general plan and the policies of the Agricultural Resources Element.
  3. **Diverse agriculture (DA).** The DA zone:
    - a. Enhances and protects land where soil, climate, and water conditions support farming but where small acreage intensive farming and part-time farming activities are predominant, and where farming may not be the principal occupation of the farmer; and
    - b. Implement the diverse agriculture land use category of the general plan and the policies of the Agricultural Resource Element.
  4. **Resources and rural development (RRD).** The RRD zone:
    - a. Protects lands needed for:
      - (1) Commercial timber production, geothermal production, aggregate resources production;

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<sup>1</sup>Ord. No. 6335 , § II, adopted February 9, 2021, repealed the former Art. 06, and § III(Exh. A) of the same ord. enacted a new article as set out herein. The former Art. 06 pertained to LEA Land Extensive Agriculture District. See Ordinance List and Disposition Table for a detailed history of derivation.

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- (2) Watershed, fish and wildlife habitat, biotic resources; and
  - (3) Agricultural production activities not subject to the agricultural resources element of the general plan.
- b. Allows very low-density residential development and recreational and visitor-serving uses where compatible with resource use and available public services; and
  - c. Implements the resources and rural development land use category of the general plan.
5. **Timberland production district (TP).** The TP zone:
- a. Conserves and protects of land capable of producing timber and forest products; and
  - b. Establishes timberland zoning and taxation consistent with the Forest Taxation Reform Act of 1976.

( Ord. No. 6335 , § III(Exh. A), 2-9-2021)

## **Sec. 26-06-030. Allowed land uses.**

### **A. General.**

- 1. Table 6-1 identifies the allowed uses and permit requirements in the agricultural and resource zones.
- 2. All uses may be subject to additional standards and regulations and may require a zoning permit, design review, or other additional review. Additional regulations that apply to allowed uses are noted in the "use regulations" column in Table 6-1.
- 3. If Table 6-1 shows two permit types separated by a slash mark (e.g., "P/C"), this indicates that the permitting level may differ depending upon project conditions, as described in the use regulations for the allowed use.

**B. Additional Permits.** A zoning permit, design review or other permits may be required in addition to those permits required by Table 6-1. See individual use regulations sections for additional requirements that may apply.

### **C. Unlisted Land Uses.**

- 1. If a proposed use is not specifically listed in any allowed land use table, the use shall not be allowed, except as provided below.
- 2. For a proposed use not listed in any allowed land use table, the Director may determine that the proposed use is equivalent to a permitted or conditionally permitted use.
- 3. When the director determines that a proposed use is equivalent to a listed use, the proposed use shall be treated in the same manner as the listed use with respect to development standards, permits required, and all applicable requirements of the development code.

**Table 6-1: Allowed Land Uses in Agricultural and Resource Zones**

Key of symbols for Table 6-1:

P = Permitted Use

P\* = Permitted Use, subject to discretionary approval criteria

C = Conditional Use

- = Prohibited Use

† = Permit requirement indicated in use regulations column

Land Use	LIA Zone	LEA Zone	DA Zone	RRD Zone	TP Zone	Use Regulations
<b>Agricultural and Resource-Based Land Use Category</b>						
Agricultural Crop Production and Cultivation	P	P	P	P	-	26-18-020
Agricultural Processing	C	C	C	C	-	26-18-030; 26-88-210
Agricultural Processing, Small Scale	P*	P*	P*	P*	-	26-18-040
Agricultural Support Services	P*/C	P*/C	P*/C	-	-	26-18-050
Animal Keeping: Beekeeping	P	P	P	P	P	26-18-060
Animal Keeping: Confined Farm Animals	P/C	P/C	P/C	C	-	26-18-070
Animal Keeping: Farm Animals	P	P	P	P	-	26-18-080
Animal Keeping: Livestock Feed Yards	C	C	C	C	-	26-18-090
Animal Keeping: Pet Fancier	P	P	P	P	-	26-18-100
Aquaculture	-	C	C	C	-	26-18-110
Composting, Commercial	-	C	C	C	-	26-18-120
Composting, Non-commercial	P	P	P	P	-	26-18-130
Farm Retail Sales	P	P	P	P	-	26-18-140
Farm Stands	P	P	P	P	-	26-18-150
Indoor Crop Cultivation	P	P	P	P/C	-	26-18-160
Land and Resource Management	P	P	P	P	P*	26-18-170
Mining, Surface	-	-	-	C	C	26-18-180; Chapter 26A
Mushroom Farming	C	C	C	C	-	26-18-190
Nursery, Wholesale	P	P	P	P	-	26-26-200
Tasting Rooms	C	C	C	C	-	26-18-210
Timber Management	-	-	-	P	P	26-18-220
Timber Operator Storage Yard, Off-Site	-	-	-	C	C	26-18-230
Timber Operator Storage Yard, On-Site and Incidental	-	-	-	P	P	26-18-230
Timber Saw Mills and Lumber Production	-	-	-	C	C	26-18-240
Timberland Conversions, Major	-	-	-	C	C	26-18-250; 26-88-160
Timberland Conversions, Minor	P	P	P	P	-	26-18-250; 26-88-150
<b>Industrial, Manufacturing, Processing and Storage Land Use Category</b>						
Animal Product Processing	C	C	C	C	-	26-20-020
Fertilizer Plants	C	C	C	C	-	26-20-030
<b>Recreation, Education and Public Assembly Land Use Category</b>						
Camp, Organized	-	-	-	C	C	26-22-020
Campgrounds	-	C	C	C	C	26-22-030
Community Meeting Facilities	C	C	C	C		26-22-050

Country Club	-	-	-	C	-	26-22-060
Educational Institution: Elementary and Secondary Schools	-	C	C	C		26-22-080
Golf Course	C	C	C	C	-	26-22-100
Parks and Playgrounds	P	P	P	-	-	26-22-110
Periodic Special Events	P*	P*	P*	P*	P*	26-22-120
Recreation and Sports Facilities: Rural Sports and Recreation	C	C	C	C	-	26-22-160
Studios for Art Crafts, Dance, Music	P	P	P	P	-	26-22-190
<b>Residential Land Use Category</b>						
Accessory Dwelling Unit	P	P	P	P	P	26-24-020; 26-88-060
Agricultural Employee Housing: Caretaker Dwelling	P	P	P	P	-	26-24-030
Agricultural Employee Housing: Full-Time	P	P	P	P	-	26-24-040
Agricultural Employee Housing: Seasonal	P	P	P	P	-	26-24-050
Agricultural Employee Housing: Temporary Camp	P	P	P	P	-	26-24-060
Agricultural Employee Housing: Year-Round or Extended Seasonal	P	P	P	-	-	26-24-070
Cottage Food Operation	P	P	P	P	P	26-24-100
Dwelling, Single-Family	P	P	P	P	P	26-24-130
Family Day Care Home, Large	P	P	P	P	P	26-24-150; 26-88-080
Family Day Care Home, Small	P	P	P	P	P	26-24-150
Farm Family Dwelling	P	P	-	-	-	26-24-160
Guest House	P	P	P	P	-	26-24-170
Home Occupation	P	P	P	P	-	26-24-180; 26-88-121
Junior Accessory Dwelling Unit	P	P	P	P	P	26-24-190; 26-88-061
Live/Work	C	C	C	C	-	26-24-200; 26-88-122
Permanent Supportive Housing	P	P	P	P	-	26-24-230
Residential Community Care, Large	C	C	C	C	-	26-24-240
Residential Community Care, Small	P	P	P	P	P	26-24-240
Temporary Occupancy of Travel Trailer	P	P	P	P		26-24-260; 26-88-010(p)
Transitional Housing	P	P	P	P		26-24-270
<b>Retail Land Use Category</b>						
Firewood Yard	-	-	C	C	C	26-26-060
Nursery, Retail	C	C	C	C	-	26-26-120
<b>Services Land Use Category</b>						
Cemeteries	C	C	C	C	-	26-28-050
Commercial Horse Facilities	C	C	C	C	-	26-28-060
Commercial Kennels	C	C	C	C	-	26-28-070
Day Care Center	C	C	C	C	-	26-28-080
Horse Boarding	P	P	P	P	-	26-28-100
Lodging: Agricultural Farmstay	P	P	P	P	-	26-28-110; 26-88-085

Lodging: Agricultural Marketing Accommodations	C	C	C	-	-	26-28-120
Lodging: Bed and Breakfast (B&B)	-	C	C	C	-	26-28-130; 26-88-118
Lodging: Hosted Rental	P	P	P	P	-	26-28-140
Lodging: Vacation Rental	-	P	P	P	-	26-28-160; 26-88-120
Veterinary Clinic	-	-	-	C	-	26-28-230
<b>Transportation, Energy, Public Facilities Land Use Category</b>						
Airfield and Landing Strips: Agricultural, Resource or Personal Landing Strip	-	C	C	C	C	26-30-020
Low Temperature Geothermal Resource Development	C	C	C	-	C	26-30-050
Oil and Gas Exploration and Extraction	-	-	-	C	-	26-30-070
Public Safety Facilities	C	C	C	C	C	26-30-090
Public Utility Facilities	C	C	C	C	C	26-30-100
Renewable Energy Facilities	†	†	†	†	†	† See 26-30-110 and Section 26-88-200, -202, -206, and -208
Telecommunications Facilities	†	†	†	†	†	† See 26-30-120 and Section 26-88-130
<b>Other Land Uses</b>						
Cannabis Cultivation, Personal Use	P	P	P	P	P	26-88-258
Commercial Cannabis Uses	†	†	†	†	†	† See 26-88-250; 26-88-254

D. **Williamson Act.** All uses on a parcel under a Williamson Act contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones.

E. **Restricted Nonagricultural Uses.**

1. For the purpose of this subsection, a "restricted nonagricultural use" means the following land uses:
  - a. Agricultural farmstays
  - b. Cemeteries
  - c. Commercial kennels
  - d. Day care centers
  - e. Golf courses
  - f. Horse boarding
  - g. Home occupations
  - h. Land and resource management
  - i. Low temperature geothermal resource development
  - j. Meeting facilities

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- k. Non-commercial composting
  - l. Public parks and playgrounds
  - m. Pet fancier facilities
  - n. Public safety facilities
  - o. Public utility facilities
  - p. Recreation and sports facilities: rural sports and recreation
  - q. Renewable energy facilities
  - r. Temporary events
  - s. Studios for arts and crafts
  - t. Telecommunication facilities
  - u. Application of clean dredge material or biosolids
- 2. In addition to any other applicable standards or criteria, restricted nonagricultural uses in the LIA, LEA, and DA zones are allowed, only if the applicant demonstrates that:
    - a. The use meets a local need;
    - b. The use avoids conflict with agricultural activities; and
    - c. The use is consistent with general plan objectives AR-4.1 and policy AR-4a.
  - 3. If a restricted nonagricultural use requires a discretionary permit, the use must also comply with all applicable Conditional Use Permit approval criteria and requirements.
- F. **Geotechnical Studies.** In the RRD zone, geotechnical studies involving no grading or construction of new roads or pads are a permitted use. Geotechnical studies which involve grading or construction of new roads or pads are subject to a use permit.
- G. **Dredge Materials and Biosolids.** In the LIA, LEA, DA, and RRD zones, the application of clean dredge material or biosolids from wastewater treatment plants is allowed with a use permit, subject, at a minimum, to general plan policy PF-2s.
- H. **Hazardous Materials.**
- 1. A Use Permit is required for commercial and industrial uses otherwise permitted by-right in the RRD zone which involve significant quantities (over 100 kg/month) of hazardous materials as defined by Title 22 of the California Code of Regulations.
  - 2. Such uses are not permitted on land subject to a Williamson Act contract.
- I. **Craft and Garage Sales.** In the LIA, LEA, DA, and RRD zones, craft sales and garage sales not exceeding two (2) sales days per calendar year provided that prior notification is given to the California Highway Patrol and that adequate off-street parking is provided. Craft sales and garage sales involving three (3) or four (4) sales days per year require a use permit.

( Ord. No. 6335 , § III(Exh. A), 2-9-2021)

## **Sec. 26-06-040. Development standards.**

- A. General. Table 6-2 identifies the development standards in the agricultural and resource zones.

- B. Combining Zones. Properties with a combining zone designation as shown in the zoning database (ex. LG Local Guidelines Combining District) may be subject to addition development standards and design guidelines. Where such designations apply, see the appropriate zoning code section for more information on whether the applicable combining zone may modify the development standards.
- C. TP Zone - Maximum Units Per Property. In the TP zone, more than one (1) detached single-family dwelling unit is allowed on a property under single ownership with a use permit. The total number of units may not exceed:
1. Four (4) per property; and
  2. One (1) unit per one hundred sixty (160) acres or the maximum density allowed by the general plan, whichever is less.
- D. Lot Size Standards.
1. Agricultural Homesite Parcels DA Zone. In the DA zone, a lot line adjustment may reduce a lot to less than ten (10) acres as allowed by Section 26-88-180 (agricultural homesite parcels).
  2. Additional Lot Size Standards. See 26-16-030.A (Williamson Act lands) and 26-16-030.B (clustered development).
- E. Lot Coverage. See 26-16-050.A (increased lot coverage for farm operations) and 26-16-050.B (residential greenhouses and swimming pools).
- F. Increased Building Height. The maximum allowed building height shown in Table 6-2 may be increased with design review approval in accordance with Article 82.

**Table 6-2: Development Standards in Agriculture and Resource Zones**

Key of symbols for Table 6-2:

† = Standard indicated in supplemental standards column

Standard	LIA Zone	LEA Zone	DA Zone	RRD Zone	TP Zone	Supplemental Standards
Residential Density (min. acres per unit)	20-100	60-320	10-60	20-320	160	26-06-040.C; 26-16-020
Lot Size (min. acres)	20	1.5	10	20	No min.	26-06-040.D; 26-16-030
Lot Width (min. ft.)	125	125	125	125	125	
Front Property Line Setback (min. ft.)	30	30	30	30	See 26-06-040.G.1	26-06-040.G; 26-16-060
Street Side Property Line Setback (min. ft.)	30	10	10	10	See 26-06-040.G.1	26-06-040.G; 26-16-060
Interior Side Property Line Setback (min. ft.)	10	10	10	10	See 26-06-040.G.1	26-06-040.G; 26-16-060
Rear Property Line Setback (min. ft.)	20	20	20	20	See 26-06-040.G.1	26-06-040.G; 26-16-060
Front Street Centerline Setback (min. ft.)	55	55	55	55	No min.	

Lot Coverage for Parcels less than 2 acres (max.)	20%	20%	20%	20%	No max.	26-06-040.E; 26-16-050
Lot Coverage for Parcels 2 to 5 acres (max.)	†	†	†	†	No max.	† 18,000 sq. ft. or 15%, whichever is greater; 26-6-040.E; 26-16-050
Lot Coverage for Parcels more than 5 acres to 20 acres (max.)	†	†	†	†	No max.	† 30,000 sq. ft. or 10%, whichever is greater; 26-6-040.E; 26-16-050
Lot Coverage for Parcels greater than 20 acres(max.)	†	†	†	†	No max.	† 85,000 sq. ft. or 5%, whichever is greater; 26-6-040.E; 26-16-050
Height, Residential Structures (max. ft.)	35	35	35	35	35	26-06-040.F; 26-16-040
Height, Agricultural Structures (max. ft.)	50	50	50	35	50	26-06-040.F; 26-16-040
Parking	†	†	†	†	†	† See Article 86

**G. Setbacks.**

1. **TP Zone.** Minimum setbacks from property lines in the TP zone are as follows:
  - a. Front: ten percent (10%) of parcel depth to a maximum of seventy-five feet (75').
  - b. Street and Interior Side: ten percent (10%) of parcel width to a maximum of twenty feet (20').
  - c. Rear: twenty feet (20').
2. **Reduced Setbacks for Agricultural Buildings.** In the LIA, LEA, and DA zones, minimum front and side setbacks for agricultural buildings and structures may be reduced up to fifty percent (50%) when necessary for efficient farming operations.

**H. Accessory Buildings on Vacant Parcels.** See Section 26-16-080 (accessory buildings on vacant parcels).

**I. Two-Parcel Subdivision for Farm Worker Housing.** To accommodate the development of farmworker housing, the two-way division of a parcel subject to a Williamson Act contract is allowed subject to the following requirements:

1. The parcel to be divided is in the in the LIA, LEA, DA, or RRD zone.
2. The division complies with California Subdivision Map Act and County Code Chapter 25 (Subdivisions).
3. The resulting parcel will be sold or leased for agricultural employee ("farmworker") housing and is not more than five (5) acres in size. For the purposes of this section, "agricultural employee" shall have the same meaning as defined by Subdivision (b) of Section 1140.4 of the Labor Code.
4. The parcel will be sold or leased to a nonprofit organization, a city, a county, a housing authority, or a state agency, for the sole purpose of the provision and operation of farmworker housing. A lessee that is a nonprofit organization shall not sublease that parcel without the written consent of the landowner, and shall notify the county of such sublease.
5. The parcel to be sold or leased will be subject to a deed restriction that limits the use of the parcel to farmworker housing facilities for not less than thirty (30) years. The deed restriction shall also provide, through reversionary or similar provision, that the parcel shall automatically revert to and be merged with the parcel from which it was subdivided when the parcel ceases to be used for farmworker



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housing for a period of more than one (1) year. The deed restriction shall be in a form satisfactory to county counsel.

6. There is a written agreement between the parties to the sale or lease of the parcel and their successors to operate the parcel to be sold or leased under joint management of the parties, subject to the terms and conditions and for the duration of the Williamson Act contract.
7. The parcel to be sold or leased is contiguous to one (1) or more parcels that are located within a designated urban service area, and which are zoned for and developed with urban residential, commercial, or industrial land uses.
8. The farmworker housing project complies with Section 26-88-010(l) (seasonal farmworker housing) or Section 26-88-010(o) (year-round and extended seasonal farmworker housing), and includes provisions to minimize potential impacts on surrounding agricultural and rural residential land uses.
9. A subdivision of land pursuant to this section will not affect any Williamson Act contract executed pursuant to Article 3 (commencing with Section 51240) of the Government Code, and the parcel to be sold or leased will remain subject to that contract.

( Ord. No. 6335 , § III(Exh. A), 2-9-2021)

## **Article 64. SR Scenic Resources Combining District.**

### **Sec. 26-64-005. Purpose.**

Purpose: to preserve the visual character and scenic resources of lands in the county and to implement the provisions of Sections 2.1, 2.2 and 2.3 of the general plan open space element.

(Ord. No. 4643, 1993.)

### **Sec. 26-64-010. Development criteria.**

Maximum building heights, minimum lot areas and lot widths, yard requirements and maximum percentages of lot coverage shall comply with the requirements for the districts with which the SR regulations are combined unless otherwise provided herein.

(Ord. No. 4643, 1993.)

### **Sec. 26-64-020. Community separators and scenic landscape units.**

- (a) All structures, except certain telecommunications facilities as provided for in Section 26-64-040, located within community separators and scenic landscape units illustrated on Figures OS-5a through OS-5i, inclusive, of the general plan open space element and included within the SR district shall be subject to the following criteria:
  - (1) Structures shall be sited below exposed ridgelines;
  - (2) Structures shall use natural landforms and existing vegetation to screen them from view from public roads. On exposed sites, screening with native, fire resistant plants may be required;
  - (3) Cuts and fills are discouraged, and where practical, driveways are screened from public view;
  - (4) Utilities are placed underground where economically practical;

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The above criteria shall not apply to agricultural accessory structures which do not require a use permit in the district with which this district is combined.

In the event that compliance with these standards would make a parcel unbuildable, structures shall be sited where minimum visual impacts would result.

- (b) In addition to the criteria listed in subsection (a) of this section, the following standards shall apply to subdivisions within community separators and scenic landscape units and included within the SR district unless otherwise provided herein:
  - (1) Building envelopes shall be established for structures. Use of height limitations should be considered, if necessary to further mitigate visual impacts;
  - (2) Clustering shall be used to reduce visual impact where consistent with the applicable base district;
  - (3) Building sites and roadways shall be located to preserve trees and tree stands as provided in Section 26-88-040(m) of this chapter;
  - (4) To the extent allowed by law, dedication of a permanent scenic or agricultural easement shall be required at the time of subdivision for projects in community separators. Consider requiring such easements in critical scenic landscape units pursuant to general plan Policy OS-2g.
- (c) Where development occurs on parcels located both within scenic landscape units and adjacent to scenic corridors, the more restrictive provisions set forth in this article shall apply.
- (d) Require development within community separators to be clustered and limited in scale and intensity.
- (e) Minor timberland conversions shall be allowed within community separators and scenic landscape units, subject to compliance with the requirements of this article and Section 2-88-140.
- (f) Certain single-family dwelling units and appurtenant structures within the area covered by the Taylor Mountain/Sonoma Mountain development guidelines shall be subject to Section 26-90-050, as specified therein. Where the provisions of this section conflict with the provisions of Section 26-90-050, the general plan, or any applicable area plan, the more restrictive provisions shall apply.

(Ord. No. 6252 , § II(Exh. C), 12-4-2018; Ord. No. 5132 § 2, 1999; Ord. No. 4985 § 1(d), 1996; Ord. No. 4973 § 12(a), 1996; Ord. No. 4643, 1993.)

### **Sec. 26-64-030. Scenic corridors.**

The following provisions shall apply to properties along scenic corridors illustrated on Figures OS-5a through OS-5i, inclusive, of the general plan open space element unless otherwise provided herein:

- (a) All structures located within scenic corridors established outside of the urban service area boundaries shown on Figures LU-5a through LU-5i, inclusive, of the general plan land use element shall be subject to the setbacks of thirty percent (30%) of the depth of the lot to a maximum of two hundred feet (200') from the centerline of the road. Development within the setback shall be prohibited with the following exceptions, where such uses are allowed by the base district with which this district is combined:
  - (1) New barns and similar agricultural support structures which are added to existing farm complexes provided that such structures proposed within a state scenic highway or where local design review exists by community choice in an adopted specific or area plan are subject to design review;
  - (2) New barns and similar agricultural support structures which do not require a use permit in this chapter; provided, however, that such structures proposed within a State Scenic Highway or

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where local design review exists by community choice in an adopted specific or area plan are subject to design review;

- (3) Maintenance, restoration, reconstruction or minor expansion of existing structures;
  - (4) Certain telecommunication facilities as provided in Section 26-64-040;
  - (5) Other new structures provided they are subject to design review and
    - (i) They are associated with existing structures,
    - (ii) There is no other reasonable location for the structure,
    - (iii) The location within the setback is necessary for the use, or
    - (iv) Existing vegetation and topography screen the use;
  - (6) Compliance with the setback would render the parcel unbuildable;
  - (7) Satellite dishes which are not visible from the roadway.
- (b) Where the scenic corridor setback provided for in Section 26-64-030(a), conflicts with the scenic corridor setback along Highway 12 established by Ordinance 1810, the latter shall apply.
  - (c) A building setback of twenty feet (20') shall be applied along the Highway 101 scenic corridor to properties which are within the urban service area boundaries shown on Figures LU-5b, -5c, -5e, -5g, and -5h of the general plan land use element, to be reserved for landscaping.
  - (d) Where development occurs on parcels located both within scenic landscape units and adjacent to scenic corridors, the more restrictive provisions set forth in this article shall apply.
  - (e) Building permits within the setback established in Section 26-64-030(a) along Bohemian Highway between Occidental and Freestone and Bodega Highway between Bodega and Freestone shall be referred to the county landmarks commission for review and recommendation.

(Ord. No. 4973 § 12(b), 1996; Ord. No. 4643, 1993.)

### **Sec. 26-64-040. Telecommunication facilities in the SR district.**

The following provisions shall apply to telecommunication facilities on properties in community separators, scenic landscape units, and scenic corridors as shown on Figures OS-5a through OS-5i, inclusive, of the general plan open space element.

Telecommunication facilities which are allowed by the applicable base district shall meet the provisions of said base district and the applicable standards of Section 26-64-020 or 26-64-030, except that:

- (a) An attached commercial telecommunication facility shall also be subject to design review approval.
- (b) A noncommercial telecommunication facility shall be located, designed, and screened to blend with the existing natural or built surroundings so as to minimize visual impacts to the extent feasible. While cuts and fills are discouraged, they should be considered if, on balance, they enhance the overall scenic quality of the designated scenic resource area.
- (c) A freestanding commercial telecommunication facility may be considered subject to the following additional criteria:
  - (1) The facility shall be subject to approval of a use permit.
  - (2) While cuts and fills are discouraged, they should be considered if they result in enhancement of the overall scenic quality of the designated scenic resource area.

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- (3) An alternatives analysis shall be prepared by or on behalf of the applicant, subject to the approval of the decision making body, which meets the requirements of Section 26-88-130(a)(3)(xiv).
  - (4) A visual analysis, which may include photo montage, field mock up, or other techniques, shall be prepared by or on behalf of the applicant which identifies the potential visual impacts, at design capacity, of the proposed facility and its feasible alternatives. Consideration shall be given to views from public areas as well as from private residences, but shall focus on preservation of scenic resources. The analysis shall assess the cumulative impacts of the proposed facility and other existing and foreseeable telecommunication facilities, and shall identify and include all feasible mitigation measures consistent with the technological requirements of the proposed telecommunication service.

(Ord. No. 4973 § 12(c), 1996.)

### **Sec. 26-64-050. Design review approval.**

- (a) All plans for land divisions or development projects shall be reviewed and approved, conditionally approved, or denied by the planning director on the basis of compliance with the provisions of this article. Where a use permit is required and following design review approval, development plans shall be reviewed and acted upon by the board of zoning adjustments/planning commission. Where a local citizen's committee has been recognized by the board of supervisors, development plans shall be submitted to such committee for review and advisory recommendation prior to action by the planning director.
- (b) For purposes of this section, "development project" means construction, alteration, or modification of a residential, commercial, or industrial structure or appurtenant structure, except as follows. Agricultural uses and structures, including agricultural employee housing and farm family dwellings, are exempt from design review under this section to the extent consistent with the agricultural resources and open space elements of the Sonoma County general plan or other sections of this chapter.
- (c) Nothing in this section is intended to trigger the requirements of the California Environmental Quality Act beyond what would exist in the absence of this section.

(Ord. 5132 § 3, 1999.)

## **Article 65. RC Riparian Corridor Combining Zone.**

### **Sec. 26-65-005. Purpose.**

The RC combining zone is established to protect biotic resource communities, including critical habitat areas within and along riparian corridors, for their habitat and environmental value, and to implement the provisions of the General Plan Open Space and Resource Conservation and Water Resources Elements. These provisions are intended to protect and enhance riparian corridors and functions along designated streams, balancing the need for agricultural production, urban development, timber and mining operations, and other land uses with the preservation of riparian vegetation, protection of water resources, floodplain management, wildlife habitat and movement, stream shade, fisheries, water quality, channel stability, groundwater recharge, opportunities for recreation, education and aesthetic appreciation and other riparian functions and values.

(Ord. No. 6089, § 1(d)(Exh. A), 11-24-2014)

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### **Sec. 26-65-010. Applicability.**

The RC combining zone shall be applied to designated streams and include the stream bed and bank and an adjacent streamside conservation area on each side of the stream as measured from the top of the higher bank. The minimum streamside conservation area shall be shown in the zoning database followed by the minimum setback for agricultural cultivation (e.g., RC 100/50). Where the drip line of existing riparian trees with trunks located wholly or partially within the streamside conservation area extends beyond the streamside conservation area boundary, as indicated in the zoning database, the boundary shall be increased to include the outer drip line of the riparian trees.

(Ord. No. 6089, § I(d)(Exh. A), 11-24-2014)

### **Sec. 26-65-020. Determination of streamside conservation areas and setbacks for agricultural cultivation.**

The streamside conservation area indicated in the zoning database is approximate to allow for a parcel-specific determination of the boundary based upon the location of the top of the higher bank and existing riparian vegetation. The streamside conservation area shall be determined by the director. The setback for agricultural cultivation indicated in the zoning database is also approximate to allow for a site-specific determination of the boundary based upon the location of the top of the higher bank, existing riparian vegetation, and, for upland areas of 50-foot riparian corridors, the slope and soil types of the planting area. The setback for agricultural cultivation shall be determined by the agricultural commissioner.

(Ord. No. 6089, § I(d)(Exh. A), 11-24-2014)

### **Sec. 26-65-030. Prohibited uses and exceptions.**

Except as allowed by Section 26-65-040, grading, vegetation removal, agricultural cultivation, structures, roads, utility lines, and parking lots shall be prohibited within any stream channel or streamside conservation area.

- A. An exception to this prohibition may be approved by the director with a zoning permit if:
1. It makes a parcel unbuildable, provided vegetation removal is minimized;
  2. The use involves the minor expansion of an existing legally established structure in conformance with Article 94 where it is demonstrated that the expansion will be accomplished with minimum vegetation removal and protection of riparian functions;
  3. The use involves only the maintenance, restoration, or reconstruction of an existing legally established structure or use in conformance with Article 94; or
  4. The director determines that the affected area has no substantial value for riparian functions.
- B. An exception to this prohibition may be approved with a use permit if a conservation plan is adopted that provides for the appropriate protection of the biotic resources, water quality, floodplain management, bank stability, groundwater recharge, and other applicable riparian functions. Off-site mitigation will be considered only where on-site mitigation is infeasible or would provide superior ecological benefits, as determined by the director.

(Ord. No. 6089, § I(d)(Exh. A), 11-24-2014)

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## Sec. 26-65-040. Allowed land uses, activities and permit requirements.

The following activities and uses may be allowed within a streamside conservation area, if allowed by the base zone and any combining zones, subject to any required permits and the standards specified in this section. These activities and uses shall also be conducted and maintained in compliance with any prohibitions, permits, approvals, or authorizations required by applicable resource agencies.

- A. Stream maintenance and restoration carried out or overseen by the Sonoma County Water Agency.
- B. Levee maintenance.
- C. Invasive plant removal, such as Himalayan blackberry (*Rubus armeniacus*), giant reed (*Arundo donax*), salt cedar (*Tamrix* sp.), and star thistle (*Centaurea solstitialis*), not exceeding five (5) acres in disturbed area, principally involving hand labor and not using mechanized equipment.
- D. Streamside maintenance and small riparian habitat restoration not exceeding five (5) acres of disturbed area, principally involving hand labor and not using mechanized equipment, as described by State CEQA Guidelines Section 15333, subject to a zoning permit.
- E. Stream dams and stream-related water storage systems, subject to a zoning permit.
- F. Road and utility line crossings in compliance with county road construction standards and maintenance guidelines, subject to a zoning permit.
- G. Fencing and maintenance of existing outdoor activity areas, such as yards, gardens, and landscaped or natural vegetation, associated with a legally established structure or use and not involving further encroachment into existing riparian vegetation.
- H. The following agricultural activities, provided that they are conducted and maintained in compliance with agricultural best management practices developed or referenced by the agricultural commissioner, or defined in a farm or ranch water quality plan acceptable to the agricultural commissioner. The agricultural commissioner shall determine the applicable agricultural best management practices and shall enforce the provisions of this subsection.
  1. Grazing and similar agricultural production, not involving cultivation or structures. Livestock control fencing and watering facilities are allowed.
  2. Agricultural cultivation and related access roads, drainage, planting, seeding, fertilizing, weeding, tree trimming, irrigation, and harvesting that do not involve the removal of existing contiguous riparian vegetation within two hundred feet (200') of the top of the higher bank, and are located as follows:
    - a. No closer than one hundred feet (100') from the top of the higher bank in the 200-foot riparian corridor for the Russian River;
    - b. No closer than fifty feet (50') from the top of the higher bank in the 100-foot riparian corridors designated in the General Plan and the upland areas of the 50-foot riparian corridors; or
    - c. No closer than twenty-five feet (25') from the top of the higher bank in all other riparian corridors.
  3. Replanting existing cropland and related access roads, drainage, planting, seeding, fertilizing, weeding, tree trimming, irrigation, and harvesting that are located closer to the top of the higher bank than specified in Subsection 26-65-040.H.2, provided that the existing cropland is under active cultivation and the footprint of the planting area is not increased within the applicable setback for agricultural cultivation.

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4. Filter strips, equipment turnarounds, grassy avenues, and fencing associated with agricultural cultivation that does not involve the removal of existing contiguous riparian vegetation within two hundred feet (200') of the top of the higher bank.
  - I. Selective vegetation removal as part of an integrated pest management program administered by the agricultural commissioner.
  - J. Wells in compliance with Sonoma County Code Chapter 25B (Water Wells).
  - K. Fire fuel management in compliance with county fire safe standards, provided that no redwood trees are removed and vegetation removal is limited to the minimum required for fire safety purposes. New development located within one hundred feet (100') of any riparian corridor shall be allowed with a zoning permit only where there are no feasible alternative development locations that do not require vegetation removal for fire protection and fire resistive construction materials are used to avoid or minimize the need for vegetation removal in the riparian corridor.
  - L. Bikeways, trails, and parks on publicly owned land or public use easements, or on private lands, subject to a zoning permit.
  - M. Temporary seasonal gangway and floating dock of up to one hundred twenty square feet (120' sq.) with encapsulated floatation and grated deck, subject to a zoning permit.
  - N. Timber operations conducted in compliance with an approved timber harvest plan.
  - O. Tree removal subject to a zoning permit, to protect life or property from the threat of harm posed by a dead, dying, diseased, or damaged tree likely to die within one (1) year of the date proposed for removal, or a tree at risk of falling when the structural instability cannot be remedied. A report by a certified arborist or registered professional forester documenting the hazardous condition and a tree replacement plan is required.
  - P. Mining operations, subject to a use permit for surface mining activities in compliance with the Chapter 26A (Surface Mining) of this code.
  - Q. Other activities or uses not meeting the above criteria may be permitted with an exception under Section 26-65-030 (Prohibited Uses and Exceptions), subject to a use permit and approval of a conservation plan.
- (Ord. No. 6089, § I(d)(Exh. A), 11-24-2014)

## **Article 76. Z Accessory Dwelling Unit Exclusion Combining District.<sup>2</sup>**

### **Sec. 26-76-005. Purpose.**

Purpose: the purpose of this district is to provide for the exclusion of accessory dwelling units in the following areas:

- (a) Areas where there is an inadequate supply of water for drinking or firefighting purposes;
- (b) Areas where there are inadequate sewer services or danger of groundwater contamination;
- (c) Areas where the addition of accessory dwelling units would contribute to existing traffic hazards or increase the burden on heavily impacted streets, roads or highways; and

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<sup>2</sup>Editor's note(s)—Ord. No. 6191, § VI(Exh. E), adopted Jan. 24, 2017, amended the title of Article 76 to read as herein set out. The former Art. 76 was titled, "Z Second Unit Exclusion Combining District."

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(d) Areas where, because of topography, access or vegetation, there is a significant fire hazard.

(Ord. No. 6191 , § VI(Exh. E), 1-24-2017; Ord. No. 4643, 1993.)

**Sec. 26-76-010. Permitted uses.**

All uses permitted in the respective district with which the Z district is combined shall be permitted in the Z district, except for the establishment, placement or construction of an accessory dwelling unit otherwise authorized by Section 26-92-040.

(Ord. No. 6191 , § VI(Exh. E), 1-24-2017; Ord. No. 4643, 1993.)

**Article 78. B Combining Districts.**

**Sec. 26-78-005. Purpose.**

Purpose: to specify residential density and/or minimum parcel or lot size for a particular parcel, lot or area

(Ord. No. 4643, 1993.)

**Sec. 26-78-010. Generally.**

The following regulations shall apply to the respective B districts:

**Combining**

**District:**

**Requirements:**

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|----|---|
| B6 | The adopted zoning maps shall specify the maximum permitted density, determined by gross acreage for all residential uses. Minimum front, side and rear yard requirements and the minimum parcel or lot size, if not otherwise specified, shall conform to the base district with which the B6 district is combined unless specifically approved otherwise by the planning commission.  |
| B7 | Minimum parcel or lot size shall be as specified on the recorded final or parcel maps and the parcels or lots shall not be further subdivided. The B7 combining district signifies that the lot has been frozen in order to restrict further subdivision of large remaining parcels left after approval of a clustered subdivision as provided in general plan Policy LU-6c. A lot line adjustment may be applied for, processed, and approved pursuant to Chapter 25 of the Sonoma County Code and this chapter. Minimum front, side and rear yard requirements shall conform to the base district with which the B7 district is combined unless specifically approved otherwise by the planning commission.   |
| B8 | Minimum parcel or lot size shall be as specified on the recorded final or parcel map and the parcels or lots shall not be further subdivided. The B8 combining district signifies that the lot has been frozen for one of the following reasons: <ol style="list-style-type: none"><li>1. The property is designated rural residential on the general plan land use map, but is subject to a Williamson Act contract;</li><li>2. The property lies within the designated urban service boundary surrounding a city where the county intends to limit urban development until annexation or similar occurrence pursuant to a general plan area policy;</li><li>3. The property is subject to a specific plan or area plan policy where the county intends to limit urban development for the reasons set forth in the applicable plan.</li></ol> |



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A lot line adjustment may be applied for, processed, and approved pursuant to Chapter 25 of the Sonoma County Code and this chapter. Minimum front, side and rear yard requirements shall conform to the base district with which the B8 district is combined unless specifically approved otherwise by the planning commission.

(Ord. No. 4643, 1993.)