

# Zoning Code Modernization

**ORD17-0002**

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# Zoning Code

- The General Plan sets overarching policy to balance conservation, development and land use.
- The Zoning Code applies these policies on a parcel-specific scale, regulating land uses, site planning, and design.

**General Plan**  
Policy Direction



**Zoning Code**  
Policy Implementation

# Current Zoning Code

## Facts:

- ❑ Over 550 pages long
- ❑ Has never been comprehensively overhauled or reformatted
- ❑ Lacks standard visual aids and document structure
- ❑ Often requires staff assistance to determine basic zoning information

## Feedback from public and staff:

- ❑ Not user friendly
- ❑ Challenging to understand
- ❑ Difficult to identify relevant regulations
- ❑ Terminology is outdated



# Background



- 2018-2020 Draft code was developed, staff tested through daily use, public webpage launched, draft code presented to local code users
- May 30, 2019 Project introduced at Planning Agency meeting
- September 17, 2020 Planning Commission recommends adoption of Draft Code

# Phasing

The Zoning Code is being updated through phases:

- ❑ 2018-2020:

- ❑ Phase 1. Reorganize and reformat to improve usability
- ❑ Phase 2. Maintain consistency with state and federal law

- ❑ 2021-2022:

- ❑ Phase 3. Address substantive issues like process improvements and General Plan implementation (Future)

# Phase 1

2018-2020

# Phase 2

2018-2020

# Phase 3

2021-2022

- Consolidate zoning district articles into logical categories (commercial, residential, etc.)
  - ▣ Land Use Tables
  - ▣ Development Standards Tables
  - ▣ Unique Use Standards
- Improve navigation with cross-referencing
- Reduce redundancy
- No substantive policy changes

# Phase 1

2018-2020

# Phase 2

2018-2020

# Phase 3

2021-2022

- Update code to maintain consistency with state and federal law
  - ▣ Large family daycare (now permitted as residential use)
  - ▣ Manufactured homes (now treated as any other single family dwelling)

# Phase 1

2018-2020

# Phase 2

2018-2020

# Phase 3

2021-2022

## May include:

- ☐ Permit streamlining and maintenance
  - ☐ Process improvements
  - ☐ General Plan implementation
  - ☐ Reformatting
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- ☐ Grant funding was secured
  - ☐ Anticipated completion 2021 / 2022



# Permitted / Conditional Land Uses

## Existing Text Format

Sec. 26-20-010 - Permitted uses.	
Permitted uses include the following:	
(a) One (1) dwelling unit on permanent foundation per lot;	(a) Other nonresidential uses which in the opinion of the planning director are of a similar and compatible nature to those uses described in the section.
(b) Home occupations subject to the requirements of Section 26-48-121 and approval of a zoning permit;	(f) The raising, feeding and maintaining of up to six (6) hens subject to the construction of a chicken coop and a secure enclosure which prevents animal trespass. The coop and pen shall be located in the rear yard of the property and maintained in a sanitary condition.
(c) Small residential community care facility;	(d) Transitional housing, subject to density limitations;
(d) Accessory buildings and uses incidental and appurtenant to an existing permitted use;	(e) Permanent supportive housing, subject to density limitations;
(f) Occasional cultural events, provided, that a written notice stating "The Sonoma County Planning Department will issue a zoning permit for a cultural event (state nature and duration) on this property if a written appeal is not received within ten (10) days from the date of this notice." is posted on the property at least ten (10) days prior to issuance of a zoning permit, and no appeal pursuant to Section 26-62-040 has been received from any interested person, and provided that approval is secured from the following departments: sheriff, public health, fire services, building inspection and public works. In the event of an appeal, a hearing on the project shall be held pursuant to Section 26-62-040.	(w) Congregate housing serving no more than six (6) persons;
(g) The outdoor growing and harvesting of shrubs, plants, flowers, trees vines, fruits, vegetables, hay, grain and similar food and fiber crops;	(x) Location rentals subject to issuance of a zoning permit and compliance with the standards in Section 26-48-120;
(h) Small family day care;	(y) Hoteled rentals, subject to issuance of a zoning permit and compliance with Section 26-48-110 (Hotels, Resorts and Bed and Breakfast Inns);
(i) Large family day care provided that the applicant shall meet all performance standards listed in Section 26-48-030;	(z) Cannabis cultivation for personal use in compliance with Section 26-48-250.
(j) Bedsteering;	(aa) One (1) junior accessory dwelling unit per lot, pursuant to Section 26-48-081.
(k) Housing opportunity ownership projects Section 26-20-030 in compliance with Article 8B (Affordable Housing Program);	
(l) Cottage housing developments of up to three (3) cottages, subject to the standards in Section 26-48-055 (Cottage-Housing Developments);	(Ord. No. <a href="#">2016-11</a> , § 10 (Ord. No. <a href="#">2016-11</a> ), 10-23-2016)
(m) Attached commercial telecommunication facilities subject to the applicable criteria set forth in Section 26-48-130;	<b>Editor's note—</b> Ord. No. <a href="#">2016-11</a> , § 10 (Ord. No. <a href="#">2016-11</a> ), adopted Oct. 23, 2016, repealed the former § 26-20-010 and enacted a new section as set out herein. The former § 26-20-010 pertained to similar subject matter and described items Ord. No. 3511; Ord. No. 4843, adopted in 1995; Ord. No. 4973 § 6(a), adopted in 1996; Ord. No. 5016 § 1(a), adopted in 1997; Ord. No. 5429 § 4(a), (b), adopted in 2003; Ord. No. 5589 § 7, adopted in 2005; Ord. No. 5849 § 1(a), adopted in 2008; Ord. No. 5883 § III, adopted March 30, 2010; Ord. No. 5906 § III, adopted Nov. 9, 2010; Ord. No. <a href="#">2016-11</a> , § IV, adopted March 11, 2016; Ord. No. <a href="#">2016-11</a> , § IV, adopted Dec. 20, 2016; and Ord. No. <a href="#">2016-11</a> , § IV (Ord. No. <a href="#">2016-11</a> ), adopted Jan. 24, 2017.
(n) Minor freestanding commercial telecommunication facilities, subject to the applicable criteria set forth in Section 26-48-130, and subject to approval of a zoning permit, including environmental review, for which notice, including a site plan and one (1) elevation with dimensions for such facility, is mailed to adjacent property owners and posted on the subject property at least ten (10) days prior to issuance of the permit and provided that no appeal pursuant to Section 26-62-040 has been received from any interested person. In the event of an appeal, a hearing on the project shall be held pursuant to the above section;	
(o) Noncommercial telecommunication facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26-48-130. Facilities between forty feet (40') and eighty feet (80') in height are subject to approval of a conditional zoning permit for which notice is mailed to adjacent property owners and posted on the subject property at least ten (10) days prior to issuance of the permit and provided that no appeal pursuant to Section 26-62-040 has been received from any interested person. In the event of an appeal, a hearing on the project shall be held pursuant to the above section;	
(p) One (1) travel trailer per lot for use as temporary housing in accordance with Section 26-48-010(q) and provided that a travel trailer administrative permit is obtained and renewed annually;	
(q) One (1) accessory dwelling unit per lot, pursuant to Sections 26-48-080 and 26-20-035.1;	
(r) One (1) guest house per lot;	

## Proposed Tables

Table 8-1: Allowed Land Uses in Residential Zones						
Land Use	Zones					Use Regulations
	AR	RR	R1	R2	R3	
P = Permitted Use C = Conditional Use Permit - = Prohibited						
Civic Institution	-	C	C	C	C	26-22-040
Country Club	C	C	C	C	C	26-22-050
Educational Institutions						
Colleges and Universities	-	-	C	C	C	26-22-060
Elementary and Secondary Schools	C	C	C	C	C	26-22-070
Specialized Education and Training	-	C	-	-	-	26-22-080
Golf Course	C	C	C	C	C	26-22-090
Meeting Facilities	C	C	C	C	C	26-22-100
Parks and Playgrounds	-	C	C	C	C	26-22-110
Recreation and Sports Facilities: Rural Sports and Recreation	C	-	-	-	-	26-22-150
Special Events	P	P	P	P	P	26-22-170
Studios for Art Crafts, Dance, Music	-	C	-	-	-	26-22-190
<b>Residential</b>						
Accessory Dwelling Unit	P	P	P	P	P	26-24-020; 26-88-060
Agricultural Employee Housing: Short Term Camp	P	-	-	-	-	26-24-030
Congregate Housing, Large	-	C	-	C	C	26-24-090
Congregate Housing, Small	-	P	P	P	P	26-24-090
Cottage Food Operation	P	P	P	P	P	26-24-100
Cottage Housing Developments	-	-	P	P	-	26-24-110; 26-88-063
Dwelling, Multi-Family	-	-	-	P	P	26-24-120
Dwelling, Single-Family	P	P	P	P	P	26-24-130
Dwelling, Two-Family	-	-	-	P	P	26-24-140
Guest House	P	P	P			26-24-160

# Development Standards

## Existing Text Format

<p>Sec. 26-20-020. - Permitted residential density and development criteria.</p> <p>The use of land and structures within this district is subject to this article, the applicable regulations of this chapter, and the provisions of any district which is contained herein. Policies and criteria of the general plan and any applicable specific or area plan or local area development guidelines shall supersede the standards herein.</p> <p>(b) Residential density shall be between one (1) and six (6) units per acre as shown in the general plan and use or housing element or that density permitted by a "C" containing district. All residential projects shall be designed to meet the minimum density requirements shown in the general plan and use element or on the sectional district maps, whichever is more restrictive, provided, however, that a lesser density may be approved if the body deciding the application determines that such a reduction in density is necessary to mitigate a particular significant effect on the environment and that no other specific mitigation measure or alternative would provide a composite lessening of the significant impact. Nothing set forth in this section shall be construed to prohibit the construction of one (1) single-family dwelling on a single lot of record.</p> <p>For a Housing Opportunity Area Type "C" project which meets all the requirements of Sections 26-28-020 and 26-28-022, or where a use permit for such project is approved pursuant to Section 26-30-020(a), the permitted residential density may be increased to a maximum of eleven (11) dwelling units per acre.</p> <p>(b) Maximum Building Height.</p> <p>(1) Thirty-five feet (35') for the main building and fifteen feet (15') for accessory buildings, provided that additional height may be permitted if a use permit is first secured.</p> <p>(2) Maximum height for telecommunication facilities is subject to the provisions of this article and Section 26-60-020.</p> <p>(b) Minimum Lot Size. Six thousand (6,000) square feet.</p> <p>(b) Minimum Lot Width. The minimum average lot width required within each lot is sixty feet (60').</p> <p>(b) Maximum Lot Coverage. Forty percent (40%). Lot coverage may be waived by the planning director for swimming pools.</p> <p>(f) Yard Requirements. The following shall apply except that if the subject property adjoins land which is zoned R1 or designated as agricultural land, the use is subject to the requirements of Section 26-60-040:</p> <p>(1) Front Yard. Not less than twenty feet (20') provided, however, that no structure shall be located closer than thirty-five feet (45') to the centerline of any public road, street or highway.</p> <p>(2) Side Yard. Not less than five feet (5') except where the side yard abuts a street in which case such yard shall be the same as the front yard.</p> <p>(3) Rear Yard. Not less than twenty feet (20').</p> <p>(4) No garage or carport opening facing the street shall be located less than twenty feet (20') from any exterior property line, except that where twenty-five percent (25%) or more of the lots on any block or portion thereof in the same zoning district have been improved with garages or carports, the required front yard may be reduced to a depth equal to the average of the front yards of garages or carports. However, if no case shall the front yard be reduced to less than ten feet (10'). Further, the permit and resource management department director may require a use permit if the reduction might result in a traffic hazard.</p> <p>Notwithstanding the above, if a residence is elevated to meet flood requirements, the space underneath the structure may be utilized for a garage or carport if it will meet</p>	<p>building codes, even if the lot front (10') to twenty foot (20') setback cannot be met, subject to approval of administrative design review.</p> <p>(5) Cornices, eaves, canopies, bay windows, fireplaces and/or other cantilevered portions of structures, and similar architectural features may extend two feet (2') into any required yard. The maximum length of the projections shall not occupy more than one-third of the total length of the wall on which it is located. Uncovered porches, fire escapes or landing places may extend ten feet (6') into any required front or rear yard and three feet (2') into any required side yard.</p> <p>(6) Where twenty-five percent (25%) or more of the lots on any one (1) block or portion thereof in the same zoning district have been improved with buildings, the required front yard may be reduced to a depth equal to the average of the front yards of the improved lots, subject to the restrictions of subsection (f)(4) of this section.</p> <p>(7) Accessory buildings may be constructed within the required yards on the rear half of the lot, provided, that such buildings shall not occupy more than thirty percent (30%) of the width of any rear yard. Such accessory buildings shall not be located closer than ten feet (10') to the main buildings or adjacent lots. Notwithstanding the foregoing, swimming pools may occupy more than thirty percent (30%) of the width of any rear yard. A minimum of three feet (3') shall be maintained between the wall of a pool and the rear and side property lines, and from the main building on the same lot. Conventional pool accessory equipment (pump, filter, etc.) shall be exempt from setback restrictions. Additional setbacks may be required under the Uniform Building Code.</p> <p>(g) Parking Requirements. Not less than one (1) covered off-street parking space for each dwelling unit. The requirement for parking to be covered may be waived for single-family dwellings subject to the provisions of 26-60-010 (h). Second dwelling units are subject to the parking standards in Section 26-60-020.</p> <p>(h) Where planned developments and condominiums are proposed, dwelling units may be attached, common walls will be permitted. The lot size, coverage and setback requirements of subdivisions (a) through (g) of this section shall not apply to these planned developments and condominiums.</p> <p>(Ord. No. 5713 § 10 (Edm. J), 2007; Ord. No. 5569 § 12, 2005; Ord. No. 5429 § 4(b), 2003; Ord. No. 5009 § 1(C), 1997; Ord. No. 4873 § 6(b), 1994; Ord. No. 4827 § 1.4, 4.9 &amp; 9.11, 1994; Ord. No. 4839 § 1(b), 1994; Ord. No. 4837 § 3(A), 1994; Ord. No. 4645, 1993; Ord. No. 3932.)</p>
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## Proposed Tables

Table 8-2: Development Standards - Residential Zones						
Standard	Zones					Supplemental Standards
	AR	RR	R1	R2	R3	
Residential Density						26-8-040.G; 26-20-020
Min. Acres per Dwelling Unit	1-20	1-20	N/A	N/A	N/A	
Max. Dwelling Units per Acre	N/A	N/A	1-6	6-12	12-20	
Lot Size (min. sq. ft.)	See 26-8-040.H		6,000	6,000	6,000	26-8-040.H; 26-20-030
Lot Width (min. ft.)	80	80	60	60	80	
Property Line Setbacks (min. ft.)						26-8-040.J; 26-20-060
Front	30	20	20	20	15	
Street Side	30	20	20	20	15	
Interior Side	10	5	5	5	5	
Rear	20	20	20	20	10	
Street Centerline Setbacks						26-20-060
Front (min. ft.)	55	45	45	45	45	
Street Side min. ft.)	55	45	45	45	45	
Lot Coverage	See 26-20-060 A	35%	40%	50%	60%	26-8-040.I 26-20-050
Height (max. ft.)						26-8-040.H
Main Building	35	35	35	35	35 ft. and 2 stories	
Accessory Buildings	35	35	15	35	1 story	
Multi Family Development Standards	See 26-8-050					
Parking	See Article 86					

# Use Regulations

26-22-030

RECREATION, EDUCATION & PUBLIC ASSEMBLY USE REGULATIONS

**B. Standards.**

1. TP zone: must be permanently located and improved.

**26-22-030 – Campgrounds**

**A. Definition.** Land or premises which are used or intended to be used, let or rented for occupancy by campers.

**B. Standards.**

1. Not permitted on property subject to a Williamson Act contract.
2. LEA and DA zones: maximum of 30 sites within campground.
3. RRD zone: May not interfere with or detract from the purposes of RRD Zone.
4. RRD and K zones: May include sites for recreational vehicle (RV) camping.

**C. Findings.** To approve a Conditional Use Permit for a campground in the LEA zone, the review authority must find that the use will be consistent with General Plan Policy AR-6f and other applicable provisions of the General Plan

**26-22-040 – Civic Institution**

**A. Definition.** Public or non-profit institutions that support and contribute to the cultural development of the community and provide community-serving programs and services on-site.

1. Includes: libraries, museums, aquariums, zoos, environmental education centers, non-profit art centers and galleries, botanical gardens, and other similar uses.
2. Excludes: Elementary and Secondary Schools, Colleges and Universities, and Specialized Education and Training institutions.
3. RR and PCRR zones:
  - a. May serve no more than the residential community in which it is located.
  - b. May not adversely affect the agricultural community.

# Recommendation

Approve a Resolution and adopt an Ordinance to update Sonoma County Municipal Code Chapter 26 to

- Introduce land use and development tables to improve clarity on existing zoning regulations (Phase 1)
- Modify standards for Large Family Daycares and Manufactured Homes to maintain consistency with state law (Phase 2)

