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DATE: June 29, 2001

TO: Coastal Commissioners and Interested Parties

FROM: Peter Douglas, Executive Director
Steven F. Scholl, Deputy Director
Chris Kern, North Central Supervisor

SUBJECT: **SONOMA COUNTY LCP AMENDMENT NO. 1-00 (Major)** (For public hearing and Commission action on July 13, 2001 in Santa Rosa)

## Executive Summary

Background. This amendment includes proposed changes to the Coastal Plan, the Implementation Program (consisting of the Coastal Zoning Ordinance and the Coastal Administrative Manual), and associated maps. Altogether, these components comprise the Sonoma County Local Coastal Program.

The proposed amendment package is nearly identical to that submitted by Sonoma County in 1999 and scheduled tentatively for Commission review at the meeting of November 15, 2000. Following publication of the staff recommendation for the November 15 hearing but prior to the hearing itself, the County requested additional time to review the staff recommendation, including suggested modifications. The result was postponement of the hearing from the calendar of November 15, 2000. Subsequently, in order to accommodate Coastal Act deadlines for action on Local Coastal Program amendments, the County agreed to withdraw and then immediately resubmit the LCP amendment, now numbered Amendment #1-00.

In response to the staff-recommended modifications contained in the original staff report prepared for the November 15, 2000 hearing, the County has taken the following actions:

- The Board of Supervisors on May 15, 2001 changed the LCP amendment submittal by proposing revised policies regarding the provision of density bonuses. The revised policies adopted by the County make superfluous some of the staff's originally recommended Coastal Plan Modifications #1 through 4 regarding the provision of density bonuses.
- The Board of Supervisors on June 19, 2001 approved transmittal of a letter to the Commission (see Attachment #10) agreeing tentatively to most of the staff-recommended modifications identified in November 2000, while committing to address certain other modifications as part of the General Plan/Coastal Plan update now underway.

The staff recognizes that the present amendment package was intended to achieve consistency between the County General Plan and the Coastal Plan, rather than to undertake a full-scale update of the County's Local Coastal Program. The staff also recognizes that certain of the

issues identified prior to the November 15, 2000 hearing are appropriately addressed in the context of an overall LCP update because of their broad scope, and that it would be appropriate therefore to defer action on those issues until the General Plan/Coastal Plan update is submitted to the Commission. Consequently, the staff has modified slightly its recommendation from that prepared in November 2000, both to recognize the County's subsequent amendment of the density bonus policies and to recognize the County's request to defer action on certain other issues.

To accomplish the staff's recommendation of approval of the Local Coastal Program amendment package with suggested modifications, the staff recommends denial of the Coastal Plan amendment as submitted, followed by approval of the amendment with suggested modifications. Similarly, the staff recommends denial of the Implementation Program amendments, followed by approval with suggested modifications.

**Issue Summary Tables**

The issues raised by the proposed amendments are summarized in two tables, included in this report as Table 1 (Coastal Plan – p. 8) and Table 2 (Implementation Program – p. 50). Each table is followed by a list of the modifications that are now recommended by staff.

*(Note: The description of issues and discussion of suggested modifications maintains the same numbering as used in the November 2000 staff report, in order to align with the numbering of issues discussed in the County's letter of June 19, 2001 agreeing to most of the suggested modifications and requesting deferral of others. For clarity, the tables that summarize the issues and suggested modifications include notations such as "County agrees with recommended change" or "County requests deferral of this issue until General Plan/Coastal Plan update". These notes by staff are based on the letter of June 19, 2001 from the Board of Supervisors, but of course in no way bind the County to future action on the suggested modifications. That is, if the Commission adopts the suggested modifications as recommended below, those modifications will be subject to future review and discretionary action by the County.)*

With the modifications suggested by staff, the revised Coastal Plan would be fully consistent with the policies of Chapter 3 of the Coastal Act, and the revised Coastal Zoning Ordinance and Coastal Administrative Manual would be fully consistent with, and adequate to carry out, the policies of the Coastal Plan.

**History of the LCP Amendment**

On September 23, 1999 the Commission received an LCP amendment submittal from Sonoma County. This amendment, which was given the number 2-99, was intended to bring the County's Coastal Plan (LCP) and County General Plan into consistency. The Executive Director determined that LCP amendment submittal #2-99 was in proper order and legally adequate to comply with the requirements of Section 30510(b) of the California Coastal Act.

Because LCP Amendment No. 2-99 involves numerous proposed changes to the map and text of the County's certified Land Use Plan and similar changes to the certified Coastal Zoning Ordinance and Administrative Manual and because of the press of other work, staff was not able to prepare a staff recommendation for Commission action within 90 days of the filing of this

amendment. Consequently, on December 10, 1999 the Commission extended the 90-day time limit for action for up to one year.

On November 14, 2000 the Board of Supervisors of Sonoma County withdrew and then immediately resubmitted the LCP amendment package, which was then renumbered as LCP Amendment #1-00. On January 11, 2000 the Commission extended the 90-day time limit for action on Amendment #1-00 for up to one year.

On May 15, 2001 the Board of Supervisors amended the LCP amendment package to revise the housing policies in the Coastal Plan, and on June 19, 2001 the Board transmitted to the Commission its responses to issues raised by Coastal Commission staff in November 2000.

**Summary Description of the Proposed Amendment**

As submitted and revised, Sonoma County's LCP Amendment No. 1-00 (Major) includes:

1. Revisions to the Coastal Plan, primarily proposed for the purpose of bringing it into conformity with the County General Plan. (The Coastal Plan is a self-contained plan, rather than an element in the County's General Plan.) Included in the revisions are numerous minor corrections contained in policies and text throughout the Plan, along with major additions to the Design Review guidelines and to the Housing section. The County does not propose to change the basic format and organization of the LUP, nor does the County propose changing the substance of most of the land use policies contained in the plan.

2. A revised Land Use Map containing a modest number of proposed changes and corrections. Where there is a conflict between the General Plan and the existing Coastal Plan, the County used the actual existing land use as a guide and then amended either the General Plan or the Coastal Plan as appropriate.

3. Revision of the Coastal Zoning Ordinance to implement the Land Use Plan. The proposed revised Zoning Ordinance would be entirely new in format, in order to be consistent with the format of the Countywide Zoning Ordinance that is currently in effect for all areas outside the Coastal Zone. The County proposes to change the titles of many of the zoning districts for the coastal zone, in order to match the titles of zoning districts in the Countywide Ordinance and the General Plan. In most cases, the County does not propose changes in allowable uses in the various districts. A few changes proposed by the County do raise issues, as discussed in this report.

4. Revision of the Coastal Zoning Map. The retitled zoning districts are displayed on a set of Assessor's Parcel Maps, showing each parcel in the coastal zone.

5. Revision of the Coastal Administrative Manual, which is a part of the certified LCP. The proposed revisions are intended to clarify the text and to update various forms.

The County's LCP submittal states that the County did not intend the revisions to constitute a comprehensive review and update of all Coastal Plan and Coastal Zoning Ordinance policies. Thus, the County did not provide updated language for background

text in the plan, some of which contains descriptions of land ownership or other factors that are now outdated. Instead, the revision is intended to bring the Coastal Plan into full conformance with the County-wide General Plan and to incorporate into the LUP various changes that have been approved by the Board of Supervisors in recent years but not submitted to the Coastal Commission for review and approval.

**Additional Information**

For additional information, contact Steve Scholl at 415-904-5260.

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## PART I: INTRODUCTION

### A. Standard of Review for the Land Use Plan

The Coastal Act provides:

> *The commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200)... (Section 30512(c)*

The standard of review that the Commission uses in reviewing the adequacy of the land use plan is whether the land use plan is consistent with the policies of Chapter 3 of the Coastal Act.

### B. Standard of Review for the Implementation Program

The Coastal Act provides:

> *The local government shall submit to the commission the zoning ordinances, zoning district maps, and, where necessary, other implementing actions which are required pursuant to this chapter...*
>
> *The commission may only reject ordinances, zoning district maps, or other implementing actions on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. If the commission rejects the zoning ordinances, zoning district maps, or other implementing actions, it shall give written notice of the rejection specifying the provisions of land use plan with which the rejected zoning ordinances do not conform or which it finds will not be adequately carried out together with its reasons for the action taken.*
>
> *The commission may suggest modifications in the rejected zoning ordinances, zoning district maps, or other implementing actions, which, if adopted by the local government and transmitted to the commission shall be deemed approved upon confirmation by the executive director. The local government may elect to meet the commission's rejection in a manner other than as suggested by the commission and may then resubmit its revised zoning ordinances, zoning district maps, and other implementing actions to the commission... (Sec. 30513)*

The standard of review that the Commission uses in reviewing the adequacy of zoning and other implementing measures is whether the implementing measures are consistent with and adequate to carry out the land use plan.

## PART II: STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE COASTAL PLAN

**MOTION I:** *I move that the Commission certify Amendment No. 1-00 to the Sonoma County Land Use Plan as submitted by the County.*

**STAFF RECOMMENDATION TO DENY CERTIFICATION OF THE LAND USE PLAN AS SUBMITTED**

Staff recommends a NO vote. The motion passes only by an affirmative vote of a majority of the appointed members of the Commission.

**RESOLUTION TO DENY CERTIFICATION OF THE LAND USE PLAN AS SUBMITTED**

The Commission hereby denies certification for Amendment No. 1-00 to the Sonoma County Land Use Plan for the specific reasons discussed below in the findings on the grounds that, as submitted, it does not meet the requirements of and is not in conformity with Chapter 3 of the Coastal Act.

**MOTION II:** *I move that the Commission certify Amendment No. 1-00 to the Sonoma County Land Use Plan as submitted by the County, if it is modified as suggested in this staff report.*

Staff recommends a YES vote. The motion passes only by an affirmative vote of a majority of the appointed members of the Commission.

**RESOLUTION TO CERTIFY THE LAND USE PLAN WITH SUGGESTED MODIFICATIONS**

The Commission hereby certifies Amendment No. 1-00 to the Sonoma County Land Use Plan, if modified as suggested, for the reasons discussed in the findings below on the grounds that, as modified, the Land Use Plan as amended meets the requirements of Chapter 3 of the Coastal Act. This amendment, as modified, is consistent with applicable decisions of the Commission that guide local government actions pursuant to Section 30625(c) and approval will not have significant environmental effects for which feasible mitigation measures have not been employed consistent with the California Environmental Quality Act.

**Table 1: Summary of Issues Raised by Proposed Amendments to the Coastal Plan**

| Issue Summary | Location of Coastal Plan Section | Staff Recommended Change | # of Suggested Modification |
|---|---|---|---|
| Issue #1: Density bonus policies in the proposed Coastal Plan require clarification in order to be consistent with Government Code Section 65915 | "Incentives", pp. 128-129 | **Housing policy amendments of May 15, 2001 make this issue moot** | No modification suggested |
| | Housing Recommendation #7, p. 139 | Add reference to Coastal Plan; **County agrees with recommended change** | Mod #2 |
| | Definitions of "Density Bonus", p. 125 | **Housing policy amendments of May 15, 2001 make this issue moot** | No modification suggested |
| | Definition of "Second Unit Zoning", p. 130 | Add reference to Coastal Plan; **County agrees with recommended change** | Mod #4 |
| Issue #2: Agriculture policies refer to the "Right To Farm" ordinance, which is not part of the LCP | Chp. IV. Resources: Land Use Recommendation #4, p. 53 | **County requests that "Right to Farm Ordinance" be incorporated into the LCP** | Mod #5 (staff recommends that "Right to Farm" Ordinance be incorporated |

| | | | |
|---|---|---|---|
| Issue #3: Coastal Plan refers to Commission's "Statewide Interpretive Guidelines", which are subject to change or repeal | Geologic Hazards Recommendation #2, p. 37 | Delete reference to "Statewide Interpretive Guidelines" but retain the same text as part of the Coastal Administrative Manual; **County agrees with recommended change** | Mod #6 |
| Issue #4: An 11-acre portion of a 55-acre non-waterfront parcel near Bodega Bay is proposed to be redesignated from "Agriculture" to "Fishing Commercial", and several oceanfront parcels developed for recreational use near Timber Cove are proposed to be redesignated from "Recreation" to "Agriculture", inconsistent with current use | Land Use Plan Map, APN 100-220-029 (no. of Bodega Bay) | **County requests that the Commission approve the amendment as originally submitted, with change from Agriculture to Fishing Commercial on 11-acre portion of property** | No modification suggested, per County request |
| | Land Use Plan Map, APN 109-080-002, 003 (so. of Timber Cove) | Redesignate parcels as "Recreation" rather than "Agriculture", and change zoning map accordingly; **County agrees with recommended change** | Mod #8 |
| Issue #5: The revised Coastal Plan would apply General Plan requirements, where these are more restrictive than Coastal Plan requirements, although the Commission has not reviewed the General Plan | Environmental Resources Management Recommendations, pp. 28-29. | Where General Plan is asserted, ensure that development meets Coastal Plan standards; **County agrees with recommended change** | Mod #9 |

| | | | |
|---|---|---|---|
| | Visual Resources Recommendation #3, p. 173 | Where General Plan is asserted, ensure that development meets Coastal Plan standards; **County agrees with recommended change** | Mod #10 |
| Issue #6: The revised Coastal Plan could potentially be contrary to the Coastal Act regarding offshore energy development | Environmental Resources Management Recommendation #74, p. 33 | Revise the Recommendation to be consistent with Section 30260 of the Coastal Act; **County agrees with recommended change** | Mod #11 |
| Issue #7: The revised Coastal Plan would allow vegetative screening (trees, shrubs) to protect views from scenic corridors, when other methods would provide better long-term view protection | Visual Resources Recommendation #20, pp. 175-177 | Add policy to use vegetative screening only as a last resort, to protect views from scenic corridors; **County agrees with recommended change** | Mod #12 |
| Issue #8: Coastal Plan would require voter approval of Plan amendments for onshore facilities to support offshore oil and gas exploration, whereas the Coastal Act provides for Coastal Commission approval of such amendments | OCS Recommendation #37, p. 198 | Add provision for Coastal Commission approval of LCP amendments related to energy facilities; **County agrees with recommended change** | Mod #13 |

| | | | |
|---|---|---|---|
| Issue #9: Certain General Plan policies are cited in the Coastal Zoning Ordinance, but not contained in the Coastal Plan | See Part VII.B.2. below regarding proposed amendments to the Coastal Zoning Ordinance that refer, in turn, to General Plan policies | Add the General Plan policies cited in the Coastal Zoning Ordinance to the Coastal Plan; **County agrees with recommended change** | Mod #14 |
| Issue #10: The Sea Ranch Association proposes changes to the Coastal Plan to reflect current conditions and to reduce allowable development on the "transfer" site | pp. 22, 169, 185-189, 195-196 of the Coastal Plan (see Attachment #6 for text of changes proposed by the Sea Ranch Association) | **County requests deferral of possible changes to Sea Ranch policies until comprehensive LCP/General Plan update** | No modification suggested, per County request |

## PART III: SUGGESTED MODIFICATIONS TO THE COASTAL PLAN

***Note: the Commission suggests adding to the Coastal Plan the text that is underlined and deleting the text with ~~strikethrough~~.***

### Modification #1

[blank]

### Modification #2

Housing Recommendation #7 on p. 139 shall be revised as follows:

> Provide density bonuses and housing opportunities for housing projects which meet the minimum criteria established in General Plan Housing Element Policy HE-2g, and HE-1c, both as modified by the Coastal Plan, and Coastal Plan Housing "Incentives" section.

### Modification #3

[blank]

### Modification #4

The text of the Coastal Plan entitled "Second Unit Zoning" found on p. 130 shall be revised as follows:

> Second Unit Zoning. Zoning which will allow second residential units will be provided in some portions of the Coastal Zone, primarily Bodega Bay and the rural areas. One way to increase rental housing opportunities while preserving community character is to allow second smaller units on single-family lots large enough to accommodate the additional use. This will be implemented by allowing second units in specified zoning districts on lots that are a minimum of 2 acres without public sewer and water, and lots of at least 6,000 square feet in size within an urban service boundary that are served by both public sewer and water. A second unit would be subject to a zoning or use permit and coastal permit, depending on location. Approval would be dependent upon conformance to the standards and policies contained in the Coastal Plan and zoning ordinance.

### Modification #5

The "Right to Farm" Ordinance shall be incorporated into the Local Coastal Program, to be attached as an addendum and referenced in the Resources Section of the Coastal Plan.

**Modification #6**

Geologic Hazards Recommendation/Policy #2 (Coastal Plan, p. 37) shall be revised as follows:

> Prohibit development within 100 feet of a bluff edge or within any area designated unstable to marginally stable on Hazards maps unless a registered engineering geologist reviews and approves all grading, site preparation, drainage, leachfield and foundation plans of any proposed building and determines there will be no significant impacts. The engineering geologist report shall contain, at a minimum, the information specified in the ~~Coastal Commission's **Statewide Interpretive Guidelines concerning Geologic Stability of Blufftop Development (May 5, 1977),** contained in the~~ Coastal Administrative Manual.

**Modification #7**

[blank]

**Modification #8**

The Land Use Plan Map shall be modified to designate Assessor's Parcel Number 109-080-002 and 003 as "Recreation" rather than "Agriculture". The Zoning map shall be modified to designate the property as "RRD – Resources and Rural Development".

**Modification #9**

The note concerning application of General Plan standards and policies found in the Coastal Plan's "Environmental Resources Management Recommendations" on pp. 28-29 of the plan shall be changed to read:

> Note – where General Plan standards and policies are more restrictive than the following, development shall comply with the General Plan or Coastal Plan policies, whichever are more restrictive, provided that no development shall be approved which does not comply with Coastal Plan policies".

**Modification #10**

The note concerning application of General Plan standards and policies found in Visual Resources Recommendation #3 on p. 173 of the Coastal Plan shall be changed to read:

> Note – where General Plan standards and policies are more restrictive than the following, development shall comply with the General Plan or Coastal Plan policies, whichever are more restrictive, provided that no development shall be approved which does not comply with Coastal Plan policies".

**Modification #11**

Environmental Resources Management Recommendation #74 on p. 33 shall be revised as follows:

Kelp

74. To the extent consistent with all applicable provisions of law, including but not limited to Section 30260 of the Coastal Act, ~~E~~encourage the appropriate State and Federal jurisdictions to:

Monitor the size and habitat viability of kelp beds and their associated fisheries resources,

Monitor and regulate activities such as sewage disposal, dredging, and renewable energy development which may adversely affect near shore marine water quality and thus kelp resources. Prohibit petroleum and other forms of energy development which may significantly impact the environment through normal operations or accidents (oil spills, well blowouts, etc.)

**Modification #12**

Visual Resources Recommendation #20 regarding design review (p. 175) shall be amended to replace item #1.b) in sections entitled "Cliffs and Bluffs Location", "Inland Valley Location", and Hillside/Grassland Location" with the following items #1.b) and c):

b) if possible, structures shall be screened by using alternative siting or existing landforms,

~~b)~~ c) when no other measures to screen development from scenic corridor routes are feasible, a landscape design is developed that relies upon native tree and shrub species to: (1) screen the structure but not grow to block ocean or coastline views, (2) integrate the man-made and natural environments and, (3) effectively screen structures from the scenic corridor route within 5 years.

**Modification #13**

Outer Continental Shelf Recommendation #37 (p. 198) shall be revised as follows:

Recommendation 37. Require a Coastal Plan Amendment for any proposed on-shore facility to support off-shore oil and gas exploration of development. Any such amendment shall not be effective until a majority of the electors in Sonoma County, in a general or special election, approve the proposed amendment, unless such amendment is approved by the Commission pursuant to Section 30515 of the Coastal Act.

**Modification #14**

The following General Plan goals, objectives, and policies shall be added to the Coastal Plan, to be applied to the review of coastal development permit applications:

| | |
|---|---|
| Land Use Element: | Sec. 2.3.1, Sec. 2.3.2, Sec. 2.3.3, Sec. 2.3.4<br>Pol LU-6e, Pol LU-6f |
| Housing Element: | HE Sec. 3.1, HE Sec. 3.1.1<br>Pol HE-2b, Pol HE-2q, Pol HE-3l, Pol HE-4p |
| Agricultural Resources: | Goal AR-3<br>Objective AR-3.1, Objective AR-3.2<br>Pol AR-3b, Pol AR-3c, Pol AR-3e<br><br>Goal AR-4<br>Objective AR-4.1<br>Pol AR-4a, Pol AR-5c, Pol AR-5d, Pol AR-5e, Pol AR-5f, Pol AR-6d, Pol AR-6e, Pol AR-6g, Pol AR-8c, Pol PF-2q, Pol PF-2r, Pol PF-2s |

## PART IV. FINDINGS AND DECLARATIONS REGARDING PROPOSED AMENDMENTS TO THE COASTAL PLAN

The Commission hereby finds and declares as follows:

### A. Description of the Proposed Amendments to the Land Use Plan

The Sonoma County Coastal Plan, which serves as the County's Local Coastal Program Land Use Plan, includes the following sections:

Historic Resources
Environment
Resources
Recreation
Harbor
Development (including Housing, Public Services, Transportation, Visual Resources, and Land Use).

Each section of the Coastal Plan, both existing and revised, contains background text, followed by a set of "Recommendations." Although not called "Policies", the Recommendations are recognized by the County and the Commission to constitute the land use guidance that is at the heart of the Land Use Plan. That is, the text of the Recommendations shapes the location and intensity of new development in the Sonoma County coastal zone. (As noted below in Section IV.B.2., the County proposes as part of these Coastal Plan revisions to clarify the status of the "Recommendations" as policies.)

Furthermore, in some instances, the background text constitutes land use plan policy, in that it contains guidance for the review of future new development proposals. For instance, page 129 of the revised Coastal Plan contains housing policies that must be read in conjunction with Housing Recommendation #7 found on p. 139 in order to form a complete statement of affordable housing requirements.

In other instances, the background text contained in the Coastal Plan consists of descriptive material, some of which the County recognizes is out of date. For instance, the discussion of Outer Continental Shelf oil and gas development found on pp. 192-193 is clearly outdated. Because the County's proposed LCP amendment is intended primarily to achieve consistency between the Coastal Plan and the General Plan, and not to bring up to date all parts of the LCP, this background discussion is proposed to remain as it is.

Furthermore, the County's proposed revisions to both the Coastal Plan and the Coastal Zoning Ordinance include references to certain General Plan policies. Some of these General Plan policies are stated verbatim in the Coastal Plan, whereas others are only referred to by name or number. Because the Coastal Plan policies, along with the other components of the LCP, form the standard of review to be used by the County or Commission, it is important that the LCP be "self-contained" so that a reader of the LCP can tell what policy language is applicable to coastal permits. Therefore, suggested modifications are included herein to address the inclusion of General Plan references in the Coastal Plan and Coastal Zoning Ordinance.

The following discussion is organized by issue area, consistent with Chapter 3 of the Coastal Act of 1976.

## B. Location of New Development

Chapter 3 of the Coastal Act provides:

> ***Section 30250***
>
> *(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*
>
> *(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.*
>
> *(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.*
>
> *Section 30500.1*
>
> *No local coastal program shall be required to include housing policies and programs.*

### 1. Existing Coastal Plan and Land Use Map

The Land Use section of the existing Coastal Plan states that the policies contained there, along with the Land Use Plan maps, the Open Space maps, and the Recreation/Access maps, together indicate the type, location, and intensity of land uses allowable in the coastal zone. In certifying the County's Coastal Plan in 1981, the Commission found that the Plan and its components adequately met the requirement of the Coastal Act to provide for future land uses in appropriate locations and at appropriate intensities.

The existing Land Use Map consists of 3 sheets: #1 Sea Ranch, #2 central area, and #3 Bodega Bay area. The largest proportions of the County's coastal zone are designated for agriculture, timber, and recreation, including both public and privately owned land. Relatively small areas of the coastal zone are designated for rural residential, commercial, or visitor-serving uses. At the Sea Ranch and Bodega Harbour Subdivision, residential areas are designated as "planned community", interspersed with

dedicated open space that is made up of the common areas between homes that are permanently restricted from future residential construction.

In the Bodega Bay area, the existing Land Use Map designates a few areas for low to medium density residential development, and small areas for fishing commercial and village commercial uses.

### 2. Proposed Changes to the Coastal Plan Text

The "Introduction and Summary" of the existing Coastal Plan states:

> The chapters, and chapter sections are introduced by applicable Coastal Act policies, followed by an issues discussion and policy recommendations relating to the issues. The recommendations are specific statements of policy intended to implement State Coastal Act policies...

In other words, the Coastal Plan's policies have mandatory applicability to the review of new development proposals, rather than the advisory status that the word "recommendation" suggests. To further clarify this point, the revised Coastal Plan substitutes the word "policies" in place of "recommendations" in the Introduction to the Land Use chapter (p. 181). Although in practice the County has treated the Coastal Plan's "Recommendations" as policies, this revision will avoid any future misunderstanding.

Secondly, the revised Coastal Plan clarifies that its policies, rather than those of the General Plan, are applicable to the coastal area (p. 181). This clarification would be made by the County's proposed deletion of the sentence in the existing Coastal Plan: "Concerning issues not dealt with in the Coastal Plan, the General Plan continues in effect." The sentence to be deleted implies that additional standards regarding new development are applicable to proposed development in the coastal zone, even though such policies have not been included in the Coastal Plan and have not been reviewed or approved by the Coastal Commission. Because only policies certified by the Coastal Commission as part of the LCP should be applied by Sonoma County to land use decisions in the coastal zone, the Commission agrees with the County's proposed deletion of this sentence. (In two other places in the Coastal Plan and in various places in the Coastal Zoning Ordinance, the County proposes text that states that General Plan policies would take precedence over Coastal Plan policies. See Sec. IV.F. – Environmentally Sensitive Habitat Areas and Sec. IV.G. – Visual Resources below for discussion of these policies, as well as accompanying Suggested Modifications. See also Sec. VII.B.2. and accompanying Suggested Modifications.)

Third, minor revisions are proposed to the land use categories described in the Land Use Plan (pp. 181-182). Instead of the fifteen land use categories that are currently used in the Plan and on the Land Use Map, the revisions propose fourteen categories. The fourteen proposed categories are very similar to their previous counterparts, with minor clarifications:

- The "Agriculture" and "Timber" categories would remain the same, but requirements regarding non-agricultural or non-timber uses would be tightened up by providing

that "residential and other land uses must (rather than (should) relate to resource production."

- The County proposes to drop the "Recreation-Scenic Design" designation. In its place, the County proposes incorporation into the LCP of the Visual Resource overlay maps that designate categories of visually significant lands; see Section G below.
- The County proposes to adjust the existing "Recreation" and "Institutional" categories, so that "Recreation" would be applied only to privately owned lands, whereas "Institutional" would be applied to publicly owned recreational lands, along with other public lands (such as the University of California's Bodega Marine Laboratory). In areas such as Willow Creek, lands that are currently all designated as "Recreation" are proposed to be divided between the "Institutional" and "Recreation" categories, depending on ownership type.
- The County proposes to adjust the "Commercial Center" designation, by adding the provision that general commercial uses are allowable including local serving and limited visitor serving uses.
- The "Housing Opportunity" designation, intended to encourage affordable housing, is proposed to be deleted, to be replaced by other provisions for affordable housing (see Section 4 below).

The proposed changes to the text of the Coastal Plan do not raise issues of consistent with Coastal Act policies, with certain exceptions as discussed further below.

### 3. Proposed Changes to the Land Use Plan Map

#### a) Changes in Use Designation

Relatively few changes are proposed in the designation of land for various uses. (A complete list of these is contained in Attachment #4 entitled "Coastal Plan Changes". Parcels indicated with an asterisk in this attachment were previously approved, but not yet added to the Land Use Plan Map.) Although large areas now shown as "Recreation" on the Map are proposed to be designated as "Institutional", this reflects primarily the fact that large areas of the Sonoma Coast are owned by the state Department of Parks and Recreation (DPR). Under DPR ownership, such lands will continue in recreational use, even with the proposed change in designation. In a few areas, such as south of Fort Ross, the DPR has acquired former ranches, and the revised Land Use Plan Map accordingly redesignates such areas from "Agriculture" to "Institutional". In sum, in most areas of the coastal zone, no change in allowable land use types or intensity of development would result from the proposed Land Use Plan Map revisions. Those few areas where changes in allowable land use or intensity of use are proposed or appear to be proposed are discussed further below.

**The Sea Ranch.** At the Sea Ranch, few changes are proposed to the Land Use Plan Map. The revised Land Use Plan Map would designate the forested ridge that lies east of Highway One for "Timber" use, as does the existing Land Use Plan Map. The bulk of the Sea Ranch residential areas would continue to be designated as "Planned Community", a designation that allows the flexible residential lot design that exists in that subdivision. "Dedicated Open Space" would continue to be applied to the permanently undevelopable common areas that are interspersed among the homes. Several areas

that are shown on the existing Land Use Plan map simply as "Potential New Development" would receive a refined designation on the new Map, by being separated into a mix of "Planned Community" and "Dedicated Open Space". That mix of land use designations is already applied to the remainder of the Sea Ranch residential areas and does not represent a change in allowable type or intensity of land use.

The area around the Sea Ranch Lodge would continue to carry the existing designation of "Visitor Serving Commercial". The Land Use Plan text allows for future expansion of the Lodge by up to 100 additional units, subject to various conditions being met (Sea Ranch Recommendation #17, p. 196), and no change in that policy is proposed by the County.

Under the "Planned Community" designation that is applied to residential lands at the Sea Ranch, the total amount of allowable residential use is defined by text policies in the Coastal Plan, rather than by the PC designation itself. The Plan indicates that 2,029 residential units are recognized by the "Bane Bill" (amended into the Coastal Act as Section 30610.6), and that 300 additional residential units could be allowed, subject to several conditions being met, including that 15% of the total 300 units would be affordable housing units (Sea Ranch Recommendation #17, p. 196). Another condition precedent to allowing the additional 300 residential units is that "transfer" sites be identified for up to 100 residential units. Transfer sites were intended originally to allow limited additional development at the Sea Ranch, where services might be made available, while residential parcels elsewhere in the Sonoma County coastal zone were acquired by public agencies for park purposes or otherwise retired from development.

No change is proposed by the County in the text policies regarding the Sea Ranch. The Sea Ranch Association, however, has proposed certain changes to the text of the Coastal Plan, including changes to the text regarding the Sea Ranch (see Attachment #6). The Association, to which property owners at the Sea Ranch belong, suggests revisions regarding the "transfer site", in order to reflect an agreement that the Association has reached with the current owner of the site regarding its future use. The text proposed by the Association would explain that while up to 100 units were originally contemplated on that property, no more than 60 residential units (of which 7 have already been developed) may be built under the agreement reached with the owner. The other changes proposed by the Association are merely descriptive and indicate changes in conditions that have occurred since the Coastal Plan was prepared nearly 20 years ago. The changes proposed by the Association would better reflect current conditions at the Sea Ranch and, in particular, would reflect the actual level of residential development that could occur there (which is less than originally approved by the Coastal Plan). Because the County has not proposed parallel revisions to other parts of the Coastal Plan to update factual material, however, and because the County has requested the Commission to defer consideration of Sea Ranch issues pending the comprehensive update of the General Plan and Coastal Plan, the Commission does not suggest a modification to incorporate those changes.

**Bodega Bay.** In Bodega Bay, several changes are proposed to the Land Use Plan Map. The proposed Land Use Plan Map would designate the core residential area of Bodega Bay, known as the Taylor Tract, for "Low Density Residential", instead of "Medium Density Residential" as on the existing Map. This change in designation is proposed simply to reflect existing land use conditions, given that the subdivision is

already largely built out with small homes on small lots, rather than an attempt to revise allowable density in this area. This proposed change is consistent with Chapter 3 policies, which place no higher priority on medium density residential development as compared with low density development.

North of Bodega Bay, an 11-acre portion of a 55-acre parcel (APN 100-220-029) is proposed to be redesignated by the Coastal Plan from "Agriculture" to "Fishing Commercial" (see Attachment #9). This parcel lies to the east of Highway One, about a mile from the harbor. This change is proposed by the County in order to bring the Land Use Plan Map into consistency with a coastal permit approved some 15 years ago by the County and subsequently by the Commission on appeal (Appeal #A-2-SON-85-006). That permit allowed construction of a storage facility designed to be used for fishermen's storage needs and therefore considered as a fishing-related use. In approving that project on appeal, the Commission found that construction of the facility with 129 enclosed marine storage units and 100 boat/recreational vehicle storage spaces, on a portion of the 55-acre parcel, was consistent with the County's Local Coastal Program, which designated the property as "Agriculture". The Commission found that although it could not conclude that the proposed project was actually "agricultural" in nature, the project would fulfill a need for fishing-related storage that apparently could not be met elsewhere in Bodega Bay. The Commission found that fishing was definitely resource-related, and thus it approved the project as being consistent with the County's Coastal Plan.

Because the Commission has previously found that a fishing-related use of the property was appropriate, the County's proposal to now redesignate the property from "Agriculture" to "Fishing Commercial" is similarly appropriate. Given that a fishing-related use for the property has been approved by the County and by the Commission and given that the County considers the use to be vested, the Commission finds that the property in question is no longer suitable for agricultural use, although it will be continue to be available for resource-related uses. Therefore, the Commission concludes that the proposed redesignation of the property is consistent with Section 30242 of the Coastal Act, which states that lands suitable for agriculture shall not be converted to nonagricultural uses unless continued or renewed agricultural use is not feasible or such conversion would preserve prime agricultural land or concentrate development.

On Bay Hill Road, a parcel (APN 100-220-19 through 21) appears to be proposed for redesignation on the Land Use Plan Map from "Agriculture" to "Rural Residential". In fact, this parcel was subject to a previous Local Coastal Program amendment, approved by the Commission in 1988, and thus the apparent redesignation is merely proposed in order to show the current approved land use designation of the property.

Several parcels lying in the "island" between Smith Brothers Road and Highway 1 in Bodega Bay are proposed to be changed from the existing designation of "Recreation" to "Commercial Center". This change reflects the fact that these parcels, lying at the entrance to the town for travelers coming from the south, offer a central and therefore appropriate location for commercial uses offering both local-serving and visitor-serving services. The parcels are within the "Urban Services" area designated by the Coastal Plan, where both community sewer and water facilities are available. Furthermore, since these parcels are surrounded by roads, their continued designation as "Recreation" would not be appropriate, since the property offers few opportunities for recreational

activities. Therefore, the Commission finds that "Commercial Center" designation is consistent with Coastal Act Section 30250, which seeks to concentrate new development in existing developed areas.

Another area, just to the south of the Taylor Tract, is designated on the existing Map as "Village Commercial" and is proposed to be changed to "Medium Density Residential". This is the site of a residential development project that was approved by the County and appealed to the Coastal Commission (which determined that the appeal raised no substantial issue; appeal #A-1-SON-94-120). Site development on this project has now commenced. The development is entirely residential, and the proposed designation of "Medium Density Residential" is consistent with the approved land use. Furthermore, since areas designated for local and visitor-serving commercial facilities are proposed to be expanded in other areas of Bodega Bay, such as the "Commercial Center" discussed in the previous paragraph, the proposed redesignation of this area from a commercial to a residential use is appropriate.

**Outside Bodega Bay.** South of the Timber Cove Inn, several oceanfront parcels (APN 109-080-002, 003) are proposed to be redesignated from "Recreation" to "Agriculture". Part of this property is currently developed for recreational vehicle and/or camping use, and none of it is used for agriculture. This proposed redesignation appears to be an error on the County's proposed Land Use Plan Map. Therefore, the Commission suggests **Modification #8** to designate the property as "Recreation" on the Land Use Plan Map, and to change the Coastal Zoning Maps accordingly.

### b) Changes in "Urban Boundaries"

The existing Coastal Plan identifies "urban boundaries" around those communities that have community water and/or sewage treatment facilities. Such communities are characterized by residential development on small lots or in clustered planned development patterns, such as at the Sea Ranch or Bodega Harbour Subdivision, along with a very limited amount of commercial development. The existing Land Use Plan and Land Use Plan Map designate 13 communities as "Urban Areas": the Sea Ranch, Stewarts Point, Timber Cove, Jenner, Duncans Mills, Rancho del Paradiso, West Beach, Gleasons Beach, Sereno del Mar, Carmet, Salmon Creek, Bodega Bay, and Valley Ford. All lands not designated as "Urban Areas" are considered by the Coastal Plan to be "rural".

The urban and rural designations are utilized as a tool, consistent with Section 30250 of the Coastal Act, to guide development of more than the very lowest density (i.e., scattered farmhouses) into areas with community services that are able to support it. One way the "Urban Areas" designation guides most new development into such areas is through the land use designations themselves that are applied to land within the urban area. For instance, lands within urban areas are typically designated by the Land Use Plan Map as "Rural Residential" or "Village Commercial", designations which allow for creation of smaller lots and for a greater variety of developments than on the surrounding lands designated for "Agriculture" or "Timber".

Another way the "Urban Areas" designation guides development is contained in Land Use Recommendation #7 (p. 195), which allows expansion and formation of water or

sewer districts only within urban boundaries. Because geologic factors place significant limits on the availability of on-site water supply and sewage disposal in much of the Sonoma County coastal zone, the absence of community facilities in the rural areas is a significant constraint on new development, particularly small lot development or commercial development. In sum, this and other policies of the existing Coastal Plan act in such a way as to encourage most new development to be located within the small communities that already exist.

The revised Land Use Plan and Map propose only minor changes to these designations. First, the revised Plan would refine the existing designation of "Urban Areas" by breaking that category into two: "Rural Communities" (where community sewer service only is provided) and "Urban Service" areas (with both community water and sewer service; see p. 8 of the Coastal Plan). Areas currently mapped as "Urban Areas" are proposed to be designated with one of these two categories. Bodega Bay and the Sea Ranch have both community water and community sewer service, at least in portions of their area, and both are proposed as "Urban Service" areas. Other areas previously designated as "Urban Areas" are proposed to be designated as "Rural Communities".

A second proposed change concerns a parcel of land at the Sea Ranch. The revised Land Use Plan Map proposes to include in the "Urban Services" area one small area east of Highway One (mid-way north through the Sea Ranch) that is not presently included in the urban category. The reason for this proposed change is that the property has been developed with a small chapel and a fire station. These are uses, particularly the fire station, that are of an urban character and that are appropriately designated within the "Urban Service" area.

Finally, the revised Land Use Plan Map proposes to eliminate one area shown on the current map as Urban. That area is a small area (Pacific View Estates) where public acquisition has removed the potential for future residential development and thus it is appropriately designated as outside the "Urban Services" and "Rural Communities" categories.

**Discussion.** The proposed division of "Urban Areas" into "Rural Communities" and "Urban Service" areas does not alter the overall designation of areas that have one urban service or the other and are therefore appropriate locations for additional urban development. Furthermore, and perhaps more significantly, breaking the "Urban Areas" category into two does not change the extent of rural areas where urban services are not allowed to extend, thus protecting those areas for continued agriculture or timber use. Consequently, the Land Use Plan policies and Land Use Plan Map would remain consistent with the requirement of Section 30250 to concentrate development, where possible, in existing developed areas.

The proposed Land Use Plan revision would delete Recommendation #28 (p. 197) that currently allows an option for Salmon Creek subdivision to connect to the nearby Bodega Bay Public Utility District, which provides both water and sewer service. Because Salmon Creek is already included in the list of "Urban Areas" where community services may be provided, and is proposed in the revised Coastal Plan to be designated as a "Rural Community", the deletion of this policy would have no effect on the future provision of services to Salmon Creek. The community retains the option of forming a community service district, even if it cannot connect to Bodega Bay's system.

In sum, the proposed changes to the Land Use Plan Map as discussed above are consistent with the policies of Chapter 3, if modifications are made as suggested.

### 4. Affordable Housing

**Background.** The existing Coastal Plan states that "The major goal of the Housing section is to protect and promote low and moderate cost housing for people who work within the coastal zone to carry out Coastal Act policies on housing, access, and coastal zone priority uses." The Plan, which was certified by the Coastal Commission in 1981, quotes the mandate of Section 30213 of Chapter 3 that was then in effect to protect, encourage, and, where feasible, provide housing opportunities for persons and families of low or moderate income, as defined by Section 50093 of the Health and Safety Code. To comply with that mandate, local governments at that time were required, in effect, to submit the housing element of their general plan for Commission review and approval.

In 1981, the Legislature amended the Coastal Act to delete the Chapter 3 policy that required the Commission to protect and encourage low and moderate income housing. The Legislature also added Section 30500.1, which states that the Commission shall not require local governments to submit housing policies. At the same time the Legislature amended the Government Code by adding Section 65590, which requires local governments to adopt certain policies relating to the protection of affordable housing in the coastal zone. Shortly thereafter, the Legislature adopted Coastal Act Section 30011, which precludes the Commission from evaluating how a local government has applied Government Code Section 65590 to a particular development.

These amendments did not change the Coastal Act requirement that local governments develop policies and plans that ensure development in the coastal zone conforms with Chapter 3 policies of the Coastal Act. Rather, the amendments shifted the responsibility for protecting and encouraging affordable housing away from the Coastal Commission to local governments. These amendments did not modify the requirement that local governments include in their LCPs plans and ordinances for the location and density of residential development, and that those plans and ordinances conform with Chapter 3 policies. Thus, LCPs submitted to the Commission must include plans and ordinances relating to the location and density of residential development.

Section 30007 of the Coastal Act states that the Act does not exempt local governments from requirements of housing laws. Therefore, to the extent the Government Code imposes housing-related requirements on local governments, the Coastal Act cannot be a means for the local government to avoid those requirements. In some cases, Government Code housing requirements will be strictly related to the housing element of the local government's general plan and will not be submitted to the Commission as part of the LCP. However, if Government Code housing requirements affect the residential density provisions of the land use element of a general plan, local government's implementation of those requirements must be included in an LCP and must conform with the Coastal Act.

**Description of the existing Coastal Plan.** The existing Coastal Plan primarily addresses new residential development in Chapter VII - Development. Additional

policies pertaining to housing are found in Chapter IV - Resources, within the lists of land uses that are potentially appropriate on agricultural and timberlands.

The existing Coastal Plan states that affordable housing is essential to support certain high-priority land uses, such as visitor-serving facilities, agricultural production, and coastal-dependent industry such as commercial fishing. The Plan concludes that if workers are unable to find affordable housing in the coastal zone, the viability of such land uses would be threatened. Thus, the Plan's provisions for affordable housing rest not only on the former mandate that was contained in the Coastal Act prior to 1981, but also on other policies of the Act that remain in effect, such as those that put a high priority on the protection of visitor-serving facilities, agriculture, and commercial fishing.

The existing Plan states that four types of strategies will be utilized to encourage production of new affordable housing. These strategies are **Permit and Inclusionary Requirements**, **Subsidies**, **Employer Housing Assistance**, and **Incentives**. The proposed revisions to the Coastal Plan would not change these general strategies, although the manner in which one of them, **Incentives**, is proposed to be carried out would be significantly revised, as discussed further below.

The primary incentive for affordable housing in the existing Coastal Plan is the provision for density bonuses in designated "Housing Opportunity Areas" for projects that include 25 percent affordable units. The Plan states that "A land use category called Housing Opportunity Area has been included in the Land Use Plan. Lands with this designation will be zoned for low density residential use at four units per acre or less." Consistent with this statement, the existing Land Use Plan Map indicates a "Housing Opportunity Area" in the central area of Bodega Bay, south of the Taylor Tract. The Coastal Plan goes on to provide that if a property owner proposes a development within these designated "Housing Opportunity Areas" that includes at least 25% affordable units, then the owner may apply for a higher density of up to 8-10 units per acre.

Thus under the existing Coastal Plan, the higher density incentive that would be result in creation of affordable housing is available only through a rezoning of the property. Although not mentioned specifically in the Coastal Plan, such rezoning would constitute a Local Coastal Program amendment. In sum, under the existing Coastal Plan, this incentive for affordable housing is not available solely through the development review process, because a rezoning and LCP amendment requiring Coastal Commission review is required prior to offering the incentive to a housing developer.

**Experience since 1981.** Since the Coastal Plan was certified by the Coastal Commission in 1981, a limited number of affordable housing units have been approved by the County in the coastal zone. One affordable housing project that has been approved consists of fourteen affordable units that are planned to be constructed as part of the Harbor View Subdivision in Bodega Bay in the area designated by the existing Coastal Plan as a "Housing Opportunity Area". This residential subdivision, which was approved by Sonoma County, will create 70 single-family home parcels, along with a 1-acre parcel intended for transfer to an affordable housing development entity for construction of 14 multi-family affordable units. Initial site work for the project has commenced, although construction of houses has not yet occurred.

Although the existing Coastal Plan suggests the need for an LCP amendment for creation of affordable housing, utilizing the incentive of increased density, no Coastal Plan amendment was submitted for creation of the 14 units in the Harbor View Subdivision. Instead, the County approved the units through a coastal development permit. That coastal permit was appealed to the Commission, and the Commission found on February 10, 1995 that the appeal raised no substantial issue (Appeal #A-1-SON-94-120).

As part of the proposed revisions to the Coastal Plan, the site of the Harbor View Subdivision is proposed to be designated in part as "Medium Density Residential" (to include the 70 single-family lots and the parcel for the 14 affordable units) and in part as "Planned Community" (a remainder parcel for future development, unspecified at this time).

At the Sea Ranch, forty affordable housing units have been constructed in the form of employee housing units. This number of units approximately meets the requirement of the existing Coastal Plan to provide 15% affordable units, out of the 300 additional units allowed by the Plan above and beyond the 2,029 residential units originally contemplated at the Sea Ranch (see Section IV.B.3.a. above).

In addition to the incentive discussed above, a second policy measure appears to be contained in the existing Coastal Plan to encourage the development of affordable housing. This incentive is the allowance of a second rental unit on certain lots designated by the Land Use Plan. This incentive is available, in theory, through the county development review process, because there is no need for a Local Coastal Program amendment prior to the County offering the incentive. In practice, however, this incentive has never been made available, because the Coastal Zoning Ordinance did not contain provisions for second units, and thus this land use plan policy has not been implemented.

**Proposed Change: Incentives for Affordable Housing.** The proposed Coastal plan revisions, as amended on May 15, 2001 would change the way incentives for construction of new affordable housing could be granted. These changes are proposed in order to bring the Coastal Plan (1) into conformity with requirements of the Government Code regarding the provision of density bonuses that have changed since the Plan was certified and (2) into conformity with the County's General Plan.

The County proposes to offer two types of "housing opportunity" programs currently offered in non-coastal areas of Sonoma County (known as Type A and Type C projects), in addition to the density bonus program provided for by Government Code Section 65915 (see Attachment #1 – Coastal Plan). Thus at least three separate affordable housing options would be available, one provided consistent with Government Code Section 65915 and two provided by local option.

**Discussion: Density Bonus Incentive.** Government Code §65915 requires local governments to provide residential density increases to developers who agree to develop low-income and senior housing. The statute requires that local governments grant a density bonus of "at least 25 percent" to developers who agree to make a specified percentage of new units affordable to low income or senior households. Government Code §65915(b) also requires local governments to grant at least one other

incentive, in addition to the density bonus, unless the local government finds that the additional incentive is not necessary to allow for affordable housing.

As originally submitted in 1999, the County's proposed LCP amendment did not indicate how density increases would be applied consistent with policies of Chapter 3 of the Coastal Act. As a result, the proposed LCP amendment would have allowed for application of density increases and incentives in a manner that would not conform with the policies of Chapter 3 of the Coastal Act. For example, the originally proposed policy language regarding density bonus incentives could be interpreted as allowing otherwise prohibited fill of a wetland for purposes of accommodating a 25 percent increase in residential density.

To conform with the Coastal Act, an LCP must contain provisions that harmonize the requirements of both Government Code §65915 and the Coastal Act, including §30250 of the Coastal Act. Harmonization of the two statutes is achieved by provisions that give effect to the mandatory provisions of Government Code §65915, while implementing all discretionary provisions of Government Code §65915 in a manner that also conforms with Chapter 3 policies.

The mandatory provisions of Government Code §65915(b) are: (1) the requirement that local governments grant a density increase of 25% to developers who agree to make specified percentages of new units affordable to low income and/or senior households, and (2) the requirement that local governments grant an incentive in addition to the density increase unless the incentive is not necessary to make the housing affordable. Government Code §65915 mandates an increase in density of 25% but does not require a density increase beyond 25%. Further, the Government Code does not specify how the 25% density bonus is to be accommodated. Accordingly, how the increase is accommodated and whether to provide an increase beyond 25% are within local government's discretion. Therefore, under the Coastal Act, local coastal programs must insure that if there are means of accommodating the 25% density bonus without creating inconsistencies with the policies and development standards of the certified local coastal program, those means shall be used. Coastal resources can be adversely affected only when it is impossible to accommodate the density increase without such impacts. In those situations, the density increase must be accommodated by those means that are the most protective of significant coastal resources. For example, if the density bonus can be accommodated only by either increasing building heights thereby reducing public view to the ocean, or filling wetlands, the increase must be accommodated by the height increase, since the protection of wetlands is a Coastal Act priority and is thus most protective of significant coastal resources. If relief from more than one standard is necessary to accommodate the 25% density bonus, the LCP may provide for such relief.

Government Code §65915(f) requires the increase in density granted to a developer be 25% over the "maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan." Many local government general plans and ordinances address residential densities by identifying both a density range that indicates the approximate density for an area, as well as a list of the development standards and other factors (e.g., setbacks, heights, yard size, proximity to circulation element roads, etc.) that will be applied to determine the maximum density that will be allowed on any particular site within the area. The Government Code requires that the 25% density increase be applied to the density that will be the maximum allowed under

the general plan and zoning ordinances. Therefore, the base density to which the density bonus will be applied is the density that would be identified after application of both the density range for an area and the factors applicable to the developer's particular site.

Government Code §65915(b) requires local governments to provide not only a density bonus but also "at least one of the concessions or incentives identified in [§65915(h)]" unless the local government finds that the additional concession or incentive is not required to provide for affordable housing. Thus, the provision of at least one incentive is mandatory unless the local government finds that the additional incentive is unnecessary. However, Government Code §65915 does not require local governments to provide more than one incentive in addition to the density bonus. Further, it does not indicate how a local government is to choose which incentive to provide. Therefore, whether to award more than one incentive and which incentive to award are discretionary under the Government Code.

Therefore, under the Coastal Act, LCPs may not provide for more than one incentive unless it can be demonstrated that the grant of additional incentives will not result in inconsistencies with the policies and development standards of the certified local coastal program. Similarly, in applying the one incentive, LCPs must insure that if there are incentives that will encourage development of low income or senior housing without adversely affecting coastal resources, those incentives will be used. If all possible incentives will have an adverse effect on coastal resources, the LCP must provide for use of the incentive that is the most protective of significant coastal resources.

For example, if the potential incentives are: (1) a reduction in parking standards that may impede coastal access, and (2) allowing otherwise impermissible fill of wetlands, the first incentive should be awarded, rather than the second, since the Coastal Act places greater restrictions upon the filling of wetlands. LCPs should either rank incentives in terms of impacts on coastal resources or identify criteria or a process for determining which incentives will be used. This will insure that incentives that impose either no burden or lesser burdens will be granted instead of incentives that impose a greater burden on coastal resources.

As revised by action of the Board of Supervisors on May 15, 2001, the Sonoma County proposed LCP amendment includes provisions that ensure that density bonus requirements will be harmonized with requirements of the Coastal Act in the above-described manner. The Commission finds accordingly that this proposed amendment conforms with the policies of Chapter 3 of the Coastal Act. (For more background on the density bonus requirements and the Coastal Act, see the memorandum to Coastal Commissioners from Ralph Faust, Chief Counsel, Dorothy Dickey and Amy Roach, dated October 10, 1995, which is attached and hereby incorporated by reference - Attachment #7.)

As revised by the Board of Supervisors on May 15, 2001, the County's LCP submittal limits the density bonus for both low income and senior housing to the mandatory 25% density increase. This limit is appropriate in order to ensure that only the mandatory provisions of Government Code §65915 are automatically implemented, while the discretionary provisions of Government Code 65915 are implemented only after taking into account the protection of coastal resources. The proposed Coastal Plan provides

that if the County can demonstrate that there are areas that can accommodate density increases beyond 25%, the County may amend their LCP in the future to allow for density increases beyond 25% in those areas. The proposed Plan also includes provisions regarding the number of years that density bonus projects must be made affordable, thus accurately reflecting the Government Code §65915 requirements.

Second, the proposed Coastal Plan indicates that the base density upon which the 25% density increase is to be calculated is the maximum allowable density for a particular site under the certified local coastal program policies and ordinances. This provision reflects the requirement of Government Code §65915(f) that the density bonus be applied to the otherwise maximum allowable density under the applicable zoning ordinances and land use element. The Sonoma County LCP sets forth various provisions that are applied to determine the maximum allowable density on a particular site. These provisions include the density ranges for various areas of the community, which are identified in the Plan. The provisions also include the development standards set forth in the zoning ordinances. The maximum allowable density of a particular development project is determined by application of all of these provisions, not just the density range specified in the land use plan. Thus, under Government Code §65915(f), the "otherwise maximum allowable residential density under the applicable zoning ordinance and the land use element of the general plan" is the maximum density determined after application of both the density range and the development standards set forth in the zoning ordinance. Thus, the proposed Coastal Plan ensures that the base density to which the density increase is applied is the maximum allowable under both the land use plan and the zoning ordinances.

Third, the proposed Coastal Plan provides that development projects that benefit from the density bonus and incentive requirements are consistent with the applicable policy and development standards to the maximum extent possible. This provision ensures both that relief from development standards is granted only as allowed under Government Code §65915 and that the relief granted is that which is most protective of coastal resources. The proposed Plan policies also requires a finding by the County that the development in question would have been fully consistent with policies and development standards of the LCP if the development had been proposed without the density bonus. This provision ensures that proper base density and the applicable development standards are identified. This enables an understanding of how the density increase was accommodated and how incentives were applied. This provision is consistent with the legal requirement that local governments adopt findings to explain their decisions.

Fourth, the proposed Coastal Plan provides that the 25% density increase will be accommodated using those means that do not adversely affect coastal resources. If the only means of accommodating the density increase are means that will adversely affect coastal resources, then those means that are the most protective of significant coastal resources will be used to accommodate the density increase. This provision ensures that the County will exercise its discretion to determine how to accommodate the 25% density increase in a manner that conforms with the policies of Chapter 3 of the Coastal Act.

Fifth, the proposed Coastal Plan provides that if an incentive is offered in addition to the density increase, that incentive will not have an adverse effect on coastal resources. If

the County determines that there is no feasible, available incentive that will not have an adverse effect on coastal resources but an incentive is necessary to make housing affordable, the County will offer the incentive that is the most protective of significant coastal resources. This provision also indicates that more than one incentive may be granted if there are additional incentives that will not have an adverse effect on coastal resources. The determination of which incentive to grant and whether to grant more than one incentive are within the County's discretion. Thus, these provisions ensure that the County will exercise its discretion in a manner that conforms with the policies of Chapter 3 of the Coastal Act. With these provisions, including those adopted by the Board of Supervisors on May 15, 2001, the proposed LCP amendment harmonizes the requirements of the density bonus statute and complies with requirements of the Coastal Act.

In addition to the density bonuses discussed above, the County's proposed Coastal Plan allows for two types of housing opportunity areas. One is Type A, for use in Medium Density Residential areas of 5-8 dwelling units per acre if the mapped density if 7 units or more per acre. The second is Type C, for use in Low Density and Medium Density Residential areas if the mapped parcel density is 4-6 units per acre. In Type A areas, the residential density may be increased 100 percent above the mapped parcel density to a maximum of 16 dwelling units per acre, while reserving a minimum of 40 percent of all units for rent or sale to low or very low income households. In Type C areas, the residential density may be increased to a maximum of 11 dwelling units per acre, while reserving a minimum of 20 percent of all units for rent or sale to low or very low income households and remaining units are reserved for sale or low or moderate income households.

The Coastal Plan provides that both Type A and Type C projects shall meet all site-specific environmental constraints, shall be consistent to the maximum extent feasible and in a manner more protective of coastal resources will all applicable certified local coastal program policies, and will not result in adverse impacts on coastal resources. Finally, the County proposes to amend the Land Use Definitions in the Coastal Plan to recognize not only the base densities that would apply in Low and Medium Density Residential land use categories, but also the additional density that might be offered to a Type A or Type C Housing Opportunity project.

**Proposed Change: Second Units.** Another change to the housing policies that is proposed by the County raises a potential conflict with Chapter 3 policies. This change would expand the areas in which second residential units are potentially allowable. Instead of being allowable only in Bodega Bay, as provided by the existing Coastal Plan, second residential units would be allowed in Bodega Bay plus other rural areas of the coastal zone. To accomplish this change, the following revision to the Coastal Plan is proposed by the County:

> Second Unit Zoning. Zoning which will allow second residential units will be provided in some portions of the Coastal Zone, primarily Bodega Bay and the rural areas. ~~New housing in Bodega Bay should be in keeping with the community character.~~ One way to increase rental housing opportunities while preserving community character is to allow second smaller units on single-family lots large enough to accommodate the additional use. ~~This would be implemented by a higher density zone and land use plan designation applied to former R1 lots that are 6,000 to 12,000 square feet in size appropriate residential areas. A second unit would~~

> ~~be subject to a coastal permit, and approval would be dependent upon lot location, size, configuration, layout, and assurance that the rental unit would be affordably priced. These special designations are intended to produce small, affordable rental units and assist homeowners who elect to build such second units.~~ This will be implemented by allowing second units in specified zoning districts on lots that are a minimum of 2 acres without public sewer and water, and lots of at least 6,000 square feet in size within an urban service boundary that are served by both public sewer and water. A second unit would be subject to a zoning or use permit and coastal permit, depending on location. Approval would be dependent upon conformance to the standards contained in the zoning ordinance.

Instead of potentially allowing second units only on relatively small lots that are primarily located in Bodega Bay, the revised policy would allow a second unit on lots that are at least 2 acres in size, if no public sewer or water service is available, or on smaller lots of at least 6,000 square feet, if both public water and sewer service are available.

**Discussion.** The Commission agrees that the provision of affordable housing is essential to the protection of high-priority land uses such as visitor-serving facilities, agriculture, and commercial fishing. For instance, without workers, inns to house coastal visitors would not be able to operate. Furthermore, if all workers in the coastal zone were to commute from inland areas where more affordable housing might be found, significant adverse impacts on limited coastal roads including Route 1 might result.

To be consistent with Chapter 3 policies, however, new housing developments need to be supported by adequate services and facilities. The revised Coastal Plan recognizes this need only indirectly by including this sentence with respect to second residential units: "Approval would be dependent upon conformance to the standards contained in the zoning ordinance." In other words, approval of second residential units would be subject to discretionary review and would require meeting the standards of the zoning ordinance, presumably including requirements for adequacy of facilities. To make the necessity for adequate services and facilities explicit, however, clarification of the Coastal Plan would be appropriate. Therefore, the Commission suggests **Modification #4** that would make clear that second units could be approved only consistent with all other policies of the Coastal Plan.

In sum, the revised Coastal Plan would allow second units only in two types of areas. The first would be those areas with both community sewer and water service, which at present consists only of the Sea Ranch and Bodega Bay. The second area includes rural areas without community services, but where lots are at least 2 acres in size. In general, on lots of that size, on-site sewage disposal and water supply are more likely to be feasible than on lots of smaller size. If modified as proposed by the Commission, the Coastal Plan would be explicit that second units could be allowed only where on-site services are actually capable of being developed, and where other Coastal Plan policies can be met. Thus, with the suggested modification, the Commission finds that potential allowance of second units on specified parcels is consistent with the requirements of Chapter 3.

### b) Permit and Inclusionary Requirements, Subsidies, and Employer Housing Assistance

The existing Coastal Plan requires that in housing projects of 11 or more units, a minimum of 15% be affordable, subject to resale or rental controls (Recommendation #2, p. 139). The County proposes no change in this inclusionary requirement as part of the Coastal Plan revision (note the distinction between inclusionary requirements and the density bonus discussed above). Similarly, the County proposes no change in the Recommendation #11 (p. 140) of the Plan that addresses subsidies for affordable housing or employer housing assistance.

## D. Visitor-serving recreation

The Coastal Act provides:

> ***Section 30222***
>
> *The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

The existing Sonoma County Coastal Plan includes the following policies (p.113):

- encourage the development and expansion of visitor-serving facilities within urban locations where Coastal Plan requirements can be met (for instance, where services are available),
- allow modest expansion of existing visitor-serving facilities outside urban areas, where Coastal Plan requirements can be met,
- limit most new commercial development, except for the lowest intensity development, to urban areas, and
- encourage the provision of modest-scale accommodations, such as bed and breakfast facilities, in all locations where appropriate.

The existing Plan also includes specific policies for the placement of additional overnight accommodations and other visitor-serving commercial uses in various communities along the Sonoma County coast.

The Coastal Plan revisions propose only modest changes to visitor-serving policies. First, the revisions to General Recommendations #1, 2, and 3 (p. 113) reflect the proposed distinction between "Urban Service Areas" (where both community sewer and community water service are available) and "Rural Communities" (where community water service only is available). Where the existing Coastal Plan grouped these two types of communities into one category, the proposed revisions draws a distinction between them, as discussed above in Section IV.B.3.b. of this report.

For purposes of encouraging the placement of additional visitor-serving facilities in suitable locations on the Sonoma County coast, this proposed change is not significant. The change is not significant because it does not reduce the areas potentially available

for new visitor-serving facilities. New visitor-serving and commercial facilities would continue to be encouraged by the revised policies, as is the case now, and to be potentially approvable only where Coastal Plan requirements can be met, including requirements for adequate water and sewage disposal service.

The second change to the "Visitor-Serving Facilities" policies is the proposed addition of the phrase "*consistent with land use designations and zoning*" to the Specific Recommendations (pp. 113-114) encouraging new or expanded facilities in various communities along the coast. This additional language would have the effect of clarifying that new or expanded visitor-serving facilities are encouraged only where mapped and designated. Because the Land Use maps are part of the Coastal Plan, it is necessary that the Coastal Plan policies be integrated closely with the designations on the maps. This proposed change, therefore, is consistent with Chapter 3 of the Coastal Act, because the change will help to carry out the mandate of Section 30222 to assign a high priority to visitor-serving facilities.

## E. Protection of Coastal Agriculture and Timberlands

The Coastal Act provides:

> ***Section 30241***
>
> *The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:*
>
> *(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.*
>
> *(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.*
>
> *(c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.*
>
> *(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.*
>
> *(e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.*

*(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.*

***Section 30241.5***

*(a) If the viability of existing agricultural uses is an issue pursuant to subdivision (b) of Section 30241 as to any local coastal program or amendment to any certified local coastal program submitted for review and approval under this division, the determination of "viability" shall include, but not be limited to, consideration of an economic feasibility evaluation containing at least both of the following elements:*

*(1) An analysis of the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.*

*(2) An analysis of the operational expenses, excluding the cost of land, associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.*

*For purposes of this subdivision, "area" means a geographic area of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for those lands included in the local coastal program or in the proposed amendment to a certified local coastal program.*

*(b) The economic feasibility evaluation required by subdivision (a) shall be submitted to the commission, by the local government, as part of its submittal of a local coastal program or an amendment to any local coastal program. If the local government determines that it does not have the staff with the necessary expertise to conduct the economic feasibility evaluation, the evaluation may be conducted under agreement with the local government by a consultant selected jointly by local government and the executive director of the commission.*

***Section 30242***

*All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (l) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.*

The existing Sonoma County Coastal Plan contains policies addressing the protection of agricultural and forest lands in Chapter IV, entitled "Resources." The plan explains that the primary types of agriculture pursued in the Sonoma County coastal zone are dairies in the Valley Ford area and sheep and cattle grazing elsewhere. A primary policy of the existing Plan states (p.53):

> Recommendation #1: Encourage compatible, resource-related uses on designated resource lands. Such uses should not conflict with resource production activities. Residential, civic, and commercial uses should be located in existing communities or commercial centers as shown on the Land Use Plan. Some low-intensity visitor serving uses may be appropriate on resource lands if they are compatible with the resource use of the land.

This policy establishes the fundamental priority that is accorded to agricultural uses on coastal lands, consistent with Chapter 3 policies. The policy also recognizes that land uses that are unrelated to agriculture present a potential threat to the long-term continuation of agriculture and therefore are appropriately located in urbanized areas, rather than on farms or ranches.

Another primary policy of the existing Plan states (p. 53):

> Recommendation #4: Establish resource compatibility and continued productivity as primary considerations in parcel design and development siting.

This policy recognizes that threats to the continuation of agriculture may arise through the land division process, where for instance new parcels may be proposed that are too small to support agricultural operations. The Coastal Plan establishes a minimum parcel size of 640 acres for grazing lands and timberlands and a minimum of 160 acres for dairies. These minimum parcel sizes are among the largest required by any coastal county for coastal zone lands, and they provide significant protection against inappropriate division of resource lands. No change is proposed in these minimum parcel size requirements.

One change proposed in the revised Coastal Plan involves terminology. The revised Coastal Plan would utilize the titles for recommended zoning districts that are contained in the countywide General Plan, rather than the titles previously applicable only to the coastal zone. These titles, and their previous equivalent, are as follows:

| Old title | New title |
|---|---|
| Exclusive Agriculture (AE) | Land Intensive Agriculture (LIA)<br>Land Extensive Agriculture (LEA)<br>Diverse Agricultural (DA)<br>Resources & Rural Development (RRD |
| Primary Agricultural (AP) | LIA, LEA, DA |
| Natural Resources (NR) | Resources & Rural Development (RRD) |

The changes in terminology, in themselves, would not have a substantive effect on the protection of coastal resources.

Existing Land Use Recommendation #4 (p. 53) recognizes that continued agriculture may be threatened by the placement of proposed structures that would use good agricultural soils for non-agricultural purposes, thus displacing the highest priority use for the land. A proposed change to Land Use Recommendation #4 would accomplish two things: require the creation of a buffer between agricultural operations and residential

land uses, when residential developments are proposed adjacent to farms or ranches, and implement provisions of another County Ordinance, known as the "Right to Farm" Ordinance:

> Establish resource compatibility and continued productivity as primary considerations in parcel design and development siting. Implement General Plan Policies AR-4c and AR-4d to establish Agricultural setbacks and apply the provisions of the 'Right to Farm' ordinance.
>
> **ARC-4c:** Protect agricultural operations by establishing a buffer between the agricultural land use and the residential use at the urban fringe adjacent to an agricultural land use category. Buffers shall generally be defined as a physical separation of 100' to 200' and/or may be a topographic feature, a substantial tree stand, water course or similar feature. In some circumstances a landscaped berm may provide the buffer. The buffer shall occur on the parcel for which a permit is sought and shall favor protection of the maximum amount of farmable land.
>
> **ARC-4d:** Apply the provisions of the "Right to Farm" Ordinance to all lands designated within agricultural land use categories.

The effect of the first part of this proposed change would be to strengthen the existing general policy protecting existing agricultural operations by making it more specific and by including a description of suitable buffers. The proposed revision also includes the key requirement that buffers shall be located on the parcel that is proposed for development (for instance, on a residential subdivision), as opposed to the existing farm or ranch. That requirement would ensure that agricultural operators could continue to use all of their land, even as residential or commercial land uses are approved on adjacent property.

The second proposed revision involves the "Right to Farm" ordinance which is cited in Policy ARC-4d of the proposed Coastal Plan. The Right to Farm ordinance is intended to preserve agriculture in areas where it is now practiced (see Attachment #11). Because the ordinance does not appear in the existing certified Local Coastal Program, the Commission suggests **Modification #5**, which would simply require the addition of the "Right to Farm" ordinance to the LCP.

Other minor changes to the policies of Chapter IV. Resources are proposed by the County only to ensure consistency with terminology proposed elsewhere for revision. For instance, a change is proposed to Land Use Recommendation #5 (p. 53), which addresses land divisions in agricultural or timber areas. That policy is proposed to be amended in order to apply rural land division criteria to lands outside of "designated rural community or urban service area boundaries", thus making it consistent with the change in terminology described above under Section IV.B.3.b. Changes in "Urban Boundaries". This proposed change would have no effect on the application of rural land division criteria to rural lands, since those criteria would continue to be applied to proposed land divisions outside areas with either community water or sewer service (i.e., "Urban Areas").

Another change in terminology is proposed for item #10 in the list of suitable Resource Management Uses (i.e., farming and timber harvesting; p. 48). The changed wording would address development within "designated scenic view sheds", rather than

development within view of "designated scenic roads", thus making this policy consistent with revisions proposed in Coastal Plan Chapter VII. Development (see Section G, Visual Resources below). A similar reference to "designated scenic view sheds" is proposed for the list of Residential Uses, item #3 (p. 49), again to make the wording consistent with revisions proposed to Chapter VII.

Another minor change is proposed to Land Use Recommendation #6 (p. 54) in order to replace references to the existing "Natural Resource" (NR) and "Primary Agriculture" (AP) zoning districts with a general reference to "Agricultural or Resource Zoning" district as defined in Table IV-4 of the revised Coastal Plan. This proposed change would ensure internal consistency between the Plan and Coastal Zoning Ordinance and would have no substantive impact on the application of Coastal Plan policies to proposed development projects.

Finally, minor changes are proposed to the background text of Chapter IV. Resources to utilize updated terminology regarding "Timber Production Zones" (p.47), agricultural or resource zoning (p. 46), and the new proposed zoning districts of "Timber Production" (TP), "Land Intensive Agriculture" (LIA), "Land Extensive Agriculture" (LEA), "Diverse Agriculture" (DA), and "Resource & Rural Development" (RRD) (p. 43). These changes in terminology, in themselves, would have no effect on protections afforded to agricultural and timber lands, and thus the changes are consistent with the policies of Chapter 3.

## F. Environmentally Sensitive Habitat Areas (ESHAs).

***Section 30240***

*(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.*

*(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

The LCP revisions include no changes to the definitions of habitat categories or the environmental resource summaries contained in Chapter III of the LUP. Wetland protection policies would remain strong, as for instance in Recommendations #25 and #26 (p. 30) which provide generally for a minimum buffer of 100 feet from wetlands for new development, with an additional buffer of up to 300 feet required unless an environmental assessment finds the wetland would not be affected. These policies are not proposed to be revised by the County.

The revisions do, however propose a few changes to the Recommendations contained on pp. 28-34 of the LUP.

First, the following language is proposed to be inserted before Recommendations #9 through 15, which address riparian resources:

> Riparian: Note - Where General Plan standards and policies are more restrictive than the following, development shall comply with the General Plan policies.

Secondly, similar language is proposed to be inserted before Recommendations #16 through 27, which address wetland resources:

> Wetlands (Marshes, ponds, Reservoirs, Seeps): Note - Where General Plan standards and policies are more restrictive than the following, development shall comply with the General Plan policies.

These two proposed additions to the LUP raise a concern. Because the General Plan standards and policies referred to are not included in their entirety in the Coastal Plan, those standards and policies would not be applicable to a coastal development permit that is appealed to the Coastal Commission. The standard of review that the Commission applies in the event of an appeal is the certified Local Coastal Program, not other documents that the Commission has not reviewed. Although the Commission does not disagree, in general, with the goal of providing more restrictive standards to development in sensitive resource areas, the inclusion of references to standards and policies not a part of the Local Coastal Program creates an issue, because the Commission has not reviewed those other standards. Therefore, the Commission suggests **Modification #9** that would clarify the reference to General Plan policies to state that, at a minimum, development must be found to meet Coastal Plan standards. That way, if the County chooses to impose standards that are more restrictive, the Commission can be assured that the Coastal Plan standards will also be met.

A third proposed change to the Recommendations involves kelp resources (p. 33):

> #74: Encourage the appropriate State and Federal jurisdictions to:
>
> Monitor the size and habitat viability of kelp beds and their associated fisheries resources,
>
> Monitor and regulate activities such as sewage disposal, dredging, <u>and renewable energy development</u> ~~petroleum development, and other energy development~~ which may adversely affect near shore marine water quality and thus kelp resources. <u>Prohibit petroleum and other forms of energy development which may significantly impact the environment through normal operations or accidents (oil spills, well blowouts, etc.).</u>

Chapter 3 policies mandate the protection of environmentally sensitive habitat areas, and kelp beds are one such resource. Section 30240, for instance, requires that only uses dependent on the resource be allowed within environmentally sensitive habitat areas. The intent of this policy to protect kelp beds against disruption or damage from energy developments is generally consistent with Chapter 3 policies.

Chapter 3 also contains policies, such as that contained in Section 30260, however, that allow the approval of coastal-dependent industrial facilities, even if such facilities may not be fully consistent with all other Chapter 3 policies. To the extent that petroleum and energy development might be determined to be coastal-dependent, the County's

proposed prohibition on certain energy projects might be viewed as inconsistent with Chapter 3.

The policy states that the County shall urge state and federal agencies to prohibit developments that would have adverse effects on kelp resources. The Commission notes that, since kelp beds occur in ocean waters, they remain under the coastal permitting jurisdiction of the Coastal Commission, rather than that of the County. However, to ensure that the County does not encourage the prohibition of petroleum and energy development that is coastal dependent and may be approvable under Section 30260 of the Coastal Act, the Commission suggests **Modification #11** to proposed Policy 74, as follows:

Kelp

74. To the extent consistent with all applicable provisions of law, including but not limited to Section 30260 of the Coastal Act, ~~E~~encourage the appropriate State and Federal jurisdictions to:

Monitor the size and habitat viability of kelp beds and their associated fisheries resources,

Monitor and regulate activities such as sewage disposal, dredging, and renewable energy development which may adversely affect near shore marine water quality and thus kelp resources. Prohibit petroleum and other forms of energy development which may significantly impact the environment through normal operations or accidents (oil spills, well blowouts, etc.)

## G. Visual Resources

***Section 30251***

*The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

The proposed LCP revisions include new background and policy language regarding the protection of visual resources. First, the revisions include a revised definition of "Scenic Corridors" (p. 167). The revised definition proposes to delete the somewhat vague language that is included in the existing LCP, which states, in part:

> ...no precise specifications can be established for the delineation of corridor boundaries, nor can they replace the judgement of persons trained and experienced in the fields related to the identification of environmental resources.

In place of this definition, the revised Coastal Plan would simply list the particular roads that are designated by the General Plan and/or Coastal Plan as "scenic corridors," such as Highway 1, Highway 116, and others.

Secondly, the proposed revisions would change the Coastal Plan's existing requirements for protection of scenic views when developments near scenic corridors are proposed. As certified, the existing Coastal Plan establishes a minimum setback for new development from scenic corridors of 100 feet in some cases, and 50 feet in others. The proposed revision appears intended to strengthen this requirement by stating that where General Plan policies and standards are more restrictive than the Coastal Plan's minimum setbacks, then the General Plan standards would apply.

Although the Commission does not disagree, in general, with the goal of providing more restrictive standards to development in sensitive resource areas, the inclusion of references to standards and policies not a part of the Local Coastal Program creates an issue, because the Commission has not reviewed those other standards. Therefore, the Commission suggests **Modification #10** that would clarify the reference to General Plan policies to state that, at a minimum, development must be found to meet Coastal Plan standards. That way, if the County chooses to impose standards that are more restrictive, the Commission can be assured that the Coastal Plan standards will also be met.

The revised Coastal Plan would significantly expand on the policy direction that would be applicable to proposed developments in scenic coastal areas. The County undertook a visual resource study, supported by a grant from the Coastal Commission, and the product of that study includes the following additional policies that the County proposes to add to the Coastal Plan (see p. 175; only part of Recommendation #20 is reproduced below):

20. Require design review for:

    A. All new development within designated scenic view shed areas as depicted on the Coastal Visual Resource Maps (incorporated herein by reference and on file in ~~the~~ County ~~Planning Department~~)PRMD. ~~corridor boundaries.~~ The following criteria shall be used in evaluating the projects:

        1. New structures proposed within a scenic view shed area shall, to the maximum extent feasible, be designed and sited to preserve existing views of the ocean and shoreline as viewed from scenic corridor routes.

        2. New structures proposed within a scenic view shed area shall, to the maximum extent feasible, be screened from scenic corridor route view by existing topography and vegetation.

        3. Development authorized within scenic view shed areas shall be subject to the condition that neither topography nor vegetation shall be altered or

removed if doing so would expose the development to view from any scenic corridor route.

4. New structures shall not be located on ridgelines or prominent hilltops, as viewed from scenic corridor routes, unless screened by existing topography and/or vegetation.

5. Agricultural structures are exempted from scenic view protection policies if they are to be located landward of scenic corridor routes from which there are ocean or river views.

6. Development proposed upon a parcel mapped in more than one view shed rating category shall, whenever feasible, be located within the area with the lowest view rating.

7. Any satellite dish that requires a building permit shall be sited so that it is not visible from scenic corridor routes.

8. Subdivisions proposals within scenic view shed areas shall be subject to the following: a) lots shall be clustered where potential visual impacts can be reduced (unless clustering is prohibited in agricultural districts), b) building envelopes shall be established so that residences are located upon the least visually sensitive areas, and c) driveways and access roads are hidden from public view whenever feasible.

B. All new projects in areas mapped as Outstanding and Above Average View Areas on the Coastal Visual Resource Maps (incorporated herein by reference and on file in the County Planning Department). The following criteria relate to landform and vegetation categories identified on the View shed Composition Maps, and shall be used in evaluating the projects. Figures on Figure VII-10 graphically depict a number of the View shed Protection Criterion and policies.

Hillside/Woodland Location

1. Locate structures within or behind existing wooded areas such that they are screened from scenic corridor routes.

2. Retain existing trees to the maximum extent possible when locating structures. Removal of tree masses, which would interrupt or destroy ridgeline or hilltop silhouettes, is prohibited. Permits shall specify that existing vegetative screening shall not be pruned or removed if doing so would render the structure more visible from a scenic corridor route.

3. In order to ensure structures are integrated well into the landscape and to minimize the incidence of unsightly erosion scars, the applicant shall demonstrate that the amount of grading proposed is the minimum necessary to site the structure.

Cliffs and Bluffs Location

1. Locate structures within or behind existing tree cover such that they are screened from scenic corridor routes. When there is limited opportunity to screen proposed structures from scenic corridor routes, design review shall ensure that:

   a) the structure's design compliments and is in scale with the surrounding environment.

   b) a landscape design is developed that relies upon native tree and shrub species to (1) screen the structure but not grow to block ocean or coastline views, (2) integrate the man-made and natural environments, and (3) effectively screen the structure from the scenic corridor route within 5 years…

The additional proposed text would expand and strengthen the standards in the existing Coastal Plan. The standards would minimize the visibility of new structures from scenic corridors, preserve to the maximum extent feasible existing views of the ocean and shoreline, and provide other protections to scenic views. In sum, the standards parallel the language of Section 30251, and the Commission finds that the proposed additional policies are generally consistent with Chapter 3, with one exception, as noted below.

In one respect the Commission finds that the proposed additional policies are insufficient to protect visual resources, consistent with the requirements of Section 30251. This aspect of the policies has to do with vegetative screening, when used to prevent new structures from being visible from scenic corridors. The proposed new policy contains provisions for use of landscaping, relying upon native trees and shrubs, to "(1) screen the structure but not grow to block ocean or coastline views, (2) integrate the man-made and natural environments, and (3) effectively screen the structure from the scenic corridor route within 5 years" (see, for example, Recommendation #20.B. Cliffs and Bluffs Location). In other words, the policy relies upon use of plant materials to screen development from view.

The Commission's experience is that vegetative screening is not always effective. Trees or shrubs may or may not survive, particularly in the harsh coastal environment, and even native trees can come under attack from plant diseases or pests. If trees or shrubs intended to screen a development die, they will not be present to provide the screening that is anticipated. Thus, to assure long-term protection of visual resources, the Commission finds that measures other than vegetative screening, such as resiting, should be considered first, and landscape screening should be used only when no other measures are feasible to screen development from public view. The Commission suggests **Modification #12** to address this concern. That modification would make clear that landscape screening should not be used as a primary method of protecting views from scenic corridors, but may be used only when no other alternative method to protect views exists.

A fourth proposed revision related to the Visual Resources is included in the list of Resource Management land uses (p.48) that generally involve non-significant impacts to coastal resources and therefore may be subject to administrative permits or otherwise handled in a streamlined manner by the County. The existing Coastal Plan states that such uses shall not be subject to administrative or short-form permits if located within view of designated scenic roads. The proposed revision strengthens this requirement by stating that such uses shall not be subject to streamlined permits if located within designated scenic viewsheds. This policy is stronger because viewsheds may include views from parks and trails, in addition to roads.

The strengthening of this policy means that even more projects would be subject to a full-scale permit review, rather than a "short-form" permit of some type. The requirement for a regular permit would bring with it the increased opportunity for the County or the Commission on appeal to consider imposition of design review standards. A similar strengthening of protections for scenic areas is contained in the proposed change to Land Use Recommendation #14 (p. 195), which is proposed to be amended to require application of site and design guidelines to development in scenic viewsheds, rather than simply development in scenic corridors. In sum, because the proposed changes would strengthen the County's review process for developments in scenic areas, the Commission finds that the proposed revisions are consistent with Section 30251 of the Coastal Act.

**Height Limits.** The existing Coastal Plan provides for a residential building height of 16 feet west of Highway 1, unless an increase in height would not affect views to the ocean or be out of character with surrounding structures (or unless otherwise designated). Commercial height limit is 24 feet, west of Highway 1. For sites east of Highway 1, the existing Coastal Plan provides for a height of 24 feet, for both residential and commercial structures. The Plan provides that building heights are "measured from the natural grade on the highest side of the improvement to the highest point of the roof or any projection therefrom" (p. 178).

The revised Coastal Plan would provide a different method of applying height limits for structures both on the seaward and inland sides of Highway 1 and would change the method by which building heights are to be measured. For residential structures west of Highway 1, the revised plan would continue to provide a 16-foot height limit, but would allow an increase to a maximum of 24 feet, if the structure would be no higher than 16 feet above the grade of the road adjacent to the property and if the structure would not affect views to the ocean or be out of character with surrounding structures. Measuring the apparent height of the structure when viewed from the adjacent road, as proposed, would take into account sloping sites where some of a proposed building would be hidden from public view by the topography.

The standards contained in this revised language are more restrictive than the existing Coastal Plan policy, which does not contain a maximum height limit. Thus, under the existing Coastal Plan, structure heights of more than 24 feet could be approved, if necessary findings could be made, whereas under the proposed policy, 24 feet would be the absolute maximum. Furthermore, the proposed revised policy would take into account the apparent height of structures when viewed from the road adjacent to the property, thus protecting views and community character when viewed from public places such as Highway 1.

For residential structures east of Highway 1 and commercial structures either east or west of Highway 1, the revised Plan would allow a height of 24 feet, as at present. The Plan would also allow exceeding this limit, up to a maximum height of 35 feet, whereas the current Plan allows no structure higher than 24 feet in the locations noted. The additional height above 24 feet would be allowable only where the apparent height, when viewed from the adjacent road, is no greater than 24 feet. Thus, although the Plan proposes a higher height limit than exists at present, the effect on the viewing public should not be significant.

The revised method of measuring height limits for residential structures that is proposed will have a beneficial impact on visual resources. At present, the method of measuring height only from the natural grade on the highest side of the structure, where the building site is a steeply sloping lot, can result in a residence that is much more than the maximum height limit as measured from the downhill side of the structure. If the downhill side of the structure is highly visible from public places, then the apparent height of a building may be considerably more than the height limit of 16 or 24 feet might suggest.

In place of this method of measuring residential structure height, the revised Coastal plan proposes to measure height "as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof" (p. 178). This method of measurement would mean that on a steeply sloping site, a residential structure would need to "step down" the slope, or otherwise conform to the height limit when measured from an "average" point within the building footprint. The result of measuring height in the proposed way would be structures on sloping sites that have lower roof heights overall or are designed more carefully to conform with their surroundings, consistent with Coastal Act policies to protect views to and along the ocean.

## H. Hazards

***Section 30253***

*New development shall:*

*(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*

*(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

Only one revision to the existing Coastal Plan policies concerning coastal hazards is proposed. That revision concerns the information that must be addressed by an engineering geologist when development is proposed within 100 feet of a bluff edge or within areas designated as unstable or marginally unstable on the County's Hazards maps. Existing Recommendation #2 under Geologic Hazards (p. 37) refers to the

information requirements that are stated in the *Coastal Commission's Statewide Interpretive Guidelines concerning Geologic Stability of Blufftop Development (May 5, 1977).* The proposed revision to that policy would merely direct the reader to the County's Coastal Administrative Manual to find those Guidelines. This change in itself raises no conflict with Chapter 3 policies. However, the proposed change could result in confusion in the future, and thus inhibit the implementation of the Coastal Plan, because the Commission's Guidelines are subject to revision or repeal. Therefore, in the future, information requirements for development in hazardous areas would be clearest if they were simply listed in the Administrative Manual, rather than referred to as a Commission document that exists outside the Local Coastal Plan. Consequently, the Commission suggests **Modification #6**, which would remove the reference to the Commission's Interpretive Guidelines and simply list the information requirements as they are.

## I. Public Shoreline Access

The Coastal Act provides:

> *Section 30210.*
>
> *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

The County proposes virtually no changes to the public access component of the Coastal Plan. For instance, the County proposes no changes to the access plan that provides priorities for the public acquisition and development of proposed parks and shoreline accessways. One minor change proposed by the County is insertion of text stating that the Sonoma County Agricultural Preservation and Open Space District may acquire lands that provide shoreline access, if in compliance with their adopted acquisition plan (p. 60). The second change is to indicate, under a statement of County Responsibilities (p. 61) that "finding other public agencies to accept offers of dedication" is an alternative to County acceptance of such offers. The Commission finds that these changes are minor and therefore do not affect the consistency of the Coastal Plan with the public access and public recreation policies of Chapter 3 of the Coastal Act.

## J. Coastal-Dependent Industrial Development

The Coastal Act provides:

> ***Section 30260***
>
> *Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance*

> *with this section and Sections 3026l and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.*

**Existing Coastal Plan policies.** The text of the existing Coastal Plan contains a background discussion of Outer Continental Shelf Development of oil and gas leases. This information was prepared in 1981 and is now outdated, but is not proposed for revision by the Coastal Plan update.

The existing Coastal Plan text and Land Use Plan Map contain no designation for industrial facilities, such as on-shore support facilities for offshore oil and gas exploration or development. The "Fishing Commercial" land use designation is applied to certain lands in Bodega Bay, in the existing Coastal Plan, but that category is intended to apply to "a variety of commercial, light industrial and service uses which support the commercial fishing industry" rather than industry associated with offshore oil development.

The County proposes in the subject Coastal Plan revision to add some additional background text regarding offshore oil exploration and development, as well as on-shore support facilities for such development (p. 194). The proposed text describes the approval by the voters of Sonoma County of a ballot initiative, Ordinance 3592R, that requires voter approval of any future proposed Coastal Plan Amendment that would allow on-shore support facilities for offshore oil and gas exploration or development. The proposed text also summarizes the results of a study entitled "Offshore Oil Development: Onshore Support Facilities Feasibility Study", compiled in 1991. This study concluded that "No suitable sites exist within the coastal zone for industrial onshore oil and gas support facilities." The Commission interprets the inclusion of the summary of this 1991 study as background for the proposed new Recommendation #37 (p. 198), discussed further below, rather than as policy language in itself.

Turning to Outer Continental Shelf Recommendation #37, that proposed policy would state as follows:

> Recommendation 37. Require a Coastal Plan Amendment for any proposed on-shore facility to support off-shore oil and gas exploration of development. Any such amendment shall not be effective until a majority of the electors in Sonoma County, in a general or special election, approve the proposed amendment.

**Discussion.** The Coastal Act encourages the grouping of coastal-dependent industrial facilities in existing locations, in order to minimize the potential adverse impacts of locating new industrial facilities in parts of the coastal zone now devoted to agriculture, open space, or recreation. Section 30260 also provides, however, that new or expanded coastal-dependent industrial facilities may be located outside existing sites, if three tests are met. The first of these is that the Commission or local government must find that alternative sites are infeasible or more environmentally damaging than the proposed project. The second finding that the coastal permitting agency must make is that to do otherwise than approve the proposed project would be adversely affect the public welfare. The third finding is that adverse environmental effects of the project are mitigated to the maximum extent feasible. The third finding requires mitigation of

adverse impacts, but not complete avoidance of impacts. Thus, the Coastal Act allows, in limited circumstances, the approval of coastal-dependent industrial facilities that carry with them some adverse environmental effects, as long as they are mitigated to the maximum extent feasible and the other required findings can be made.

The Commission has found that offshore oil development and production are coastal-dependent industrial activities. On-shore support facilities for offshore oil and gas development and production, on the other hand, may or may not be coastal-dependent, depending on the type of use. For instance, a dock for transfer of supplies and personnel to and from offshore oil platforms would probably be considered as coastal-dependent, because it would require a location on the shoreline to function at all. Processing facilities for oil transported from offshore, on the other hand, might not be considered coastal-dependent, because such facilities could be located outside the coastal zone.

An outright ban on coastal-dependent industrial facilities would not be consistent with Section 30260 of the Coastal Act. However, the proposed revisions to the Coastal Plan do not propose such a ban. Instead, the proposed revisions discourage the future location of on-shore support facilities, which might in some cases be coastal-dependent. The background text proposed by Sonoma, citing the 1991 study of the feasibility of on-shore support facilities, sends a strong message that such facilities are not suitable in the Sonoma County coastal zone.

If that statement were stated in the form of a policy that would be applicable to new projects through the coastal development permit review process, it might constitute a ban on on-shore support facilities. However, Sonoma County has not proposed such a ban. Instead, the County simply proposes to require an amendment to the Coastal Plan for any future proposed on-shore oil and gas support facility. Such an amendment would require Coastal Commission review, as an LCP amendment, and the Commission would have the opportunity to review the proposed amendment for its consistency with Section 30260 and other policies of Chapter 3 of the Coastal Act.

Section 30515 of the Coastal Act allows, in specified circumstances, a person proposing an energy facility development to file a request to the Coastal Commission to amend a Local Coastal Program, if a local government does not first approve such a request. The policy proposed by the County does not provide for such an amendment, because it states that an amendment shall become effective only upon approval of the electorate, whereas in certain circumstances, the Commission may approve such an amendment. Therefore, the Commission suggests **Modification #13** to provide for the possibility of a Commission-approved amendment. As modified, the Commission finds that the addition of policy #37 to the Coastal Plan regarding on-shore support facilities is consistent with the policies of Chapter 3 of the Coastal Act.

## PART V: STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS FOR THE COASTAL ZONING ORDINANCE AND COASTAL ADMINISTRATIVE MANUAL

**MOTION III:** *I move that the Commission reject the Sonoma County Implementation Program Amendment #1-00 as submitted.*

**STAFF RECOMMENDATION OF REJECTION:**

Staff recommends a YES vote. Passage of this motion will result in rejection of the Implementation Program amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO DENY CERTIFICATION OF THE IMPLEMENTATION PROGRAM AS SUBMITTED:**

The Commission hereby denies certification of the Implementation Program Amendment #1-00 submitted by Sonoma County and adopts the findings set forth below on grounds that the Implementation Program as submitted is not consistent with and/or is not adequate to carry out the provisions of the certified Land Use Plan. Certification of the Implementation Program would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program as submitted.

**MOTION IV:** *I move that the Commission certify the Sonoma County Implementation Program Amendment #1-00 if it is modified as suggested in this staff report.*

**STAFF RECOMMENDATION TO CERTIFY IF MODIFIED:**

Staff recommends a YES vote. Passage of this motion will result in certification of the Implementation Program with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO CERTIFY THE IMPLEMENTATION PROGRAM WITH SUGGESTED MODIFICATIONS:**

The Commission hereby certifies the Sonoma County Implementation Program Amendment #1-00 if modified as suggested and adopts the findings set forth below on grounds that the Implementation Program with the suggested modifications will be consistent with and adequate to carry out the requirements of the certified Land Use Plan. Certification of the Implementation Program if modified as suggested complies with the

California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

**Table 2: Summary of Issues Raised by the Implementation Program (Coastal Zoning Ordinance and Coastal Administrative Manual)**

| Issue Summary | Location of Coastal Zoning Ordinance Section | Staff Recommended Change | # of Suggested Modification |
|---|---|---|---|
| **Issue #1:** The proposed Coastal Zoning Ordinance would apply policies of the General Plan, rather than the Coastal Plan, to new development | "Housing opportunity area" in **Sec. 26C-12 – Definitions** | Add reference to Coastal Plan to the definition; **County agrees with recommended change** | Mod # 15 |
| | "Residential density" in **Sec. 26C-12 Definitions** | Substitute "Coastal Plan" for "General Plan" in the definition **County agrees with recommended change** | Mod # 16 |
| | **LIA district:**<br>Sec. 26C-22 intro, (a)<br>Sec. 26C-22 (g) (2)<br><br>**LEA district:**<br>Sec. 26C-32 intro, (a)<br>Sec. 26C-32 (g) (2)<br><br>**DA district:**<br>Sec. 26C-42 intro, (a)<br>Sec. 26C-42 (b) (1) and (2)<br>Sec. 26C-42 (g) (2)<br><br>**RRD district:**<br>Sec. 26C-52 intro, (a)<br>Sec. 26C-52 (h)(2)<br>**RRDWA district:**<br>Sec. 26C-62 intro, (a)<br>Sec. 26C-62 (h)(a)<br>**TP district:**<br>Sec. 26C-70 (b)(2)<br>Sec. 26C-74 (d)(2) | Where both General Plan and Coastal Plan criteria or designations are applied, or where unspecified General Plan criteria are stated to take precedence, clarify that standards of the Coastal Plan must be met; **County agrees with recommended change** | Mod # 17 |

| Issue Summary | Location of Coastal Zoning Ordinance Section | Staff Recommended Change | # of Suggested Modification |
|---|---|---|---|
| **Issue #1 (cont.):** The proposed Coastal Zoning Ordinance would apply policies of the General Plan, rather than the Coastal Plan, to new Development | **AR district:**<br>Sec. 26C-82 intro. (a)<br>Sec. 26C-82 (h)(2)<br><br>**RR district:**<br>Sec. 26C-91 (b)(1) and (2)<br>Sec. 26C-92 (a)<br>Sec. 26C-92 (h)(2)<br><br>**R1 district:**<br>Sec. 26C-102 intro, (a)<br>Sec. 26C-102 (j)(2)<br>**R2 district:**<br>Sec. 26C-110 (a)(1)<br>Sec. 26C-112 intro, (a)<br>Sec. 26C-112 (k)(2)<br>**PC district:**<br>Sec. 26C-122 (k)<br>Sec. 26C-125 intro, (a)<br>Sec. 26C-125 (h)(2)<br><br>**CS district:**<br>Sec. 26C-132 intro<br>Sec. 26C-132 (g)(2)<br><br>**CT district:**<br>Sec. 26C-142 intro<br>Sec. 26C-142 (h)(2)<br><br>**AS district:**<br>Sec. 26C-162 intro<br>Sec. 26C-162 (g)(2)<br><br>**PF district:**<br>Sec. 26C-184 (g)(2) | Where both General Plan and Coastal Plan criteria or designations are applied, or where unspecified General Plan criteria are stated to take precedence, clarify that standards of the Coastal Plan must be met;<br>**County agrees with recommended change** | Mod # 17 |

| Issue Summary | Location of Coastal Zoning Ordinance Section | Staff Recommended Change | # of Suggested Modification |
|---|---|---|---|
| **Issue #1 (cont.):** The proposed Coastal Zoning Ordinance would apply policies of the General Plan, rather than the Coastal Plan, to new Development | | Where specified General Plan policies are named, add the General Plan policies to the Coastal Plan: | Mod # 17 |
| | **LIA district:** | | |
| | Sec. 26C-20 (a)(5) | Pol AR-5c, AR-5d | |
| | Sec. 26C-20 (c) | Obj AR-4.1, Pol AR-4a | |
| | Sec. 26C-21 (b)(7) | Pol AR-5e, AR-5f | |
| | Sec. 26C-21 (b)(8) | Pol AR-5e, AR-5f | |
| | Sec. 26C-21 (b)(10) | Pol AR-6d, AR-6d | |
| | Sec. 26C-21 (b)(11) | Pol AR-6d, AR-6d | |
| | Sec. 26C-21 (c) | Obj AR-4.1, Pol AR-4a | |
| | Sec. 26C-21 (c)(3) | Pol LU-6f | |
| | Sec. 26C-21 (c)(5) | Pol PF-2s | |
| | Sec. 26C-21 (c)(10) | Pol PF-2q, PF2r | |
| | Sec. 26C-22 (b) | Pol AR-8c | |
| | **LEA district:** | | |
| | Sec. 26C-30 (a)(5) | Pol AR-5c, AR-5d | |
| | Sec. 26C-30 (c) | Pol AR-4.1, AR-4a | |
| | Sec. 26C-31(b)(7) | Pol AR-5e, AR-5f | |
| | Sec. 26C-31(b)(8) | Pol AR-5e, AR-5f | |
| | Sec. 26C-31(b)(10) | Pol AR-6d, AR-6g | |
| | Sec. 26C-31(b)(11) | Pol AR-6d, AR-6g | |
| | Sec. 26C-31(c) | Obj AR-4.1, Pol AR-4a | |
| | Sec. 26C-31(c)(3) | Pol LU-6f | |
| | Sec. 26C-31(c)(7) | Pol AR-6e | |
| | Sec. 26C-31(b)(9) | Pol PF-2s | |
| | Sec. 26C-31(b)(14) | Pol PF-2q, PF-2r | |
| | Sec. 26C-32(b) | Pol AR-8c, AR-3b | |

| Issue Summary | Location of Coastal Zoning Ordinance Section | Staff Recommended Change | # of Suggested Modification |
|---|---|---|---|
| **Issue #1 (cont.):** The proposed Coastal Zoning Ordinance would apply policies of the General Plan, rather than the Coastal Plan, to new Development | | Where specified General Plan policies are named, add the General Plan policies to the Coastal Plan: | Mod # 17 |
| | **DA district:** | | |
| | Sec. 26C-40 (a)(5) | Pol AR-5c, AR-5d | |
| | Sec. 26C-40 (c) | Obj AR-4.1, Pol AR-4a | |
| | Sec. 26C-41 (b)(7) | Pol AR-5e, AR-5f | |
| | Sec. 26C-41 (b)(8) | Pol AR-5e, AR-5f | |
| | Sec. 26C-41 (b)(10) | Pol AR-AR-6d, AR-6g | |
| | Sec. 26C-41 (b)(11) | Pol AR-6d, AR-6g | |
| | Sec. 26C-41 (c) | Obj AR-4.1, Pol AR-4a | |
| | Sec. 26C-41 (c)(3) | Pol LU-6f | |
| | Sec. 26C-41 (c)(7) | Pol AR-6e | |
| | Sec. 26C-41 (c)(9) | Pol PF-2s | |
| | Sec. 26C-41 (c)(14) | Pol PF-2q, PF-2r | |
| | Sec. 26C-42 (b) | Goal AR-3, AR-4, Obj AR-3.1, AR-3.2, Pol AR-3c, AR-3e, AR-4a, AR-8c | |
| | **RRD district:** | | |
| | Sec. 26C-51 (c)(6) | Pol LU-6f | |
| | Sec. 26C-51 (c)(17) | Pol PF-2q, PF-2r | |
| | **RRDWA district:** | | |
| | Sec. 26C-61 (c)(14) | Pol PF-2q, PF-2r | |
| | **AR district:** | | |
| | Sec. 26C-81 (c)(6 | Pol LU-6e | |
| | Sec. 26C-81 (c)(7) | Pol LU-6f | |
| | Sec. 26C-81 (c)(9) | Pol PF-2s | |

| Issue Summary | Location of Coastal Zoning Ordinance Section | Staff Recommended Change | # of Suggested Modification |
|---|---|---|---|
| **Issue #1 (cont.):** The proposed Coastal Zoning Ordinance would apply policies of the General Plan, rather than the Coastal Plan, to new Development | | Where specified General Plan policies are named, add the General Plan policies to the Coastal Plan: | Mod # 17 |
| | **RR district:** | | |
| | Sec. 26C-91 (d)(3) | Pol LU-6e | |
| | Sec. 26C-91 (d)(5) | Pol LU-6f | |
| | Sec. 26C-91 (d)(7) | Pol PF-2s | |
| | **R1 district:** | | |
| | Sec. 26C-100 (a)(2) | Pol HE-2q | |
| | Sec. 26C-100 (a)(3) | Pol HE-4p | |
| | Sec. 26C-100 (b)(1) | HE Sec. 3.1, 3.1.1, Pol HE-3i | |
| | Sec. 26C-101 (b)(3) | Pol HE-2b | |
| | Sec. 26C-101 (c)(7) | Pol PF-2s | |
| | **R2 district:** | | |
| | Sec. 26C-110 (a)(4) | Pol HE-4p | |
| | Sec. 26C-111 (b)(1) | Pol HE-3i | |
| | Sec. 26C-111 (c)(6) | Pol PF-2s | |
| | **PC district:** | | |
| | Sec. 26C-123 (h)(6) | Land Use Element Sec. 2.3.1, 2.3.2, 2.3.3, 2.3.4 | |
| | Sec. 26C-123(j) | Pol PF-2s | |
| | **CS district:** | | |
| | Sec. 26C-131 (3)(11) | Pol PF-2s | |
| | **CT district:** | | |
| | Sec. 26C-141 (c)(9) | Pol PF-2s | |

| Issue Summary | Location of Coastal Zoning Ordinance Section | Staff Recommended Change | # of Suggested Modification |
|---|---|---|---|
| **Issue #1 (cont.):** The proposed Coastal Zoning Ordinance would apply policies of the General Plan, rather than the Coastal Plan, to new Development | **AS district:** Sec. 26C-161 (c)(4)<br><br>**CF district:** Sec. 26C-171 (c)(6) | Where specified General Plan policies are named, add the General Plan policies to the Coastal Plan:<br><br>Pol PF-2s<br><br>Pol PF-2s | Mod # 17 |
| **Issue #2:** The Coastal Zoning Ordinance would allow more residential units on agricultural parcels than allowed by the Coastal Plan | **LIA district:** Sec. 26C-22 (a)<br><br>**LEA district:** Sec. 26C-32 (a)<br><br>**DA district:** Sec. 26C-42 (a)<br><br>**RRD district:** Sec. 26C-52 (a)<br><br>**RRDWA district:** Sec. 26C-62 (a) | Add to the Coastal Zoning Ordinance a provision allowing a maximum of 4 residential units, per parcel, consistent with the Coastal Plan (pp. 45 and 53);<br>**County agrees with recommended change** | Mod # 20 |
| **Issue #3:** Given that the Coastal Plan affordable housing policies have been changed by action of the Board of Supervisors on May 15, 2001, then accompanying Coastal Zoning Ordinance changes will be required | Sec. 26C-320 (i)<br>Sec. 26C-326<br>Sec. 26C-326.1<br>Sec. 26C-326.2<br>Sec. 26C-326.3<br><br>Article 10 – R1 district<br>Article 11 – R2 district<br>Article 12 – PC district<br>(other sections of the Ordinance, if required) | Conform Coastal Zoning Ordinance to affordable housing policies of Coastal Plan;<br>**County agrees with recommended change** | Mod # 25 |

| Issue Summary | Location of Coastal Zoning Ordinance Section | Staff Recommended Change | # of Suggested Modification |
|---|---|---|---|
| **Issue #4:** The Coastal Zoning Ordinance would allow golf courses on agricultural land, although the Coastal Plan does not | **LIA district:**<br><br>Sec. 26C-21 (c)(16)<br><br>**LEA district:**<br><br>Sec. 26C-31 (c)(20)<br><br>**DA district:**<br><br>Sec. 26C-41 (c)(21) | **County requests deferral of this issue until comprehensive LCP/General Plan update** | Mod # 21 (staff continues to recommend a modification to delete golf courses/driving ranges from the LIA, LEA, and DA zoning districts) |
| **Issue #5:** The Coastal Zoning Ordinance would allow campgrounds, and guest ranches with inns up to 30 units on certain agricultural lands | **LEA district:**<br><br>Sec. 26C-31 (c)(4), (8)<br><br>**DA district:**<br><br>Sec. 26C-41 (c)(4), (8) | **County requests deferral of this issue until comprehensive LCP/General Plan update** | No modification suggested per County request |
| **Issue #6:** [blank] | | | |
| **Issue #7:** The Coastal Zoning Ordinance would allow more than one Principal Permitted Use per parcel | **LIA district:**<br><br>Sec. 26C-20 (c)<br><br>**LEA district:**<br><br>Sec. 26C-30 (c)<br><br>**DA district:**<br><br>Sec. 26C-40 (c) | Exclude from list of Principal Permitted Uses those developments not clearly related to the purpose of the district; **County agrees with recommended change** | Mod # 19 |

| Issue Summary | Location of Coastal Zoning Ordinance Section | Staff Recommended Change | # of Suggested Modification |
|---|---|---|---|
| **Issue #7 (cont.):** The Coastal Zoning Ordinance would allow more than 1 Principal Permitted Use | **RRD district:**<br><br>Sec. 26C-50 (c)<br><br>**RRDWA district:**<br><br>Sec. 26C-60 (c)<br><br>**TP district:**<br><br>Sec. 26C-70 (c)<br><br>**AR district:**<br><br>Sec. 26C-80 (c)<br><br>**RR district:**<br><br>Sec. 26C-90 (d), (e)<br><br>**R1 district:**<br><br>Sec. 26C-100 (c)<br><br>**R2 district:**<br><br>Sec. 26C-110 (c), (d) | Exclude from list of Principal Permitted Uses those developments not clearly related to the purpose of the district; **County agrees with recommended change** | Mod # 19 |
| **Issue #8:** Inappropriate limitations would be placed on hotels in commercial districts | **CS district:**<br>Sec. 26C-131 (c)(1)<br><br>**CT district:**<br>Sec. 26C-141(b)(6)<br><br>**C2 district:**<br>Sec. 26C-151 (b)(6) | Remove unnecessary restrictions on visitor-serving uses in commercial uses in commercial zoning districts, as requested by the County; **County agrees with recommended change** | Mod # 24 |

| Issue Summary | Location of Coastal Zoning Ordinance Section | Staff Recommended Change | # of Suggested Modification |
|---|---|---|---|
| **Issue #9:** The Coastal Zoning Ordinance lacks feasible water quality protection standards | Article 38 Site Development and Erosion control standards | **County requests deferral of possible changes to Site Development and Erosion Control standards until comprehensive LCP/General Plan update** | No modification suggested per County request |
| **Issue #10:** The Coastal Zoning Ordinance appears to allow larger minimum lot sizes for agricultural lands than does the Coastal Plan | Sec. 26C-22 (b)<br>Sec. 26C-32 (b)<br>Sec. 26C-42 (b)<br>Sec. 26C-52 (b)<br>Sec. 26C-62 (b) | Clarify the minimum lot size for creation of new lots, consistent with the Coastal Plan;<br>**County agrees with recommended change** | Mod #26 |
| | Zoning Maps | Add a note to the maps clarifying the meaning of the number assigned by the "B" combining district;<br>**County agrees with recommended change** | Mod #27 |
| **Issue # 11:** Miscellaneous minor errors and corrections are appropriate in the Coastal Zoning Ordinance | Article 2 – LIA district, "Purpose statement" | Change "low" production to "high" production;<br>**County agrees with recommended change** | Mod # 18 |

| Location of Coastal Zoning Ordinance | Staff Recommended Change | # of Suggested Modification |
|---|---|---|
| Sec. 325.1 (d) – Procedure for Second Unit Applications | Change "coastal/use permit" to "use permit"; **County agrees with recommended change** | Mod #28 |
| Sec. 26C-5 – Applicability of Chapter to Governmental Units | Include projects of the County of Sonoma in coastal permit review; **County agrees with recommended change** | Mod #29 |
| Section 26C-340 – General coastal permit requirements | Correct reference to Sec. 26C-340.1; **County agrees with recommended change** | Mod #30 |
| Attachment B to the Coastal Administrative Manual | Maintain existing Categorical Exclusion Order #E-81-5, until such time as the Commission certifies a new or amended order; **County agrees with recommended change** | Mod #31 |
| Attachment S to the Coastal Administrative Manual | Update references to the California Code of Regulations; **County agrees with recommended change** | Mod #32 |

## PART VI: SUGGESTED MODIFICATIONS TO THE IMPLEMENTATION PROGRAM (COASTAL ZONING ORDINANCE AND COASTAL ADMINISTRATIVE MANUAL)

***Note: the Commission suggests adding to the Implementation Program the text that is underlined and deleting the text with ~~strikethrough~~.***

### Modification #15

The definition of "housing opportunity area" contained in **Section 26C-12 - Definitions** of the Coastal Zoning Ordinance shall be modified to read as follows:

> A parcel or parcels of land whereon a project is proposed that provides affordable housing pursuant to Housing Element Policy HE-2g as modified by the Coastal Plan.

### Modification #16

The definition of "residential density" contained in **Section 26C-12 – Definitions** of the Coastal Zoning Ordinance shall be modified to read as follows:

> The number of dwelling units per acre or the number of acres per dwelling unit as shown in the ~~General Plan Land Use Element~~ Coastal Plan.

### Modification #17

Clarify in the following sections of the Coastal Zoning Ordinance that, to approve development, the standards of the Coastal Plan (in addition to or in place of the standards of the General Plan) must be met. For instance, for the LIA district, Sec. 26C-22 – Introduction and Sec. 26C-22 (g)(2) shall be revised as follows:

> **Section 26C-22. Permitted Residential Density and Development Criteria.**
>
> The use of land and structures within this district is subject to this article, the general regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the General Plan and Coastal Plan shall supersede the standards herein. Development shall comply with Coastal Plan policies.
>
> ...
>
> (g) Environmental and Hazards Requirements.
>
> ...
>
> (2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the

policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply. Development shall comply with Coastal Plan policies.

Parallel changes shall be made to the text of the Coastal Zoning Ordinance for the other districts, as listed below:

**LIA district:**
Sec. 26C-22 intro, (a)
Sec. 26C-22 (g) (2)

**LEA district:**
Sec. 26C-32 intro, (a)
Sec. 26C-32 (g) (2)

**DA district:**
Sec. 26C-42 intro, (a)
Sec. 26C-42 (b)(1) and (2)
Sec. 26C-42 (g)(2)

**RRD district:**
Sec. 26C-52 intro, (a)
Sec. 26C-52 (h)(2)

**RRDWA district:**
Sec. 26C-62 intro, (a)
Sec. 26C-62 (h)(2)

**TP district:**
Sec. 26C-70 (b)(2)
Sec. 26C-74 (d)(2)

**AR district:**
Sec. 26C-82 intro, (a)
Sec. 26C-82 (h)(2)

**RR district:**
Sec. 26C-91 (b)(1), (2)
Sec. 26C-92 intro, (a)
Sec. 26C-92 (h)(2)

**R1 district:**
Sec. 26C-102 intro, (a)
Sec. 26C-102 (j)(2)

**R2 district:**
Sec. 26C-110 (a)(1)
Sec. 26C-112 intro, (a)
Sec. 26C-112 (k)(2)

**PC district:**
Sec. 26C-122 (k)
Sec. 26C-125 intro, (a)
Sec. 26C-125 (h)(2)

**CS district:**
Sec. 26C-132 intro
Sec. 26C-132 (g)(2)

**CT district:**
Sec. 26C-142 intro
Sec. 26C-142 (h)(2)

**AS district:**
Sec. 26C-162 intro
Sec. 26C-162 (g)(2)

**CF district:**
Sec. 26C-172 intro
Sec. 26C-172 (g)(2)

**PF district:**
Sec. 26C-184 (g)(2)

**Modification #18**

The Purpose statement in Article 2, LIA – Land Intensive Agriculture District shall be corrected as follows:

Purpose: To enhance and protect lands best suited for permanent agricultural use and capable of relatively ~~low~~ high production per acre of land; and to implement the provisions of the Land Intensive Agriculture land use category (Section 2.7.2) of the General Plan and the policies of the Agricultural Resources Element.

**Modification #19**

Section 26C-2 Composition of Zoning Ordinance, part (c) shall be revised as follows:

The Coastal Act requires definition of Principal Permitted Uses which clearly carry out the intent and purpose of each zoning district utilized in the coastal zone. Any development that is not designated as a Principal Permitted Use is appealable to the Coastal Commission.

Principal Permitted Uses are those uses listed under the heading "Uses permitted subject to site development and erosion control standards" within each zoning district~~.~~, with the following exceptions:

LIA - Land Intensive Agriculture: 26C-20 (c)
LEA – Land Extensive Agriculture: 26C-30 (c)
DA – Diverse Agriculture: 26C-40 (c)
RRD – Resources and Rural Development: 26C-50 (c)
RRDWA – Resources and Rural Development: 26C-60 (c)
TP – Timberland Production: 26C-70 (c)
AR – Agriculture and Residential: 26C-80 (c)
RR – Rural Residential: 26C-90 (d), (e)
R1 – Low Density Residential: 26C-100 (c)
R2 – Medium Density Residential: 26C-110 (c), (d)

Notwithstanding the above, additional dwellings beyond one single-family dwelling on parcels zoned LIA, LEA, DA, RRD, RRDWA, and TP are not considered to be Principal Permitted Uses.

Alternatively, the County may revise each zoning district to clarify that the Principal Permitted Use does not include the items listed above.

The definition of "Principal Permitted Use" contained in Sec. 26C-12 Definitions shall also be revised to be consistent with these changes.

**Modification #20**

**Section 26C-22 Permitted Residential Density and Development Criteria, part (a)**, of the Coastal Zoning Ordinance shall be amended as follows (and parallel changes shall be made to the text of the LEA, DA, RRD, and RRDWA districts):

Density: Residential density shall be between 20 and 100 acres per dwelling unit as shown in the General Plan land use element or permitted by a "B" combining district, whichever is more restrictive. However, dwelling units described in Section 26C-20(b)(2) through (7) inclusive may be permitted in addition to the residential density, provided that no more than four residential units shall be approved per parcel.

**Modification #21**

For the following zoning districts, delete the indicated subsections (that would otherwise allow golf courses and driving ranges) and renumber the remaining subsections:

LIA district, Section 26C-21 (c)(16)
LEA district, Section 26C-31 (c)(20)
DA district, Section 26C-41 (c)(21).

**Modification #22**

[blank]

**Modification #23**

[blank]

**Modification #24**

Revise the CS, CT, and C2 districts in the Coastal Zoning Ordinance to remove unnecessary restrictions on visitor-serving uses in commercial zoning districts.

The CS – Rural Services district, Section 26C-131(c)(1), shall be revised as follows:

(1) Hotels, motels, inns, and guest ranches which are not located within designated Village Commercial areas in the Coastal Plan ~~and further provided that any use permit granted to an operator of a guest ranch/inn to serve food to other than overnight guests is subject to the following limitations:~~

~~a. Dining for other than overnight guests may be allowed only in conjunction with a guest ranch/inn with a minimum of six (6) overnight guest rooms.~~

~~b. The number of overnight rooms plus the number of outside dining patrons cannot exceed 30.~~

~~c. The number of outside dining guests allowed will be determined at the time of use permit consideration based on the formula list in subsection 2 above. Guest ranch/inn proprietors may serve one meal only per day to the established allowable number of outside patrons. Such dining arrangements must be made by reservation only.~~

~~d. Dining for other than overnight guests may be allowed only in conjunction with guest ranches/inns located east of Highway One.~~

~~e. Advertising of dining facilities to serve patrons other than overnight guests at guest ranches/inns shall be prohibited.~~

~~f. Approved on-site signs for guest ranches/inns may include no reference to dining facilities.~~

~~g. Non-amplified music, lawn parties, weddings, or similar outdoor activities may be allowed where specifically included in the use permit.~~

The CT – Tourist Commercial district, Section 26C-140 (a)(1), shall be revised as follows:

(1) Hotels, motels, inns, resorts, and guest ranches up to 15 units which are not located within designated Village Commercial areas in the Coastal Plan~~, and further provided that any permit granted to an operator of a guest ranch/inn to serve food to other than overnight guests is subject to the following limitations:~~

~~a. Dining for other than overnight guests may be allowed only in conjunction with a guest ranch/inn with a minimum of six (6) overnight guest rooms.~~

~~b. The number of overnight rooms plus the number of outside dining patrons cannot exceed 30.~~

~~c. The number of outside dining guests allowed will be determined at the time of use permit consideration based on the formula list in subsection 2 above. Guest ranch/inn proprietors may serve one meal only per day to the established allowable number of outside patrons. Such dining arrangements must be made by reservation only.~~

~~d. Dining for other than overnight guests may be allowed only in conjunction with guest ranches/inns located east of Highway One.~~

~~e. Advertising of dining facilities to serve patrons other than overnight guests at guest ranches/inns shall be prohibited.~~

~~f. Approved on-site signs for guest ranches/inns may include no reference to dining facilities.~~

The CT – Tourist Commercial district, Section 26C-141 (b)(6), shall be revised as follows:

(6) Hotels, motels, inns, resorts, and guest ranches of 16 or more units which are not located within Village Commercial areas in the Coastal Plan and subject, at a minimum, to a limit of 200 rooms in designated urban service areas, 100 rooms in rural areas which are serviced by public sewer, and a limit of 50 rooms otherwise, ~~and further provided that any use permit granted to an operator of a guest ranch/inn to serve food to other than overnight guests is subject to the following limitations:~~

~~a. Dining for other than overnight guests may be allowed only in conjunction with a guest ranch/inn with a minimum of six (6) overnight guest rooms.~~

~~b. The number of overnight rooms plus the number of outside dining patrons cannot exceed 30.~~

~~c. The number of outside dining guests allowed will be determined at the time of use permit consideration based on the formula list in subsection 2 above. Guest ranch/inn proprietors may serve one~~

~~meal only per day to the established allowable number of outside patrons. Such dining arrangements must be made by reservation only.~~

~~d. Dining for other than overnight guests may be allowed only in conjunction with guest ranches/inns located east of Highway One.~~

~~e. Advertising of dining facilities to serve patrons other than overnight guests at guest ranches/inns shall be prohibited.~~

~~f. Approved on-site signs for guest ranches/inns may include no reference to dining facilities.~~

~~g. Non-amplified music,...~~

The C2 - Community Commercial district, Section 26C-151 (b)(1), shall be revised as follows:

(1) Hotels, motels, guest ranches, inns, churches, clubs and lodges, which are not located within designated Village Commercial areas in the Coastal Plan~~, and further provided that any use permit granted to an operator of a guest ranch/inn to serve food to other than overnight guests is subject to the following limitations:~~

~~a. Dining for other than overnight guests may be allowed only in conjunction with a guest ranch/inn with a minimum of six (6) overnight guest rooms.~~

~~b. The number of overnight rooms plus the number of outside dining patrons cannot exceed 30.~~

~~c. The number of outside dining guests allowed will be determined at the time of use permit consideration based on the formula list in subsection 2 above. Guest ranch/inn proprietors may serve one meal only per day to the established allowable number of outside patrons. Such dining arrangements must be made by reservation only.~~

~~d. Dining for other than overnight guests may be allowed only in conjunction with guest ranches/inns located east of Highway One.~~

~~e. Advertising of dining facilities to serve patrons other than overnight guests at guest ranches/inns shall be prohibited.~~

~~f. Approved on-site signs for guest ranches/inns may include no reference to dining facilities.~~

~~g. Non-amplified music, lawn parties, weddings, or similar outdoor activities may be allowed where specifically included in the use permit.~~

**Modification #25**

The Coastal Zoning Ordinance shall be revised to conform with the affordable housing provisions of the Coastal Plan, as revised by the Board of Supervisors on May 15, 2001. Revisions shall be made to the following sections of the Coastal Zoning Ordinance, in addition to any others that may be required to fully conform the Ordinance with the Coastal Plan, as modified:

Sec. 26C-320 (I) Density Bonus
Sec. 26C-326 Affordable Housing: Requirements for Long-term Affordability and Design and Construction
Sec. 26C-326.1 Affordable Housing: Density Bonus
Sec. 26C-326.2 Affordable Housing: Housing Opportunity Areas
Sec. 26C-326.3 Affordable Housing: Deferral of Payment of Development Fees
Article 10 – R1 - Low Density Residential District
Article 11 – R2 - Medium Density Residential District
Article 12 – PC - Planned Community District

**Modification #26**

Section 26C-22 (b) shall be revised as follows:

(b) Minimum lot size: The minimum lot size for creation of new parcels shall be ~~20 acres~~ 640 acres, unless a different area is permitted by any "B" combining district, provided that it shall also meet the criteria of General Plan Policy AR-8c. ~~In such cases where lots are clustered, a protective easement shall be applied to the remaining large parcel(s) which indicates that density has been transferred to the clustered area.~~

Section 26C-32 (b) shall be revised as follows:

(b) Minimum lot size: The minimum lot size for creation of new parcels shall be ~~1.5~~ 640 acres, unless a different area is provided by a "B" combining district, provided that it shall also meet the criteria of General Plan Policies AR-8c and AR-3b. ~~In such cases where lots are clustered, a protective easement shall be applied to the remaining large parcel(s) which indicates that density has been transferred to the clustered area.~~

Section 26C-42 (b) shall be revised as follows:

(b) Minimum lot size: The minimum lot size for creation of new parcels shall be ~~10~~ 160 acres, unless a different area is permitted by a "B" combining district~~, except ...~~

~~(1) ...where General Plan area policies expressly provide for a different minimum lot size, or~~

~~(2) ...where it is demonstrated that creation of smaller lots will further General Plan Goals AR-3 and AR-4, Objectives AR-3.1 and AR-3.2, and Policies AR-3c, AR-3e, and AR-4a, or in all such cases, the minimum lot size shall also meet the criteria of General Plan Policy AR-8c, and in such cases where lots are clustered, a protective easement shall be applied to the remaining large parcel(s) which indicates that density has been transferred to the clustered area.~~

Section 26C-52 (b) shall be revised as follows:

(b) Minimum lot size shall be ~~20~~ 640 acres, unless a different area is permitted by a "B" combining district~~, except that a minimum lot size of as low as 1.5 acres may be considered in order to provide for clustering of residential development provided that a protective easement is applied to the remaining large parcel(s) which indicates that density has been transferred to the clustered area~~.

Section 26C-62 (b) shall be revised as follows:

(b) Minimum lot size shall be ~~20~~ 640 acres, unless a different area is permitted by a "B" combining district~~, except that a minimum lot size of as low as 10 acres may be considered in order to provide for clustering of residential development provided that a protective easement is applied to the remaining large parcel(s) which indicates that density has been transferred to the clustered area. Any such subdivision must also comply with General Plan Policy AR-8c~~.

**Modification #27**

The following note shall be added to the Zoning Maps:

Where the B combining district provides two numbers, the smaller number indicates the average allowable residential density, and the larger number indicates the minimum parcel size for creation of new parcels. Where one number only is provided, the number indicates the minimum parcel size for creation of new parcels, while the Coastal Zoning Ordinance indicates the average allowable density.

**Modification #28**

Section 325.1 (d) – Procedure for Second Unit Applications shall be revised to replace references to "coastal/use permit" with "use permit".

**Modification #29**

Revise Section 26C-5 of the Coastal Zoning Ordinance as follows:

Sec. 26C-5 Applicability of Chapter to Governmental Units.

Provisions of this chapter shall apply to cities, special districts, the County of Sonoma, and state or federal governments or any agency of such governmental units, to the extent legally permissible. ~~The provisions of this Chapter shall not apply to public projects of the County of Sonoma.~~

**Modification #30**

Section 26C-340 of the Coastal Zoning Ordinance shall be revised as follows:

A coastal permit is required for any development occurring in the Coastal Zone, except as provided for in Section ~~26C-341~~ 26C-340.1. Development undertaken pursuant to a Coastal Permit shall conform to the plans, specifications, terms or conditions approved in granting the permit.

**Modification #31**

**Attachment B** to the **Coastal Administrative Manual** shall consist of the current Categorical Exclusion Order #E-81-5, as adopted by the Coastal Commission in 1981, until such time as an amended Exclusion Order or a different Order is approved by the Commission.

**Modification #32**

Items 5 through 8 on **Attachment S** to the **Coastal Administrative Manual** shall be revised as follows:

8. Repair and maintenance activities which do not result in an addition to or enlargement or expansion of the object of such activities, except as otherwise specified in ~~Subchapter 7,~~ Title 14, California ~~Administrative~~ Code of Regulations and any amendments thereafter adopted.

9. Activities of public utilities as specified in the Repair, Maintenance and Utility Hookup Exclusion adopted by the Coastal Commission on September 5, 1978.

10. Improvements to existing single-family residences ~~provided that the structure is not located on a beach, wetland or seaward of the man high tide line, or within 50 feet of the edge of a coastal bluff, and that the improvement does not exceed 10% of the floor area of the structure~~ except as otherwise specified in Title 14, California Code of Regulations.

11. Improvements to any structure other than a single family residence or a public works facility, except as otherwise specified ~~in Subchapter 7.5~~ Title 14 of the California ~~Administrative~~ Code of Regulations and any amendments thereafter.

## PART VII. FINDINGS AND DECLARATIONS REGARDING PROPOSED AMENDMENTS TO THE IMPLEMENTATION PROGRAM

The Commission hereby finds and declares as follows:

### A. Introduction.

The Implementation Program of the Sonoma County Local Coastal Program consists of several parts: the Coastal Zoning Ordinance, the zoning district maps, and the Coastal Administrative Manual. The Zoning district maps consist of Assessor's Parcel Maps that show the zoning for each parcel of land. The Coastal Administrative Manual describes the coastal development permit review process and includes Categorical Exclusion Order #E-81-5 that the Commission previously approved, excluding from the coastal permit requirement certain developments in Sonoma County (such as single-family residences on certain lots in the Bodega Harbour Subdivision).

### B. Coastal Zoning Ordinance.

#### 1. Structure of the Coastal Zoning Ordinance

The Coastal Zoning Ordinance requires that, prior to approval, the County shall determine that all new development in the coastal zone is consistent with the requirements of the Coastal Plan and the other components of the Local Coastal Program, as certified by the Commission. The Ordinance provides that no ministerial or discretionary permit shall be issued if such permit is inconsistent with the Coastal Plan (Sec. 26C-4(a)). The Ordinance provides also that "All development in the Coastal Zone shall be subject to the requirements of this ordinance and the Coastal Administrative Manual" (Sec. 26C-2(a)).

The Coastal Zoning Ordinance implements these general requirement by applying the "CC" combining district to all lands within the coastal zone (Sec. 26C-2(a)), thus requiring coastal development permit review, along with an appropriate use district designation and one or more combining districts that address particular resources, constraints and/or appropriate residential density.

The base districts include the following:

| | | |
|---|---|---|
| RR Districts | - | Rural Residential Districts |
| R1 Districts | - | Low Density Residential Districts |
| R2 Districts | - | Medium Density Residential Districts |
| C2 Districts | - | Community Commercial Districts |
| PC Districts | - | Planned Community Districts |
| PF Districts | - | Public Facilities Districts |
| TP Districts | - | Timberland Production Zone Districts |
| LIA Districts | - | Land Intensive Agriculture Districts |
| LEA Districts | - | Land Extensive Agriculture Districts |
| DA Districts | - | Diverse Agriculture Districts |
| RRD Districts | - | Resources and Rural Development Districts |
| RRDWA Districts | - | Resources and Rural Development (Agricultural Preserve) Districts |

| | | |
|---|---|---|
| AR Districts | - | Agriculture and Residential Districts |
| AS Districts | - | Agricultural Services Districts |
| CS Districts | - | Rural Services Districts |
| CT Districts | - | Commercial Tourist Districts |
| CF Districts | - | Commercial Fishing Districts |

The combining districts are as follows:

| | |
|---|---|
| F1 | Floodway Combining District |
| F2 | Floodplain Combining District |
| J | Manufactured Home Exclusion Combining District |
| SR | Scenic Resource Combining District |
| BR | Biotic Resource Combining District |
| HD | Historic Combining District |
| G | Geologic Hazard Combining District |
| MR | Mineral Resource Combining District |
| Z | Second Unit Exclusion Combining District |
| B | B Combining District |

The "B" combining district is of particular note, because it applies the residential density provisions of the Coastal Plan to individual parcels, using the zoning maps. A "B6" designation on the zoning map indicates the maximum permitted density, determined by gross acreage, for all residential uses. A "B7" or "B8" designation on the map indicates that a minimum parcel size has been specified on a subdivision map and, furthermore, that the lot has been "frozen" so as to restrict further subdivision. Such designation may be used where a cluster development has been approved, and a large remainder parcel is frozen so as to avoid future division that would increase overall density beyond that allowed by the Coastal Plan.

Consistent with the changes in terminology contained in the proposed Coastal Plan amendment, the revised Coastal Zoning Ordinance contains new names for some of the base and combining districts. For instance, "Land Intensive Agriculture" and "Land Extensive Agriculture" are proposed to replace the previous zoning districts known as "Exclusive Agriculture" and "Primary Agriculture".

The new names proposed for various zoning districts, in themselves, do not affect the ability of the CZO to carry out the requirements of the Coastal Plan. Because the new proposed district names match those utilized in the Coastal Plan, they are consistent with and adequate to carry the requirements of the Coastal Plan.

### 2. References to the General Plan in the Coastal Zoning Ordinance.

The Coastal Zoning Ordinance contains references throughout to General Plan policies, to Coastal Plan policies, or to both, requiring that development reviewed under the ordinance be found consistent with the policies of one or both Plans. These references are of three general types. First, in some places in the Coastal Zoning Ordinance, references to the General Plan are apparently intended to apply unspecified standards or criteria to the review of individual new development projects. For instance, the introduction to Sec. 26C-92 (Rural Residential District) states:

> The use of land and structures within this district is subject to this article, the applicable regulations of this ordinance and the provisions of any district which is combined herewith. Policies and criteria of the General Plan and Coastal Plan shall supersede the standards herein.

This passage indicates that criteria contained in both the General Plan and the Coastal Plan must be applied to the review of proposed developments. Because no particular criteria are cited, presumably all criteria of both the General Plan and Coastal Plan must be applied.

A second type of reference to the General Plan is found in Coastal Zoning Ordinance Sec. 26C-22 (g) Environmental and Hazards Requirements, subpart (2). This section states:

> All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

This section provides generally that all development shall be subject to Site Development and Erosion Control Standards, and that these standards shall be used as a minimum for development in the coastal zone. The intent of this policy requirement appears to be consistent with the intent of the Coastal Plan to provide strong protections for environmental resources, including the quality of coastal waters and the health of biological resources. Section 26C-22 (g) goes on, however, to bring the policies and standards of the County's General Plan into the review of coastal developments, in fact, requiring the General Plan policies to take precedence over the Coastal Plan policies. Although the intent of LCP amendment #1-00 is to make the Coastal Plan consistent with the General Plan, the possibility exists that in the future amendments to the General Plan will be made, without accompanying amendments to the Coastal Plan. Thus there is no guarantee that the two plans will always remain synchronized. If policies and standards in the General Plan someday diverge from those in the Coastal Plan, then this requirement of the Coastal Zoning Ordinance would present a problem.

As in the first example above, specific General Plan standards are not identified in Sec. 26C-22 (g). Therefore, presumably all General Plan standards are intended by this ordinance provision to be applied to the review of development projects.

Because the General Plan has not been submitted, as a whole, for Commission review, application of General Plan standards, whether individually or cumulatively, to the review of coastal development permits raises a concern. The Local Coastal Program, including the Coastal Plan, Coastal Zoning Ordinance, and Coastal Administrative Manual, together form the regulatory standards against which new development are reviewed by the County and, on appeal, by the Commission. Standards contained in other documents that are not made part of the LCP, such as the General Plan, would not be part of the standard of review that the Commission would apply when reviewing a project on appeal, and thus the Commission would be in the position of applying different

standards to an appeal than would the County. Such would not be the outcome contemplated by the Coastal Act.

A third type of reference to the General Plan in the Coastal Zoning Ordinance is found in Section 26C-20 (a)(5), regarding allowable uses in the Land Intensive Agriculture district:

> Agricultural support services involving no more than one employee and occupying no more than one half (1/2) acre of land and subject, at a minimum to the criteria of General Plan Policies AR-5c and AR-5d. Such services may include incidental sales of products related to the support service use but shall not include additional walk-in, over-the-counter retail sales.

In this instance, specific General Plan policies are cited, enabling the Commission to review the policies for consistency with and the ability to carry out the Coastal Plan. Specific General Plan policies that are cited in the Coastal Plan are listed in Table 2, and these policies appear in Attachment #5 to this report. The cited policies are consistent with the goals of the Coastal Plan to maintain coastal agriculture and to protect other coastal resources.

The Commission therefore suggests the following method of addressing this issue. Rather than review and certify the entire General Plan as part of the LCP, which would be one option, the Commission suggests the following:

- Where the context indicates that unidentified General Plan policies are intended to be applied to the review of new development, or where the Coastal Zoning Ordinance states that unidentified General Plan policies shall take precedence over Coastal Plan policies, clarify that coastal permits must be reviewed against the standards of the Coastal Plan (see **Suggested Modification #17**);

- Where the Coastal Zoning Ordinance cites one or two specific General Plan policies by name or number and indicates that such policies shall be applied to the review of development projects, add such General Plan policies to the Coastal Plan (see **Suggested Modification #14**).

Finally, the Commission notes that a fourth instance exists of references in the Coastal Zoning Ordinance to the General Plan. Here the references are simply to the General Plan as providing the basic foundation for goals regarding new development. For instance, the Purpose statement which introduces each zoning district description includes a reference to the General Plan goals that the particular district seeks to carry out. As an example, the purpose statement for the RR – Rural Residential District states that it is intended "To preserve the rural character and amenities of those lands best utilized for low density residential development pursuant to Section 2.2.2 of the General Plan…" This statement describes the basis for the goal to provide low density residential development, rather than setting criteria that new residential development must meet. In such cases, the reference to the General Plan is primarily descriptive, and therefore such references do not raise an issue with respect to conformity with the Local Coastal Program. The Commission sees no need for suggested modifications to alter such general references to the General Plan.

### 3. Definitions (Article 1)

The revised CZO includes an expanded list of definitions that apply to various land use activities in the coastal zone. Some of these definitions are the same as the definitions proposed to be added to the Coastal Plan. For instance, the same definitions of "affordable housing project", "affordable ownership housing", and "affordable rental housing" are proposed to be added to the Coastal Zoning Ordinance, as well as to the Coastal Plan.

Other new definitions are proposed to be added to the CZO to define terms used throughout the ordinance, such as "agricultural production", "agricultural support service", or "biotic resources". The proposed new definitions do not represent policy requirements in themselves that would be applicable to new development. Instead, these definitions would make clearer and more specific the requirements of the Coastal Zoning Ordinance. For instance, a new definition is added for "height of buildings", explaining that height limits shall be measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof (Sec.26C-12). In general, the proposed new definitions would act to strengthen the ability of the County to implement the requirements of the Local Coastal Program.

In a few instances, however, the proposed new definitions could create ambiguity, because of references to other documents not included in the Local Coastal Program, or for other reasons. Thus, the Commission suggests modifications to a few of the definitions, as described below, in order to assure internal consistency and clarity.

First, the Commission suggests a modification (**Modification #15)** to the definitions in the Coastal Zoning Ordinance to make "housing opportunity area" consistent with the policies in the proposed Coastal Plan, as revised. The Commission suggests modifying the definition of "housing opportunity area" to read as follows:

> A parcel or parcels of land whereon a project is proposed that provides affordable housing pursuant to Housing Element Policy HE-2g <u>as modified by the Coastal Plan</u>.

Secondly, the proposed definition of "residential density" in the Coastal Zoning Ordinance is as follows:

> Residential density. The number of dwelling units per acre or the number of acres per dwelling unit as shown in the General Plan Land Use Element.

This definition refers to the General Plan, which is not part of the Local Coastal Program, rather than the Coastal Plan. To avoid confusion or uncertainty, the Commission suggests modifying this definition (**Suggested Modification #16)** to refer to the density indicated in the Coastal Plan, instead of the General Plan. If modified as suggested, the Definitions in the Coastal Zoning Ordinance would be consistent with and adequate to carry out the provisions of the Coastal Plan.

### 4. Agriculture (Articles 2 thru 6)

The existing zoning districts of "Exclusive Agriculture" and "Primary Agriculture" are proposed, in the revised Coastal Zoning Ordinance, to be replaced by "Land Intensive Agriculture" (LIA) and "Land Extensive Agriculture" (LEA) districts. The LIA district is intended "To enhance and protect lands best suited for permanent agricultural use and capable of relatively low production per acre of land..." (emphasis added; Article 2, purpose statement). The LEA district (Article 3) contains the same statement of purpose. It is clear from the contents of the two articles that Land Intensive Agriculture is intended to be applied to areas that have relatively high rather than low production per acre, and that the word "low" in Article 2 is a typographical error. The Commission suggests **Modification #18** to correct this error.

**a) Issue: The Principal Permitted Use in Agricultural Zoning Districts**

Land uses allowed in the LIA, LEA, and DA districts, among others, are divided into two categories: "Permitted Uses, Subject to Site Development and Erosion Control Standards" (Sec. 26C-20) and "Uses Permitted Requiring a Use Permit" (Sec. 26C-21). Those in the first category do not require a Use Permit, where those in the second category do require a Use Permit. (The headings for these two categories of uses suggest that only the first group of uses must meet the site development and erosion control standards, whereas in fact "All development shall be subject to Site Development and Erosion Control Standards", pursuant to Section 26C-22(g) of the Ordinance.) The need for a Use Permit means that uses in the second group are subject to a public hearing and discretionary decision, whereas uses in the first group may be reviewed administratively by County staff, without the necessity of a public hearing.

The distinction between the two groups of uses is particularly significant because the revised Coastal Zoning Ordinance states that those uses in the first category (that is, those uses subject only to Site Development and Erosion Control Standards, but not to a Use Permit) are considered as "Principal Permitted Uses", for purposes of potential appeal to the Coastal Commission:

> Sec. 26C-2 (c) **Principal Permitted Uses:**
>
> The Coastal Act requires definition of Principal Permitted Uses which clearly carry out the intent and purpose of each zoning district utilized in the coastal zone. Any development that is not designated as a Principal Permitted Use is appealable to the Coastal Commission.
>
> Principal Permitted Uses are those uses listed under the heading "Uses permitted subject to site development and erosion control standards" within each zoning district. Notwithstanding the above, additional dwellings beyond one single-family dwelling on parcels zoned LIA, LEA, DA, RRD, RRDWA, and TP are not considered to be Principal Permitted Uses.

The County's proposed division of uses in the LIA, LEA, and DA districts into two categories (and the parallel division of uses in other land use districts, as discussed below) creates an inconsistency with Coastal Act requirements regarding appealability of development. The Coastal Act provides in that regard:

> *30603. (a) After certification of its local coastal program, an action taken by a local government on a coastal development permit application may be appealed to the commission for only the following types of developments:*
>
> ...
>
> > *(4) Any development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinance or zoning district map approved pursuant to Chapter 6 (commencing with Section 30500).*

The Coastal Act provides for appealability of developments that are not the principal permitted use, thus intending a singular use, rather than a list of uses. By contrast, Articles 2, 3, and 4 of Sonoma County's proposed Coastal Zoning Ordinance, among others, provide for several different principal permitted uses, rather than just one. Where more than one such principal permitted use is listed by a coastal county zoning ordinance, then no single principal permitted use has been designated, and therefore none of the uses shall be interpreted by the Commission to be the principal permitted use. In other words, if more than one principal permitted use is listed by the County's zoning ordinance, then all uses listed will be appealable to the Coastal Commission.

This outcome would not fulfill the apparent intent of the County to provide for at least one use in each zoning district that would not be appealable to the Coastal Commission. Therefore, the Commission suggests **Modification #19** to specify the principal permitted use, for purposes of appeal to the Coastal Commission.

In so doing, the Commission recognizes that the term "use" may encompass more than one activity. For instance, if the principal permitted use is "agriculture", it is clear that this use includes a variety of activities, all of which are considered part of the principal permitted use. Sonoma County's proposed Coastal Zoning Ordinance lists a number of types of agricultural activities, for instance, such as the keeping of various types of farm animals, the raising of different kinds of crops, the keeping of bees, and the construction of one or more residences for the farm operator and or agricultural laborers.

Although the Commission considers a variety of agricultural activities to constitute a single use for purposes of defining appealability to the Commission, the Commission does not consider a non-agricultural activity, such as the holding of music festivals or other public events, or the operation of day care or community care facilities, to be part of the single, agricultural use of the property. The activities listed in parts (a) and (b) of Section 26C-20 all constitute an agricultural use, in that all the activities are either examples of agricultural pursuits or residential uses directly supportive of agriculture, including residences for the agricultural operator and other farm workers. Part (c) of Section 26C-20, in contrast, is recognized by the County to contain non-agricultural uses, by definition, and thus the activities listed in this section should be appealable to the Coastal Commission, along with the activities listed in Section 26C-21 that require a Use Permit. **Suggested Modification #19** would accomplish the necessary change to the Coastal Zoning Ordinance by amending Section 26C-2 (c) of the Zoning Ordinance to indicate which uses, for each zoning district, are considered principal permitted uses, for purposes of possible appeal to the Coastal Commission. Alternatively, the County could revise each zoning district, to achieve the same result. The districts that would require change are: LIA, LEA, DA, RRD, RRDWA, TP, AR, RR, R1, and R2.

**b) Residential density in the LIA, LEA, DA, RRD, and RRDWA districts**

The proposed Coastal Zoning Ordinance raises another issue that involves the total amount of residential development that is potentially allowable on a given agricultural parcel. The Coastal Plan states that up to four residential units may be allowed on agricultural and other resource parcels (Land Use Recommendation #2, p. 53). The four residential units are allowable only for the purpose of housing family members and employees.

The proposed Coastal Zoning Ordinance, on the other hand, does not contain the specified maximum number of residential units. Several types of residential uses are noted as allowable, including one or more single-family dwellings, one detached farm dwelling (for family members) where a Williamson Act contract is in effect, and one or more dwelling units for full-time agricultural employees, depending on the size of the agricultural operation (Sec. 26C-20(b)(1) through (3)). Although perhaps not likely, a large farm could conceivably have more than four residential units, based on these three categories alone. Furthermore, the ordinance would allow seasonal or year-round farm worker housing and temporary travel trailers for farm workers.

The Commission notes that the additional residential units that are potentially allowable by the Coastal Zoning Ordinance are restricted to those that are truly related to the agricultural use of the property. For instance, where a detached farm family dwelling unit is allowed, an agricultural easement having a term equal to the useful life of the structure (and no less than 20 years) must be offered to the County. Furthermore, a covenant shall be recorded on the property's title, indicating that the dwelling will become a nonconforming residential use if the agricultural use of the property should cease in the future.

Furthermore, where dwelling units for full-time agricultural employees are allowed, the property owner must file an affidavit stating that the unit(s) shall be used to house persons employed on the premises for agricultural purposes, and a covenant shall be recorded on the property's title, indicating that the dwelling will become a nonconforming residential use if the agricultural use of the property should cease. These provisions assure that residential uses unrelated to the agricultural use of the property could not easily be approved, thus helping to assure the long-term priority for agricultural uses themselves. Nevertheless, the Coastal Plan establishes an upper limit on residential use on agricultural parcels, and the Coastal Zoning Ordinance must be consistent with and adequate to carry out this standard.

To carry out the intent of the Coastal Plan to limit the total number of residential units to four, the Commission suggests **Modification #20**. This modification would add an upper limit of four residential units per agricultural parcel, consistent with the Coastal Plan.

The Commission notes that the LIA, LEA, and DA zoning districts would allow one guest house per lot, in addition to the residential units discussed above. The Definitions found in Section 26C-12 make clear, however, that a guest house cannot include a kitchen or food preparation facilities. Thus, a guest house is not considered a residential use and

is not subject to the limit of four residential units per resource parcel that is established by the Coastal Plan.

### c) Allowable Residential Density and Minimum Parcel Size for Creation of New Lots in all Agricultural Districts

The Coastal Zoning Ordinance provides for a parcel-by-parcel designation of the minimum size for creation of new parcels in the LIA, LEA, and DA districts. For instance, the LEA district provides, in Sec. 26C-32 (b):

> (b) Minimum lot size: The minimum lot size for creation of new parcels shall be 1.5 acres, unless a different area is permitted by a "B" combining district, provided that it shall also meet the criteria of General Plan Policy AR-8c and AR-3b. In such cases where lots are clustered, a protective easement shall be applied to the remaining large parcel(s) which indicates that density has been transferred to the clustered area.

This section suggests that, in an LEA zoning district, new parcels as small as 1.5 acres could be created. The Coastal Plan, on the other hand, provides generally that the minimum parcel size for agricultural parcels should be either 160 or 640 acres, depending on the type of agriculture (see p. 45 of the Plan). Thus, the zoning provision appears to be inconsistent with the Coastal Plan.

The Zoning Ordinance also provides that the minimum lot size shall be determined by the "B" combining district, if applicable. Indeed, parcels in the LIA, LEA, and DA districts are designated on the zoning map with the "B" combining district. For parcels in these categories, two numbers are indicated on the zoning map, with a slash. For instance, a designation of "160/640" indicates that the maximum residential density is one unit per 160 acres, with a minimum parcel size of 640 acres for creation of new parcels. Most agricultural parcels designated as LIA, LEA, and DA are indicated as "160/640", or in a few cases "40/160" such as certain parcels in dairy use. These designations determine the actual allowable minimum parcel size, overriding the provision in Sec. 26C-32 (b) that would appear to allow parcels of as few as 1.5 acres to be created.

Although the Coastal Zoning Ordinance is arguably consistent with the Coastal Plan, in terms of designating the appropriate minimum parcel size for creation of new parcels, the provision for 1.5-acre parcels could be misleading. If the Ordinance is misleading, then it would not be adequate to carry out the provisions of the Coastal Plan. To assure that the Zoning Ordinance is fully consistent with, and adequate to carry out, the Coastal Plan, the Commission suggests **Modification #26** that would clarify the minimum parcel size for the agricultural districts. In most cases this minimum is 640 acres, although on certain parcels it is 160 acres. The modification also addresses minimum parcel size specified in Article 5 - RRD – Resources and Rural Development and Article 6 - RRDWA – Resources and Rural Development (Agricultural Preserve) districts, which are applied to certain agricultural lands in the coastal zone.

The text of Sec. 26C-32 (b) and certain other agricultural districts suggests that clustering of parcels is allowed. Although Sonoma County allows clustering of agricultural parcels outside the coastal zone in such a way that overall density is maintained while individual parcels may be created below the minimum parcel size, such clustering is not allowed by the Coastal Plan in the coastal zone. Therefore, the

Commission also suggests deleting the references to clustering in the sections of Articles 2 through 6 that address minimum parcel size.

Finally, to make clear how the "B" combining district provisions that address minimum parcel size and residential density should be interpreted, the Commission suggests **Modification #27**. This modification would add a note to the Coastal Zoning Maps stating that where two numbers are provided, the smaller number indicates the average residential density that is allowable, and the larger number indicates the minimum parcel size for creation of new parcels. Where one number only is provided, it indicates the minimum parcel size for creation of new parcels, and the average density is indicated by the text of the Coastal Zoning Ordinance. With the modifications as suggested, the Zoning Ordinance and Zoning Maps will be consistent with and clearly carry out the density provisions of the Coastal Plan for agricultural lands.

### d) Visitor-Serving Uses on Certain Agricultural Lands

The Coastal Zoning Ordinance proposes to allow, with a Use Permit, the following uses in LEA and DA (but not LIA) districts:

- Campgrounds with up to 30 sites;
- Bed and breakfast inns with 5 or fewer rooms, subject to various limitations
- Guest ranches and country inns up to 30 rooms, with various limitations including restaurants serving non-guests only under certain rules.

These uses are allowed by the existing, certified Coastal Zoning Ordinance. The Commission also approved a Local Coastal Program amendment (#1-86) on April 11, 1986 that clarified the definition of "country inn" and "guest ranch" and outlined use permit regulations for the approval of dining facilities for persons not staying at a country inn/guest ranch. The amendment approved at that time included a provision that the sum of overnight guests and outside dining patrons cannot exceed 30, and that restriction remains in the Coastal Zoning Ordinance at this time. Because the Commission has previously approved the County's Coastal Zoning Ordinance with provisions that allow up to 30 rooms for overnight guests, or a combination of such rooms and dining seats that equals 30, the Commission finds that the proposed revised Zoning Ordinance is consistent with and adequate to carry out the Coastal Plan.

In connection with the County's anticipated General Plan/Coastal Plan update, however, the Commission notes that the Coastal Plan, as certified, now provides for "low-intensity visitor serving uses" on resource lands, including agricultural lands. As an example of such a use, small inns with only a few rooms are low intensity uses that can be accommodated without conflicting with the basic use of land for agriculture. Such inns are found in many parts of the coastal zone, in Sonoma County as well as in other jurisdictions, and they do not undermine continuing agricultural operations, as long as the number of overnight units is modest. In fact, small bed and breakfast operations can supplement agricultural income and thus help to support continued agricultural use of land, as long as the scale of the visitor-serving operation is so small that it does not become the dominant economic activity on a given parcel. Nevertheless, because 30 guests could represent, for instance, a moderately intense use of a relatively small

resource parcel, it would be appropriate for the County to address the question of the appropriate intensity of visitor serving uses during the Coastal Plan update.

**e) Golf courses and driving ranges on certain agricultural lands**

An issue is raised by the proposed inclusion in the LIA, LEA, and DA districts of golf courses and driving ranges, allowable with a Use Permit. Such uses would be allowable only if a number of requirements are met, such as that the golf facility must be located adjacent to or near a designated urban service boundary, reclaimed wastewater must be available to irrigate the course, the use cannot be conducted on lands subject to a Williamson Act contract, and no restaurants, lodging, or retail sales may be allowed. With these requirements, the opportunities for creation of new golf facilities in the Sonoma County coastal zone would appear to be quite limited. For instance, there are only two areas designated as "Urban Service" areas (the Sea Ranch and Bodega Bay), and both of them have existing golf courses. Unless new Urban Service areas are created elsewhere in the coastal zone, the proposed Coastal Zoning Ordinance would thus allow new golf courses only next to or near these two communities. In any event, whether likely or not, golf courses would need to be allowed or encouraged by the Coastal Plan in order to be allowed by the Coastal Zoning Ordinance.

The Coastal Plan defines Visitor Serving Facilities to include "motels, restaurants, grocery stores, auto service stations, public restrooms" (p. 108). This definition does not include golf courses. Therefore, golf courses must be considered as recreational uses rather than visitor-serving uses.

General Recommendation #14 in the Private Recreation section of the Coastal Plan (p. 103) states: "Encourage the provision of private recreation facilities where appropriate" but this policy does not directly refer to golf facilities. Furthermore, the Coastal Plan does not specifically encourage the development of additional golf courses beyond the two already located there, at the Sea Ranch and Bodega Harbour Subdivision (both open to the public). Even if Recommendation #14 were interpreted to apply to golf courses, the question would remain whether golf courses are "appropriate" on lands designated for agricultural use.

In that regard, the Commission finds that golf courses are not appropriate, because they are not compatible with continued agricultural use. Golf courses typically require large amounts of land, thus potentially removing significant areas from potential agricultural production. Furthermore, land used for golf cannot simultaneously be used for the growing of crops or the keeping of livestock. In short, land devoted to golf courses is removed from agricultural use, and therefore cannot be found to be compatible with continued agricultural use. Even though the proposed Coastal Zoning Ordinance would include requirements that are designed to minimize the adverse impacts of a golf course, the fact remains that golf is not agriculture. Therefore, the Commission suggests **Modification #21** which would delete golf courses and driving ranges from the list of allowable uses in the LIA, LEA, and DA districts.

### 5) Residential Zoning Districts (Articles 9-12)

The proposed Coastal Plan provides four land use categories that are primarily intended for residential use: Rural Residential, Low Density Residential, Medium Density Residential, and Planned Community. Other land use categories, such as Agriculture and Timber lands, allow residential use, but their primary purpose is resource production. By contrast, the four residential land use categories are primarily intended for residential use.

The proposed Coastal Zoning Ordinance contains four zoning districts that would carry out the residential purpose of these land use categories. These zoning districts are: RR - Rural Residential, R1 – Low Density Residential, R2 – Medium Density Residential, and PC – Planned Community.

The densities of development proposed by the four zoning districts, and the minimum size for creation of new parcels, are consistent with those intended by the matching Coastal Plan land use designations, as revised in May, 2001:

| | Coastal Plan | Coastal Zoning Ordinance |
|---|---|---|
| Rural Residential | Very low density, from 1 to 20 acres per du | Between 1 and 20 acres per dwelling unit or as permitted by a "B" combining district, whichever is more restrictive; for new lots, minimum size 1.5 acres unless public water available in which case minimum lots size 1.0 acre |
| Low Density Residential | 1 to 4 units per acre | 1 to 6 du per acre or as permitted by "B" combining district, or up to 11 du per acre in Housing Opportunity area; for new lots, minimum size 6,000 sq. ft. |
| Medium Density Residential | 5 to 8 units per acre | 6 to 12 du per acre or as permitted by "B" combining district, or up to 24 du per acre in Housing Opportunity area; for new lots, minimum size 6,000 sq. ft. |
| Planned Community | A variety of residential densities is allowed; Coastal Plan text specifies the overall number of residential units allowed, for the two Planned Communities in the County (the Sea Ranch and Bodega Harbour Subdivision) | Density indicated by "B" combining district; for new lots, minimum size 6,000 sq. ft. or as indicated in a Precise Development Plan |

As with the agricultural districts discussed above, the "B" combining district provides additional restrictions on residential density. For instance, the Timber Cove subdivision, which carries a RR —Rural Residential zoning designation, also carries a "B7" combining district designation. The B7 designation means that the existing parcels are "frozen" and may not be further divided. Many of the parcels are roughly one acre in size, and thus the existing density of one residential unit per one acre lot will be maintained by the Coastal Zoning Ordinance.

In sum, the provisions of the Coastal Zoning Ordinance together with the Coastal Zoning Maps are consistent with and adequate to carry out the residential density provisions of the Coastal Plan.

### 6) Housing Issues

#### a) Affordable housing provisions

The proposed Coastal Zoning Ordinance contains provisions to carry out the revised affordable housing policies that the County proposes to include in the Coastal Plan (see Section IV.B.4. above). The Ordinance contains affordable housing requirements in several places, including:

- Section 26C-326 – Affordable Housing: Requirements for Long-term Affordability and Design and Construction,
- Section 26C-326.1 – Affordable Housing: Density Bonus,
- Section 26C-326.2 – Affordable Housing: Housing Opportunity Areas,
- Section 26C-326.3 – Affordable Housing: Deferral of Payment of Development Fees, and
- Various chapters for individual zoning districts.

These provisions of the Zoning Ordinance would require revision in several ways, in order to conform with the Coastal Plan as currently proposed, including **Suggested Modifications #2 and 4**. To assure consistency between the Coastal Zoning Ordinance and the Coastal Plan with respect to housing issues, the Commission suggests **Modification #25** that would require changes to conform the Ordinance in all respects with the Coastal Plan housing policies. If modified as suggested, the Zoning Ordinance would be consistent with and adequate to carry out the housing policies of the Coastal Plan.

#### b) Second Units

The Coastal Plan, as proposed to be revised by the County, would allow construction of second residential units on parcels with a primary residential unit in certain circumstances (p. 130). Second units would be allowed in two situations: (1) on parcels measuring at least 6,000 square feet with both community water and sewer service, and (2) on parcels measuring at least 2 acres, whether with or without water or sewer service. The Coastal Zoning Ordinance implements this basic policy direction through Sec. 26C-325.1- Second Dwelling Units, as well as the provisions of the individual zoning districts.

Section 26C-325.1(b) lists a variety of requirements that must be met in order to allow a second unit. These requirements specify the maximum site coverage allowable for a second unit; standards for scale, appearance, and character of a second unit; parking and road access requirements; and other factors. Furthermore, the revised Coastal Zoning Ordinance provides that other requirements of the Coastal Plan must be met (Sec. 26C-325.1(b)(8)). Those requirements include provisions, among numerous others, that establish standards for setbacks from wetlands and other sensitive resources. The only Coastal Plan requirements with which a second unit need not conform are the density provisions themselves, which the second unit provisions exceed by definition (that is, two residential structures are not ordinarily allowed on any given lot, except in specified circumstances).

One provision in Section 26C-325.1 (d) – Procedure for Second Unit Applications requires clarification. In several places in this section, the Coastal Zoning Ordinance refers to the possible need for a "coastal/use permit". In particular, subsection (2) states:

> When processing an application for a second dwelling unit which does not require a coastal/use permit, the following additional procedures shall be adhered to…

And subsection (3)(i) provides, in part:

> …The written notice which is mailed and posted shall state that the County intends to waive the requirement for a coastal/use permit and approve construction of a second dwelling unit…

These references suggest that certain second dwelling units do not require a coastal development permit, or that certain second dwelling units may be subject to waiver of a coastal development permit. On the contrary, new development requires a coastal permit, unless exempt or excluded, and the County's Coastal Zoning Ordinance does not provide a basis for either exemption or exclusion from coastal permit requirements for second residential units. The intent of these references to exemption of waiver of a "coastal/use permit" is apparently to convey that the <u>use</u> permit requirement, rather than the <u>coastal</u> permit requirement, for certain second units may be dispensed with or waived. To clarify this point and avoid misunderstanding, the Commission suggests **Modification #28** that would delete the references in Section 325.1 (d) to "coastal/use permit" and replace them with "use permit". As modified, the proposed Zoning Ordinance contains clear and specific requirements regarding second units that are both consistent with and adequate to carry out the coastal resource protection policies of the Coastal Plan.

One point regarding second residential units on agricultural parcels deserves note. The LEA and DA districts (although not the LIA district) would allow a second unit, for the purpose of providing non-agricultural affordable housing (Sec. 26C-31 (c)(13) and Sec. 26C-41 (c)(13)). These districts are applied to lands for which the Coastal Plan places a maximum of four residential units per parcel. Although a variety of residential units for agricultural workers would be allowed by the LEA and DA districts (as discussed above in Section VII.B.4.(a)(2) of this report), the potential for a second unit for affordable housing purposes does not create a problem of consistency with the Coastal Plan. The reason is that Section 26C-325.1 (b)(3) provides that a second unit shall not be located

on a parcel upon which there is located more than one dwelling unit. Thus, an agricultural parcel with two, three, or four existing residential units, including the main residence plus units for agricultural workers or family members, would not be a candidate for construction of an additional "second" unit. If, on the other hand, an agricultural parcel contained only a primary residence, then it would be a potential location for construction of a second unit, for affordable housing purposes. In either case, the total number of allowable residential units would remain below the maximum of four units that is established by the Coastal Plan.

### 7) Site Development and Erosion Control Standards (Article 38)

The existing Coastal Plan contains policies that seek to protect the quality of coastal waters. No change is proposed by the County in these policies. For instance, the Plan includes the following policies, under Environmental Resources Management Recommendations:

> 20. Prohibit discharge of wastewater into any wetland unless such discharge maintains or enhances the functional capacity of the wetland and maintains the quality of the receiving water. (p. 29)
>
> 49. Include in coastal permits erosion and sediment control measures for excavation, grading and construction operations. (Grassland-Coastal Prairie, p. 31)
>
> 52. Include erosion and sediment control measures in coastal permits. (Coastal Woodland, p. 31)

These and other policies in the Coastal Plan carry out the mandate to protect the biological productivity and the quality of coastal waters, streams, estuaries, and other water bodies contained in Section 30231 of the Coastal Act.

The primary method by which these Coastal Plan policies would be carried out is through application of Site Development and Erosion Control Standards that are contained in Article 38 of the proposed Coastal Zoning Ordinance. These standards would be applicable to virtually all development.

Site Development and Erosion Control Standards are also contained in the existing Coastal Zoning Ordinance certified by the Coastal Commission. However, the County proposes some revisions, as a part of this amendment request. The standards, as proposed to be revised, would place a variety of requirements on new development that would act to protect the quality of coastal waters. For instance, the proposed standards provide for retention of natural vegetation in riparian corridors and wetland buffers, design of projects so as to avoid erosion or sediment transport into wetlands, and compliance with requirements of the Regional Water Quality Control Board. Furthermore, the proposed standards provide with respect to surface water runoff that provisions shall be made to control increased runoff through structural measures, use of sediment basins, and energy absorbing devices to reduce the velocity of runoff, among other measures. These measures are consistent with and adequate to carry out the policy direction of the Coastal Plan to control sediment and protect water quality.

### 8) Visual Resources

The existing Coastal Zoning Ordinance contains the height limits for each zoning district, which are then modified by height limits contained in a separate section of the ordinance (Article 35 – CC Coastal Combining District). By contrast, the revised Coastal Zoning Ordinance contains height limits for new development in each article, for each separate zoning district. The revised Coastal Zoning Ordinance is clearer and easier to interpret, since all relevant height limits for any given zoning district can be found in one place.

The height limits specified for each zoning district in the revised Coastal Zoning Ordinance are consistent with those contained in the revised Coastal Plan. For instance, for the RR - Rural Residential district, the maximum height for residential structures is 16 feet, with a possible increase up to a maximum of 24 feet, if certain findings can be made (Sec. 26C-92 (c)(1) and (8)). These height limits are the same as those contained in the revised Coastal Plan. Thus, the proposed Coastal Zoning Ordinance is consistent with and adequate to carry out the Coastal Plan.

### 9) Telecommunication Devices

The proposed Coastal Zoning Ordinance (Sec. 26C-12) defines telecommunication facility as follows:

> **Telecommunication Facility.** A facility that sends and/or receives electromagnetic signals, including antennas and towers to support receiving and/or transmitting devices along with accessory structures, and the land on which they are all situated.

Various types of telecommunication facilities are also defined by the ordinance:

> **Antenna.** The transmitting and/or receiving device, including wires, rods, discs, or similar devices, that transmits or receives electromagnetic signals.
>
> **Antenna, vertical.** A vertical type antenna with no horizontal components other than a small radial element at its base.
>
> **Attached Commercial Telecommunication Facility.** A commercial telecommunication antenna which is affixed, fastened, or joined to a residence, business, or similar structure, other than another telecommunication facility, and which does not include a tower.
>
> **Co-located Telecommunication Facility.** A telecommunication facility which is comprised of a single tower containing a combination of antennas owned or operated by more than one public or private entity.
>
> **Free-standing Commercial Telecommunication Facility.** A telecommunication facility which is operated in whole or part for commercial purposes such as mobile radio services, cellular telephone services, tv and radio

broadcast, personal communication services, but which is not affixed, fastened, or joined to a residence, business, or similar structure. A facility which includes an antenna(s) placed upon a tower which is attached to a structure is considered to be a Free-standing facility. Telecommunication facilities operated in whole or part by public agencies are included in this category. However, a telecommunication facility installed by a public utility for the sole purpose of monitoring and protecting its gas and electric facilities shall not be considered a telecommunication facility and shall be exempt from the telecommunication standards of this ordinance.

**Major Facility:** Such facility which involves a combination of towers and antennas greater than 130' in height.

**Intermediate Facility:** Such facility which involves a combination of towers and antennas greater than 40' and less than or equal to 130' in height.

**Minor Facility:** Such facility which involves a combination of towers and antennas less than or equal to 40' in height.

**Multiple-user Telecommunication Facility.** A telecommunication facility which is comprised of multiple towers containing a combination of antennas owned or operated by more than one public or private entity.

**Non-Commercial Telecommunication Facility.** A telecommunication facility which is operated solely for personal use and not for commercial purposes.

The proposed Coastal Zoning Ordinance would allow various types of telecommunication facilities in the different zoning districts, subject to various levels of review, depending on the size and potential impacts of the facility. For instance, in the LIA – Land Intensive Agriculture district, the County proposes to allow as a permitted use, subject to site development and erosion control standards (i.e., no Use Permit required): Attached Commercial Telecommunication Facilities, Minor Free-standing Commercial Telecommunication Facilities, and Non-commercial Telecommunication Facilities, subject to applicable criteria contained in Section 26C-235.7 of the Ordinance.

The proposed Coastal Plan provides for protection of coastal views, presumably with the intent to regulate the placement of telecommunication devices or other developments that would interfere with such views. For instance, the plan's Visual Resources Recommendations include the following (p. 173):

1. Prevent development (including buildings, structures, fences, paved areas, signs, and landscaping) from obstructing views of the shoreline from coastal roads, vista points, recreation areas, and beaches.

2. Prohibit development which will significantly degrade the scenic qualities of major views and vista points.

These policies provide a basis for the regulation of telecommunication devices that have a potential to adverse affect visual resources.

Federal law and regulation distinguish among the following types of telecommunication devices:

- Amateur radio antennas,
- Satellite antennas smaller than 1 meter used to receive video programming which are placed on property where the viewer has a property interest (ownership or leasehold) and exclusive use or control of the area where the antenna will be installed,
- Satellite earth station antennas larger than 1 meter,
- Personal wireless services facilities.

The Definitions contained in the proposed Coastal Zoning Ordinance do not distinguish among these types of devices. Instead, the Ordinance regulates telecommunications devices based on size, appearance, and commercial versus non-commercial characteristics.

Nothing in the proposed Coastal Zoning Ordinance specifically precludes amateur radio communications. Telecommunication devices, as defined by the County, that may be used for amateur radio communication are subject, in some cases, to regulation under the ordinance involving the placement, screening, or height of such antennas, based on aesthetic or other considerations. Such regulation is not precluded by federal law and regulation.

The proposed Coastal Zoning Ordinance does not specifically address satellite antennas, whether smaller or larger than 1 meter in size, used for receiving video transmissions. The Ordinance does propose to allow as a "Principal Use" non-commercial telecommunication facilities less than 80 feet in height. This definition would appear to include satellite antennas. Such antennas would be allowed in various use districts, subject to the criteria of Section 26C-325.7, without a Use Permit or a Zoning Permit. If such an antenna constituted a "development" as defined by the Coastal Zoning Ordinance (using the same definition as the Coastal Act), then a coastal permit would appear to be required, even if no other permit were required.

The proposed Coastal Zoning Ordinance does not specifically address the provision of personal wireless services. Therefore, it does not prohibit such services, which would be prohibited by federal statute. In sum, the regulation of telecommunications devices proposed by the revised Coastal Zoning Ordinance would not be inconsistent with federal law or regulation.

Section 26C-235.7 of the Ordinance addresses one area that is restricted by federal statute, but does so in a way that would not be inconsistent with federal law. Section 26C-235.7 of the Ordinance addresses human exposure to Non-ionizing Electromagnetic Radiation (NIER), but does so by requiring persons who propose a telecommunication facility to provide evidence regarding how the facility would meet federal standards. The ordinance would require that an applicant for a facility:

- Provide evidence from the Federal Communications Commission (FCC) that the facility meets that agency's standards, or

- Provide evidence that the facility is excluded by the FCC from meeting such standards, or
- Provide an independent analysis shows that the facility will comply with the FCC standards.

Thus, the County does not propose to adopt its own, independent standards regarding electromagnetic radiation. In sum, the proposed Coastal Zoning Ordinance is consistent with and adequate to carry out the visual resources policies of the Coastal Plan.

### 10) Commercial Zoning Districts (Articles 13-15)

As proposed, the Coastal Zoning Ordinance for three commercial districts that are applied to a limited number of areas in the County's coastal zone, such as parts of Bodega Bay, Jenner, Duncans Mills, and Valley Ford. (CS – Rural Services, CT – Commercial Tourist, and C2 – Community Commercial). The CT district provides for various tourist commercial uses such as hotels, dining facilities, and retail shops. The CS and C2 districts also allow such uses, although a Use Permit is required for certain developments, such as hotels. The uses that are proposed in these districts are consistent with the Visitor Serving Facilities Recommendations contained in the Coastal Plan. For instance, Recommendation #1 and #2 (p. 113) provide:

> 1. Encourage the development and expansion of visitor serving and commercial facilities within urban service and rural community boundaries where coastal requirements, including water provision and waste disposal, can be met.
>
> 2. Limit new commercial development to areas within designated urban service and rural community boundaries except for the lowest intensity development (guest ranches and bed and breakfast accommodations).

The proposed Coastal Zoning Ordinance would carry out the intent of these policies by encouraging hotels, restaurants, and visitor-serving retail uses within designated urban centers, consistent with other policies of the Coastal Plan that address visual and other resources.

The Zoning Ordinance contains certain provisions that could act in a contrary manner, however, and that could be interpreted to limit visitor-serving facilities even in the areas where they are most appropriate. For instance, these three zoning districts contain a prohibition on advertising of dining facilities to patrons other than overnight guests (Sec. 26C-131 (c)(1)(e), for example). Such restrictions are appropriate in rural areas, outside the designated commercial centers in Sonoma County, where advertising of any sort should be of a limited scale. Within the urban centers, by contrast, a sign indicating a restaurant that is located within a hotel provides appropriate direction to coastal visitors.

Staff of Sonoma County states that the restrictions such as the one described above could be misleading and would be appropriately deleted from the Coastal Zoning Ordinance. Therefore, the Commission suggests **Modification #24** to delete inappropriate restrictions on visitor-serving uses in commercial zoning districts, as suggested by County staff. If modified as suggested, the Coastal Zoning Ordinance

would be consistent with and adequate to carry out the visitor-serving commercial policies of the Coastal Plan.

### 11) Coastal Permit Procedures (Article 34)

The proposed Coastal Zoning Ordinance contains procedures for the review of coastal permit applications in Article 34 – Coastal Permit Regulations. The ordinance provides in Section 26C-340 that:

> A coastal permit is required for any development occurring in the Coastal Zone, except as provided for in Section 26C-341. Development undertaken pursuant to a Coastal Permit shall conform to the plans, specifications, terms or conditions approved in granting the permit.

The procedures that are proposed to be used are the same as those in the existing, certified Coastal Zoning Ordinance in most respects. The County proposes a couple of additions to the ordinance, consistent with the Coastal Act. One addition concerns emergency coastal permits. The existing Ordinance does not contain procedures for the County to issue coastal permits to address emergency situations. The proposed Ordinance would add this authority in Section 26C-341.2, and would define "emergency" as it is defined in the Coastal Act. The ordinance would provide for a "follow-up" coastal permit, consistent with Commission practice.

A second new addition to the proposed Coastal Zoning Ordinance is provision for the County to waive the requirement for a public hearing for certain minor development projects, if public notice is provided and no hearing is subsequently requested. This provision is intended by the County to carry out Section 30624.9 of the Coastal Act that allows a waiver of a public hearing on a coastal permit for a minor development, if certain conditions are met. The proposed hearing waiver procedure reflects the definition of "minor development" that is contained in the Coastal Act, and the procedure is consistent with the procedures specified in the Act.

The Coastal Zoning Ordinance provides as follows regarding the need for government agencies to comply with coastal development permit requirements:

> Sec. 26C-5 Applicability of Chapter to Governmental Units.
>
> Provisions of this chapter shall apply to cities, special districts, and state or federal governments or any agency of such governmental units, to the extent legally permissible. The provisions of this Chapter shall not apply to public projects of the County of Sonoma.

This provision indicates that projects undertaken by the County itself would not require coastal development permit review. On the contrary, all projects that meet the definition of "development" contained in the Coastal Zoning Ordinance are subject to coastal development permit review, unless exempted or excluded in some way. Projects undertaken by the County, such as road construction, public park development, or flood control projects are typically not exempt or excluded from coastal permits. Therefore, Section 26C-5 should be revised to state that the Coastal Zoning Ordinance applies to

County projects, as well as those of cities, special district, and state or federal governments, to the extent legally permissible. The Commission suggests **Modification #29** to accomplish this revision.

Finally, the Commission notes that the reference to "Section 26C-341" apparently should refer to "Section 26C-340.1" which contains a list of exemptions and categorical exclusions from coastal permit requirements. The Commission suggests **Modification #30** to correct this apparent error.

## C. Coastal Administrative Manual

The Coastal Administrative Manual is an implementing measure for the Coastal Plan, supplementing the Coastal Zoning Ordinance as part of the Implementation Program component of Sonoma County's Local Coastal Program. It includes a description of the coastal permit review process, a copy of Categorical Exclusion Order E-81-5 that the Commission adopted in 1981, and information from the Commission's Statewide Interpretive Guidelines with respect to wetlands, geologic stability, and other matters.

The County proposes the following changes to the Manual:

- Minor technical corrections, such as those necessary to reflect the new proposed method of measuring structure height (measured above average grade rather than above highest grade);
- References to the emergency coastal permit process that is added to the Coastal Zoning Ordinance;
- Text regarding the visual resource policies, reflecting proposed amendments to the Coastal Plan regarding such resources;
- A revised Categorical Exclusion Order #E-81-5, to reflect the changes in visual resource policies. (The Exclusion order defines development as excluded from coastal permit requirement, in part, depending on how visually significant the development site is.)

The proposed changes are consistent with and adequate to carry out the proposed changes to the Coastal Plan and Coastal Zoning Ordinance, with two exceptions. One exception is the proposed changes to the Categorical Exclusion Order. Such orders may be adopted by the Commission pursuant to Section 30610(e) of the Coastal Act. A categorical exclusion order is subject to a review process by the Commission that is separate from and different than the Local Coastal Program review process. For instance, approval of a categorical exclusion order requires an affirmative vote of two-thirds of the appointed members of the Commission. Until such time as the Commission can act on the Sonoma County's request to amend Categorical Exclusion Order E-81-5, the existing Order remains in effect. The Commission therefore suggests **Modification #31** to add a provision to the Coastal Administrative Manual, indicating that the current version of the Order shall be effective until such time as it is amended by action of the Coastal Commission.

The second provision of the Manual for which the Commission suggests a modification is the list of Coastal Act Exemptions (p. 79). This list contains four exemptions from coastal permit requirements, which are consistent with the Coastal Act (Sec. 30610(g)).

These exemptions were not previously listed in the Coastal Administrative Manual, and therefore their insertion in that document represents a revision that is proposed by the County at this time. Although listing the exemptions in this way does not create an issue, the references to the exemption that are proposed is not completely up to date. Therefore, the Commission suggests **Modification #32** in order to accurately describe the exemptions and to incorporate the proper reference to the Commission's regulations regarding them.

F5c

# Sonoma County LCP Amendment #1-00

## Attachment #1

# Coastal Plan

(incorporating amendments to the Housing Policies of the LCP amendment submittal that were adopted by the Board of Supervisors on May 15, 2001 – see changes on pages immediately following this cover sheet. Other than the changes to the Housing Policies, the attached Coastal Plan submittal is identical to that previously distributed to the Commission and members of the public in November, 2000 as part of LCP Amendment #2-99)

Underlined text indicates proposed additions to the existing certified Sonoma County Coastal Plan.

The attached Housing Policies were adopted by the Board of Supervisors on May 15, 2001. These replace the following pages in the County's Coastal Plan submittal:

Pages i through vii replace page 125 through the first full paragraph on page 130 of the original submittal, as indicated;

Pages viii through ix replace the section entitled "Land Use Categories" on pages 181-182 of the original submittal, as indicated

## VII. DEVELOPMENT

### HOUSING

#### Introduction

The major goal of the Housing section is to protect and promote low and moderate cost housing for people who work within the coastal zone to carry out Coastal Act policies on housing, access, and coastal zone priority uses.

#### Coastal Act Policies

> 30213. Lower cost visitor and recreational facilities and housing opportunities for persons and families of low or moderate income, as defined by Section 50093 of the Health and Safety Code, shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. New housing in the coastal zone shall be developed in conformity with the standards, policies, and goals of local housing elements adopted in accordance with the requirements of subdivision (c) of Section 65302 of the Government Code.

Other sections of the Coastal Act imply that affordable housing should be provided. Coastal Act policies which encourage visitor-serving commercial development (Section 30220-30223), agricultural production (Sections 30241-30242) and coastal-dependent industry (Sections 30702-30708) call for increasing and maintaining employment opportunities in the coastal zone which generate modest incomes. If workers are unable to find affordable housing in the coastal zone, the viability of such Coastal Act policies would be seriously threatened.

#### Definitions

Affordable Rental Housing means rental housing which costs not more than 30 percent of 60 percent of HUD median area income for a lower income household, adjusted for household size, and not more than 30 percent of 50 percent of HUD median area income for a very-low income household, adjusted for household size; assuming that the household size will equal the number of bedrooms contained in the unit, plus one.

Affordable Ownership Housing means home ownership housing which costs not more than 30 percent of the maximum income as established by HUD for very low, lower, and moderate income households, adjusted for household size; assuming that household size will equal the number of bedrooms contained in the unit, plus one.

Density Bonus ~~means an increase in the number of units authorized for a particular parcel beyond that which would have been authorized by ordinance.~~ means a density increase of at least 25 percent over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan. In the coastal zone, the otherwise maximum allowable residential density shall mean the maximum density determined by applying all site-specific environmental constraints applicable under the Coastal Plan and Coastal Zoning Ordinance certified by the Coastal Commission.

Housing Opportunity Area means a parcel or parcels of land whereon a project may be proposed that provides affordable housing pursuant to General Plan Housing Element Policy HE-2g.

Lower Income Households ~~means households with annual incomes less than 80 percent of the median income.~~ means a household whose gross annual income is not more than eighty percent of the HUD median income adjusted for household size.

Median income means the median income as established annually and periodically revised by the ~~Director of Planning, based on the~~ U.S. Department of Housing and Urban Development (HUD) figure for the Standard Metropolitan Statistical Area, if available. ~~Median income in Sonoma County is currently 16,300.00 (1979).~~

Moderate Income Households ~~means households with annual incomes of 80-120 percent of the median income.~~ means households whose gross annual income does not exceed 120 percent of the HUD median income adjusted for household size.

Rental Control means a mechanism by which affordable rental units will be maintained in the low and moderate income rental housing stock over time.

Resale Control means a mechanism by which affordable units will be maintained in the low and moderate income housing stock over time.

Very Low Income Household means a household whose gross annual income is not more than 50 percent of the median income for Sonoma County as established by the U.S. Department of Housing & Urban Development (HUD), adjusted for household size.

**Housing Needs Assessment**

The need for affordable housing is great Countywide, but is particularly acute within the coastal zone because of the great demand for housing near the coast. The two major population centers, where jobs are available, are Bodega Bay and The Sea Ranch. In order to determine housing needs, worker surveys were conducted in these two areas. For the purpose of this needs assessment, one housing unit is assumed for each worker. This may overestimate the need because there may be more than one worker per household.

**Bodega Bay**

Bodega Bay is primarily a fishing and tourist oriented community. Both activities are high priority uses identified in the Coastal Act, and should be preserved and encouraged by the Coastal Plan. Both industries generate modest incomes for workers. Demand for housing in Bodega Bay is such that even the smallest homes are priced beyond the means of many coastal employees. Two Bodega Bay surveys were conducted. One survey was circulated by four major employers: Bodega Marine Lab, Coast Guard, The Tides, and Bodega Harbor. The second survey was circulated by the Fisherman's Marketing Association to commercial fishermen.

Service and Other Workers. Approximately 190 people are employed by the four major employers. Approximately 30 additional service workers, 10 permanent State and County Park workers without State-provided housing, and 10 seasonal park employees work in the Bodega Bay area making a total of about 240 employees.

A total of 44 percent of the employees responded to the survey. Of those responding, about 66 percent live outside of Bodega Bay and 48 percent of those would like to move to Bodega Bay. Using the sample percentage, an estimated 70-80 workers desire to move to Bodega Bay (See Table VII-1). The vast majority (90 percent) of the workers rent housing.

**TABLE VII-1 PROJECTION OF HOUSING NEEDS FOR BODEGA BAY**

| EMPLOYMENT | EXISTING UNMET NEED (Employees) | PROJECTED NEEDS A.D. 2000 (Employees) |
|---|---|---|
| Service and Other | 70-80 | 30[1] |
| Fishing: | | |
| 1st priority | 40-50 | 60[2] |
| 2nd priority | 40 | - |

[1] Based on expansion of visitor-serving facilities recommended in the Coastal Plan.

[2] Based on additional berthing facilities for 300 boats.

Fishermen. Approximately 250 fishermen currently anchor their boats in Bodega Bay. Unfortunately, only 18 percent responded to the questionnaire. Projections made from this small sample must be considered a generalized estimate only. Of the sample received, 76 percent of the fishermen make fishing their principal source of income. Assuming 250 fishermen, the projected total number of full-time fishermen is 190. Housing needs for fishermen have been categorized into two priorities. The first priority includes full time fishermen who live outside of Bodega Bay but would like to move there. According to the survey, 46 percent live away from Bodega Bay, and 50 percent of those would like to move there. Projecting these numbers there would be 40-50 fishermen in this category (See Table VII-1). The second priority category includes fishermen who live in Bodega Bay but are dissatisfied with current housing. An estimated 40 fishermen are in this category.

**Sea Ranch**

Currently, about 200 workers are employed by Oceanic, The Sea Ranch Association, and private contractors at the Sea Ranch. Building activity was minimal at the time the Coastal Plan was adopted. Now that building activity has resumed, there could be a much greater need for worker housing. Due to high building costs, and high desirability, there are few, or no affordable residential units. Most workers commute from Gualala, Annapolis, and surrounding areas.

Oceanic Properties and the Sea Ranch Association circulated housing survey questionnaires to their employees and at construction sites. Approximately 43 percent of the estimated number of workers responded to the survey. Of those, 81 percent do not live at The Sea Ranch and 52 percent would like to live there. Using these sample percentages, there would be about 160 workers who do not live at The Sea Ranch and 80 who would like to move there (See Table VII-2).

**TABLE VII-2 PROJECTION OF HOUSING NEEDS FOR THE SEA RANCH**

| Existing Unmet Need (Employees) | Projected Need - Year 2000[1] (Employees) |
|---|---|
| 80 - 90 | 160 - 190 |

[1] Based on expected Sea Ranch buildout and lodge expansion.

### Other Areas

No housing needs surveys were conducted outside of Bodega Bay and The Sea Ranch. The North Coast Citizen's Advisory Committee has identified need for low or moderate cost housing in the Stewarts Point-Sea Ranch area for medical center and other workers and in the Fort Ross Store-Timber Cove area for teachers and other workers. The need for housing has been expressed by State Parks and Recreation. Currently five permanent and ten seasonal Park workers are employed at Fort Ross and Salt Point. All five permanent employees are housed on the Park property, and six seasonal employees are housed on the Park property. With the current expansion of Salt Point State Park, there will be seven new permanent employees. State Parks indicated difficulty in finding rental housing for seasonal employees. When the State acquisitions are developed, Northern Sonoma County State Park staffing will increase. There is interest in development of affordable housing in rural areas like Timber Cove and Stewarts Point. Severe physical constraints, lack of services, very high costs, and Coastal Act policies, however, may make such development infeasible. Worker housing needs outside areas with community sewer and water may be provided by employers, like State and County Parks, and on large ranches as long as it is compatible with the Coastal Plan.

Farm worker housing is allowed in the agricultural areas, as specified in the zoning district. Provisions include seasonal and year-round housing, farm labor camps, additional units for full-time agricultural employees based on the type of agricultural use, and farm family units for properties under Williamson Act contract.

### Housing Production

In order to encourage new affordable housing within the coastal zone, several strategies will be utilized which can be grouped into four categories. They are incentives, permit and inclusionary requirements, ~~subsidies~~ development fee deferrals, and employer housing assistance. These strategies apply primarily to areas with community sewer and water.

### Incentives

Housing Opportunity Areas. ~~A land use category called Housing Opportunity Area has been included in the Land Use Plan. Lands with this designation will be zoned for low density residential use at four units per acre or less. The property owner will have the option of applying for a higher density (up to 8-10 units per acre) if he demonstrates adequate provisions for affordable housing. At least 25 percent of the units must be affordable for consideration. Each rezoning proposal will be analyzed individually~~

~~when requested. Criteria for analysis will include conformance with:~~ The County General Plan has established a low income Density Bonus Program pursuant to Government Code 65915 in order to encourage development of housing affordable to very low and low income households.. This program is established in the Coastal Plan in Low Density Residential 1-4 dwelling units per acre and Medium Density Residential 5-8 dwelling units per acre areas and is subject to the following limitations:

(a) This is an incentive program that allows developers of any one of the types of residential projects described in Government Code Section 65915(b) and which complies with all standards set forth in Government Code Section 65915, to build no more than 25 percent more units than a property's zoning would ordinarily allow. In exchange for this density bonus, the owners must make the units affordable for 30 years if an incentive is utilized in addition to a density bonus specified in Government Code Section 65915(b), or for 10 years if a second incentive is not utilized.

(b) In accordance with Government Code Section 65915(f), the density bonus shall be calculated based on the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the General Plan. In the Coastal Zone, the otherwise maximum allowable residential density shall mean the maximum density determined by applying all site-specific environmental development constraints applicable under the coastal zoning ordinances and land use element certified by the Coastal Commission . The density bonus shall be applicable to housing development consisting of five or more units.

(c) In the coastal zone, any housing development approved pursuant to Government Code Section 65915 shall be consistent, to the maximum extent feasible and in a manner most protective of coastal resources, with all otherwise applicable certified local coastal program policies and development standards. If the County approves development with a density bonus, the County must find that the development, if it had been proposed without the 25 percent density increase, would have been fully consistent with the policies and development standards of the certified local coastal program. If the County determines that the means of accommodating the density increase proposed by the applicant do not have an adverse effect on coastal resources, the County shall require that the density increase be accommodated by those means. If however, the County determines that the means for accommodating the density increase proposed by the applicant will have an adverse effect on coastal resources, before approving a 25 percent density increase, the County shall identify all feasible means of accommodating the 25 percent density increase and consider the effects of such means on coastal resources. The County shall require implementation of the means that are most protective of significant coastal resources.

(d) The County may prepare an LCP amendment for certification by the Commission for specific areas or subregions within the planning area where density bonuses in excess of 25 percent may be permitted based on a finding that no adverse impacts on coastal resources would result.

(e) In addition to a 25 percent density bonus, a qualifying housing development shall receive one of the incentives identified in Government Code Section 65915(h), unless it is found that the additional incentive is not required in order to provide for affordable housing costs or rents. If the County determines that the additional development incentive requested by an applicant pursuant to this section will not have any adverse effects on coastal resources, the County may grant the requested incentive. If the County determines that the requested incentive will have an adverse effect on coastal resources, the County shall consider all feasible alternative

incentives and the effects of such incentives on coastal resources. The County may grant one or more of those incentives that do not have an adverse effect on coastal resources. If all feasible incentives would have an adverse effect on coastal resources, the County shall grant only that additional incentive which is most protective of significant coastal resources.

(f) For the purposes of this section, "coastal resources" means any resource which is afforded protection under the policies of Chapter 3 of the coastal Act, California Public Resources Code section 30200 *et seq.*, including but not limited to public access, marine and other aquatic resources, environmentally sensitive habitat, and the visual quality of coastal areas.

A Density Bonus project approved pursuant to Government Code Section 65915 shall reserve a minimum of 20 percent of all units for rent or sale to lower income households, or at least 10 percent of the total units shall be for very low income households, or at least 50 percent of the total dwelling units shall be for senior residents. Such projects shall comply with all applicable provisions of Chapters 26C of the Sonoma County Code, including development standards and long-term affordability requirements, and shall make the units affordable for 30 years if an incentive is utilized in addition to a density bonus specified in Government. Code Section 65915(b) or for 10 years if a second incentive is not utilized.

The density bonus shall apply to housing developments consisting of five or more dwelling units.

In addition to the above Density Bonus Program, the County General Plan Housing Element has established a Housing Opportunity Program in order to further encourage the development of affordable housing. This program is also established in the Coastal Plan and consists of two types; Type A in the Medium Density Residential 5-8 dwelling units per acre if the mapped density is 7 units or more per acre and Type C in the Low Density and Medium Density Residential Areas if the mapped parcel density is 4-6 units per acre. The policies applicable to this program are as follows:

Type A Housing Opportunity Areas: the residential density may be increased 100 percent above the mapped parcel density to a maximum of 16 dwelling units per acre. The project shall reserve a minimum of 40 percent of all units for rent or sale to low or very low income households.

Type C Housing Opportunity Areas: the residential density may be increased to a maximum of 11 dwelling units per acre. The project shall reserve a minimum of 20 percent of all units for rent or sale to low or very low income households and remaining units shall be reserved for sale to low or moderate income households.

The Housing Opportunity Type A and Type C programs shall apply to housing developments consisting of five or more dwelling units and be subject to the following provisions:

The project shall meet all site specific environmental development constraints applicable under the coastal zoning ordinances and land use element certified by the Coastal Commission.

The project shall be consistent, to the maximum extent feasible and in manner most protective of coastal resources, with all applicable certified local coastal program

policies and development standards.

The project will not result in adverse impacts on coastal resources.

For purposes of this section, "coastal resources" means any resource which is afforded protection under the policies of Chapter 3 of the Coastal Act, California Resources Code section 30200 *et seq*, including but not limited to public access, marine and other aquatic resources, environmentally sensitive habitat, and the visual quality of coastal areas.

In addition, the following criteria shall be used to evaluate density bonus projects in the Coastal Zone:

General Plan consistency, including Land Use and Housing Element Goals, Objectives, and Policies.
Coastal Act policies
Community character
Local Coastal Plan housing component goals, including provisions for both low and moderate cost units available for rental and purchase.
Environmental suitability
Local Coastal Plan visual component

Where the Coastal Plan density is less than the General Plan density (due to Local Coastal Plan Policies, site specific constraints, or development phasing), the density bonus shall be applied to the Coastal Plan Density. In no case shall total project density (including bonus) exceed the density allowed by the applicable housing opportunity program without a Coastal Plan amendment.

**Land Use Categories** (from Section VII, page 182 of proposed LCP)

The Land Use Plan contains fourteen ~~fifteen~~ land use categories which are used on the Policy maps. Figure VII-12 is a matrix that designates which General Plan/Coastal Plan/Coastal Zoning Districts are consistent with one another. The land use categories are: ~~and an overlay Housing Opportunity Area designation. These categories are utilized for the actual policy maps: the large scale presentation map and The Sea Ranch and Bodega Bay Insert maps (Figures VII-11, 12, and 13).~~

~~The simplified coast land use map, which is included in this report only for reference, designates the following land use categories: Agriculture, Timber, Recreation, Commercial Center, Visitor Serving Commercial, and Rural Residential (Figure VII-10).~~

Agriculture: Agricultural resource lands including small parcels within agricultural areas. Residential and other land uses must ~~should~~ relate to resource production. Specific permitted uses are further defined in the Coastal Zoning Ordinance.

Timber: Timber resource lands, including smal l parcels within timber areas. Residential and other land uses must ~~should~~ relate to resource production.

Sensitive and Hazardous: Areas with major physical or biological constraints to development. Development is prohibited unless constraints can be mitigated.

Dedicated Open Space: Common areas in planned developments that are committed to perpetual open space.

~~Recreation-Scenic Design: Visually and environmentally sensitive lands best suited for low intensity or passive recreation uses. Tourist commercial uses may be appropriate only if potential impacts can be mitigated.~~

Recreation: ~~Public and~~ Private recreational lands and facilities (i.e., golf courses, campgrounds, beaches, overnight trailer parks, stables, day use accessways).

Institutional: Land accommodating institutional or public uses. ~~other than recreation.~~

Visitor Serving Commercial: Land to accommodate visitor-serving facilities (i.e., restaurants, lodging).

Village Commercial: Land to accommodate the day-to-day shopping and service needs of local residents.

Commercial Center: An area potentially appropriate for general commercial uses including local serving and limited visitor serving uses. Contains existing commercial uses.

Fishing Commercial: Land to accommodate a variety of commercial, light industrial and service uses which support the commercial fishing industry. Campsites for transient fishermen could be accommodated in this zone with a coastal permit.

Rural Residential: Very low density residential development of from one to twenty acres per dwelling unit.

Low Density Residential: Residential development with densities ranging from one to four units per acre. Where the mapped parcel density is 4 units per acre, the residential density may be increased to a maximum of 11 units per acre provided that the project qualifies as a Type C Housing Opportunity project.

Medium Density Residential: Residential development with densities ranging from five to eight units per acre. Some areas may be zoned to accommodate more than one unit per parcel where feasible. Where the mapped parcel density is 7 or 8 units per acre, the residential density may be increased 100% above the mapped density to a maximum of 16 units per acre provided that the project qualifies as a Type A Housing Opportunity projects." Where the mapped parcel density is 5 or 6 units per acre, the residential density may be increased to a maximum of 11 units per acre provided that the project qualifies as a Type C Housing Opportunity project."

Planned Community: An area which may accommodate a variety of residential densities and mixed uses. A precise plan is required prior to development.

~~Housing Opportunity: An area permitting residential densities up to ten units per acre if a proportion of the total number of units is for low and moderate-income persons. The base residential density is the same as the underlying Rural Residential or Low Density Residential category.~~

# Part I LOCAL COASTAL PLAN

# DRAFT REVISED

# LOCAL COASTAL PLAN

The original publication was prepared with financial assistance from the Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, under the provisions of the Federal Coastal Zone Management Act of 1972, as amended, and from the California Coastal Commission, under the provisions of the California Coastal Act of 1976.

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NOTE:

In 1981, the County adopted the Coastal Plan, Coastal Zoning Ordinance, and Coastal Administrative Manual planning documents prepared under specific requirements of State law and intended to provide an intermediate level of detail between the 1978 General Plan and site development plans submitted to the County for approval. The 1978 General Plan focused on policies of Countywide significance and utilized generalized graphics to illustrate land use, open space and other elements.

In 1989, the County adopted an update of the 1978 General Plan. The General Plan update provided parcel-specific information concerning land use and open space. The General Plan update also included "area policies" in an attempt to focus particular attention on a specific area or parcel. Because of this level of specificity in the General Plan update, the Board of Supervisors determined that several of the specific plans, including the Coastal Plan, Coastal Zoning Ordinance, and Coastal Administrative Manual, were either duplicative or conflicted with the updated General Plan. The Board of Supervisors further determined that to the extent the specific plans and coastal documents provided policy guidance beyond that provided by the General Plan update, that such plans should be reviewed and revised to insure complete consistency with the General Plan. The General Plan includes a discussion of these specific plans and the Coastal Plan documents in Land Use Element Section 2.1.1 under Policy LU-1a.

This document was prepared pursuant to General Plan Policy LU-1a.

In keeping with the above intent, the proposed revisions of the Coastal Plan/Coastal Zoning Ordinance/Coastal Administrative Manual did not include exhaustive evaluation or reconsideration of the policies or designations contained in this plan. The scope of the revisions was limited to that necessary to achieve general plan consistency.

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# I. INTRODUCTION AND SUMMARY

## The Coastal Act

The Coastal Act was passed by the State Legislature in 1976, and it became effective on January 1, 1977. The act replaced the original Coastal initiative, Proposition 20, passed in 1972. In adopting the Act, the legislature declared that its basic goals were to:

> Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and man-made resources.
>
> Assure orderly balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
>
> Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
>
> Assure priority for coastal dependent development over other development on the coast.
>
> Encourage State and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

The Act established a framework for resolving controversies over the use of land in the coastal zone. Through its policies, it sets up a land use priority system which gives the highest priority to the preservation and protection of environmentally sensitive habitats and prime agricultural and timber that the maximum amount of prime resource land shall be maintained in production.

On shoreline lands which are not sensitive habitats or prime agricultural or timber lands, development which requires a site on or adjacent to the sea, has the next priority. On lands not needed for any of the above, the next priority goes to public recreation and visitor serving facilities.

Private development is permitted after all these priorities have been considered (see Table I-1).

The 1976 Coastal Act transferred the responsibility of preparing a Coastal Plan from the State and Regional Coastal Commissions to each of the 15 counties and 53 cities along the coast. Each jurisdiction is responsible for developing a Coastal Plan covering a 20 year planning period which brings local government plans and regulations, as well as those of all public agencies into conformance with State Coastal Act policies. Plans are to be reviewed and updated every five years.

## Citizen Participation

Citizen participation has been prominent in Sonoma County's Coastal Plan process. Eighty-five persons have been involved on citizen committees. They have provided valuable assistance, direction and information throughout plan development.

Five Technical Advisory Committees (TACs) with eight to twelve citizens each were appointed by the County Board of Supervisors to assist staff in the preparation and review of Coastal Plan tasks. The five TACs were organized according to tasks in the work program as follows:

| TAC Committee | Work Program Tasks |
|---|---|
| 1. Environment | Water and Marine Resources<br>Environmentally Sensitive Habitat Areas<br>Environmental Hazards |
| 2. Resources | Agriculture<br>Forestry |
| 3. Recreation | Shoreline Access<br>Recreation Facilities<br>Visitor Serving Facilities |
| 4. Harbor | Diking, Dredging and Filling<br>Commercial Fishing and Recreational Boating |
| 5. Development | Housing<br>Public Services<br>Transportation<br>Visual Resources<br>Land Use |

Besides reviewing and commenting on discussion papers and draft reports, the Recreation TAC prepared a map of existing and potential accessways; the Harbor TAC conducted a fishing needs survey and prepared the Harbor Discussion paper; the Development Committee provided housing needs surveys; and the Environment TAC helped map environmentally sensitive resources. Each committee met formally four to six times.

Three Citizen Advisory Committee (CACs): the North Coast, South Coast and Countywide Committees, also reviewed the plan and set up public forums for discussion of coastal land use issues. At several meetings and at four public forums, major aspects of the coastal plan were discussed including: shoreline accessways, transportation, harbor development, housing and Bodega Bay land use. Changes in draft policy recommendations came about as a result of these meetings.

An eleven member Steering Committee, composed of one member from each TAC and two members from each CAC, was also formed to review end products and to resolve any policy conflicts which arose. They have met six times thus far, and will continue to provide input and policy direction through the implementation phase of the Coastal Plan.

In addition to the committee process, quarterly newsletters have been distributed to over 3000 coast residents, property owners and other interested persons. The newsletters report on Coastal Plan products and progress.

**Coastal Plan Program**

The Local Coastal Program is divided into three phases. Phase I was development of the Coastal Plan work program. Phase II is development of the Coastal Plan. Phase III is the implementation phase of the program which involves preparation and addition of any ordinance or administrative processes necessary to implement the plan.

**Process**

The Coastal Plan was prepared with the assistance of citizen and technical committees, public agencies, property owners, developers and the general public. Issue papers were prepared for the work tasks and reviewed by the responsible Technical and Citizen Advisory Committees. When there were questions or conflicts about policy recommendations, they were referred to the Steering Committee for resolution. The Coastal incorporates these policy resolutions, material from issues papers and material not previously published.

The Coastal Plan will be reviewed by the Planning Commission and the Board of Supervisors, and concurrently by the CACs, TACs, and the Steering Committees. Following adoption by the Board of Supervisors, the Coastal Plan and later the Implementation Program must be submitted to the Regional and State Coastal Commissions for certification. The commissions must take the finding that the Coastal Plan is consistent with Coastal Act policies and that the Implementation Program is adequate to achieve the intent of the plan.

After certification of the Coastal Plan and Implementation Program, the review authority for new development within the coastal zone, which is now vested in the Coastal Commission, will be returned to local government. The local government, in issuing coastal development permits after certification, must make the finding that the development is in conformity with the approved Coastal Plan. Any amendments to a Coastal Plan will have to be approved by the State Coastal Commission.

Also after certification of local coastal plans, the Regional Coastal Commissions will be phased out. The State Coastal Commission will, however, continue to exercise permit jurisdiction over development in State Tidelands, and will continue to hear appeals on:

- developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extend of any beach or of the mean high tide line, whichever is the greatest distance;

- development approved by the local government not included in the above, on tidelands, submerged lands, public trust lands within 100 feet of any wetland, estuary, stream or within 500 feet of the top of the seaward face of any coastal bluff;

- any development approved by a coastal county not designated as the principle permitted use under the zoning ordinance;

- any development which constitutes a major public works project or a major energy facility.

## TABLE I-1 PRIORITY OF COASTAL USES

| Priority of Use | Rural, undeveloped areas | | Already developed areas |
|---|---|---|---|
| High | Agriculture (prime coastal dependent), forestry (productive timberland), coastal dependent public recreation. (30213, 30241, 30242, 30243, 30250(a,b)) | Coastal dependent* public recreation. 30213, 30220, 30221) | Coastal dependent industry and commerce, commercial fishing, coastal dependent public recreation and special communities. (30213, 30234 30250(a,b), 30253(5), 30255) |
| | Water dependent* public recreation (30220, 30221, 30223) | | |
| | Coastal or non-water* dependent public recreation (30220, 30221) | | |
| | Visitor-serving* commercial recreation, lower cost (30222, 30213, 30250(c)) | | |
| | Visitor-serving* commercial recreation high cost (30222, 30250(c)) | | |
| | | Moderately-priced housing.** (30213, 30250) | |
| Low | | Private residential,** general industrial or commercial development, high-priced housing. (30213, 30222, 30250, 30255) | |

* Recreational uses of the coast that do not require extensive alteration of the natural environment have priority in intertidal and waterfront areas over recreational uses that would result in substantial alteration of the natural environment. (30233, 30235, 30255)

** Concentration of development policies (30250(a)) limit development in rural areas, except public recreation and visitor-serving uses.

**Description**

The Coastal Plan covers an area which is 55 miles in length and extends inland generally 1000 yards from the mean tide line. In significant coastal estuarine habitat and recreational areas it extends inland to the first major ridgeline paralleling the sea or five miles from the mean high boundary is generally 3000 to 12,000 feet inland from shoreline, except around Duncans Mills, Willow Creek and Valley Ford, where it extends up to five miles inland.

The Sonoma Coast is divided by the Russian River into north and south coast sections. The north coast is characterized by broad coastal terraces, high bluffs, a rocky shoreline with few major beaches, and rugged forested mountains east of Highway 1. Some of the timberland is commercially harvested. Terrace grasslands south of the Sea Ranch are excellent sheep grazing lands. Highway 1 is a beautiful, winding road along this stretch of the Coast. The highcliffs section north of Jenner is particularly spectacular. Prominent coastal communities or urban subdivisions include The Sea Ranch, Stewarts Point, Timber Cove and Jenner. Duncans Mills lies inland along the Russian River. Major State holdings are Kruse Rhododendron State Reserve, Salt Point State Park (including the Kruse Ranch acquisition), Fort Ross State Historic Park (including the Call Ranch and Eckert acquisitions) and the North Jenner Beach acquisition. County holdings include Gualala Point Park and Stillwater Cove.

South of the Russian River, the coast terraces narrow and give way to rolling grass covered hills. Highway 1 provides easy access to numerous state and county beaches and vista points. Most of the land west of Highway 1 is in public ownership and Willow Creek is a major State acquisition east of Highway 1. Scattered, highly visible residential subdivisions include Goat Rock, Sereno del Mar, Carmet and Salmon Creek. Bodega Bay is the major south coast community, and Valley Ford is an older agricultural center inland along the Estero Americano. Sheep and cattle grazing dominate coastal agriculture on the south coast, except for dairies around Valley Ford. Commercial timberland is limited to the Willow Creek drainage just south of the Russian River.

**Mapping System**

A system of ten subarea base maps at a scale of one inch equals 1000 feet (1:12,000) was used to map detailed land use, environmental, shoreline access, and recreation information. From north to south the subareas are: (1) Sea Ranch North, (2) Sea Ranch South, (3) Stewarts Point and Horseshoe Cove, (4) Salt Point, (5) Timber Cove, (6) The Highcliffs and Jenner, (7) Duncans Mills, (8) Willow Creek and Pacific View, (9) Bodega Bay, and (10) Valley Ford (see Figure I-1). Presentation maps of the Open Space, Recreation, and Land Use Plans are at a scale of 1 inch equals 2000 feet (1:24,000) or 1 inch equals 3000 feet (1:36,000).

**Coastal Plan Summary and Organization**

The Coastal Plan is organized into an organization and six chapters which closely relate to the original work tasks: Historic Resources, Environment, Resources, Recreation, Harbor and Development.

All of the chapters and sections within chapters must be considered together and not as separate, distinct units. The Land Use section, for example, was developed using information from all of the work tasks. However, it does not summarize all recommendations from other chapters. The Land Use, Open Space and Recreation and Access maps each constituted an official portion of the land use designation for any site.

The chapters, and chapter sections are introduced by applicable Coastal Act policies, followed by an issues discussion and policy recommendations relating to the issues. The recommendations are specific statements of policy intended to implement State Coastal Act policies. The policy recommendations speak strongly to preservation of coastal resources. They also address development of appropriate recreation and access facilities, and limited new urban development, except at Bodega Bay and The Sea Ranch were moderate expansion is proposed.

**Historic Resources**

The historic resources section provides and overall background to present coastal development. The origins and growth of coastal communities are presented. Four coastal communities are proposed for Historic District Zoning to help preserve their historic character: Stewarts Point, Plantation, Fort Ross and Duncans Mills. An inventory of historic sites was also prepared for possible designations as individual historic landmarks.

**Environmental Resources and Hazards**

Coastal Act policies encourage the productive maintenance and protection of marine resources and environmentally sensitive habitat areas. They also require that new development be located and designed to minimize risks to life and property from geologic hazards and flooding; and to avoid substantial alteration of natural land forms.

The Environment Chapter identifies rare and endangered plant locations, bird and animal habitats, wetlands, riparian corridors and other areas which are very sensitive to disturbance are mapped as Sanctuary Preservation or Conservation areas. In Sanctuary Preservation areas, essentially no development other than nature trails is allowed. In Conservation Areas no development is allowed unless an environmental study determines that the project can be accomplished with no adverse effects. Other management recommendations are proposed for each specific resource or habitat area.

The hazards section identifies flood plains, earthquake fault zones, unstable slopes subject to landslides and erosion, lands subject to tsunamis and high wildfire hazard areas. Recommendations to avoid or reduce such hazards to development are provided. Generally, this chapter delineates areas poorly suited for development.

**Resources**

The Resources Chapter concentrates on timber and agricultural resources. Coastal Act policies strongly encourage protection of the coast's productive resource base, emphasizing the maintenance of adequate commercial parcel sizes for timber and agricultural lands. In the Sonoma coastal zone, agricultural lands are primarily used for sheep and cattle grazing or dairies. The Resources Chapter contains maps of soils with high or moderate potential for grazing, cropland or timber production, and recommends low density zoning and other mechanisms to preserve their resource capabilities. Land divisions would be permitted only for agricultural or timber related development. Compatible uses in agricultural or timber areas are defined.

**Recreation**

Coastal Act policies state the public has a right to maximum access to the shoreline. The policies also give priority to recreation and visitor serving uses over all other uses except coastal dependent industry

and agriculture, and promote enhancement of public and private recreation opportunities. Development of recreation facilities and accessways are subject to other Coastal Act policies regarding protection of coastal resources.

Existing accessways and recreation and visitor serving uses were inventoried while other surveys identified needs along the coast for new recreation and support facilities. These surveys and Coastal Act policies formed the basis for the specific development recommendations in the chapter.

The Recreation Chapter contains three subsections: shoreline accessways, visitor serving and commercial facilities, and other recreational facilities. The access plan locates existing and potential shoreline accessways and proposes specific development standards and recommendations for new accessways. Visitor serving and commercial facilities identifies needs for and locations of restaurants, overnight accommodations and similar uses. Bodega Bay is the main location for new visitor serving and other commercial facilities, although several other locations are identified for expansion and limited new development if water and septic requirements can be met. The recreation subsection focuses on expansion and development of new campgrounds and other specific facilities at State and County parks and private day use areas.

**Figure I-1**

**Harbor**

The Harbor Chapter discusses Bodega Bay Harbor's docks, berths, and related facilities, recreational boating, and harbor dredging and filling. Coastal Act policies give priority to coastal dependent industry over other development on the coast. Facilities serving the commercial fishing and recreational boating industries are to be protected and upgraded. Bodega Harbor is the home of a major commercial fishing fleet with more than 250 commercial vessels. Existing dock and berthing facilities are limited. The Fisherman's Association has long identified a need for additional berthing space which was confirmed by a 1976 Small Craft Harbor Feasibility Study. Spud Point Marina is proposed by the Sonoma County Regional Parks Department to satisfy that need. In addition, owners of existing docks have expressed interest in expanding their berthing facilities. An expansion of 200-300 berths appears supportable in the short term. Harbor recommendations also encourage development of specific facilities such as gear loading areas.

The commercial fishing industry in Bodega Bay exists by virtue of a deep water channel dredged by the US Army Corp of Engineers in 1943. Continued uses and expanded facilities are dependent on future dredging: maintenance dredging and a large one time dredging for Spud Point Marina. To accomplish the dredging, disposal sites must be available. Several dredge spoils sites were evaluated in the Bodega Bay Area. Maintenance dredge spoils can continue to go on two disposal sites which have been used in the past. A new site is proposed to receive spoils from the Spud Point project. Ocean disposal is also a possibility.

**Development**

The Development Chapter has several subsections: housing, public services, transportation, visual resources, and land use. Coastal Act policies relating specifically to development state that location of new development shall be within or near existing developed areas able to accommodate it, or where such areas are not able to accommodate it, in areas with adequate public services and where it will not have

significant adverse effects on coastal resources. Public Works projects are to expand only to accommodate development consistent with the Coastal Act, provided that Highway 1 shall remain a scenic two lane road. Lower cost housing opportunities are to be protected. Scenic coastal views are also among the coast resources designated for protection under Coastal Act policies.

The Housing section identifies the need for low and moderate cost housing and proposes zoning and other strategies to provide such housing. A program ~~Housing Opportunity designation~~, where a developer receives density bonuses for providing less than market rate units, is one of the major strategies. Bodega Bay and The Sea Ranch are the primary housing need areas.

The Public Service section evaluates water, waste disposal, emergency and education services. Generally, the coast is water scarce area, and land conditions are poor for septic systems. This lack of basic services limits development potential in most areas. The Sea Ranch and Bodega Bay become the main growth areas. Because the coast has a small population spread over large distances, emergency and education services are limited. It is not expected this situation will change substantially in the future.

The Transportation section recommends improvements to Highway 1 to increase its capacity. The major proposed improvement is a highway bypass around Bodega Bay, where peak weekend congestion is presently severe. Along the rest of the coast, intersection improvements, including turn lanes and signing, and improved parking management, are the primary means recommended to increase highway capacity. No major improvements to any east-west access road are recommended as feasible. Bicycle lanes and transit are promoted.

The Visual Resources section identifies visual characteristics of communities and natural land forms along the coast. Site and design guidelines are suggested to protect coastal views and to minimize other visual impacts of development.

The Land Use section identifies rural community and urban service ~~urban~~ boundaries for existing communities and urban subdivisions. ~~These boundaries are mapped at a scale of 1:24,000 for the entire coast. Generally,~~ Lands outside the urban service boundaries are not considered appropriate for urban development. Land inside urban service boundaries is appropriate for urban development consistent with Coastal Act policies. Land inside rural community boundaries is appropriate for development requiring public water but not public sewer, consistent with Coastal Plan policies. The Sea Ranch and Bodega Bay are the primary growth centers and receive more detailed discussion.

Several development issues at The Sea Ranch (water supply, septic monitoring, highway capacity, visual impacts, and public access) have been the subject of negotiations between the Coastal Commission, The Sea Ranch Association, and Oceanic California, Inc., the developer. In 1979, Overall Conditions to development were adopted by the Coastal Commission regarding these issues. The Coastal Commission specified that no new development could occur until the Overall Conditions were met. During the 1979-80 legislative session, the State Legislature passed the Bane Bill which preempted the authority of the Coastal Commission and the Sonoma County Coastal Plan with regard to existing lots at The Sea Ranch. The Bane Bill exempted single family residences on existing lots at The Sea Ranch from Coastal Act provisions if certain conditions were met dealing with public access, scenic view easements, height, site and bulk guidelines, transportation, water supply and septic monitoring. The Bane Bill went into effect in 1981 and specified that the County would enforce Height, Site and Bulk Criteria adopted by the Coastal Commission.

The question of ultimate buildout at The Sea Ranch was an issue left up to the Coastal Plan to resolve. The Overall Conditions and the Bane Bill recognize 2029 existing residential units. The Coastal Plan proposes to allow up to 300 additional residential units in designated areas, and 100 additional Lodge units in exchange for 15 percent affordable housing units for service workers, improvement of three

Highway 1 intersections, provision of a site to accommodate up to 100 transfer units, and improvement of two proposed accessways.

**Bodega Bay**

Two phased land use plans, for moderate and expanded development, were prepared for Bodega Bay. The two plans relate the amount of development with the construction of the proposed bypass around Bodega Bay. Development of Bodega Bay is presently constrained by lack of adequate highway capacity and water supplies, and by sensitive and hazardous lands. Without construction of the highway bypass, and full development of a proposed new well, only moderate additional development at Bodega Bay is possible. Sensitive and hazardous lands limit the location of new development.

Each of the plan designates land for three types of commercial development: fishing related, tourist and village commercial. Major new residential areas have housing opportunity designations to promote construction of lower cost units for fishermen and service workers.

# II. HISTORICAL RESOURCES

## Introduction

It is a goal of the Coastal Plan to protect Sonoma County's historic resources as a reminder of past eras. The coastal area has a rich and varied history. Many of the activities of the 1700's and 1800's remain important today: fishing, farming and timber harvesting. Lessons of the past are echoed in several sections of the Coastal Plan. Biological resources are fragile and must be protected or they may be destroyed, as the Russians destroyed the sea otter population in the 1800's. Timber must be managed on a sustained yield basis or the timber industry will be eliminated, just as many lumber boom towns vanished in the past. Transportation planning can have a profound effect on land use patterns, as the location of the railroad did in the 1870's.

This chapter contains a brief history of Sonoma County's coastal area, a description of the County's existing zoning ordinance provisions designed to protect historic resources, an inventory of coastal historic resources, and recommendations to accomplish historic resource protection.

## History

The history of Sonoma County's coastal area is one of Native Americans, Spanish explorers, Russian settlers, Mexican land grants, and Americans, who established Statehood after the Bear Flag Revolt.

The natural communities along the coast are divided by the Russian River into two main regions. North, the land is forested and mountainous, the coastline wild and rock-bound without good harbors. South of the Russian River, wilder beaches begin to appear and Bodega Bay, a major harbor, reaches toward Tomales Bay. The coastal prairies give easy access to Bodega Bay.

The Native Americans followed the two environmental divisions. The Pomo Indians loved on the Russian River and northern coast. The Coast Miwok lived south of the River at Bodega Bay; their region included Southern Sonoma County and Marin County. The Miwok controlled a valuable trade route which reached to the Sacramento Valley. The coastal Indians utilized the salmon filled creeks, abundant sea food, and over 100 varieties of birds. Sea products like clam shell beads were the monetary systems for many tribes.

On October 3, 1775, Lieutenant Don Juan Francisco de la Bodega y Quadra sailed his ship, the Sonora, to sheltered Anchorage. The log of this voyage, which named the bay for the young Lieutenant "Bodega Bay," was to reach not only the world courts of Madrid, London and Paris, but also the cold palaces of St. Petersburg.

The Russians, in 1809, came south from Alaska, seeking furs and a food source. The colonizing group of Russians and Aleutian fur hunters built warehouses on Bodega Head and a village at the upper reaches of Salmon Creek. They located the village near what is now the town of Bodega. They also built a defensible, strong fort twenty miles to the north and called it Fort Ross. The Russian American Fur Company prospered for thirty years by harvesting the sea for seal and otter furs. After the destruction of the sea otter, the Russians began to fail financially and sold to Captain John Sutter in 1841.

The intrusions of the Russians forced the Spanish and Mexican governments to occupy the North Bay. General Vallejo, in particular, blocked Russian expansion toward warmer valleys by granting land grants to those who would settle near the Russians. When the Russians left in 1841, the Mexican government quickly monopolized the coastal access by giving land grants from Estero de San Antonio to the Gualala River.

In 1841, a Yankee ship captain named Stephen Smith was in Monterey. The Mexicans, eyeing the encroaching westward seeking American trapper Sutter, were anxious to resettle the area vacated by the Russians, and suggested that Smith become a Mexican citizen and carve out such land as he chose.

By 1844, Captain Smith was granted Bodega Bay and a huge rancho. The New England sea captain became a Mexican citizen, and moved to Bodega, where he began a saw mill.

**The Early American Communities**

The Gold Rush brought population and statehood to California. New settlers sought free land that did not require irrigation. Squatters broke up the great ranchos, as in the Bodega Squatters War of 1859. The route of the North Pacific Coast Railroad, completed in 1877, and the location of lumber activity and mills, shaped the course of development in western Sonoma County. The first center of population was the southern coast near present day Marin County. By 1851, Valley Ford, on the coastal trail, became a community. In the 1870's it was to have a railroad, two lodges and two churches.

The Captain Smith Ranch was renamed Bodega Corners by 1853. There the coastal roads met and the town became the center of several coastal valleys. In the 1870's it was the largest town. The New England appearing town had three stores, one hotel and three lodges. St. Theresa's church, built by Yankee shipbuilders, served many local Irish. The Potter School, once the "finest in the county" had dances, social gatherings and a Dramatic Society formed in 1874. The township flourished with agriculture, lumber, and particularly with potatoes. The narrow gauge railroad came about in 1876. It bypassed the town and Bodega began to decline. The mills left following the lumber. The soil was already exhausted.

Bodega Bay had several periods of interest and decline. Long popular with explorers like Vancouver, American whalers, smugglers and fishermen, it was developed as a port by Captain Smith. Silting of the harbor destroyed commercial expansion. As the railway bypassed the bay, tourism rescued the harbor from oblivion.

Salmon Creek by 1900 was the model for communities that lived only for vacationing tourists. The State Park system began to expand north to the Russian River as more people visited the beaches.

The scenic Russian River had several settlements near the ocean. First was a Russian farm near Bridgehaven. The lumber rush brought mills; the Duncan brothers moved mills frequently. In 1877 the railroad had reached the Russian River and a decision needed to be made about the location of the terminus. The site of the town of Duncans Mills was the result of a conference between the officers of the North Pacific Coast Railroad and Mr. A. Duncan. In the spring if 1877, Mr. Duncan moved his mill to its present location, and the railroad constructed a bridge across the Russian River, just below the mill, and erected the necessary station buildings.

North of the Russian River once stood a first growth redwood forest. The moving lumber boom supported several coastal mills that required hazardous loading roadsteads called "dog-holes." When the mills moved on, the towns died. The turbulent, hard-drinking lumberjacks were forced out.

In 1873, Fort Ross was purchased by George W. Call, whose family maintained the property for generations. Call's ranch exported lumber, dairy products, hides, beef, and abalone on his schooner. A hotel was opened in the old Russian fort in 1878. By 1906 the fort was sold for a State Park.

Timber Cove was named in the 1850's as a lumber shipping point. Salt Point as early as 1853 had a saw mill. Stewart's Point was founded in 1857 and remains a village that has maintained original buildings and families. Stewart's Point had seven schooners shipwrecked nearby. In the early 1920's the Richardson

family still obtained most of its groceries, hardware and equipment by boat. The last boat to load at Stewart's point was the steamer Vanguard in 1929.

In the 1870's the Kashia Indians survived in three villages. By 1914 a reservation was granted for a permanent residence. North on a coastal plain before the Gualala River, livestock ranchers held large properties which were later purchased for The Sea Ranch.

**Economic Development**

The Americans successfully developed, in the 1800's, various economic activities that still form the basis for communities today.

Lumber and lumber products started commercially when Captain Smith brought the first stream saw mill in the 1840's. The mills followed a rapidly dwindling virgin forest. In order to get the timber products from the mills to market, both railroads and sail and steam schooners were used. There were landings at Del Mar and Black Point in The Sea Ranch, Stewart's Point, Fisk Mill, Salt Point, Walsh's Landing (now Ocean Cove), Stillwater south of the existing Stillwater Cove, Timber Cove, Fort Ross, Russian Gulch, Rules Landing, and Duncans Landing. The great redwoods were almost logged by the 1880's. At Stewart's Point there were three or four chutes at different times, but by 1885 there was only one chute in operation. All remaining landings ceased operation in the 1920's. Forest products and second growth mills continued until 1930. In the 1930's the railroads, created for timber, abandoned the coastal regions.

Agriculture in various forms was the major economic interest replacing lumber. In the southern county the first boom was the potato boom which peaked in 1854. Wheat and stock were also thriving. Overgrazing and soil erosion forced the farmers to dairy products.

Dairying, thanks to the Swiss in the 1870's and later Italians, transformed the area. The railroads, and later better roads, could bring butter, cheese and fish to San Francisco. The boom caused by the railroad brought dairy herds all over the coast.

Sportsmen first, and later tourists, took advantage of the area opened by the railroads. A triangular route from San Francisco meant a trip could be made in one day to the Russian River from San Francisco. By 1894, Inverness, the model ocean community in Marin County, brought attention to the coast. By 1900, wealthy Santa Rosans bought summer homes at Bodega Bay. With roads like Highway 1 built in the 1920's, the tourist industry flourished. In the 1930's, the Russian River area was popular, offering name bands and summer camps. More people began to build vacation cabins on the coast. The people from the Sacramento Valley discovered the bay and cool coast and they began to plan annual visits. Fishing was a year round business, and the local tourists would visit for a day. Bodega Bay was dredged in 1943, opening the bay at last for pleasure boats and commercial fishing. The fishing industry grew rapidly, and Bodega Bay became a fishing village. The tourist industry boomed after World War II and is today a major activity the full length of Sonoma County's coastline.

**Historic Preservation Ordinance**

A special Historic District (HD) Combining Zone was established on August 21, 1975. The purpose of the Historic District Zone is to protect those structures, sites and areas that are reminders of past eras, events and persons important in local, state, or national history, or which provide significant examples of architectural styles of the past, or which are unique and irreplaceable assets to the County and its communities.

The Sonoma County Landmarks Commission, consisting of one representative from each of the five supervisorial districts, was created to implement the ordinance. The Commission has been given the

responsibility of reviewing all projects involving exterior remodeling of buildings designated as landmarks, buildings listed in the Historic Preservation Program of the Sonoma County General Plan, all structures within a Historic District, and other structures as requested by the Board of Supervisors, the Planning Commission or the Planning Department staff.

Two types of Historic Districts have been created. One designation is for an individual structure or an integrated group of structures on a single lot or lots having a special historical, architectural or aesthetic interest or value. Individual Historic Districts designated are called county landmarks. Sonoma County has more than 60 designated landmarks. An area wide historic district can be designated for an area having special historical, architectural or aesthetic interest or value. Sonoma County has two overall Historic Districts. Individual sites and districts are rezoned to add Historic District combining zoning only after recommended by the Landmarks Commission and approved by the Planning Commission and Board of Supervisors.

The ordinance states that no zoning permit authorizing alterations (including demolition) in the exterior of a structure within the boundaries of a Historic District and no zoning permits authorizing construction of a new building within the boundaries of a Historic District shall be granted unless approval has been granted by the County Landmarks Commission. In all cases where the request for a zoning permit involves demolition alone, however, the Landmarks Commission shall take action on such request within six months of the date of application for the permit. It is not intended by this ordinance to grant the Landmarks Commission jurisdiction over zoning or use permit matters other than in the area of architectural and site plan review.

**Historic Resource Inventory**

A comprehensive inventory of historic resources has been conducted. The purpose of the inventory is to identify resources so that they can be protected. Historic sites worthy of landmark status will be rezoned to add the HD combining zone. Other individual sites will be referred to the County Landmarks Commission for their recommendations on zoning permits requested. Historic areas will be established officially as historic districts. In this manner, all coastal historic resources will be afforded adequate protection.

The inventory revealed that a large number of historic sites remain on the coast (See Appendix A). Of the 89 individual sites identified, 38 are likely to be worthy of landmark status.

Four potential historic districts were identified as follows:

> **Stewarts Point.** This community contains a collection of very good, simple, early Greek Revival styles. The buildings include the store, hotel, one-room school, and a series of barns and outbuildings which together illustrate a very strong sense of a nineteenth century coastal town.
>
> **Plantation.** This community was once a vacation spot built around a sag pond, a topographic feature related to fault zones. The remaining features are the Druid's Hall, the barn, and some small cottages.
>
> **Fort Ross.** The Fort has been well documented by other sources and is already protected and owned by the State of California as a State Historic Park.
>
> **Duncans Mills.** This community is primarily a lumbering community which was connected with shipping points in the San Francisco Bay by means of a narrow-gauge railroad system which serviced communities such as Occidental, Freestone, Valley Ford, Tomales, and Point Reyes Station. All of the buildings in the Duncans Mills area represent the early origins of the town, and

the new buildings which have been built have picked up that character to maintain a strong sense of place.

**Recommendations**

1. Establish boundaries and rezone as Historic Districts the areas of Stewarts Point, Plantation, Fort Ross and Duncans Mills during the Implementation Stage.

2. In addition to those individual sites incorporated into the four historic districts named in Recommendation 1, determine which of the historic resource sites identified in Appendix A are eligible for county landmark status and rezone to HD the worthy sites during the Implementation Stage.

3. Refer all coastal permits within the Stewarts Point, Plantation, Fort Ross, and Duncans Mills areas to the Sonoma County Landmarks Commission for their comments and recommendations.

4. Refer all coastal permits on historic resource sites listed in the historic resources inventory to the Sonoma County Landmarks Commission for their comments and recommendations.

# III. ENVIRONMENT

## ENVIRONMENTAL RESOURCES

### Introduction

Sonoma County's coastal area is rich in natural resources. The use of the shoreline of Sonoma County by shorebirds, seabirds, and waterfowl, as well as numerous terrestrial and marine mammals, reptiles, and amphibians has been documented over the last two decades. Varied plant species, including rare and endangered plants, have been identified. This section provides an inventory of biological resources, particularly those which are sensitive to disruption, and methods to protect these resources. A 1975 report for the State Coastal Commission, **Natural Resources of the North Central Coast Region**, forms the foundation upon which this present update of the biological resources of Sonoma County is based.

### California Coastal Act Policies

Coastal Act policies encourage the protection of, and continued biological productivity of marine resources and environmentally sensitive habitat areas:

> 30230. Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.
>
> 30231. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entertainment, controlling runoff, preventing depletion of ground water supplies and encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.
>
> 30233. (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible, mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:
>
> (1) New or expanded port, energy, and coastal dependent industrial facilities, including commercial fishing facilities.
>
> (2) Maintaining, existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
>
> (3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities of, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland; provided, however, that in no event shall the size of the wetland area used for such boating facility, including berthing space, turning basins, necessary navigation channels,

and any necessary support service facilities, be greater than 25 percent of the total wetland area to be restored.

(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities.

(5) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(7) Restoration purposes.

(8) Nature study, aquaculture, or similar resource-dependent activities.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.

(c) In addition to other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California" shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of South San Diego Bay, if otherwise in accordance with this division.

30236. Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects; (2) flood control projects where no other method for protecting exiting structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or; (3) developments where the primary function is the improvement of fish and wildlife habitat.

30240. (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

**Definitions of Habitat Categories**

Wetlands

Areas where the water table is at, near, or above the land surface long enough to bring about the formation of hydric soils or to support the growth of plants which normally are found to grow in water or wet ground. Wetlands are here defined to include marshes, ponds, seeps, and reservoirs, but not the Bodega Harbor tide flats. The upland limit of a wetland is designated as 1) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover; 2) the boundary between soil that is predominantly hydric and soil that is predominantly non-hydric. Typical wetland vegetation: pickleweed, cordgrass, Jaumea, salt grass, rushes, bulrushes, sedges, cattails, tule, marsh rosemary, marsh grindelia.

Bodega Harbor Tideflats

A marshy, sandy or muddy nearly horizontal coastal flatland which is alternately covered and exposed as the tide rises and falls. Vegetation is limited to algae and some other wetland vegetation.

Riparian

Tree and shrub vegetation of freshwater courses. A line or belt of vegetation following the course of a river or stream on the immediate banks and appearing visually and structurally separate from the surrounding landscape. Boundaries are delineated by the outer edge of riparian vegetation. Riparian vegetation consists of that vegetation in or adjacent to permanent or intermittent freshwater streams and other freshwater bodies where at least 50 percent of the cover is made up of species such as alders, willows, cottonwoods, box elders, ferns, and blackberries.

Dunes and Coastal Strand

Coastal dunes are sandy beach materials formed into dunes by the wind. Most of the ground is bare sand, either actively moving or stabilized by a vegetative cover: low growing annual or perennial herbs with low water requirements and a high salt tolerance. (Coastal Strand is the plant community found on sandy beaches and dunes scattered along the entire coast).

Coastal Bluffs

Area between the cliff edge and the highest hide tide line. Bluffs or cliffs are scarps or steep faces of rock, decomposed rock, sediment or soil resulting from erosion, faulting, folding or excavation. When the top edge of the cliff is rounded away from the face of the cliff, the edge shall be defined as that point nearest the cliff beyond which the downward gradient of the land surface increase more or less continuously until it reaches the general gradient of the cliff.

Rocky Intertidal

Coastal rocky shore between the highest high tide line and the low tide line.

Coastal Prairie and Grassland

Discontinuous grassland usually within 100 km of the coast; usually on southerly facing slopes or terraces. Today is a mixture of heavily grazed, introduced annual grasses and some native perennial grasses. Generally sandy to clay loam surface soils. This mapping category does not indicate pristine coastal prairie.

Coastal Woodland

Category grouping the redwood, mixed evergreen, closed cone pine, and oak woodland forests.

Pygmy Forest

Forest community dominated by dwarfed endemic species which are limited by poor drainage, acid humus layer, climate and rainfall, terrace age, and mineral content of subsurface soils.

**Environmental Resource Designations and Mapping**

The environmental resources of the Sonoma Coast were identified, reviewed and mapped by a biological consulting firm, the Environmental Technical Advisory Committee and staff. Based on this assessment a hierarchy of environmental sensitivity was established. Especially sensitive areas are designated Sanctuary-Preservation; the more important environmental resource areas are designated Conservation; the remaining environmental resources are designated Potentially Sensitive.

Sanctuary-Preservation areas are the most environmentally sensitive areas along the coast. They correspond to "Environmentally Sensitive Habitat Areas" as defined in the 1976 Coastal Act Sections 30107.5 and 30240. No development other than nature trails and resource dependent uses shall be allowed within such areas. There shall be no significant disruption of habitat values. Pesticide and herbicide applications would not be allowed within or affecting such areas unless it is necessary to maintain or enhance the functional capacity of the Sanctuary Preservation area.

Conservation areas also encompass sensitive resource areas. No development will be allowed in Conservation areas unless an environmental study determines that no adverse effects would occur. Pesticide and herbicide applications would not be allowed within or affecting Conservation areas unless it is necessary to maintain or enhance the functional capacity of the Conservation area.

Potentially sensitive areas include minor or disturbed drainages, coastal bluffs, beaches, windbreaks, known or suspected archaeological sites, and sensitive soils.

Of the mapped environmental resources, the potentially sensitive are the least sensitive or are of undetermined sensitivity. Development shall be allowed only if no adverse effects would occur. Environmental studies may be required.

Policies and recommendations governing specific resource categories provide guidance for protection of the mapped area in each of the three designations as well as adjacent lands, and unmapped areas.

~~Figures III-1~~

Environmental resources are represented on three sets of maps. First, Sonoma County Coastal environmental resource categories are mapped on the ten Coastal Plan subarea base maps at a scale of 1 inch = 1000 feet. These maps are located in the Sonoma County Permit and Resource Management Department and are intended primarily for use by coastal planners in implementing the biological and ecological resource management recommendations contained in this chapter. (The Environmental Resource Summaries list the resource categories shown on each subarea map.)

Second, known or suspected archaeological sites are identified on ten Archaeological Maps at a scale of 1 inch = 1000 feet for use by coastal planners.

Third, Resource areas requiring special consideration and protection received Sanctuary-Preservation, Conservation, or Potentially Sensitive area designations. These areas are mapped at a scale of 1 inch = 6000 feet and are included in the Coastal Plan (Open Space Maps).

Present environmental resource mapping portrays the extent of known resources. The final implementation Plan will contain a procedure by which refinements or corrections to these maps can be made.

**TABLE III-1**

**ENVIRONMENTAL RESOURCE CATEGORIES**

| | | |
|---|---|---|
| San Beaches/Sand Spits including Smelt Spawning Areas | Rocky Intertidal Shoreline Including Seabird Rookeries | Osprey Nest Sites |
| Dunes/Coastal Strand | Coastal Bluffs | Heron Rookeries |
| Riparian Corridor | Grassland/Coastal Prairie | Spotted Owl Territory |
| Freshwater/Brackish Marsh | Coastal Woodland | Anadromous Fish Streams |
| Ponds, Reservoirs, Seeps | Pygmy Forest | Marine Mammal Haul-out Grounds |
| Bodega Harbor Tideflats | Rare and/or Endangered Plants (California Native Plant Society list) | Kelp Beds |
| | | Open Water |

**ENVIRONMENTAL RESOURCE SUMMARIES**

1. **Sea Ranch North**

The northern section of The Sea Ranch contains the State Del Mar Ecological Reserve. The Gualala River supports a sizeable (4,000-5,000 fish) steel head run which is harvested by sportsmen. The mouth of the river includes freshwater and brackish water marshes. The habitat of the river wetlands include nursery areas for smelt, surf perch, flatfish, spider and market crab. Sand bars are used as shorebird nesting areas and osprey foraging areas. Gualala Point Island is a major seabird rookery.

Sanctuary Preservation Areas:

Gualala River
The sandy beach, freshwater marsh and riparian areas at the mouth of the Gualala River
Del Mar Landing Ecological Reserve
Rocky intertidal area
Seabird rookery on the southern boundary
Ponds, reservoirs, seeps
Two rare and/or endangered plant sites
Riparian areas on the south side of the Gualala River

Conservation Areas:

Coastal bluffs on the south side of the Gualala River

2. **Sea Ranch South**

Natural biological resources of the southern half of The Sea Ranch area have been disrupted by subdivision homes, roads and accessory facilities. The most pronounced natural environment is coastal

woodland covering approximately two thirds of the uplands east of the 200 foot contour line. Windbreaks found throughout the area are major landscape features.

Sanctuary Preservation Areas:

Three seabird rookeries
Ponds, reservoirs, seeps
Several rare and/or endangered plant sites
Rocky intertidal area

3. **Stewarts Point-Horseshoe Cove**

The natural resources from The Sea Ranch to Fisk Mill Cove are relatively unstudied. This area is primarily coastal woodland and grassland. The marine terrace varies in width, is well defined, and separates Highway 1 from the coastal bluffs.

Sanctuary Preservation Areas:

Seabird rookery at Stewarts Point
Several rare and/or endangered plant sites
Osprey nest site
Rocky intertidal area

4. **Salt Point**

Over 90 percent of the Salt Point area is within Salt Point State Park and Kruse Rhododendron State Reserve. The shoreline varies from sheer cliffs to coastal bluffs and sandy beaches. The broad marine terrace from Stump Beach south to Salt Point is visible from distances south on Highway 1. The surface of the marine terrace is occasionally interrupted by ancient sea stacks. Several streams intersect the area; the largest is Miller Creek. The upper watershed of Miller Creek is the site of a pygmy forest.

Plant communities in this area include coastal bluff, riparian, and forest. Forest communities are dominant and composed of redwood, mixed evergreen, Douglas fir, and closed cone pine.

Gerstle Cove is designated an Ecological Reserve as part of the State Marine Life Refuge System.

Sanctuary Preservation Areas:

Marine mammal haul out ground at the mouth of Phillips Gulch
Freshwater marsh surrounding Lake Oliver
Rocky intertidal area
Pygmy Forest
Gerstle Cove Ecological Reserve
Rare and/or endangered plant sites
Osprey nest sites
Riparian corridors of Chines Gulch, Phillips Gulch and Miller Creek

Conservation Areas:

Kruse Rhododendron State Reserve
Area of concentration of rare or endangered plants in Salt Point State Park

5. **Timber Cove - Fort Ross**

The rocky coastline of the area from Mill Gulch to Stockhoff Creek is intersected by three other large drainages: Fort Ross Creek, Kolmer Gulch, and Timber Cove.

Fort Ross State Historical Park, including the anadromous fish stream of Fort Ross Creek, is an area of public access.

Kelp beds stretch from Russian Gulch to north of Kolmer Gulch. The Kolmer Gulch watershed is an important area of identified seabird roosting sites. At the northern end of this area the mouth of Stockhoff Creek forms Stillwater Cove, a County park heavily used by divers.

Grassland and coastal woodland are the major plant communities, and each stream in the area has a well-defined riparian community.

Sanctuary-Preservation Areas:

Fort Ross Creek
Osprey nest sites
Rare and/or endangered plant sites, ponds, reservoirs, seeps
Seabird rookery
Riparian corridors of Stockhoff Creek, Kolmer Gulch, Fort Ross Creek, Mill Gulch and Timber Cove Creek
Rocky intertidal area
Jewel Gulch

Conservation Areas:

Stillwater Cove County Park
Upper immediate watershed of Kolmer Gulch (includes three known osprey nest sites)

6. **Muniz-Jenner Highcliffs**

Steep cliffs dominate the area from Timber Gulch to Russian Gulch. Bluffs and grass land are the major communities from Russian Gulch south to the Highway 1 bridge.

Russian Gulch is an anadromous fishery spawning stream and its shore is a surf-casting area for day and night smelt. Osprey nests have been reported in the Russian Gulch watershed.

At the intersection of Highway 116 and Highway 1, there is a flat area used for hay production. Jenner Pond, near this intersection, is one of the most visible freshwater wetlands in the coastal zone. In spite of its immediacy to Highway 1, this pond is used extensively by shorebirds, ducks, coots and rails.

Sanctuary-Preservation Areas:

Russian Gulch stream
Offshore rocks (seabird nesting sites) south of Russian Gulch
Jenner Pond
Riparian corridors of Timber Gulch, Russian Gulch, Jenner Gulch, and the Russian River north edge
Rocky intertidal area

Conservation Areas:

Agricultural surrounding Jenner Pond
Little Black Mountain

7. **Duncans Mills**

The Duncans Mills unit extends to the inland limit of tidal influence in the Russian River, or roughly to Saint Joseph Camp.

South of the Russian River the steep slopes are covered by dense coastal woodlands, while the land to the north is predominantly grassland community. A well-developed riparian community parallels the river on either side.

Duncans Mills Marsh, privately owned by the adjacent property owners, is a unique freshwater marsh containing a wood duck nesting area and several plants uncommon in California.

Sanctuary-Preservation Areas:

Duncans Mills freshwater marsh and adjacent riparian area
Osprey nest site
Riparian corridor on north and south sides of the Russian River
Redwood Tree on Freezout Road

Conservation Areas:

Part of coastal woodland south of Rancho del Paradiso subdivision

8. **Pacific View-Willow Creek-Russian River South Side**

The Pacific View-Willow Creek unit is dominated in its southern half of coastal grassland and in the northern half by coastal woodland. Coastal beaches are sandy cusps at the north and south extremes with rocky intertidal between. The coastline is part of the Sonoma Coast State Beach and includes Goat Rock State Park and Shell, Wright, Gleason, and Portuguese Beaches.

Riparian vegetation stretches along both sides of the Russian River and is also dominant plant growth along Willow Creek, Kolmer Gulch and Scotty Creek.

The Willow Creek Ranch, south of the river, contains the largest freshwater marsh in the Sonoma coastal zone from the junction of Willow Creek with the Russian River to the east and southeast about one mile.

The secluded upland coastal woodlands (redwood and Douglas fir) and adjacent grasslands are territory for the spotted owl and contain a number of documented nesting sites for the osprey which feed particularly along the Willow Creek wetland area.

Large offshore rocks, Arch Rock and Gull Rock, are nesting areas for several seabirds, and have provided nesting for peregrine falcons.

The coastline off of Portuguese Beach, between Duncans Point and Furlong Gulch, and at the mouth of the Russian River are three areas of surf smelt or day smelt and night smelt.

A heron rookery is located on Penny Island in the cypress trees on the northeastern side of the island. Successful nesting at this site has been observed during the most recent three years. The island is presently part of the State Park, but does not have any particular sanctuary status. Log shags in the Russian River from Penny Island to Willow Creek provide habitats for seals, sea lions, and water birds and should be preserved.

Sanctuary-Preservation Areas:

Penny Island
Willow Creek freshwater marsh
Coastal bluff at Duncan Point
Rare and/or endangered plant site
Osprey nest sites
Heron rookeries in Willow Creek Park
Freshwater marsh, sand spit, and riparian corridor on south side of the Russian River
Riparian corridor of Willow Creek upstream to its second land-crossing by Willow Creek Road
Riparian corridor of Scotty Creek and Kolmer Gulch
Rocky intertidal area

Conservation Areas:

Coastal woodland and grassland between the south side of Freezeout Creek and the north side of Willow Creek

9. **Bodega Bay**

Bodega Harbor is an area of high natural resource value, combined with intensive activities of commercial and sport fishing, passive recreation, and educational institutions. The natural resources of the are include a salt marsh which is rare on the northern California coast and which would benefit from restorative measures; tidal mud flats; freshwater-brackish water on the west side and north end of the harbor.

Sanctuary-Preservation Areas:

Freshwater marshes on west side and at north end of Bodega Harbor
Ocean, rocky intertidal, and sandy beach of the Bodega Marine Life Refuge
Bodega Rock
Freshwater marsh along Salmon Creek
Dunes and mud flats on the north side of Doran Park
Rare and/or endangered plant sites
Ponds, reservoirs, seeps
Freshwater marsh areas north of the entrance road to Bodega Dunes State Park and at the north end of the harbor
Marsh areas at the southeast side of Bodega Harbor
Seabird nest sites near Bodega Head
Riparian areas of Salmon Creek
Riparian areas west of the entrance road to the State Park and at the north end of the harbor

Conservation Areas:

Dunes, coastal strand and sandy beach areas of Salmon Creek Beach and the adjacent State Park
Entire Bodega Head

10. **Valley Ford**

Estero Americano is an estuary seasonally closed by a sand bar which blocks its connection with the open space. Natural resources of the estero include mud flats, tidal marsh, freshwater marshes, ponds and seeps, vernal pools, riparian drainage and the adjacent upland grass lands. Estero Americano is considered a unique area due to its isolation, its semi-pristine condition, and its formation processes.

Sanctuary-Preservation Areas:

Marsh, riparian and open water areas of Estero Americano from the mouth to Valley Ford
Rare and/or endangered plant site

Conservation Areas:

Grassland northward of Estero Americano from the coast to Estero Lane

## ENVIRONMENTAL RESOURCES MANAGEMENT RECOMMENDATIONS

The habitats or specific resources which have been mapped for the Sonoma County coast are listed below with management recommendations for each.

Sandy Beaches and Sand Spits, including Smelt Spawning Areas

1. Prohibit the opening of sandbars except for maintenance of tidal flow to assure the continued biological productivity of streams and associated wetlands and in particular cases to prevent flooding. Bars should not be breached until there is sufficient in-stream flow to preserve anadromous fish runs.

2. Prohibit all off-road non-authorized motor vehicles from beach areas.

3. Prohibit the removal of sand from beaches and spits.

Dunes and Coastal Strand

4. Prohibit the removal of sand from dunes except for dunes management.

5. Preserve and protect coastal dune habitats from all but resource dependent, scientific, educational, and passive recreational uses including support facilities. Disturbance or destruction of any dune vegetation should be prohibited unless as required for public park facilities, and then only if revegetation is a condition of project approval.

6. Prohibit all off-road, non-authorized vehicles from dune areas.

7. Minimize foot traffic for all permitted uses, including recreation, on vegetated dunes. Where access through dunes is necessary, well-defined footpaths or raised boardwalks shall be developed and used. Access areas should be posted with explanations describing the importance of the use of limited access routes for the purpose of protecting the plant communities.

8. Identify wildlife nesting and breeding habitats of rare or sensitive plants or animals for the publicly owned dune areas in order to temporarily restrict access to these areas during identified breeding and nesting seasons.

Riparian: Note - Where General Plan standards and policies are more restrictive than the following, development shall comply with the General Plan policies.

9. Prohibit construction of permanent structures within riparian areas as defined, or 100 feet from the lowest line of riparian vegetation, whichever is greater, except development dependent on the resources in the riparian habitat, including public recreation facilities related to the resource. Any development shall be allowed only if it can be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of the riparian habitat. The riparian area or 100 foot wide buffer zone should generally be maintained in a natural, undisturbed state. Trails and access may be permitted if studies determine no long-term adverse impacts would result from their construction, maintenance, and public use. Trails should be made of porous materials.

10. Require erosion-control measures for projects affecting the riparian corridor.

11. Prohibit the removal of vegetation except commercial timber, subject to an approved timber harvest plan, from the riparian corridor unless it is shown to be essential to continued viability of the wetland.

12. Prohibit filling, grading, dredging, excavation or construction in the watercourse of a riparian corridor unless it is shown that such action will maintain the value of the area as a habitat for wildlife and aquatic organisms and is compatible with continued viability of the habitat.

13. Prohibit pesticide and herbicide application in a riparian protection zone of 100 feet above the lowest line of streamside vegetation, or within riparian areas as defined, whichever is greater.

14. Encourage special range management practices which protect riparian areas.

15. Encourage development of livestock watering areas away from the riparian corridor.

Wetlands (Marshes, Ponds, Reservoirs, Seeps): Note - Where General Plan standards and policies are more restrictive than the following, development shall comply with the General Plan policies.

16. Encourage restoration of marshlands where feasible.

17. Exclude all motor vehicles from wetlands. Pedestrian and equestrian traffic should be directed to specific areas with facilities provided to eliminate adverse impacts on biological resources.

18. Prohibit filling, grading, diking, dredging, and construction in wetlands, except under special conditions delineated in the Coastal Act Section 30233. All projects must maintain or enhance the functional capacity of the wetland or estuary. Dredging, when consistent with the provisions of the Coastal Act and where necessary for the maintenance of the tidal flow and continued viability of the wetland habitat, should be subject to the following conditions:

    Prohibit dredging in breeding and nursery areas and during periods of fish migration and spawning.

    Limit dredging to the smallest area feasible.

    Require protective measures for dredging and excavation such as silt curtains, diapers, and weirs to protect water quality.

    Remove structures as soon as possible once they have served their purpose.

    Dredge spoils should not be deposited in areas subject to tidal influence or in areas where public access would be significantly adversely affected, as well as certain environmentally sensitive areas.

19. Minimize construction on land adjacent to wetlands during maximum seasons of breeding bird activity (March 1 to July 1).

20. Prohibit discharge of wastewater into any wetland unless such discharge maintains or enhances the functional capacity of the wetland and maintains the quality of the receiving water.

21. Prohibit grazing or other agricultural uses in designated coastal wetlands. On watershed lands, a fence should be constructed on the outer edge of the wetland.

22. Prohibit the diking or filling of seasonal wetlands for the purpose of conversion to agriculture or to accommodate development of any kind.

23. Encourage the fencing of springs, seeps, and pond areas surrounded by lands used for grazing. Water for livestock should be piped outside of the wetland for use by livestock.

24. Prohibit the removal of vegetation from wetlands unless it is shown to be essential to the habitat viability.

25. Prohibit construction of agricultural, commercial, industrial and residential structures within 100 feet of wetlands.

26. Between 100 and 300 feet of wetlands, prohibit construction of agricultural, commercial, industrial and residential structures unless an environment assessment finds the wetland would not be affected by such construction.

27. Prohibit new water diversions from streams that feed wetlands without establishing limits on diversion sufficient to protect the wetland.

Bodega Harbor Tideflats

28. Prohibit motor vehicles.

29. Recommend periodic closing of portions of the tide flats on the west side of the harbor to shellfish harvesting. A rotation system allowing opening of each section of the tide flats every three to five years has been suggested. The County should request evaluation of this proposal by the Department of Fish and Game.

30. Encourage more restrictive bag and possession limits and gear restrictions for ghost shrimp (Callianassa californiensis), mud shrimp (Upogebia pugettensis), and blood worms (Urechis caupo).

31. Enforce leash laws to minimize the effects of domestic animals on marine mammal and shorebird populations on the tide flats.

32. Prohibit discharge of effluents in tide flat areas.

33. Prohibit dredging and filling in tide flat areas, except under special conditions delineated in the Coastal Act. The impact of dredging on the surrounding biota can be minimized by restricting operations to winter months.

Rocky Intertidal, Including Sea Bird Rookeries

34. Generally prohibit the development of groins, breakwaters, piers, sea walls, pipelines or other structures in the rocky intertidal areas. These structures or other such construction that alters natural shoreline processes shall be permitted in other resource areas only when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shorelines and supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

35. Prohibit vehicles in rocky intertidal areas.

36. Designate important rocky intertidal areas as Marine or Ecological Reserves. Encourage maintenance of such areas by appropriate public agencies or private groups.

37. Designate the offshore, mouth, and banks of the Estero Americano as a ecological reserve. Sonoma County should act as the "lead public agency" to preserve this areas as a representative of the coastal estuarine environment of Northern California.

38. Encourage utilization of the public shoreline at Salt Point State Park, Kruse Ranch, and the non-historic areas of Fort Ross Park to remove some pressure on the underwater resources at Stillwater Cove.

39. Prohibit public access to offshore rocks which are designated as seabird rookeries and nesting areas, and to habitats of seals and sea lions.

Coastal Bluffs

40. Require erosion and sediment control measures for excavation, grading, and construction operations in coastal permits for areas adjacent to coastal bluffs.

41. Prohibit the removal of sand or rock materials from any part of the bluffs except for road maintenance.

42. Minimize the removal of native plant species from the coastal bluff area.

43. Prohibit all off-road non-authorized motor vehicle traffic on bluff areas in order to limit compaction, erosion, and destruction of plants. Equestrian traffic should be directed to areas where the subsequent compaction and erosion do not adversely affect the stability of the bluffs.

44. Minimize recreational use of bluff sites known to be used by birds as nesting or roosting areas.

45. Design access points (stairways or trails) which pass through coastal bluff habitat to minimize erosion and disruption of bluff vegetation. Public access must be limited to the trailway corridor.

46. Develop surfaced paths along cliff tops, and paths or steps down cliff faces in bluff areas with heavy recreational use. In areas of moderate use, paths can be constructed of local material.

47. Prohibit development within 100 feet of a bluff edge except as described in Environmental Hazards Recommendation 2.

Grassland-Coastal Prairie

48. Encourage agricultural management practices which minimize soil erosion, sedimentation and siltation.

49. Include in coastal permits erosion and sediment control measures for excavation, grading and construction operations.

50. Provide areas for public observation of local cormorant population on Bodega Head and Stump Beach.

51. Encourage use of the upland area of Stillwater Cove County Park as a suitable area for educational facilities concerning coastal grassland or prairie.

Coastal Woodland

52. Include erosion and sediment control measures in coastal permits.

53. Minimize disruption to vegetation in all grading operations, placement of fills, or construction of structures.

Pygmy Forest

54. Prohibit construction of permanent structures except for those necessary for scientific and educational uses of this particular habitat.

55. Prohibit off-road motor vehicles, except for those required for management or emergency use in the forest area.

Windbreaks

56. Promote retention and proper management of existing windbreaks which are predominantly east-west oriented and do not block extensive coastal views.

57. Discourage new windbreaks that would interrupt coastal views.

Rare or Endangered Plants and Animals

58. Protect designated sites of rare or endangered plants. Prior to any development in or adjacent to designated sites, conduct precise botanical surveys to determine the distribution of any rare or endangered plants. Botanical surveys should be conducted during natural blooming season of species in question. Development should be sited and designed and constructed to prevent impacts of grading, paving, construction of roads or structures, runoff, and erosion from significantly degrading rare or endangered plant habitats, and shall be compatible with the continuance of such habitat areas.

59. Assure compliance with the Federal Endangered Species Act of 1973 and the California Endangered Species Act of 1970 as amended.

Osprey Nest Sites

60. Limit recreational activities near identified osprey nesting sites to low intensity passive recreation. These limitations are especially important during May through July when incubation takes place.

61. Protect osprey nesting sites located along the Willow Creek, Freezeout Creek and Russian River uplands from disturbance by logging activities.

62. Prohibit removal of snags and dead tops of live trees in areas surrounding identified osprey sites.

63. Prohibit removal of osprey nests.

64. Prohibit development of structures and avoid development of new roads if at all possible within the nesting site areas.

Heron Rookeries

65. Prohibit public access in areas of identified heron rookeries. Access to Penny Island should be limited to low intensity usage for scientific and educational purposes. Scientific and educational use should be managed so as not to interfere with heron nesting. (February to mid July).

66. Prohibit new development (construction of structures or roads) within 600 feet of a rookery.

Spotted Owl Territory

67. Minimize impacts of development near identified Spotted Owl nesting and breeding areas.

Anadromous Fish Streams

68. Maintain flows in streams identified as anadromous fish habitat at a minimum flow level as required to continue their use as an anadromous fish spawning area.

69. Stop all stream diversions when stream flow falls below minimum flow standards until stream flows return to levels above the minimum standards.

70. Prohibit dredging in all anadromous fish streams.

71. Prohibit dams or other structures which would prevent upstream migration of anadromous fish in streams designated as "anadromous fish habitat" unless other measures are used to allow fish to bypass these obstacles. Any bypass measures should be approved by the Department of Fish and Game.

Marine Mammal Haul-out Grounds

72. Limit recreational activities near and prohibit disturbance of designated areas used for harbor seal and sea lion hauling-out grounds to passive recreation to insure continued viability of these habitats.

73. Encourage annual monitoring by the Department of Fish and Game of designated marine mammal hauling-out grounds to determine the condition of hauling out grounds and to take counts of mammals for long term management of marine mammals.

Kelp

74. Encourage the appropriate State and Federal jurisdictions to:

    Monitor the size and habitat viability of kelp beds and their associated fisheries resources,

    Monitor and regulate activities such as sewage disposal, dredging, and renewable energy development ~~petroleum development, and other energy development~~ which may adversely affect near shore marine water quality and thus kelp resources. Prohibit petroleum and other forms of energy development which may significantly impact the environment through normal operations or accidents (oil spills, well blowouts, etc.).

75. Require specific site investigations prior to any kelp harvesting.

Open Water

76. Prohibit construction of new structures, and dredging, filling or diking in open water except in accordance with Section 30233 of the 1976 Coastal Act. Open water shall be defined in a manner consistent with the Commission's Wetlands Guidelines.

77. Prohibit dredging during periods of fish migration and spawning, and limit dredging to the smallest area feasible.

Designated Sanctuary Preservation and Conservation Areas

78. Implement Sanctuary-Preservation and Conservation Area limitations in order to assure special consideration and protection for unique resources of the coastal zone.

Archaeological Resources

79. Require an archaeological study when proposed projects are within designated archaeological site areas, and require implementation of reasonable mitigation measures when recommended by the study.

80. Continue to send all projects subject to CEQA to Sonoma State Anthropology Laboratory for review.

## ENVIRONMENTAL HAZARDS

### INTRODUCTION - COASTAL ACT POLICIES

Various environmental hazards are constraints to human activity in the coastal zone. Geologic, seismic, flood, and fire hazards are found throughout the planning area and must be respected. Coastal Act policies direct new development to minimize risks to life and property from environmental hazards and to avoid substantial alteration of natural land forms:

30253. New development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluff and cliffs.

### GEOLOGIC HAZARDS - DESCRIPTION

The Sonoma County Coastal Zone is subject to earthquake hazards. The San Andreas fault runs parallel to the coast coming inland at Bodega Harbor and Fort Ross. Geologic and historic records indicate that earthquakes have and will occur on this portion of the San Andreas fault. An earthquake could be accompanied by surface fault rupture, ground shaking, and ground failure. Earthquakes and their associated hazards will affect both the man-made and natural environments within the coastal zone. Related seismic hazards should be anticipated and respected, and considered in the planning process.

## Seismic Hazards

The four major seismic hazards in the coastal zone are: surface fault rupture, ground shaking, ground failure, and tsunami.

Surface Fault Rupture. Surface fault rupture is associated directly with fault movement and is more limited in area than ground shaking and ground failure. The hazard of surface rupture accompanying earthquakes can be severe and damaging to structures.

Ground Shaking. As earthquake generated seismic waves pass through the earth they cause ground shaking. The magnitude of the earthquake, distance from the quake epicenter, type of geologic material and wave amplitude also determine the intensity of ground shaking. Unconsolidated and poorly consolidated alluvium and terrace deposits will undergo greater ground shaking than consolidated bedrock formations. Landslides also may undergo greater shaking intensities, thus increasing the risk of ground failure, depending on their depth, water content, and the amount of firm bedrock they contain.

Ground Failure. Earthquakes can produce ground failure causing landsliding, lurching, and differential movement. Earthquake magnitude is a major factor in ground failure, but other conditions, such as slope, moisture in the ground, and type and content of bedrock are also factors.

Shaking on gentle and moderate slopes in poorly consolidated surface deposits can result in special effects such as differential compaction and settlement, and liquefaction. Earthquakes also increase the possibility of bedrock landslides, small mudflows, and rock falls.

Tsunami. Low-lying coastal areas, such as Bodega Harbor, beaches and the lower courses of streams and rivers are subject to the hazard of tsunamis, or seismic sea waves. Tsunamis may inundate low-lying coastal areas and pose a threat to public beaches, parks, and residences near the coast.

Distant earthquakes, whether on land or underwater, can generate tsunamis. The size of the tsunami is related to the type and size of earthquake and the distance traveled through open water. Upon striking the coast, the wave achieves an elevation about tide level that varies with topography along the coast. Although the San Andreas fault is nearby, geologic evidence indicates that movement on this is dominantly horizontal. Apparently for this reason, no damaging tsunami was generated by submarine movement during the 1906 earthquake. Locally damaging tsunamis could be generated as a result of submarine landsliding or rapid massive landsliding into the sea. Extensive deep slides on precipitous slopes between Russian Gulch and Fort Ross could be the source of such an event.

## Landslides and Erosion

Ground failure also occurs without being caused by an earthquake. Landslides, shallow soil slippage, and sea cliff deterioration are the most prevalent. Dwellings have been built on or near the edge of sea cliffs and on steep slopes. The Franciscan and Merced Formations are the geologic formations most affected by these types of failure. Intensive grazing, tillage of slopes, and road construction have resulted in extensive erosion through shallow slippage, gullying, sheet wash and wind action. This erosion, combined with extensive landsliding, has contributed greatly to historic sedimentation of Bodega Harbor, the Estero Americano, and other areas.

Slope Stability. Slope stability is a classification of rock and soil according to susceptibility to landsliding and various forms of mass movement. Some construction activities, such as grading and filling, placement of culverts and the installation of septic tank filter systems, may affect stability, depending on the nature, design, construction and maintenance of the work. Logging, grazing, and removal of

vegetation may adversely affect slope stability. Unstable areas may require installation of drainage culverts and removal of unstable materials, to prohibit sliding.

Coastline Erosion. The location, rate and type of coastal erosion is determined by the relative resistance of the shoreline rocks. Factors which determine resistance are the rock type, the extent of shearing and fracturing, and the inclination of bedding.

The coastline west of the San Andreas fault is characterized by points and coves which reflect the relative resistance of the rocks. Franciscan rocks, the dominant geologic unit on the east side of the San Andreas fault, erode more rapidly than those on the west.

**GEOLOGIC HAZARDS - MAPPING PROCEDURE**

Slope stability, coastal cliff stability, surface fault rupture, and tsunami hazards are mapped at a scale of 1:12,000. Information was derived from three **Geology for Planning** documents prepared by the California Division of Mines and Geology and the Alquist-Priolo Special Studies Zone.

This information provides general knowledge of the type, location and extent of geologic conditions and permits comparison of alternative land uses over large areas. Site evaluations may require more precise information such as detailed geologic mapping, subsurface exploration by drilling and trenching, soil sampling or laboratory testing.

**Flooding**

Flooding along the coastal rivers and creeks is a natural, annual phenomenon. Floods become hazards because of human occupation or use of natural flood plains. Continued use of flood plains will lead to continued and increased flood damage. Flood plain regulation can reduce flood damage and its associated problems.

Flood plains have historically been among the finest lands for food production. Other uses of flood plains include their hydrological importance as natural flood plains, deposits of sand and gravel, riparian wildlife habitats, and recreation.

The Russian River is the only stream in the coastal zone which has been mapped and studied in detail for flood information. Data are not available for flood levels on the other coastal rivers and streams. Prior to any development in the vicinity of a stream or creek, flood levels should be carefully evaluated, and any conflict avoided.

**Fire Hazard**

Fire hazard is defined as the potential for large and destructive wildland fires characterized by rapid spread and high intensity. Hot, dry weather combined with highly flammable vegetation and rugged topography produce hazardous fire conditions. Human activity in conjunction with these hazardous conditions accounts for 98 percent of the wildland fires in Sonoma County.

While property damage represents a monetary loss, the potential loss of life and the destruction of natural resources from fire is difficult to measure. Wildland fires destroy vegetation and wildlife and scar the land. Removal of vegetation alters watersheds, affecting natural stream flow and the water storage capacity of the soil.

The California Division of Forestry considers weather, fuel loading, and slope steepness the most important criteria in classifying fire hazards into three categories: moderate, high, or extreme hazard. Because of the mild climate conditions in the Sonoma County coastal zone, no areas of extreme fire hazard exist. All heavily wooded areas and brush areas with very steep slopes (greater than 61 percent) are considered a high fire hazard.

Wildland fire is a process occurring on a normal cycle in nature. As residential and recreational developments encroach further into the wild lands, the natural cycle is disturbed and the potential for disaster increases. Mitigation measures must be implemented to reduce the risk to humans and the environment.

## RECOMMENDATIONS

### Geologic Hazards

1. Anticipate the effects of, and develop a plan in response to a major earthquake generated along the San Andreas fault zone.

2. Prohibit development within 100 feet of a bluff edge or within any area designated unstable to marginally stable on Hazards maps unless a registered engineering geologist reviews and approves all grading, site preparation, drainage, leachfield and foundation plans of any proposed building and determines there will be no significant impacts. The engineering geologist report shall contain, at a minimum, the information specified in the Coastal Commission's **Statewide Interpretive Guidelines concerning Geologic Stability of Blufftop Development (May 5, 1977),** contained in the Coastal Adminisitrative Manual.

3. Enforce the requirements of the Alquist-Priolo Special Studies Zone Act for protection from fault rupture hazard.

4. Design and construct all structures for human occupancy, including mobile homes, in accordance with Zone 4 standards of the Uniform Building Code.

5. Enforce the geologic provisions of Chapter 70 of the Uniform Building Code.

6. Require engineering geologic reports in accordance with the Permit and Resource Management Department geologic review procedure.

7. Encourage grazing practices of steep slopes which mitigate erosion problems.

8. Encourage resource use where suitable on lands which are hazardous to development and other uses.

9. Prohibit new dwellings within designated Tsunami Hazard Zones.

**Flooding**

10. Prohibit construction of structures within 100 feet of the top of any embankment, natural or man-made which defines a channel, except where flood hazard has been found to be remote in review by the Sonoma County Water Agency. Where this policy conflicts with General Plan Public Safety Policy PS-2n, the more restrictive of the two shall apply.

11. Grade and construct in such a manner as to minimize: (a) ponding or accumulation of storm water not necessary for silt control, or groundwater recharge enhancement, (b) alterations to the natural drainage system, and (c) siltation of adjacent or downstream water courses.

12. Design new residential developments to minimize both volume and velocity of surface runoff and soil erosion.

**Fire Hazards**

13. Require fire management plans with applications for subdivisions and for new or expansion of existing recreational facilities in non-urban areas, including the development of State and County park holdings. Such plans should include, but not be limited to, adequate water storage, adequate ingress and egress for emergency vehicles and occupant evacuation, and building siting to minimize fire hazard.

14. Support the Division of Forestry and local fire districts in creation and maintenance of a complete pre-suppression fire plan (fuel breaks, fire breaks, control burning, water development) for fire prevention.

15. Urge the State Department of Parks and Recreation, and the County Regional Parks Department to continue efforts to educate the public to fire hazards and fire prevention.

16. Encourage private individuals and communities to construct small-scale water impoundments for back-up use in fires and for back-up non-potable demand in coastal communities. Agricultural Extension Service advice and credit assistance now available to farmers and ranchers should be made available to those interested in such construction.

17. Require any construction to comply with the standards prescribed by comprehensive Building Codes and Fire Prevention Codes which give special consideration to different degrees of hazard.

18. Insure the safety of grazing lands and forest areas from wildland fire by the continued use of agricultural and forestry burning procedures and regulations.

19. Regulate the use of spark retarding devices on all equipment.

# IV. RESOURCES

## INTRODUCTION

### Objective and Summary

The protection and maintenance of agricultural and forest lands for their economic, environmental, and social values are goals to the Sonoma County General Plan and the Coastal Plan. To fulfill these goals, a Resource Plan has been prepared which indicates the productive capabilities of the land for grazing and timber production. Recommendations are presented in this chapter, including zoning guidelines and compatible land uses. Other recommendations on County and State programs which affect coastal resources are also presented.

### Coastal Act Policies

The Coastal Act policies are protective of the productive resource base, emphasizing the retention of agricultural land in production and maintenance of adequate parcel sizes for commercial timberlands.

30241. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the area's agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban use and where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(d) By assuring that public service and facility expansions and non-agricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(e) By assuring that all division of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

30242. All other lands suitable for agricultural use shall not be converted to non-agricultural uses unless: (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

30243. The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of non-commercial size shall be limited to providing for necessary timber processing and related facilities.

**Coastal Agriculture**

Approximately three-fourths of the Sonoma County coastal zone is used as timberland, sheep and cattle grazing land, or dairy land. The coastal zone is equally divided between land suitable for timber production and land suitable for grazing or pasture. Grassland suitable for sheep and cattle grazing is found along the coastal terrace and lower slopes on the north coast, and throughout the coastal zone south of Jenner. Dairies occur in the Valley Ford area.

The climate and topography of western Sonoma County have largely determined the extensive type of agricultural uses found there. While the non-prime soils and lack of year-round water supply do not lend themselves to the cultivation of crops, the coastal hills are among the best lands for grazing livestock in the State. The cool, moist climate generally produces better rangeland than inland, reducing the need for supplemental feed and irrigated pasture.

**Coastal Forestry**

The Sonoma County coastal zone exhibits the diversity of tree species found throughout the county. Soil, climate, relief, and human activity are the important factors which determine the growth and species distribution of trees. Redwood predominates in the coastal fog belt, with Douglas Fir and grand fir the other principal forest trees. The commercial forest is found in the coastal zone primarily north of Russian Gulch and in the Willow Creek watershed. Forests occur generally east of Highway 1, and in coastal gulches. Commercial hardwood harvesting of tan oaks is becoming more important for masonite chips, firewood, and the crafts industry. Other native, but generally non-commercial trees occurring on the coast are bishop pine, oak, madrone, bay and the southern extent of the pygmy forest in California. Rows of eucalyptus and cypress trees have been planted as a buffer against the wind, and fast growing Monterey Pines screen many homes from the view of Highway 1.

While the economic value of the timber resource is recognized, and the public's need for wood fiber, woodlands are also important as wildlife and fisheries habitat, watersheds, recreation lands, and scenic resources. Both the economic and natural values of coastal woodlands and forests are recognized in the policies and regulatory mechanisms proposed here. Logging activities, if improperly managed, can be detrimental to the forest environment, including loss of riparian habitat and soil erosion, and a resulting diminishment of all forest values. Logging practices and forest management should result in a forest resource which regenerates itself and allows for the perpetuation of related forest values. Keeping forest lands in production and preventing a further incursion of incompatible adjacent lands uses will benefit the public and the timber industry.

A rough measurement of the acreage of timberland soils (called woodland soils in the soil survey of Sonoma County) in the coastal zone is 20,500 acres. The timber soils are composed of 14,000 acres of Site IV and 6,500 acres of Site I, II, and III. The Site Index is a reference to the productivity of timberland, determined by the interaction of soil fertility and climate (See Table IV-I).

Timber Harvest Plans (THPs) must be filed with the California Department of Forestry in most instances when trees are logged. Fifteen THPs have been filed in the coastal zone since required in 1974, mostly for timber harvests of less than 100 acres. Although the number of THPs on the Sonoma Coast is not as great as in adjacent Mendocino County, the coastal timber resource is significant locally and should be maintained.

**TABLE IV-1 TIMBER SITE CLASSIFICATION**

| Young Growth Redwood | | Douglas-Fir | |
|---|---|---|---|
| Site Class | Site Index (Feet at 100 Years) | Site Class | Site Index (Feet at 100 Years) |
| I | 180 or more | I | 194 or more |
| II | 155-179 | II | 164-193 |
| III | 130-154 | III | 134-163 |
| IV | 105-129 | IV | 103-133 |

Source: California Public Resources Code, Chapter 8, Article Two

**Current Outlook for Coastal Ranches**

A mail survey was conducted in February 1980 to gather specific facts about coastal ranches, including the views of ranchers on the future of their operation. Ranches were divided into two categories-those 500 acres or more, and those less than 500 acres (See Table IV-2). All ownerships of 100 acres or more were surveyed. Many ranches on the Sonoma Coast include a combination of agricultural operations and timber operations.

**TABLE IV-2 RANCH SURVEY RESPONSE**

| Acres | No. of Responses to Survey | No. of Parcels on Coast | Response Rate to Survey |
|---|---|---|---|
| <500 | 12 | 38 | 38%* |
| ≥500 | 18 | 35 | 51%** |
| Total | 30 | 73 | 41% |

*3 surveys indicated not a ranch
**1 survey indicated not a ranch

This survey indicated stable ownership patterns on the Sonoma coast. Of the ranches covered by the survey, more than one-half of the ranches smaller than 500 acres and more than two-thirds of the ranches larger than 500 acres have not changed ownership in the last twenty years. Most of the ranches responding have Timber Preserve zoning or are under Williamson Act contract, with a few ranches having both types of protective zoning. Some ranches are leased to other operators, with two-thirds owner operated. Coastal ranches regularly employed about 50 to 100 workers, ranging from total family operations to five employees per ranch.

The livestock figures show diversity in the number of animals grazed. The difference can be attributed to the fact that some ranches have less grassland because part of the ranch is timberland. Two of the smaller ranches and seven of the larger ranches responding have timber. Several ranches have low intensity recreation activities (access to beach or hunting and fishing). The grazing figures for smaller ranches range from 6-21 acres per animal unit, while the larger ranches ranged from 4-9 acres per unit. The variation can be attributed to differences such as soil type, range improvement, rotation grazing practices, and breed of grazing stock.

When asked if they desire to acquire or dispose of ranch land, two-thirds of the ranchers wanted no change, with almost one-third wanting to acquire more land. Only several ranchers wanted to sell some of their holdings. Overwhelmingly, most ranchers want to continue the same activities on their land in the future.

**Resource Plan and Procedures**

The Resource Plan, which identifies various categories of agricultural and timber potential, is a major input to the Land Use Plan. Additionally, the Resource Plan is a map that, when used with suggested management practices, serves as a guide to the productive and sound use of the coast's resources. Good management practices can increase the economic return to the land owner while helping insure that soil, water, and wildlife resources are protected.

Timber resource potential is designated as high or moderate. High is Site I, II, or III, and moderate is Site IV. These lands are designated valuable or potentially valuable for timber production. Agriculture resources are designated as croplands and grazing lands. The grazing lands are designated as high and moderate, based on the potential of each mapped unit to produce a specified amount of air-dry forage. Most undeveloped coastal agricultural soils are suitable for grazing. Some coastal soils are also suitable for cropland, and Class I-IV soils are designated croplands (see Table IV-3).

The Resource Plan also designated small areas of sensitive soils. Some sensitive soils should not be grazed because of their high erosion potential and lack of forage; wildlife habitat and watershed conservation are the best uses. Resource lands are excluded from the Resource Plan when large areas have already been committed to residential or community use. The Resource Plan is mapped at a scale of 1:24,000. The Resource Plan is the basis for the resource designations on the Land Use Plan, which shows areas as comprised of agriculture, timber, or sensitive soils, or urban areas (see Figure IV-1).

## Zoning Guidelines

Base zoning districts will be applied during the implementation phase of the Local Coastal Program in a manner that promotes the resource recommendations, consistent with the Land Use and Resource Plan and the County General Plan (see Consistency Matrix, Figure VII-40. ~~The County Zoning Ordinance is being revised to better implement the General Plan and other plans, including the Coastal Plan. Until the revised zoning districts are available, the Coastal Plan resource recommendations will be used to guide development.~~ To preserve timber and agricultural lands, the most desirable zoning districts are the Timber Production (TP), Land Intensive Agriculture (LIA), Land Extensive Agriculture (LEA), Diverse Agricultural (DA) and Resource & Rural Development (RRD) districts. ~~Preserve Zone (TPZ) and Exclusive Agriculture (AE) districts.~~

Guidelines for application of zoning districts to coastal agricultural, timber, and open space lands are summarized in this chapter (see Table IV-4) and the General Plan Agricultural Resource Element. The primary purpose of each district, applicable coastal land use category, the criteria for inclusion in the district, the minimum parcel size for the creation of new parcels, and the maximum residential density and number of dwelling units per parcel are also presented. The restrictive minimum parcel size with allowances for up to four dwellings per parcel (when permitted by General Plan, Coastal Plan, and Zoning densities) are intended to approximate and perpetuate the existing ranch character of much of the coast.

## Agricultural Preserves

Many landowners in the Sonoma coastal zone have demonstrated a commitment to agriculture by entering into Williamson Act contracts. The California Land Conservation Act of 1965 (the Williamson Act) allows counties to establish agricultural preserves and thereby give tax reductions to landowners engaged in commercial agricultural operations. Under current law, lands under contract are appraised by the county assessor for their agricultural productivity rather than market value. When an agricultural preserve is formed, State law requires all lands in the preserve to be zoned to prevent land uses incompatible with agriculture within the preserve. In signing a contract with the County, the landowner agrees to retain his land in agricultural uses for at least ten years.

Figure IV-1

## TABLE IV-3 CAPABILITY UNIT CLASSIFICATION SYSTEM

**Classes**

Land Suited for Cultivation and Other Uses:

CLASS I- Soils in Class I have few limitations that restrict their use.

CLASS II- Soils in Class II have some limitations that reduce the choice of plants or require moderate conservation practices

CLASS III- Soils in Class III have severe limitations that reduce the choice of plants or require moderate conservation practices. (These include Sub-Classes e, w, s, c, and Units 0, 1, 2, and 3)

CLASS IV- Soils in Class IV have very severe limitations that reduce the choice of plants or require very careful management, or both.

Land Generally Not Suited for Cultivation:

CLASS V- Not used in Sonoma County.

CLASS VI- Soils in Class VI have severe limitations that make them generally unsuited for cultivation

CLASS VII- Soils in Class VII have very severe limitations that make them unsuited for cultivation.

CLASS VIII- Soils and land forms in Class VIII have limitations that preclude their use for commercial plant production and restrict their use to recreation, wildlife, watershed or aesthetic purposes.

Source: Sonoma County Permit and Resource Management Department

**Sub-Classes**
(The Major Problem)

e - Erosion

w - Wetness

s - Soil Limitation

c - Climatic Limitations

**Units**
(The Secondary Problem)

0 - Course Underlying Material

1 - Erosion Hazard

2 - Drainage or Overflow

3 - Slowly Permeable Subsoil

4 - Coarse Textures

5 - Fine Textures

6 - Salinity or Alkali

7 - Stony or Rocky

8 - Bedrock

9 - Low Fertility

## TABLE IV-4 RECOMMENDED ZONING DISTRICTS

| Base Zoning District | Primary Purpose of District | Applicable Coastal Land Use Category | Minimum Parcel Size for Inclusion in District* | Min. Parcel Size (to create new parcels) | Maximum Residential Density | Max. No. of Residential Units per Parcel |
|---|---|---|---|---|---|---|
| ~~Exclusive Agriculture (AE)~~ LIA, LEA, DA, RRDWA | To implement the California Land Conservation Act of 1965 | Agriculture | Agricultural parcels ± 100 ac. for dairy, sheep, beef cattle, or hay operations* | (grazing and similar extensive operations) 640 acres | 160 acres | 4 |
| | | | | (dairies and similar intensive operations) 160 acres | 40 acres | 4 |
| Timber Preserve Zone (TP) | To implement the Forest Taxation Act of 1976 | Timber | Timber parcels ± 40 ac. with Timber Site I-II soils; 80 ac. with III-IV soils; where landowner desires to be in Timber Preserve* | 640 acres | 160 acres | 4 |
| ~~Primary Agricultural (AP)~~ LIA, LEA, DA | To conserve and protect lands suitable for agricultural production which are not included in the AE District. | Agriculture | No minimum. Parcels shown as Agriculture on Land Use Plan* | (grazing and similar extensive operations) 640 acres | 160 acres | 4 |
| | | | | (dairies and similar intensive operations) 160 acres | 40 acres | 4 |
| ~~Natural Resources (NR)~~ Resources and Rural Development (RRD) | To protect, preserve, and enhance natural resources, including timberlands, unique landforms and environmentally sensitive areas. | Sensitive and Hazardous | No minimum. Parcels designated "Sensitive and Hazardous" or "Recreation-Scenic Design" on the Bodega Bay Land Use Map; and outside of urban service boundaries, timber parcels, and agricultural parcels lying entirely within a "Conservation" or "Sanctuary-Preservation" designation on Open Space maps.* | 640 acres | (timberlands) 160 acres | 4 |
| | | Recreation-Scenic Design | | 160 acres | (other designated parcels) 160 acres | 1 |
| | | Timber and certain Agriculture | | | | |

~~* See text for additional criteria applicable to TP and AE zones.~~
* Consistent with minimum allowable General Plan parcel sizes.

Sonoma County has contracts in two types of agricultural preserves, Type A-I and A-II. Both are limited to operating agricultural businesses, with the possible exception of certain prime lands. No open space or other contracts for nonproductive land are available at present in Sonoma County.

**General Requirements to Form a Preserve:**

Consistency with General Plan.

One hundred acre minimum preserve size. Preserve can consist of more than one ownership to total the one hundred acres, but each ownership must individually meet contract qualifications. Board of Supervisors may reduce preserve size requirement to as small as ten acres for Type A-I preserves if conditions warrant.

No individual parcel less than ten acres. Preserve approval may be conditioned to require combination of assessor's parcels into larger units.

All lands within preserve boundaries to be zoned for agricultural or resource use. ~~exclusive agricultural use, "Exclusive Agriculture" zoning.~~

The Type A-I agricultural preserve contract is used for intensive agricultural operations such as orchards, vineyards, irrigated pasture lands, and prime soils capable of high production. In addition to the general requirements listed below, any one of the following is required:

Prime land (Class I or II soil or 80-100 percent Storie rating).

Land capable of carrying at least one animal unit per acre.

Land planted to orchard, vineyard, or crops capable of grossing at least $100 per acre annually.

Land returning at least $200 gross per acre annually from unprocessed plant or animal products.

The Type A-II preserve contract is used for extensive agricultural operations such as sheep and cattle grazing, and dairies. In addition to the General Requirements, both of the following are required:

Land producing between $2.50 and $199.99 per acre gross annual profit from agricultural products for three of the last five years, and

A minimum of $2,000 annual gross income total for the entire agricultural enterprise for three of the last five years.

About 18,000 acres of land within the coastal zone are under Williamson Act contract. Major areas of agricultural land not under contract include the following: some coastal terrace north of Salt Point, most of the coastal terrace south of Fort Ross to Jenner, large parcels east of Highway 1 and south of State Park land at Willow Creek and near Bodega Bay, and several large parcels along the Estero Americano. These lands are zoned Primary Agriculture (A1), Secondary Agriculture (A2), or Rural Residential (RR), zones that do not afford the same degree of protection as AE lands under contract.

State law requires that where land is shown as agriculture on a land use plan, the zoning must reflect and implement this designation. Therefore, placing land designated for preservation in the coastal plan in an agricultural preserve does not impose any significant additional restrictions on the land (the same applies to land designated "timber" and zoned to protect the timber resource).

**Timber Preserves**

Recognizing the need for tax incentives to promote long-term management for maximum timber production, the State legislature, through AB 1258, changed the tax on standing timber from an ad valorem tax to a yield tax imposed at the time of harvest. Counties were directed to place timberland in a Timber Production ~~Preserve~~ zone which is in effect for ten years and renewed annually. The land is assessed at its value for growing timber.

Approximately 11,000 acres of land within the coastal zone are zoned TP. The acreage in TP is about one-half of the Site I, II, III, and IV timberland in the coastal zone. Timberlands not in TP range in size from forty-acre parcels north of Salt Point State Park to large acreages in the upper Willow Creek watershed and east of The Sea Ranch.

Rezoning timberland parcels to TP establishes ten-year use restrictions and the requirement of a forest management plan which should provide for timber harvesting within a reasonable period of time and set timber restocking standards. Sonoma County's implementing ordinance allows parcels of 40 acres or more of Site I and II soils to be zoned TP, and 80 acres or more of Site III and IV soils to be zoned TP. The annual tax paid on 40 acres of timberland in TP is about $24.00 as opposed to $800.00 if zoned at fair market value. Taxes on the stumpage value are paid at time of harvest.

Sonoma County's TP Ordinance sets a minimum residential density of one dwelling per 160 acres (with a maximum of four houses per parcel where allowed by the 160 acre density). This number is set by the State law on Timber Preserve zones. Parcels this size are intended to encourage timber management or sale to an owner wishing to manage the land for timber production. Creation and sale of smaller parcels, such as 40 or 80 acre parcels, after the seller has cut as much timber as possible prior to the sale, may make the parcels undesirable for sustained timber management. Smaller parcels are less viable for timber management and encourage greater residential conflicts. The larger the parcels, the better the chances for long term timber production.

**Open Space, Sensitive, or Hazardous Lands**

The Williamson Act may be used for lands that are not in agricultural use, such as open space, sensitive, or hazardous lands. The alternatives available to Sonoma County are to use the Williamson Act or the Open Space Easement Act of 1974. Both result in the same type of property tax assessment. An advantage of the easement approach is than it can include types of open space not eligible under the Williamson Act. It is used currently by the Sonoma Land Trust. The disadvantage of easements is that subventions from the State are not available to the County for land with an easement as with the Williamson Act.

**Compatible Land Uses**

Certain uses as listed below are generally compatible with the primary purpose of agriculture, timber, or natural resource land use designations. Some such uses may be appropriate for exclusion from coastal development permit requirements, or the County may suggest them as uses for which permits may appropriately be issued administratively without a public hearing. Public hearings will be required for other potentially compatible uses in resource areas. During the Implementation Phase, it will be determined which of these uses may be administratively issued and which uses should have a public hearing and review. Uses which normally might be handled administratively may be made subject to public hearing requirements where there are view protection, hazards, or other environmental concerns.

**Generally compatible uses that may be requested to be excluded from coastal permit requirements or dealt with under administrative permits. See Coastal Administrative Manual for further detail on what specific Coastal Permit Exclusions are possible.**

**Resource Management Uses**

1. Livestock farming and dairies including the raising, grazing, maintaining and breeding of horses, cattle, sheep, goats, and similar livestock.

2. The outdoor growing and harvesting of shrubs, plants, flowers, vines, fruits, vegetables, hay, grain, and similar food and fiber crops, including packing and polishing of unprocessed agricultural yield.

3. The raising, feeding, maintaining, and breeding of poultry, fowl, rabbits, fur-bearing and similar animals for use of the persons residing on the property.

4. Timber harvesting and management activities, subject to an approved California Division of Forestry Timber Harvesting Plan.

5. Reclamation projects incidental to growing and harvesting of forest products, including reforestation and bank or slope stabilization, provided such activities are carried out in a manner that protects riparian and other sensitive habitat areas and deals adequately with water quality concerns.

6. Wildlife and fishing preserves and refuges.

7. Land management for watershed conservation.

8. Geotechnical studies not requiring a grading permit.

9. Controlled burns regulated by the Department of Forestry and the Air Pollution Control District.

10. The construction, improvement or expansion of accessory structures or uses appurtenant and incidental to agricultural and timber operations such as sheds, barns, and corrals, not including those listed as needing coastal permits, provided such buildings or uses are: located east of Highway 1; not within ~~view of~~ any designated scenic view shed ~~road~~; not located in or do not affect any designated sensitive or hazardous areas, not a designated historic site or area; and meet county zoning, erosion control and grading standards.

**Residential Uses**

1. A single residential dwelling on a vacant, legal lot (and accessory structures or uses incidental and appurtenant to a single-family dwelling) provided it is: east of Highway 1; not within view of any designated scenic road; not located in or affecting any designated sensitive or hazardous area; not a designated historic site or area; and which meets county zoning, erosion control and grading standards.

2. Improvements to existing homes which are east of Highway 1; not within view of any designated scenic road; not located in or affecting any designated sensitive or hazardous area; not a designated historic site or area; and which meet county zoning, erosion control and grading standards.

3. Improvements to existing homes within scenic view sheds ~~view corridors~~ or west of Highway 1 which are less than a 25 percent expansion in size of the existing residential floor area; meet Coastal Zone design guidelines; are not located within or affecting any designated sensitive or hazardous area; are not a designated historic site or area; and which meet county zoning, grading and erosion control standards.

4. When carried on in existing residences: home, occupations and day care facilities for six or fewer children.

**Incidental Uses**

1. Recreational and educational day uses not requiring permanent improvements such as the following: hiking, swimming, boating, or fishing; other low intensity activities such as nature study, photography and picnicking.

2. Lot line adjustments not resulting in an increase in the number of lots or in allowable residential densities.

3. Repair and maintenance activities which do not result in an addition to or enlargement or expansion of the object of such repair or maintenance, provided that the County may identify certain extraordinary methods of repair and maintenance that involve a risk of substantial adverse environmental impact and that require a permit and thus are subject to reasonable conditions to mitigate any adverse impacts on coastal resources.

4. Installation or replacement of necessary utility connections between an existing service facility and any approved development, provided, however, that the County may identify areas or activities where it may require a permit and impose necessary reasonable conditions to mitigate any adverse impacts on coastal resources.

5. Grading, excavation or fill which does not require a grading permit under the requirements of Chapter 70 of the Uniform Building Code.

6. Signs subject to design review and conforming to Coastal Zone Design Guidelines.

7. All fences east of Highway 1 and fences west of Highway 1 not obstructing public accessways or public views to the ocean.

8. Irrigation lines.

**Compatible Uses Requiring a Coastal Permit**

**Resource Management Uses**

1. Portable saw mills for commercial or domestic use.

2. Commercial timber harvesting on parcels of three acres or less.

3. Commercial harvesting of fuel woods, or timber management, including removal of down timber, when not covered by a valid Timber Harvest Plan.

4. Water conservation dams and ponds.

5. Lumber yards, log storage decks, and the commercial sale of lumber and by-products incidental to the processing of timber.

6. Mineral resource production.

7. The raising, feeding, maintaining, and breeding of poultry, fowl, rabbits, fur bearing and similar animals for other than domestic purposes.

8. Commercial hog and pig farming.

9. Livestock feed yards, including structures for veal calf or weaner pig raising.

10. Commercial aquaculture.

11. Wholesale nurseries and greenhouses for the indoor propagation and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables and similar crops.

12. Commercial mushroom farming.

13. One stand for the sale of agricultural products produced on the premises.

**Residential Uses**

1. One single family dwelling per legal, vacant resource parcel if not categorically exempt.

2. Additional single family dwellings, up to four per legal resource parcel, if allowed by the density restrictions of a "B" combining district and subject to zoning limitations.

3. Improvements to existing homes if not categorically exempt.

4. Second dwelling units, farm family units, and farm worker housing.

**Recreational and Educational Uses**

1. Commercial stables and riding academies.

2. Hunting clubs involving permanent improvements.

3. Commercial rifle and pistol practice ranges, skeet fields, or archery ranges.

4. Guest ranches.

5. Country inns, and bed and breakfast establishments.

6. Camping, including travel trailers, motor homes or tents.

7. Development activity at County and State Parks and beaches including recreational dams and ponds, and excluding categorically exempt uses.

8. Religious structures, uses or retreats not affecting the primary purpose of the district.

9. Resource-related and environmental schools and research facilities which do not affect the primary purpose of the district.

**Incidental Uses**

1. Road building or other grading, excavation, or fill requiring a grading permit pursuant to Chapter 70 of the Uniform Building Code; and which is not categorically exempt.

2. Private landing strips.

3. Public utility uses and activities associated with the erection, construction, alteration, or maintenance of gas, electrical, water, or communications facilities including transmission lines, telephone equipment buildings, substations, pumping stations, reservoirs, storage tanks and service yards.

4. Solid waste disposal sites.

5. Equipment storage yards incidental to resource management and other permitted uses, including parking, repairing, and storage of equipment.

6. Construction, improvement or expansion of accessory structures or uses incidental and appurtenant to residential, agricultural, and timber uses if not categorically exempt.

7. Utilization of existing buildings as artist studios, and art and craft centers, not including retail or wholesale sales.

**Exemptions to Principle Permitted Uses**

For purposes of applying Section 30603 of the Coastal Act dealing with appeals after certification of a local coastal program, the following uses shall not be considered part of the principal permitted uses in agricultural, timber, or natural resource land use designations as listed above:

1-9 under Compatible Recreational and Educational Uses.

6 and 11 under Compatible Resource Management Uses (6. Mineral Resource Production, 11. Commercial Aquaculture).

2 and 4 under Compatible Incidental Uses (2. Private Landing Strips, 4. Solid Waste Disposal Sites).

## OTHER PROGRAMS

Discussion follows about other agency programs which particularly relate to the coast's productive resources.

### Predator Control

The Agricultural Commissioner is appointed by the Board of Supervisors to perform state-mandated functions related to agriculture, including the promotion and protection of agriculture and the protection of the health and welfare of consumers. Among the regulatory responsibilities of the Commissioner is predatory animal control. A trapper is employed to protect livestock. Sheep, in particular, are very susceptible to predation by dogs and coyotes. Ranchers will shoot dogs that wander onto private land. On park land, dogs should be on a leash. While dogs are believed to be under control on the coast, some ranchers feel that the coyote threat is increasing.

### Coastal Conservancy

The State Coastal Conservancy is responsible for implementing a program of agricultural protection, area restoration, and resource enhancement in the coastal zone. The Conservancy can acquire lands, restore areas that are adversely affecting the coastal environment or are impeding orderly development, or enhance coastal areas that have suffered any loss of natural or scenic values. Actions of the Conservancy are coordinated with the Coastal Commission, with formal approval required for restoration and enhancement projects.

To prevent the intrusion of incompatible uses on agricultural lands in the coastal zone, especially in urban fringe areas, the Conservancy may acquire interests in land provided there is "no other reasonable means" of assuring the continuous use of such land for agricultural purposes (Public Resource Code 31152). The Conservancy may acquire fee title, development rights, easements, or other interests in land located in the coastal zone in order to prevent the conversion of agricultural land to other uses and to assemble agricultural lands into parcels large enough to permit continued agricultural production (Public Resource Code 31150). A Conservancy study is underway to determine the feasibility of compatible supplemental coastal ranch uses and different resource production uses to increase ranch incomes.

### 208 Program

Public Law 92-500, the Federal Water Pollution Control Act, Section 208, requires that each state adopt an area wide waste treatment management plan to provide "best management practices" that reduce water pollutants from non-point sources. Non-point pollutants are sediment, heat, organic matter, chemicals, and nutrients that come from diffuse sources. Forestry and agricultural activities can produce non-point pollutants. The State Water Resources Control Board is responsible for water quality control in California, directing and reviewing the activities of regional water boards. The regional boards are responsible for the local enforcement of water quality laws and the coordination of water quality control activities. The Sonoma coast is served by the North Coast Regional Board.

Agricultural wastes that could affect the water quality of the State are regulated by the regional boards. Water quality regulations applying to surface runoff from animal confinement operations such as dairies are being developed locally. Existing water quality regulations are enforced by the regional board through aerial surveillance and on a complaint basis. New dairies, which are subject to County use permits, have waste discharge conditions established as part of the permit.

Control of grazing activities on private lands has not been addressed in the 208 Program for Sonoma County because it has not been a high enough priority to receive funding. Grazing activities are not, in

practice, scrutinized by the regional board. Grazing best management practices have been developed by the Forest Service for Forest Service lands and could provide a model for practices on private lands.

The State Board of Forestry, in accordance with an interagency agreement with the State Water Resources Control Board, directed their staff to determine whether the Board of Forestry's forest practice rules meet the definition of best management practices that is required by the federal law. The staff study has yet to be adopted by the Board of Forestry.

**Forest Practice Act**

In 1973, the Z'berg-Nejedly Forest Practice Act was established, setting up the rules for the California Department of Forestry (CDF) to follow with respect to timber harvesting. A conversion permit must be obtained from CDF to convert timberland to a non-timber use, with such approval very unlikely in the coastal zone. The CDF regulates silviculture activities that are related to a timber harvest plan. Rules are established for different geographical areas of the State. The Coast Forest District Rules apply to most of Sonoma County, with the Coastal Commission's Special Treatment Area Rules applicable to designated special treatment areas within the coastal zone. The State Board of Forestry has the authority to amend either the rules or the geographical districts to which they are applied.

**RECOMMENDATIONS**

**Land Use**

1. Encourage compatible, resource-related uses on designated resource lands. Such uses should not conflict with resource production activities. Residential, civic, and commercial uses should be located in existing communities or commercial centers as shown on the Land Use Plan. Some low-intensity visitor serving uses may be appropriate on resource lands if they are compatible with the resource use of the land.

2. Allow up to four residential units per resource parcel, consistent with the maximum residential density, for the purpose of housing family members and employees. All housing units should be clustered in relation to the environmental features and the management conditions of the ranch.

3. Require that the land divisions on designated resource lands be permitted only for development related to the pursuit of either agriculture or forestry, as appropriate. Utilize mechanisms to assure the long-term retention of such parcels for resource use.

4. Establish resource compatibility and continued productivity as primary considerations in parcel design and development siting. Implement General Plan Policies AR-4c and AR-4d to establish Agricultural setbacks and apply the provisions of the 'Right to Farm' ordinance.

   ARC-4c: Protect agricultural operations by establishing a buffer between the agricultural land use and the residential use at the urban fringe adjacent to an agricultural land use category. Buffers shall generally be defined as a physical separation of 100' to 200' and/or may be a topographic feature, a substantial tree stand, water course or similar feature. In some circumstances a landscaped berm may provide the buffer. The buffer shall occur on the parcel for which a permit is sought and shall favor protection of the maximum amount of farmable land.

   ARC-4d: Apply the provisions of the "Right to Farm" Ordinance to all lands designated within agricultural land use categories.

~~5. Continue to support the Agricultural Advisory Committee's review of coastal agricultural proposals.~~

5. Implement minimum parcels sizes and other zoning standards, to promote the productive and wise use of resources, as shown in the zoning district recommendations, Table IV-4. Any land divisions outside of designated rural community or urban service area boundaries and not otherwise regulated by the provisions of Table IV-4 shall be permitted only where 50 percent of the useable parcels in the market area of the parcel have been developed and the created parcel would be no smaller than the average size of the surrounding parcels.

6. Place all land designated in the Coastal Plan for agricultural or timber use ~~preservation~~ in an Agricultural Preserve ~~(AE)~~ or ~~rezone to~~ Timber Preserve ~~(TP)~~ where the landowner desires to sign a contract and the minimum requirements can be met. Where parcels do not qualify for inclusion in the Agricultural Preserve or Timber Preserve ~~AE or TP~~ programs, or where the landowner is not interested in signing a contract, a large minimum lot size Agricultural or Resource Zoning district (consistent with Table IV-4) shall be applied. ~~the Natural Resource (NR) or Primary Agriculture (AP) zones should be used.~~ Large parcels not suited for a productive resource use and designated Sensitive and Hazardous or Recreation-Scenic Design on the Land Use Plan, or agricultural parcels falling entirely within Sanctuary-Preservation or Conservation designations on Open Space Maps should also be zoned to a large minimum lot size Agricultural or Resource Zoning district (consistent with Table IV-4). ~~Natural Resource (NR) (See Table IV-4).~~

7. Implement the following changes for entering into Agricultural Preserve (Williamson Act) contracts:

   Parcel Size. The minimum parcel size eligible for a Williamson Act contract should be 100 acres for dairy, sheep, beef cattle, or oat hay operations (Type II contracts). Contracts already in existence would not be affected by a new minimum size requirement. Non-contracted contiguous parcels under the same ownership would be required to be assembled into parcels that do meet the acreage requirements. Parcels under the same ownership that are not contiguous, but are located sufficiently close to one another to be operated as one unit, may be awarded a contract provided the contract limits future residential development to only of the parcels, subject to the density limitations of the combining district. Parcels below the minimum size and under separate ownership may be eligible if the owners can show that the income of the parcel qualifies it as self-sustaining unit.

   Other requirements. All other agricultural preserve requirements should stay the same, except for the coastal policy setting restrictive minimum parcel sizes and residential densities to control potential land division and residential development.

8. Utilize the Open Space Easement Act for designated Open Space and Sensitive and Hazardous lands to provide reasonable taxation

9. Incorporate the compatible uses into a revision of the resource zoning districts, specifying the uses exempt and subject to coastal permits.

10. Exempt timber harvesting from coastal permit requirements only where regulated by the Forest Practice Act and the California Department of Forestry.

11. Amend the Grading Ordinance to provide for a simple administrative procedure to control the grading of new ranch roads in conjunction with agricultural and timber management activities. Add rural ranch road standards to the Grading Ordinance. Exempt roads approved as part of a Timber Harvest Plan.

12. Enforce the amended Grading Ordinance.

**Resource Management**

13. Promote a high level of agricultural and forestry management practices which protect environmental values to help insure the long term use and conservation of coastal resources.

14. Allow the use of controlled burning to improve grazing land when proper permits have been obtained.

15. Recommend to the Agricultural Stabilization and Conservation Services, United States Department of Agriculture, that fencing of riparian vegetation for stream protection be a priority coastal practice where needed for bank stabilization in the Agricultural Conservation Program. Another priority coastal practice which should be funded is the fencing of the steep slopes along the high cliffs north of Russian Gulch and south of Fort Ross to prevent overgrazing.

16. Promote use of sensitive soils as watershed and wildlife habitat.

**State Parks**

17. Prepare a long range resource element of each Park Unit General Plan as a basis for lease agreements.

18. Retain in agricultural production land not currently needed for public use, as compatible with the General Plan Resource Element of the park unit.

19. Grant long-term leases (five to twenty years) on State lands, providing incentives to improve the quality of range.

20. Monitor grazing and improve range management practices on State land leased for grazing in cooperation with the ranchers and the Soil Conservation Service.

21. Enforce the leash laws at coastal parks and beaches with fines for those who disregard the law. If dog predation of coastal livestock cannot be effectively controlled in some areas, designate public areas which prohibit dogs directly adjacent to vulnerable grazing lands.

**Other Programs**

22. Continue the County predatory animal control program, using humane methods that have a reasonable assurance of affecting predators while not affecting other wildlife.

23. Promote Coastal Conservancy projects on the Sonoma coast involving the restoration of key areas where recreational, natural, or scenic values can be enhanced.

24. Encourage ranchers and dairy farmers to utilize best management practices to minimize water pollution through the 208 Program. The Soil Conservation Service has the technical expertise to assist in voluntary compliance.

25. Support amendments to the forest practice rules to meet the goals of the 208 Program.

26. Formalize the County's review of Timber Harvest Plans with submittal of written comments to the California Department of Forestry in the coastal zone.

27. Request the Board of Forestry to consider enforcing Special Treatment Area stocking and clear cutting standards on all forest lands in the Coastal Zone.

# V. RECREATION

## SHORELINE ACCESS

### Introduction

The public's right of access to the tidelands is guaranteed by the California Constitution. This constitutional right was reaffirmed and clarified by the people of California through the passage of Proposition 20 in 1972. The Coastal Act of 1976 further defines shoreline access policies and establishes a framework for achieving the goal of providing maximum opportunities in public use and enjoyment of the coast.

### Constitutional Provisions

Article XV, Section 2 of the California Constitution provides: no individual, partnership, or corporation, claiming or possessing the frontage or tidal lands of a harbor, bay inlet, estuary, or other navigable water in this State, shall be permitted to exclude the right of way to such water whenever it is required for any public purpose, nor to destroy or obstruct the free navigation of such water; and the Legislature shall enact such laws as will give the most liberal construction to this provision, so that access to the navigable waters of this State shall be always attainable for the people.

### Coastal Act Policies

30210. In carrying out the requirement of Section 2 of Article XV of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

30211. Development shall not interfere with the public's right or access to the sea where acquired through use, or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

30212. Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with the public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 2 of Article XV of the California Constitution.

30604(c). Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that such development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).

**Access in Sonoma County**

Sonoma County's coastline stretches over fifty-five miles. About one-half of the coastline property is in government ownership, but not all of that land is open to the public with appropriate facilities.

**Public Ownership**. The Sonoma County Regional Parks Department and the State Department of Parks and Recreation own developed facilities and undeveloped land. The University of California owns the Bodega Marine facility which is not generally open to the public.

The availability of coastal tidelands to the public from Gualala to Jenner is quite varied. Some large sections of the coastline are open to the public, including North Jenner Beach, Fort Ross Historic Park, Salt Point State Park, and Gualala Point Regional Park. On other large sections public access is limited, most notably from Gualala Point Regional Park to Stewarts Point and within the Timber Cove Subdivision.

Access to the Russian River between Duncans Mills and the river mouth is limited to certain areas with the mouth accessible from Jenner and the Goat Rock area. From the Bridgehaven bridge to Duncans Mills river access is limited to informal turnout areas. Two fee access points are available in Duncans Mills.

The south coast is very accessible to the public. State Parks and Recreation owns coastal property from the Russian River to Bodega Head, with the exception of Pacific View Estates and Gleasons Beach subdivisions, a few individual parcels, and the Bodega Marine facility. Numerous access points include parking lots, trails, trash receptacles and restrooms.

Private landholdings in the town of Bodega Bay prevent public access to tidelands in some cases. Two accessways within Bodega Harbor Subdivision have been dedicated to the County Regional Parks Department but are not yet open to the public.

**Private Recreational Accessways.** A number of landowners charge minimal day use access fees that permit the general public the opportunity to reach the shoreline. Fees are similar to those charged at State and County parks for day use. Most of the properties are used for grazing as well as access. By controlling access by fee and location, the property owner can operate the trails in a manner that affords minimum interference with the agricultural operation.

Unfortunately, these fee access points could be eliminated at any time. The Access Plan encourages owners of fee accessways to continue to provide access to the public. However, of a landowner closes a fee access point to the public, an easement should be purchased or otherwise acquired.

The County has little control over the management of or provision of sanitary facilities and parking at existing fee accessways. In the future, private fee accessways will require coastal permits and be subject to conditions similar to those applied to public accessways.

## SHORELINE ACCESS

### Types-Lateral and Vertical

Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. The public has the right of use of dry sand and rocky coastal beaches to the mean high tide line. A designated lateral beach accessway clarifies and in some cases increases the area available for public use. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five foot wide accessway should be dedicated.

Bluff top trails offer hiking and public viewing opportunities as well as shoreline access when connected to stairs or paths to the beach. The bluff top easement should be described as an area beginning at the bluff edge extending approximately twenty-five feet inland.

State Coastal Plan Policy 145 calls for establishment of a coastal trail system. The recreation section describes a Sonoma County coastal trail system. Many of the lateral accessways listed in the Access Plan may be incorporated into this coastal trail.

Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen feet in width with slope easements plus the additional area necessary for the placement of improvements.

### Allowable Activities

A pass and repass right allows pedestrian movement along the shoreline or from the nearest public roadway to the shoreline to the mean high-tide line along a specified route. Passive recreational uses include activities normally associated with beach use (walking, swimming, jogging, sunbathing, fishing, surfing, and nature study) but does not include organized sports activities, campfires or vehicular access. Active recreational uses include the full range of beach-oriented activities including those uses not allowed in passive use area. View access refers to opportunities for the public to view the shoreline. View access is available from blufftop trails and roadside vista points. Handicapped access provides vehicular access to boardwalk or ramp suitable for wheelchairs.

In most cases, vertical access use will be limited to pass and repass. Blufftop accessways will be limited to pass and repass and view access. Passive recreational use will be allowed along lateral beach accesses. Active use of accessways will be allowed only in very limited circumstances. View access should be made available as frequently as possible. Handicapped accessways should be developed to provide handicapped people with the opportunity to enjoy the shoreline.

## DEVELOPMENT CRITERIA FOR ACCESS FACILITIES

Among the facilities needed for accessways and shoreline destinations are: safe trails, restrooms, parking areas, trash receptacles and signs. Necessary facilities at a particular site will depend upon expected use and the availability of facilities nearby. Because the level of use is expected to increase over time, facilities may be developed in several phases with new or expanded facilities added as needed.

**Trails.** A safe, well-defined trail is required at each access open to the public. Often dirt paths will be sufficient. The descent could be paved, stepping stones, or stairways. Improvements should be designed to be safe and to minimize disruption and maintenance costs.

**Restrooms.** Restrooms are necessary to protect public health and safety as well as coastal resources. Most vertical access trails will need restrooms before they are opened for public use unless restrooms are available nearby. If expected intensity of use is low, portable chemical toilets will be sufficient. Major recreational areas need more permanent facilities. Long lateral accessways (either shoreline or bluff tops) with vertical access available, should provide restrooms at each end of the trail.

**Parking Areas.** Parking lots should be located within one-half mile of the trail head. The current practice of parking along Highway 1 is often inconvenient, hazardous, slows traffic, and is visually undesirable. Well designed and screened off-road parking should be developed with a number of parking spaces based on the capacity of the access destination. Existing accessways will need lots sized to accommodate the number of cars parked along the roadway on a typical summer weekend. In areas that have not been used for recreation on a regular basis, lots should accommodate no more than ten to fifteen cars.

**Trash Receptacles.** Trash cans are needed at all access points with regular trash removal provided by the operating agency.

**Signs.** All public accessways opened to the public should be clearly signed to indicate location of trail heads, parking, parking capacity, emergency aid information and any other recreational information such as information about natural resources, the need for user cooperation, and possible fires. If the trail begins on Highway 1, only one directional sign on the highway will be necessary. If the trail begins off the highway, there should be a sign on Highway 1 and directional signs to the trail head. Signs should be uniform throughout the coast.

**ACQUIRING ACCESS**

Acquisition of public accessways can be accomplished in three ways: purchase, dedication requirement as a permit condition, and establishment of prescriptive rights.

**Purchase.** Public access can be acquired through purchase. Sources of funds can be state, local or a combination of the two. On the local level, County Parks is likely to be the agency to administer acquisition funds, either from the County budget or grant sources. The Sonoma County Agricultural Preservation and Open Space District may also acquire land in compliance with their adopted acquisition plan. State agencies likely to administer acquisition funds are State Parks and Coastal Conservancy. State funding sources include the General Fund and the Park Bond Act of 1976. A potential new major funding source would be the 1980 Park Bond Act, which earmarks a substantial portion of funds to coastal acquisitions. The Access Plan acquisition priorities will assist in allocation of funds.

**Dedication.** In order to fulfill the access provisions of the Coastal Act, the County will require that public access be provided as part of new development in many cases. The purpose of the Access Plan is to analyze access in an overall manner to determine where access is appropriate. When a permit is requested on property with a proposed accessway shown in the Access Plan, an offer of access dedication will be required as a condition of the permit. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory. In coastal areas, where the bluffs exceed five feet in height, all beach seaward of the base of the bluff shall be dedicated. In coastal areas where the bluffs are less than five feet, the area to be dedicated shall be determined by the County. In no case shall the dedicated easement be required to be closer than 10 feet to a residential structure. In addition, all fences, no trespassing signs, and other obstructions that may limit public lateral access shall be removed as a condition of development approval.

**Prescriptive Rights.** The public may acquire a prescriptive right to use property either by permission of the owner or by using the property without permission. A right of access through use is essentially an easement over real property which comes into being without the explicit consent of the owner. The acquisition of such an easement by the public is referred to an implied dedication or prescriptive easement. In California, the use must continue for five years before an easement comes into being.

For the public to obtain an easement by way of implied dedication, it must be shown that the public has used the land for the prescriptive period of five years as if it were public land:

Without asking or receiving permission from the owner.

With the actual or presumed knowledge of the owner.

Without significant objection or bona-fide attempts by the owner to prevent or halt such use.

Prescriptive easements can be established through litigation or coastal permit conditions although proving implied dedication through litigation is a very complex procedure. Prescriptive litigation can be initiated by a public agency or by a member of the public.

According to Coastal Act Section 30211, a permit cannot be issued that might interfere with prescriptive rights. The Access Plan identifies access points which may be prescriptive. Further research on accessways identified as potentially prescriptive may show that implied dedication has not been established. The plan is made without prejudice to the existence or absence of said rights.

When a coastal permit application is received, the responsible planner must determine whether prescriptive easements may exist. If an accessway is listed on the Access Plan as potentially prescriptive or if there is reason to believe that a prescriptive easement exists, further research should be conducted using methods described in the Prescriptive Rights Manual published by the State Attorney General's Office. If a prescriptive easement is determined to exist, an offer of dedication will be required as a permit condition. Where a permit would preclude a prescriptive easement, the permit will be denied. One of the following findings must be made when considering a coastal permit on property located between the first public roadway and the shoreline: (a) The evidence does not warrant the conclusion that public prescriptive rights exist, (b) Public prescriptive rights exist, but the development will not interfere with those rights, (c) There is an unresolved controversy as to the existence of public prescriptive rights which requires denial of a permit because of interference with those rights, (d) There is an unresolved controversy as to the existence of public prescriptive rights, but the applicant's dedication of a public access protects the rights of the public and allows an agreement to accept the actual dedication in exchange for giving up the contested claim of implied dedication.

A list of access trails which may be prescriptive is in the Coastal Administrative Manual.

**Liability.** Liability is a major concern of both public agencies and private property owners regarding accessways. State laws do provide some immunities to liability. Government Code Sections 831.2 and 831.4 provide immunity to public agencies for public recreational use of public lands and recreational trails and roadways, releasing agencies from liability if a person is injured while using an accessway. Civil Code Section 846 grants immunity to private landowners who allow people to use their property for recreational purposes. If a fee is collected, however, the private landowner loses this immunity.

**County Responsibilities.** The County shall take all necessary steps to protect and defend the public's constitutionally guaranteed rights of access to and along the shoreline. At a minimum, County actions shall include:

(a) Appropriate assistance in State or private legal action to acquire easements to beaches and access corridors for which prescriptive rights may exist consistent with the availability of staff and funds.

(b) Accepting or finding other public agencies to accept offers of dedication which will increase opportunities for public access and recreation consistent with the County's ability to assume liability and maintenance costs.

The County shall also make the following findings in conjunction with applications for coastal and development permits. For all development between the first public road and the ocean, granting of an easement to allow vertical access to the mean high tide line shall be mandatory unless:

(a) Another more suitable public access corridor is available or proposed by the land use plan within a reasonable distance of the site measure along the shoreline, or

(b) Access at the site would result in unmitigable adverse impacts on areas designated as "Sanctuary-Preservation" by the land use plan, or

(c) Findings are made, consistent with Section 30212 of the Act, that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected.

This policy shall not apply to the following kinds of development replacement of structures destroyed by natural disasters, remodeling of existing structures, repair and maintenance activities as defined in Section 30610 of the Act.

**ACCESS PLAN CRITERIA**

The Coastal Act requires that public access be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Utilizing these limitations and criteria relating to access management, potential accessways were evaluated for inclusion in the Access Plan. Additionally, acquisition and development priorities are recommended for the accessways to be included in the Access Plan.

**Accessway Criteria**

**Adequate Access.** Adequate access has not been defined in quantitative terms. In an optimum sense, adequate access will exist only when all tidelands are accessible to the public. Practically, access availability will be limited by land use and resource conflicts, topography, and the ability of public agencies to develop and operate accessways. Given these constraints, the Access Plan represents adequate access in Sonoma County.

**Public Safety.** Few areas along Sonoma County's coast are without some hazard. However, some areas are more hazardous than others. In most hazardous areas, like the high cliffs, access points are not recommended. In other areas, improvements are recommended to minimize public hazards.

**Environmentally Sensitive Habitat Areas.** All potential access points have been evaluated for sensitive resources including wildlife habitat, rare or endangered plants, archaeological sites and other biological resources. Some accessways have been eliminated from the Access Plan due to sensitive resources. Others will require further environmental study prior to development. These specific studies may reveal that access is inappropriate or that access can be developed with adequate mitigation measures. Examples of mitigations are: limit access to scientific and nature study purposes only, restrict public access to certain times of the year, close sections of a trail periodically to allow revegetation, or site trail to avoid sensitive resources..

**Agricultural.** Sheep and cattle grazing are the two main agricultural activities along the shoreline. No accessway should be sited on property utilized for agriculture unless adequate protection of the agricultural operations is provided. Where possible, access trails should be located along fences and property lines. At a minimum, there should be physical separation, either natural or man-made, between agricultural operations and access trails.

Any potential accessway not so designated because of concern for agriculture should be reconsidered through a Coastal Plan amendment procedure, for inclusion in the Access Plan, if the land is converted from agricultural use. The following accessways were deleted from the Access Plan at least partially due to concern for agriculture:

1. Vertical access along the boundary between The Sea Ranch and the Richardson property.

2. Blufftop access from The Sea Ranch to Stewart's Point Cove to be added to the Sonoma County Coastal Trail.

3. Lateral access parallel to the Russian River between the intersection of Highway 1 - Goat Rock Road and Bridgehaven.

**Quality of Destination.** The desirability and capacity of shoreline destinations are important considerations. Areas with few attractions and limited space will not justify the cost of development and operation.

**Residential Conflicts.** Accessways must be designed and managed to minimize residential conflicts. The distance between bluff and vertical accessways and residences should be as large as possible and a minimum of twenty feet.

## ACQUISITION PRIORITIES

All proposed accessways have been designated I, II, or III acquisition priority. Acquisition criteria include safety, quality of destination, stability of bluff, distance from other access points, environmental suitability, compatibility with agricultural and residential uses, and ease of development and operation. Some of these criteria conflict; the priority designations reflect a balancing of all aspects.

Implementation of the Acquisition Priorities is described under Access Recommendations.

## DEVELOPMENT PRIORITIES

The proposed accessways have also been designated I, II, or III development priorities, but the emphasis is different. Development of accessways distant from existing developed access points are given higher priority. Safety and cost of development and operation are paramount concerns. Implementation of the Development Priorities is described under Access Recommendations.

## DEVELOPMENT AND OPERATION OF ACCESSWAYS

### Coastal Permit

A coastal permit will be required for all new accessways. The permit must be obtained prior to development. In this way a detailed analysis of sensitive resources, necessary improvements, area compatibility, and appropriate use levels can be conducted. Each accessway permit must be renewed periodically. If natural resources have been degraded or facilities or inadequate, mitigation measures will be required or the permit revoked.

The County is not authorized to require use permits for existing accessways unless an expansion of the use is requested. The County will provide available information and advice to existing access operators about sensitive resources and potential health hazards.

### Operations of Accessways

Public accessways must be managed. An agency or organization must be willing to accept responsibility for maintenance and operation of an accessway before it is opened to the public. Three types of operators may manage accessways: public agencies, organizations, and private individuals. Appropriate public agencies include State Department of Parks and Recreation, State Department of Fish and Game, Sonoma County Agricultural Preservation and Open Space District, and the County Regional Parks Department. Preference will be given to public agencies for the acceptance and operation of accessways. If it is not feasible for a public agency to accept a particular accessway which is leased back to a private party for operation. Accessways may be owned and operated by private property owners.

**Maintenance.** Proper maintenance of access facilities is essential to protect natural resources and public safety and prevent adverse impacts on adjacent properties. Coastal permit conditions and renewals will help assure that maintenance is adequate.

**Policing.** The two public agencies most able to police accessways on Sonoma's coast are State Parks and Recreation and the Regional Parks Department. Both agencies operate parks along the coast and employ rangers and maintenance personnel. The accessways accepted by each park agency should be located within proximity of their park lands to facilitate policing. Current staffing levels for both the State and County Parks Departments is limited. When new parks and accessways are opened, additional staffing will be essential to adequately maintain and police these public properties. Private organizations and individuals will be required to adequately police accessways which they operate.

**Access Plan**

The Access Plan delineates existing accessways and those proposed for inclusion in an overall coastal access system. For each accessway, the Plan lists the name, status, description, recommendations, acquisition priority, and development priority. The accessways are numbered north to south (See Table V-1 and Figure V-1).

**TABLE V-1 ACCESS PLAN SUMMARY**

| Access Area | | Status | Acquisition Priority | Development Priority |
|---|---|---|---|---|
| 1. | Gualala Point Regional Park | Dedicated/Improved | N/A | N/A |
| 2. | Salal Trail | Dedicated/Partially Improved | N/A | I |
| 3. | Del Mar Ecological Reserve Access | Dedicated/Unimproved | N/A | II |
| 4. | Gualala River Fishing Access | Proposed | II | II |
| 5. | Northern Blufftop Trail and Vertical Access in Unit 34-A | Proposed | N/A | I |
| 6. | Shell Beach | Proposed | N/A | I |
| 7. | Unit 36 Access | Proposed | N/A | I |
| 8. | Pebble Beach | Proposed | N/A | I |
| 9. | Black Point Beach | Existing/Proposed | N/A | I |
| 10. | Stewarts Point Cove | Proposed | III | III |
| 11. | Northern Red Box Accessways | Existing/Proposed | III | II |
| 12. | Southern Red Box Accessways | Existing/Proposed | III | II |
| 13. | Northern Horseshoe Cove | Existing/Proposed | III | III |

TABLE V-1 ACCESS PLAN SUMMARY

| Access Area | Acquisition Status | Development Priority | Priority |
|---|---|---|---|
| 14. Kruse Ranch Horseshoe Cove and Point | Dedicated/Unimproved | N/A | I |
| 15. Kruse Ranch Deadman Gulch | Dedicated/Unimproved | N/A | III |
| 16. Kruse Ranch Fisk Mill Cove | Dedicated/Unimproved | N/A | I |
| 17. Salt Point State Park | Dedicated/Unimproved | N/A | N/A |
| 18. Ocean Cove | Existing/Proposed | III | III |
| 19. Bluff Trail Ocean Cove to Stillwater Cove | Proposed | I | II |
| 20. Stillwater Cove Northern Corridor | Dedicated/Unimproved | N/A | III |
| 21. Stillwater Cove Park | Dedicated/Partially Improved | N/A | I |
| 22. Stillwater Cove Southern Corridor | Proposed/To be Dedicated | I | II |
| 23. Timber Cove Ninive Drive Vertical Access | Proposed | III | III |
| 24. Timber Cove Bluff Trail | Proposed | II | II |
| 25. Timber Cove Inn Access | Proposed | I | I |
| 26. Timber Cove Campground | Existing/Proposed | III | III |
| 27. Windermere Point | Proposed | I | II |
| 28. Kolmer Gulch | Proposed | I | II |
| 29. Call Acquisition | Dedicated/Unimproved | N/A | II |

TABLE V-1 ACCESS PLAN SUMMARY

| Access Area | Acquisition Status | Development Priority | Priority |
|---|---|---|---|
| 30. Fort Ross Park | Dedicated/Improved | N/A | N/A |
| 31. Eckert Acquisition North | Dedicated/Partially Improved | N/A | II |
| 32. Eckert Acquisition South | Dedicated/Partially Improved | N/A | II |
| 33. High Cliffs Vista Point | Dedicated/Unimproved | N/A | III |
| 34. Russian Gulch Northern Access | Existing and Proposed | III | III |
| 35. Russian Gulch | Dedicated/Unimproved | N/A | I |
| 36. North Jenner Beach | Dedicated/Unimproved | N/A | I |
| 37. Jenner State Parks Building | Dedicated/Partially Improved | N/A | II |
| 38. South Jenner Vista Point | Dedicated/Unimproved | N/A | III |
| 39. Russian River Access Bridge to Sawmill Gulch | Proposed | III | III |
| 40. Riccioli Ranch | Proposed | III | III |
| 41. Duncans Mills Campground | Existing/Proposed | III | III |
| 42. Cassini's Campground | Existing/proposed | III | III |
| 43. Freezeout Flat Subdivision | Proposed | II | II |
| 44. Goat Rock River Access | Dedicated/Improved | N/A | N/A |
| 45. Bridgehaven Boat Launching | Existing/Proposed | III | III |

TABLE V-1 ACCESS PLAN SUMMARY

| Access Area | Acquisition Status | Development Priority | Priority |
|---|---|---|---|
| 46. Willow Creek Acquisition | Dedicated/Improved | N/A | N/A |
| 47. Goat Rock Ocean Access | Dedicated/Partially Improved | N/A | N/A |
| 48. Shell Beach Bluff Trail | Dedicated/Unimproved | N/A | II |
| 49. Shell Beach | Improved | N/A | N/A |
| 50. Pacific View Estates | Dedicated/Unimproved | N/A | N/A |
| 51. Wright Beach | Dedicated/Improved | N/A | II |
| 52. Duncans Landing | Dedicated/Improved | N/A | N/A |
| 53. Duncans Cove | Dedicated/Improved | N/A | N/A |
| 54. Gleasons Beach | Dedicated/Improved | N/A | N/A |
| 55. Gleasons Beach Subdivision | Proposed | I | II |
| 56. Portuguese Beach | Dedicated/Improved | N/A | N/A |
| 57. Sonoma Coast State Beach, Portuguese Beach to Salmon Creek | Dedicated/Improved | N/A | N/A |
| 58. South Salmon Creek Beach | Dedicated/Partially Improved | N/A | N/A |
| 59. Bodega Dunes Campground | Dedicated/Improved | N/A | N/A |
| 60. Bodega Marine Reserve Trail | Proposed | II | II |

TABLE V-1 ACCESS PLAN SUMMARY

| Access Area | Acquisition Status | Development Priority | Priority |
|---|---|---|---|
| 61. Bodega Head | Dedicated/Partially Improved | N/A | N/A |
| 62. Westside Park | Dedicated/Improved | N/A | N/A |
| 63. Central Bodega Bay Harbor Access | Existing/Private | N/A | N/A |
| 64. Bodega Harbour Yacht Club | Dedicated County Lease | N/A | N/A |
| 65. Old Airport Site | Dedicated/Unimproved | N/A | N/A |
| 66. Doran Park | Dedicated/Improved | N/A | N/A |
| 67. Pinnacle Gulch | To be Dedicated Partially Developed | N/A | I |
| 68. Shirt-tail Gulch | To be Dedicated Unimproved | N/A | II |
| 69. Estero Americano | Existing Marin County | III | III |

Figure V-1

## ACCESS PLAN DESCRIPTION AND RECOMMENDATIONS

### Sea Ranch North - Map 1

1. Gualala Point County Park - dedicated and improved

   Discussion: See Recreation Plan

2. Salal Trail - dedicated and partially improved

   Discussion: A trail has been cleared along an intermittent creek. The County Regional Parks Department maintains the trail. Parking is at the south end of Gualala Point County Park one-quarter mile from the trail head. The destination is a limited pocket cove. The beach area ranges from nearly non-existent to up to 500 feet in length at the lowest tide.

   Recommendations:

   Construct bridges at creek crossings.
   Construct restrooms near trail.
   Connect parking area to trail
   Clear driftwood debris from beach.

   Development Priority: I

   Note: If trail were undeveloped, it would be Priority III due to limited destination and close proximity to Park. It is Priority I because the trail is partially improved and further improvements have been budgeted.

3. Del Mar Ecological Reserve Access - dedicated and unimproved

   Discussion: An accessway has been dedicated to the State Department of Fish and Game to provide access to the Del Mar Ecological Reserve. No trail has been developed.

   Recommendations:

   Prepare an access permit procedure.
   Develop a trail from Highway 1 to the Reserve. Due to low intensity usage, restroom and parking facilities for Salal Trail will be sufficient to serve this trail.

   Development Priority: II

4. Gualala River Forest Trail - Proposed

Discussion: A trail paralleling the Gualala River was recommended as part of the Gualala Point County Park Plan. Owners of Gualala Redwoods proposed to make available to County Parks the opportunity to construct and operate a loop trail which could be moved by logging operations as required.

Recommendations:

Negotiate with landowner to acquire public use of a trail.
Construct trail - no new support facilities needed.

Acquisition Priority: II Development Priority : II

Note: (April 6, 1982) Accessways 5 through 9 have been modified to reflect the provisions of the Bane Bill. Litigation is pending challenging the Constitutionality of this legislation. If litigation results in invalidating the Bane Bill, the County will immediately initiate a Coastal Plan Amendment to reinstate the Coastal Plan access provisions originally adopted by the Board of Supervisors.

5. Northern Blufftop Trail and Vertical Access in Unit 34-A - Proposed

Discussion: Access to Walk-On Beach and the North Blufftop Trail includes a 30-foot wide vehicular access to a parking area in Unit 34-A for 10 cars; a 15-foot wide pedestrian accessway from the parking area continuing west to the blufftop trail and a 15-foot wide pedestrian easement beginning at the southern boundary of Gualala Point County Park and continuing for approximately three miles in a southerly direction to the sandy beach at the northern end of Unit 28 just north of Walk-On Beach together with a 15-foot wide pedestrian easement to provide a connection to Walk-On Beach to the south.

Recommendations:

County Parks shall negotiate to accept the offer of dedication or otherwise secure the designated accessway. If, within one year from date of the offer, County Parks has not so acted, the offer shall be available to another appropriate public agency.

Vehicular access shall be developed from Highway 1 to the parking area. The parking area for ten cars, restroom facilities, trails, and staircase shall be developed.

Acquisition Priority: NA Development Priority: I

6. Shell Beach Access - Proposed

Discussion: Access to Shell Beach includes vehicular access to a day parking area in Unit 24 for six vehicles west of State Highway 1, just south of Whalebone Reach, and a 15-foot wide pedestrian accessway over Sea Ranch Association common areas crossing Pacific Reach and continuing westerly to the southern portion of Shell Beach with a 15-foot wide pedestrian easement to connect with the northern portion of Shell Beach.

Recommendations:

County Parks shall negotiate to accept the offer of dedication or otherwise secure the designated accessway. If, within one year from the date of the offer, County Parks has not so acted, the offers shall be available to another appropriate public agency.

Vehicular access shall be developed from Highway 1 to the parking area. A parking area for 6 cars shall be developed. A trail shall be constructed from the parking area to the blufftop as well as a staircase to the beach. A restroom shall be installed at the parking area.

Acquisition Priority: N/A Development Priority: I

**Sea Ranch South - Map 2**

7. Unit 36 Access - Proposed

Discussion: Access includes a 30-foot wide vehicle access to a parking area for 10 vehicles in Unit 36 north of the Stables and a 15-foot wide pedestrian accessway from the parking area to the beach at the intersection of Units 21 and 36.

Recommendations:

County Parks shall negotiate to accept the offer of dedication or otherwise secure the designated accessway. If, within one year from the date of the offer, County Parks has not so acted, the offer shall be available to another appropriate public agency.

Vehicular access shall be developed from Highway 1 to the parking area. A parking area for 10 cars shall be developed.

A trail shall be constructed from the parking area to the blufftop at the intersection of Units 21 and 36.

A staircase to the beach shall be constructed if beach availability warrants this capital improvement.

Acquisition Priority: N/A Development Priority: I

8. Pebble Beach - Proposed

Discussion: Access includes vehicular access to a parking area for four vehicles in Unit 17 adjacent to the intersection of Navigator's Reach and Highway 1 and a 15-foot wide pedestrian accessway from the parking area to Pebble Beach.

Recommendations:

County Parks shall negotiate to accept the offer of dedication or otherwise secure the designated accessway. If, within one year from the date of the offer, County Parks has not so acted, the offer shall be available to another appropriate public agency.

Vehicular access shall be developed from Highway 1 to the parking area. A parking area for four vehicles shall be developed.

A trail shall be constructed from the parking area to Pebble Beach. A staircase shall also be constructed.

Acquisition Priority: N/A Development Priority: I

9. Black Point Beach - Proposed

Discussion: The public is allowed to park at The Sea Ranch Lodge and walk to the Black Point blufftop across land owned by Oceanic Properties. Access includes a vehicular accessway from Highway 1 to a parking area for 10 cars, a 15-foot pedestrian easement from the parking area to Black Point Beach. The Black Point Beach access could be relocated within the "Lodge parcel" at the landowners option and expense. Use of the existing staircase is recommended. The current road access to the Lodge is considered temporary and a new entrance to the north is planned.

Recommendations:

County Parks shall negotiate to accept the offer of dedication or otherwise secure the designated accessway. If, within one year from the date of the offer, County Parks has not so acted, the offer shall be available to another appropriate public agency.

The new entrance road to the Lodge shall be used for public vehicular access to the pedestrian accessway. Until the new road is constructed, the public shall continue to be allowed to park at the Lodge and use the Oceanic pathway. Such continued public use of present Oceanic facilities and public use of designated future public access facilities shall be a condition of any additional development by Oceanic, including but not limited to the development identified in Policy VII-17.

A staircase to Black Point Beach shall be constructed.

Acquisition Priority: N/A Development Priority: I

**Stewart's Point - Horseshoe Cove - Map 3**

10. Stewart's Point Cove - Proposed

Discussion: An existing dirt road crosses agricultural land leading from Highway 1 to Stewart's Point and a double cove. This area includes sensitive natural resources and agricultural resources, but is a desirable destination for nature lovers and divers.

Recommendations:

Open for public use only if agriculture is no longer the primary use of the property.
Conduct an environmental study to determine impacts and mitigations.
Open for public use only if environmental impacts are mitigated.
Mitigations may include no access or access for scientific and educational purposes only.
Assess the need for accompanying facilities at the time of dedication.

11. Northern Red Box Accessways - Existing Private and Proposed

Discussion: The Red Box program provides shoreline access for a small fee. On the north half of this program area are five vertical accessways stretching from Fisherman's Bay to an unnamed gulch south of Sandy Point. A blufftop trail connects these vertical trails.

Recommendations:

Continue the Red Box Program.
Provide formal parking and restrooms.

Acquisition Priority: II  Development Priority: II

12. Southern Red Box Accessways - Existing Private and Proposed

Discussion: Three vertical accessways to Mac's Cove, Rocky Point and the small cove to the south are located across from an abandoned portion of Highway 1 used for parking. To the south is one vertical accessway and a short blufftop trail loop.

Recommendations:

Continue the Red Box Program.
Continue to use the old Highway 1 loop for parking.
Provide restrooms on property.

Acquisition Priority: III  Development Priority: II

13. Northern Horseshoe Cove - Existing Private and Proposed

Discussion: Currently access to the northern half of Horseshoe Cove is through private Richardson property. The trail is fairly hazardous and the parking area along Highway 1 is very limited. Only limited use of this access should be allowed. Access to the north cove Kruse Ranch State property would be preferable.

Recommendations:

Allow the continued private use of this trail unless overuse threatens the natural resources. Develop, if physically feasible, an accessway through the Kruse Ranch to the north Horseshoe Cove. Construct parking, restrooms, and picnic facilities nearby on the Kruse Ranch.

Acquisition Priority: III  Development Priority: III

14. Kruse Ranch Acquisition - Horseshoe Cove and Horseshoe Point - Dedicated and Undeveloped.

Discussion: Two vertical paths lead to the southern half of Horseshoe Cove and one path leads to Horseshoe Point. The blufftop is used for lateral access. This property has a great potential as a day use area. Public facilities including parking, restrooms, and picnic tables are needed at the north and south end of the Ranch. The area between should remain relatively undeveloped and connected by footpaths.

Recommendations:

Develop a short access road, parking area, restrooms, a picnic area adjacent to the south Horseshoe Cove where facilities can be screened by existing trees.

Formalize existing trails and develop stairs to the cove and to Horseshoe Point. Install blufftop trail the full length of the Kruse Ranch.

Development Priority: I

15. Kruse Ranch Acquisition - Deadman Gulch - Dedicated and Undeveloped

Discussion: Vertical access along Deadman Gulch is possible. A mid-terrace trail connects this trail to Highway 1 near Fisk Mill Cove.

Recommendations:

Develop a trail along Deadman Gulch, but no accompanying facilities, to connect to the blufftop trail and to the shoreline.
Develop other inter-connecting trails and shoreline access.

Development Priority: III

16. Kruse Ranch Acquisition - Fish Mill Cove - Dedicated and Undeveloped

Discussion: An existing trail from Highway 1 through a forested area leads to a rocky cove area. State Parks plans to develop a parking area paralleling the highway, screened by trees, with restrooms, in this vicinity.

Recommendations:

Complete planned improvements.
Connect the vertical accessway to the proposed Kruse Ranch bluff trail and to the existing Salt Point State Park bluff trail.

Development Priority: I

Salt Point - Map 4

17. Salt Point State Park - Improved

Discussion: See Recreation Plan

Timber Cove - Fort Ross - Map 5

18. Ocean Cove - Existing Private and Proposed

Discussion: Fee access is available at Ocean Cove for a small fee. Vehicular access to the blufftop and parking near the bluff is provided. An unmaintained road from the bluff to a beach on the cove provides pedestrian and small boat access.

Recommendations:

Continue to provide public access to the shoreline. Require a coastal permit for any expansion of use and address the adequacy of parking and restroom facilities, stability of the bluff, and the visual impact of parking. For further recommendations, see Visitor Serving and Commercial Facilities Plan.

Acquisition Priority: III Development Priority: III

19. Bluff Trail Ocean Cove to Stillwater Cove - Proposed

Discussion: An existing bluff trail extends from the Ocean Cove property to Stillwater Cove and crosses four privately-owned parcels. This trail is likely to be prescriptive, connects recreational areas, and provides spectacular views. Two vertical accessways from the bluff trail make shoreline access possible.

Recommendations:

Acquire all lots for addition to Stillwater Cove County Park.
Develop the bluff trail and safe access to the shoreline. Utilize existing park restroom and parking facilities until overcrowding necessitates additional facilities.

Acquisition Priority: I Development Priority: II

20. Stillwater Cove Northern Corridor - Dedicated and Undeveloped

Discussion: An undeveloped vertical accessway to the rocky shoreline begins at Highway 1 across from Stillwater Ranch. The trail is steep, rocky, and somewhat hazardous without improvements.

Recommendations:

Develop a safe trail to the shoreline.
Utilize existing park restroom and parking facilities until overcrowding necessitates additional facilities.

Development Priority: II

21. Stillwater Cove County Park - Dedicated and Partially Improved

Discussion: See Recreation Plan

Development Priority: III

22. Stillwater Cove Southern Corridor - Proposed

Discussion: The Regional Coastal Commission has required the offer of dedication of two acres adjacent to the southern boundary of Stillwater Park which will provide access to the blufftop and spectacular views from the point, and shoreline access to the pocket cove of Stillwater Cove.

Recommendations:

County Parks should accept offer of dedication or purchase accessway.
Develop blufftop and shoreline access trail.

Utilize existing park restroom and parking facilities.

Acquisition Priority: I Development Priority: II

23. Timber Cove Connection Trail - Proposed

Discussion: A trail will connect a vertical access on the southern part of Ninive Drive to a vertical access at the Timber Cove Inn. This trail will run from Cormorant Point along the southern end of Ninive Drive, along the west side of Highway 1, to the blufftop adjacent to the Timber Cove Inn.

Recommendations:

Acquire access.
Develop a trail to connect the vertical accessways.

Acquisition Priority: II Development Priority: II

24. Timber Cove Inn Access - Proposed

Discussion: Several trails lead from the Timber Cove Inn property to the shoreline. Vertical access should be required.

Recommendations:

Acquire vertical access.
Construct public parking area and restroom.

Acquisition Priority: I Development Priority: I

25. Timber Cove Campground - Existing and Proposed

Discussion: A private campground at Timber Cove provides boat launching, trails and a road to the beach. Extensively used by divers, the boat launch is especially important.

Recommendations:

Continue access and boat launching under private ownership.

Acquisition Priority: III Development Priority: III

26. Windermere Point - Proposed

Discussion: Currently a private former lumber mill site is utilized for both vehicular access, parking and pedestrian access to the shoreline. The site is physically degraded and in need of restoration, but provides a significant amount of recreational usage.

Recommendations:

Acquire to add to State Park holdings to the south.
Develop parking and restroom facilities to serve both Windermere Point and Kolmer Gulch, if Kolmer Gulch facilities are not provided by the private landowner.

Acquisition Priority: I Development Priority: II

27. Kolmer Gulch - Proposed

Discussion: The beach at Kolmer Gulch is attractive, sandy, relatively large and popular. Only impromptu parking along the roadway is available. Until recently, a small access fee was charged.

Recommendations:

Acquire to add to State Park holdings to the south. Develop parking and restroom facilities to serve both Windermere Point and Kolmer Gulch unless similar conditions could be met as part of a private recreational development.

Acquisition Priority: I Development Priority: I

28. Call Ranch Acquisition - Dedicated and Undeveloped

Discussion: The Call Ranch stretches from Fort Ross north almost to Kolmer Gulch and was formerly a fee access and camping area. The shoreline is rocky with a small beach area at low tide with access down a steep path at Clam Beach. The property is unofficially open to public use, has few trees, is visually vulnerable.

Recommendations:

Open a formal accessway to the public.
Connect the abandoned section of Highway 1 on the property to the parking lot at Fort Ross Historic Park.
Manage fee access through the Park.
Construct safe shoreline trail and blufftop trail.

Development Priority: II

29. Fort Ross State Historic Park - Existing and Developed

Discussion: Two access points are available within the park: one to the rock shoreline on the north side of Fort Ross Cove and one to the beach on the south side of the cove. A road to the beach unloading area is available for drivers and the handicapped with no beach parking allowed. Restrooms and parking are available at the Park entrance. For additional information and recommendations, see the Recreation Plan.

Recommendations:

Continue to allow public use of the two access trails.
Continue to allow vehicular access to the beach for unloading until historic facilities in the Cove (beach) area are open to the public.

30. Eckert Acquisition North - Dedicated and Partially Improved

Discussion: The State leases the Eckert acquisition to the Pedottis, who operate it privately for fee access, camping, and agriculture. On this northern section are two main access areas. A road to the northern boundary and a parking area serves access to the cove to the south, the cove to the north, and a bluff trail to the beach at Fort Ross. The middle bluff road and parking lead to two steep shoreline trails.

Recommendations:

Continue to operate fee access as provided in the three-year lease. When operated by State Parks, continue to allow day use access in all locations but formalize and confine parking and restroom facilities. Construct safe trails to shoreline. Develop bluff trail the length of the Eckert, Fort Ross, and Call Ranch State properties.

Development Priority: II

The Highcliffs - Muniz - Jenner - Map 6

31. Eckert Acquisition South - Dedicated and Partially Developed

Discussion: A road and parking area on the south terrace and an existing trail provide safe access to the long but narrow beach at the mouth of Timber Gulch.

Recommendations:

Improve vehicular access to the trail head.
Follow recommendations listed for Eckert Acquisition North.

Development Priority: II

32. High Cliffs - Proposed Vista Point

Discussion: South of the slide, turnout areas are provided on both sides of Highway 1.

Recommendations:

Designate as an official scenic vista point.
Provide formal parking areas and develop interpretive facilities.
Erect road signs to notify the public about the visitor stop.

Development Priority: III

33. Russian Gulch Northern Access - Existing and Proposed

Discussion: An existing trail leads from Russian Gulch over the hill to the cove to the north. This trail makes access along the beach from the Eckert acquisition to Russian Gulch possible. Part of the trail is on State property and part is on the Black Ranch.

Recommendations:

Acquire remainder of the access trail.
Construct safe trail.

Acquisition Priority: III  Development Priority: III

34. Russian Gulch - Dedicated and Undeveloped

Discussion: Russian Gulch has a large, attractive, accessible and heavily used beach. The lack of restrooms presents a health hazard, as well as an inconvenience. Impromptu highway parking can create traffic hazards. For additional information and recommendations, see Recreation Plan.

Recommendations:

Develop parking area.
Construct restrooms.
Utilize new facilities as a roadside rest area.

Development Priority: I

35. North Jenner Beach - Dedicated and Undeveloped

Discussion: See Recreation Plan

Development Priority: I

36. Jenner State Park Building - Dedicated and Partially Improved

Discussion: See Recreation Plan

Development Priority: II

37. South Jenner Vista Point - Dedicated and Unimproved

Discussion: Several turnouts are located along the highway between Jenner and the Bridgehaven Bridge which provide visual access to the Russian River and Penny Island.

Recommendations:

Designate two turnouts as highway vista points, one for northbound traffic and one for southbound traffic.
Develop interpretive signs.
Erect road signs to notify the public about the vista points.

Development Priority: III

38. Russian River Access from Bridgehaven Bridge to Sawmill Gulch - Existing and Proposed

Discussion: Several turnouts along Highway 116 provide parking for informal trails across private property to the river. The most desirable destination is the cove at the mouth of Sawmill Gulch, but no parking area is available. A ten-acre river side parcel has recently been acquired by State Parks.

Recommendations:

All informal access to continue.
If property owner closes all accessways, acquire one access easement in this vicinity.
Develop parking for the new State Parks property.

Acquisition Priority: III Development Priority: III

**Duncans Mills - Map 7**

39. Riccioli Ranch - Proposed

Discussion: A long wide beach borders the Riccioli Ranch property on the Russian River but no access is available.

Recommendations:

Open for public use only if agriculture is no longer the primary use of the property.

Acquisition Priority: III Development Priority: III

40. Duncans Mills Campground - Existing Private and Proposed

Discussion: River access is allowed for a small day use fee.

Recommendations:

Continue the day use fee program.

Acquisition Priority: III Development Priority: III

41. Cassini's Campground - Existing Private and Proposed

Discussion: River access is allowed for a small day use fee when the campground is not full.

Recommendations:

Continue the day use fee program.
Require that a portion of any expansion be for day use.

Acquisition Priority: III Development Priority: III

42. Rancho del Paradiso Subdivision - Proposed

Discussion: A large beach is located in front of Rancho del Paradiso Subdivision along the Russian River. Several roads and trails have been dedicated for the use of lot owners within this subdivision. While some of these roads and trails have never been cleared, others have been closed by physical barriers and overgrown vegetation. Beach Drive was closed by the dumping of debris a year and a half ago. According to one landowner, Beach Drive has been in public use for many years and is probably prescriptive.

Recommendations:

Clear Beach Drive and open to pedestrian access.
Prohibit parking along Freezeout Road within the subdivision and on the beach.
Construct an eight car parking area within the 70 foot roadway.

Acquisition Priority: III Development Priority: III

**Willow Creek - Pacific View - Map 8**

43. Goat Rock River Access - Dedicated and Improved

Discussion: The beach at the mouth of the Russian River is accessible from Goat Rock parking area at the Sonoma Coast State Beach.

Recommendations:

No change.

44. Bridgehaven Boat Launching - Existing and Proposed

Discussion: Fee boat launching is available at the trailer park site which is important to fishermen. Reconstruction of the bridge may affect this access.

Recommendations:

Construct a public access beneath the new bridge on CALTRANS right-of-way, if feasible. For additional information and recommendations, see Visitor Serving and Commercial Facilities Plan.

Acquisition Priority: III Development Priority: III

45. Willow Creek Acquisition Russian River Access - Dedicated and Undeveloped

Discussion: See Recreation Plan

46. Goat Rock Ocean Access - Dedicated and Partially Improved

Discussion: Four accessways are available from Goat Rock Road.

Recommendations:

No change.

47. Shell Beach Bluff Trail - Dedicated and Undeveloped

Discussion: A blufftop trail from Shell Beach northward would connect Shell Beach to Goat Rock and provide a unique hiking experience.

Recommendations:

Construct and formalize new trail.
No new support facilities needed.

Development Priority: II

48. Shell Beach - Dedicated and Improved

Discussion: State Parks operates this accessway to Shell Beach. A safe trail, parking for 40 cars, and restrooms are available. Lateral access between Shell Beach and Wright's Beach is hindered only by one bluff promontory. A staircase up and over this bluff would allow hiking along nearly 2 miles of beach.

Recommendations:

No change in vertical access.
Develop a trail connection and staircase, as appropriate between Shell Beach and Wright Beach.

Development Priority: III

49. Pacific View Estates - Dedicated and Unimproved

Discussion: An access easement has been offered for dedication along Furlong Gulch at the southern boundary of Pacific View Estates.

Recommendations:

State Parks should accept offer of dedication.
Construct parking area and restrooms.

Development Priority: III

50. Wright Beach - Dedicated and Developed

Discussion: State Parks operates this beach access and campground. A road to the beach, parking for about 100 cars, and restrooms are available. For further discussion and recommendations, see Recreation Plan.

Recommendations:

Construct boardwalk wheelchair ramp from day use parking area to the beach.

Development Priority: II

51. Duncans Landing - Dedicated and Developed

Discussion: State Parks operates this beach accessway. A trail, parking for 15 cars, and restrooms are available.

Recommendations:

No change.

52. Duncans Cove - Dedicated and Developed

Discussion: State Parks operates this accessway. A trail and parking for 25 cars are available.

Recommendations:

No change.

53. Gleason Beach - Dedicated and Developed

Discussion: State Parks operates this accessway. A safe trail and parking for 10 cars are available.

Recommendations:

No change.

54. Gleason Beach Subdivision Access - Proposed

Discussion: A unique access point at Gleason Beach, where the sandy beach reaches Highway 1, is probably prescriptive. The possibility of developing handicapped access is excellent here, but area for parking and restrooms is limited.

Recommendations:

State Parks should prove prescriptive rights or purchase the beach area within the Gleason Beach Subdivision.
Develop small parking area with safe ingress and egress.
Install restrooms.
Construct boardwalk wheelchair ramp.

Acquisition Priority: I Development Priority: I

55. Portuguese Beach - Dedicated and Developed

Discussion: State Parks operates this accessway. A trail and parking area are available.

Recommendations:

No change.

**State Beach - Bodega Bay - Map 9**

56. Sonoma Coast State Beach - Portuguese Beach to Salmon Creek - Dedicated and Developed.

Discussion: Between Portuguese Beach and Salmon Creek are six beaches and access points operated by State Parks: Schoolhouse, Carmet, Arched Rock, Coleman, Miwok, and North Salmon Creek Beaches. Trail and parking areas are available. For additional information and recommendations, see Recreation and Transportation Plans.

57. South Salmon Creek Beach - Dedicated and Partially Improved

Discussion: South Salmon Creek is one of the most important and heavily used beach access points on the Sonoma County Coast. Existing parking is inadequate, and roadside parking is incompatible with residential uses. Heavy usage has resulted in damage and destabilization to the dunes. At such time as the State Department of Parks prepares a revegetation management plan, has funds in place and available to implement the revegetation plan and is ready to begin immediate revegetation of the dunes, the County may issue a coastal permit for the purpose of temporarily closing the parking lot during the revegetation period. Any such permit shall not authorize closure for more than three (3) years. If the State Department of Parks wishes to extend the closure period beyond three years, it will be necessary to reapply for a coastal permit to authorize such extension. Each extension of the closure period shall not exceed two (2) years and may not be granted unless the County determines that the State Department of Parks is diligently proceeding with its revegetation program and that continued closure is in the best interest of the public and the County's Coastal Program."

58. Bodega Dunes Campground - Dedicated and Developed

Discussion: See Recreation Plan for information and recommendations.

59. Bodega Marine Reserve Trail Connection Between Sonoma Coast State Beach and Bodega Head Trails - Proposed.

Discussion: A 1975 University of California Study recommends a trail connection called the Backdune Route. This alignment is west of Westside Road, and connects a Bodega Head trail to an existing State Park trail near Westside County Park which leads to the dunes.

Recommendations:

State Parks should acquire the recommended access easement. Construct trail and undertake land rehabilitation measures as recommended in the 1975 report.

Acquisition Priority: II  Development Priority: II

60. Bodega Head - Dedicated and Partially Developed

Discussion: Numerous trails, roads, two parking areas, and restrooms are located at Bodega Head. For additional information and recommendations, see Recreation Plan.

61. Westside Park - Dedicated and Developed

Discussion: Located on the west side of Bodega Harbor, Westside Park provides camping as well as harbor access. For additional information and recommendations, see Recreation Plan.

62. Central Bodega Bay Commercial Access - Existing and Private

Discussion: Existing commercial uses like The Tides and Diekmann's Store provide physical and visual access to the harbor.

Recommendations:

For expansions and changes to existing uses, the County should include permit requirements to provide for public harbor access.

Require that public access provisions be included in permits for new uses.

63. Bodega Harbor Yacht Club - County Lease and Existing

Discussion: The Bodega Harbor Homeowners Association leases the Yacht Club property from the County. The Regional Coastal Commission recently approved a permit to convert the Club into a public restaurant. The permit requires that public access be allowed to the tidelands.

Recommendations:

The County should include in the sub-lease a requirement to allow the public access to the parking area and pier. Erect a sign notifying the public of the harbor access. Discourage physical access to the mudflats.

64. Old Airport Site - Dedicated and Undeveloped

Discussion: The County-owned property known as the Old Airport Site has been used for dumping of dredge spoils.

Recommendations:

When dumping is complete, reclaim and revegetate the site. Open to public use and develop interpretive trails connected to Doran Park.

65. Doran Park - Dedicated and Developed

Discussion: The Park makes Doran Pond and Bodega Harbor and Bay accessible to the public. For additional information and recommendations, see Recreation Plan.

66. Pinnacle Gulch - To be Dedicated - Partially Developed

Discussion: Development and dedication of a vertical accessway along Pinnacle Gulch was required as a permit condition for the Bodega Harbor Subdivision. The parking lot has been constructed and the trail is under construction.

Recommendations:

County Parks should accept dedication of the trail and parking lot. Install restrooms near the parking area.

Development Priority: I

67. Short-tail Gulch - To be Dedicated - Undeveloped

Discussion: An offer of dedication of a vertical accessway at the southern end of Bodega Harbor Subdivision along Short-tail Gulch is a permit requirement. The beach destination is less than a mile north of the mouth of the Estero Americano. It is possible to walk along the beach from the Estero to Doran Beach.

Recommendations:

County Parks should accept dedication of the accessway. Construct parking lot adjacent to the trail head. Develop sale trail to the shoreline.

Development Priority: II

Valley Ford - Map 10

68. Estero Americano Valley Ford Access - Existing Marin County

Discussion: A gravel road, an impromptu parking area, and a bulkhead along Valley Ford Estero Road make canoe access to the Estero possible. Access is only on the Marin County side of the Estero.

Recommendations:

Retain existing Marin County access point. Should the Marin County access be closed to the public, Sonoma County Parks should acquire and develop a similar access point in Sonoma County.

Acquisition Priority: III Development Priority: III

**GENERAL RECOMMENDATIONS**

1. Adopt the Access Plan as the primary policy on access to the Sonoma County shoreline.

2. Require an offer of access dedication as a condition of any coastal permit if an accessway is shown on the property in the Access Plan.

3. Protect areas where public prescriptive rights may exist by investigating the possibility of prescriptive rights on coastal permits. In order to approve a coastal permit, a finding must be made that the project will not interfere with established prescriptive rights. In many cases an offer of dedication will be required in order to make this finding. Many of the potentially prescriptive access points have been recommended for acquisition.

4. Implement the Access Plan Acquisition Priorities as follows:

Acquisition Priority I: Begin efforts to acquire immediately through purchase, permit requirements, or other negotiations as required.

Acquisition Priority II: Require an offer of dedication as a condition of any coastal permit. When all Priority I accessways have been acquired, positive steps toward purchasing Priority II accessways should be taken.

Acquisition Priority III: Require an offer of dedication as a condition of any coastal permit. Only when all Priority I and II accessways have been acquired should positive steps toward purchasing Priority III accessways be taken. Offers of dedication for some Priority III accessways may never be exercised because adequate access is provided by private owners or it is determined to be not in the public's interest to open access.

5. Implement the Access Plan Development Priorities as follows:

   Development Priority I: Encourage each agency or association owning or operating designated accessways to allocate funds immediately and develop Priority I accessways within their purview.

   Development Priority II: Encourage each agency or association owning or operating designated accessways to allocate funds and develop Priority II accessways only when all Priority I and II accessways within their purview have been developed.

   Development Priority III: Encourage each agency or association owning or operating designated accessways to allocate funds and develop Priority III accessways only when all Priority I and II accessways within their purview have been developed.

6. Require a coastal permit for all new accessways, which must be reviewed in two years. Conduct public hearings for review of coastal permits for accessways if there is evidence of resource degradation or significant public interest. Any diminishment or closure as a result of such review shall automatically be reviewed by the State Coastal Commission.

7. Utilize the Development Criteria for Access Facilities in designing and constructing new or expanded accessways.

8. Conduct visual analysis prior to siting parking areas for accessways.

## RECREATION FACILITIES

### Introduction

The Sonoma coast offers varied recreational experiences in six County and State parks and numerous private facilities. The diversity and relatively unspoiled character of the natural and built environment contribute to the desirability of spending a day or week exploring the coast. The objective of the Recreation section has been to identify and evaluate existing and potential coastal areas suitable for public and private recreation. The type and scale of such potential development has also been identified.

An overview of coastal recreation is presented, including a description of the existing recreation activities and facilities, the amount of timing of visitation, and general locations appropriate for more development of recreation facilities. Details about public park lands are provided, as well as a concept for a coastal trail. The characteristics of existing private recreation facilities are outlined. Recommendations for future use of both public and private recreation facilities are presented. Recreational boating recommendations are made in the Harbor chapter.

### Coastal Act Policies

The Coastal Act policies on recreation favor enhancement of recreational use. The policies discuss the priorities of different coastal uses, and the amount, location, and distribution of recreational uses.

30210. Recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

30212.5. Where appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

30220. Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

30221. Ocean front land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

30252(6). The location and amount of new development should maintain and enhance public access to the coast by assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.

**Definitions**

Public Recreation Facilities. Public facilities include developed County and State Parks and recent, undeveloped State park acquisitions, including land currently leased to private campground operators. Included are beaches, parkland east and west of Highway 1, and a natural reserve.

Private Recreation Facilities. Private facilities serve a recreation function and are operated by private business for profit, including campgrounds, trailer parks, stables, golf courses, and boat launching.

**Overview**

Recreationists have visited western Sonoma County since 1877 when the narrow gauge railroad reached Duncans Mills from Marin County. Until the twentieth century, visitors took stagecoaches to the coast from the Russian River area resorts. The first park dedicated on the coast was Fort Ross State Historic Park, with the initial acquisition occurring in 1906. Kruse Rhododendron Natural Reserve and the Sonoma Coast State Beaches were initiated in 1934. Doran County Park was purchased in 1942 and Westside County Park in 1965. Salt Point State Park had an initial acquisition in 1968. Gualala Point County Park was dedicated to the County by Oceanic Properties, Inc. (and Gualala Redwoods) in 1969 and 1973. The last new park unit on the coast, Stillwater Cove County Park, was purchased in 1972.

State and County park lands account for about one-quarter of the land within the Sonoma County coastal zone, with almost half of the coastline in parks (State 23 miles and County 3 miles).

Private recreational facilities only comprise one mile of coastline and one mile of Russian River frontage, yet they are important in that they provide much of the camping within the coastal zone. State and County park lands are almost equally divided between the coast north of the Russian River and the south coast (see Table V-2). Private recreational lands are concentrated in the north and along the Russian River, with only 50 acres on the south coast.

Camping opportunities provided by the State, County and private operators are about equally divided between the north coast, the Russian River area, and the south coast. Private recreational camping facilities are concentrated on the Russian River, with smaller facilities offering camping located to the north and south.

The Coastal Plan provides coordination of public agencies and private providers of recreation of the coast. Currently, the State is the major provider in terms of land area and campsites; the private operations provide a very small amount of land area but about the same number of campsites; and the County is in between, providing small parks and about one-sixth of the camping opportunities.

Recreational activity on the Sonoma Coast is dependent on its scenic and natural qualities. Indeed, sightseeing is the main purpose of half the trips made to the coast by non-residents of the County on peak summer weekends. Other popular activities based on the coast's unique land/water edge qualities include walking on the beach, sunbathing, picnicking, fishing, diving, bird watching, photography, and painting.

**Facilities**

Several recreational activities are growing in popularity even though facilities are inadequate. Some of the desired improvements are safe bikeways, long distance hiking trails, hike-in and equestrian camp facilities, hostels, safe shoreline access for heavy diving equipment and car-top boats, more boat rentals, educational interpretation facilities, rest stops, elderly and handicapped beach access, and more camping and picnic areas.

In planning for recreational activities, particularly with the uncertainty of future demands and desires, substantial modifications of the natural environment for a specific activity should be avoided. The Coastal Act specifies that coastal dependent uses which can occur at the coast have priority over non-coastal dependent recreational uses. While oceanfront sites enhance coastal facilities such as hotels, restaurants and campgrounds, such location may affect important coastal views from the highway and adjacent recreation areas.

Development of park facilities must also include water and waste disposal considerations. The Health Department encourages connection to public sewers where this is feasible. All facility planning should include an early evaluation of water supply capabilities since the coast is a water scarce area. Depending on the nature of the use, a water supply permit in accordance with PL 93-523 may be required.

Camping is both a support facility and a unique recreation experience related to the coastal resource. Campgrounds can support recreational vehicles, tent campers, and be primitive sites with minimal facilities, for either individual families or for groups. Existing and projected overnight accommodations, including camping, are summarized in the Visitor Serving and Commercial Facilities section (See Table V-3).

In Sonoma County, recreational vehicle campgrounds with sewer, water, and electricity hookups are only provided by the private sector. Most public campgrounds can accommodate recreational vehicles although without hookups. County coastal park campsites accommodate recreational vehicles, although at an extra initial capital expense. Parking sites must be level, an extra vehicle parking area must be provided, and recreational vehicle sanitary disposal stations must be provided.

### Visitation

The summer from June through August is the busiest season for coastal parks, and more than one-third of the visitor days occur during these three months. This corresponds to the warmer outdoor camping season days, although there is less fog in the spring and fall. Peak use occurs during holiday weekends (Memorial Day, Fourth of July, Labor Day) and summer weekends. Visitation to the coast has been generally increasing, although Sonoma County State Parks visitation for fiscal year 1978-1979 was off 14 percent. This may be due to the rise in gasoline prices which occurred in May and June of 1979, months where visitation was significantly lower than the same months in 1978. The State parks now have about one and one-half million visitors annually, and County parks provide for one-third million visitors.

On about ten weekends per year, the demand for facilities, particularly campsites, exceeds the supply. The Coastal Plan recommends a level of overnight accommodations, including camping, that is within Highway 1 capacity constraints and is consistent with the protection of coastal resources and the provision of a quality coastal experience.

TABLE V-2 CHARACTERISTICS OF PUBLIC PARKS

| Name/Jurisdiction | Location | Coastline | Acreage | Existing Campsites | Existing Day Use Parking Spaces |
|---|---|---|---|---|---|
| **Gualala Point County Park** | South of Gualala and the Gualala River, north of Sea Ranch | 0.9 miles | 150 ac. | 21 vehicle without hookups 8 walk-in | 104 |
| **Kruse Rhododendron State Reserve** | Southeast of Fisk Mill Cove | None | 317 ac. | None | 10 |
| **Salt Point State Park Unit** | | | | | |
| Kruse Ranch | Horseshoe Cove to Cannon Gulch | 2.1 miles | 1,350± ac. | None | Informal parking along abandoned Hwy. 1 |
| Salt Point State Park | Cannon Gulch to Ocean Cove | 7.0 miles | 4,600± ac. | 30 vehicle without hookups | 202 |
| **Stillwater Cove County Park** | North of Fort Ross | 0.2 miles | 59 ac. | None | 29 |
| **Fort Ross State Historic Park Unit** | | | | | |
| Call Ranch | South of Windermere Point to Northwest Cape | 0.4 miles | 150 ac. | None | Informal parking along abandoned Hwy. 1 |
| Fort Ross State Historic Park | Fort Ross Cove | 0.4 miles | 1,050 ac. | None | 130 |
| Eckert Ranch | South of Fort Ross Cove to Jewell Gulch | 1.3 miles | 384 ac. | Currently accommodates unlimited (about 250) vehicles without hookups on bluff in ravine | Unlimited informal day use parking on the bluffs |

TABLE V-2 CHARACTERISTICS OF PUBLIC PARKS

| Name/Jurisdiction | Location | Coastline | Acreage | Existing Campsites | Existing Day Use Parking Spaces |
|---|---|---|---|---|---|
| **Sonoma Coast State Beach Unit** | | | | | |
| North Jenner Beach | Just north of Russian Gulch to north of Jenner | 0.9 miles | 200± ac. | None | Limited informal parking at Russian Gulch, Hwy. 1 |
| Jenner State Parks Building | Jenner | On the Russian River | <1 ac. | None | Parking between Hwy. 1 and building |
| Penny Island | Near the mouth of Russian River | River frontage | 28 ac. | None | None |
| Willow Creek | Lower half of Willow Creek watershed | None | 2,248 ac. | None | Informal parking along Willow Creek Road |
| Sonoma Coast State Beach | From mouth of Russian River to Bodega Bay | 13 miles | 5,000± ac. | None | 1,116 spaces in numerous lots |
| Wright Beach State Campground | Duncans Point | Included in Sonoma Coast State Beach | | 30 without hookups | Included in Sonoma Coast State Beach total |
| Bodega Dunes State Campground | North of Bodega Bay south of Salmon Creek | Included in Sonoma Coast State Beach | | 98 without hookups | Included in Sonoma Coast State Beach total |
| Bodega Head | South of Horseshoe Cove on Bodega Head | Included in Sonoma Coast State Beach | | None | Included in Sonoma Coast State Beach total |
| **Doran County Park** | Bodega Harbor and Bodega Bay | 1.8 miles ocean frontage; 2 mi. bay frontage | 120 ac. | 127 vehicle without hookups; 10 walk-in individual, 1 walk-in group | 314 |

TABLE V-2 CHARACTERISTICS OF PUBLIC PARKS

| Name/Jurisdiction | Location | Coastline | Acreage | Existing Campsites | Existing Day Use Parking Spaces |
|---|---|---|---|---|---|
| **Westside County Park** | Bay Flat Road on Bodega Harbor | 0.4 mile bay frontage | 25 ac. | 47 vehicle without hookups | 25 cars, 50 car & & boat trailer parking |

### Development Locations

The environmental carrying capacity, protection of wildlife habitats, view protection, and the psychological and social capacity of recreation lands are important factors in recreation development. While quantification and measurement of recreational carrying capacity are difficult, sufficient information exists to describe the environmental carrying capacity of various coastal environments. For example, dry sandy beaches can tolerate intensive recreational use without adverse effects, but dunes, tide pools, and wetlands are fragile coastal habitats, subject to degrading through overuse.

Distributing recreation throughout the coast will help prevent overuse and damage to the coastal environment in any one location. From the park management and transportation points of view, though, it is more efficient to have consolidated facilities. The Coastal Plan generally supports a distribution of recreation facilities where compatible with the sensitivities and suitabilities of an area.

## PUBLIC RECREATION

### Introduction

The State Department of Parks and Recreation has four park units on the Sonoma Coast: a reserve, a park, a historic park, and a number of beaches. Each type of unit was created for a different purpose and has distinct development and management objectives. The County Regional Parks system provides access to part of the coast and recreational opportunities appropriate to County park land.

The State and County parks departments are required to prepare general or master plans for facility development. While preparation of master plans for individual park units is beyond the scope of the Coastal Plan, the recommendations of the Coastal Plan establish a framework for facility planning in the coastal zone by the appropriate County and State departments, as well as a framework for private recreation suppliers. This framework recommends areas for a particular type and scale of potential recreational development on the Sonoma Coast consistent with all the mandates of the Coastal Act.

In the following discussion, and in the Recommendation section, distinct parts of large State park units are treated separately. Also, the Recreation and Access Plan show public parks, private recreation facilities, and the coastal trail (See Figure V-1).

### Gualala Point County Park

Gualala Point County Park is the northernmost park in the County, with a varied landscape of coastal strand, marsh, prairie, northern coastal scrub, and redwood forest. The park has both Gualala River frontage and coastline, with 21 vehicle and eight walk-in campsites east of Highway 1. Steelhead and rock-fishing, boating, hiking, picnicking, nature study, and whale watching are popular activities. Only day use occurs west of the highway.

While the park is already generally developed, the Sonoma County General Plan recommends a Gualala River Trail expansion. A trail along the south bank of the Gualala River is proposed easterly from the existing campground. The property is owned by Gualala Redwoods.

**Kruse Rhododendron State Reserve**

Kruse Rhododendron contains 317 acres of second-growth forest and rhododendrons. Five miles of hiking trails are developed through the quiet forest, with picturesque bridges over wintertime streams in fern-filled canyons. The splendid display of rhododendrons at this reserve is the result of an earlier forest fire. To insure a continuation of the rhododendrons, tan oaks are selectively cut.

**Salt Point State Park Unit**

Kruse Ranch. North of the existing Salt Point State Park, the Kruse Ranch acquisition includes 1,350 acres of grassland, coastal terrace, and rocky intertidal zone spanning two miles of coastline. East of Highway 1, coastal woodlands predominate, with several coastal gulches. West of the highway, the undeveloped, very broad coastal terrace is unique for the Sonoma coast. While no facilities have been developed yet, Horseshoe Cove is a good diving, surfing, and shoreline fishing area with several access paths to the sheltered cove. The lack of parking, restrooms, picnic facilities, and marked trails make this a primitive day use experience area.

Salt Point State Park. Broad coastal terraces and dense coastal woodlands are the major habitats of the 4,600 acre Salt Point State Park. Other environmental features include a pygmy forest, a prairie meadow, coastal creeks and gulches and Gerstle Cove Underwater Reserve. A number of facilities have been developed or have been approved by the Coastal Commission.

West of Highway 1

**Gerstle Cove Area**

Renovation of 29 campsites.
Development of multi-use facility (capacity of 25 persons) near ranger's residence.
Development of check-in station and recreational vehicle sanitation facility.
Conversion to interpretive center of A-frame cabin.
Paving of road and parking.
Restoration to natural condition of bluff.
Conversion to day-use of lower terrace with parking for 60 vehicles and addition of restroom and fish cleaning station.
Addition of day-use parking for 60 vehicles across from barn.

**Stump Beach Cove Area**

No changes (parking, picnic; and pit toilet facilities are located just west of the highway with trail leading to the sandy beach).

**Fisk Mill Cove Area**

Development of day use parking for 60 vehicles and a restroom facility.
Realignment of road to Kruse Rhododendron State Reserve.

**East of Highway 1**

This area is characterized by meadows and coastal forest, and has been logged in the past. The development will not be visible from Highway 1. Marked riding and hiking trails already exist in this area. The following facilities are to be developed:

Check-in station and recreational vehicle sanitation facility.

Multi-use facility (capacity 50 persons).
Vehicle camping areas (80 sites).
Hike-in camping areas (20 sites).
Restrooms for campsites (5).
Park support service area and maintenance building and relocation of three A-frame cabins for seasonal workers.
50,000 gallon water storage, well, and water treatment building.

The resource analysis of the Preliminary Salt Point State Park Resource Management Plan and General Development Plan (January, 1976) identifies most of the area west of Highway 1 as having high resource values and therefore having many restrictions to most uses and development. Lands east of the highway, primarily near the ridge, could accommodate additional facility development because of the identified lower resource values.

**Stillwater Cove County Park**

Stillwater Cove Park offers a beautiful rocky shore and sheltered cove beach well utilized for diving, rock fishing, and tidepool viewing. East of Highway 1, Stockoff Creek forms a redwood canyon with hiking and nature study opportunities. The Fort Ross Schoolhouse has been restored and located here. Picnic, toilet, and day-use parking facilities are near the canyon and cove areas east of the highway. Twenty vehicle access campsites will be developed above the highway on the edge of a meadow bordered by mature tree growth, with ten walk-in sites in a location nearby.

Day-use facilities within the cove itself are also to be developed: a restroom building and inflatable rescue craft building, a paved pathway, a fish-cleaning and wash-off station, and a vehicle loading area near the highway.

An expansion of the park west of Highway 1 is ~~was~~ envisioned. The County General Plan has a 'Planned Future Park Site area designation in the general vicinity. ~~in the General Plan.~~ Acquisition of the several smaller lots to the north would be desirable as a Coastal Conservancy project. At the very least, a bluff top easement should be obtained to Ocean Cove and Salt Point State Park. The purpose of property acquisition to the north would be for view protection, and bluff top and beach access. Expansion to the south would be for the same purpose.

The California Coastal Plan recommends expansion of the park to include all of Stockoff Creek Canyon. This would entail acquisition of part or all of a 640 acre parcel. The headwaters of the creek are in Salt Point State Park. This would allow expansion of the existing trail along the creek to Salt Point, creating a 12 mile trail.

**Fort Ross State Historic Park Unit**

Call Ranch. The Call Ranch is a broad coastal terrace that meets the ocean in a rocky shoreline and pebble beach. Divers have traditionally gained access here and camped along the old highway just north of the parking lot at Fort Ross. The area is unofficially open to the public for day use and leased for grazing.

These lands were purchased to provide a visual buffer to the historic setting at Fort Ross, where preservation and interpretation of historic and natural values are the highest priorities. This recent acquisition does not include Kolmer Gulch nor Windermere Point just to the north, areas privately owned but used by the public. As elsewhere, the open terrace is vulnerable to view from the highway as well as to the prevailing winds which frequently buffet the coast.

Fort Ross State Historic Park. Fort Ross possesses outstanding historical, natural, and scenic qualities. Existing historical structures include a stockade, two block houses, the Russian Chapel, the Rotchev House, and Russian Well (Russian period), several Kashia Pomo Indian and Aleut sites, approximately fifteen American period buildings, and park residence, garage, and park office (modern structures).

The Fort Ross State Historic Park General Resource Management Plan and General Development Plan (October 1975) sets forth historical and natural themes to be interpreted at Fort Ross through the development of six interpretive areas. Camping, parking, and administrative facilities are also proposed. It will require many years to fulfill the historic reconstructions envisioned. The general development plan was prepared for a somewhat different area than is currently owned by State Parks. Acquisition of more coastal terrace to the north and south, and less uplands, has occurred. Some of the suggested facilities are not consistent with Coastal Act policies.

Eckert Ranch. The broad coastal terrace continues south of Fort Ross past Mill Gulch, narrowing into steep high cliffs north of Timber Gulch. Jewell Gulch, in the high cliffs region, is the southern boundary of this recent addition to Fort Ross State Historic Park.

The land is leased from the State for continued agricultural and recreational use. A number of ranch buildings are located just west of the highway. While not a part of the State ownership, they are part of the sheep grazing operation and contribute to the visual setting. Camping occurs in the ravine just north of the ranch buildings and on several coastal terrace sites with the only facilities being vault toilets. Because of the wind, vehicle camping is the usual mode here. Camping and day use activities are to be developed and managed by State Parks as a recreation area for Fort Ross, while protecting the visual setting of the historic park.

The Fort Ross General Plan proposes a total of 95 campsites in four acres at Fort Ross State Historic Park. The ravine area, which is well protected from the coastal winds and generally not visible from Highway 1, is adequate for 20 camp units. The coastal terrace site, proposed for 35 recreational vehicle sites, is exposed to view from the highway and exposed to coastal winds. The proposed group camp area is to accommodate 30 people and 10 vehicles. It is located east of the highway behind a hill, screened from view and the wind. The camp area north of the fort is proposed to accommodate 20 to 30 campsites. The sites would be protected from view, but the State has yet to require the property.

**Sonoma Coast State Beach Unit**

North Jenner Beach. The State has acquired all the land west of Highway 1 to Russian Gulch almost to Jenner. Access to the sandy beach is an easy walk at Russian Gulch from the highway, where there is informal parking on both sides. The remainder of the acquisition is a narrow coastal terrace, with bluffs surrounding several unnamed coves. Use of this area is limited. Many of the trails are hazardous and existing use is eroding the bluffs. Haphazard parking along the stretch creates a traffic hazard and blocks visual access to the shoreline.

Jenner State Parks Building. A building owned by State Parks and Recreation in the town of Jenner is currently unused. The building and parcel could be used for physical and visual access to the Russian River, including use as a visitor center with Jenner's central location on the Sonoma Coast.

Penny Island. Located near the mouth of the Russian River, Penny Island is part of the State Parks ownership but currently has no designated status. It is rich in wildlife values.

Willow Creek. The State recently acquired the lower half of the Willow Creek watershed, about 2,250 acres of an east-west running coastal valley. Acquisition of 450 additional acres in the upper watershed has been proposed in order to control timber harvesting and other activities which could adversely affect

the environmental values of the creek and marsh in the lower watershed, and to add to the potential recreational use of the area.

The upper watershed is protected against onshore winds and fog to a greater degree than the lower watershed. The ridges are often exposed to chilling onshore winds. Vegetation ranges from redwood forest, to mixed hardwood and conifers, to riparian vegetation and grassland. Each vegetation type provides habitat for many wildlife species. The existing use of the land is grazing and hay farming. Some informal camping occurs along Willow Creek in the redwoods, with fishing and hiking the major recreation activities.

This recent addition to the Sonoma Coast State Beach has to complete the acquisition of the bulk of the Willow Creek watershed, to provide land for the development of riding and hiking trails, and to provide an area for adequate support facilities. These goals cannot be met completely because the acquisition did not include the upper watershed as proposed.

The recreation potential of Willow Creek includes a major trail connecting the recreation areas at Duncans Mills and the coastal beaches, as well as potential for loop trails of various lengths and difficulties for hikers and horseback riders. Trails on the ridge would provide vistas of the Pacific shoreline as well as inland. The State Park project investigation for Willow Creek (December 1, 1977) states that there are many sites where vehicle access and primitive camping could be established to serve the day use facilities of the Sonoma Coast State Beach.

Sonoma Coast State Beach. The Sonoma Coast State Beach encompasses the entire coastline west of Highway 1 from Russian Gulch to Bodega Head, with the exception of Jenner, Bodega Bay, and residential inholdings at Bridgehaven, Goat Rock, Pacific View Estates, Ocean View, Gleason's Beach, and Salmon Creek. The coast is a terrace of varying widths, forming numerous secluded coves. A series of beaches is separated by rocky bluffs, with tide pools and offshore sea stacks. Parking lots and trails provide access for beachcombers, fishermen, picnickers, and sunbathers at more than a dozen points along Highway 1. Camping is provided at Wright Beach and Bodega Dunes. All of the coastal portion of the Sonoma Coast State Beach is visible from the coast highway and is subject to coastal winds.

Day use of the beaches is very popular because of the easy accessibility to the population centers of Sonoma and Marin Counties. Many visitors make the loop from Petaluma, up the coast at Bodega Bay, and inland at Jenner along the Russian River. A series of parking lots west of Highway 1 generally provide adequate parking. Additional day use parking is shown on the General Development Plan Map for the Sonoma Coast State Beach: 150 cars at Salmon Creek, where the existing park office is located and parking for 400 cars in four locations in the sand dunes. Each proposed parking area also shows restrooms and picnic sites.

Wright Beach State Campground. Located north of Duncans Landing, there are 30 developed campsites around the edge of Wright Beach. This is the only camping on the beach and is very popular. Reservations are available through Ticketron for this and the Bodega Dunes State Campground.

Bodega Dunes State Campground. The Bodega Dunes Campground has 98 developed sites, with hot showers, restrooms, a trailer sanitation station, and a campfire center. Sites are somewhat protected from the wind, separated from one another, and not visible from Highway 1. A riding and hiking trail is located in the dunes area, with access at the north end of Bodega Bay. Concern has expressed over trampling of the dunes and dune vegetation by uncontrolled access to the beach across the dunes.

Bodega Head. Bodega Head is well known as the site where a nuclear power plant was proposed in the 1960's. A deep hole excavated for the project is now a fresh water pond valuable as bird habitat and used currently as an experimental salmon raising site. Bodega Head is generally used for picnicking, short hikes, and viewing the coast, whale migration and Bodega Bay.

The University of California Bodega Marine Reserve is located to the north of Bodega Head and south of the Bodega Dunes Campground. Any recreational development at Bodega Head should be limited to low-key day use activities to minimize conflicts with the Reserve.

**Doran County Park**

A sand spit curving out from the mainland, Doran Park borders Bodega Harbor on the south. Camping is provided for 127 vehicles, with ten walk-in sites and a group walk-in site accommodating up to 40 people. Restrooms, showers, trailer sanitation facilities, and a fish cleaning station are provided. Boat launching, clamming, crabbing, fishing, diving, picnicking, nature walks and bird watching are popular activities. This heavily used park is generally developed. A few incidental facilities are planned. Bodega Bay Public Utilities District engineers have studied the feasibility of extending sewer to Doran and Westside Parks, and have recommended extension of service.

**Westside County Park**

Westside Park is a 25 acre park located across the bay from Doran Park. Formerly part of the harbor tidal flats, the park was created by bay fill from the "Hole in the Head." There are 47 vehicle campsites with restrooms, showers, and trailer sanitation facilities. A boat launching ramp provides access for larger boats to the harbor. During salmon season, the park has 95 percent occupancy with fishermen and families. Fishing and clamming are important activities. As stated in the park master plan, development of Westside Park is nearly complete, with minor modifications of existing facilities planned.

**Sonoma Coastal Trail**

As stated in the California Coastal Plan:

> A system of coastal trails (including waterways valuable for canoeing and kayaking) and overnight shelters for hikers, bicyclists, and equestrians would make more of the coast accessible to more people and would allow people to enjoy the scenic qualities of the coastline. Coastal trails being planned and developed by public agencies will be coordinated and linked into a State coastal trails system as part of the California Recreational Trails and Hostel Plan prepared by the State Department of Parks and Recreation, which will coordinate the overall trails systems with local and regional agencies and organizations. Bicycle riding is inexpensive, does not harm the physical environment, and provides both transportation and recreation. Increased bicycle use in the coastal zone can be strongly encouraged by giving high priority to the construction of special bike lanes and the provision of bike storage racks at coastal designations.

The parks on the coast provide many miles of hiking opportunities, but there is no coordinated system which physically links the trails. With 25 miles of trails currently developed, many more miles will be developed and should complete the backbone of the Sonoma coastal trail. Signs and brochures to alter visitors to the location of trails and camp facilities are needed as part of the system.

Three Sonoma County coastal camps were part of the Bicentennial Camp Program: Doran, Salt Point (Stump Beach and Gualala Parks. They provide cyclists with water, restroom facilities, and places for sleeping bags. Users reported a desire to have all State parks accommodate cyclists at a reduced rate and to provide better facilities.

A plan showing the coastal trail has been prepared. The Sonoma coastal trail will provide opportunities for both hikers and bicyclists. Bicyclists will generally use Highway 1, with wider paved shoulders, except on Bodega Bay where other routes will be available (See Transportation section). Hikers will utilize a trail on the coastal terrace, the beach, the uplands, and the ridge road, and will use Highway 1 where no other viable alternatives exist. Both day use and overnight use will be possible with linkages to appropriate facilities and loop design of some trail segments.

Acquisition of new trail segments, where necessary, will be accomplished by three general methods: through government regulatory powers by condition of development approvals; by voluntary purchase of easements or fee simple; and through purchase by power of eminent domain , where necessary. Responsibility for trail maintenance should be placed with the State except where the trail passes through lands maintained for public recreation uses by other governmental entities. Designated trail routes should be opened to public use only after the public agency that owns or operates the trail segment accepts full responsibility for the management, maintenance, supervision, and liability for the trail and trail activities. See Access Plan for recommendations regarding operation of trails.

## PRIVATE RECREATION

### The Sea Ranch Golf Course

Located at the northern end of The Sea Ranch, 150 acre, 9 hole golf course is developed on a coastal terrace west of Highway 1. There is parking for 60 vehicles. This facility currently lacks a public clubhouse and a maintenance facility. Completion of the golf course would include such facilities and an additional nine holes, when feasible.

### Call Ranch

Louisiana-Pacific (LP) proposes to develop a demonstration forest along Kolmer Gulch east of Highway 1 on land recently acquired by them. This same land has been proposed for acquisition by the State for addition to the Fort Ross State Historic Park. In addition to the demonstration forest, LP proposes to develop a 60 unit campground, parking for day use of the beach at Kolmer Gulch, and a public access to the beach from a proposed parking area east of the highway.

### River's End

River's End is a small parcel located on the north side of the mouth of the Russian River in Jenner. Limited camping is allowed along the river in an exposed location with very little shelter. Diving conditions are not very good, but boat launching is available. Day use of the beach is possible. Cabins, a restaurant, and bar are also located on the property.

### Duncans Mills Campground

Duncans Mills campground is on the north bank of the Russian River, with a sandy beach and dense riparian vegetation. Campsites with restrooms, showers, and recreational vehicle sanitation facilities are available. Public day use is allowed, with fishing, boating, hiking, picnicking, and horseback riding (including rentals) common activities. The location is in the town, near services.

### Cassini Ranch Family Campground

The Cassini campground is located just east of Duncans Mills, along the south bank of the Russian River. Public day use is allowed. Storage of recreational vehicles (RVs) for a nominal monthly fee allows some people to use the facilities without moving their vehicles. Campsites, restrooms with showers, and an RV sanitation station are provided. Activities include fishing, boating (with a launch and rentals), picnicking, and sunbathing.

### Bodega Bay Trailer Park

Located on the west side of Highway 1 at Bay Hill Road just north of Bodega Bay, this Bodega Bay trailer park provides 78 spaces for hookups for RVs. Restrooms with showers and an RV sanitation station are also provided. There are no onsite recreational activities, although the trailer park is located adjacent to the Sonoma Coast State Beach.

### Bodega Harbor Golf Course

A nine hole public course is developed on a coastal terrace west of Highway 1 as part of the Bodega Harbor Subdivision. A public pro shop and snack bar are available, with a clubhouse, pool, and locker rooms open to Bodega Harbor residents only. Parking for 60 cars is provided. A desire has been indicated to expand the pro shop and add parking spaces for 30 vehicles near the third tee.

## RECOMMENDATIONS

### Summary of Recommended Acquisitions

The desirability of various additions to State and County parks is discussed in the context of each park unit. Minor acquisitions which may be desirable, for example, to allow development of parking facilities east of Highway 1, are not summarized here. Acquisitions primarily for coastal access are discussed in the Access Plan. The major park land acquisitions recommended in the Coastal Plan are summarized below:

Stillwater Cove County Park. Acquire four parcels north of park and two acres south of park on coastal terrace. Acquire trail and visual easement along Stockoff Creek to Salt Point State Park.

Fort Ross State Historic Park - Call Ranch. Complete acquisition of the park with acquisition of Kolmer Gulch and Windermere Point, if not made available for public use, and the grassland and timberland to the ridge north of existing park land as shown in the general development plan.

Sonoma Coast State Beach - Willow Creek. Complete acquisition of Willow Creek watershed as proposed in the 1977 project investigation.

Pacific View Estates Inholdings. Acquire undeveloped parcels to prevent residential development. Second priority: Acquire developed parcels.

Bodega Dunes Campground. Acquire five undeveloped parcels in dune area near well.

Doran County Park. Acquire parcels on the west side of the loop road west of Highway 1 to Bodega Bay. Undeveloped parcels should have priority over developed parcels.

**General Recommendations**

1. Prepare a long range General Plan for each State and County park unit in conjunction with park development planning.

2. Expand the existing reservation system to include all State and County campsites.

3. Encourage limited one night camping in State and County day use areas to help prevent camping along roadways and Highway 1 on peak weekends. Day use areas for such limited overnight camping should be large with restrooms and not located immediately west of Highway 1.

4. Encourage the provision of low cost accommodations where appropriate, including tent or small vehicle campgrounds, hike-in and primitive campgrounds, hostel and sleeping cabin facilities. Utilize existing structures where feasible.

5. Encourage provision of overflow camping for bicyclists and hikers at campgrounds where hostels are not feasible.

6. Locate campgrounds, whenever possible, in areas that have already been disturbed. Campgrounds should be small and sited in unobtrusive locations. Provide separate walk-in, tent, and recreational vehicle camping areas.

7. Design parking and restroom facilities to serve only the planned intensity of recreation development.

8. Relate intensity of planned development to available water supplies.

9. Locate parking in visually screened areas.

10. Provide adequate drainage of surface water through the use of grasscrete and the use of paving only where necessary.

11. Encourage State Parks to take immediate action, including adequate staffing and necessary physical measures, to protect the natural and cultural resources of new acquisitions.

12. Allow park residences in areas visible to the public where necessary for security reasons and when visual concerns are mitigated.

13. Improve the interpretation of historical and natural features along the coast.

14. Encourage the provision of private recreation facilities where appropriate.

15. Allow extension of sewer service to public parklands only where consistent with General Plan Policies PF-1d and PF-1e. ~~Encourage extension of sewer service to public parklands where feasible.~~

16. Provide bicycle racks or locked storage areas at State and County park beaches and other developed parklands.

**Public Recreation Recommendations**

**Gualala Point County Park**

17. Encourage the development of the trail recommended in the Access Plan on adjacent property.

**Salt Point State Park Unit - Kruse Ranch.**

18. Develop horseback riding and hiking trails east of Highway 1. Consider designation of this area as a State wilderness.

19. Reconstruct the Kruse barn, the old Wells Fargo Office, hotel, and store structure, subject to research of authenticity. Adaptive reuse for interpretive or informational purposes, or as a youth hostel, should be pursued. The trailer should be located out of sight at the proposed park support service area to the south, or relocated out of view of Highway 1 at this location and used as a park security residence.

20. Encourage the development of the trails recommended in the Access Plan.

**Salt Point State Park Unit - Salt Point State Park**

21. Develop two types of facilities, each to accommodate 30-60 persons, east of the highway: a campground oriented toward horseback riding, and a campground oriented toward hike-in camping. These campsite areas should be accessible to the public only by horseback or hiking.

22. Designate new and existing trails with signs and provide interpretation of the natural environment. Designate the trail from the intersection of the existing riding and hiking trail and Highway 1 to the bluff in a westerly direction. Designate specific trails in this and other locations where use now occurs in an informal manner, to help preserve the park's sensitive resources.

23. Encourage the development of trails recommended in the Access Plan and various facilities approved by the Coastal Commission.

**Stillwater Cove County Regional Park**

24. Encourage the acquisition and the development of trails recommended in the Access Plan and the proposed development of 30 campsites and the day use facilities approved by the Coastal Commission.

25. Encourage acquisition of a trail easement or land acquisition along Stockoff Creek to the ridge and Salt Point State Park, and acquisition of a scenic easement along the trail corridor.

**Fort Ross State Historic Park Unit - Call Ranch**

26. Encourage the development of trails recommended in the Access Plan. If Kolmer Gulch and Windermere Point are not made available for public recreation or visitor-serving use, these areas should also be acquired by State Parks.

**Fort Ross State Historic Park Unit - Fort Ross State Historic Park and Eckert Ranch**

27. Review the proposed realignment of Highway 1 and construction of a scenic overlook in relation to maintaining the rural character of the road.

28. Review the proposed visitor center and parking expansion, and tree and structure removal for visual, environmental, and historical impacts.

29. Consider relocating Fort Ross School to the State Park.

30. Encourage the development of trails recommended in the Access Plan, and coordinate trails connecting the parking, fort, and day use areas with other coastal trails.

31. Eliminate boat launching and motorboats from Fort Ross Cove as soon as historic facilities in the Cove (beach) area are open to the public.

32. Pursue acquisition east of Highway 1 as shown on the general development plan. Timberland could be leased for managed forest use. The lower slopes are appropriate for personnel housing and an administration center. Camping would not be exposed to the highway and could be located here. The picnic areas proposed at the orchard site, logging site, and the scenic overlook on Fort Ross Road are desirable uses for the Fort Ross uplands.

33. Consolidate, define, and substantially reduce day and overnight use facilities on the coastal terrace south of the fort. Such facilities must be visually screened, not block coast views and meet other environmental recommendations.

34. Develop the small group camp east of the highway.

**Sonoma Coast State Beach Unit - North Jenner Beach**

35. Consider providing about 15 primitive campsites under the willows for hikers and cyclists.

36. Provide one parking area and restrooms between Jenner and Russian Gulch. A good location is east of Highway 1 (not on State property) just north of Manni Gulch where there is access to the expansive beach. Eliminate other roadside parking areas north of Manni Gulch and maintain a ranch style fence to keep vehicles off the bluffs. Continue to utilize vista turn outs south of Manni Gulch.

37. Construct a trail from parking area to No Dog Beach, including safe shoreline access to double cove.

**Sonoma Coast State Beach Unit - Jenner State Parks Building**

38. Consider rehabilitating the building and utilizing it as an un-staffed coastal public information center with changing exhibits to provide information on State, County and private parks, campgrounds and accessways. Include public restrooms.

**Sonoma Coast State Beach Unit - Penny Island**

39. Designate Penny Island and the marsh at Goat Rock a State reserve or natural preserve.

**Sonoma Coast State Beach Unit - Willow Creek**

40. Develop a trail from the Goat Rock area along the southern ridge to the upper Willow Creek, with hike-in campsites at the end of the trail. Hikers could utilize Willow Creek Road to Bridgehaven, then hike along the highway back to Goat Rock.

41. Provide camping and day use access to the Russian River from Willow Creek Road. Reclaim the borrow pit in this area.

42. Restore and expand the Willow Creek ranch buildings as a hostel, administrative facility and/or environmental education facility. Development should be in keeping with the historic character of the existing structures.

43. Limit vehicle access to the southern portion of Willow Creek to low intensity day use facilities near Willow Creek Road.

**Sonoma Coast State Beach Unit - Sonoma Coast State Beach**

44. Encourage development of a visitor center in the vicinity of Salmon Creek or the Bodega Dunes campground. Interpretive facilities and material should include warning of the hazards of the Sonoma coast.

45. Encourage development of a nature trail west of Highway 1 at the Salmon Creek marsh.

46. Complete State beach inholdings to the degree possible at Pacific View Estates and parcels 101-13-11, 2 and 3.

47. Encourage the development of trails recommended in the Access Plan and parking facilities recommended in the Transportation section.

**Sonoma Coast State Beach Unit - Bodega Dunes Campground**

48. Utilize techniques such as boardwalks to minimize impacts of foot traffic across the dunes in more heavily used areas.

49. Encourage acquisition of the five parcels near the Roppolo well to protect the dunes from development.

50. Provide a hostel to serve the south coast.

**Sonoma Coast State Beach Unit - Bodega Head**

51. Limit development to improvement of existing facilities, such as improved parking, restroom, and picnic facilities. Trails for sightseeing and diving access should also be considered.

52. Encourage development of the trail recommended in the Access Plan.

53. All fencing except that needed to prevent access to the Hole in the Head should be removed. Continuation of salmon-rearing program in the pond should be considered.

**Westside County Park and Doran County Park**

54. Follow recommendations of "Preliminary Master Plan, Doran Park, and Westside Park."

55. Acquire parcels designated sensitive and hazardous on the Bodega Bay Land Use Plan, on the west side of the loop road west of Highway 1, to protect them from development.

~~56. Extend sewer service to these two parks.~~

**Sonoma Coastal Trail Recommendations**

56. Encourage a coastal trail along the beach, the coastal terrace, the uplands, the ridge roads, or the highway to connect public and private recreation areas and access trails with communities and commercial services.

57. Encourage increased provision of facilities for storing bicycles and camping equipment at campgrounds designed for bicyclists and hikers.

58. Provide reduced rates for campers arriving by bicycle or foot.

**PRIVATE RECREATION RECOMMENDATIONS**

**The Sea Ranch**

59. Encourage the addition of a club house, maintenance facility and an additional nine holes at The Sea Ranch Golf Course.

**Call Ranch**

60. Encourage development of a modest size, auto-accessible and walk-in campground, without hook-ups for recreational vehicles. The campground should be in conjunction with public parking and access to Kolmer Gulch beach and with the demonstration forest.

**River's End**

61. Continue public day use and camping at the beach. Encourage upgrading of facilities.

**Duncans Mills Campground**

62. Encourage additional campsites, particularly as part of plan to provide a hostel or other low cost indoor accommodations.

63. Continue public day use of the beach, including parking. Should the nature trail along the marsh on the north side of Highway 116 be opened for commercial use or expanded, a coastal permit will be necessary.

**Cassini Ranch Family Campground**

64. Encourage additional campsites and camper services. Any development plans should include prohibition of camping between the river and the riparian vegetation on the beach as currently occurs.

65. Continue public day use, including parking.

**Bodega Bay Trailer Park**

66. Encourage upgrading of existing facilities.

**Bodega Harbor Golf Course**

67. Encourage the addition of a pro shop and parking.

## VISITOR SERVING FACILITIES

### Introduction

Recreational uses require support facilities. This section inventories existing visitor and local serving facilities, present the results of a citizen survey on needed facilities, identifies areas suitable for development of such facilities and recommends types of and locations for support facilities.

### Coastal Act Policies

The Coastal Act policies encourage provision of support facilities, especially those available to the public at a moderate cost.

> 30213. (Part) Lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred.
>
> 30222. The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.
>
> 30223. Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.
>
> 30250. (c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction of visitors.

### Definitions

Visitor-Serving Facilities. Visitor-serving facilities include developments that provide basis visitor support services such as motels, restaurants, grocery stores, auto service stations, public restrooms. Most services on the Sonoma coast are both visitor and local serving.

Commercial Facilities. Commercial facilities include all other private, commercial services that provide for the needs of the local population such as professional offices, utilities, banks, and fishing industry support services.

### Inventory of Existing Facilities

Visitor and local serving commercial facilities are concentrated in Gualala in Mendocino County and Bodega Bay. Jenner, Duncans Mills, and Valley Ford are secondary locations with other isolated services located primarily along the north coast. Currently, a total of 1,710 overnight accommodations exist: 255 motel and inn rooms, 244 second home rental dwelling units, and 1,210 campsites and trailer spaces (See Table V-3).

### Citizen and Business Operator Surveys

In August 1979, two surveys were conducted to determine the need and appropriate location for additional visitor and local serving commercial facilities. One survey was sent to citizens and the other to existing coastal businesses.

### Citizen Survey

The citizen survey was sent to two groups. The first group was a random sample of 15 percent of the property owners in the coastal zone and the second was all the members of the Coastal Plan technical and citizen advisory committees. The questions asked on the citizen survey were: "Do you see a need for additional visitor-serving facilities or services in the coastal zone?" and, "Do you see a need for additional local-serving facilities or services in the coastal zone?"

The following discussion reflects the results of the random sample. The committee responses reflected the same pattern but are not included here. Approximately 50 percent of the citizens surveyed felt that there was some need for expansion of visitor facilities and services. The most frequently mentioned suggestions were for restaurants and for the development of restroom facilities along Highway 1. Many people felt that there was a need for additional overnight accommodations and were about evenly divided between those suggesting more camping and those suggesting more motel and home rental units. Also, there were suggestions for additional recreational boating facilities.

Half of those responding felt a need for some additional local services or commercial facilities. The amount and type varied from additional police and emergency medical, to a full-scale community shopping center. Most of the suggestions were for some additional commercial facilities such as gas and auto repair stations, a hardware, drug, department, or grocery store, or laundry. Of those who advocated additional development or an increase in service, most felt that development should be well designed and unobtrusive. Over-commercialization should be avoided.

## TABLE V-3 EXISTING AND PROJECTED OVERNIGHT ACCOMMODATIONS[1]

| | North Coast (Gualala to Fort Ross)[1] | | | Russian River (Jenner, Duncans Mills, Bridgehaven, Willow Creek) | | | South Coast (Goat Rock to Bodega Bay) | | | Total | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | E* | A** | P*** | E | A | P | E | A | P | E | A | P |
| Motels/Inns (rooms) | 150 | 150 | 300 | 15 | 35 | 50 | 90 | 160 | 250 | 255 | 345 | 600 |
| Second Home Rentals (dwelling units) | 180 | 620 | 800 | 20 | 10 | 30 | 45 | 105 | 150 | 245 | 735 | 980 |
| Campsites/ Trailer Spaces[3] | 490[4] | 210 | 700 | 340 | 360 | 700 | 380 | 80 | 450[5] | 1,210 | 640 | 1,850 |
| Hostels (beds) | 0 | 50 | 50 | 0 | 50 | 50 | 0 | 50 | 50 | 0 | 150 | 150 |
| **Total** | 820 | 1,030 | 1,850 | 375 | 455 | 830 | 515 | 395 | 900 | 1,710 | 1,870 | 3,580 |

E* Existing
A** Additional
P*** Projected Total

[1] Takes into account specific recommendations for expansion and an estimate of expansion potential within community (urban) boundaries.
[2] Existing and projected motel rooms and campsites are included for Gualala in Mendocino County, immediately north of The Sea Ranch.
[3] Regular campsites equivalents used for group campsites. Permanent trailer spaces not included here.
[4] Includes an estimated 230 undeveloped de facto campsites on bluff south of Fort Ross to be eliminated.
[5] Intended primarily for an increase in seasonal fishermen trailer spaces.

Many respondents expressed strong feelings against any expansion of facilities on the coast. Forty-one percent of the respondents were against expansion of visitor facilities, and twenty-four percent were against any expansion of local facilities.

**Business Survey**

The business survey was sent to all property owners in the coastal zone with property designated commercial by the tax assessor. The return was approximately 25 percent. The respondents were asked to identify their business by name, location, and type of business or service provided. They were asked two questions: "Is your business subject to crowding and overuse? If so, when?" and, "Any expansion plans? If so, generally what, when, and where?" Responses were received from five restaurant operators, three grocery stores owners, five motel owners and two private campground operators. Most felt their facilities were subject to overcrowding, particularly on peak summer weekends. Several expressed a desire to expand.

## DEVELOPMENT AREAS AND NEEDED FACILITIES

Bodega Bay, The Sea Ranch, and Gualala are the areas most suitable for expansion of visitor serving and commercial facilities due to available public services and existing development. Other small service centers are scattered along the coast and just inland.

**Bodega Bay**

Enough area is designated in the Bodega Bay land use plan to allow an approximate doubling of visitor serving and commercial facilities, including fishing industry commercial services.

Some expansions of overnight accommodations already have been approved.

**The Sea Ranch and Gualala**

The Sea Ranch has very limited existing commercial facilities, and depends primarily on Gualala to serve residents' needs. Some commercial growth has occurred in Gualala recently, in part as a response to The Sea Ranch. Appropriate locations for commercial development to serve The Sea Ranch are Gualala, Annapolis Road near the airport where existing uses are located, and adjacent to The Sea Ranch Lodge.

**North of Jenner**

Stewarts Point. Two miles south of The Sea Ranch on Highway 1, Stewarts Point has a general store with gasoline sales, public restrooms, medical clinic serving the north coast, and a post office. An expansion to a new building, with some adaptive use of the existing store, appears desirable if designed to be consistent with the historic character of Stewarts Point.

Ocean and Stillwater Coves. Ocean and Stillwater Coves are immediately south of the extensive Salt Point State Park. A motel and restaurant are located just north of Ocean Cove. The Ocean Cove Store is a picturesque grocery east of the highway at the cove. Just to the south is the Stillwater Cove Ranch, a former boys' school that is now open as a small guest ranch.

On the Ocean Cove property, a suitable location for a new facility would be east of Highway 1, near the Ocean Cove Store and behind a screen of eucalyptus trees. Indoor accommodations or camping should be considered here with public day use of the sheltered cove. A public horse stable would also be a very appropriate use for a small portion of the grassland near the store because Salt Point State Park has miles of riding trails which would be immediately accessible to this location. The west side day use area

should contain continued and improved boat launching and picnic facilities, with parking provided on the east side of Highway 1.

The Salt Point Lodge is not well landscaped; any expansion here should respect and improve the view from the highway. Stillwater Cove Ranch is situated away from Highway 1 and has room for a modest expansion of the existing facilities. This parcel also has room for a public horse stable if access through the Ocean Cove property to Salt Point State Park riding trails could be attained.

Timber Cove. The Timber Cove Inn is the largest overnight facility between The Sea Ranch Lodge and Bodega Bay, and includes a major restaurant and bar. Except for improved parking facilities, the potential for expansion is limited.

The Timber Cove Boat Landing and campground is a very intensively used parcel, providing the most comprehensive services to divers on the coast. Improvements to the appearance of facilities have been made in the past and should be continued.

Fort Ross. The Fort Ross Store is located at Windermere Point, south of Timber Cove and north of Fort Ross. A glass-enclosed patio has recently been added, with seating for deli customers. It is the only grocery between these two points. West of Highway 1 in this location, the County and Coastal Commission have approved a 16 unit motel. The owner of these two developments has expressed an interest in providing a one car emergency automobile repair facility adjacent to the store, a need noted in the citizen's survey.

**RUSSIAN RIVER COMMUNITIES**

Duncans Mills. Duncans Mills is primarily a visitor service center, providing basic tourist support facilities. An adequate water supply is available, but there is no sewer system, and flooding is a seasonal problem. Some commercial expansion is potentially possible if wastewater disposal regulations can be met. No indoor overnight accommodations currently exist. Bed and breakfast facilities, hostels, and similar facilities would be in keeping with the village character and Coastal Act policies.

Jenner. Jenner currently provides restaurant, motel, and other community services, but a moratorium of water hookups and septic system problems may prohibit additional development until water system and wastewater disposal problems can be solved.

Bridgehaven. Bridgehaven also has a moratorium on new water connections and has septic system problems. The only commercial facility, the Bridgehaven resort, has a restaurant and six motel units. Camping and boat launching have been discontinued, as has gasoline sales. Eighteen trailers and mobile homes permanently occupy the small area near the Russian River. It appears likely that no expansions will be possible because of service problems. The rebuilding of the highway bridge may physically effect the continued operation of the resort.

**SOUTH COAST**

Pacific View Estates. The Coastal Conservancy is considering a project to transfer the development potential of this mostly undeveloped subdivision to another site to preserve important coastal views in this location. If transfer fails, the Conservancy has suggested visitor-serving commercial facilities, including a maximum of 38 inn or motel units, a restaurant, a bar, or any combination of these uses for the Pacific View Estates site. New visitor-serving facilities are not recommended for any similar isolated locations on the Sonoma coast. Although it is doubtful that existing health department regulations can be met economically for visitor services at this location, if regulations can be met, Unit II is less sensitive visually and would be the better location for any development.

Valley Ford. Valley Ford has a ban on connections to its water system. As a small community center for the dairies in the southwestern part of the County, Valley Ford supplies basic commercial and tourist services. A restaurant, cafe, and market provide food service, and gasoline and car repairs are available. Valley Ford would be appropriate for modest expansion of commercial services if water service becomes available.

## RECOMMENDATIONS

### General Recommendations

1. Encourage the development and expansion of visitor serving and commercial facilities within urban service and rural community boundaries where coastal requirements, including water provision and waste disposal, can be met.

2. Limit new commercial development to areas within designated urban service and rural community boundaries except for the lowest intensity development (guest ranches and bed and breakfast accommodations).

3. Consider modest scale expansion of existing visitor serving and commercial facilities outside of urban service and rural community boundaries where other coastal requirements can be met.

4. Encourage, where appropriate, the provision of modest size and scale accommodations with minimal impacts on the coastal environment, including bed and breakfast accommodations in existing homes, rental of second homes, guest ranches, inns, and motels. Guest ranches should be compatible with continued ranch operations.

5. Develop a visitor information system to publicized existing services and facilities.

6. Provide public restrooms and drinking water facilities where needed and appropriate as part of visitor and local serving commercial development.

## SPECIFIC RECOMMENDATIONS

7. Provide for new and expand existing commercial facilities in Bodega Bay, as shown on the land use plan, and including the expansion of Chanslor Ranch.

8. Consistent with land use designations and zoning, encourage expansion of overnight accommodations and modest scale visitor-serving commercial uses at The Sea Ranch Lodge, and local serving commercial services on Annapolis Road.

9. Consistent with land use designations and zoning, encourage expansion of the Stewarts Point General Store and use of the house west of the store as a bed and breakfast accommodation. Limited additional visitor-serving development should be designed to complement the existing historic character.

10. Consistent with land use designations and zoning, encourage modest expansion of existing or certain new visitor-serving facilities east of Highway 1 near the Ocean Cove Store. Appropriate new facilities would be: campgrounds or modest scale overnight accommodations, and a public horse stable.

11. Limit development west of Highway 1 at Ocean Cove to strictly controlled day use such as boat launching and picnicking. Any development proposals should include erosion control measures ad rehabilitation to the bluffs at the cove, and provisions for pedestrian safety on Highway 1. Adaptive

reuse of the barn should be pursued. Provide day use parking for such development east of Highway 1 at Ocean Cove.

12. Provide improved landscaping as part of any Salt Point Lodge expansion.

13. Consistent with land use designations and zoning, encourage modest expansion of existing inn facilities and development of a public horse stable at the Stillwater Cove Ranch.

14. Limit expansion at the Timber Cove Inn to improved parking facilities and coastal access.

15. Continue the operation of the Timber Cove Boat Landing while encouraging screening and design improvements.

16. Consistent with land use designations and zoning, allow limited visitor or commercial development, including development of a small emergency automobile repair facility in the vicinity of the Fort Ross store. Any expansion should be subject to strict design controls to preserve the area's scenic character.

17. Consistent with land use designations and zoning, encourage provision of modest scale and cost overnight accommodations, as well as other expanded visitor and commercial services at Duncans Mills.

18. Consistent with land use designations and zoning, encourage a modest infilling of visitor and local serving commercial services in Jenner if water and septic regulations can be met.

19. Encourage landscaping and design improvements at the Bridgehaven Resort. If any expansion occurs, boat rentals and launching, and day use facilities are the most appropriate uses subject to strict design guidelines.

20. Consistent with land use designations and zoning, allow development of a new visitor-serving facility at Pacific View Estates only if transfer of development potential to another, more suitable site is not possible. Any such facility must meet water and septic regulations, minimize visual impacts through clustering and design, be modest in scale, and not create traffic impacts beyond levels expected from the original development proposal.

21. Consistent with land use designations and zoning, encourage modest expansion of commercial services in Valley Ford if water and septic regulations can be met.

# VI. HARBOR

## Introduction

Harbor and marina facilities, commercial and sport fishing, recreational boating, and harbor construction and maintenance are topics addressed in the Harbor chapter. The Spud Point Master Plan prepared for the Sonoma County Regional Parks Department, the Harbor Discussion Paper prepared by the Harbor Technical Advisory Committee and the Environmental Assessment-Maintenance Dredging Bodega Bay Federal Channel prepared for the United States Army Corps of Engineers provide the basis for the analysis and recommendations.

## California Coastal Act Policies

The coastal act policies are supportive of coastal-dependent development stressing protection of fishing, boating, and necessary support facilities.

> 30001.5 (d). Assure priority for coastal-dependent development over other development on the coast.
>
> 30220. Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.
>
> 30221. Ocean front land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreation activities that could be accommodated on the property is already adequately provided for in the area.
>
> 30224. Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water dependent land uses that congest access corridors and preclude boating support facilities in natural harbors, new protected water areas, and in areas dredged from dry land.
>
> 30233 (a). The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and, where feasible, mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:
>
> (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
>
> (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
>
> (3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically

productive wetland; provided, however, that in no event shall the size of the wetland area used for such boating facility, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, be greater than 25 percent of the total wetland area to be restored.

(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities.

(5) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(7) Restoration purposes.

(8) Nature study, aquaculture, or similar resource dependent activities.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California" shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of South San Diego Bay, of otherwise in accordance with this division.

30234. Facilities serving the commercial fishing and recreational boating industries shall be protected, and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and location in such a fashion as not to interfere with the needs of the commercial fishing industry.

30235. Revetments, breakwaters, groins, harbor channels, seawalls, cliff-retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish-kills should be phased out or upgraded where feasible.

30250 (a). New development except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases, for agricultural uses outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have

been developed and the created parcels would be no smaller than the average size of surrounding parcels.

30254. ...Where existing or planned public works facilities can accommodate only a limited number of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

30255. Coastal-dependent developments have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland.

30260. Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.

## DOCK AND BERTHING AND RELATED FACILITIES

Bodega Harbor is the home of a major commercial fishing fleet with more than 250 commercial vessels. Existing fishing industry facilities include two berthing installations, three boat launching ramps, commercial fish receiving piers, and a federally maintained navigation channel (See Table VI-1).

Public recreational facilities are provided at Doran Spit State Park, Westside County Park and the Dunes State Beach. A portion of the harbor on the west side is the marine-preserve under authority of the University of California.

In 1976, a small craft harbor feasibility study concluded additional berthing facilities for commercial fishing is needed. Spud Point Marina is proposed by the Sonoma County Regional Parks Department to satisfy that need. In addition, owners of existing docks and marinas have expressed interest in expanding their facilities. Expansion of dock and berthing facilities seems to have general community support although the amount of expansion is the subject of some debate. An expansion of 200-300 berths appears supportable in the short-term. Generally, the new berths are expected to be somewhat longer than existing berths reflecting a trend towards larger commercial fishing boats.

TABLE VI-1

SUMMARY: EXISTING DOCK AND BERTHING FACILITIES

| | |
|---|---|
| Number berths | 210 |
| Number tie-ups | 45-50 |
| Number moorings (at dock or marina) | 30-35 (year-round) |
| Number anchored in outer-bay during salmon season | 10-50 |
| Size range | 18-65 feet |
| Unloading docks | 5 |
| Fuel docks | 3 |
| Ice and blower | 4 |
| Haul out | 1 (under 40 feet) |
| Dry dock | 1 |
| Repair area | 3 (all small) |
| Launching ramps | 1 private (small)<br>2 public |

**Recreational Boating**

**Bodega Bay**

While Bodega Harbor is known primarily for its commercial boating, recreational boating is also important. Approximately 11,000 boats use the launching facilities at Doran and Westside parks annually. An additional 350 sailing boats use Bodega Bay as a port of refuge.

A typical summer weekend will see two hundred to four hundred "recreational boats" using all facilities at the Bay. The demand for camping facilities, groceries, bait, fuel, mechanical repairs, and berthing space in the private marinas is considerable. Since facilities are limited, the needs of the recreational boater must be balanced against those of the commercial boater.

Expansion of berthing facilities for recreational boats is expected at Spud Point Marina and at Bodega Harbor Yacht Club. Limited support facilities for recreational boating may be considered at these two locations.

TABLE VI-2 RECREATIONAL BOATING

| | HAND LAUNCHING | RAMP OR HOIST | RENTALS |
|---|---|---|---|
| Gualala River Redwood Park (Mendocino County) | X | | X |
| Stump Beach (Salt Point) | X | | |
| Gerstle Cove (Salt Point) | X | | |
| Ocean Cove Fee Trespass Area | X | | |
| Stillwater Cove County Park | X | | |
| Timber Cove Boat Launching | X | X | X |
| Windermere Point | X | | |
| Fort Ross State Historic Park | X | | |
| River's End, Jenner | X | X | |
| Duncans Mills Campground | X | X | X |
| Cassini Ranch Family Campground | X | X | X |
| Bridgehaven (when open) | X | X | |
| Westside County Park | X | X | |
| Doran Park | X | X | |
| Valley Ford Bridge (Marin County) | X | | |

### Mosquito Fleet

The so-called mosquito fleet is a collection of small boats (18-30 feet) with commercial licenses. Owners range from part-time sport fishermen to serious full-time commercial fishermen. Some of the boats are trailerable, but most are moored or anchored. While these boats are not strictly recreational, they demand similar support facilities.

### Remainder of the Coast

Recreational boating outside of Bodega Bay includes inflatable rafts and other hand launched vessels used in abalone fishing; canoes, small power boats, and sailboats on the Russian River; recreational fishing boats launched on the north coast; and occasional canoes and sailboats on the Estero Americano. Ramp launching facilities are limited; hand launching opportunities are numerous but not usually supported by adequate parking, restroom, and shower facilities. (See Table VI-2). Boat rentals are available on the Russian River and North Coast.

## DREDGING AND FILLING

### Background

The commercial fishing industry in Bodega Bay exists by virtue of a deep-water channel dredged by the United States Army Corps of Engineers in 1943. Continued use of and expanded facilities in Bodega Bay are dependent on future dredging. Two types of dredging are contemplated for Bodega Bay: (1) periodic maintenance dredging of the Federal Channels and of the marinas, and (2) the one-time dredging for Spud Point Marina. The total quantity of material to be removed in the next fifty years is expected to be in excess of one million cubic yards (See Table VI-3).

Maintenance Dredging. The channel and basins have been dredged three times since the original dredging - in 1948, 1961, and 1968. The next maintenance dredging is planned for 1980.

The existing marina are currently predicting the need to dredge in order to keep existing facilities in operation and to expand some facilities. The total projected spoils from marina dredgings would be 20,000 cubic yards. This compares with 100,000 cubic yards from channel dredging.

**TABLE VI-3 DREDGE QUANTITIES**

| | VOLUME, CUBIC YARDS | TYPE MATERIAL |
|---|---|---|
| **1980 Maintenance** | | |
| Federal Channels | 25,000 | Sand |
| Federal Channels | 75,000 | Mud |
| Existing Marinas | 20,000 | Mud |
| **1981 Spud Point** | | |
| Federal and Non-Federal | 225,000 | Mud |
| **Future Maintenance** | | |
| Existing Federal Channels | 125,000 | Sand |
| Existing Federal Channels | 375,000 | Mud |
| Existing Marinas | 100,000 | Mud |
| Spud Point | 100,000 | Mud |
| Total for next 50 years | 1,045,000 | |
| | 150,000 | Sand |
| | 895,000 | Mud |

Spud Point Dredging. The total dredge spoil quantity for construction of the Spud Point Marina and federal access channel is estimated at 225,000 cubic yards of material. About 183,000 cubic yards of spoils would result from the local berthing area and 87,000 cubic yards from the federal channel. Dredging for the Spud Point Marina is scheduled for 1981.

Impacts of Dredging and Filling. Little is known about the effects of dredging in Bodega Harbor. The direct removal of benthic organisms and turbidity caused by dredging is assumed to have at least some short term detrimental effects. Areas which were formerly shallow water habitats have been changed to deep water habitats with a corresponding alteration in the plant and animal communities of these environments. However, no specific documentation of these changes or their recovery is available.

A review of the natural resources of the Bodega Harbor area by the Department of Fish and Game states that the filling in of wetlands has the most detrimental effect on the area's natural resources of any of man's activities. Over the last century, about one fifth of the harbor has been lost to fill; the majority of this

occurred between 1931 and 1974. Of this loss, most was the result of dredge spoil disposal at Westside Park, Doran Spit, and at the mouth of Cheney Gulch.

The most obvious effects of filling are that it smothers all underlying organisms and eliminates a habitat. Filling is particularly crucial when the area being covered is a marsh or intertidal zone. These areas are among the most productive of natural communities, and, even more importantly, lie at the foundation level of several ecosystems. Therefore, an impact at this level has serious ramifications throughout the environment.

**Dredge Disposal Sites**

One condition of Corps of Engineers construction projects involving dredging is that the local beneficiaries provide a suitable site for disposal of the dredge spoils. Maintenance dredging of the existing federal channel in Bodega Harbor has been accommodated by disposal areas at Doran Spit and the Old Airport Site. Initial dredging of the proposed Spud Point marina plus future maintenance dredging over a 50 year period represents greater volume than these sites could accommodate. Several new sites have been considered. (See Figure VI-1).

Figure VI-1

Four potential sites have been eliminated from further consideration for environmental or economic reasons: The Hole-in-the-Head canyon and Sand Dunes (both sites). The remaining potential sites are the New Airport, Marina Parking Area, Doran Spit, and Old Airport. Total capacity of these sites is slightly more than the projected 50 year production of dredging spoils. (See Table VI-4).

**TABLE VI-4 DISPOSAL SITE CAPACITIES**

| | VOLUME, CUBIC YARDS |
|---|---|
| New Airport | 184,000 |
| Marina | 20,000 |
| Doran Spit | 150,000 |
| Old Airport | 700,000 |
| | 1,054,000 |

New Airport Site. The New Airport site slopes gradually toward the north and northwest to and through the Dunes State Park. Highway 1 runs along the easterly edge of the property and the motorist is given a variety of views, onsite and offsite depending upon the direction of travel. The major visual feature is a seasonal drainage system which diagonally bisects the parcel. Looking west from State Highway 1, a hedgerow of eucalyptus globulus planted at Dunes State Park delineates the westerly edge, creating a dense visual border. The southerly edge of the site is bordered by a travel trailer and mobile home park which is occasionally visible from the highway when driving south toward Bodega Bay. Vistas from the highway to the northerly edge of the parcel include a glimpse of the landscape beyond Dunes State Park, an older farmhouse, out-buildings, and rolling knolls between the highway and the ocean.

Available capacity at the New Airport is limited by several constraints. The ground slopes at about six percent, and terraced spoil ponds with relatively large dike volumes are required. The depth of soil to bedrock is only about eight feet. The ground water table appears to lie near the bedrock surface in some places. A natural swale which contains significant vegetation becomes a fresh-water marsh downstream. In addition, dike heights should not exceed 20 feet for reasons of safety and soils stability. Infiltration of salt leachate into the ground water must be avoided, but the site soils are of low permeability, and special sealing is not expected to be necessary. Because of capacity limitations and a desire that this be a one time only disposal site, there is opposition to disposal of spoils from maintenance dredging on this site.

Diking systems for pumped dredgings will be constructed out of native soils on the parcel. After the dredge spoils dry and are leached to an acceptable degree, the material will be graded over the site to conform with an approved grading scheme.

The visual condition of the site prior to regrading would be similar to that of rice paddies, namely flat diked areas of varying elevations. The integrity of the plant life in the existing watercourse will be maintained and volunteer plant materials will spring up on the containment dikes. A possible temporary or interim mitigation measure would be to plant screening along Highway 1 until a restoration program can be completed on the parcel. Any screening material could be moved or removed after restoration was completed in order to restore views from the highway. Ultimately, the drainageway edges would be planted to native trees and shrubs which would reinforce the riparian habitat and create a visual link between the waterway in the State Park to the northwest.

### Off-Shore Disposal

Off-shore disposal of dredging spoils is permitted only in federally approved locations. No existing disposal site is close enough to Bodega Bay to be economical for disposal of Spud Point spoils. The process for approval of a new disposal site is lengthy and involves a controlled biological assessment (bio-assay) of the effects of ocean spoils disposal. Off-shore disposal has been tentatively explored, but no official steps have been taken to establish an off-shore disposal site for Spud Point dredging of future maintenance dredging.

## RECOMMENDATIONS

### Dock and Berthing Facilities

1. Encourage marina expansion up to 300 new berths in conjunction with the Phase I Land Use Plan.

2. Encourage development of support facilities for the fishing industry including fish processing in areas designated fishing commercial on the Land Use Plan.
3. Total marina development shall be restricted to a possible maximum of 700 berths in conjunction with the Phase II Land Use Plan for Bodega Bay. Expansion beyond the 300 new berths in Phase I shall be approved only in conjunction with Phase II, and only after 1) review of the harbor operations, with special emphasis on whether activities not dependent upon a harbor location can be relocated to preclude or minimize the need for additional dredging and filling; 2) determination of whether adequate appropriate locations for dredge spoils disposal exist and whether other environmental constraints can be successfully observed in the utilization of such sites; and 3) an assessment of the adequacy of the fisheries resources to support the additional pressure anticipated to result from such expansion, performed in conjunction with appropriate management agencies, demonstrates that the resources are adequate and would not be expected to be harmed by such increased effort.

4. Institute measures to control pollution of Bodega Harbor in connection with any marina expansion.

5. Encourage development of the following services and facilities at Spud Point Marina: Ice and Fuel; gear storage; gear loading; fish off-loading; electricity and fresh water outlets; pump-out stations; and laundry and washrooms.

6. Develop a mooring plan for Bodega Harbor.

**Recreational Boating**

7. Modify the boat launching ramp at Doran Park so that it serves only small boats.

8. Encourage private operators to accommodate additional demand for boat launching facilities particularly for the "mosquito fleet".

9. Development of a nine-berth marina at the Bodega Harbor Yacht Club for recreational boats shall be allowed only if, upon appropriate site-specific investigation, it can be demonstrated that the area that would need to be dredged constitutes open coastal waters and that therefore the use would be appropriate under Section 30233 of the Coastal Act, that there is no feasible less environmentally damaging alternative, that all appropriate mitigation measures are required, and that the project would maintain or enhance the functional capacity of the estuary.

10. Provide for hand launching of car-top boats including inflatables and kayaks at Stillwater, Gerstle, and Timber Coves. Continue to use Fort Ross for hand launching until historic facilities in the cove (beach) area are open to the public.

11. Encourage continuation of private boat rentals and launch facilities at Timber Cove, River's End, Bridgehaven, and Russian River campgrounds.

12. Reserve up to 20 percent of the berths at Spud Point Marina for recreational boats.

**Dredging and Filling**

**General**

13. Dredge only in the winter months when many animal species appear to be least sensitive to turbidity.

14. Transport spoils to sites outside the harbor.

15. Prohibit disposition of fill or spoils in Bodega Harbor except in accordance with Section 30233 of the Coastal Act.

16. Prohibit deposition of spoils in Bodega Bay (outside the harbor), east of a line extending from the tip of Tomales Point, to the tip of Bodega Head since Bodega Bay is an important crab nursery area.

17. Comply with recommendations in Chapter 3 concerning diking, dredging, and filling.

18. Require approval of a detailed reclamation plan for disposal sites prior to any dredging.

**New Airport Disposal Site**

19. Require that any disposal project at the new airport site be designed and implemented to protect groundwater resources and potential domestic supplies.

20. Protect the drainage and riparian corridor at the new airport site. Diked ponds for disposal must avoid the riparian area and assure that no spoils would be deposited in the drainage and that no runoff would enter the drainage or the freshwater wetland area.

21. Limit operation of construction equipment across the drainage between the disposal ponds to one haul road. Following spoils disposal, this road should be removed and the area regraded to natural drainage contours and seeded for quick establishment of vegetation.

22. Route the spoils conveyance pipe line to this site from Bodega Harbor along the right of way of existing roads except for the final crossing north to the site.

23. Implement a reclamation plan for the site that will assure rapid recovery, minimize visual impacts and improve the wildlife habitat.

24. Prohibit disposal of dredge spoils from maintenance dredging on this site.

**Old Airport Disposal Site**

25. Reclaim and restore the Old Airport Site to the maximum extent feasible following each maintenance dredging.

26. Protect the rare plants in the marsh south of the site during the course of construction.

27. Require a full evaluation of the potential visual, water quality, and reclamation problems associated with raising the dikes to accommodate a large one-time disposal prior to approving such a plan.

**Off-Shore Disposal**

28. Initiate the process of designating an off-shore dredge spoils disposal site.

# VII. DEVELOPMENT

## HOUSING

### Introduction

The major goal of the Housing section is to protect and promote low and moderate cost housing for people who work within the coastal zone to carry out Coastal Act policies on housing, access, and coastal zone priority uses.

### Coastal Act Policies

> 30213. Lower cost visitor and recreational facilities and housing opportunities for persons and families of low or moderate income, as defined by Section 50093 of the Health and Safety Code, shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. New housing in the coastal zone shall be developed in conformity with the standards, policies, and goals of local housing elements adopted in accordance with the requirements of subdivision (c) of Section 65302 of the Government Code.

Other sections of the Coastal Act imply that affordable housing should be provided. Coastal Act policies which encourage visitor-serving commercial development (Section 30220-30223), agricultural production (Sections 30241-30242) and coastal-dependent industry (Sections 30702-30708) call for increasing and maintaining employment opportunities in the coastal zone which generate modest incomes. If workers are unable to find affordable housing in the coastal zone, the viability of such Coastal Act policies would be seriously threatened.

### Definitions

Affordable Rental Housing means rental housing which costs not more than 30 percent of 60 percent of HUD median area income for a lower income household, adjusted for household size, and not more than 30 percent of 50 percent of HUD median area income for a very-low income household, adjusted for household size; assuming that the household size will equal the number of bedrooms contained in the unit, plus one.

Affordable Ownership Housing means home ownership housing which costs not more than 30 percent of the maximum income as established by HUD for very low, lower, and moderate income households, adjusted for household size; assuming that household size will equal the number of bedrooms contained in the unit, plus one.

Density Bonus ~~means an increase in the number of units authorized for a particular parcel beyond that which would have been authorized by ordinance.~~ means a density increase of at least 25 percent over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan, specific plan, or area plan. ~~as of the date of application by the developer to the county.~~

Housing Opportunity Area means a parcel or parcels of land whereon a project may be proposed that provides affordable housing pursuant to General Plan Housing Element Policy HE-2g.
Lower Income Households ~~means households with annual incomes less than 80 percent of the median income.~~ means a household whose gross annual income is not more than eighty percent of the HUD median income adjusted for household size.



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Median income means the median income as established annually and periodically revised by the ~~Director of Planning, based on the~~ U.S. Department of Housing and Urban Development (HUD) figure for the Standard Metropolitan Statistical Area, if available. ~~Median income in Sonoma County is currently 16,300.00 (1979).~~

Moderate Income Households ~~means households with annual incomes of 80-120 percent of the median income.~~ means households whose gross annual income does not exceed 120 percent of the HUD median income adjusted for household size.

Rental Control means a mechanism by which affordable rental units will be maintained in the low and moderate income rental housing stock over time.

Resale Control means a mechanism by which affordable units will be maintained in the low and moderate income housing stock over time.

Very Low Income Household means a household whose gross annual income is not more than 50 percent of the median income for Sonoma County as established by the U.S. Department of Housing & Urban Development (HUD), adjusted for household size.

**Housing Needs Assessment**

The need for affordable housing is great Countywide, but is particularly acute within the coastal zone because of the great demand for housing near the coast. The two major population centers, where jobs are available, are Bodega Bay and The Sea Ranch. In order to determine housing needs, worker surveys were conducted in these two areas. For the purpose of this needs assessment, one housing unit is assumed for each worker. This may overestimate the need because there may be more than one worker per household.

**Bodega Bay**

Bodega Bay is primarily a fishing and tourist oriented community. Both activities are high priority uses identified in the Coastal Act, and should be preserved and encouraged by the Coastal Plan. Both industries generate modest incomes for workers. Demand for housing in Bodega Bay is such that even the smallest homes are priced beyond the means of many coastal employees. Two Bodega Bay surveys were conducted. One survey was circulated by four major employers: Bodega Marine Lab, Coast Guard, The Tides, and Bodega Harbor. The second survey was circulated by the Fisherman's Marketing Association to commercial fishermen.

Service and Other Workers. Approximately 190 people are employed by the four major employers. Approximately 30 additional service workers, 10 permanent State and County Park workers without State-provided housing, and 10 seasonal park employees work in the Bodega Bay area making a total of about 240 employees.

A total of 44 percent of the employees responded to the survey. Of those responding, about 66 percent live outside of Bodega Bay and 48 percent of those would like to move to Bodega Bay. Using the sample percentage, an estimated 70-80 workers desire to move to Bodega Bay (See Table VII-1). The vast majority (90 percent) of the workers rent housing.



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**TABLE VII-1 PROJECTION OF HOUSING NEEDS FOR BODEGA BAY**

| EMPLOYMENT | EXISTING UNMET NEED (Employees) | PROJECTED NEEDS A.D. 2000 (Employees) |
|---|---|---|
| Service and Other | 70-80 | 30[1] |
| Fishing: | | |
| 1st priority | 40-50 | 60[2] |
| 2nd priority | 40 | - |

[1] Based on expansion of visitor-serving facilities recommended in the Coastal Plan.

[2] Based on additional berthing facilities for 300 boats.

Fishermen. Approximately 250 fishermen currently anchor their boats in Bodega Bay. Unfortunately, only 18 percent responded to the questionnaire. Projections made from this small sample must be considered a generalized estimate only. Of the sample received, 76 percent of the fishermen make fishing their principal source of income. Assuming 250 fishermen, the projected total number of full-time fishermen is 190. Housing needs for fishermen have been categorized into two priorities. The first priority includes full time fishermen who live outside of Bodega Bay but would like to move there. According to the survey, 46 percent live away from Bodega Bay, and 50 percent of those would like to move there. Projecting these numbers there would be 40-50 fishermen in this category (See Table VII-1). The second priority category includes fishermen who live in Bodega Bay but are dissatisfied with current housing. An estimated 40 fishermen are in this category.

**Sea Ranch**

Currently, about 200 workers are employed by Oceanic, The Sea Ranch Association, and private contractors at the Sea Ranch. Building activity was minimal at the time the Coastal Plan was adopted. Now that building activity has resumed, there could be a much greater need for worker housing. Due to high building costs, and high desirability, there are few, or no affordable residential units. Most workers commute from Gualala, Annapolis, and surrounding areas.

Oceanic Properties and the Sea Ranch Association circulated housing survey questionnaires to their employees and at construction sites. Approximately 43 percent of the estimated number of workers responded to the survey. Of those, 81 percent do not live at The Sea Ranch and 52 percent would like to live there. Using these sample percentages, there would be about 160 workers who do not live at The Sea Ranch and 80 who would like to move there (See Table VII-2).



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**TABLE VII-2 PROJECTION OF HOUSING NEEDS FOR THE SEA RANCH**

| Existing Unmet Need (Employees) | Projected Need - Year 2000[1] (Employees) |
|---|---|
| 80 - 90 | 160 - 190 |

[1] Based on expected Sea Ranch buildout and lodge expansion.

**Other Areas**

No housing needs surveys were conducted outside of Bodega Bay and The Sea Ranch. The North Coast Citizen's Advisory Committee has identified need for low or moderate cost housing in the Stewarts Point-Sea Ranch area for medical center and other workers and in the Fort Ross Store-Timber Cove area for teachers and other workers. The need for housing has been expressed by State Parks and Recreation. Currently five permanent and ten seasonal Park workers are employed at Fort Ross and Salt Point. All five permanent employees are housed on the Park property, and six seasonal employees are housed on the Park property. With the current expansion of Salt Point State Park, there will be seven new permanent employees. State Parks indicated difficulty in finding rental housing for seasonal employees. When the State acquisitions are developed, Northern Sonoma County State Park staffing will increase. There is interest in development of affordable housing in rural areas like Timber Cove and Stewarts Point. Severe physical constraints, lack of services, very high costs, and Coastal Act policies, however, may make such development infeasible. Worker housing needs outside areas with community sewer and water may be provided by employers, like State and County Parks, and on large ranches as long as it is compatible with the Coastal Plan.

Farm worker housing is allowed in the agricultural areas, as specified in the zoning district. Provisions include seasonal and year-round housing, farm labor camps, additional units for full-time agricultural employees based on the type of agricultural use, and farm family units for properties under Williamson Act contract.

**Housing Production**

In order to encourage new affordable housing within the coastal zone, several strategies will be utilized which can be grouped into four categories. They are incentives, permit and inclusionary requirements, ~~subsidies~~ development fee deferrals, and employer housing assistance. These strategies apply primarily to areas with community sewer and water.

**Incentives**

Housing Opportunity Areas. ~~A land use category called Housing Opportunity Area has been included in the Land Use Plan. Lands with this designation will be zoned for low density residential use at four units per acre or less. The property owner will have the option of applying for a higher density (up to 8-10 units per acre) if he demonstrates adequate provisions for affordable housing. At least 25 percent of the units must be affordable for consideration. Each rezoning proposal will be analyzed individually when requested. Criteria for analysis will include conformance with:~~ The County General Plan has established a low income Density Bonus Program and a housing opportunity program to encourage development of



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housing affordable to very low and low income households. The density bonus incentive will grant a density of at least 25% higher than permitted under the General Plan and zoning in exchange for a commitment to developing and maintaining a portion of the units as affordable to very low and low income households. It is based on Housing Element policy HE-1c, as stated below:

> HE-1c: Allow a density bonus and provide another development incentive in accordance with the provisions of Government Code Section 65915 et seq., to encourage the development of housing affordable to very low- and low-income households. The requirements for affordability and rental costs and housing rental agreements set forth in Section ___ shall be met for any such units.
>
> A recordable housing agreement between the county and the developer shall be required for any project where a density bonus is granted. The housing agreement shall provide for the long term affordability of the housing by low and very-low income households, in accordance with the requirements set forth in Section 3.1 on page ___.
>
> The density bonus shall apply to housing developments consisting of five or more dwelling units.

The housing opportunity areas are classified into two types: Type A may allow up to 30 units per acre in medium and high density zoned areas. Type C would allow increases in low density residential zoning to a maximum of 11 units per acre. These policies are stated below in Housing Element Policy HE-2g:

> HE-2g: Provide for two types of Housing Opportunity Areas in addition to, and not in lieu of provisions of state and federal law, as follows:
>
> Type "A" Housing Opportunity Areas are established in all Urban Residential 6-12 dwelling units per acre, and all Urban Residential 12-20 dwelling units per acre areas depicted on the general plan Land Use Maps. The residential density for a Type A project may be increased 100 percent above the mapped designation, to a maximum of 24 dwelling units per acre for parcels located in Urban Residential 6-12 dwelling units per acre, and up to 30 dwelling units per acre for parcels in Urban Residential 12-20 dwelling units per acre.
>
> Type "C" Housing Opportunity Areas are established in "Urban Residential 4-6 dwelling units per acre" areas. The maximum residential density for a Type C project is 11 dwelling units per acre.
>
> A Housing Opportunity Type "A" project shall reserve a minimum of 40 percent of all units for rent or sale to low or very low-income households. A Housing Opportunity Type C project shall reserve a minimum of 20 percent of all units for rent or sale to low or very-low income households, and the remaining units shall be reserved for sale to low or moderate income households.
>
> Type A and Type C projects shall comply with all applicable provisions of Chapters 26 and 26C of the Sonoma County Code, including development standards and long-term affordability requirements.
>
> The Housing Opportunity Type A and Type C programs shall apply to housing developments consisting of five or more dwelling units.

In addition, the following criteria shall be used to evaluate density bonus projects in the Coastal Zone:

General Plan consistency, including Land Use and Housing Element Goals, Objectives, and Policies.
Coastal Act policies
Community character



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Local Coastal Plan housing component goals, including provisions for both low and moderate cost units available for rental and purchase.
Environmental suitability
Local Coastal Plan visual component

Where the Coastal Plan density is less than the General Plan density (due to Local Coastal Plan Policies, site specific constraints, or development phasing), the density bonus shall be applied to the Coastal Plan Density. In no case shall total project density (including bonus) exceed 10 units per acre without a Coastal Plan amendment.

Second Unit Zoning. Zoning which will allow second residential units will be provided in some portions of the Coastal Zone, primarily Bodega Bay and the rural areas. ~~New housing in Bodega Bay should be in keeping with the community character.~~ One way to increase rental housing opportunities while preserving community character is to allow second smaller units on single-family lots large enough to accommodate the additional use. ~~This would be implemented by a higher density zone and land use plan designation applied to former R1 lots that are 6,000 to 12,000 square feet in size appropriate residential areas. A second unit would be subject to a coastal permit, and approval would be dependent upon lot location, size, configuration, layout, and assurance that the rental unit would be affordably priced. These special designations are intended to produce small, affordable rental units and assist homeowners who elect to build such second units.~~ This will be implemented by allowing second units in specified zoning districts on lots that are a minimum of 2 acres without public sewer and water, and lots of at least 6,000 square feet in size within an urban service boundary that are served by both public sewer and water. A second unit would be subject to a zoning or use permit and coastal permit, depending on location. Approval would be dependent upon conformance to the standards contained in the zoning ordinance.

**~~Subsidies~~ Deferral of Development Fees**

Building and development fees may be deferred subject to compliance with the provisions of Section 26C-457 of the Coastal Zoning Ordinance. Any such deferral shall be subject to the availability of funds and shall be directly related to the construction of housing units reserved for rent or sale to low or very-low income households.

~~Assisted Housing Site Acquisition Program. The Housing Authority can acquire a site or sites for resale to developers or owner-builders of affordable housing. There are two components of the program: The Land Acquisition Fund and Site Disposition.~~

~~The County will devote approximately $100,000 per year Countywide in Community Development Block Grant or other revenues to the extent available to an Acquisition Fund to be administered by the Housing Authority. The Housing Authority may also use such funds for site preparation and other pre-development costs if and to the extent that the project to be constructed on the site will directly benefit low-income households; the site preparation or other costs cannot reasonably be borne by the developer or owner-builder as part of the long-term financing; and the project is assured of construction and long-term financing before the costs are incurred by the Fund. Units constructed on all sites purchased from the Fund should benefit low and moderate income persons exclusively. In addition, the County will provide a revolving loan fund for the acquisition of options on potential sites. A separate fund for the coastal zone should be created for any affordable housing in lieu of fees or land donations generated by Coastal Plan requirements.~~

~~Acquired sites will be allocated to the various new construction programs in accordance with need and appropriateness as determined by the Board of Supervisors. Proposals will be given priority to the extent that they:~~

~~Provide housing for large, low-income families, single-parent households, and the physically handicapped.~~

~~Are compatible with or insulated from surrounding land uses.~~

~~Are consistent with site-plan review requirements imposed by the County for similar unassisted projects.~~

~~All sites will be sold to developers and owner-builders at fair market value as determined by an independent appraiser, unless and to the extent that the Board of Supervisors determines, in accordance with standards to be developed by the Community Development and Housing Department, that the resale price should be reduced in order to bring the ultimate cost of the housing within the reach of low income households. Land writedowns will be available to the developers of rental housing at a rate not to exceed one percent of the site's fair market value for each unit of family housing to be constructed, and two percent of such value for each unit having three or more bedrooms.~~

~~Owner-Builder Assistance Program. The owner-builder program assists persons and households who want to reduce their housing costs by contributing labor to the construction of a new home for themselves. The Housing Authority would purchase land, subdivide and improve the lots. The lots would then be sold to low or moderate income persons who will build their own residence with the assistance of FHA low interest financing. The residential acreage would have to be valued in the $28,000 to $35,000 per acre range for the Housing Authority to produce the lots at a price eligible for lower interest financing.~~

~~Multi-Family Financing Vehicles. The State Office of Housing and Community Development will provide technical assistance and other forms of support to developers of multi-family housing for low and moderate income residents of Sonoma County pursuant to HUD's Section 8 and Federal Housing Programs, the Farmers Home Administration's 515 Program, and the California Housing Finance Agency's Mortgage Assistance Program.~~

The County General Plan Housing Element identifies a number of Housing Programs available in the Coastal Zone that involve grants or low interest loans to developers of low income housing. These programs include but are not limited to:

**Housing Element Program 13: Farmers Home Administration (FMHA) Loans (Section 515)**

Program Description: This FMHA program provides construction and permanent financing for multi-family rental housing for low- and moderate-income households in designated rural areas. Interest rates can be as low as one percent but all units financed must be occupied by lower-income households. Eligible rural areas in unincorporated portions of the county include Windsor, the Russian River area, Geyserville, the Sonoma Valley and coastal areas. Both private and non-profit agencies may apply for such funding.

Responsible Agency: Community Development Commission.
Implementation: (Ongoing)

**Housing Element Program 14: Farm worker Housing**

Program Description: This program will use funding from two sources: the FMHA Section 514/516 program provides a combination of grants and loans to finance construction, rehabilitation or acquisition of rental housing for farm workers in designated rural areas. Loans are at 1% interest and are repaid over a 33-year term. The State Farm worker Grant program provides funds for land acquisition and site improvements to non-profit and governmental agencies.

Responsible Agencies: Community Development Commission and Burbank Housing Development Corporation
Implementation: (Ongoing)

**Housing Element Program 15: Farmers Home Administration (FMHA) Self-Help Housing Loans**

Program Description: This FMHA program provides construction and purchase financing for owner-built and -occupied housing in designated rural areas. Loans are available at rates as low as one percent to lower income households, who provide most construction labor under the supervision of technical advisors. Since most projects are initiated by non-profit sponsors, developer profit and overhead costs are eliminated. Labor contributed by assisted households constitutes the down payment.
Responsible Agencies: Community Development Commission and Burbank Housing Development Corporation
Implementation: (Ongoing)

**Housing Element Program 16: HCD Rental Housing Construction Program**

Program Description: This program, administered by the state Department of Housing and Community Development, provides 3 percent loans for the development of rental housing. Additional rent subsidies may be sought from other sources (e.g., HUD Section 8 Rental Assistance).
Responsible Agencies: Community development Commission and Burbank Housing Development Corporation

**Housing Element Program 22: Review of Development Fees**

Program Description: This program will result in a review of all County ordinances which propose the enactment of residential use development and impact mitigation fees by the County Board of Supervisors, to consider the required fees for housing to insure that the fees do not exceed the cost of mitigating the actual resulting impact and to establish criteria for reductions or waivers in fees for affordable housing which meets the requirements set forth in Section 2.1. and policy HE-2g.
Responsible Agency: Planning Department.
Implementation: (1992-93)

**Housing Element Program 25: HUD Section 202 Loans**

Program Description: This program provides low-interest financing for the construction of non-profit rental housing for elderly and handicapped households, and provides rent subsidies for eligible residents. If funding is available at current levels, the county will support financing of up to 300 units in the 1990-95 period.
Responsible Agencies: Community Development Commission and Burbank Housing Development Corporation.
Implementation: (1991-95)

**Permit and Inclusionary Requirements**

Resale or rental controls over required affordable units will be implemented by the Sonoma County Community Development Commission ~~Housing Authority~~. Proportions of low income, moderate income, sale and rental units and other required control measures will be developed on a project-specific basis subject to the approval of the Director~~s~~ of ~~Planning and Housing~~ the Permit and Resource Management Department.

Ownership and Rental Requirements

In general, ownership is intended for those moderate income households earning up to a maximum of 120 percent of the median income. Ownership and rental housing is intended to house lower income households earning up to a maximum of 80 percent of the median income. Rental housing is also intended to house very low income households earning up to a maximum of 50 percent of the median income.

Affordable Housing Agreement Required

In exchange for subsidies for construction of housing affordable to moderate, low- and very-low income households, the developer shall execute an Affordable Housing Agreement, pursuant to regulations set out in Chapter 26C of the Sonoma County Code.

A majority of the financial institutions and lenders which make or insure construction and long-term loans on affordable housing projects will not make such loans where a project is subject to locally-imposed long-term affordability restrictions. Therefore, to ensure that the requirements for long-term housing affordability will not impede the financing necessary to ensure the construction of new affordable housing projects, the Board of Supervisors may subordinate the Housing Affordability Agreement is provided for in Chapter 26C of the Sonoma County Code.

Housing Projects - Eleven or More Units. In housing projects of 11 or more units a minimum of 15 percent (and not less than one) of the units must be affordable. Under very limited circumstances, if it can be demonstrated by the applicant through an independent analysis of project data that a 15 percent requirement is not feasible, a lower inclusionary percentage could be considered but not less than 10 percent. If the applicant can demonstrate on-site construction of 10 percent inclusionary units is infeasible, then on-site dedication of land to accommodate at least twice the amount of affordable housing that would be required if constructed by the developer shall be dedicated to the County ~~Housing Authority~~ Community Development Commission or Coastal Conservancy.

Housing Projects, 5-10 units. Developers will be allowed two alternatives - provide 15 percent of the units as affordable, or pay a fee in lieu of providing units. The fee will be 6 percent of the market price of the project and will be paid to a special coastal zone site acquisition and development fund to be administered by the ~~Housing Authority~~ County Community Development Commission.

## TABLE VII-3 COASTAL ZONE EXISTING HOUSING (1979)

| Location | Dwelling Units | Permanent Owner-Occupied | | Long-Term Rental | | Part-Time Owner-Occupied | | Short-Term Rental | |
|---|---|---|---|---|---|---|---|---|---|
| | No. | No. | % | No. | % | No. | % | No. | % |
| Sea Ranch | 530 | 140 | 26 | few | - | 195 | 36 | 180 | 33 |
| Timber Cove | 28 | N/A | | | | | | | |
| Fort Ross Highlands | 8 | N/A | | | | | | | |
| Jenner Area (Total) | (151) | (88) | 58 | (40) | 26 | 1 | - | (23) | 15 |
| Goat Rock | 21 | 10 | 47 | 10 | 47 | | | 1 | 4 |
| Bridgehaven | 18 | 9 | 50 | - | 11 | | | 7 | 38 |
| River's End Area | 12 | 8 | 66 | 1 | 8 | | | 3 | 25 |
| Jenner | 100 | 61 | 61 | 27 | 27 | | | 12 | 12 |
| Duncans Mills | 7 | N/A | | | | | | | |
| Rancho del Paradiso | 62 | N/A | | | | | | | |
| West Beach | 27 | N/A | | | | | | | |
| Gleasons Beach | 27 | N/A | | | | | | | |
| Sereno del Mar | 40 | 21 | 52 | 3 | 7 | 15 | 37 | 1 | 2 |
| Carmet | 61 | 20 | 32 | 10 | 16 | 28 | 45 | 3 | 4 |
| Salmon Creek | 86 | 14 | 16 | 17 | 19 | 52 | 60 | 3 | 3 |

TABLE VII-3 COASTAL ZONE EXISTING HOUSING (1979)

| Location | Dwelling Units | Permanent Owner-Occupied | | Long-Term Rental | | Part-Time Owner-Occupied | | Short-Term Rental | |
|---|---|---|---|---|---|---|---|---|---|
| | No. | No. | % | No. | % | No. | % | No. | % |
| Bodega Bay (Total) | (286)[2] | (83) | - | (61) | 1 | (55) | - | (3) | 1 |
| West side of harbor | 30 | 10 | 33 | 9 | 30 | 11 | 36 | - | - |
| Whaleship | 33 | 14 | 42 | 4 | 12 | 12 | 36 | 3 | 9 |
| Shaw Court | 14 | 2 | 14 | 11 | 78 | 1 | 7 | - | - |
| B. Bay Trailer Park | 15 | | | (40 Additional RV Hookups) | | | | | |
| Porto Bodega | 34 | | | (14 Additional RV Hookups) | | | | | |
| North of Taylor Tract | 29 | 15 | 51 | 10 | 34 | 4 | 13 | - | - |
| Taylor Tract | 77 | 34 | 44 | 22 | 28 | 21 | 27 | - | - |
| East side of harbor | 19 | 8 | 42 | 5 | 26 | 6 | 31 | - | - |
| Bodega Harbour | 152[3] | 34 | - | 3 | - | 41 | - | 30 | - |
| Valley Ford | 27 | N/A | | | | | | | |
| Other Rural (approx.) | 175 | N/A | | | | | | | |
| **TOTAL** | 1667 | | | | | | | | |

[1] The available information does not break down part-time and full-time owner-occupied housing in Jenner.

[2] Status of about 35 residential units in Bodega Bay is unknown.

[3] Status of over 40 dwellings in Bodega Harbour is unknown.

**Employer Housing Assistance**

The main employers in Bodega Bay are the Bodega Marine Lab, Bodega Harbor, The Tides, and the Coast Guard. The fishing industry work force is represented by the Fishermen's Marketing Association. Both State and County Parks employ workers in this area. One or more of these employers and the association should consider embarking on a housing project to assist in attracting and maintaining a competent work force. An employer subsidy could be provided in a number of ways:

1. Provision of employer-owned housing as part of salary.

2. Employer-owned housing rented at an affordable rate to employees.

3. Donation of land for a housing project for the benefit of employees.

4. Other type of subsidy to assist employees in procuring housing.

The Bodega Marine Lab is interested in developing 12 rental units. Such development would assist in implementation of the Coastal Plan housing component and help ease the Bodega Bay rental market.

Provisions for Fishing Related Facilities: The fishing commercial land use category of the Land Use Plan ~~will~~ allows vehicle camping facilities for transient fishermen.

**HOUSING CONSERVATION**

Areas of existing affordable housing which should be preserved and protected are identified. Several strategies for protection and rehabilitation of existing low and moderate income housing are identified.

Areas of Existing Low and Moderate Income Housing. In order to designate areas of existing low and moderate-cost housing, it is necessary to define such areas. Housing costs and availability to people with low and moderate incomes are a function of long-term rental availability, size, and type of unit and location. Areas primarily composed of second home development would not be expected to contain existing low and moderate income units. For the purpose of this analysis, areas with concentrations of small houses are assumed to have the highest concentration of low or moderate income units. A survey of developed areas has identified total numbers of units, long-term rentals, part time rentals, permanently owner-occupied units, and part-time, owner occupied units (See Table VII-3).

Some sections of Bodega Bay provide low and moderate income housing. Houses are older, small village homes primarily occupied by owners who purchased before coastal housing costs escalated and by renters who work in the area. They are the west side of the harbor, Shaw Court and Taylor Tract.

Trailers provide affordable housing in the Bodega Bay Trailer Park and in the Porto Bodega Development. Carmet has a relatively high concentration of renters and full time owner occupants. Additionally, Goat Rock, Jenner, and the Fort Ross Store area provide affordable housing which should be protected.

~~Subsidies. A number of federal funding programs are available to assist in the rehabilitation of existing affordable housing units.~~

~~The Bankable Loan Program provides interest subsidies on loans made by participating private lenders. Loans are 90 percent insured by the Federal Housing Administration. Interest subsidies will be paid from Community Development Block Grants. In general, the Bankable Loan Program is designed to serve moderate-income owner occupants who are unable to contribute labor to the rehabilitation of their homes, and low and moderate-income owner-occupants who are able to contribute labor.~~

~~The Delayed Payment Loan Program provides one percent loans for terms up to 40 years for low- income owner occupants. Delayed payment loans are due only upon sale or other transfer of the improved dwelling or the end of the term. The borrower makes no monthly or other periodic payments to pay off the loan. Loans may not exceed $15,000 and are made directly from Community Development Block Grant funds to qualified residents of target neighborhoods. Bodega Bay has recently been designated as one of the County's target areas.~~

~~The Self-Help Rehabilitation Program will provide technical assistance, information and referral, and subsidized bankable or delayed payment loans to low and moderate-income owner-occupants, to renters and to investor-owners. In the first stage of the program, only low-income owner-occupants will be eligible. These households will receive engineering and architectural assistance, advice on building permit processing and alternative building, energy conservation and recycling techniques, weekend and evening service from the Building Inspectors, and other assistance, including grants up to $2,500 for the cost of necessary materials designed to encourage the accomplishment of needed repairs. In subsequent phases, the program will be expanded to include renters and investor-owners where a satisfactory agreement on rent limits can be negotiated~~

~~The Section 8 Moderate and Substantial Rehabilitation Programs will be used to encourage the rehabilitation of investor-owned rental properties. The Housing and Community Development Office currently administers the Section 8 Existing Housing Program which provides rent supplements to low-income tenants. The Moderate Rehabilitation Program will be administered by the Housing and Community Development Office in a manner similar to the Section 8 Existing Housing Program, except that the owners of units rehabilitated pursuant to this Program may receive higher rents than are available under the current Section 8 Program. The Substantial Rehabilitation Program does not involve the County directly. Owners of deteriorated rental units apply directly to Housing and Urban Development for rehabilitation financing and for an allocation of Section 8 rent subsidies for tenants who will occupy the rehabilitated units. Such units may be managed by the Housing and Community Development Office under contract with the owner.~~

~~All the rental rehabilitation programs and Section 8 rental subsidies could have a substantial beneficial effect in Bodega Bay. A large percentage of housing in the village is substandard or deteriorated. According to the Housing Authority, there are only five rental units on the coast utilizing the Section 8 subsidy program, and more are badly needed. In order to qualify, the units must meet building code standards. The rental rehabilitation program subsidies can assist in bringing substandard units up to code to qualify for Section 8 rental assistance programs.~~ The County General Plan identifies a number of Housing Programs available in the Coastal Zone that involve grants or low interest loans to support and maintain the existing stock of low income housing. These programs include but are not limited to:

**Housing Element Program 12: Mortgage Revenue Bond Program**

Program Description: The Community Development Commission will continue to administer the mortgage revenue bond programs for the county and all incorporated cities except Santa Rosa including the provision of technical assistance to cities, over the 1990-95 program period.

Responsible Agency: Community Development Commission.
Implementation: (Ongoing)

**Housing Element Program 17: HUD Section 8 Rent Subsidies (Existing Housing)**

Program Description: This program provides rent subsidies to very low-income households which make up the difference between the "fair market rent" of a unit (as determined by HUD) and each household's "affordable" rent (30 percent of household income). In 1990 the Commission (County Housing Authority)

was administering over 1500 units. If funding is available, the county will continue to administer the funds for as many units as such funding will support.

Responsible Agency: Community Development Commission
Implementation: (Ongoing)

**Housing Element Program 18: HUD Section 8 Rent Subsidies (Moderate Rehabilitation)**

Program Description: This program will result in rehabilitation of rental units by increasing the "fair market rent" of a unit following rehabilitation. Units are then occupied by very low-income households, whose rents are subsidied as described under Program 21 (Section 8 Existing Housing). The county will support an application for such funds in accordance with the quantified objectives for this program.

Responsible Agency: Community Development Commission
Implementation: (Ongoing)

**Housing Element Program 23: Purchase of Assisted Affordable Housing**

Program Description: Use of existing program funding sources to purchase and manage assisted affordable units that will become eligible for conversion to non-affordable status.

Responsible Agencies: Community Development Commission and Burbank Housing Development Corporation

Implementation: (1991-95)

**Housing Element Program 34: HUD Rental Rehabilitation**

Program Description: The HUD program provides up to 50 percent of the funds needed to rehabilitate substandard rental units, in exchange for making rehabilitated units available for very low- and low-income households receiving Section 8 rent subsidies.

Responsible Agency: Community Development Commission. 150 units is the quantified objective for the 1990-95 period.

Implementation: (Ongoing)

**Permit Requirements.** Units currently providing low and moderate-income housing opportunities will not be approved for conversion to condominiums unless the conversion provides a greater affordable housing opportunity.

Demolition of low and moderate income housing shall be done in a manner consistent with General Plan Housing Element policies.

**Incentives.** Currently, uses that do not conform to existing zoning can continue, subject to several restrictions. They include provisions that: (1) a non-conforming residential or agricultural use damaged by more than ~~75~~ 50 percent of the assessed value may be replaced only after a use permit is secured, but

may allow for an addition of 10 percent of the previously existing floor area up to a maximum of 400 square feet. (2) if the non-conforming use ceases for a continuous period of one year, such use must meet zoning provisions, and (3) allowable remodeling, maintenance and repair to any legal non-conforming agricultural or residential structure is unlimited ~~is limited to 25 percent of the assessed value in any one year period~~. It is recommended that the Zoning Ordinance include provisions to allow a waiver of the above restrictions for non-conforming low or moderate-income units, if the owner is willing to accept resale or rental controls.

## RECOMMENDATIONS

### Subsidies

1. Encourage the use of subsidy programs administered by the Housing Authority for conservation and production of affordable housing.

### Permit Requirements

2. Require in housing projects of 11 or more units that a minimum of 15 percent of the units (not less than one) be affordable. Such units would be subject to resale or rental controls.

3. Require developers of housing projects of five to ten units to provide either of the following: (a) 15 percent of the units to be affordable, or (b) pay a fee of six percent of the market price to a special coastal zone site acquisition and development fund to be administered by the Housing Authority.

4. Encourage a mix of lower and moderate-income units and rental and sale units, when affordable housing provisions are required. The exact proportions will be determined on a project-specific basis by the Director~~s~~ of ~~Planning and Housing~~ the Permit and Resource Management Department.

5. Prohibit conversion of rental units currently providing lower and moderate-income housing opportunities to condominiums unless the conversion provides a greater affordable housing opportunity.

6. Prohibit the demolition of housing for persons of low and moderate income unless such demolition would be coupled with subsequent reconstruction of replacement housing of comparable rental value.

### Incentives

7. Provide density bonuses and housing opportunities ~~in designated Housing Opportunity Areas~~ for housing projects which ~~include 25 percent affordable housing units.~~ meet the minimum criteria established in General Plan Housing Element Policy HE-2g, HE1-c and Coastal Plan Housing "Incentives" section.

8. Allow second rental units as specified in the Coastal Zoning Ordinance. ~~on a case-by-case basis on lots designated for Second Unit Zoning.~~

9. Include in the Zoning Ordinance provisions for the waiver of nonconforming use restrictions for low or moderate-income units, if the owner is willing to accept resale or rental controls.

### General

10. Concentrate housing production efforts in areas where public sewer and water service is available.

11. Encourage development of employer provided or subsidized affordable housing for employees.

12. Prescribe rental and resale controls on a project specific basis subject to the approval of the Director of Housing.

## PUBLIC SERVICES

### Introduction

Public works and services are vital to implementation of the Coastal Act. In its Public Works policy, the Coastal Act allows (consistent with the General Plan) development of public works capacity to accommodate needs identified by the Coastal Plan. In other words, the policies of the Coastal Plan and General Plan determine the capacity and service areas of public facilities. Where the capacity of basic public works is limited, development of land uses encouraged by the Coastal Act, such as coastal dependent industry or moderate income housing for coastal employees, will receive priority over other uses.

The Coastal Act policies related to public facilities and development are:

> 30250 (a). New development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it, or where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.
>
> 30254. New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses consistent with provisions of this division; provided, however, that it is the intent of the legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation and visitor serving land uses shall not be precluded by other development.

### Water Supply

### Summary

Most of the water systems on the coast are small and substandard in some respect. The main problems are insufficient water and limited financial capability (See Table VII-4). Water sources are generally wells or creeks which have a tendency to run low in summer months when demand is highest. Most coastal wells produce only a limited amount of water at any time due to the geology of the area. Small systems cannot afford extensive searches for and development of additional supplies.

Water quality is also a problem with some systems. Surface springs and storage tanks are easily contaminated. The systems are chlorinated but may be monitored only once or twice a week. Tests for

chemical content are expensive and are not often performed. Poor maintenance in some cases contributes to water quality problems.

Several older small water systems are poorly designed or maintained resulting in inadequate water pressure. The fire fighting capability of most of the systems is inadequate because of limited water supplies or low water pressure.

No new water systems are planned. Some expansion or improvement of existing water systems to serve existing communities or planned growth, or to correct system deficiencies will be necessary.

**Adequate Water Systems**

The Sea Ranch, Fort Ross Highlands, Duncans Mills and Pacific View Estates are the only areas with adequate water for all existing and planned development (although The Sea Ranch must develop a supplemental water supply for periods of low river flow). Bodega Bay has more than enough water for existing and some additional development. It will have water for all planned development if the well being drilled by the Public Utilities District is as productive as expected. Bodega Bay also has other potential supply sources if the new well does not provide sufficient supply.

TABLE VII-4 WATER SYSTEMS (1979)

| Water System | Lots Presently Served | Vacant Lots | Source of Supply | Adequacy of Supply | Meets Standards For: System Design | Supply | Health (Quality) |
|---|---|---|---|---|---|---|---|
| The Sea Ranch Water Co. | 530 | 1499 | Gualala River | Adequate for existing demand and expansion. Supply being developed for low flow periods. | Yes | Yes | Yes |
| Timber Cove Mutual Water | 28 | 245 | Wells | New wells connected. Original system not adequate. Applying for new system permits. Moratorium on new connections until improved. | Original System, No. | | |
| Jenner Water Co. | 108 | 174 | Springs, Jenner Creek | Marginally adequate for existing homes. PHS moratorium on new connections. | No | No | Recently, yes Prior, Frequently, No |
| Duncans Mills Trading Co. | 9 | - | Russian River Well | More than adequate for existing uses. | Yes | Yes | Generally Yes |
| Rancho del Paradiso Water | 62 | 65 | Well | Marginally adequate for existing homes. | No | No | Recently Yes, Prior, Frequently No |
| Bridgehaven Water Co. | 13 | 6 | Springs, Creek | Marginally adequate for existing homes. PHS order prohibits new connections. | No | No | Generally Yes |
| Pacific View Mutual Water | 7 | 46 | Wells | Adequate for homes and vacant lots in service area. | Yes | Yes | Yes |
| West Beach Mutual Water | less than 20 | - | Wells | Not adequate for existing homes, haul water in summer. | No | No | Frequently No |

TABLE VII-4 WATER SYSTEMS (1979)

| Water System | Lots Presently Served | Vacant Lots | Source of Supply | Adequacy of Supply | Meets Standards For: System Design | Supply | Health (Quality) |
|---|---|---|---|---|---|---|---|
| Sereno del Mar Water Co. | 61 | 134 | Wells Scotty Creek | Questionable whether adequate for planned buildout. | Yes | No | 1979 Yes; Prior, Frequently No |
| Carmet Mutual Water System | 62 | 10 | 2 Springs | Marginally adequate for existing homes. | No | No | Frequently No |
| Salmon Creek Water System | 87 | 65 | Spring | Marginally adequate for existing homes. | No | No | Generally Yes |
| Valley Ford Water Assn. | 16 | - | 2 Wells | Marginally adequate for existing homes. PHS moratorium on new connections. | No | No | Generally Yes |
| Bodega Bay P.U.D. | 460 | approx 660 | Salmon Creek Rapollo Well | Adequate for existing development. Some unused capacity but not enough for full buildout. New source being developed. | Yes | Yes | Generally Yes |

**Possibly Adequate Water Systems**

The subdivisions of Timber Cove and Sereno del Mar may have or be able to develop water supplies adequate for subdivision buildout. As part of a court settlement, no new development at Timber Cove can take place until that water system is improved. The Timber Cove developer has been required to drill enough wells to provide a 41 gallons per minute water capacity. Once this is accomplished and the water system has received necessary permits, up to 100 connections to the Timber Cove Mutual Water Company will be allowed. Presently 28 homes exist in this 273 lot subdivision. Whether the new wells will provide a reliable long term water source is unknown at this time. The developer also agreed to offer to deed land to the Water Company for a future reservoir and for future well sites. The Water Company will be responsible for making any further improvements to the system and developing any additional water supplies.

Sereno del Mar may not have adequate water for planned commitments. Because of this, the County Environmental Health Department has asked the Sereno del Mar Water Company to prove sufficient water capacity for buildout. The water company has drilled several new test wells but has not yet documented adequate capacity.

**Inadequate Water Systems**

Water supplies are inadequate for only marginally adequate for existing development in all other coastal communities. There are bans on any additional connections to the water systems in Jenner, Bridgehaven, and Valley Ford.

**Solutions to Water Constraints**

The coast is a water scarce area, and developing reliable water sources for urban development is very difficult. Several wells or springs may be needed to produce even modest water yields.

No additional sources of water supply appear feasible for the communities of Jenner, Rancho del Paradiso, Bridgehaven, West Beach, and Valley Ford. Carmet and Salmon Creek subdivisions also have marginally adequate water supplies for existing development. ~~However, they are located near Bodega Bay and Sereno del Mar, and additional water supplies developed at Bodega Bay or Sereno del Mar could serve Salmon Creek and Carmet. If water were available, costs for connecting to the larger systems may be prohibitive. Carmet and Salmon Creek are not large subdivisions and have limited financial capabilities. Costs of connection would include connection charges, water main construction costs, and costs for improvement of the existing systems to bring them up to present standards.~~ If adequate water supplies are not available, some lots within the existing subdivisions may be unbuildable.

Water system development and improvement continues at The Sea Ranch, Timber Cove, Sereno del Mar and Bodega Bay. Water supplies sufficient for subdivision buildout, or moderate additional expansion appears limited to these four areas, Pacific View Estates and Duncans Mills.

## WASTEWATER TREATMENT

### Coastal Wastewater Treatment Problems and Water Quality Standards:

The State Water Quality Control Board has established strict standards for wastewater treatment and disposal to protect water resources and public health. New on-site wastewater treatment systems must meet several criteria before they can be installed including ground slope, soil depth, depth to groundwater, percolation rate, and system setback distance. Obtaining approval for individual wastewater treatment systems in the coastal region is often difficult.

Coast soils tend to have high clay content and high seasonal groundwater levels which limit percolation of effluent. Small lot sizes and steep slopes also contribute to marginal disposal situations. Many vacant lots in approved coastal subdivisions are unbuildable due to such problems (See Table VII-5).

### Individual Wastewater Treatment Systems

There are only three subdivisions where new on-site wastewater treatment systems can be installed on most vacant lots: Timber Cove, Fort Ross Highlands and The Sea Ranch. Even at Timber Cove and The Sea Ranch, there is concern about the cumulative impacts of septic system discharges as the areas build out. About 1400 lots in The Sea Ranch are proposed to develop on septic systems, two-thirds of which are vacant.

TABLE VII-5 SEPTIC SYSTEM AREAS (1979)

| Area | No. Units on Septic Tanks: Existing/Add'l Vacant Lots | Average Size Lots[19] | Common Water System | Septic Tank Operation Comments (from County Health Department Staff) |
|---|---|---|---|---|
| Windermere Point North of Ft. Ross | 14/9 | 7 are less than 1 ac. 1/2 ac. are smallest | no | May be problems with soil conditions. Would need lot by lot determination. (Note: water supply tends to be a problem.) |
| Fort Ross Highlands | 8/13 | 1/2 ac. to 3+ acres most are 1+ ac. | no | Usually possible to find suitable location for septic system. (note: good well area.) |
| Duncans Mill | 7/31 | 1/4 - 1/2 ac. a few larger | yes | Flooding a problem. |
| Bridgehaven | 9/6 | Varies from 2400ϕ to approx. 1/3 ac. | yes | Septic problems. Very small lots. |
| Goat Rock Headlands | 13/14 | About half are 1/2 ac. or less; half are 1 ac. or greater | no | Some heavy clay soil, high winter groundwater levels, some slopes more than 30%. (Note: water supply also a problem. Hard to obtain 1 gpm on a sustained yield.) |
| Valley Ford | 20/8 | Varies from less than 1/2 ac. to over 2 acres | yes | Unknown. |
| Sea Ranch | 455 systems serving 467 units/963 | 1/3 to 1/2 ac. (range 1/4 - 1 acre and 30 lots grtr. than 1 ac.) | yes | Soils vary greatly. Some areas where very difficult to support septic systems, but can go onto common areas for leach lines. |
| Timber Cove | 28/245 | approximately 1-1/2 ac. 1 - 2-1/2 acres, few larger | yes | Soils vary. Parcels relatively large. Possible to build in most cases. Soils poor on hill for septic systems; better west of highway. |
| Jenner | 104/199 | most 1/4 ac. (range 2500ϕ - 12,000ϕ and a few larger) | yes | Clay soil, high winter water table, small lots, steep slopes cause severe septic problems. |

TABLE VII-5 SEPTIC SYSTEM AREAS (1979)

| Area | No. Units on Septic Tanks: Existing/Add'l Vacant Lots | Average Size Lots(1) | Common Water System | Septic Tank Operation Comments (from County Health Department Staff) |
|---|---|---|---|---|
| Freezeout Road | 62/65 | 5000ϕ (range 2500ϕ to 1 ac.) | yes | Usable area of lots too small for leach fields, slopes often greater than 30%, high clay soil, some lots subject to flooding. |
| Pacific View #1 & #2 | 7/46 | 1/3 - 1 acre (some larger) | yes | Based on past experience, expected operation problems. Marine Terrace deposits (2). Health Dept. requires wet weather percolation tests on lot by lot basis. Few lots are expected to pass tests. Soils of Unit 2 are particularly marginal in terms of soil conditions. |
| West Beach (Cliff Rd. near Wright's Beach) | 27/4 | 5000ϕ (range 2500ϕ to 12,000ϕ) | Part yes (some ind. wells) | Lots too small to find suitable septic sites. |
| Sereno del Mar/ Gleason Beach | 67/162 | 1/2 - 1 ac. (a few smaller) | yes | Only about 10% of remaining lots are buildable unless a sewage system is installed. Lots small, Marine Terrace deposits (2). |
| Carmet | 62/10 | approx. 1/4 ac. | yes | Problems. Lots too small. Soils are Marine Terrace (2) clay with very high winter groundwater levels (almost at ground surface). |
| Salmon Creek | 87/65 | 4000ϕ | yes | Have had extensive failures. Eastern area is Marine Terrace (2) deposits with clay soil, shallow groundwater levels in winter. West area is sandy; percolation rates too high. Lots too small. |

**Notes:**
(1) Need 1/2 acre or more to support system if soils conditions are **good** and there is a common water system. (County Health Department)
(2) Marine Terrace very marginal in terms of septic system operation due to clay soils, high groundwater levels.

Nearly all other developed or developing areas along the Sonoma Coast have severe limitations for installation and operation of individual waste treatment systems. These areas include parts of The Sea Ranch, Jenner, Rancho del Paradiso, Bridgehaven, Pacific View Estates, West Beach, Gleasons Beach, Sereno del Mar, Carmet, Salmon Creek, and Bodega Bay. Septic data on Valley Ford and Duncans Mills are inconclusive: however, soils are generally poor for septic operation.

**Possible Solutions to Wastewater Treatment Problems**

Sewage Treatment Plants: New community sewage treatment systems are often considered to be a ~~an obvious~~ solution to individual disposal systems, but they are expensive and promote urban growth in rural areas. For these reasons such systems are inconsistent with the General Plan. ~~and only Bodega Bay and parts of The Sea Ranch are presently served by wastewater treatment plants.~~ The two existing plants at The Sea Ranch and the one at Bodega Bay are all recently built, well designed, and able to accommodate substantial additional development (See Table VII-6).

~~There may be interest at Sereno del Mar in constructing a sewage treatment plant since roughly two-thirds of the lots in this 200 unit subdivision are undeveloped and probably unbuildable. Cost of a sewage treatment system at Sereno del Mar would be high, estimated at 1.8 million dollars in 1979. Another alternative, connecting Sereno del Mar to Bodega Bay's sewage treatment system, does not appear to be significantly less expensive. If a community system were constructed at Sereno del Mar, it is possible that adjacent Carmet subdivision could be included in the service area. However, most Carmet lots are presently developed, and it is unlikely residents would agree to substantial charges for such improvements unless health hazards become serious.~~

## TABLE VII-6 WASTEWATER TREATMENT SYSTEMS (1979)

| | Active Connections | Potential Additional Connections | Plant Ultimate Design Flow (gal./day) | Existing Plant: Aver. Dry Weather Design Flow (gal./day) | Annual Average Capacity Being Used (6/78 to 5/79) (Gallons per day) | | | Level of Treatment | Wet Weather Storage Capacity (Mil./gal.) | Per Capita Expansion Use-Gal | | Capacity for Expected Buildout |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | Minimum | Maximum | Average | | | Per Day | Poss. | |
| **Bodega Bay** | 420 (610 Resid. Equivalent Units) | 580 res. lots B. Harbor + 146 vacant lots B. Bay - 28 vacant lots already served. 698 vacant lots not served | 620,000 (corresponds to ≈3100 res. units) | (Existing treatment capacity) 355,000 (corresponds to ≈1775 res. units) | 53,000 | 108,000 | 74,000 | Secondary (Used for golf and greenbelt irrigation) | 1 holding pond 4 pond 12 pond 36 pond 53 | 200 gpd/ res. unit or 75 gpd/ person | Yes | Yes-to be determined exactly in Brelje & Race Study |
| **North Plant - Sea Ranch** | 5 | Up to 1117 | 400,000 (corresponds to ≈2065 res. units) | 160,000 (corresponds to ≈700 res. units) | Negligible | | | Secondary (Used for golf course irrigation | 8 pond at plant 12 ponds on golf course 20 | 200 gpd/ res. units | Yes | Yes-without any Plant expansion |
| **Central Plant - Sea Ranch** | 58 | Up to 145 | 120,000 (corresponds to ≈600 res. units) | 27,000 (corresponds to ≈125 res. units) | Estimated <6000 Gallons per day | | | Secondary (Used for greenbelt irrigation) | 1.7 (2 ponds) 6.5 Ultimate storage lakes on plant property | 200 gpd/ res. unit | Yes | Yes-Probably will need additional treatment facilities (aerators, filtration) |

~~A similar situation exists at Salmon Creek. It may be possible for Salmon Creek to connect to Bodega Bay's system, but this would involve construction of a sewage collection system, a force main, and connection fees. Residents may not willingly incur such expenses.~~

~~The Sea Ranch is the only other area where sewage service extensions may occur, if on-site systems do not prove adequate as the area builds out. Other developments are too small and isolated to construct community systems.~~

**Alternative On-Site Wastewater Treatment Systems:** Of the several experimental individual wastewater treatment systems being tested, the "Wisconsin Mound" system is the most promising for dealing with the common coastal problems of clay soils and seasonal high groundwater levels. This system, however, requires lot sizes of approximately two acres and slopes of less than six percent thus its applicability is limited. Most approved coastal lots are less than an acre in size. Other alternate systems are very unlikely to be developed and approved in the near future.

**Septic System Monitoring and Maintenance Programs:** On-site wastewater system monitoring and maintenance programs are a third solution to individual wastewater treatment problems. Such programs do not make more lots buildable, but they have the potential for extending the useful life of septic systems and promptly correcting operational problems. A public agency which is authorized to acquire, construct, maintain or operate sewage treatment systems may run such programs. Once an on-site wastewater disposal zone is established, the agency has the power within that zone to acquire, design, own, construct, install, operate, monitor, inspect and maintain on-site wastewater disposal systems. A monitoring and maintenance program is required for The Sea Ranch. Potential applicability of this type of program is widespread.

**Waiver Prohibition of Septic Regulations:** In areas where failure of septic systems is likely to cause health hazards or water quality impairment, the County Environmental Health Department or the Regional Water Quality Control Board may issue an order to prohibit any waiver of existing septic installation regulations. This would decrease the likelihood of failure of new systems.

## LAW ENFORCEMENT

### SUMMARY AND RESPONSIBLE AGENCIES

The Sonoma Coast region is a large, sparsely populated area with limited access roads and rugged terrain. As such, provision of emergency services is necessarily limited. Law enforcement along the coast is the responsibility of the Sheriff's Department, the California Highway Patrol, and State and County park rangers. In addition, The Sea Ranch maintains a private security force.

Resident sheriff deputies are stationed at The Sea Ranch, Fort Ross, and Bodega Bay. They investigate criminal complaints and respond to service calls, including search and rescue calls. Each deputy is on call five days a week and deputies alternate days off. Manpower is very limited. One search and rescue call can tie up all deputies for hours. Even if a deputy is free, emergency response times may be long due to distances involved.

The California Highway Patrol (CHP) has no regular coastal beat; the coast is too remote for efficient deployment of manpower, and the traffic levels and accident rates are too low to merit it. The CHP responds to accidents or other service calls on coast roadways, but response times vary depending on where officers are and what else is happening at the time the call comes in. State and County park rangers enforce park regulations which include vehicle parking, camping and park use restrictions. They also render assistance and respond to emergencies on State and County park property. Staffing (1979-1980) is as follows:

Doran Park (County): 4 rangers
Stillwater Cove and Gualala Point (County): 3 rangers
Salt Point and Kruse Rhododendron (State): 4 rangers
Sonoma Coast Beaches (State): 5 rangers

**Consequences of Additional Development:**

For both the Sheriff and California Highway Patrol, new development along the coast will increase pressure for additional law enforcement protection. Residents in rural subdivisions often do not realize that urban emergency response times cannot be provided at isolated locations, and become dissatisfied with the service levels. Even existing service levels cannot be maintained with an increase in service calls unless additional manpower is available.

The effect of providing additional public accessways as required by the Coastal Act is less clear. Trespass problems result in many service calls to the Sheriff's Department. In part, such problems occur because there are few signed, developed public accessways in some areas. It is possible that trespass problems may decrease with development of adequate public accessways to the coast. If trespass calls do increase significantly, Sheriff's deputies would be hard pressed to respond to them.

Parking management is another law enforcement responsibility which may increase due to the Coastal Act. Potentially it affects all law enforcement agencies. The Coastal Plan recommends closing small or poorly located parking turnouts, prohibiting parallel parking along parts of Highway 1, and enforcing such parking restrictions. Only park rangers presently enforce parking restrictions, and their responsibility is limited to park lands. On peak weekends when they are busiest with service calls (and parking problems are greatest) parking enforcement receives low priority and little attention. The Sheriff and the CHP currently do not enforce parking, since there is only one restricted parking area along Highway 1.

Acquisition and development of additional park land and public accessways will require increases in park rangers and other staff to maintain and operate them. The expected growth in park use will also cause an increase in ranger responsibilities.

All law enforcement agencies are concerned about expected increases in responsibilities due to additional development and recreational travel. However, they have little recourse other than requesting additional manpower when service levels deteriorate.

One partial solution would be to pursue State funds for law enforcement services needed to patrol new parks and accessways. The State mandates acquisition and development of additional accessways and parks with the Coastal Act and it could be argued that the State is therefore responsible for funding necessary expansions of law enforcement services.

## FIRE SERVICES

### Coastal Fire Protection

All coastal communities are served by volunteer departments except Duncans Mills which is within the Monte Rio Fire Protection District. Homes located outside fire districts receive minimal structural fire protection through the California Department of Forestry. Structural fire protection along the coast has general inadequacies common to many rural areas. The Sea Ranch, Pacific View Estates, and Bodega Bay are the only areas with adequate water supplies and water pressure for fire fighting. Most departments lack paid personnel and up-to-date fire fighting equipment. Fire service areas tend to be

large and road access limited. These factors combined with volunteer departments make for relatively long response times (See Figure VII-1).

**Fire Districts**

The Bodega Bay Volunteer Fire District is typical of many volunteer fire districts. Fire calls ring in four locations from which alarms can be set.

Maximum response times are 15-20 minutes to the furthest points of the service areas. This response time would probably not be adequate to save a structure in an incendiary fire. The District owns four fire trucks. Income from annual donations and from the Bodega Bay Fisherman's Festival supports the service.

Timber Cove and The Sea Ranch have formed County Service Areas (CSA) for fire protection assessments. Timber Cove CSA contracts with a volunteer fire company for fire protection, and pays assessments for equipment. The Sea Ranch contracts with the Department of Forestry for equipment and minimal paid staff at the Sea Ranch Department of Forestry station.

**Consequences of Coastal Development**

Increases in coastal development are not likely to bring about substantial changes in the organization of coastal fire departments. Costs are simply too high. One fire position, 24 hours a day, seven days a week presently costs about $70,000 per year plus benefits. Only The Sea Ranch and Bodega Bay are expected to reach levels of development where minimal paid personnel would be possible. However, increased development and public access to the coast will increase fire risks. The fire districts will respond as best they can by increasing their volunteer staff, and adding equipment as necessary.

## MEDICAL SERVICES

The coast has limited medical services. It is difficult to attract and keep physicians since rural area physicians face longer hours and lower pay than their urban counterparts. Emergency medical and other support facilities are lacking.

**Coast Medical Facilities**

The Redwood Coast Medical Services operates the only clinic along the Sonoma Coast. It is located in Stewarts Point and serves residents north of Fort Ross. The clinic was established with the help of State Health funds and it receives operating subsidies from the State as well as private membership dues. The outpatient, primary health care clinic is open Tuesday through Saturday from 9-5 and is staffed with a physician, a family nurse practitioner and support personnel. The Health Center presently (6/80) employs a reserve physician so that it can offer full off-hour emergency care.

No health clinics are located along the south coast, in part because the south coast is less isolated from inland medical facilities. There is some community interest in establishing a clinic, and a county health department survey has documented a need for one; funding is a key problem. A Bodega Bay clinic would provide quicker and easier access to primary health care, including emergency first aid, for south coast residents and visitors.

For areas with less than 3000 population, clinics staffed with only a "physician extender" (such as a family nurse practitioner) and having physician and other backup support are the most efficient. A population of 4000 or more is usually needed to support a clinic with a physician. However, it is possible, were a clinic

established at Bodega Bay, that a physician in training could be provided at least part-time through non-community funding sources.

The South Coast does have an ambulance service. Bodega Bay Area Rescue provides ambulance service between Jenner and the Marin County line. This private corporation is staffed by 15 volunteers. The on-duty volunteer has the ambulance at his home. Injured persons are taken to Palm Drive Hospital in Sebastopol, or in more serious cases, to Memorial or Community Hospital in Santa Rosa. Funds for this service come from transport charges, and the proceeds of the Fisherman's Festival. An ambulance operates out of Point Arena in Mendocino County serving the north Sonoma Coast. However, in a north coast emergency, the Sheriff's helicopter often transports the injured to Santa Rosa hospitals.

**Consequences of Coastal Development**

Continued urban growth along the coast will create some demand for improved health services. This may result in the creation of a primary health care clinic in Bodega Bay. If the community of Bodega Bay decides it cannot support a clinic, minimal services may be provided on a part-time basis by county health outreach workers, but this would depend on future county health department funding levels.

## SCHOOLS

**Summary:**

With low population densities along the coast, schools are widely spaced and tend to be small with combined classes. Specialized education facilities are minimal. (See Figure VII-2).

All elementary school districts must meet minimum state requirements regarding class sizes (there are no size limits for high school classes). Maximum class sizes for grades K-8 are approximately 33-35 students. When these limits are reached, additional classrooms usually are constructed.

**TABLE VII-7 SONOMA COAST ELEMENTARY SCHOOLS**

| School District Name | Location | # Classrooms | Enrollment | Grades |
|---|---|---|---|---|
| Horicon | Annapolis | 4 | 80 | K-8 |
| Fort Ross | Seaview Road | 2 | 53 | K-8 |
| Monte Rio | Monte Rio | 8 | 219 | K-8 |
| Shoreline | Bodega Bay | 3 | 70 | K-5 |
| | Tomales | 8 | 204 | K-8 (grades 6-8 attend from Sonoma County) |
| Harmony | Occidental | 19 | 419 | K-8 |

Figure VII-1
Figure VII-2

**Consequence of Coastal Development: Elementary Schools**

Annapolis School has a present enrollment of 80 students; 20 percent are from The Sea Ranch. Assuming similar future enrollments per household, another 50-60 students from The Sea Ranch could be expected to go to Annapolis School when The Sea Ranch builds out. This would require construction of two classrooms or other class arrangements. The Sea Ranch is the main growth area for Horicon School District.

Enrollment at Fort Ross School has increased 34 percent over the last five years. If buildout of Timber Cove subdivision occurs, students from this subdivision alone would require addition of one classroom. Timber Cove is the largest planned development in the Fort Ross School District.

Enrollment in Monte Rio Elementary School has recently declined. Coastal areas are not expected to contribute significant numbers of new students to this district.

Harmony School District includes students from Valley Ford. Coastal areas are not expected to contribute significant numbers of new students to this district.

South Sonoma coast students presently attend Bodega Bay Elementary School for grades K-5, then are bussed to Tomales Elementary School for grades six to eight. Most students attending Bodega Bay Elementary School are from the immediate area, thus Bodega Bay School will definitely be affected by planned Bodega Bay area growth. An addition of two to three classrooms will be needed during the planning period to accommodate expected enrollment increases unless other arrangements are made.

**Consequences of Coastal Development: High Schools**

Impacts of specific subdivision growth on high schools are not as severe as for elementary schools and are harder to estimate. Class sizes, schools and district areas are larger. The school districts therefore have more flexibility in handling increments of students from specific development areas without adding classrooms or teachers. Students from The Sea Ranch and Stewarts Point attend high school in Pt. Arena. Students from Fort Ross to Jenner attend El Molino High School in Forestville and south Sonoma coast students attend Tomales High School in Marin County.

**PUBLIC SERVICES RECOMMENDATIONS**

**General**

1. Expand public works capacities only to accommodate development identified in the Coastal Plan.

2. Establish new special districts only within defined urban ~~growth boundaries.~~ service areas as designated in the County General Plan and Coastal Plan.

**Water and Sewer**

3. Require that new septic systems within the coastal zone conform with the Minimum Guidelines for the Control of Individual Wastewater Treatment and Disposal Systems adopted by the Regional Water Quality Control Board on April 17, 1979, or its updated version. Require septic system clearance from the Environmental Health Department for expansion of existing uses.

4. Prohibit any waiver of Regional Water Quality standards for on-site wastewater disposal in Jenner, Pacific View Estates, Carmet, Rancho del Paradiso and Salmon Creek.

5. Establish on-site wastewater management zones for the following subdivisions: The Sea Ranch, Timber Cove, Sereno del Mar, Carmet and Salmon Creek.

~~6. Limit the service area of any proposed sewage treatment plant at Sereno del Mar to existing subdivided lots at Sereno del Mar, Gleasons Beach and Carmet.~~

6. Monitor the level of groundwater in all community or mutual water wells annually in early September to determine the effects of withdrawal. Prohibit new water connections to systems not meeting present water supply standards upon a finding that well water levels have dropped for three successive years.

7. Require Sereno del Mar Water Company to prove an adequate water supply (as defined, California Administrative Code, Chapter 5, Title 17, Article 2, Section 7056) for subdivision build out.

8. Require the Timber Cove Mutual Water Company to meet present health standards for system design and supply before any water connections above 100 are allowed.

9. Require that applicants for land divisions demonstrate adequate water to serve the newly created parcels prior to final approval.

10. Within urban service ~~districts,~~ areas, strongly encourage connection of new development to available services.

**Law Enforcement, Fire, Medical, Schools**

11. Encourage an increase in traffic patrol of Highway 1 through use of a California Highway Patrol helicopter and any other feasible means.

12. Promote state funding of costs for maintaining and patrolling new parks and accessways mandated by the Coastal Act.

13. Support establishment of a primary health clinic in Bodega Bay.

14. Encourage establishment of school impact fees for Shoreline, Fort Ross, and Horicon School Districts.

# TRANSPORTATION

## Introduction

In 1979 the State Coastal Commission authorized a comprehensive appraisal of the traffic capacity of Highway 1 in Mendocino, Sonoma, and Marin Counties, the Highway 1 Capacity Study.

Sonoma County commissioned a supplemental study of coastal transportation issues specifically for the Sonoma County Coastal Plan. In addition to a more detailed analysis of highway capacity this later study:

analyzed need for Highway 1 parking improvements
reviewed the proposed bypass routes for Bodega Bay
evaluated existing alternative access routes to the coast and the possibilities of upgrading these routes, and
examined bicycle, pedestrian and transit possibilities

These two studies form the basis for the analysis and recommendations contained in this section.

## Coastal Act Policies

Coastal Act Policies encourage maintenance and improvement of access to coast resources. They also require that Highway 1 in rural areas remain a scenic two-lane highway.

> 30252. The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision of extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

> 30354...it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road.

## Highway Network

Highway 1 is the principal north-south route. East-west routes are Stewarts Point-Skaggs Springs Road in the north, Highway 116, and Bodega Highway and Petaluma-Valley Ford Road in the south. Other roads serve only as minor access routes, but could be important as alternate routes in emergencies (See Figure VII-3).

## Background

For the purpose of estimating future traffic volumes, existing and projected land uses were quantified according to the following categories: residences, campsites, hotel and motel rooms, and marina facilities. Traffic forecasts for recreational travel from outside the coastal zone and for locally generated travel were developed. Available highway capacity was compared to traffic volumes on summer Sundays reflecting the fact that recreational travel on the Sonoma coast is considerably higher on weekends than weekdays.

Traffic congestion was identified as a problem along several segments of Highway 1 through The Sea Ranch, Jenner, the Sonoma Coast Beaches section and Bodega Bay.

**Issues**

**Highway 1 Capacity and Safety**

Maintaining traffic flows and improving safety along Highway 1 are the major highway issues. Highway 1 through Sonoma County is a highly scenic, low speed highway with winding narrow lanes and limited passing sight distance along much of its length. It provides access to numerous visitor destinations; restaurant and other commercial uses in Bodega Bay and Jenner; park lands, beaches, and vista points; and several second home developments. These characteristics by their nature reduce the traffic carrying capabilities of Highway 1. With traffic congestion a problem along most of its length, the Transportation section concentrates on capacity improvements at parking turnouts and intersections.

Figure VII-3

**Road Improvements.** Providing turning lanes at intersections and parking areas is the most effective approach to improving the capacity of Highway 1, while maintaining it as a two-lane scenic highway. Turning lanes can be expected to increase the capacity of Highway 1 at any point by 10-40 percent. Turning lanes also provide considerable safety benefits. Along all sections of Highway 1 where turning and parking movements cause significant traffic delays, turning lanes are proposed. These include The Sea Ranch, Jenner, the Sonoma Coast Beaches section, and Bodega Bay (See Figures VII-4 and VII-5). Figure VII-6 illustrates turn-lane standards.

Other minor highway safety and capacity improvements proposed for Highway 1 are selective widening and road alignments; parking management, development and enforcement programs; and other types of road improvements such as roadway striping and marking, bicycle lanes and pedestrian ways. Also, bridges across Salmon Creek and the Russian River require replacement for safety reasons. Both bridges are structurally deficient. Road construction projects should include sufficient shoulder width to accommodate bicycles and pedestrians where off-road facilities are not feasible.

**Bodega Bay.** Through the community of Bodega Bay, minor road improvements will not be adequate to relieve traffic congestion. This section of Highway 1 has the most critical capacity deficiency along the Sonoma Coast. Side friction effects and vehicle turning movements across the opposing traffic stream seriously reduce the available highway capacity. The section of Highway 1 between The Tides and Johnson Gulch represents the worst case because of the narrow roadway width.

Four highway bypass alternatives were considered for possible highway capacity solutions in Bodega Bay (See Figure VII-7).

1. Bay Hill Road upgraded throughout its four mile length.

2. A parallel route through town on Bodega Avenue or Windy Lane with limited new highway construction between these roads and Highway 1.

3. A new bypass from south of The Tides development to Highway 1 at Johnson Gulch.

4. A longer new bypass from the Harbor Loop Road to south of Bay Hill Road.

Bay Hill Road was discarded as a major bypass alternative since it would require considerable upgrading to serve as a bypass and would not be effective in diverting much traffic because of its length. However, it does provide an existing alternate route to Highway 1 during peak traffic periods and emergencies, and minor improvements to it are appropriate. The local streets alternative presents difficult engineering problems and would seriously affect the community. Both alternatives 3 and 4 would effectively divert traffic around the main part of the community, but Alternative 3 would intersect Highway 1 in an area shown for future development in the Bodega Bay Land Use Plan while Alternative 4 would completely bypass the community. Alternative 4 is considered more desirable from an engineering design perspective allowing higher speed traffic. However, higher speeds are not necessary since Highway 1 is a low speed road along most of its length. The shorter bypass would cost considerably less than the longer new bypass. The bypass is the only major proposed Highway 1 capacity improvement.

**Coastal Access Improvement**

The two principal access roads to the Sonoma coastal area are Highway 1 from either Marin County or the Petaluma Valley and Highway 116 along the Russian River. The only significant public east-west road in the north coastal area is the Stewarts Point-Skaggs Springs Road.

The feasibility of improving the Stewarts Point-Skaggs Springs Road to serve as a major east-west link to the northern section of the Sonoma coast was assessed. For road improvements to be warranted, it would have to reduce travel time to the north coast and reduce the traffic loads on southern sections of Highway 1. Travel data for the Sonoma Coast show that the Stewarts Point-Skaggs Springs Road would not effectively divert traffic since most visitors come from the south and travel to destinations south of Stewarts Point.

Figure VII-4
Figure VII-5
Figure VII-6
Figure VII-7

**Parking Management**

Parking along Highway 1 is primarily for recreational purposes. Between Bodega Bay and Jenner, Highway 1 is adjacent to the Sonoma Coast State Beaches. Roadside parking in this area is heavy and generally informal. Parking lots are mostly paved with unmarked spaces and few signs identifying entries and exits. North of Jenner there are several turnouts but parking facilities are not as extensive. Further north, the County and State Parks provide some off-highway parking for developed park areas only. North of Salt Point, public parking areas are presently limited.

Traffic volumes are projected to double in most areas along Highway 1 by 1995. Recreation travel is the largest element of this traffic growth indicating that parking demand will also increase proportionately. The need for development of new parking facilities has already been identified in some recreation areas.

Implementing a parking management program to improve signing, entries and exits to parking facilities, and parking lot circulation, is an issue closely related to increasing Highway 1 capacity since the numerous parking lots and turnouts reduce road capacity and safety. Developing needed new parking is also an important part of parking management programs to reduce hazardous parallel parking and traffic slow-downs as visitors search for parking spaces. New parking facilities are encouraged to be located west of Highway 1. Parking management recommendations focus on the Sonoma Coast State Beaches

area between Bodega Bay and North Jenner Beach, where traffic levels and demand for parking are greatest. Turn lanes and improved entries and exits of parking lots are the primary road improvements needed (see Figure VII-8 and Table VII-8).

Increasing parking in the Salmon Creek Beach area is a high priority. South Salmon Creek parking lot is usually inadequate on weekends, and overflow parking ends up on Bean Avenue, which provides access, and private roads in Salmon Creek subdivision. These roads are very narrow, and access to the parking lot or emergency access is very constrained. State Parks has plans to increase the size of the South Salmon Creek parking lot or to construct new lots further south and develop an alternative access to them. This alternative could have severe environmental effects on the fragile dunes lands. A second alternative is to move the State Parks headquarters and use that area for parking and beach access. This area could accommodate approximately 60 vehicles, however, this lot does not provide direct access to South Salmon Creek Beach. A third alternative would be to provide signs at both the Bean Avenue entrance to South Salmon Creek parking lot and at the entrance to the Dunes Campground directing vehicles to an existing parking area at the Park Kiosk. This lot is further from the beach, but is adequate for some overflow parking. A walkway or walkways from the Kiosk lot or new or expanded lots over the dunes to the beach should be developed to minimize impacts on dunes.

North Jenner Beach is another area where additional parking is badly needed. A parking lot could be constructed east of Highway 1 just north of Maxi Gulch. This would allow elimination of hazardous informal parking turnouts along Highway 1 in the area (refer to Recreation Plan for additional information).

Lower priority long-range parking improvements for the Sonoma Coast State Beaches section include expansion as necessary of some existing parking lots at Rock Point, Duncans Landing, Wright Beach, Shell Beach and Goat Rock North, and possible development of a new land side parking facility as necessary just north of Sereno del Mar subdivision. This site is easily screened and pedestrian visibility for crossing Highway 1 is good. Just south of Gleasons Beach subdivision, Highway 1 is adjacent to North Portuguese Beach. It is the only area where very easy beach access is possible. Enlargement of the existing ocean side turnout would provide opportunities for handicapped access to the beach. In all of these areas, any adverse environmental or visual effects caused by parking area enlargement should be mitigated.

In Bodega Bay, parking management in commercial areas can minimize traffic conflicts caused by parallel or informal parking.

Between Jenner and The Sea Ranch, parking improvements generally would include new and expanded lots in the State Parks as required, new facilities at scenic points along the coastline, and closure of unsafe turnouts. Parking improvements at The Sea Ranch would include development of public parking areas at granted accessways.

Figure VII-8

TABLE VII-8 BEACH PARKING CAPACITY AND SAFETY IMPROVEMENTS (1979)

| Beach | Existing Spaces | Mile-post | Short Range Improvements | Long Range Improvements | Type of Beach Other Notes |
|---|---|---|---|---|---|
| 1. S. Salmon Creek (Dunes Campground) | | | Signs indicating day use parking available at Campground entrance | | Parking lot use should should be encouraged in conjunction with development of a walkway over the dunes to the beach |
| 2. Salmon Creek | 40 | 12.8 | Increase area parking only if impacts on dunes can be mitigated. Eliminate parallel parking on Bean Ave. | | |
| 3. N. Salmon Creek | 63 | 12.85 | Develop public parking at parks headquarters site; turn lanes | | Long sandy beach |
| 4. Rabbit Ears | 10 | 12.95 | Turn restrictions, improve entry | | |
| 5. S. Miwok | 8 | 13.1 | | | |
| 6. Miwok | 4 | 13.21 | | | Poor visibility, small turnout |
| 7. Coleman | 26 | 13.46 | | | Small rocky beach; access to Salmon Creek Beach |
| 8. Arch Rock | 34 | 13.7 | Turn lane, improve entry entry | | Small sandy beach isolated from other beaches |
| 9. Marshall Gulch | 22 | 14.05 | Turn restrictions, improve entry, one-way circulation | | Small isolated beach |
| 10. Carmet | 57 | 14.2 | Turn restrictions | | Narrow, rocky, semi-isolated beach |

TABLE VII-8 BEACH PARKING CAPACITY AND SAFETY IMPROVEMENTS (1979)

| Beach | Existing Spaces | Mile-post | Short Range Improvements | Long Range Improvements | Type of Beach Other Notes |
|---|---|---|---|---|---|
| 11. Schoolhouse | 79 | 14.4 | Turn lane | | Small, broad and sandy isolated beach |
| 12. Portuguese | 68 | 14.65 | | | |
| 13. No. Portuguese | 12 | 14.9 | Enlarge ocean side turn-out so. of Gleasons Beach sub-division for possible handicapped access. | Good site to develop parking just north of Sereno del Mar. Easily screened. | Long, sandy beach |
| 14. S. Gleason | 10 | 15.6 | One-way circulation. Improve entry | | Long, sandy beach |
| 15. Gleason | 10 | 15.7 | Improve entry signing one-way circulation | | Narrow, rocky beach. Beautiful views |
| 16. Rock Point | 15 | | | Existing lot can be en-larged to connect with small Duncans Cove S. lot. Redesign for one entry | No beach access. |
| Duncans Cove S. | 4 | 15.8 | Improve entry | | Beautiful view |
| 17. Duncans Cove | 35 | 16.25 | One-way circulation | Turn lane; Entry improvements | Nice-isolated beach Beautiful view |
| 18. Duncans Landing | 50 | 16.35 | Turn lane | | Large, sandy beach Beautiful views |
| 19. Wright's | 60 | 16.8 | Turn lane | Can enlarge parking when necessary | Large, sandy beach |

TABLE VII-8 BEACH PARKING CAPACITY AND SAFETY IMPROVEMENTS (1979)

| Beach | Existing Spaces | Mile-post | Short Range Improvements | Long Range Improvements | Type of Beach Other Notes |
|---|---|---|---|---|---|
| 20. Shell | 43 | 18.23 | | Can enlarge parking lot when necessary | Narrow beach; semi-isolated |
| 21. Blind | 30 | | | | Sandy, long beach far below road |
| 22. Arch View | 23 | | | | |
| 23. Whale Point | 4 | 19.0 | | | |
| 24. Goat Rock S. | 71 | | | | Large, sandy beaches |
| 25. Goat Rock N. | 68 | | | Can enlarge parking lot when necessary | |
| 26. (no beach) | | | 1 way circulation | | |
| South of Jenner | 14 | 20.74 | | | |
| 27. Russian River | 10 | 22.40 | Turn restriction | Pave | Narrow, sandy beach |
| 28. Russian River | 12 | 22.47 | Turn restriction | Pave | Narrow, sandy beach |
| 29. North Jenner | | 22.85 | Develop new parking facilities east of highway | Close several small turnouts in area | Large, sandy beach |

Smaller, scattered lots have the advantage of providing wider accessibility to the numerous beaches, and of generally being visually less obtrusive, but consolidation has traffic safety advantages. Very small (1-4) poorly located turnouts are hazardous for the minimal parking benefits they provide. Elimination of several such lots is proposed (See Table VII-9).

**TABLE VII-9**

**MISCELLANEOUS SMALL PARKING TURNOUTS RECOMMENDED FOR CLOSURE**

| | | | | |
|---|---|---|---|---|
| Milepost: | 13.55 | 13.72 | 14.50 | |
| | 16.00 | 16.65 | 17.80 | 22.20 |

The California Coastal Commission recommends land side parking facilities where pedestrian safety and feasibility permit to reduce ocean view impacts. Possible sites for new land side parking development are suggested in areas where the need for additional parking is high. Proper design of any new or expanded parking facilities to minimize their visual impacts is required.

**Bikeways, Pedestrian Walks and Transit**

Improvement of Highway 1 to more safely accommodate bicyclists is a major issue. Although the highway is narrow, winding and dangerous for cyclists, it is increasingly popular as a bicycle touring route. Separated or Class I bike paths are the most desirable option (See Figure VII-9). Through The Sea Ranch the State Coastal Commission has required The Sea Ranch Association and developer to dedicate a fire trail along Highway 1 for use as a bikeway. Where separate paths are not feasible, bicycle lanes adjacent to the travel lane or Class II bike paths are preferable to the existing narrow shoulder. With this option, however, parking restrictions and enforcement may be needed to keep parked vehicles out of roadside bike lanes.

Bikeway development at Bodega Bay is important because of the number of recreational destinations in the Bodega Bay area. Opportunities for bikeway development exist along Bay Flat Road south around the Bay to Doran Park; from Bay Flat Road to the Dunes campground; and along the proposed bypass (See Figure VII-4).

Residents have identified a need for sidewalks in the downtown areas of Bodega Bay and Jenner, since roads are very narrow and there is no safe place to walk. In Jenner, sidewalks along Highway 1 are proposed. In Bodega Bay, citizens feel strongly about the need for sidewalks along Highway 1, Taylor Road, and Eastside Road (See Figure VII-9). A bay front promenade is also proposed as a visitor attraction for use by tourists and residents.

An existing transit service, started in July, 1979, runs from Point Area in Mendocino County to Santa Rosa. The fifteen passenger bus travels Highway 1 from Point Arena to Timber Cove; Timber Cove Road to Seaview Road and Meyers Grade Road until it intersects Highway 1 again north of Jenner; then Highway 1 to Highway 116 and Highway 101 north of Santa Rosa. The Mendocino Transit Authority reports the route has been successful, averaging eight to ten passengers per trip. That service was

expanded in May, 1980, from two to three times a week. The bus makes one round trip on Mondays, Fridays, and Saturdays. Passengers pay three dollars for a one way trip.

Residents in southern Mendocino County initiated the request for service into Santa Rosa. The service was three to four years in planning. The present arrangement is a 50 percent cost split between Mendocino and Sonoma Counties. Total operating costs of $36,000 for 1979-80 are funded out of State Transit Development Act Funds.

A similar transit service could be considered for the South Sonoma Coast where none presently exists. Although the service could be initiated for use by residents, there would be a possibility of expanding use in the future to provide service to visitors. A preliminary feasibility study by transportation consultants of providing peak weekend transit service was found to not justify costs at this time.

Figure VII-9

## RECOMMENDATIONS

### Highway 1 Safety, Capacity and Access Improvements

1. Encourage construction of the long bypass (Alternate 4) around Bodega Bay from Lucas Wharf to south of Bay Hill Road.

2. Consider the shorter new Bodega Bay bypass (Alternate 3) alignment from Lucas Wharf to south of Eastside Road as a second option in lieu of no bypass.

3. Initiate a plan line study for bypass routes.

4. Construct intersection improvements illustrated on Figure VII-4 to increase the capacity and safety of Highway 1 through Bodega Bay.

5. Encourage continued maintenance and minor improvements along Bay Hill Road.

6. Implement transportation improvement recommendations for Jenner illustrated on Figure VII-5. Implementation should include consultations with the community.

7. Replace Highway 1 bridges over Salmon Creek and the Russian River and include citizens in the planning process.

8. Provide turn lanes at the following Sea Ranch intersections: Priority I (short range 0-5 years): The Stables and North Recreation Center entrance, Annapolis Road, Longmeadow Road, Moonraker and Whalebone Reach. Priority II (Oceanic implementation if and when additional units are constructed in potential development areas and at the Lodge, when Lodge Road is relocated. Some of these roads are not yet constructed): Lodge entrance, Deer Trail and Halcyon: Priority III (longer range 5-20 years): Leeward Spur, Deerfield Road, Breaker Reach, Vantage Road, Pine Meadow, Whitebluff Road, Headlands Reach, Navigators Reach, and Lodge Entrance and Halcyon if developer does not improve.

9. Encourage continued highway safety improvements such as striping, marking and signing.

10. Eliminate parallel parking at hazardous locations.

11. Implement turning lanes and entry improvements at parking areas as specified in Table VII-8.

12. Develop turning lanes according to standards illustrated in Figure VII-6.

13. Encourage road improvements on Highway 116-River Road, Bodega Highway and Petaluma-Valley Ford Road to improve east-west access to Highway 1.

**Parking Improvements**

**General**

14. Mitigate environmental and visual impacts in parking lot development or expansion.

15. Locate parking areas to provide wide accessibility to coastal beaches rather than consolidating parking facilities.

16. Close small, poorly located turnouts.

17. Restrict turning movements at parking areas where necessary to promote safe entry and exit.

18. Institute one-way circulation patterns in small, narrow parking areas.

19. Develop new parking facilities in conjunction with development of new parklands and public accessways.

20. Develop new parking lots and other recreational support facilities (such as public restrooms) generally on the landward side of Highway 1.

21. Develop a parking management program for Bodega Bay commercial areas.

**Specific**

22. Consider expanding parking opportunities in the Salmon Creek Beach area by providing signs to direct overflow parking from the South Salmon Creek parking lot to the existing Dunes contact station lot and by moving the Salmon Creek Parks Headquarters and developing that area for parking.

23. Allow expansion of the South Salmon Creek Bean Avenue parking lot or other new lots further south and a new access road to these lots only if impacts on the fragile dunes can be adequately mitigated.

24. Implement the other short range parking improvements specified in Table VII-8; as a lower priority the long range improvements specified in Table VII-8.

25. Close the small, poorly located turnouts specified in Table VII-9.

**Bikeways - Pedestrian Walks - Transit**

26. Pursue bikeway projects as part of Highway 1 and Highway 116 road improvement projects.

27. Pursue bikeway funding for bicycle lane construction projects and to correct identified hazards for bicyclists.

28. Where off-road facilities are not feasible, provide adequate shoulder width to accommodate bicyclists and pedestrians on Highway 1 through Sonoma County.

29. Where engineering problems or gradient differences prevent standard four foot shoulders, a minimum of two foot shoulders on both sides of travel lanes is acceptable for bicyclists.

30. Provide periodic bicycle turn-out lanes along Highway 1.

31. Include four foot wide striped shoulders on both sides of travel lanes of the proposed new Bridgehaven and Salmon Creek bridges.

32. Provide off-road bicycle lanes through The Sea Ranch.

33. Encourage Cal-Trans to cut and clear weed growth alongside Highway 1 at the earliest feasible date annually to improve safety for bicyclists.

34. Construct the sidewalk projects illustrated on Figures VII-4 and VII-5 in Bodega Bay and Jenner.

35. Encourage a bay front promenade in Bodega Bay.

36. Encourage implementation of daily transit service between Santa Rosa and Point Arena, and explore the possibility of a bus originating in Santa Rosa.

37. Reinvestigate the feasibility of implementing transit service along the South Sonoma Coast.

## VISUAL RESOURCES

### INTRODUCTION

Sonoma County's coast is beautiful, rugged and varied. A typical coastal cross-section west to east would show ocean with a rocky intertidal zone, steep vertical bluff, coastal terrace, hillside, and ridge. The landscape is divided by the Gualala and Russian Rivers, and by numerous creeks and gullies with riparian vegetation, and by coastal villages and independent subdivisions.

The beauty and accessibility of Sonoma County's coast have made it a heavily used tourist and recreational area. A survey of travelers prepared as part of the Highway 1 Capacity Study revealed that for the majority of travelers, sight-seeing is the primary purpose of the trip to the Sonoma Coast. The goal of the Visual Resources section is to prevent blockage or degradation of scenic views and to assure that development is compatible with the existing natural and man-made landscape.

### Coastal Act Policies

The following Coastal Act policies support protection of the scenic qualities of the coast.

> 30251. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation

Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

30253. New development shall, where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

### Visual Resources

**Scenic Corridors.** The primary impression of any area comes from what is seen while driving, cycling, or hiking along a roadway. One of the most effective methods of protecting visual resources is to protect scenic corridors along a system of scenic roads. ~~The term scenic corridor refers to that part of the landscape visible from the roadway. The criteria used for defining the scenic corridors are those developed by the State of California for Official State Scenic Highways and published in The Scenic Route - A Guide for the Official Designation of Eligible Highways. As noted in these criteria:~~

> ~~no precise specifications can be established for the delineation of corridor boundaries, nor can they replace the judgement of persons trained and experienced in the fields related to the identification of environmental resources.~~

~~The criteria speak in general terms to such factors as the angle and duration of vision from the roadway, the range of vision in regard to topography, vegetation, structures, and distant visibility and scenery characteristics such as natural and manmade features, landscape character and ecological areas.~~ Designated scenic corridors in the General Plan are Highway 1, Stewarts Point-Skaggs Springs Road, ~~Fort Ross Road, Meyers Grade Road,~~ Highway 116, ~~paved portion of Willow Creek Road,~~ Coleman Valley Road, ~~Bay Hill Road,~~ Petaluma-Valley Ford Road, and Bodega Highway. In addition, the Coastal Plan designates Fort Ross Road, Meyers Grade/Seaview Road, paved portion of Willow Creek Road, and Bay Hill Road as scenic corridors.

**Major Views.** Major views are long views of unique visual interest, focus, or variety. Major views are abundant along Sonoma County's coast and include islands, rock headlands, coves, lagoons, estuaries, riverways, expansive beaches, white water, and historic settings.

**Vista Points.** Vista Points are roadside areas suitable for parking with exceptional views. Designated vista points should be developed with safe ingress and egress, parking areas, interpretive signs, and restrooms where appropriate. The view shed from a vista point is even more sensitive than a major view since the viewer is stopped and can take full advantage of the visual experience.

### RURAL ISSUES:

The most important rural design issues are preservation of coastal views, and visual quality and compatibility of development with the natural landscape. The two major components of the natural landscape are landforms and vegetation.

### Landform

The coastal zone can be classified into eight predominant landform types. Each landform, while containing variations, has readily recognizable characteristics upon which recommendations for future development can be built. These are beaches, dunes, cliffs and bluffs, terraces, hillsides, ridges, wetlands, and inland valleys. Development guidelines for beaches, dunes, cliffs and bluffs, and wetlands are included in Chapter III, Environment. Development guidelines for terraces, hillsides, ridges and inland valleys are included below.

**Terraces.** Terraces are the broad, level areas between coastal hills and bluffs. They are generally covered with grasses and sometimes dotted with trees or divided by windbreaks. Lines are horizontal except where trees create a vertical influence and break up the open landscape. Terraces are particularly visually sensitive. Appropriate terrace uses are agriculture and recreation.

**Hillsides.** Along the coast, hillsides are the interface between the coastal terrace and the ridge. Many of Sonoma County's hillsides begin east of Highway 1, have few trees and shrubs, and are highly visible. Other coastal hillsides are forested, particularly on the north coast and therefore are not as visually vulnerable. Hillsides are especially sensitive to grading activities that do not conform to natural land contours.

**Ridgelines.** Ridgelines are the most visually vulnerable of the landforms in Sonoma County. Ridgelines are often seen from great distances. The contrast between the land and the sky makes structural intrusions very obvious. The high locations of ridges cause any alterations to be seen from a wide area and may affect many view sheds within the coastal zone.

A primary example of ridgeline sensitivity is the subdivision east of Russian Gulch called Muniz Ranch. While winding up Highway 1 from Russian Gulch to the High Cliffs, it is clear that spectacular views to the east have been significantly degraded by ridge top development.

**Inland Valleys.** The two inland valleys in Sonoma County's coastal zone are at Duncans Mills and Valley Ford and are characterized by historic villages surrounded by agricultural land.

## VEGETATION

Many vegetative alterations have occurred on Sonoma County's coast. Logging in particular has eliminated forest land close to the shoreline. The characteristic landscape along Highway 1 is the prairie grassland. Other vegetation changes include planting of windbreaks, mainly of cypress, and the planting of pine trees between Highway 1 and the shoreline. Landscape planting can add complexity to the view and screen unnatural elements. On the other hand, the planting of some types of trees west of Highway 1 blocks shoreline views. The planting of non-native species can detract from the natural coastline landscape.

## URBAN ISSUES

### Background

Structural (man-made) features which have special cultural, historical, architectural, and aesthetic qualities are as important to the coastal zone as its natural features. Many historical structures have been identified by the Western Sonoma County Historical Survey. These historical resources are listed in Appendix A, along with methods for protecting them. Several of these structures are located within three historic communities: Stewarts Point, Duncans Mills, and Valley Ford. Maintaining and preserving these communities adds to the visual character of the coast.

Bodega Bay is a vital coastal village, with a range of services and employment. The scale and character of Bodega Bay is worthy of protection.

Independent subdivisions are relatively new and contain large lot second home developments with few or no support services. Because of their visibility, they have strong impact on the attractiveness of the coast.

### Urban Design Concerns

**Design Compatibility with Natural Features.** New development should respect the natural setting. Except for Bodega Bay, and other historic areas, construction materials, colors, and architectural features should be carefully chosen to blend with landscape features of the site so that structures and nature compliment one another and development has a minimum impact on the site. In Bodega Bay, Duncans Mills, Stewarts Point, and Valley Ford, site impacts should be minimized, but integration of new buildings with the existing character of the town is the overriding concern.

**Building Scale.** An issue closely related to integration of structural design with the physical conditions of the site is that of scale, the relationship of the size of the structure to its surrounding features, both natural and man-made. In the past, many houses have been built which are not out of scale with their surroundings. They may be too massive for their lot size, block light and air for smaller neighboring homes, and destroy the harmony and character of the community.

**Design Compatibility with Existing Structures.** In many of the coastal subdivisions there are few unifying features. The design guidelines address this issue. In older communities, traditional building styles of early coastal buildings are encouraged. In newer communities, roof lines and building exteriors should be compatible with surrounding buildings.

**Commercial Design.** Commercial development in and near Bodega Bay encompasses a wide variety of styles and colors with few common traits except most are single story, wood frame construction. With the absence of a predominant architectural style in the community, it would be appropriate for new commercial construction to reflect the nautical character of the harbor with wooden buildings of simple design.

**Structural and Community Features**

In order to help preserve structural and community features which distinguish coast communities and subdivisions from other areas, and to develop coherent visual guidelines for new development, it is helpful to review the origins and common features of Sonoma's coastal communities.

The Sea Ranch. For over 100 years this spectacular ten mile stretch of the Coast was used by sheep ranchers who added to it only the cypress windbreaks on the lower meadows west of Highway 1. Oceanic Properties bought the 5200 acre Del Mar Ranch in 1963, intending to create a low density residential community where development would have a minimum impact on the natural environment and would blend harmoniously with it. To some extent these goals have been achieved under the design guidance of The Sea Ranch Review Committee. Design review guidelines apply to all development at The Sea Ranch and include the following provisions:

1. Homes are sited to take advantage of natural landforms and vegetation while preserving views from neighboring lots.

2. Buildings are clustered in some areas to achieve screening and greater open space.

3. Landscaping is informal and utilizes indigenous plant materials.

4. Roof slopes are governed by a roof slope direction plan to achieve building to building unity.

5. Sea Ranch homes tend to be simple and dramatic with no roof eaves.

6. Natural wood exteriors and shake roofs or suitably colored asphalt shingles are strongly encouraged.

7. Property line fences are discouraged; fences are used primarily for screening parking areas, service yards and trash areas.

The overall effect is of subdued, modern structures at times very well integrated with the existing landforms and vegetation. The strict design approach will be even more important as The Sea Ranch builds out.

Stewarts Point. Stewarts Point was founded in 1857 at Fisherman's Bay by A.L. Fisk, who erected a store and hotel building and put both in operation. This community contains a collection of very good simple early Greek Revival structures. The buildings include a store, the hotel, the one room school and a series of barns and out-buildings which together illustrate a very strong sense of a nineteenth century coastal town. Stewarts Point is recommended as a historic district. District boundaries and design guidelines will be developed prior to actual designation.

Timber Cove. Timber Cove is a second home low density subdivision established in the early and middle 1960's which remains mostly undeveloped. A partial buildout is expected in the near future when water system problems are resolved.

Few Timber Cove lots are visible from Highway 1. The most visually vulnerable are along Ninive Drive west of Highway 1, and in meadow areas. Most of the subdivision is heavily forested. Few design features unify existing homes. However, the homes tend to have subdued exterior colors, indigenous landscaping, and are generally well screened behind trees and landforms. In two cases, high fences adjacent to Highway 1 block views towards the ocean and are therefore incompatible with visual guidelines.

Jenner. Jenner was originally platted in 1914 as a second time home development. The town has grown slowly over the years, but new development is now halted due to restrictions on water system connections.

The community is located on south facing steep hillsides at the mouth of the Russian River. Most homes are one and two story conventional construction with large windows overlooking the river and ocean. Roofs are pitched and exteriors are painted wood except at the north end of town where some newer homes are unpainted with flat roofs. Densities vary but lots tend to be quite small. Landscaping includes terraced gardens, vines and flowers. Roads are narrow and steep with no curbs, gutters or sidewalks. The commercial uses adjacent to the Highway, except for the gas station, are one-story unpainted wood structures.

Although its development potential is very limited, it is important that any new construction in the community be compatible in design and scale with existing structures since the community is highly visible from Highway 1.

Duncans Mills. Duncans Mills is a Railroad Depot and commercial center dating back to the 1880's. The western false front commercial buildings have been preserved and several new buildings of similar design have been constructed to serve the summer and weekend tourist population. Commercial uses have been developed by private interests who wish to continue to expand development along the old west theme. Duncans Mills is recommended for designation as a historic district.

Rancho del Paradiso. Rancho del Paradiso, a small lot second home development, was platted in the 1930's. It is located along the south side of the Russian River, and has low visibility from the highway. Additional development potential is very limited due to septic and water constraints.

Bridgehaven. Bridgehaven Resort, which dates from the 1930's, has summer cabins, a store and cafe, and a trailer park with permanent residents. The campground is no longer in use. Located on the south bank of the Russian River near the junction of Highways 1 and 116 and visible from Highway 1 vista points, the trailer park is not screened from view. Although the possibility of new development is severely limited by inadequate water supplies, any modifications to the existing development should include design and landscaping improvements.

Pacific View Estates. Pacific View Estates was subdivided in 1968 and 1970 and remains mostly undeveloped. The subdivision is located on coast terraces west of Highway 1 between the highway and undeveloped state parklands and is highly visible. Development here would block major coastal views. Because of this, Pacific View Estates is the object of a Coastal Conservancy project to transfer development potential to another, more suitable site.

If this Conservancy project is not completed, strict site and design guidelines will be necessary to minimize visual impacts.

Sereno Del Mar. Sereno Del Mar is an independent residential subdivision platted between 1970 and 1972. Only about one-third of the approximately 200 lots have been developed.

The subdivision is highly visible on gently sloping hills east of Highway 1. Existing homes are sited randomly with minimal landscaping to provide screening. Previous design control attempts have not created a consistent design theme. While the majority of homes have unpainted wood exteriors, some exteriors are of painted stucco. Architectural forms range from modern cubes, triangles, and octagons to barn and contemporary ranch styles. The structures compete with each other for dominance. Most have pitched shake roofs but roof lines have no relation to one another. Homes are large on large lots and are generally one to one and a half stories in height due to a 16 foot height limitation. Some six foot fences delineate property lines and detract from the open flow of the hillside.

It is uncertain when major new construction will occur due to septic and water constraints. Because of its highly visible nature, however, design guidelines are important for any new development.

Carmet. Carmet is a 60 lot residential subdivision developed in the late 1940's. Homes are one-story, with flat gravel roofs and painted wood exteriors. Landscaping is suburban with lawns and flowers, and a few trees. Density is approximately four units per acre with homes set squarely on the gently sloping lots east of Highway 1.

Most of the remaining lots are unbuildable. However, any new development should be compatible with the existing homes, since there is a distinct design unity to the subdivision.

Salmon Creek. Salmon Creek is a compact second home subdivision developed in the 1920's and 1930's. Although vacation home use still predominates, many of the dwellings house full time occupants.

Homes generally have painted wood exteriors and gable roofs. The private subdivision roads are very narrow and poorly surfaced. Landscaping is minimal since yards are small and used primarily for parking, gardens, flowers and shrubs. Community boundaries are well defined by Salmon Creek, Highway 1 and State Park property.

Sewer and water constraints limit new development, but some additional development is likely to occur. The scale and type of new development should be compatible with the existing character of the community as well as to the area's very sensitive natural features.

Bodega Bay. Bodega Bay has a long and varied history. In 1809 Russian fur traders built warehouses on Bodega Head, farmed the land, and caught seal and sea otter for furs. In 1841 the Russian colony was offered for sale. The Bodega Bay area was then resettled and farmed. During the 1850's Bodega Bay became a deep water port for exporting lumber and agricultural products to San Francisco, but was soon displaced. By the 1900's only a few shallow draft fishing vessels and resident fishermen used the Bay.

In the early 1900's a new element came to Bodega Bay as Sonoma County coast and river areas became popular visitor destinations. Taylor Tract was subdivided in 1914 and 1922 as a second-home community.

The commercial strip along Highway 1 was subdivided in 1921. During the 1920's and 30's vacationers built the small cottages that characterize the community today and some commercial services were developed. The U.S. Army Corps of Engineers dredged a deep water channel at Bodega Bay in 1943. Almost overnight a major fishing industry sprang up. By the early 1950's, Taylor Tract was largely developed, and many of the homes were rented to fishermen. Bodega Bay had become a thriving fishing village, but tourism and recreation continued to play an important role in its development.

Bodega Bay continued to grow steadily with larger homes being constructed north and west of the main town. The large Bodega Harbour development resulted in a sewer system for the whole area and a better water system.

Over the years the original Bodega Bay town developed a distinctive character. The narrow straight streets climbing the hills east of the Bay provide views of the harbor. Most homes are similar in scale, design, and construction. They are modest, single-story structures with pitched roofs, vertical windows, and vertical front elevations. Most Bodega Bay homes are painted brown, beige, green and white with contrasting trim. Small informal yards are devoted to lawns, gardens, and parking areas. Many yards are bordered by traditional picket fences.

The small scale of its bay oriented development, historical significance and importance to recreation and the fishing industry all qualify the town of Bodega Bay as a special coast community worthy of protection. To maintain and protect the fishing village character of Bodega Bay and to provide needed affordable housing, new residential development adjacent to the original town is proposed to be similar in scale and design to that in the existing town.

Commercial buildings in Bodega Bay are predominantly single story wood structures with gable roofs. There are no consciously unifying design features. Signs clutter businesses north of town. With Bodega Bay expected to absorb the bulk of new commercial growth along the Sonoma coast, it is important to promote good design in keeping with the scale and character of the existing town.

Bodega Harbour. Bodega Harbour Subdivision located just south of Bodega Bay is a second home development begun in 1969. Development is proceeding at a steady pace.

This subdivision has a design review procedure which is evident in the development which has occurred. The residences relate to one another with few homes dominating.

Structures are large one-and-a-half to two-story structures with unpainted wood exteriors and varied modern architectural designs. To establish a continuity of design between homes, the design guidelines require that roof slopes conform to those established by existing adjacent structures. The community also encourages architectural forms of new homes to relate to adjacent structures. This strategy goes a long way toward providing a sense of design unity. Other unifying features are a 16 foot height limit, size limits, and indigenous landscaping guidelines. Fences are used for screening of service yards and not to delineate property boundaries. Grading must be minimized. Roofs, trim, and driveways are of dark, non-

reflective materials. Garages and other accessory buildings must relate to the main structure on the site and be physically connected.

Valley Ford. Valley Ford received its name from the fact that an old Indian and Spanish ford across the Estero Americano was located there. This historic community has evolved over the years and has no distinct architectural theme. Styles include Greek Revival, Queen Anne, Western Falsefront, Italiante, and bungalow. Many of the existing buildings date to the 1870's and 1880's. Several have been identified as worthy of landmark status.

## RECOMMENDATIONS

### View Protections

1. Prevent development (including buildings, structures, fences, paved areas, signs, and landscaping) from obstructing views of the shoreline from coastal roads, vista points, recreation areas, and beaches.

2. Prohibit development which will significantly degrade the scenic qualities of major views and vista points.

3. Except in rural community and urban service areas, require a minimum setback of 100 feet from the right-of-way along scenic corridors and greater where possible. However, permit a 50 foot setback when sufficient screening exists to shield the structure from public view. Where the General Plan policies and standards are more restrictive than the above standards, development shall comply with the General Plan policies.

### Alterations of Landforms

4. Minimize visual destruction of natural landforms caused by the cutting, filling, and grading for building sites, access roads and public utilities by:

   Concentrating development on level areas so that steeper hillsides are left undisturbed.

   Prohibiting new development which requires grading, cutting, or filling that would significantly and permanently alter or destroy the appearance of natural landforms

   Restoring landforms as completely as possible after any permitted temporary alteration during construction, timber harvesting, or mineral extraction

   Constructing roads, buildings, and other structural improvements to fit the natural topography

   Sharing private roads and driveways

### Landform Guidelines

5. Minimize visual impact of development on hillsides by:

   Requiring construction or grading to follow the natural contours of the landscape

   Prohibiting development and grading on hillsides with grades more than 30 percent

Designing structures to fit hillside sites rather than altering the landform to accommodate buildings designed for level sites

Concentrating development near existing vegetation

Promoting roof angles and colors which blend with hillsides

6. Minimize the visual impacts of development on terraces by:

Prohibiting development in open fields in rural areas

Minimizing the number of structures and clustering them near existing natural or man-made vertical features

Designing structures to be in scale with the rural character of the region

7. Minimize the visual impact of development on ridges by:

Prohibiting development in rural areas that projects above the ridgeline silhouette

Locating development adjacent to existing vegetation

Prohibiting the removal of tree masses which destroy the silhouette of the ridgeline form

8. Minimize the visual impact of development on inland valleys by:

Concentrating development within existing communities

Requiring development outside of communities to be located on the edge of the valley or within existing tree clusters leaving the valley floor and agricultural land open

**Natural Landscape Compatibility**

9. Locate and design development to fit the setting and to be subordinate to the pre-existing character of the site.

**Community Compatibility**

10. Design structures to be compatible with existing community characteristics.

11. Relate structures in size and scale to adjacent buildings.

12. Locate and design all development to minimize the impacts of noise, light, glare, and odors on adjacent properties and the community at large.

**Utilities**

13. Require that all new distribution line extensions be placed underground.

**Vegetation**

14. Discourage the removal of significant trees except through legitimate logging operations.

15. Locate and design new development to minimize tree removal.

16. Prohibit removal of windbreaks unless required because of the disease.

17. Prohibit the planting of vegetation west of Highway 1 which could block coastal views.

18. Encourage the use of appropriate native plants for landscaping. A Native Plant List for the Sonoma County Coast will be made available at Sonoma County PRMD.

**Procedure**

19. Require design review for all new development in Urban and Rural Community Service areas. This requirement may be waived by the ~~Planning~~ Director of PRMD on parcels not visible from and east of Highway 1.

20. Require design review for:

    A. All new development within designated scenic view shed areas as depicted on the Coastal Visual Resource Maps (incorporated herein by reference and on file ~~in the~~ County ~~Planning Department~~)PRMD. ~~corridor boundaries.~~ The following criteria shall be used in evaluating the projects:

        1. New structures proposed within a scenic view shed area shall, to the maximum extent feasible, be designed and sited to preserve existing views of the ocean and shoreline as viewed from scenic corridor routes.

        2. New structures proposed within a scenic view shed area shall, to the maximum extent feasible, be screened from scenic corridor route view by existing topography and vegetation.

        3. Development authorized within scenic view shed areas shall be subject to the condition that neither topography nor vegetation shall be altered or removed if doing so would expose the development to view from any scenic corridor route.

        4. New structures shall not be located on ridgelines or prominent hilltops, as viewed from scenic corridor routes, unless screened by existing topography and/or vegetation.

        5. Agricultural structures are exempted from scenic view protection policies if they are to be located landward of scenic corridor routes from which there are ocean or river views.

        6. Development proposed upon a parcel mapped in more than one view shed rating category shall, whenever feasible, be located within the area with the lowest view rating.

        7. Any satellite dish that requires a building permit shall be sited so that it is not visible from scenic corridor routes.

8. Subdivisions proposals within scenic view shed areas shall be subject to the following: a) lots shall be clustered where potential visual impacts can be reduced (unless clustering is prohibited in agricultural districts), b) building envelopes shall be established so that residences are located upon the least visually sensitive areas, and c) driveways and access roads are hidden from public view whenever feasible.

B. All new projects in areas mapped as Outstanding and Above Average View Areas on the Coastal Visual Resource Maps (incorporated herein by reference and on file in the County Planning Department). The following criteria relate to landform and vegetation categories identified on the View shed Composition Maps, and shall be used in evaluating the projects. Figures on Figure VII-10 graphically depict a number of the View shed Protection Criterion and policies.

Hillside/Woodland Location

1. Locate structures within or behind existing wooded areas such that they are screened from scenic corridor routes.

2. Retain existing trees to the maximum extent possible when locating structures. Removal of tree masses, which would interrupt or destroy ridgeline or hilltop silhouettes, is prohibited. Permits shall specify that existing vegetative screening shall not be pruned or removed if doing so would render the structure more visible from a scenic corridor route.

3. In order to ensure structures are integrated well into the landscape and to minimize the incidence of unsightly erosion scars, the applicant shall demonstrate that the amount of grading proposed is the minimum necessary to site the structure.

Cliffs and Bluffs Location

1. Locate structures within or behind existing tree cover such that they are screened from scenic corridor routes. When there is limited opportunity to screen proposed structures from scenic corridor routes, design review shall ensure that:

   a) the structure's design compliments and is in scale with the surrounding environment.

   b) a landscape design is developed that relies upon native tree and shrub species to (1) screen the structure but not grow to block ocean or coastline views, (2) integrate the man-made and natural environments, and (3) effectively screen the structure from the scenic corridor route within 5 years.

Terrace/Grassland Location

Inland Valley Location

1. Locate structures near existing vegetation or topographic relief to screen them from the scenic corridor routes. When there is limited opportunity to screen proposed structures from scenic corridor routes, design review shall ensure that:

   a) the structure's design complements and is in scale with the surrounding environment and existing community characteristics.

   b) a landscape design is developed that relies upon native tree and shrub species to: (1) screen the structure but not, over time, grow to block ocean or coastline views from scenic corridor routes, (2) integrate the man and natural environments, and (3) effectively screen the structure from the scenic corridor route within 5 years.

Terrace/Woodland Location

1. Locate structures within or behind existing wooded areas such that they are screened from scenic corridor routes.

2. Retain existing trees to the maximum extent possible when locating structures. Permits shall specify that existing vegetative screening shall not be pruned or removed if doing so will render the structure more visible from a scenic corridor route.

Hillside/Grassland Location

1. Locate structures near existing vegetation or topographic relief to maximize screening from the scenic corridor routes. When there is limited opportunity to screen proposed structures from scenic corridor routes, design review shall ensure that:

   a) the structure's design compliments and is in scale with the surrounding environment and existing community characteristics.

   b) a landscape design is developed that relies upon native tree and shrub species to: (1) screen the structure but not grow to block ocean or coastline views, (2) integrate the man-made and natural environments and, (3) effectively screen structures from the scenic corridor route within 5 years.

2. When structures are proposed near ridgelines or prominent hilltops where there is insufficient vegetation to screen them from scenic corridor routes, they shall be located and designed so that they do not project above ridgeline or hilltop silhouettes.

3. In order to ensure structures are integrated well into the landscape and to minimize the incidence of unsightly erosion scars, the applicant shall demonstrate that the amount of grading proposed is the minimum necessary to site the structure.

21. Require compliance with community design guidelines, when applicable, or the overall Coastal Zone Design Guidelines.

22. Apply Coastal Zone Design Guidelines to all new coastal zone development in areas described in 19. and 20. except Bodega Harbour subdivision and The Sea Ranch. The guidelines apply to Bodega Bay town with the amendments described in 26.

23. Encourage formation of local design review committees to apply the Coastal Zone Design Guidelines.

24. Encourage adoption of local design criteria to augment or replace the Coastal Zone Design Guidelines, subject to County Design Review Committee review and approval.

**Design Guidelines**

25. **Coastal Zone Design Guidelines**

General. Design and site structures to preserve unobstructed broad views of the ocean from Highway 1 and to minimize visual impacts. Cluster structures to the maximum extent feasible.

Height. ~~Limit residential building height to 16 feet west of Highway 1, unless an increase in height would not affect views to the ocean or be out of character with surrounding structures (or unless otherwise designated). Limit building height to 24 feet east of Highway 1. Height for residential structures is measured from the natural grade on the highest side of the improvement to the highest point of the roof or any projection therefrom.~~ Limit residential building height to 16 feet west of Highway 1. However, an increase in height, to a maximum of 24 feet, is permissible if (1) the structure is no higher than 16 feet above the corridor route grade directly across from the building site, and (2) the structure will not affect views to the ocean or be out of character with surrounding structures.

Limit building height to 24 feet east of Highway 1. However, an increase in height to a maximum of 35 feet is permissible if (1) the structure is no higher than 24 feet above the corridor route grade directly across from the building site, and (2) the structure will not affect water views, or be out of character with surrounding structures.

Height for residential structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof. (See Figure VII-11.) Where these requirements conflict with the height, site, and bulk criteria of Appendix B (Bane Bill), for those properties listed, the requirements of Appendix B shall be followed.

Bulk. Keep buildings in scale with their natural and man-made setting.

Siting. Utilize natural landforms and vegetation for screening. Minimize the alteration of natural landforms caused by grading, cutting, or filling. Prescribe building envelopes for lots west of Highway 1 in Timber Cove and other appropriate areas.

Building Materials and Color. Use natural materials and earth colors which blend with the vegetative cover of the site unless the building is a historic reproduction, in which case colors should be in keeping with the historic style. Encourage use of non-reflective exterior surfaces. Encourage composition shingle and shake roofs in harmonizing colors with the building exterior. Dark colors are preferred. Discourage tar and gravel roofs. Discourage metal window frames

unless they are bronze anodized aluminum or baked enamel. Encourage dark and non-reflective driveway materials. To maintain natural drainage flows, the use of impervious material should be minimized.

Architectural Form. Encourage traditional architectural styles of the coast in older development areas and contemporary styles in newer subdivisions. Encourage pitched roofs and relate roof slopes to existing nearby buildings. Relate the architectural shape and style of new buildings to existing nearby structures and natural features. Design accessory buildings to be consistent with the main building architectural character, materials, and finishes.

Landscaping. Use indigenous plant materials in areas visible from public roads. Protect existing vegetation where possible. Utilize plant materials to integrate the man-made and natural environments and to screen and soften the visual impact of new development. Use landscaping to screen parking areas from public view. Landscape, grade, and fill areas as soon as possible to minimize soil erosion.

Fences. Discourage property line fences to minimize visual disruption of the natural terrain. Design fences as extensions of the main house. Materials should be the same as, or complimentary to, the building. Six foot fences are intended to be used only for screening of service yards, etc., and for privacy purposes.

Commercial. Design buildings which are compatible with the predominant design of existing buildings in the area and are of wood or shingle siding. Buildings should employ natural or earth colors, and use pitched, non-reflective roofs unless they are historic reproductions. Require that exterior lighting be functional, subtle, and architecturally integrated with the building style, materials, and colors. Limit maximum height to 24 feet unless the greater height will not have effect on coastal views and there are overriding considerations. Height for commercial structures is measured as the vertical distance between the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof. Screen parking areas from view through use of plantings, design, and siting.

In Bodega Bay, reflect the nautical character of the harbor with wooden exteriors, stained or painted white or subdued earth colors. For heavy, commercial structures, permit textured metal in subdued colors with proper architectural detailing and landscaping to add visual interest and soften building lines.

Agricultural Structures. Locate large agricultural structures out of public view when possible. Encourage designs and materials which blend with the natural vegetative cover.

Signs. Relate signs to their surroundings in terms of size, shape, color, texture, and lighting so that they are complimentary to the overall design of the building and are not in visual competition with other conforming signs in the area. Insure that signing is subtle, unobtrusive, vandal proof and weather resistant, and if lighted, not unnecessarily bright. Avoid using struts, braces, kickbacks, or guy wires to support signs.

26. **Bodega Bay Core Area** (includes Taylor Tract and the residential area between Taylor Tract, Highway 1 and the proposed bypass). In addition to the Coastal Zone Design Guidelines, the following guidelines will be applied to Bodega Bay development. (Where conflicts occur, these guidelines supersede the general guidelines).

General. Site and design structures to take advantage of bay views without blocking views of neighboring structures.

h Architectural Form. Encourage traditional building forms of coast buildings including Greek Revival, Salt Box, and simple cottage styles similar to existing homes. Encourage pitched roofs. Flat roofs may be appropriate where compatible with existing structures. Where a building is between two existing structures, the design should act as a transition between the two existing structures.

Height. Limit building height to 16 feet ~~on that portion of the dwelling situated over the highest point of natural grade under the dwelling~~ except that in major developments up to 15% of the units may exceed the height limit. Height for residential structures is measures as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof. (See Figure VII-11.) Where these requirements conflict with the height, site, and bulk criteria of Appendix B (Bane Bill), for those properties listed, the requirements of Appendix B shall be followed.

Fences. Discourage property line fences over three feet in height and encourage traditional picket fences.

Materials and Colors. Encourage wood board or shingle siding. Encourage painted exteriors in colors similar to those existing in the town of Bodega Bay (i.e., rust, red, white, green, beige, brown, gray, yellow, and blue). Other colors must be approved by the Design Review Committee. Natural wood exteriors may be intermixed but should not dominate the new development area. Encourage wood trim windows painted in a contrasting, harmonizing color.

Streets. Encourage minimum paved street widths consistent with circulation, safety, and parking requirements to provide a sense of continuity between the new development and the original town.

Pedestrian Access. Require separated bike paths and walkways on one side of the street in new development areas.

Setbacks. Encourage some variation in setbacks.

Garages. Encourage use of detached garages in and adjacent to Taylor Tract. Single car garages may be appropriate.

27. **Bodega Harbor.** Continue to enforce Design Guidelines and Construction Regulations for Bodega Harbor Subdivision. Where homes within view corridors do not meet Bodega Harbor height, bulk and location conditions, the County Design Review Committee will review proposed plans for conformance with Coastal Plan view protection objectives.

28. **The Sea Ranch.** Continue to enforce The Sea Ranch Design Guidelines, incorporating the specified Height, Site, and Bulk Criteria provided for in Section 30610.6 (d) of the Public Resources Code. If a proposed residence does not meet the Height, Site and Bulk Criteria, the County may issue a variance as allowed in the adopted Height, Site and Bulk Criteria.

# LAND USE

## Introduction

### Description of Land Use Plan

The Land Use section of the Coastal Plan formulates development policies that, together with the Land Use Plan maps, indicate the type, location, and intensity of land uses permitted ~~recommended~~ in the Coastal Zone. Development policies ~~recommendations~~ take into account resource and environmental protection issues ~~policies~~, development constraints, and recreation, access, and housing needs. However, the Land Use section does not summarize all policies ~~recommendations~~ from other chapters. The Coastal Plan chapters must be considered together, and not as separate, distinct units. The Land Use, Open Space, and Recreation/Access Maps each constitute an official portion of the land use designation for any site.

In the County context, the Coastal Plan is consistent with the General Plan, but more specific in nature. Its detailed Goals, Objectives, and Policies further define and guide the permitted development with the Coastal Zone area. ~~considered a specific plan, designed to implement the County's General Plan for the entire area within the coastal zone. Concerning issues not dealt with in the Coastal Plan, the General Plan continues in effect.~~

Within the Coastal Zone, the Land Use Plan replaces earlier area plans for Stewarts Point - Gualala, County Service Area 4, and Bodega Bay. However, the plan incorporates, to the maximum extent possible, policies from these plans which are consistent with the Coastal Act.

### Coastal Act Policies

Most coastal act policies relate at least indirectly to land use. Policies concerning protection of coastal resources, provision for public access and recreation, and encouragement of coastal-dependent uses, which directly affect land-use decisions, are cited in other sections of this report. All of these policies were evaluated even though only Coastal Act references to new development and subdivision are listed here.

> 30250(a). New development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

### Land Use Categories

The Land Use Plan contains fourteen ~~fifteen~~ land use categories which are used on the Policy maps. Figure VII-12 is a matrix that designates which General Plan/Coastal Plan/Coastal Zoning Districts are consistent with one another. The land use categories are: ~~and an overlay Housing Opportunity Area designation. These categories are utilized for the actual policy maps: the large scale presentation map and The Sea Ranch and Bodega Bay Insert maps (Figures VII-11, 12, and 13).~~

~~The simplified coast land use map, which is included in this report only for reference, designates the following land use categories: Agriculture, Timber, Recreation, Commercial Center, Visitor Serving Commercial, and Rural Residential (Figure VII-10).~~



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Agriculture: Agricultural resource lands including small parcels within agricultural areas. Residential and other land uses must ~~should~~ relate to resource production. Specific permitted uses are further defined in the Coastal Zoning Ordinance.

Timber: Timber resource lands, including small parcels within timber areas. Residential and other land uses must ~~should~~ relate to resource production.

Sensitive and Hazardous: Areas with major physical or biological constraints to development. Development is prohibited unless constraints can be mitigated.

Dedicated Open Space: Common areas in planned developments that are committed to perpetual open space.

~~Recreation-Scenic Design: Visually and environmentally sensitive lands best suited for low intensity or passive recreation uses. Tourist commercial uses may be appropriate only if potential impacts can be mitigated.~~

Recreation: ~~Public and~~ Private recreational lands and facilities (i.e., golf courses, campgrounds, beaches, overnight trailer parks, stables, day use accessways).

Institutional: Land accommodating institutional or public uses. ~~other than recreation.~~

Visitor Serving Commercial: Land to accommodate visitor-serving facilities (i.e., restaurants, lodging).

Village Commercial: Land to accommodate the day-to-day shopping and service needs of local residents.

Commercial Center: An area potentially appropriate for general commercial uses including local serving and limited visitor serving uses. Contains existing commercial uses.

Fishing Commercial: Land to accommodate a variety of commercial, light industrial and service uses which support the commercial fishing industry. Campsites for transient fishermen could be accommodated in this zone with a coastal permit.

Rural Residential: Very low density residential development of from one to twenty acres per dwelling unit.

Low Density Residential: Residential development with densities ranging from one to four units per acre.

Medium Density Residential: Residential development with densities ranging from five to eight units per acre. Some areas may be zoned to accommodate more than one unit per parcel where feasible.

Planned Community: An area which may accommodate a variety of residential densities and mixed uses. A precise plan is required prior to development.

~~Housing Opportunity: An area permitting residential densities up to ten units per acre if a proportion of the total number of units is for low and moderate-income persons. The base residential density is the same as the underlying Rural Residential or Low Density Residential category.~~

## GENERAL LAND USE ISSUES

### Urban Development Boundaries

The Coastal Act mandates that new development be located in close proximity to developed areas with public services and facilities. In order to delineate the areas appropriate for development, Urban Service Boundaries have been established on the County General Plan and Coastal Plan land use maps.

Expansion of public sewer beyond these areas is prohibited except as allowed by General Plan Policy LU-3c, PF-1d, PF-1e, OS-1c, and OS-2c. ~~urban boundaries have been established (See Figures VII-10 through 13). An urban boundary is a stable line separating urban and rural land uses in the coastal zone. Lands inside these boundaries are generally suitable for relatively high intensity development because they are (1) already developed or already subdivided and zoned for development at densities greater than one dwelling unit per two acres; and (2) served or may be easily served by existing utilities. However, in order to make a logical urban boundary, some land has been included within the urban boundary which should be restricted to open space or low density uses. Public parkland is not included within urban boundaries, although public service extension may be required in some instances. Land outside these boundaries is not considered appropriate for urban development.~~

The Coastal Plan also establishes Rural Community Boundaries in areas that were previously subdivided or developed with public water and private septic systems. Expansion of Public Water beyond or public sewer into these areas is prohibited, except as allowed by the above described General Plan Policies. ~~Except for Bodega Bay and The Sea Ranch, urban boundaries correspond largely to existing subdivision boundaries or developed areas. Bodega Bay and The Sea Ranch have potential expansion areas. Urban service district boundaries for water, sewer or other public works may not be expanded or formed to include areas outside of these boundaries.~~

Urban infill is expected where water and septic regulations can be met. As part of an urban infill strategy, consolidating adjacent lots in high hazard areas or visually and environmentally sensitive areas is encouraged in accord with Coastal Act policies for view preservation, protection of coastal resources, and to minimize risks to life and property. All new development must meet appropriate Coastal Act provisions.

**Rural Development**

Rural areas are those lands generally suitable for only relatively low intensity land uses which are consistent with maintaining open space in order to: (1) preserve natural resources; (2) manage the production of resources; (3) provide outdoor recreation; and (4) protect public health and safety. Two existing rural residential subdivisions without community services are recognized in the rural areas: Fort Ross Highlands and Goat Rock Headlands.

Proposed resource recommendations in rural areas would allow land divisions at low densities related to the resource production capabilities of the land. They would also allow up to four dwellings per resource parcel, consistent with maximum residential densities for housing family members and employees. As in urban areas, new development must meet applicable Coastal Act provisions. The Resource Plan is the basis for designations of land outside urban service boundaries on the Land Use Plan. Some of the demand for rural homesite may be satisfied by vacant parcels in the coastal zone since each legal parcel is entitled to one home if standard development conditions can be met.

Resource production in the coastal zone is primarily agriculture and timber related. Beef cattle and sheep grazing from Bodega Bay north dominate coastal agriculture while dairy ranches extend south to the Marin County line. These are extensive agricultural activities and require large parcels of land for operation. Timber resources are also managed most efficiently on large parcels. Land divisions below certain designated sizes are inconsistent with Coastal Act policies to protect coastal resources.

~~Figures VII-10~~

**Sensitive and Hazardous Lands**

Some areas have been identified in the Environment Chapter as not suitable for development. These include areas of very steep slopes and severe geologic instability, floodways, riparian corridors, wetlands, dunes land, coastal bluffs, and locations of endangered plants. This information has been utilized in

locating urban service and rural community ~~expansion~~ areas and also designating sanctuary preservation areas where no development is to occur. Other areas have been identified as conservation areas or high hazard areas.

**Recreation and Visitor Serving Facilities**

The Recreation chapter discusses location, type and intensity of recreation and visitor serving facilities. Generally, new recreation and visitor serving facilities are proposed only where water and sewer services are available. Expansion of existing commercial uses and minor new commercial development is encouraged in already developed commercial centers if water and wastewater disposal requirements can be met. Except as specified in the Recreation chapter, new isolated commercial development outside of urban services boundaries should be prohibited.

**Industrial Development**

The Sonoma coast, with its limited work force, road system, and exceptional scenic resources and recreational potential, is generally not a good location for industrial uses. Only coastal dependent industrial uses would be considered acceptable in the coastal zone, although some coastal dependent industry could be inappropriate because of size, work force requirements or service needs. In Sonoma County, coastal dependent industrial uses would be primarily fishing-related, although it might include some industry which is timber or agriculturally-related, or minor facilities related to offshore drilling (see Outer Continental Shelf Development section of Coastal Plan). Bodega Bay will accommodate most industrial uses required on the coast.

**Design Review**

The Coastal Act mandates protection of scenic coastal resources, particularly shoreline views. Visual resource protection will occasionally be a reason for prohibiting development in visually sensitive areas. Usually, however, visual resource protection will take the form of design guidelines for development located in view corridors. Design guidelines are presented in the Visual Resources section.

**Compensation**

Local government has strong legislative and judicial support for enacting strict ordinances regulating development in environmentally sensitive or hazardous areas. Many areas are also regulated by state and even federal legislation. A valid ordinance which would severely restrict the development potential of a property is not an excessive use of police power constituting the taking of a landowner's property by eminent domain.

Landowners may be entitled to reimbursement for publicly initiated special assessments levied in anticipation of future permitted development if the sole basis for a permit denial is to refuse to allow the property owner to connect to the system for which they are assessed. The reimbursement would usually be the responsibility of the service district.

Local government may be legally obligated to purchase a person's property if several development proposals which meet all standards without variance are denied and it is deemed that a person has been denied reasonable use of their property. The determination of when a local government is obligated to purchase property is the product of specific litigation for each case.

Any time land is acquired for public purposes, such as parks or roads, the property owner has the right to just compensation. A local entity may also compensate landowners for unbuildable land, even if it is free from any legal obligation, particularly if the property serves a public purpose. Various local land trusts or the Coastal Conservancy could facilitate such a project. "Bargain sales," purchase of less-than-fee interest, gifts, dedications, and easements are among the techniques available to reduce the burden of

government restrictions. However, the implications of any compensation program are far reaching and must be undertaken with great care.

**Coastal Conservancy Projects**

The State Coastal Conservancy was established to implement programs to protect or restore coastal resources. The major Coastal Conservancy project in Sonoma County is the Furlong Gulch Restoration Project, which involves purchasing and transfer of development potential of 38 undeveloped lots in and adjacent to the Pacific View Estates subdivision to one or a combination of receiver sites, including The Sea Ranch and Bodega Bay, or for a possible project design on site (Clustered residential development or visitor serving commercial facilities). The purpose of this project is to preserve the site for its unusual scenic and visual qualities.

The Coastal Plan designates a 100 unit transfer site on Assessor's Parcel Number 122-050-15 at The Sea Ranch. This designation is consistent with the General Plan Land Use Category of Rural Residential applied in the Sea Ranch Area, because the intent of the plan was to establish a total maximum number of units in the Sea Ranch development, which included the density transfer site. The Furlong Gulch project is expected to require only 38 of the 100 sites. Other Conservancy projects could use transfer credits up to the 100 total of The Sea Ranch. The transfer site shall be annexed to The Sea Ranch Association and will be subject to The Sea Ranch Restrictions and Design Guidelines.

The Coastal Plan identifies a few additional areas where coastal views, recreation potential or sensitive biological resources are threatened. Some of the identified lots have extremely limited development potential because of their small size or other constraints. Programs which would recognize the limited development potential of such lots but would compensate the owner in some fashion to assure that the property remains undeveloped are strongly encouraged. Possible lots for inclusion in such programs are:

**TABLE VII-10 CONSERVANCY PROJECTS**

| Area | Public Benefit | Lots |
|---|---|---|
| Bodega Bay (waterfront lots between Windy Lane and sewage treatment plan) | visual, recreational access | 18 |
| Salmon Creek (between Bean Avenue and Salmon Creek) | visual, marsh protection | 7 |
| Pacific View Estates | visual | 38 |
| Timber Cove | access | 2 |
| Gleasons Beach | access | 3 |
| Stillwater and Ocean Coves | visual, recreational access | 4 |
| Windermere Point | visual | 1 |

These are not the only possible Conservancy Projects in Sonoma County. Certain other resource areas may require further public attention to ensure their protection and enhancement:

- Environmentally sensitive habitat areas such as Willow Creek Marsh, the Russian River, and other wetlands which are degraded or under conflicting use and development pressures;
- Agricultural lands that have a history or potential of productive use, including traditional grazing areas, prime and non-prime lands, and large ranch areas;
- Appropriate accessways; and
- Areas where unused land or subdivided lots require consolidation or redesign to permit appropriate land uses.

## SMALL COMMUNITIES LAND USE ISSUES

### Background Information

Most of the small communities on the coast have limited water supplies and wastewater disposal problems which severely constrain future development potential. Internal roads are generally narrow, private roads inadequate for major new development.

Year round populations in each of the communities is less than 150. Average lot sizes in all of the communities are less than two acres. The small lot sizes contribute to difficulties in meeting the septic regulations.

Urban Service and Rural Community Boundaries recognize existing subdivisions or developed areas. Inclusion of vacant smaller parcels in Duncans Mills recognizes plans for commercial expansion there, and that community's adequate water supplies. The Valley Ford Boundaries include the entire town, although further development hinges on development of new water supplies.

Construction of Timber Cove Subdivision has been halted for several years because of a court ordered building moratorium. Timber Cove was approved on the basis of individual wells and septic systems. When landowners could not drill adequate producing wells, the developer constructed a substandard water system without necessary permits. In 1974 property owners brought suit against the developer to improve the water system. The court ordered the developer to provide a certain quantity of potable water from new wells. Once the necessary permits have been obtained and the system is operational, the county must allow up to 100 connections to the water system. Twenty-eight existing homes may be connected. Another 72 could be issued building permits and connection to the system.

To insure equity, the following procedure in issuing building permits will apply. The applicant must obtain a County Coastal Permit and building permit from the Planning and Building Departments. (This would be subsequent to Design Review approval if design review is required for the site). Any permit shall lapse and become null and void ~~one~~ two years following the date on which the final design review approval or waiver of design review occurs unless, prior to the expiration, construction is commenced and diligently pursued toward completion on the site for which the permit was obtained. Following permit lapse, the applicant must reapply. If there is a waiting list of other persons desiring permits, the applicant will be placed at the end of the list.

## The Sea Ranch Issues

### Background Information

The Sea Ranch is a 5000 acre planned second-home and retirement community located along the northern ten miles of the Sonoma County coast. Originally, County Planned Development ordinances in 1964 and 1968 approved in concept a 5200 unit development. By the time Proposition 20, the original Coastal Act, went into effect in 1972, 2106 single family lots and 18 condominium lots had been approved by the County at The Sea Ranch. One thousand seven hundred lots are owned by individual owners; the remaining lots are still held by Oceanic Properties, Inc., the original developer. East of the highway, large tracts of The Sea Ranch timber land are un-subdivided and undeveloped.

About half of the land in subdivided areas is reserved for common open space. Private hiking and equestrian trails on these lands are maintained by The Sea Ranch Association. Recreation facilities included a public golf course, the lodge, private stables, and recreational centers. A house rental program and the Lodge allow visitors to enjoy the spectacular views, bluffs, and beaches at The Sea Ranch.

The Sea Ranch Lodge contains the post office, a small convenience store, and a restaurant. A general commercial area which contains professional offices, building supplies, and the fire station, is located along Annapolis Road at the eastern boundary of The Sea Ranch. Most retail commercial development serving The Sea Ranch is in the town of Gualala about one mile north of The Sea Ranch. Stewarts Point, two miles south of The Sea Ranch, contains a general store and a medical clinic.

After passage of Proposition 20 in 1972, The California Coastal Commission began negotiating with The Sea Ranch Association and Oceanic Properties, Inc. In 1979, the Coastal Commission established Overall Conditions to Development at The Sea Ranch which recognized 2029 lots, including the condominium lots developable at 1 unit per lot.

The Coastal Commission required that the Overall Conditions, dealing with water supply, septic monitoring, highway capacity, visual impacts, and public access, be met prior to any additional building on unbuilt lots. The Sea Ranch Association chose to continue ongoing litigation against the Coastal Commission rather than to fulfill the Overall Conditions. In order to resolve this impasse, The State Legislature passed the Bane Bill during the 1979-80 legislative session. This exempts single family residences on existing lots at The Sea Ranch from Coastal Act provisions if certain requirements were met. Issues dealt with by the legislation were public access, scenic view easements, criteria for height, site and bulk, transportation adequacy, water supply and septic monitoring. The Bane Bill gave The Sea Ranch Association until July 1, 1981 to exercise this option by depositing escrow, deeds and other necessary documents to establish public easements for access and scenic views. When the U.S. District Court ruled in favor of the California Coastal Commission, The Sea Ranch Association voted to implement the Bane Bill.

The Bane Bill left open the questions of ultimate buildout at The Sea Ranch and of constructing more than 1 unit on undeveloped condominium lots.

Water Supply Although the Sea Ranch has more than enough water for expected buildout, Term 14 of the present Sea Ranch water permit requires no diversion of water from the Gualala River South Fork diversion point when river flows are less than five cubic feet per second between June and December. This requirement is intended to preserve river flow for steelhead spawning. Several alternate water sources have been proposed to meet this condition; the two primary alternatives are storage reservoirs and a Gualala Lagoon diversion. Oceanic has filed for an amended water permit application to implement the latter.

The reservoir alternative would divert river flow during the rainy season to storage reservoirs located on The Sea Ranch property. Since the projected demands of The Sea Ranch are less than 1000 acre feet, and mean annual runoff in the south fork of the Gualala River is approximately 300,000 acre feet, it is evident there is ample water to satisfy requirements on an annual basis. The main drawbacks of this alternative are high costs, possible adverse visual impacts, lengthy construction times, and geological aspects of reservoir construction.

The lagoon diversion project would involve construction of an offset well or wells from the lagoon area of the Gualala River near its mouth. A pipeline, pump and possible treatment facility, would be installed to provide potable water to The Sea Ranch system.

The State Water Resources Control Board, Division of Water Rights, has determined that there is an adequate water supply from the diversion project to serve a buildout of up to 3000 units. An Environmental Impact Report is being prepared for this alternative.

The Bane Bill specified that no coastal development permit could be required for the development of supplemental water supply facilities determined by the State Water Resources Control Board to be necessary to meet the need of legally permitted development within The Sea Ranch. The legislation did provide for participation by the Executive Director of the Coastal Commission in proceedings before the State Water Resources Control Board relating to such facilities and that the Director may recommend terms and conditions that the commission deems necessary to protect against adverse impacts on coastal zone resources. The State Water Resources Control Board has the authority to decide whether such terms and conditions are reasonable.

Septic Monitoring Septic system discharges may have cumulative impacts on coastal waters as the area builds out. Approximately 1400 lots at The Sea Ranch are expected to develop on individual septic systems. Soils at The Sea Ranch vary greatly; in some areas soils are marginal for septic operation. To minimize the possibilities of future operation problems and possible adverse impacts on coastal waters, a septic maintenance and monitoring program is proposed but has not yet been implemented.

The Sea Ranch is bisected by Highway 1, the main access route. Minor east-west access is provided via Stewarts Point-Skaggs Springs Road. Water from the Gualala River is provided to the entire development by The Sea Ranch Water Company, a private utility. Two sewage treatment plants serve units at the north end and two subdivision units in the central area of The Sea Ranch. 1430 of the homes are expected to develop on septic systems.

Public Access Dedication of public access has been the most controversial issue at The Sea Ranch. The Bane Bill required that The Sea Ranch Association and Oceanic California, Inc. dedicate public access easements for five new vertical accesses with lateral connections to beaches and a bluff top trail in the northern three units. The required offers of dedication have been made to the Coastal Conservancy. The Coastal Conservancy and Sonoma County Regional Parks are negotiating over ownership and operation.

Traffic Constraints The Coastal Act required that coastal development not reduce the capacity of Highway 1 so that recreational travel is impaired. The Coastal Plan traffic study identifies future highway capacity deficiencies at The Sea Ranch and it recommends intersection improvements along Highway 1 to increase highway capacity. This solution is acceptable to both The Association and Oceanic. The Bane Bill parallels these Coastal Plan provisions.

Scenic View Easements The Bane Bill provided that the Executive Director of the Coastal Commission would identify areas along Highway 1 where scenic view easements should be established to allow for removal of trees in order to restore and preserve scenic views. These view easements were established and dedicated to the Coastal Conservancy (see Appendix C).

Height, Site, and Bulk The Bane Bill provided that the Executive Director of the Coastal Commission would specify design criteria for height, site, and bulk of development visible from scenic view areas, to be enforced by the County of Sonoma. The adopted Height, Site, and Bulk Guidelines include height limits, limitations on gross square footage of structures, and siting requirements on specified lots west of Highway 1. The Guidelines have been incorporated into The Sea Ranch design review process (see appendix B). The County does have the authority to grant a variance of up to 25 percent of height or bulk limits if no feasible alternative exists and the variance is consistent with the Coastal Act view protection objectives.

~~Figure VII-11~~

**Additional Development Issues**

Ultimate Buildout. The Bane Bill established 2029 units as the buildout level for The Sea Ranch subject to its provisions. The impacts of 2029 units are not fully known. The cumulative impacts from increasing numbers of septic systems is a concern. Traffic loads on Highway 1 will increase but to what degree depends on the future character of the community. Even with the assumption that The Sea Ranch is primarily a retirement community with low levels of traffic generation, peak hour traffic congestion will require improvements to Highway 1 through The Sea Ranch. Demands for public facilities and services such as school classrooms, a library, health facilities, increased police and fire protection or better public access roads can be expected to intensify as more people reside at The Sea Ranch. For these reasons, and in accord with Coastal Act policies to preserve and protect coastal timber lands, 2029 units is proposed as the maximum buildout of The Sea Ranch in the Coastal Plan unless there is a clear public benefit outweighing the risks of additional development.

Provision of moderate income housing units and a transfer of development potential from less suitable areas are considered to be clear public benefits. The Sea Ranch is an isolated subdivision near no major urban centers. It is a major employer presently employing approximately 200 service workers. This number is expected to nearly double during the planning period, yet no provision has been made at The Sea Ranch to house any of these workers. Estimated existing need for such housing derived from a housing survey was for 80-90 units, and 160-190 units during the planning period. Providing some moderate cost housing units would help meet housing goals.

Transfer of development potential from less suitable areas is another public benefit. The State Coastal Conservancy is presently exploring the possibility of transferring development potential from Pacific View Estates, a largely unbuilt, small subdivision, to protect high quality coastal views at that location. The Coastal Plan proposes similar development transfers to protect certain visual, recreational, or environmentally sensitive coast resources.

The Coastal Plan would allow a certain number of additional residential and lodge units above and beyond the 2029 units already agreed upon on the conditions that 15 percent affordable housing units are constructed and a transfer site for 100 units is designated. Access and intersection improvements related to additional development would also be required. For additional development The Sea Ranch Design

Guidelines would also have to be met. ~~Expansion areas are designated primarily in the northern part of The Sea Ranch (See Figure VII-11).~~

**BODEGA BAY - BODEGA HARBOR**

Bodega Bay is the largest general commercial center on the south Sonoma Coast with a permanent population, including Bodega Harbour subdivision, of approximately 600.

The Bodega Bay Public Utilities District (PUD) provides wastewater treatment and water for the community. The wastewater treatment plant is adequate for substantial additional development and is not a constraint to moderate future development. Water supplies are adequate for existing and some additional development, but probably are not sufficient for total approved development. Additional supplies are being sought.

Approved development potential totals about 580 unbuilt residential lots in Bodega Harbour subdivision and approximately 50 vacant lots in the older town and west side.

**Issues:**

Sensitive and Hazardous Lands. Bodega Bay is built on the San Andreas fault zone and is subject to major seismic activity. The surface geology of much of the area is unstable. Sand dunes, riparian habitats and wetlands are among the sensitive areas found in Bodega Bay. Development must be carefully located to avoid disturbance of such areas.

A sensitive and hazardous designation means development is prohibited unless the specific project proposed on such lands can be undertaken without adversely affecting or disturbing sensitive natural resources, is engineered to minimize risk of geologic hazards, and meets the requirements of local ordinances and state and federal regulations. Waterfront lots west of Highway 1 are so designated because of geologic instability, visual sensitivity, and recreation potential. Other designated sensitive and hazardous areas include undeveloped dunes land and beach deposits west of Eastshore Road, and a riparian corridor and freshwater marsh east of the junction of Eastshore and Bay Flat Roads. Although existing subdivided lots west of Eastshore Road are recognized and are not designated sensitive and hazardous, no further land divisions for residential use are proposed in this area.

Water Supply. Water supply is a constraint to development at Bodega Bay. The proposed new dunes well could increase PUD water supplies by 50 percent. This would be enough for planned growth. If the new well does not provide the expected quantity, additional water supply sources will be needed or development will be limited.

Traffic. Traffic congestion is already severe on summer weekends through Bodega Bay. Traffic volumes on Highway 1 will continue to increase through Bodega Bay due to recreational traffic on the coast generally. The Highway 1 bypass recommended in the Transportation section would provide significant relief to congestion problems in Bodega Bay and allow for expanded development in the community. Significant additional development in Bodega Bay without a bypass would lead to growing levels of congestion.

Salmon Creek. Salmon Creek is an isolated older subdivision just north of Bodega Bay. It has severe water supply and septic problems. ~~If PUD water and sewer capacities are available and agreeable financial arrangements can be negotiated, service extension would eliminate potential health hazards caused by inadequate services.~~ Some lots may be undevelopable due to these concerns.

Porto Bodega. Porto Bodega is a commercial dock and trailer housing area designated fishing commercial. It is located on the San Andreas fault and the geology of the site is not stable. A special study of Porto Bodega is being conducted to determine future potential uses of the site, taking into account geologic and seismic problems.

Harbor Loop Road (aka Smith Brothers Road) Area. The Harbor Loop Road is designated ~~Recreational-Scenic Design~~ Recreation and Visitor Serving Commercial. Although the land is best suited for open space and passive recreational uses because of its size, location, visual sensitivity, and use as a wildlife habitat, a tourist commercial use which adequately addresses these limitations and mitigates traffic impacts could be considered. Any proposed project is to be considered only in conjunction with a comprehensive development plan for the complete Loop Road Area.

**Proposed Bodega Bay Land Use Plan**

A phased land use plan (as specified in General Plan Policy LU-10b) is ~~Two land-use plans are~~ proposed to coordinate the growth of Bodega Bay with the development of a bypass. The ~~Both~~ plans assumes that additional water supplies will be produced by the new well. If actual water production falls short of the expected 216,000 gallons per day, total water connections may need to be limited. This would be accomplished through an allocation program, affecting all PUD customers.

The Phase I Moderate Development Land Use Plan proposes a level of development consistent with current traffic constraints. The Phase II Expanded Development plan presents a level of development that could eventually be accommodated with a Highway 1 bypass (See Policy maps) ~~(See Figures VII-12 and VII-13)~~.

The following parcels as designated on the 1988 equalized rolls are appropriate for Phase 1 development:

AP 100-180-30 and 53
AP 100-180-22 (+4 acres adjacent to and south of the Tides)
AP 100-100-01 & -02

The following parcels as designated on the 1988 equalized rolls are appropriate for Phase 2 development:

AP 100-180-22 (residual + 8 acres) & -51 (portion)
AP 100-210-35 (12.5 acres)

Phasing is accomplished by placing a holding zone RR-B8 (Rural Residential - frozen lot size) on all Phase II development lands. In no case shall the Phase II lands be rezoned to their maximum potential under the land use plan until all requirements for Phase II development have been met.

Three types of commercial development are being recommended for Bodega Bay: fishing related, visitor serving and village commercial. The Coastal Act requires that visitor serving commercial facilities have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal dependent industry.

The Phase I Land Use Plan for Bodega Bay accommodates a marina expansion of up to 300 berths, including Spud Point Marina and designates 20 acres as Fishing Commercial for fishing support facilities. The Phase II plan recognizes a maximum of 700 berths in the harbor. Fishing facilities generally are located on the north and west sides of the Bay, away from visitor serving facilities to minimize conflicts between commercial fishing and tourist activities.

~~Figure VII-12~~
~~Figure VII-13~~

Additional visitor serving facilities are accommodated in the tourist commercial land use category. The Phase I and Phase II Land Use Plans recognize existing facilities including expansion of the Tides east of Highway 1, and designates six acres on Eastside Road as Tourist Commercial.

Commercial facilities to meet the needs of local residents are currently inadequate. Both phases of the Land Use Plan call for development of a small Village Commercial center between Taylor Tract and the major proposed residential development area. The center would accommodate a post office, fire station, retail shops, a bank, community center, and similar uses. This location minimizes need for vehicular travel.

Residential development in Bodega Bay is accommodated through buildout of existing vacant residential lots in the community, and through designation of several new residential areas.

To encourage construction of new affordable housing in Bodega Bay, several methods are proposed in the Coastal Plan. First, the primary residential development area south of the old town can be used ~~is shown~~ as a Housing Opportunity Area where the developer gets a density bonus (consistent with the General Plan Housing Element) for providing ~~25 percent~~ affordable housing units. (The developer will be required to provide at least 15 percent moderate cost units). Second unit zoning ~~on medium sized parcels~~, and provision for temporary vehicle camping for transient fishermen in fishing commercial areas are other techniques is another technique for providing affordable housing. ~~Because land inside fishing commercial areas for temporary vehicle camping may be limited, other possible sites in the Bodega Bay area specifically for this use will be explored.~~

Design guidelines for the area adjacent to Bodega Bay town propose to maintain the character of the existing town in the new development area by limiting building size and height, road widths and improvements.

Rural residential designations on the Bodega Bay fringe areas are proposed for several reasons: public facilities in the fringe areas are not designed for high density development; low density residential provides a transition between agriculture and urban levels of development; and this accommodates a need for a variety of housing opportunities. The rural residential designation with five acre densities between the older town and Bodega Harbor is essentially to reserve this area for possible future urban development once planned development areas build out.

Formation of a Bodega Bay Municipal Advisory Council is encouraged to assist in implementation of the Coastal Plan and to provide a forum on community issues.

**Urban Service Boundaries**

The urban service boundary for Bodega Bay generally includes the approved units of Bodega Harbor subdivision, developed areas of Bodega Bay, newly designated residential areas south of the existing town between Highway 1 and the proposed bypass route, and land within the PUD service area between the bypass route and Bodega Harbor. (See Bodega Bay Land Use Plan Maps).

**OUTER CONTINENTAL SHELF DEVELOPMENT**

The Department of Interior has proposed Outer Continental Shelf (O.C.S.) oil and gas leases off the central and northern California Coast. The sale will take place in May 1981 after the Bureau of Land

Management completes environmental review, and final lease sale decisions are made by the Secretary of the Interior. The Bodega Basin is part of the proposed sale area and contains eight tracts southwest of Bodega Bay. If Bodega tracts remain in the lease sale, and offshore development proceeds, onshore impacts could occur.

The Sonoma County Coastal Plan does not contain land use recommendations that encourage industrial or energy development in the coastal zone. Long range protection of coastal agriculture, forestry, commercial and recreational fishing, and enhancement of tourism and recreation are the Coastal Plan priorities.

The Bodega Bay area because of its proximity to offshore tracts and existing harbor facilities is the likely location for an onshore service base. The risk mean estimate of eight million barrels of oil for the Bodega tracts would require construction of one offshore production platform. An onshore service base to support offshore activities would also be necessary. Distance form the platform and the availability of land, housing, harbor facilities, and public and commercial services all influence site location.

The size of the support base varies with the resource estimate used. A temporary base of some five to ten acres, would be necessary for platform construction during the exploration phase. During the development phase a permanent facility could use the same location but additional land may be necessary based on the size of the resource find. Ultimately a 10-20 acre site with wharf and loading facilities, a heliport, and a channel depth of 15-20 feet could be needed. Land for residential expansion, commercial fishing, and commercial services has been designated in the Land Use Plan for Bodega Bay. No land has been allocated for industrial or energy facilities.

Housing to accommodate a major increase in employment related to O.C.S. development is not available in the Bodega Bay area or surrounding inland rural communities. A major increase in employment requiring housing would have to be absorbed in the larger inland communities such as Sebastopol, Petaluma and Santa Rosa, or provided by the leaseholder. If housing is provided at an onshore facility this would increase the acreage necessary for such a site.

The projected community services for Bodega Bay should be able to accommodate the increased employment, and general population increase associated with O.C.S. Development. However, adverse traffic and road impacts on the community may be significant at various stages through the exploration and development phases. These impacts would depend on the amount of offshore development necessary to extract the resource.

Vessel traffic associated with O.C.S. development would compete with commercial and recreational fishing for necessary dock space and support facilities. The harbor may not have enough remaining area to accommodate 200-400 feet additional dock space. Again, the amount and types of activities in the harbor would relate to the amount of resource found.

Air and noise pollution would be increased particularly during the exploratory stage of development and in the construction of the onshore service base. If the Lease Sale reached the production stage, air and noise pollution would not be as acute as in the exploratory period.

The Point Arena Basin is also part of the Lease Sale and if it remains it could affect Sonoma County. Traffic loans on Highway 1 from Point Arena south could be expected.

O.C.S. development and location of facilities would have significant effects on the community of Bodega Bay and its economy. Onshore facilities would require physical, political, economic, and institutional expansion that would require a change in the County policy of not supporting offshore exploration and production.

The above described concerns led to the approval of Ordinance 3592R, a Countywide ballot initiative that requires voter approval of any proposed Coastal Plan Amendment, to allow on-shore facilities that would support off-shore Oil and Gas Exploration or Development. Following adoption of Ordinance 3592R, the county initiated a more detailed study of the potential impacts of onshore support facilities in the Coastal Zone. This study, entitled "Offshore Oil Development: Onshore Support Facilities Feasibility Study", was completed in January of 1991 and is incorporated herein by reference. One of the primary findings of the report indicated that:

> **No suitable sites exist within the coastal zone for industrial onshore oil and gas support facilities.**
>
> Based on a review of the coastal zone and application of screening criteria, no suitable sites for onshore Outer Continental Shelf (OCS) facilities were identified. Within the coastal zone, it is clear that onshore facilities for offshore oil and gas are inappropriate due to a number of constraints. These constraints include the following:
>
> - Bodega Bay, the only existing harbor on the Sonoma coast, has insufficient space and infrastructure to accommodate a crew or supply base;
> - There is a lack of adequate public services such as water and other utility hook-ups;
> - Over 50 percent of the coast is in State and County parks, where development could preempt coastal access and conflict with recreational activities;
> - County and State policies protect sensitive biological habitats and scenic corridors, which could be adversely affected by development;
> - There is a lack of affordable or market housing to accommodate a substantial new employment force;
> - LCP policies support coastal-dependent uses over other uses in the coastal zone; Sonoma County's coastal-dependent industries include commercial fishing, recreation and tourism; and
> - There is currently no land use designation in the LCP which allows development of onshore oil and gas support facilities.

The report did note that Bodega Bay might be considered as a site for a very limited and restricted crew or supply base in the Fishing Commercial area. However, a complete environmental analysis and Coastal Plan amendment (including voter approval pursuant to Ordinance 3592R) would be required.

**Recommendations**

**General**

1. Prior to submittal of the implementation program, designate the principal permitted uses for each land use category in the Land Use Plan, including any desired changes in the uses presently identified for the resource area land use designations. The designated uses shall be reviewed for consistency with the policies of Chapter 3 of the Coastal Act and approved.

2. Designate as within Rural Community Boundaries ~~urban~~: land within the existing residential subdivision boundaries of Jenner, Rancho del Paradiso, West Beach, Sereno del Mar, Gleasons Beach, Carmet, and Salmon Creek.

3. Designate Timber Cove Rural Community Boundary ~~urban boundaries~~ as the subdivision, the Timber Cove Inn, and existing developed areas adjacent to the subdivision south to the Fort Ross Store area.

4. Designate as within Rural Community Boundaries ~~urban~~ the existing developed areas at Duncans Mills, Valley Ford and Stewarts Point. Stewarts Point and Duncans Mills Rural Community ~~urban~~ boundaries may be changed in the future to reflect Historic District boundaries.

5. Designate as within urban service boundaries those lands shown inside the urban service boundaries on the General Plan Land Use Maps for Bodega Bay and The Sea Ranch.

6. Designate as rural those lands shown outside the urban service and Rural Community boundaries on the Land Use Maps.

7. Limit expansion and formation of public sewer services ~~urban service district boundaries~~ to within designated urban service boundaries. Existing facilities outside of the Sea Ranch Urban Service Boundary may continue to be served, but no expansion is permitted. ~~Notwithstanding the above, the urban service district boundary at The Sea Ranch may go beyond urban boundaries in order to continue existing services.~~

8. Allow service extensions to public parklands although they may not be within urban boundaries, only where consistent with General Plan Policies PF-1d and PF-1e.

9. Allow residential development on existing legally subdivided lots if water, septic and other applicable regulations are met.

10. Require that land divisions and development proposals outside urban service boundaries conform to the resource capabilities of the land as recommended in the Resources chapter.

11. Allow new and expanded commercial development consistent with the Coastal Plan within urban service and rural community boundaries if water, septic and other applicable regulations are met.

12. Provide for commercial development only within designated urban service and rural community boundaries except where consistent with development recommendations in the visitor serving facilities section.

13. Only coastal dependent industrial land uses are appropriate along the Sonoma Coast. Locate such uses in urban service areas able to accommodate them.

14. Apply site and design guidelines contained in the visual section to development in urban areas and coastal zone scenic ~~corridors~~ view sheds.

15. Encourage Coastal Conservancy projects or other programs to protect certain lands having high public benefit.

16. Encourage consolidations of lots in high hazard areas and visually or environmentally sensitive areas.

**The Sea Ranch**

16. Enforce the Height, Site, and Bulk Guidelines adopted pursuant to Public Resources Code Section 30610.6 (e) (see Appendix B). Incorporate these Guidelines into The Sea Ranch Design Review process.

17. Allow Oceanic Properties, Inc. 300 additional residential units and up to 100 lodge units on the conditions that:

    Fifteen percent of the total 300 are constructed affordable housing units.

    Intersection improvements at Highway 1 and Halcyon, Deer Trail and the Lodge entrance are constructed as recommended in the Transportation section.

    Two accessways in Units 34-A and 36 are improved as recommended in the Access section.

    Sites which would accommodate 100 units for the purpose of transfer programs are designated.

~~19. Designate the following areas for residential expansion: Units 35-B, 35-C, 34-A, unsubdivided areas of Units 34-B, 35-D, and the Condominium lots in Units 35-A, 35-B, 35-C, 34-A (as shown in Figure VII-11).~~

**Land Use Recommendations for Bodega Bay**

18. Prohibit development on Sensitive and Hazardous lands unless the project can be accomplished according to criteria specified in the preceding Sensitive and Hazardous Areas discussion.

19. Prohibit further residential land divisions west of Eastside Road due to the unstable nature of the area's surface and bedrock geology.

20. Stage development and annexation to the Public Utilities District in accordance with the phased Land Use Plans.

21. Require PUD service to all new development within the Urban Service Boundary.

22. Encourage provision of affordable new housing units.

23. Explore possible sites for temporary vehicle camping.

24. Implement Stage II of the Bodega Bay Land Use Plan only upon resolution of present traffic and water constraints.

25. Relate new development to water capacities: If adequate water is not available, develop a building permit allocation system to limit development, and pursue development of additional water supplies.

26. Insure that adequate water capacity is reserved to serve the first three priority developments listed below as they are proposed in the Phase I development plan for Bodega Bay, by requiring that if water supplies do not prove adequate to all land uses designated in the Phase I plan, a minimum of 30 percent of the projected available amount shall be reserved for the designated priority uses. A similar standard shall be applied to Phase II development if necessary:

- moderate expansion of marina facilities and fishing-related commercial facilities
- local serving ~~limited additional tourist~~ commercial facilities
- affordable housing projects (50 units)
- Bodega Harbor and other existing residential commitments
- expanded general commercial and residential uses

~~28. Allow option of Salmon Creek subdivision hook in to the Bodega Bay PUD if service capacities are available and finances can be arranged. Design any service extension to preclude immediate connections.~~

27. Require completion of the Porto Bodega Study prior to any land use changes in the area.

28. Allow a tourist commercial project in the Recreation-Scenic Design category in Bodega Bay if it can meet visual design guidelines, preserve on site trees for wildlife habitat and mitigate adverse traffic impacts. Any proposed project is to be considered only in connection with a comprehensive development plan for the complete Loop Road area.

    a) Allow a land use designation of "Visitor Serving Commercial" and a zoning of "CT - Tourist Commercial" on Assessors Parcels 100-080-25 and 100-080-15 only to accommodate the historic and ongoing use of the property as a 15-unit motel. To insure compatibility with the surrounding residential area, other uses permitted within the Tourist Commercial District shall not be permitted, nor any structures permitted to exceed a 16 ft. height. Design Review should be required on any new construction outside of the existing building footprints

29. Consider requiring intersection improvements at Highway 1 and Eastside and/or Bay Flat Roads in conjunction with development along Eastside Road.

30. Require a precise development plan for any development in the ~~Housing Opportunity~~ Area south of Taylor Tract, except that a single family subdivision at 4 units per acre with 15 percent affordable units shall not require a precise development plan. The precise development plan may include a variety of housing types in accordance with Core Area Design Guidelines. ~~at a density up to 10 units per acre. It must provide 25 percent affordable housing units.~~

31. Require a master plan of the entire Tides complex (both sides of Highway 1) prior to approval of any new or expanded uses. The master plan should provide a parking solution for the total development, maximum hillside development of 104 units, and a minimum of 16 units of affordable employee housing all conforming to Coastal Plan Design Guidelines. If a reduction in the intensity of use is necessary, that reduction should be from Commercial or transient housing, not employee housing or necessary parking.

32. Require traffic improvements including signalization, left turn lanes, and improved access from the bayside parking lot in connection with any new or expanded uses at the Tides.

33. Encourage the formation of a Bodega Bay Municipal Advisory Council.

**Outer Continental Shelf Recommendations**

34. Delay the entire lease sale so that all pertinent studies may be completed and included.

35. Delete the Bodega Basin from Lease Sale #53.

36. Delete the Point Arena Basin from Lease Sale #53.

37. Require a Coastal Plan Amendment for any proposed on-shore facility to support off-shore oil and gas exploration or development. Any such amendment shall not be effective until a majority of the electors in Sonoma County, in a general or special election, approve the proposed amendment.

# APPENDIX A

## HISTORIC RESOURCES INVENTORY

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
|---|---|---|---|
| **Map 1 - Sea Ranch North** | | | |
| Del Mar | West of Highway 1 in The Sea Ranch at Del Mar Landing | Private | This gable roof board and batten cottage is one of the few remaining buildings that was the town of Del Mar, a lumber town. The roof has a rarely found shingle pattern in that shingles are very long. Adjacent are barns and evidence of a lumber mill and moorings. |
| **Map 2 - Sea Ranch South** | | | |
| Sea Ranch stable and barn | West of Highway 1 in The Sea Ranch | Private | The Sea Ranch stable barn has a wide gable roof and is topped with two large ventilators. The sides are vertical boards and the south gable end, which appears to have been replaced, is horizontal siding. Estimated construction date: 1905. |
| Sea Ranch barn and cottage | West of Highway 1 at Black Point near The Sea Ranch Lodge | Private | The house and barn are deteriorating but are an important part of The Sea Ranch Landscape. The house has vertical board and batten siding and long wood shingles on the roof and centered porch. The large barn has the same exposed shingle roof over the entire structure. The siding is vertical redwood. Estimated construction date: 1890. |
| Condominium I | End of Sea Walk Drive, The Sea Ranch | Private | Condominium I includes ten units designed by Moore, Lyndon, Turnbull and Whitaker in Sea Ranch Modern, forerunner of this style of architecture in the United States. Construction date: 1965. |

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
|---|---|---|---|
| Espherick Cluster House | Black Point Reach, The Sea Ranch | Private | One of the Espherick cluster houses, first detached residential units at Sea Ranch. Hedge row housing related to cypress windbreak, Construction date: 1965. |
| **Map 3 - Stewarts Point/Horseshoe Cove** | | | |
| Stewarts Point Post Office | Highway 1 and Skaggs Springs Road, Stewarts Point | Private | The Post Office building and cluster of houses appear to be built at various times and date from 1890 to 1920, but are similar with gable roofs, are small and painted white. |
| Stewarts Point Store | Highway 1 and Skaggs Springs Road, Stewarts Point | Private | The general merchandise store is a two-story Greek Revival building painted blue with white trim and horizontal shiplap siding. The gable roof has a broken pediment. There are six symmetrically placed windows at the front and rear. Construction date: 1868. |
| Stewarts Point Hotel and Barns | Highway 1 and Skaggs Springs Road, Stewarts Point | Private | This group of buildings appears to range in date from 1870 to 1900. The hotel has two buildings, the one to the west appearing older because of the wider shiplap siding. The salt box barn to the south is an excellent example, with long shingles on the gable roof and vertical unpainted siding. These and various barns and outbuildings, along with the adjacent store building and one-room school, demonstrate every facet of rural Greek Revival architecture and are the first example of a small rural complex in Sonoma County. |
| Stewarts Point School | West of Highway 1, south of Stewarts Point | Private | The Stewarts Point School is an excellent example of the one-room Greek Revival schoolhouses that dotted Sonoma County before the turn of the century. The main gable roof and the two side gablets have broken pediments, and a cupola with flagpole sits on |

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
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| | | | the eave toward the front of the building. Estimated construction date: 1860. |
| Richardson House | 29601 Highway 1 | Private | This vernacular residence shows distinctive styles of the late nineteenth and early twentieth century. The wide, steep-pitched gable roof covers a square bay on the second floor and tall, narrow windows below. Various wings have been added. A small gable roof barn sitting in the rocks overlooking the ocean exemplifies the small sheep feeder barns in the region. Estimated construction date: 1900. |
| Kruse Barn and House | Highway 1 at Cannon Gulch | Public | The Kruse Ranch barn is a very large gable roof wood structure with vertical wood siding. A large portion of the roof collapsed in the last year. Across the road are two gable roof cottages. Estimated construction date: 1880. |
| **Map 4 - Salt Point** | | | |
| Plantation | 34285 Kruse Ranch Road | Private | Plantation is a small town of gable roof structures built around San Andreas Fault sag ponds. The existing residence is a gable roof structure. Estimated construction date: 1870. |
| Sawmill Teepee | 31090 Seaview Road | Private | The sawmill teepee, remnant of a lumber mill, is believed to be the only remaining one in the Sonoma coastal zone. |
| **Map 5 -** | | | |
| Stillwater Cove Ranch | 22555 Coast Highway 1 | Private | The house is a simple colonial style structure with gable roof and roof dormers. There are two stone buildings on the property and stone pillars at the entrance. The complex has been used as a boys' school but is currently operated as a guest ranch. |

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
|---|---|---|---|
| Fort Ross School | Stillwater Cove Regional Park Highway 1 | Public | The one-room school has recently been restored after being moved to its present site. The schoolhouse, constructed around 1885 at Fort Ross, is Greek Revival with simple, clean lines and precise detailing. It has horizontal lap siding and the distinguishing bell tower of a school. The Fort Ross School is Sonoma County Landmark No. 27. |
| Ocean Cove | 23125 Coast Highway 1 | Private | There are four structures on this site: a grocery store, barn and two houses. The store and the two houses are sided with long shingles. Estimated construction date: 1900. |
| Town of Fort Ross | 20700 Coast Highway 1 | Private | The town of Fort Ross has three gable roof houses with natural wood, horizontal siding. There is a large water tank between the houses and the cove. Estimated construction date: 1920. |
| Plummer Graveyard | Highway 1 near Timber Cove | Private | Gravestones are located within a wood picket fenced area. Fence posts feature decorative top pieces. Also on the site are remnants of a log building. Estimated establishment date: 1860. |
| Residence | 21085 Coast Highway 1 | Private | Greek Revival house with horizontal siding and attached shed. The house has tall, narrow windows. Estimated construction date: 1890. |
| Bufano Statue at Timber Cove Inn | Coast Highway 1, Timber Cove | Private | Large statue of a human figure with a hand affixed to the head, symbol of peace. made of mosaic by Italian sculptor Benny Bufano in 1960. |
| Sea View Ranch | 27780 Sea View Road | Private | This gable roof barn has lean-to extensions on both sides. The walls are vertical unpainted |

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
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| | | | redwood. Estimated construction date: 1900. |
| Eckert Ranch | 18000 Coast Highway 1 | Private | The ranch contains several red board and batten sheep barns with gable roofs along Highway 1. Estimated construction date: 1900. |
| Fort Ross Call Ranch | 19005 Coast Highway 1 | Public | The Call Ranch Home is a gable roof cottage with the oldest continuing weather station on the West Coast, starting in 1874. The ranch is part of the Fort Ross Historic Park. |
| Fort Ross Chapel | Highway 1, Fort Ross | Public | The chapel is one of the many fine structures presently in the compound of Fort Ross Park, with a domical roof and vertical siding. Originally built in 1825, it was rebuilt many times. |
| **Map 6 - High Cliffs/Jenner** | | | |
| Four Clapboard Mill Houses | 9081, 9089, 9095, 9101 Balboa Ave., Jenner | Private | These four gable cottages were built in 1904-05 and were homes to lumber mill workers for the Jenner lumber mill which operated from 1904 to 1914. The cottages, originally identical, have been altered over time. |
| Mill Cottage<br>Bungalow Residence | 9500 Balboa Ave.<br>9440 Balboa Ave., Jenner | Private<br>Private | Mill cottage built in 1904 or 1905. Stepped into the hillside of a crag overlooking Jenner, this bungalow is two stories with a raised foundation and a hop and gable roof. A second story veranda with a solid balustrade wraps around three sides of the house. Estimated construction date: 1904-05. |
| Double Bunkhouse | 9498 Pomo Ave. | Private | This residence once served as a double bunkhouse for lumber mill workers. |
| Bungalow Residence | 10609 Highway 1, Jenner | Private | One story, gabled bungalow, with distinctive craftsman detailing in the stickwork trim of the gables, sits on a raised foundation and has a porch |

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
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| | | | extension facing the Russian River. Estimated construction date: 1910. |
| Bungalow Residence | 9509 Pomo Ave., Jenner | Private | One-story shingled bungalow with a gable roof and exterior brick chimney reflecting a craftsman influence. An enclosed porch extends across the gable end. The residence is situated on the side of Castle Crag overlooking Jenner. Construction date: 1904-05. |
| Board & Batten Structure | Willig Drive and Riverside Drive, Jenner | Private | Two-and-a-half story gabled frame building with board and batten siding stepped into the hillside. |
| Cottages | Willig Drive and El Camino, Jenner | Private | A row of derelict cottages are partially concealed by trees behind Murphy's restaurant at the intersection of Willig Avenue and Highway 1. |
| Jenner School | Willig Drive, Jenner | Private | A gable-roof, one-story schoolhouse stepped into the hillside, the Jenner School has the shingle siding typical of the bungalow era. The gable facade facing Willig Avenue has shiplap siding. Construction date: 1904. |
| Mill Hospital | 10483 Willig Drive | Private | This residence once served as the lumber mill hospital and was built 1904-05. |
| Mill house bungalow | Willig Drive, Jenner | Private | Hip roof bungalow on raised foundation, two and a half stories with shiplap siding, brick chimney, and a second story veranda. Construction date: 1904-05. |
| Three mill cottages | 10467, 10469 and 10471 Willig Drive, Jenner | Private | These three mill cottages have a prominent location at the intersection of Highway 1 and Willig Drive and were located across Willig from the lumber mill. They have been altered over the years. Construction date: 1904-05. |

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
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| **Map 7 - Duncans Mills** | | | |
| Sheep Ranch | 26600 Highway 116 | Private | A cluster of sheep ranch building which includes two gable-roof barns, one with vertical siding and another particularly fine barn with board and batten siding, a gabled L-shape farmhouse and several frame outbuildings. Estimated construction date: 1880. |
| Greek Revival Residence | Duncans Mills | Private | The one-and-a-half story residence sits on a hillside overlooking Duncans Mills. It has a gable roof and sits on a raised foundation. The shed roof porch supported by four square posts has a fine-turned balustrade. Estimated construction date: 1878. |
| Hip Roof Cottage | Duncans Mills | Private | A one-story cottage with a hip roof and shiplap siding, it has a shed roof porch, supported by square posts extending the length of the front of the building. The cottage is adjacent to an avenue distinguished by large cypress and eucalyptus trees. Construction date: 1880. |
| Dentist Office | Main Street, Duncans Mills | Private | A one-story gable roof cottage with a front porch which extends the length of the front of the building and is supported by four wood posts. The cottage was removed from its original location near the Russian River in the area called Pig Alley after the 1906 earthquake. Estimated construction date: 1880. |
| The Jeweler | Main Street, Duncans Mills | Private | A one-and-a-half story gable roof building with an Italianate false front, the building is unusual in that the false front is attached to the non-gable side. The elaborate cornice has a paneled frieze, pierced and scrolled brackets and dentils. Estimated construction date: 1877. |

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
|---|---|---|---|
| DeCarly General Store | B Street, Duncans Mills | Private | Two commercial false fronts are joined by a third smaller building to form a continuous commercial streetscape that is virtually unaltered. The frame buildings have gable roofs, shiplap siding, and stepped false fronts. A 1920's gas pump is located in front. Estimated construction date: 1888. |
| Country Store | Main Street, Duncans Mills | Private | A one-and-a-half story frame building with shiplap siding, a gable roof, and a false front attached to the gable end, the building occupies the corner of Main and B Streets. Attached to the rear of the building is a two-story gable roof building which appears to have served as a barn or stable on the first floor with quarters on the second floor. The two buildings form an L shape. Estimated construction date: 1880. |
| Duncans Mills School | Near B St., Duncans Mills | Private | The schoolhouse is a one-story rectangular frame building with a gable roof and an open, square bell tower above the entrance in the gable end. Siding is channel rustic. The schoolhouse is in an open field near the original road, now closed, that once swept around the outer perimeter of Duncans Mills. Estimated construction date: 1885. |
| Duncans Mills Depot | Highway 116, Duncans Mills | Private | The depot is a recently restored frame building with a central core and open waiting platform area sheltered under a hip roof. The open waiting area roof overhang is supported by square posts. Stick style influence is evident. Date constructed: 1910. |
| The Slaughter-house | Duncans Mills Campground | Private | A rectangular frame building, one story in height, with a metal gable roof. Vertical board siding is of single-wall construction. In the gable end is a door of vertical |

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
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| | | | boards and the legend "The Slaughterhouse, Vic Pedroia, Prop.". |
| Moscow Mill Pond | 22855 Moscow Road | Private | A 19th century mill pond believed to be one of the earliest in Sonoma County. |
| Moscow Barn Casini Ranch | 22855 Moscow Road | Private | A two-story gabled barn with gabled dormers and shiplap siding. There have been considerable alterations with the addition of windows, verandas, and interior remodeling. Estimated construction date: 1890. |
| **Map 8 - Willow Creek State Beach** | | | |
| Greek Revival Farmhouse | Willow Creek Road | Public | This farm cluster includes a Greek Revival farmhouse,, gabled barn and several outbuildings. The farmhouse is two stories. The central doorway has a transom; the pedimented frame porch appears added. Estimated construction date: 1900. |
| Farmhouse Barns | Willow Creek Road | Public | This farm cluster includes a one-story farmhouse, two barns, and frame outbuildings. The farmhouse carries craftsman stick details and is in an L-shape form with a gabled roof and narrow, horizontal siding. Estimated construction date: 1910. |
| Farmhouse | Willow Creek Road | Private | This farmhouse and cluster of ranch buildings are located in a small valley at the edge of the redwoods. The farmhouse is two stories on a raised foundation with a hip and gabled roof and shiplap siding. A partially-enclosed porch wraps around two sides. Estimated construction date: 1890. |
| Bridgehaven Resort | Highway 1 & Russian River | Private | The resort includes a cluster of three gable roof cottages and a garage. The cottages are one-story with exposed rafters, narrow |

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
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| | | | horizontal siding, interior brick chimneys and sash windows. The two-story gable roof garage is stepped into the hillside. Estimated construction date: 1925. |
| Sheep Ranch | 9275 Highway 1, South of Jenner | Public | A gabled one-story cottage with channel rustic and vertical siding is the ranch house for this sheep ranch which has adjacent gabled frame barns with vertical wood siding. Estimated construction date: 1910. |
| Ranch | Highway 1, Ocean View | Private | A ranch cluster with a two-story, gabled structure with a saltbox form and a one-story gabled shed. Estimated construction date: 1910. |
| Water Tower | Cliff Avenue, Ocean View | Private | A water tower raised to an unusual height, has a wood tank on a frame tower. |
| Duncans Point Duncans Landing | Highway 1 | Public | Landscape feature and site of early lumbering, shipping operations. |
| Mann Ranch | Highway 1 & Scotty Creek | Private | This scenic farm complex includes what may have been the oldest frame building in Sonoma County. |
| **Map 9 - Bodega Bay** | | | |
| Greek Revival Residence | McChristian Avenue, Salmon Creek | Private | A two-story Greek Revival clapboard residence with an interior brick chimney at the gable end. The front entrance is in the non-gable facade facing the original roadway. Extensive greenhouse additions have been made as well as a one-story gabled addition with shiplap siding. The house sits on a knoll and is shielded by a cypress grove. Estimated construction date: 1860. |
| Carrington Ranch | Coleman Valley Road and Highway 1 | Private | High on a knoll surrounded by a cypress windbreak is this two-story Greek Revival clapboard |

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
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| | | | residence. The main non-gable facade faces the ocean. A two-story water tower with a hip roof, a large gable roof frame barn, and outbuildings are adjacent to the house. Estimated construction date: 1860. |
| Queen Anne | Bay Flat Road, Bodega Bay | Private | A Queen Anne corner tower with a tent roof transforms this hip roof bungalow into a more formal residence, unique in Bodega Bay. One story with shiplap siding, the house rests on a raised foundation typical of seaside residences. |
| "Marin" | Bay Flat Road and Whaleship Road | Public | A derelict 1920's California river boat, the "Marin" is beached just off Bay Flat Road. The boat carried a two-story superstructure with a pilot house and had a shallow draft. |
| Bodega Bay Union Church | Bay View Road, Bodega Bay | Private | Craftsman church similar in size and scale to craftsman bungalow cottages in Bodega Bay. The gabled roof has exposed rafters and gable trim. Wood siding is narrow and horizontal. A gabled portico and gabled wing extend from one side. In front is a square bell tower. Estimated construction date: 1910. |
| Craftsman Bungalow | Bodega Avenue and Kent Avenue | Private | A one-story craftsman bungalow with the characteristic gently pitched double gables exposed rafters and purlins, and a large gable sheltering a front porch. Estimated construction date: 1915. |
| Ghislini House | 1215 Highway 1, Bodega Bay | Private | Stepped into the steep hillside beneath Highway 1 is this one-story hip-roof bungalow surrounded by cypress trees overlooking the bay. A gabled wing projecting toward the water is flanked by side and front porches and an enclosed sun |

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
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| | | | porch beneath a shed roof. Construction date: 1917. |
| Medley Shop Antiques | Highway 1 and Windy Lane | Private | An excellent example of a craftsman bungalow, two stories, stepped into the hillside. It carries a low-pitched gable roof with exposed rafters, a strong central front gable with split columns and detailed craftsman windows. Estimated construction date: 1915. |
| Woodhaven | Highway 1 and Windy Lane | Private | Woodhaven, the seaside residence of the Wood family, a prominent Sonoma County family, is one-and-a-half stories with a gabled roof and projecting gable dormer. Balconies extend to each side of the dormer. The house sits on a raised foundation on a knoll overlooking the harbor and is surrounded by a picket fence. Estimated construction date: 1910. |
| Queen Anne Bungalow | Highway 1, Bodega Bay | Private | A hip roof bungalow with a projecting gable reflecting the Queen Anne style, this one-story house extends over the water on pylons. A distinguishing feature is the two-story water tower with a hip roof on the hillside above the house. Estimated construction date: 1910. |
| Meredith's Fish Company | Highway 1, Bodega Bay | Private | Functional gable roof industrial frame building on a wharf extending into Bodega Bay, central to the commercial fisheries district. Varying roof levels and siding indicate a number of add-on stages. Estimate construction date: 1920 |
| Gas Station | Highway 1, Bodega Bay | Private | In the style of a hip roof bungalow, common to seaside communities of the 1920's, this one-story building, once serving as a gas station, has a low-pitched hip roof with exposed rafters extending over a drive-through area. |

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
|---|---|---|---|
| | | | Estimated construction date: 1920. |
| Greek Revival Residence | Highway 1 & Bay Hill Road | Private | A one-and-a-half story Greek Revival house with its non-gable main facade to the highway. The gable roof has a boxed cornice and plain frieze. A shed roof porch extends the length of the front of the building supported by plain square posts. Siding is clapboard. Estimated construction date: 1875. |
| Farm | 19000 Highway 1 | Private | A farm cluster with a one-and-a-half story, gable roof farmhouse, a gabled frame barn and several frame outbuildings. The house has clapboard gables and vertical frame siding on the non-gable main facade, with a partially enclosed porch. Estimated construction date: 1875. |
| **Map 10 - Valley Ford** | | | |
| Greek Revival Farm | 18300 Highway 1 | Private | A cluster of 19th century farm buildings including a Greek Revival farmhouse, a small gabled vertical frame barn and a grove of eucalyptus trees. The farmhouse has a T-shape with a two-story gable wing facing the road. Estimated construction date: 1875. |
| Greek Revival Farm | 1600 Valley Ford, Freestone Road | Private | Greek Revival farm with a residence, barn, outbuildings, and wood bridge over creek. |
| Dinucci's Italian Dinners | Valley Ford Road, Valley Ford | Private | A two-and-a-half story square building with a hip roof and gablets displaying the decorative shingles characteristic of the Queen Anne style. The first floor has been enlarged with the enclosure of a porch. Estimated construction date: 1905. |
| Bungalow Dairy | Valley Ford Estero Road | Private | A one-and-a-half story bungalow with a hip roof and shed dormers which is the farmhouse for a dairy |

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
|---|---|---|---|
| | | | ranch. The frame house has a front porch extending the length of the house supported by turned columns. Clustered near the bungalow are three gable roof barns, several outbuildings, and a round tower. Estimated construction date: 1910. |
| Valley Ford Market | 14400 Highway 1, Valley Ford | Private | A one-story rectangular brick building with a stucco surface and a flat roof, the market had a curvilinear false front added about 1930. The painted mural on the false front commemorates the Running Fence. Estimated construction date: 1895. |
| Fire Department Tank and Frame Garage | 14445 Highway 1, Valley Ford | Public | Behind a gable roof metal building housing the present volunteer fire department equipment stands a water tank. The tank, an exposed wood cask, sits on a raised frame platform. A fire siren rises above. To one side is a shed-roof building with two bays and siding of vertical board. |
| Frame False-front | 14390 Highway 1, Valley Ford | Private | Adjacent to the west side of Valley Ford Market is a one-story gable roof false front building with channel rustic siding. Characteristic of the earliest false front frame buildings, it is one-room wide with a central door in the false front. Estimated construction date: 1880. |
| Bank of America | 14435 Highway 1, Valley Ford | Private | A one-story masonry building with neo-classical influence, the Dairyman's Bank suffered damage in the 1906 earthquake and has been subsequently remodeled. In front of the brick facade is a stepped parapet concealing a flat roof. A sign carried the legend, "1893 - the Dairyman's Bank - 1914". Estimated construction date: 1893. |
| Sandy's | 14415 Highway 1, | Private | A two-story gable roof building |

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
|---|---|---|---|
| | Valley Ford | | with its non-gable facade to the road, the hotel has a channel rustic siding and a porch extending the length of the front. Six posts support the low hip roof of the porch which has a raised foundation. Estimated construction date: 1870. |
| Hip Roof Bungalow | 14405 Highway 1, Valley Ford | Private | A one-story residence on a raised foundation with a hip roof and channel rustic siding. The front porch is sheltered under the main hip roof. Porch posts are square with sawn and pierced brackets. Estimated construction date: 1900. |
| Greek Revival Residence | 14380 Highway 1, Valley Ford | Private | Facing the Valley Ford Road is this one-and-a-half story gable roof residence with its gable end to the road. To the rear are several additions. Estimated construction date: 1875. |
| Italianate Residence | 14395 Highway 1, Valley Ford | Private | An Italianate influence is seen in the windows and door of the one-and-a-half story gable roof cottage with channel rustic siding. A porch partially extends across the front. It is supported by distinctive turned columns with intricate brackets, bracket extensions, and decorative button detailing on the columns and column bases. Estimated construction date: 1875. |
| Shingle Bungalow | 14350 Highway 1, Valley Ford | Private | A one-and-a-half story shingled bungalow with a hip roof dormer, the residence sits on a raised foundation which is sheathed with narrow horizontal siding. To the rear is a shingled water tower with a hip roof finial and a large frame gable roof barn. Estimated construction date: 1910. |
| Greek Revival Cottage | 14220 Highway 1, Valley Ford | Private | A one-and-a-half story Greek Revival cottage which reflects several distinctive architectural influences of the mid-19th century, |

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
|---|---|---|---|
| | | | including board and batten siding and a hip roof porch. Estimated construction date: 1870. |
| Greek Revival Cottage | 14210 Highway 1 | Private | This one-and-a-half story residence has channel rustic siding and quoins at the corners. A carved and sawn sunburst panel marks the gable end. A gable roof portico over the front entrance is supported by square posts. Estimated construction date: 1880. |
| Eucalyptus Windbreak | Valley Ford, Petaluma Road | Public | Eucalyptus windbreak along the road. Estimated planting date: 1900. |
| Soil Conservation Service Building | School Street, Valley Ford | Public | A one-and-a-half story building, with Spanish Colonial Revival influence, with a raised foundation, the former school was built into a hillside. The hip roof has a central gable over the main entrance with its round-arched entryway. Siding is stucco with a concrete and stucco staircase. Estimated construction date: 1920. |
| Hip Roof Queen Anne Cottage | 14460 School Street, Valley Ford | Public | A one-story cottage with a steep hip roof, a Queen Anne influence is visible in the pedimented gable with its decorative shingles. Siding is channel rustic. Estimated construction date: 1900. |
| Bridge | Middle Road near Valley Ford | Public | A timber and iron bridge over the Estero Americano marking the boundary between Sonoma County and Marin County. |
| Christo's Running Fence | Main Street, Valley Ford | Private | Pole No. 7-33 is a 21-foot steel pole with small portions of steel cable and guy wires used in the construction of the Christo Running Fence in September, 1976. On opposite sides of the pole are two steel monuments displaying two bronze plaques. |

| FEATURE | LOCATION | OWNERSHIP | DESCRIPTION |
|---|---|---|---|
| | | | This site is Sonoma County Historic Landmark No. 24. |

# APPENDIX B

## HEIGHT, SITE AND BULK CRITERIA FOR THE SEA RANCH

(Adopted by Board of Supervisors' Resolution #71611, April 20, 1982)

Subsection 30610.6 (e) of the Coastal Act charges the Executive Director with the duty of specifying design criteria for the height, site and bulk of any developments visible from areas where scenic view easements have been established. The purpose of such criteria is to ensure that new development will not substantially detract from the scenic view areas identified in compliance with Subsection 30610.6 (d). Below are the criteria designated pursuant to this new portion of the Coastal Act. Enforcement of these standards shall be the responsibility of the County of Sonoma.

(1) Site

a) Structures should be located upon lots to take maximum advantage of topographical features and existing tree masses. This is particularly true of those lots nearest to Highway One, since a poorly sited structure in close proximity to a public viewing area may have a substantial adverse impact on views to the coast. When sites are designated as 'tree' or 'topo' sites, this means that special attention to the noted condition of the lot shall be incorporated into the design of the project. Similarly, 'frontage' or 'low' site designations indicate that a proposed dwelling must be placed on the identified portion of the lot (generally the point furthest away from Highway One), in order to minimize obstruction of coastal views.

b) Definitions

i) Low Site - Designates lots on which the home shall be sited on the lowest portion of the lot.

ii) Frontage Site - Designates lots on which the house shall be sited on the portion of the lot nearest the frontage road.

iii) Topo Site - Designates lots on which the home shall be sited in such a manner as to promote shielding of the home from public view by the terrain.

iiii) Tree Site - Designates lots on which the home shall be sited to promote shielding of the home from public view by hedgerows and other existing trees.

(2) Height

Height is measured as follows: From the natural grade on the highest side of the improvement to the highest point of the roof or any projection therefrom.

(3) Bulk

Bulk is determined by calculating the gross square footage of the proposed structure or structures (i.e., garages are included). Bulk control is basically intended to reduce visual impacts on the landscape; therefore different categories have been developed to reflect the degree of exposure of the site under consideration. Bulk limits in each category are as follows:

Category 1: 1250 square feet (highly visually sensitive lots)

Category 2: 1760 square feet (less visually sensitive lots adjacent to Highway One)
Category 3: 2250 square feet
Absent a specific designation of either Category 1 or 2, Category 3 shall apply to all lots west of Highway One.

(4) Specific Designations

Specific design criteria have been established using the definitions and policies discussed above for each lot which is both visible from a scenic view easement and subject to a design recommendation in the Commission's Overall Conditions and Findings. Subject to the exception detailed below, houses on sites for which specific design criteria have been established must conform to these designations. The County shall have the responsibility for enforcing these criteria, using whatever review process it deems most effective.

A variance to a height, site and/or bulk designation may be allowed where the County makes a written finding that the house design is consistent with Coastal Act view protection objectives. Such variances, however, shall be subject to the following restrictions:

Height and Bulk - variations in these categories shall not exceed 25% of the height or bulk limit designated for the site.

Siting - alternate siting is permissible where the designated portion of the lot is the only area feasible for installation of a septic system. However, even in this situation the siting of the house shall attempt as far as possible to conform with the site designation.

SPECIFIC HEIGHT, SITE AND BULK DESIGNATIONS

| | | | |
|---|---|---|---|
| Unit 1 | Block 1 | Lots 1-4, 7-9 | tree site |
| | Block 5 | Lots 1-5 | 16' height, Category 2 |
| | Block 6 | Lots 2-5, 7, 8 | 16' height |
| | Block 7 | Lots 4, 6, 13, 14 | tree site |
| Unit 7 | Block 1 | Lots 1, 3-5 | 16' height |
| | Block 2 | Lots 1, 2, 4-9 | frontage site, 16' height Category 2 |
| | Block 3 | Lots 7, 8 | 16' height |
| | | Lots 10-14 | tree site |
| | Block 4 | Lots 1-4, 6-8 | 16' height |
| | Block 5 | Lots 1-4, 12-16 | 24' height |
| | | Lots 5-7 | 16' height |
| Unit 15 | | Lots 3-5 | 16' height |
| | | Lots 6, 7 | topo site, 16' height |
| | | Lots 9, 10 | 16' height |
| Unit 17 | | Lots 44-46, 48 | frontage site, 16' height, Category 2 |
| | | Lots 53-55 | 16' height |
| | | Lot 56 | topo site, 16' height |
| Unit 18 | | Lots 14, 15, 18, 19 | tree sites |
| | | Lots 20-24 | low site, `16' height |

| | | |
|---|---|---|
| | Lots 25-28, 30, 32, 33, 35 | 16' height |
| | Lot 36 | 24' height |
| | Lots 39-42 | frontage site, 16' height, Category 2 |
| | Lot 43 | 16' height |
| | Lots 44-45 | topo site, 16' height |
| | Lots 46-48 | 16' height |
| | Lots 97, 98 and 99 | tree sites, 24' height |
| | Lots 101 and 102 | frontage site, 16' height, Category 2 |
| Unit 21 | Lots 1-4 | frontage site, 16' height, Category 2 |
| | Lots 6-9, 12, 14, 16 | 16' height |
| | Lots 16, 17, 19-23, 25-27 | 24' height |
| | Lots 29-32, 34 | 16' height |
| | Lots 36-40 | frontage site, 16' height, Category 2 |
| | Lot 42 | tree site, 16' height, Category 2 |
| | Lots 43-44 | frontage site, 16' height, Category 2 |
| | Lots 45-46 | 16' height, 24' height |
| | Lots 52-58 | tree sites, 24' height |
| | Lots 59, 61, 65 | 16' height |
| | Lot 68 | tree site |
| | Lots 70, 72-75, 77-83, 85, 87-92 | 16' height |
| | Lot 94 | 24' height |
| | Lots 95-98, 104-107, 109, 111-117, 119, 120, 123, 125, 127, 128 | 16' height |
| | Lot 130 | tree site, 24' height |
| | Lots 132-141-143 | topo site, 24' height |
| | Lot 146 | 24' height |
| | Lot 147 | topo site, 16' height |
| | Lot 148-152 | 16' height |
| | Lot 154 | frontage site, 16' height |
| Unit 24 | Lot 1 | 16' height |
| | Lots 36, 38-42 | 24' height |
| | Lots 52-54-56, 62-67, 73-76 | 16' height |
| | Lots 78-79 | 24' height |
| | Lots 81-87-89 | 16' height, Category 2 |
| | Lots 95-99, 101-103, 105-112, 114-118, 120, 121, 124-127, 129-131, 133-135 | 16' height |
| | Lots 136-148 | 24' height |
| | Lots 158, 159 | 16' height, Category 2 |
| Unit 28 | Lot 2 | frontage site, 16' height, Category 2 |

| | |
|---|---|
| Lots 4, 6, 7, 9-11 | topo site, 16' height, Category 2 |
| Lots 15-17 | 16' height |
| Lot 19 | tree site, 24' height |
| Lots 21-23, 25-28, 30-31, 33-44, 48-70, 72-78, 81-97, 99-114, 117-120 | 16' height |
| Lot 124 | 24' height |
| Lot 125 | tree site, 24' height |
| Lot 126 | topo site |
| Lots 128-130, 132, 135, 136, 138 | tree site, 24' height |
| Lots 139, 140 | frontage site, 16' height, Category 2 |
| Lots 141-147 | frontage site, 16' height, Category 1 |
| Lots 148-150 | frontage site, 16' height |

# APPENDIX C

## SCENIC VIEW EASEMENTS

(Adopted by Board of Supervisors' Resolution #71611, April 20, 1982)

As a part of the legislative solution to the question of development of The Sea Ranch, the Coastal Act has been amended by the addition of Subsection 30610.6 (d) which instructs the executive director to "specifically identify the areas along State Highway One for which scenic view easements...will be required." Subsection 30610.6 (c) states that these easements are to be established for the purpose of allowing for the removal of trees in order to restore and preserve scenic views from the highway.

Using the Commission's current Overall Conditions and Findings for The Sea Ranch, plus the Sonoma County LCP, as starting points, the staff has identified those areas for which easements will be required. Below is a list of such areas as well as a recommendation for tree removal at each site. These recommendations are designed to be both an aid in directing the eventual removal of the trees as well as a means of ensuring that drainage areas within each easement will not be subject to increased erosion due to tree removal.

Easements and Tree Removal Guidelines

Unit 15

Easement - All the common area in this unit shall be subject to a scenic view easement.
Tree Removal Guideline - South of the Yardarm Drive entrance all trees within 50 feet of the entrance shall be removed, as shall all trees along the southernmost 200 feet of Yardarm Drive. Trees should be removed to open coastal views throughout the easement north of the entrance. (See Map A)

Unit 11

Easement - The easement shall be a 20-foot wide strip running the length of the area tentatively identified as Unit 11, adjacent to Highway One frontage. (See Map B)
Tree Removal Guideline - Trees should be thinned and removed where necessary to open coastal view.

Unit 1

Easement - The easement shall encompass all of the common area behind the Moonraker Recreation Area and Block 5. (See Map C)
Tree Removal Guideline - To open a downcoast view to Black Point trees behind the Moonraker Recreation Center shall be trimmed and thinned, gradually giving way to the creation of a clearing behind Captain's Close.

Moonraker Road

Easement - An easement shall extend 200' seaward along the first 400' of Highway One frontage, south of Moonraker Road. (See Map C)
Tree Removal Guideline - Trees in this area shall be removed.

Unit 7

Easement - Starting at the northern hedgerow, the easement extends across the common area between Highway One and the rear of Block 2 and the lot reserved for a recreation area. (See Map D)

Tree Removal Guideline - Remove only those Bishop Pines in the area behind Lots 4-9. Leave all the trees in the vicinity of Annapolis Road.

Unit 18

Easement 1 - The easement begins at the southernmost hedgerow and proceeds southward across the common area between Highway One, Mariners Drive and Lot 102. It then continues along the highway frontage, maintaining the width established between the southeastern corner of Lot 102 and the highway until it terminates at the boundary of this unit and Unit 17. (See Map E)
Tree Removal Guideline - All the young Bishop Pines along the fence shall be removed.

Easement 2 - The easement includes all the common area south of Whitesurf Road, between Lots 38-42 and Highway One. (See Map E)
Tree Removal Guideline - Remove most of the trees in this area.

Sea Ranch Stables

Easement - In the portion of the stables area north of the hedgerow (above Unit 21, Lots 130-140), an easement shall extend southward 200' from the northeast leg of the boundary with Unit 21. In addition, a 20' wide easement, adjacent to Highway One frontage, shall extend south to the hedgerow. (See Map F)
Tree Removal Guideline - Trees along the boundary with Unit 21 shall be topped and trimmed to maintain the northern view across the unit. Trees in the strip along the highway shall be removed where necessary to restore lateral coastal views.

Unit 21

Easement 1 - Includes all common land south of the northern hedgerow to Breaker Reach, bordered by Hedgegate Road on the west. (See Map F)
Tree removal Guideline - Remove all the trees in this area to restore the best downcoast view in The Sea Ranch.

Easement 2 - The easement extends from the Breaker Reach entrance to the Vantage Road entrance. This easement is bordered on the west by Greenvale Close and the lots fronting on that street, down to Lot 8. The easement ends at a straight line between the northwest corner of Lot 8 and the southwest corner of Lot 31. (See Map F)
Tree Removal Guideline - Widen the view down Breaker Reach by cutting the Bishop Pines just south of the entrance. Top and thin trees between Lots 31-34 and 7-8 to maintain a clear downcoast view over this area. It is noted, however, that extensive cutting in this area is not recommended because of the drainage course at this site. Trees behind Lots 4-6 should be thinned. The trees from behind Lot 3 to the Vantage Road entrance should be removed.

Easement 3 - This easement starts at the Vantage Road entrance and extends southward, between Sentinel Close and Highway One, to the boundary between this unit and The Sea Ranch Stables. (See Map f)
Tree Removal Guideline - The young pines in this area should be removed, but the wind stunted redwoods and brush in the southern drainage area should remain to prevent increased erosion.

Easement 4 - The easement begins at the northern hedgerow and extends northward behind Lots 42, 43, and 44, and terminates at the end of this unit. (See Map G)
Tree Removal Guideline - Removal all the young pines along the fence.

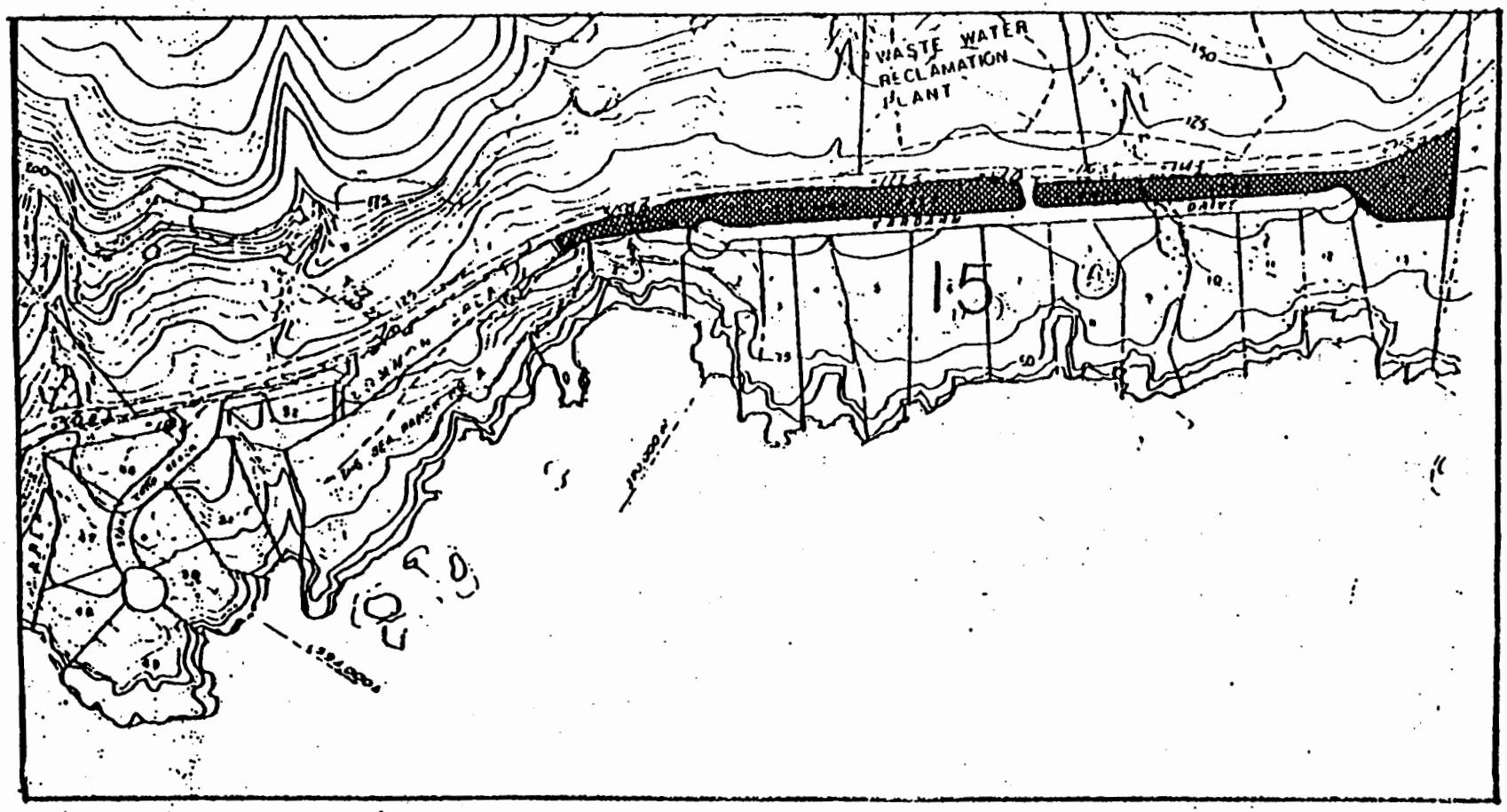
Unit 24

Easement - To widen the view down Whalebone Road an easement shall be established to include all the common area south of Whalebone, between Highway One and the rear of Lots 158 and 159. (Note: Pursuant to Coastal Act Subsection 30610.6 (c)(2) this area is also the site of a six vehicle parking area. This scenic easement is intended to cover that portion of the designated area that is not used for parking.) (See Map G)
Tree Removal Guideline - Removal all the trees in this area.

Unit 28

Easement 1 - An easement shall be established to include all common area south of the northern hedgerow to Leeward Spur, between Highway One and Leeward Road. (See Map H)
Tree Removal Guideline - Thin and remove trees in the easement area to restore a view across the entire unit. No trees should be removed between Lots 6 and 7 to avoid exacerbating erosion in the small drainage area.

Easement 2 - This easement extends across all the common area bordered by Leeward Spur, Leeward Road and the southern hedgerow. (See Map H)
Tree Removal Guideline - Thin trees to restore view of the coast.

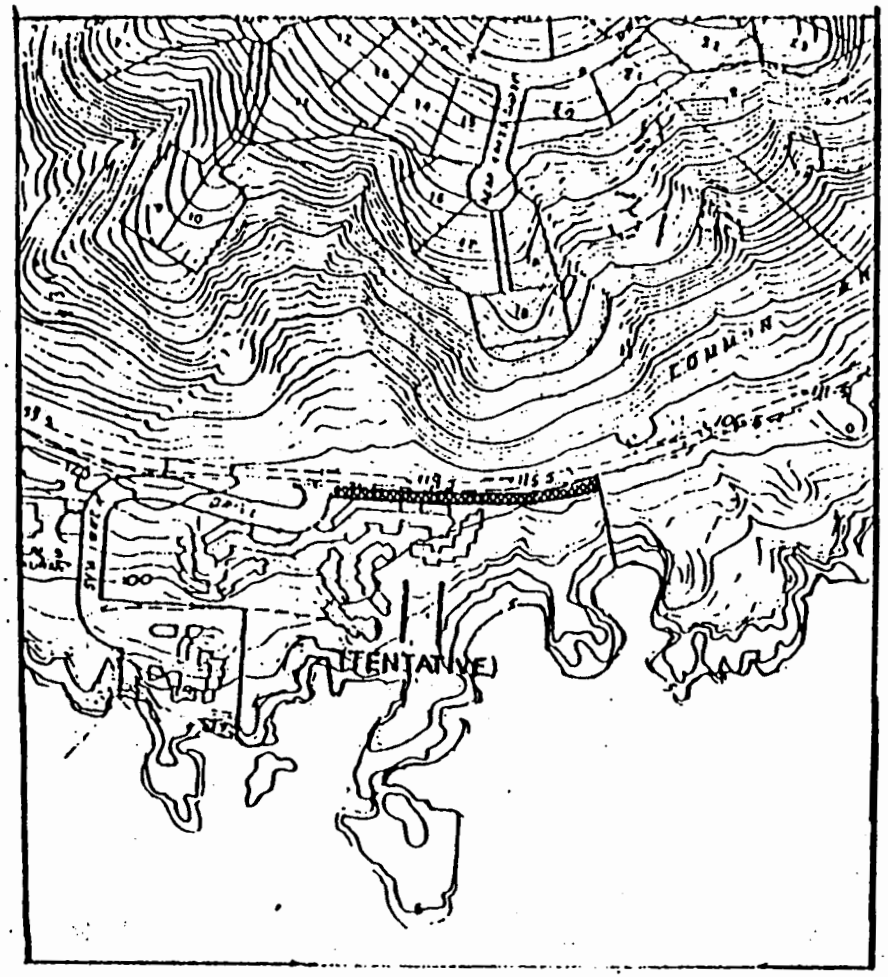



Map A Unit 15

Designated Easement Area

Scale 1" = 400'

Portion of the Sea Ranch Composite Map
Prepared by Brelje and Race
August 1970 Revised August 1972




Map B Unit 11

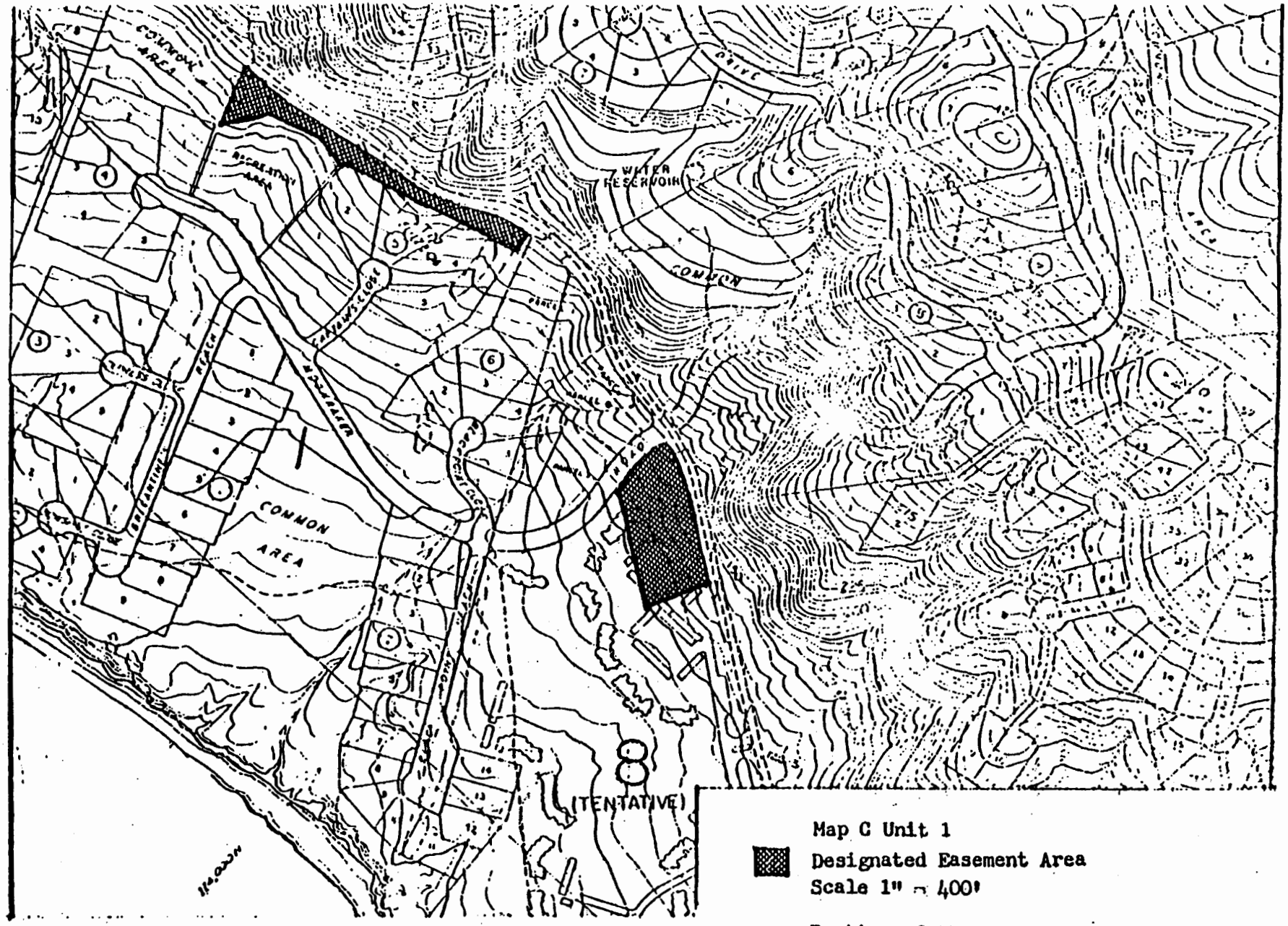
Designated Easement Area

Scale 1" = 400'

Portion of the Sea Ranch Composite Map
Prepared by Brelje and Race
August 1970 Revised August 1972

225

C-5




Map C Unit 1

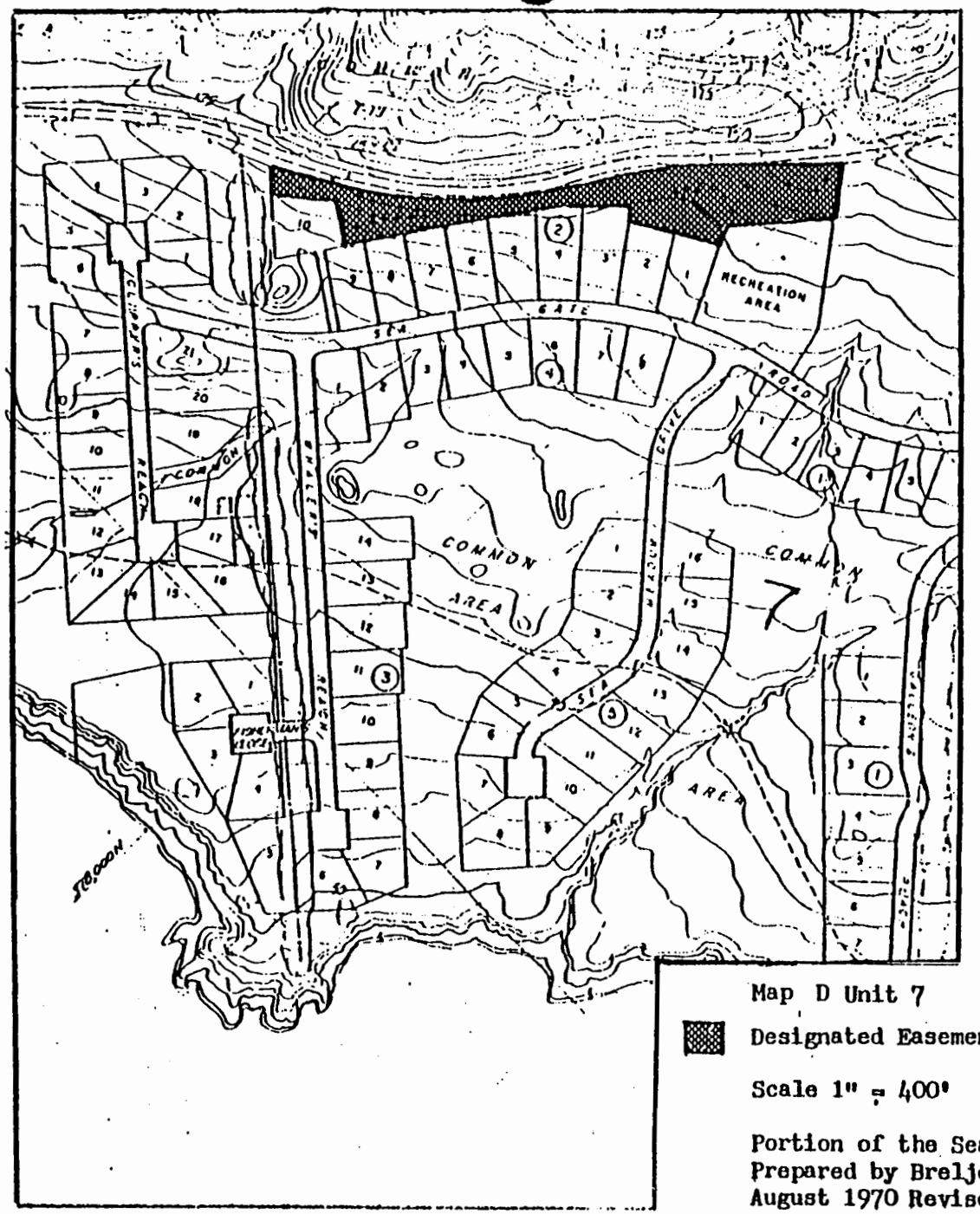
Designated Easement Area

Scale 1" = 400'

Portion of the Sea Ranch Composite Map
Prepared by Brelje and Race
August 1970 Revised August 1972

226

C-6




Map D Unit 7

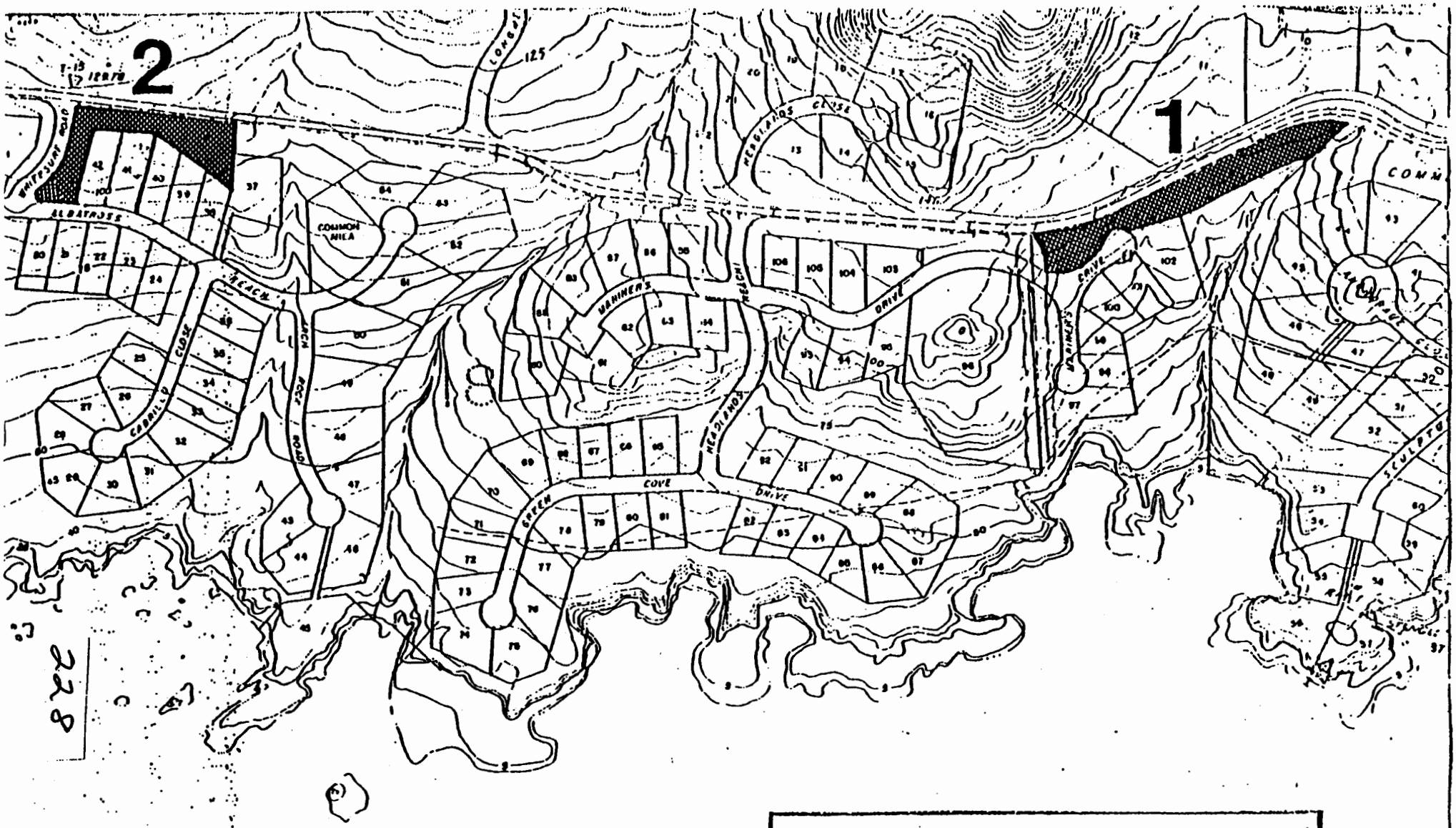
Designated Easement Area

Scale 1" = 400'

Portion of the Sea Ranch Composite Map
Prepared by Brelje and Race
August 1970 Revised August 1972

227

C-7




Map E Unit 18

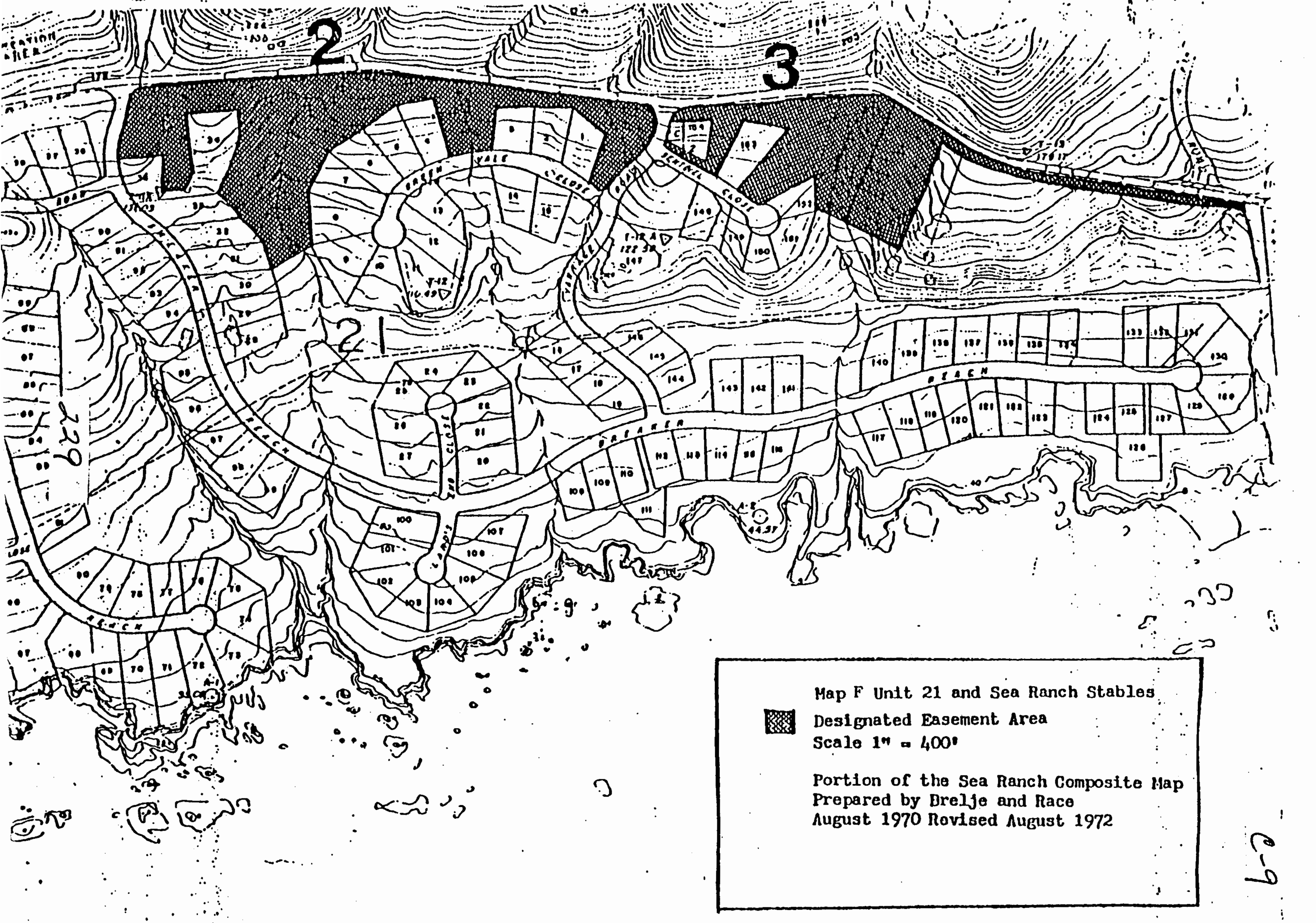
Designated Easement Area

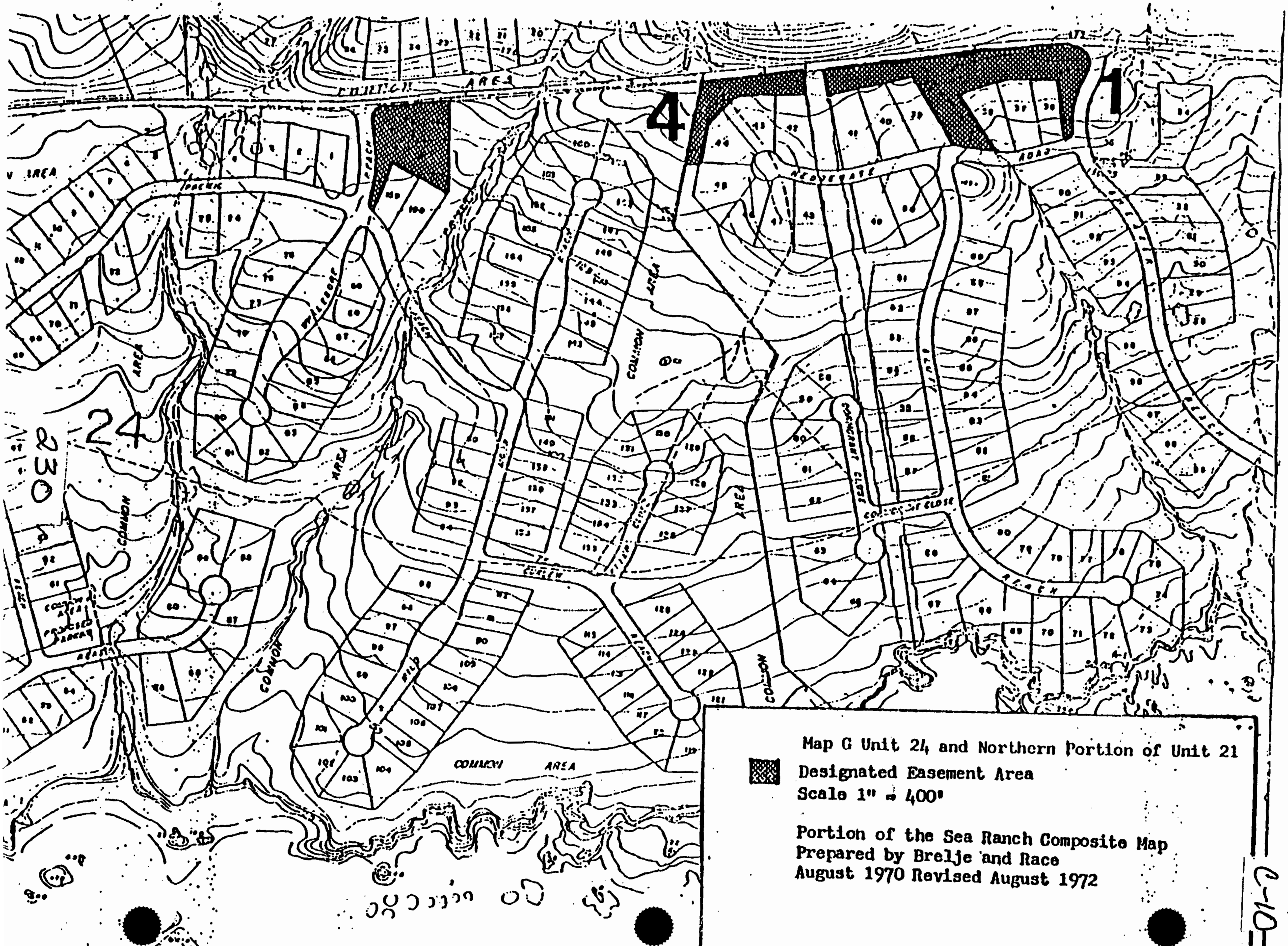
Scale 1" = 400'

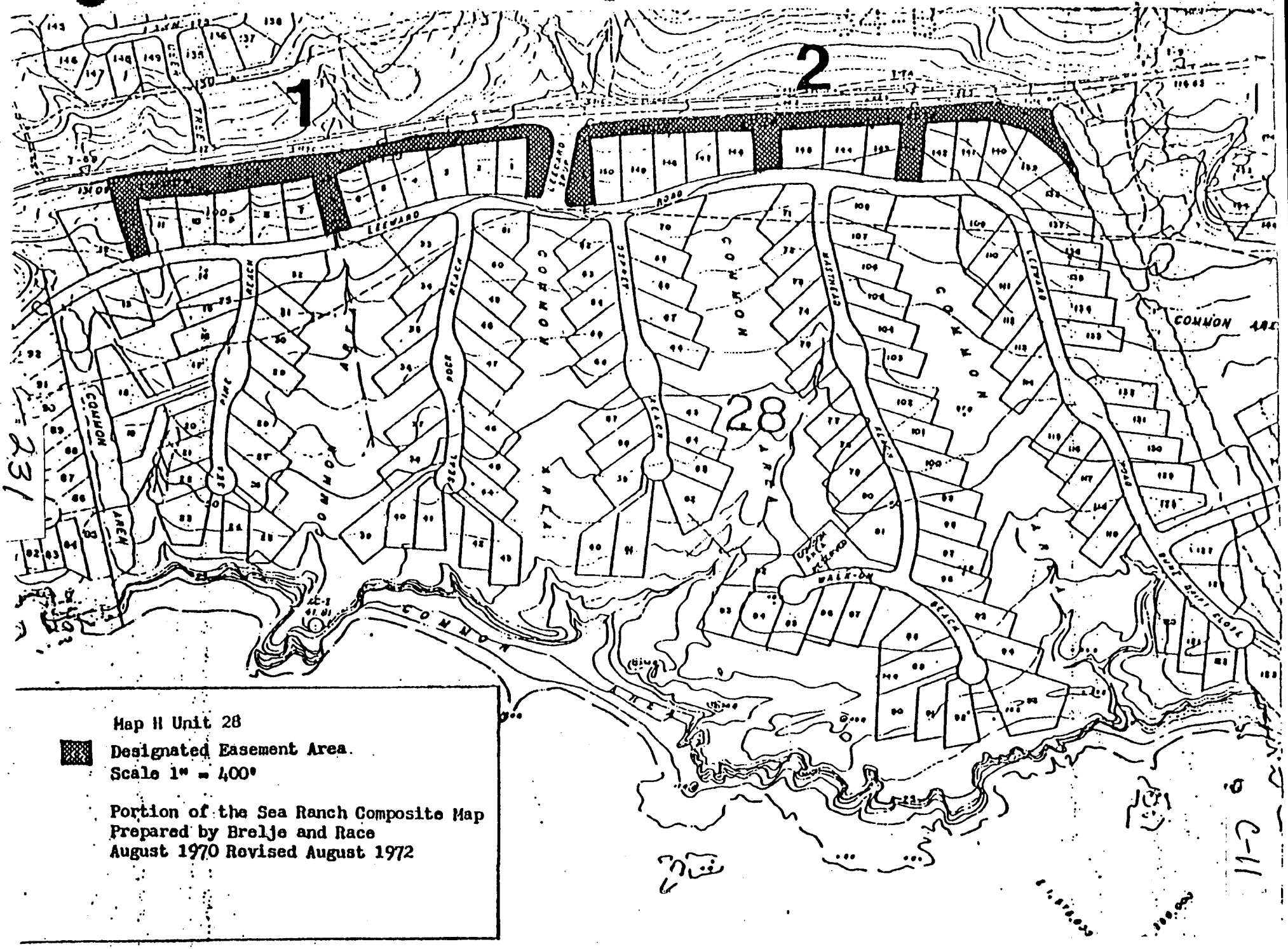
Portion of the Sea Ranch Composite Map
Prepared by Brelje and Race
August 1970 Revised August 1972

228

C8


2
3
21
Map F Unit 21 and Sea Ranch Stables
Designated Easement Area
Scale 1" = 400'
Portion of the Sea Ranch Composite Map
Prepared by Brelje and Race
August 1970 Revised August 1972
229
C-9


COMMON AREA
4
1
24
230
C-10
Map G Unit 24 and Northern Portion of Unit 21
Designated Easement Area
Scale 1" = 400'
Portion of the Sea Ranch Composite Map
Prepared by Brelje and Race
August 1970 Revised August 1972




Map II Unit 28

Designated Easement Area.
Scale 1" = 400'

Portion of the Sea Ranch Composite Map
Prepared by Brelje and Race
August 1970 Revised August 1972

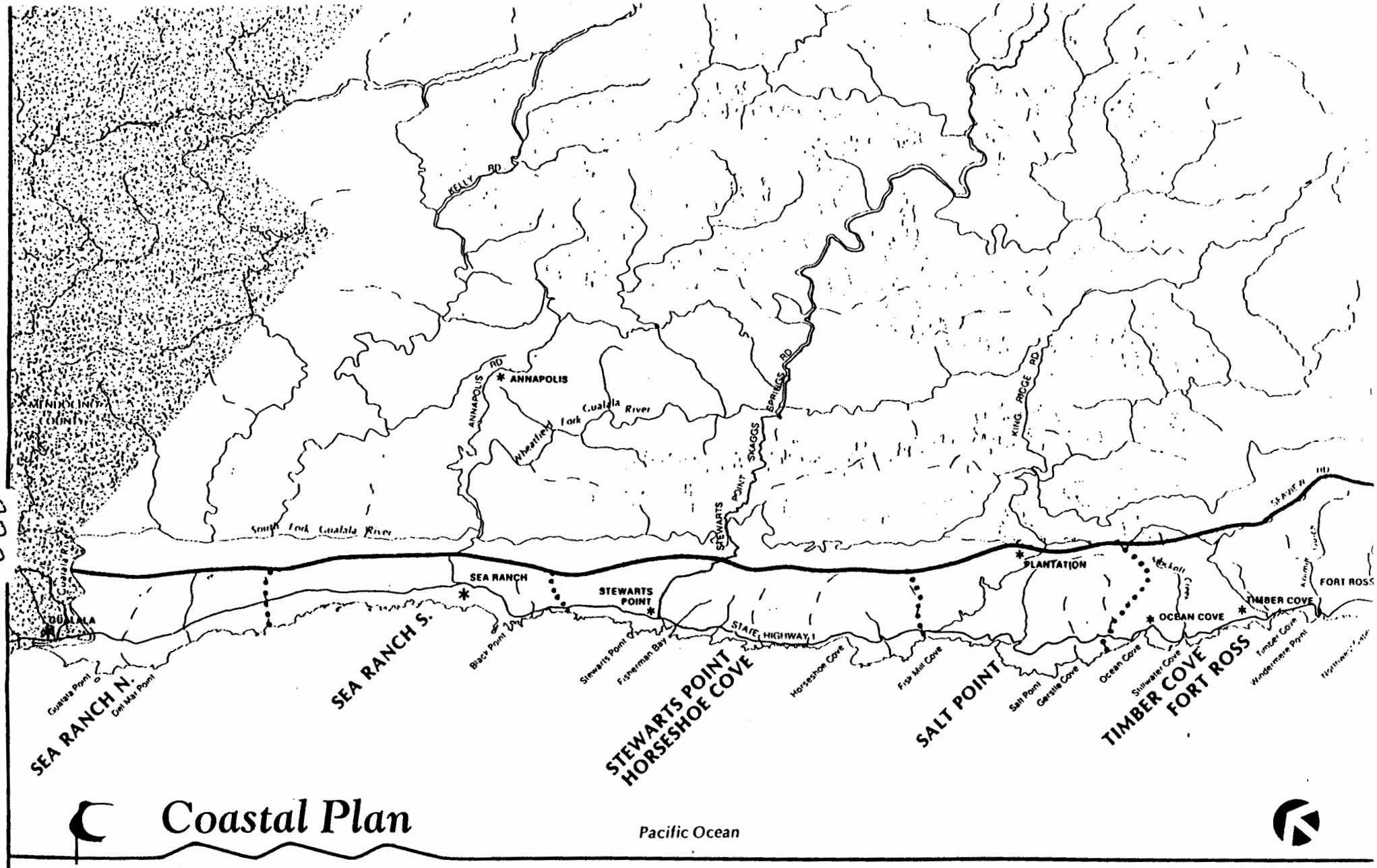



FIGURE I-1

**SUB-AREA MAP INDEX**

SONOMA COUNTY DEPARTMENT OF PLANNING

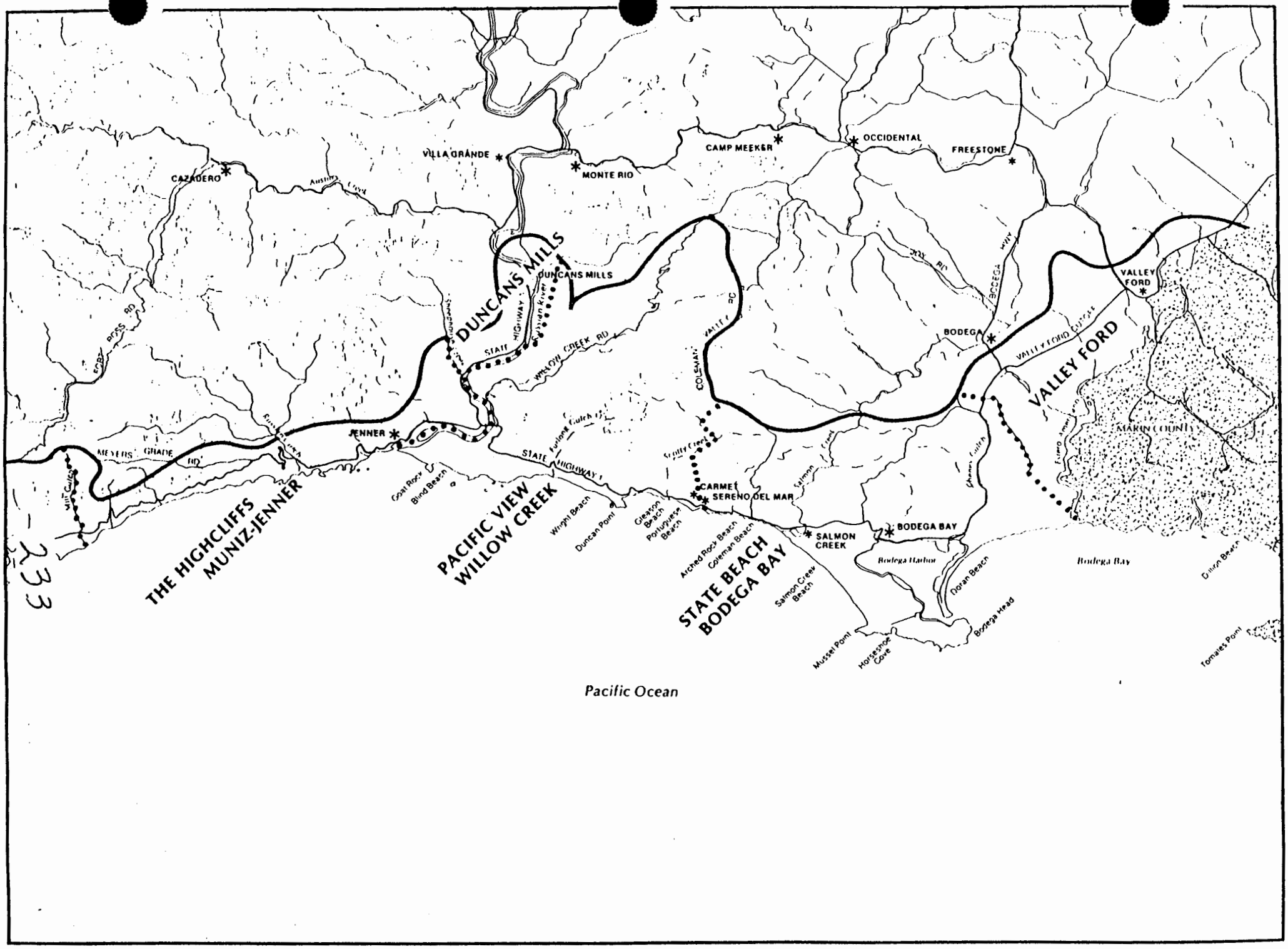
KILOMETERS 0 1 2 3 4 5 6 7 8

MILES 0 1 2 3 4 5

COASTAL PLAN BOUNDARY

SUB-AREA BOUNDARY

232



CAZADERO
VILLA GRANDE
MONTE RIO
CAMP MEEKER
OCCIDENTAL
FREESTONE
DUNCANS MILLS
DUNCANS MILLS
STATE HIGHWAY 1
WILLOW CREEK RD
COLEMAN VALLEY RD
JOY RD
BODEGA HWY
BODEGA
VALLEY FORD
VALLEY FORD CUTOFF
MARIN COUNTY
JENNER
MEYERS GRADE RD
STATE HIGHWAY 1
Goat Rock
Blind Beach
Wright Beach
Duncan Point
Gleason Beach
Portuguese Beach
CARMET
SERENO DEL MAR
Arched Rock Beach
Coleman Beach
Salmon Creek Beach
SALMON CREEK
BODEGA BAY
Bodega Harbor
Doran Beach
Bodega Head
Bodega Bay
Dillon Beach
Tomales Point
Mussel Point
Horseshoe Cove
THE HIGHCLIFFS
MUNIZ-JENNER
PACIFIC VIEW
WILLOW CREEK
STATE BEACH
BODEGA BAY
Pacific Ocean


233

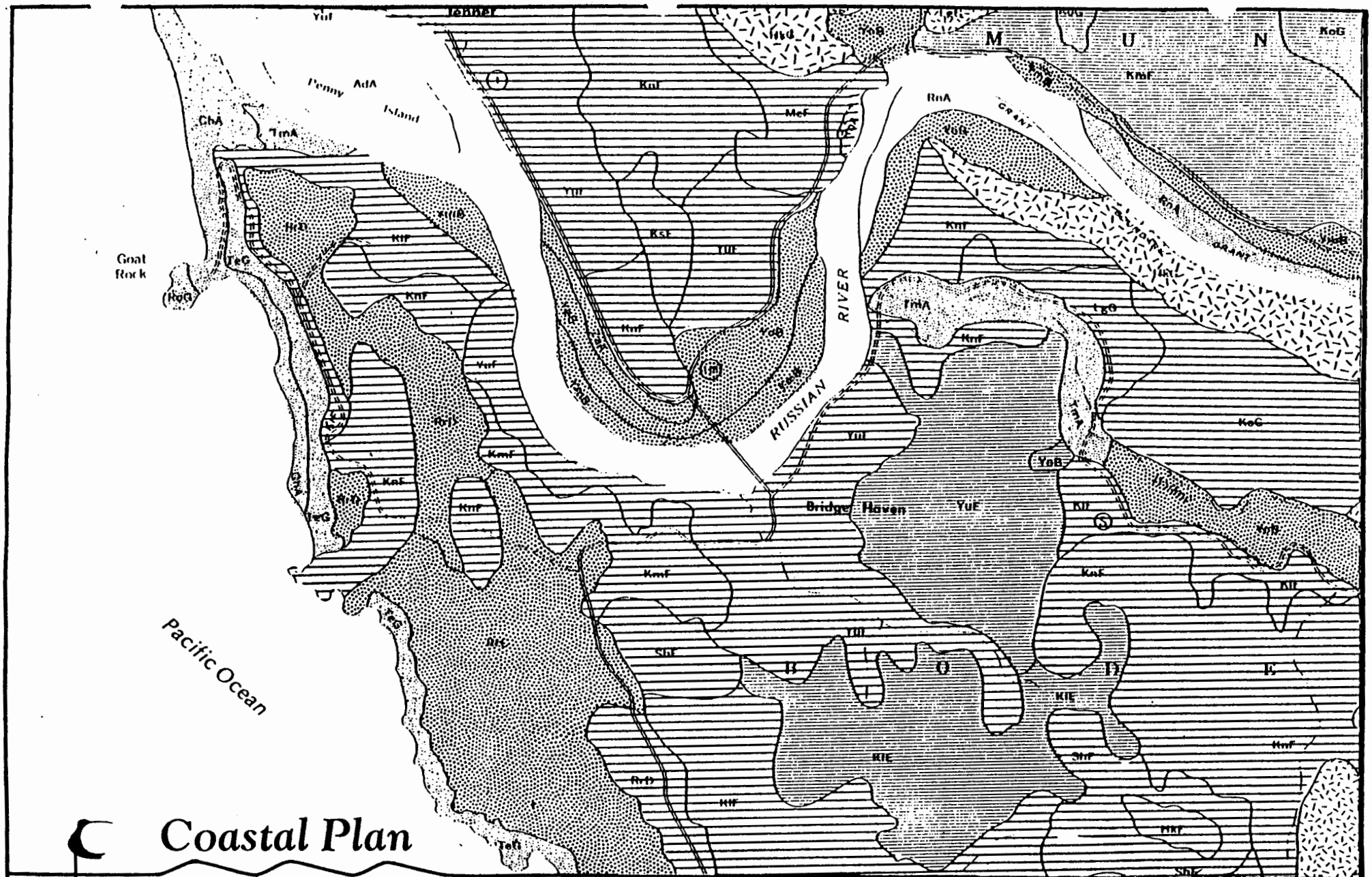



FIGURE IV-1

**PART OF RESOURCES PLAN**

SONOMA COUNTY DEPARTMENT OF PLANNING

METER 0 600 1200

FEET 0 2000 4000

HIGH TIMBER POTENTIAL (SITE I, II OR III)

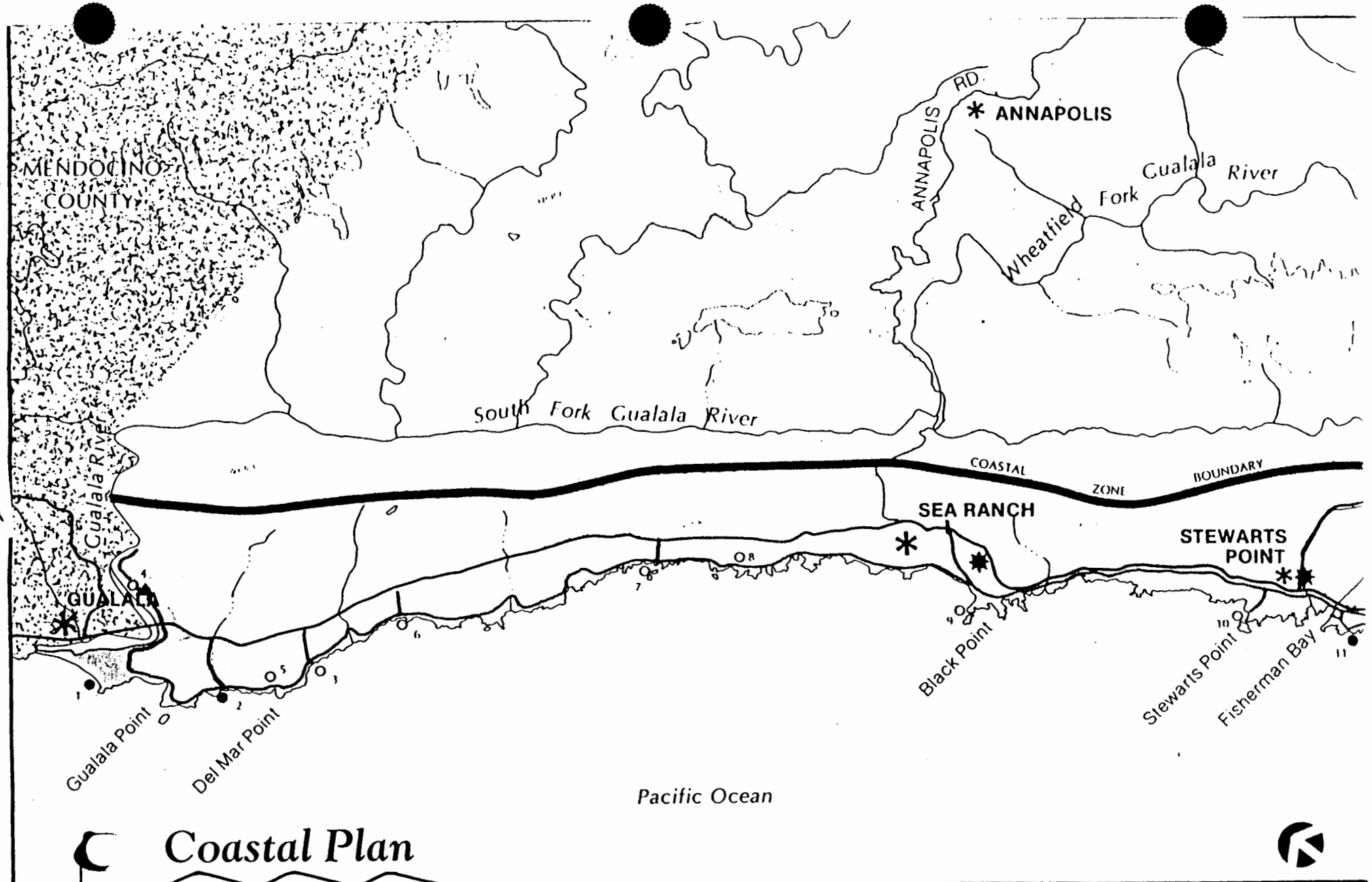
MODERATE TIMBER POTENTIAL (SITE IV)

HIGH G POTENTIAL

MODERATE GRAZING POTENTIAL

POTENTIAL CROPLAND (PRIMARILY USED FOR GRAZING)

SENSITIVE (WATERSHED AND WILD




# Coastal Plan

FIGURE V-1

**RECREATION AND ACCESS**

SONOMA COUNTY DEPARTMENT OF PLANNING

KILOMETERS 0 1 2 3 4

MILES 0 1 2

- COUNTY PARK
- PROPOSED COUNTY PARK EXPANSION
- STATE PARK
- PROPOSED STATE PARK EXPANSION
- PRIVATE RECREATION
- PROPOSED PRIVATE RECREATION
- CAMPGROUND
  - EXISTING
  - TO BE DISCONTINUED
  - PROPOSED
- PROPOSED HOSTEL
- VISITOR SERVING FACILITY
- COASTAL ACCESS
  - OPEN TO PUBLIC USE
  - NOT OPEN TO PUBLIC USE
- TRAIL

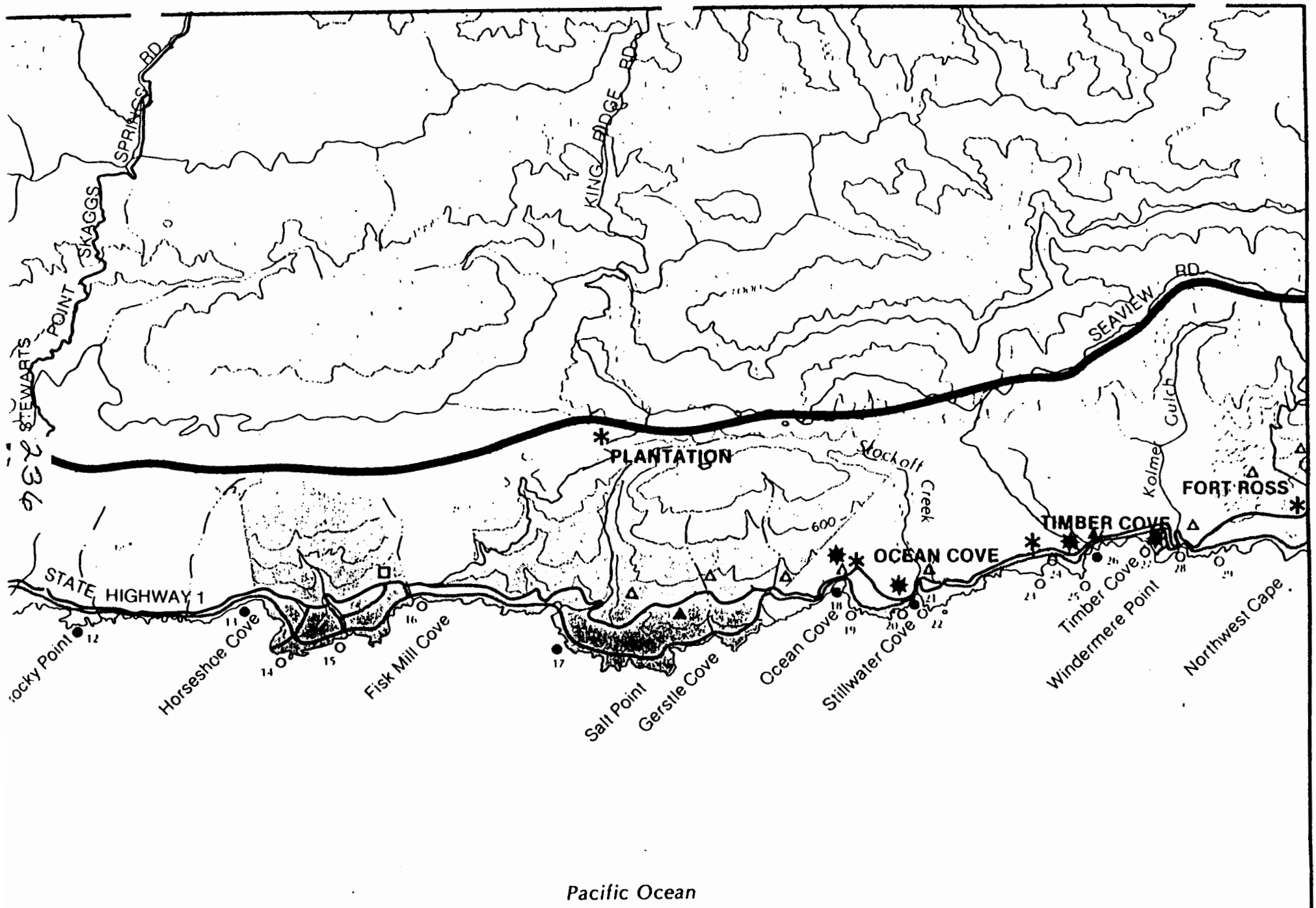
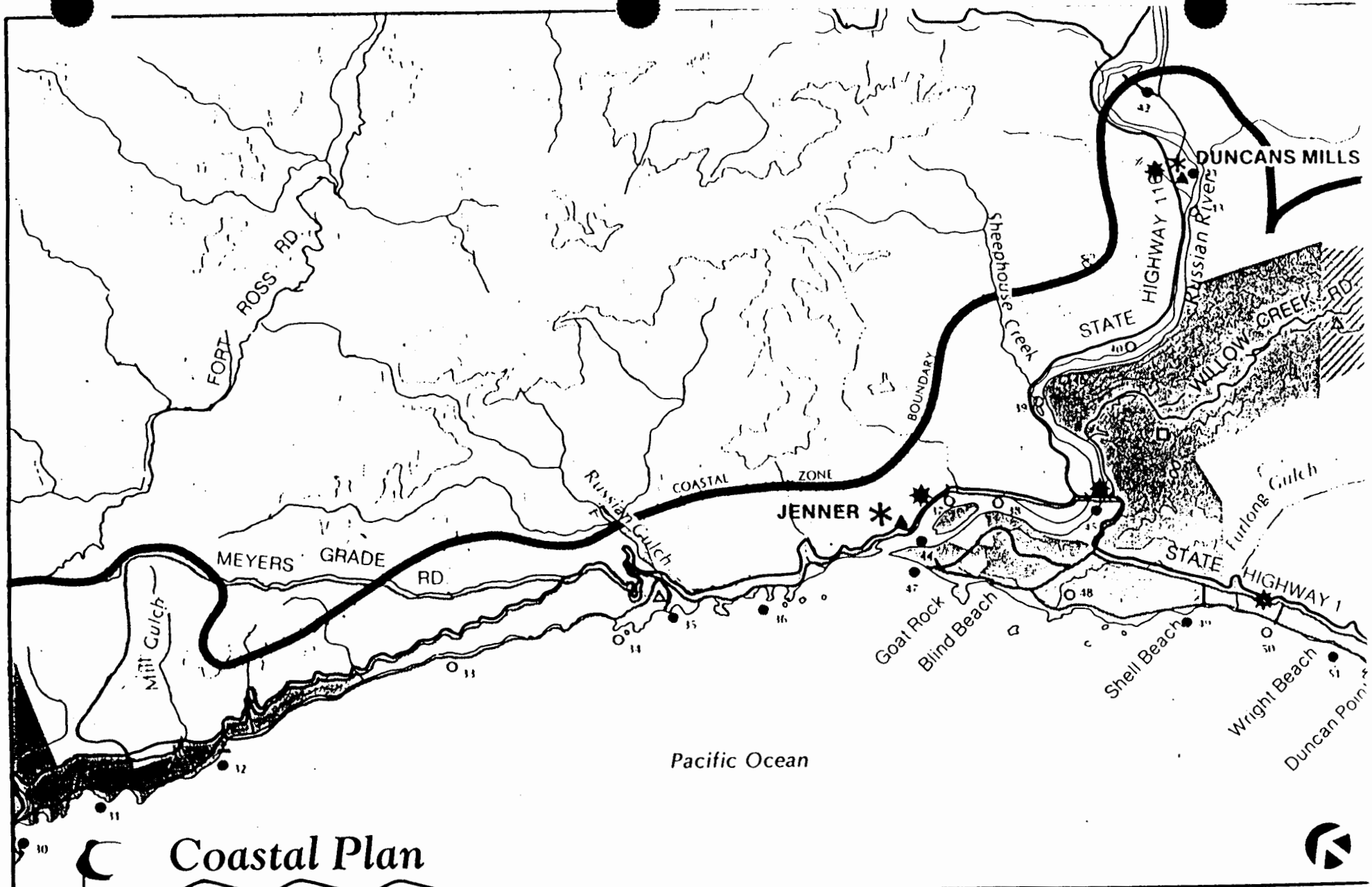

SKAGGS SPRINGS RD
KING RIDGE RD
STEWARTS POINT
SEAVIEW RD
PLANTATION
Stockoff Creek
Kolme Gulch
FORT ROSS
TIMBER COVE
OCEAN COVE
600
STATE HIGHWAY 1
Rocky Point
Horseshoe Cove
Fisk Mill Cove
Salt Point
Gerstle Cove
Ocean Cove
Stillwater Cove
Timber Cove
Windermere Point
Northwest Cape
Pacific Ocean

Fig. 1 Cont.




# Coastal Plan

FIGURE V-1

**RECREATION AND ACCESS**

SONOMA COUNTY DEPARTMENT OF PLANNING

KILOMETERS 0 1 2 3 4

MILES 0 1 2

COUNTY PARK

PROPOSED COUNTY PARK EXPANSION

STATE PARK

PROPOSED STATE PARK EXPANSION

PRIVATE RECREATION

PROPOSED PRIVATE RECREATION

CAMPGROUND

EXISTING

TO BE DISCONTINUED

PROPOSED

PROPOSED HOSTEL

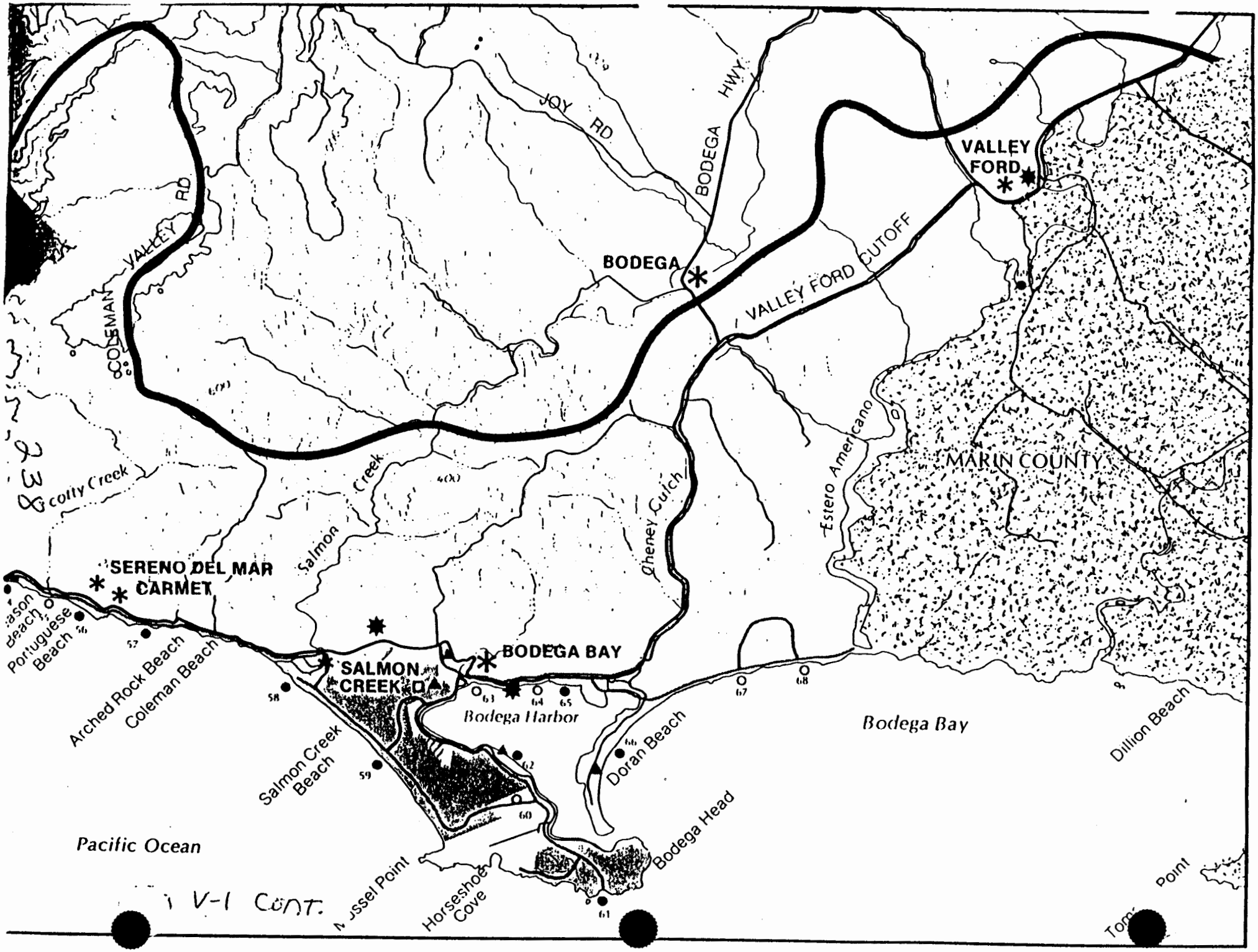
VISITOR SERVING FACILITY

COASTAL ACCESS

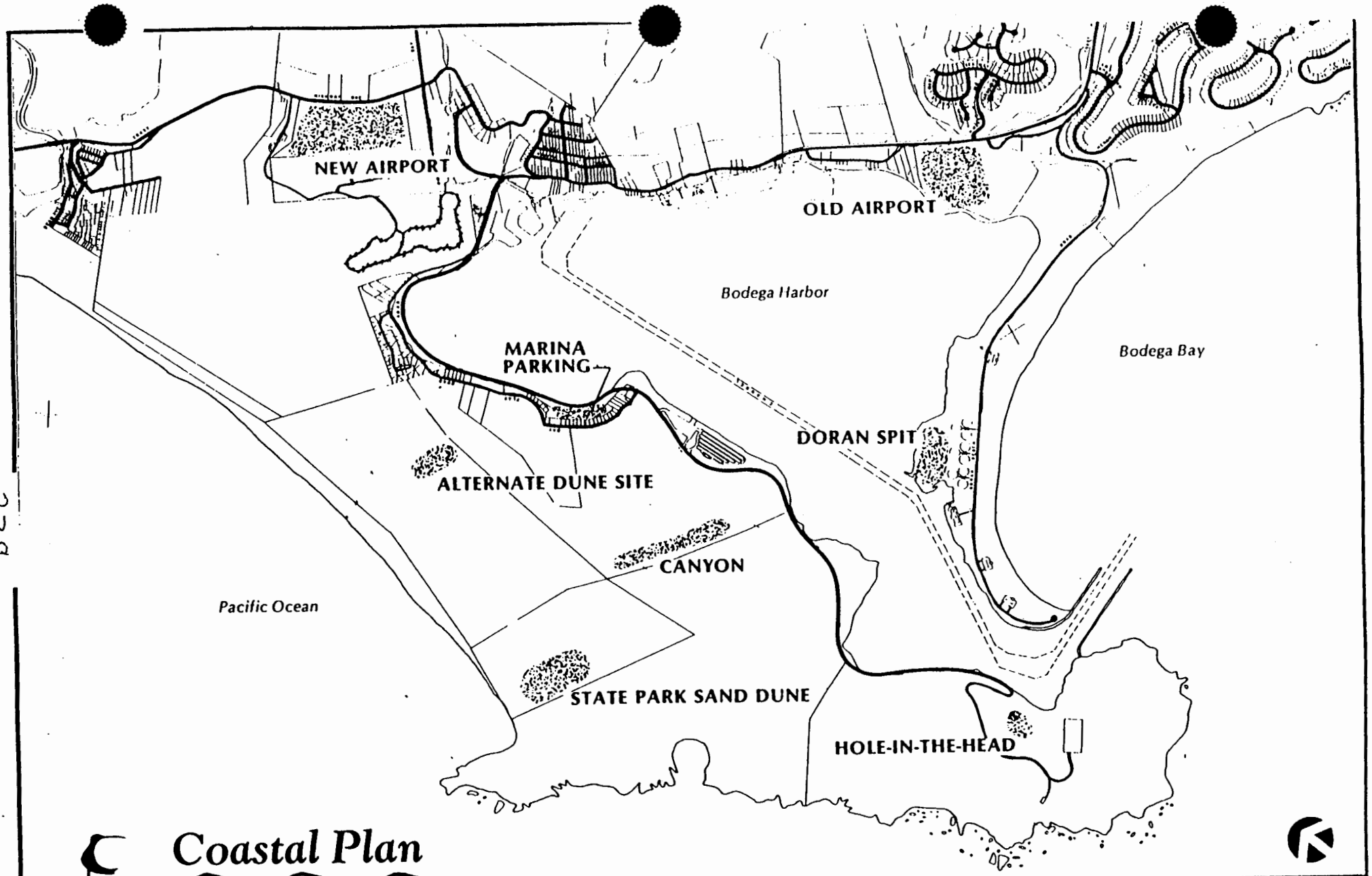
OPEN TO PUBLIC USE

NOT OPEN TO PUBLIC USE

TRAIL


JOY RD
BODEGA HWY
VALLEY FORD
VALLEY FORD CUTOFF
BODEGA
COLEMAN VALLEY RD
Cotty Creek
Salmon Creek
Cheney Gulch
Estero Americano
MARIN COUNTY
SERENO DEL MAR
CARMET
Portuguese Beach
Arched Rock Beach
Coleman Beach
SALMON CREEK
BODEGA BAY
Bodega Harbor
Salmon Creek Beach
Doran Beach
Bodega Bay
Dillion Beach
Bodega Head
Pacific Ocean
Horseshoe Cove
Point

V-1 Cont.




Coastal Plan

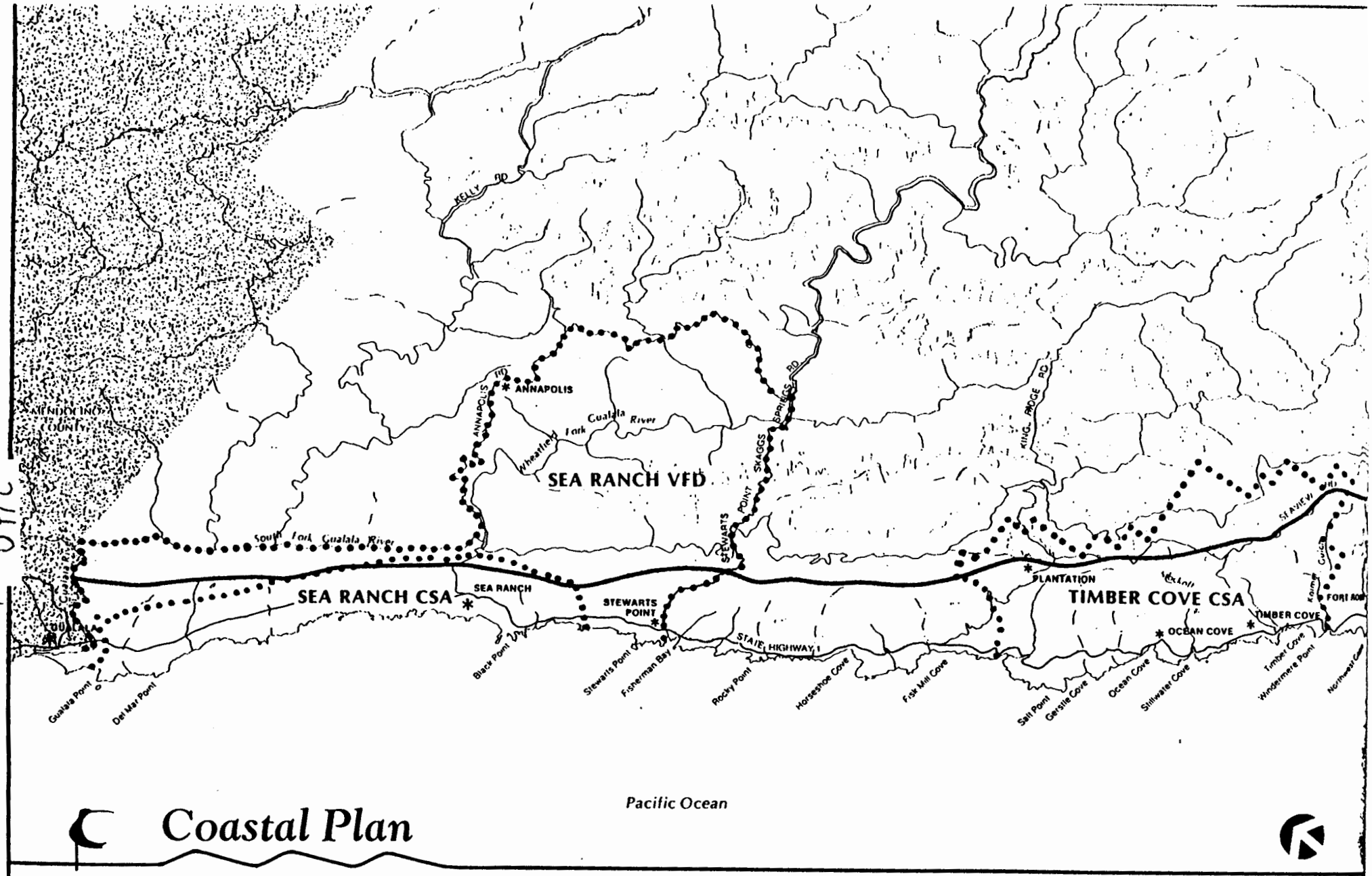
FIGURE VI-1

**DREDGE SPOIL SITES**

SONOMA COUNTY DEPARTMENT OF PLANNING

ALTERNATE DREDGE SPOIL SITES CONSIDERED

| | | | |
|---|---|---|---|
| METERS | 0 | 600 | 1200 |
| FEET | 0 | 2000 | 4000 |




# Coastal Plan

FIGURE VII-1

## COASTAL FIRE DISTRICTS

SONOMA COUNTY DEPARTMENT OF PLANNING

KILOMETERS 0 1 2 3 4 5 6 7 8

MILES 0 1 2 3 4 5

COASTAL PLAN BOUNDARY

COASTAL FIRE DISTRICT BOUNDARIES

VFD - VOLUNTEER FIRE DISTRICT
FPD - FIRE PROTECTION DISTRICT (NON-VOLUNTEER)
CSA - COUNTY SERVICE AREA

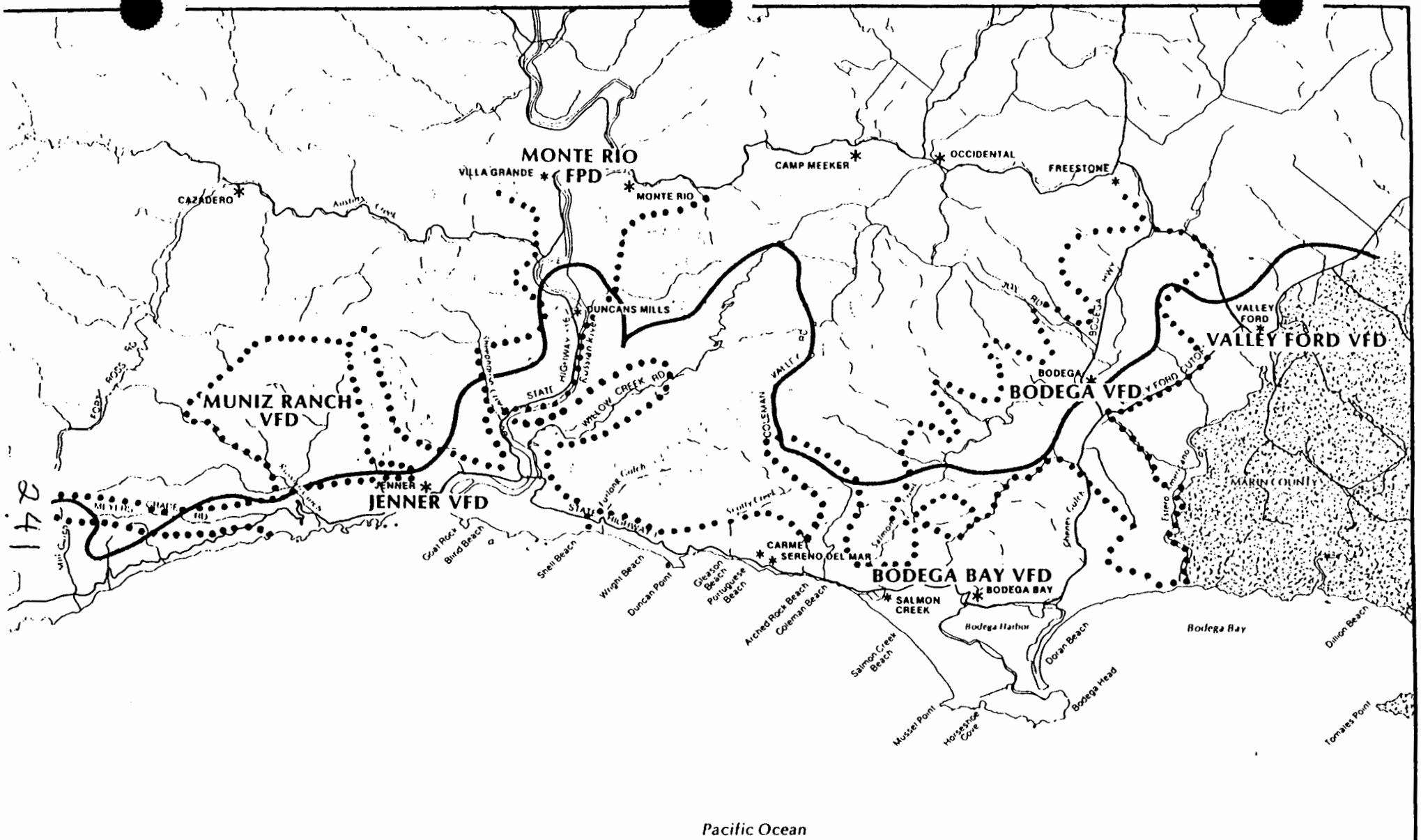
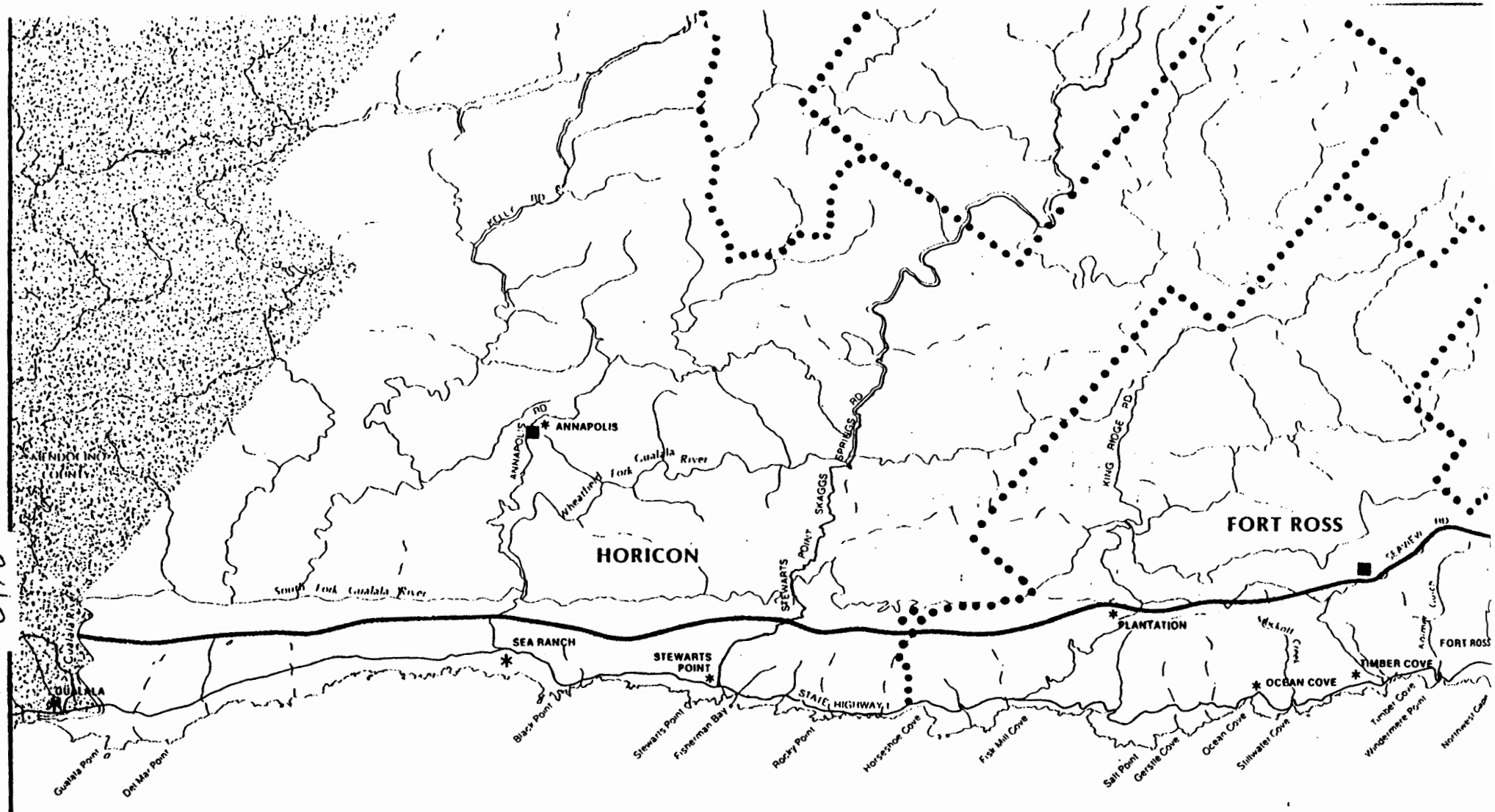



Fig VII-1 cont.




# Coastal Plan

FIGURE VII-2

## COASTAL PUBLIC SCHOOL DISTRICTS

SONOMA COUNTY DEPARTMENT OF PLANNING

KILOMETERS 0 1 2 3 4 5 6 7 8

MILES 0 1 2 3 4 5

COASTAL PLAN BOUNDARY

COASTAL SCHOOL DISTRICT BOUNDARIES

SCHOOL LOCATION

242

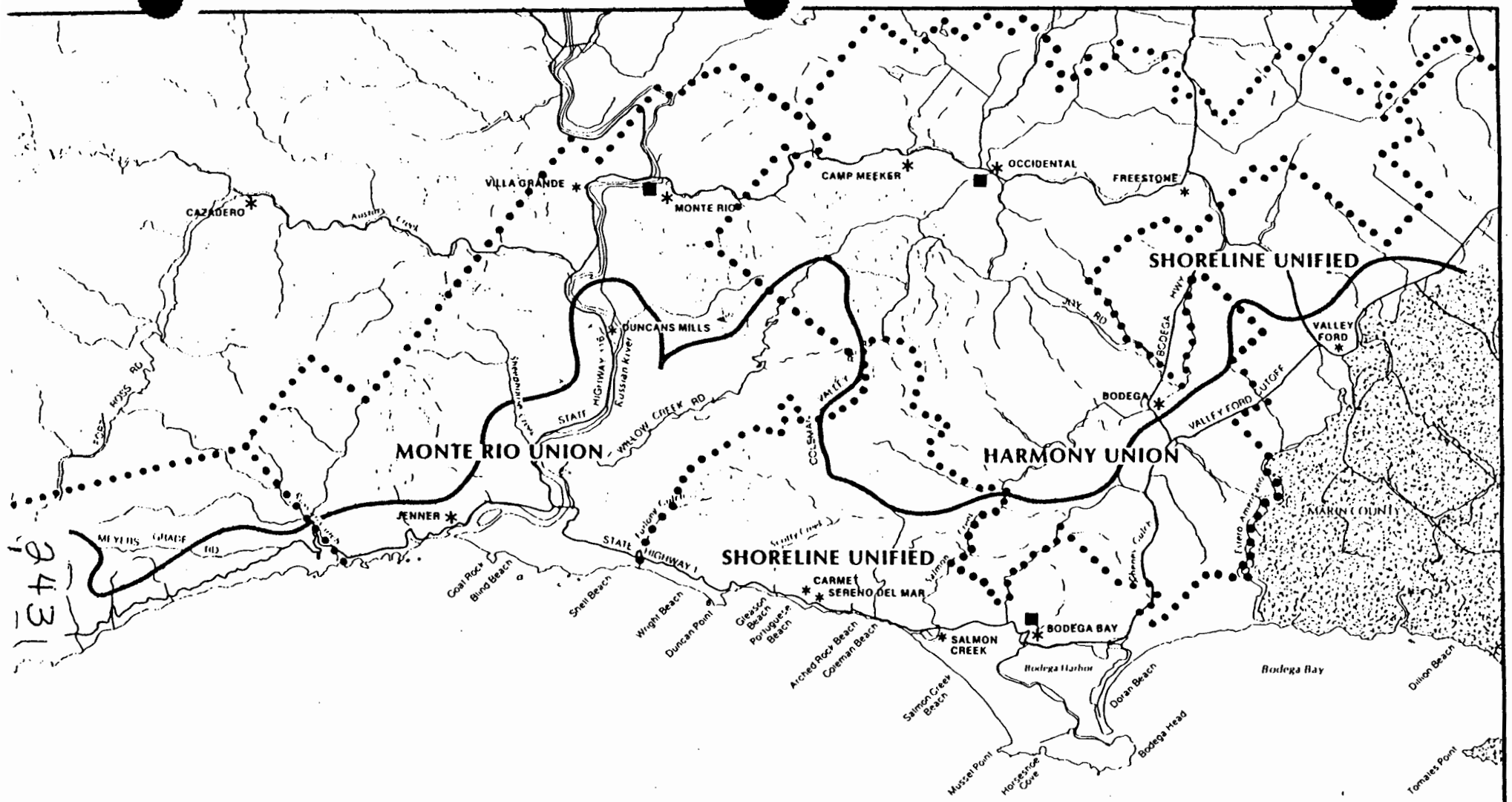



Fig VII-2 cont.

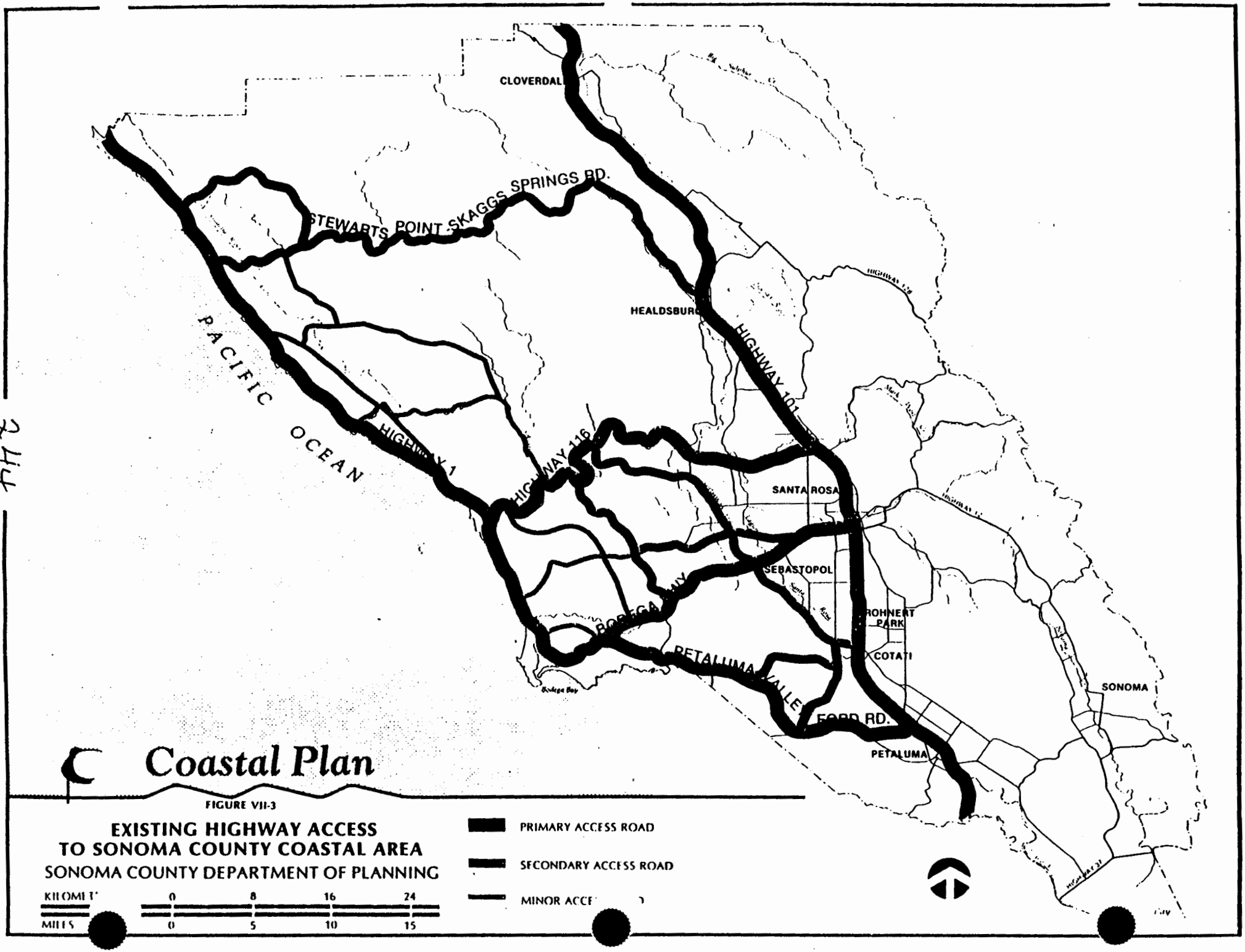



FIGURE VII-3

**EXISTING HIGHWAY ACCESS TO SONOMA COUNTY COASTAL AREA**

SONOMA COUNTY DEPARTMENT OF PLANNING

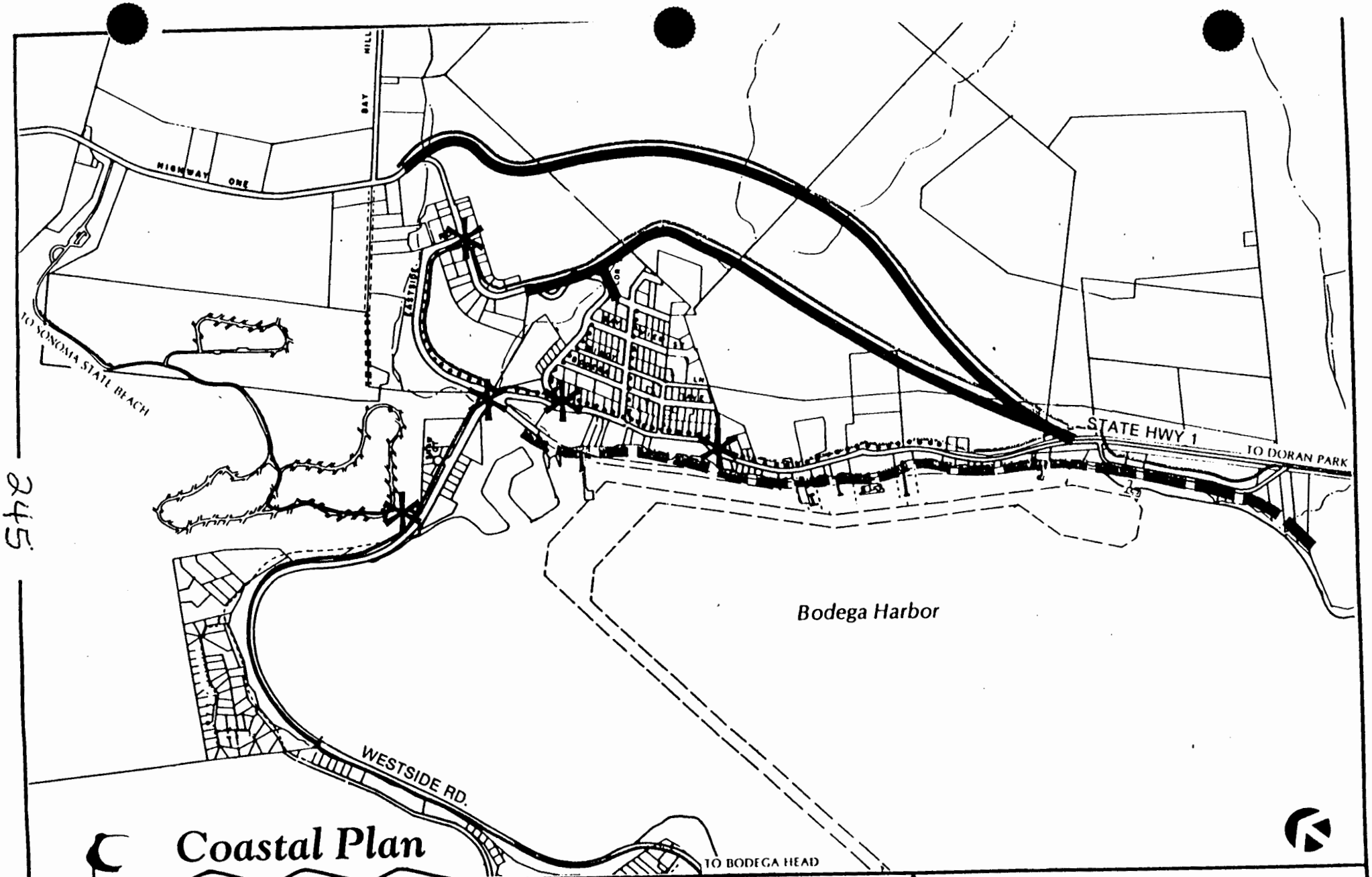



FIGURE VII-4

**TRANSPORTATION IMPROVEMENTS**

SONOMA COUNTY DEPARTMENT OF PLANNING

METERS 0 200 400 600

0 1000 2000

PROPOSED SIDEWALKS

PROPOSED BIKEWAY

PROPOSED BAYFRONT PROMENADE

PROPOSED HIGHWAY 1 BYPASS ROUTES

INTERSECTION IMPROVEMENTS

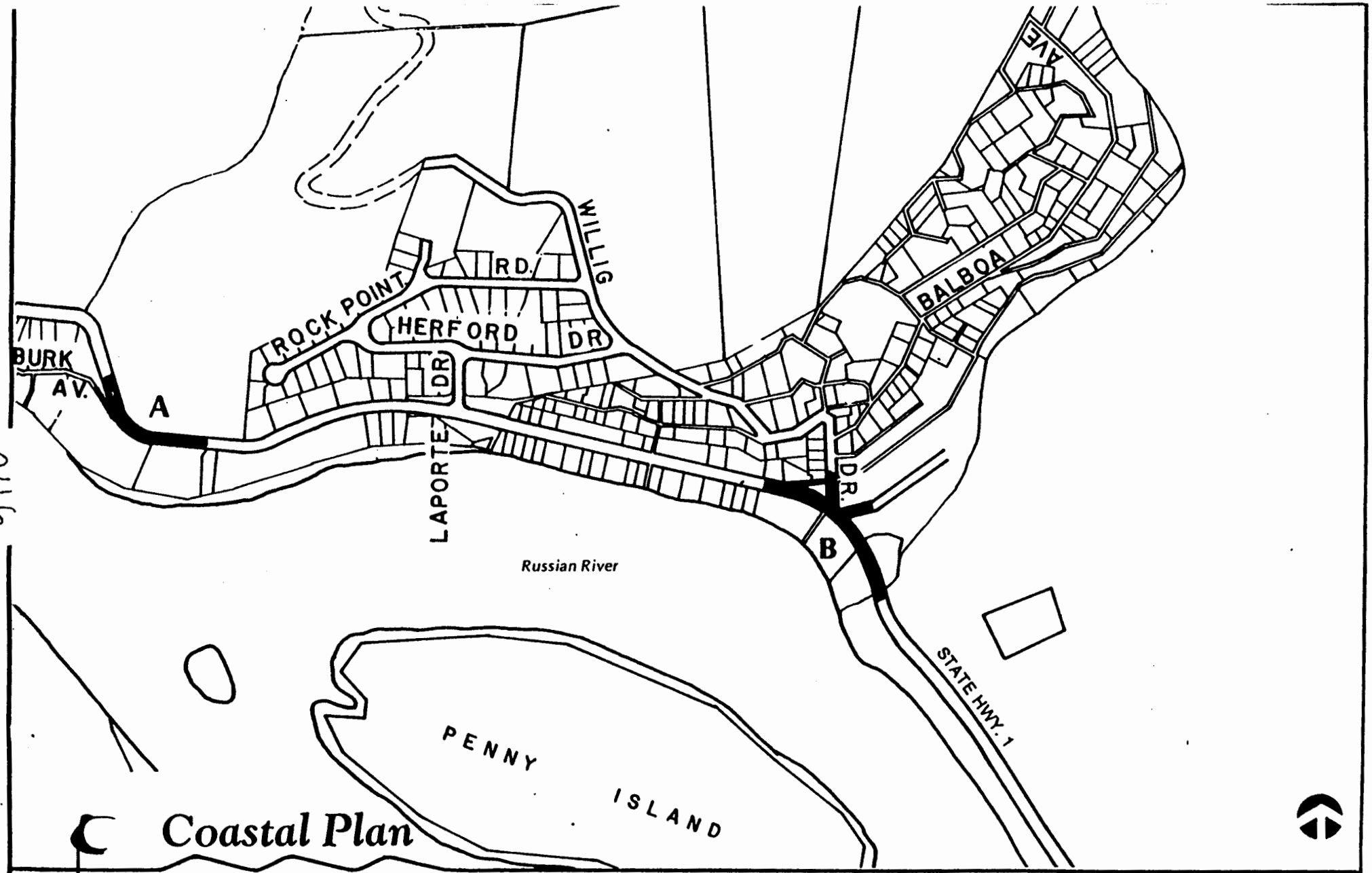



FIGURE VII-5

**TRANSPORTATION IMPROVEMENTS IN JENNER & VICINITY**

SONOMA COUNTY DEPARTMENT OF PLANNING

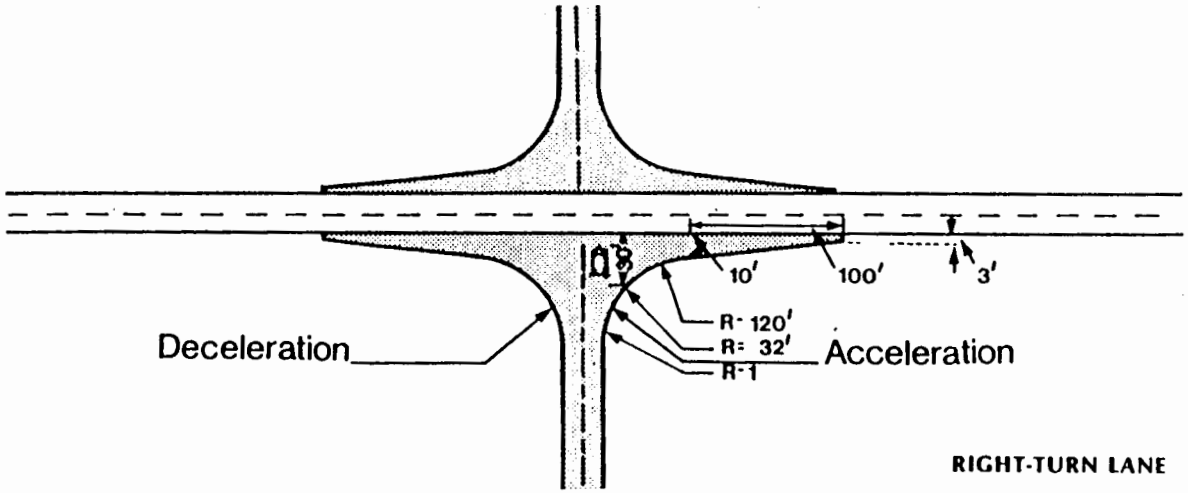
METERS 0 100 200 300

FEET 0 500 1000

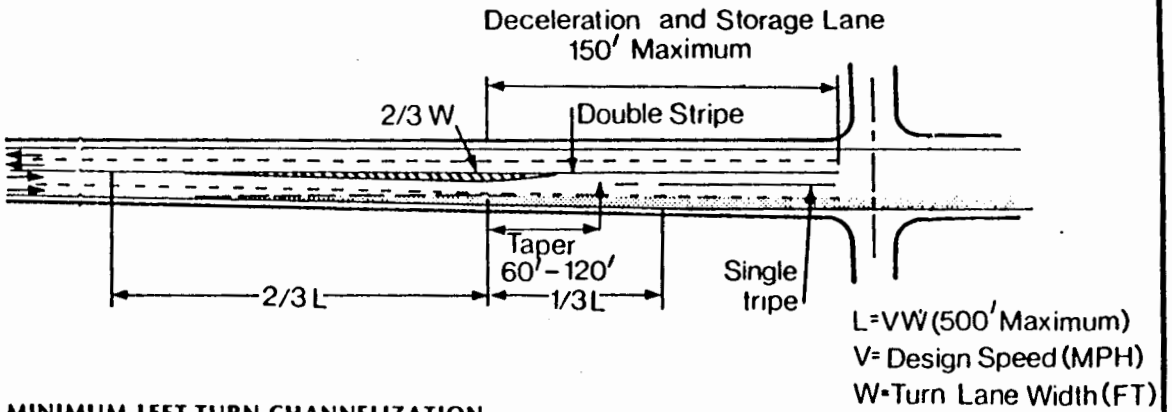
LOCALIZED ROAD IMPROVEMENT

**A**
- RELIGNMENT AND WIDENING
- TURN LANE FOR PARKING AND BURK AVE
- CURBING
- ONE-WAY PARKING CIRCULATION
- PARKING MANAGEMENT (RESTRICTIONS AND ENFORCEMENT)

**B**
- WIDENING
- TURN LANE
- PARKING MANAGEMENT




RIGHT-TURN LANE




MINIMUM LEFT-TURN CHANNELIZATION

Coastal Plan

FIGURE VII-6

**TYPICAL INTERSECTION IMPROVEMENT**

SONOMA COUNTY DEPARTMENT OF PLANNING (NOT [illegible])

247

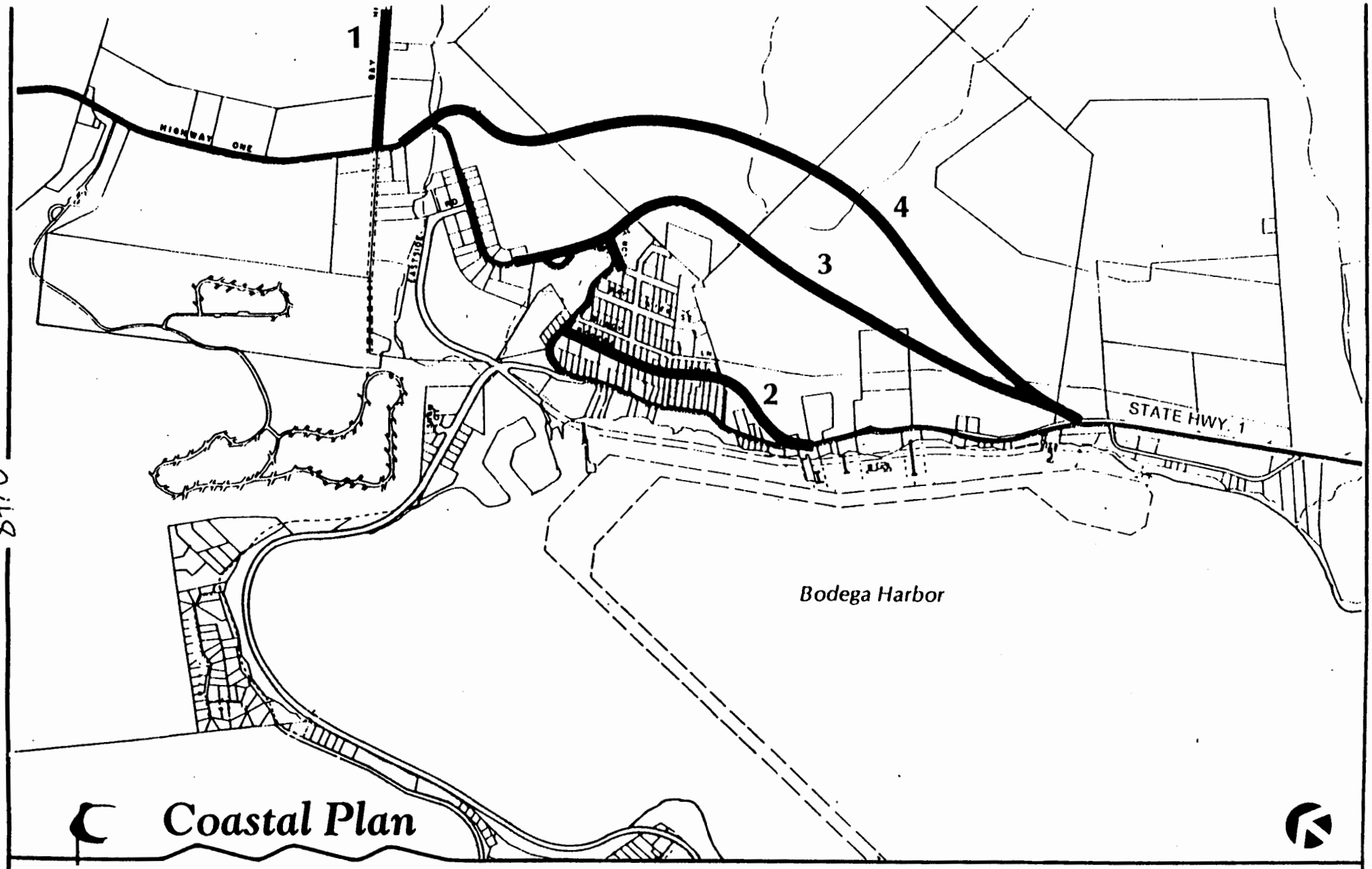



FIGURE VII-7

**BODEGA BAY BYPASS ALTERNATIVES**

SONOMA COUNTY DEPARTMENT OF PLANNING

METERS 0 200 400 600

FEET 0 1000 2000

PROPOSED HIGHWAY 1 BYPASS

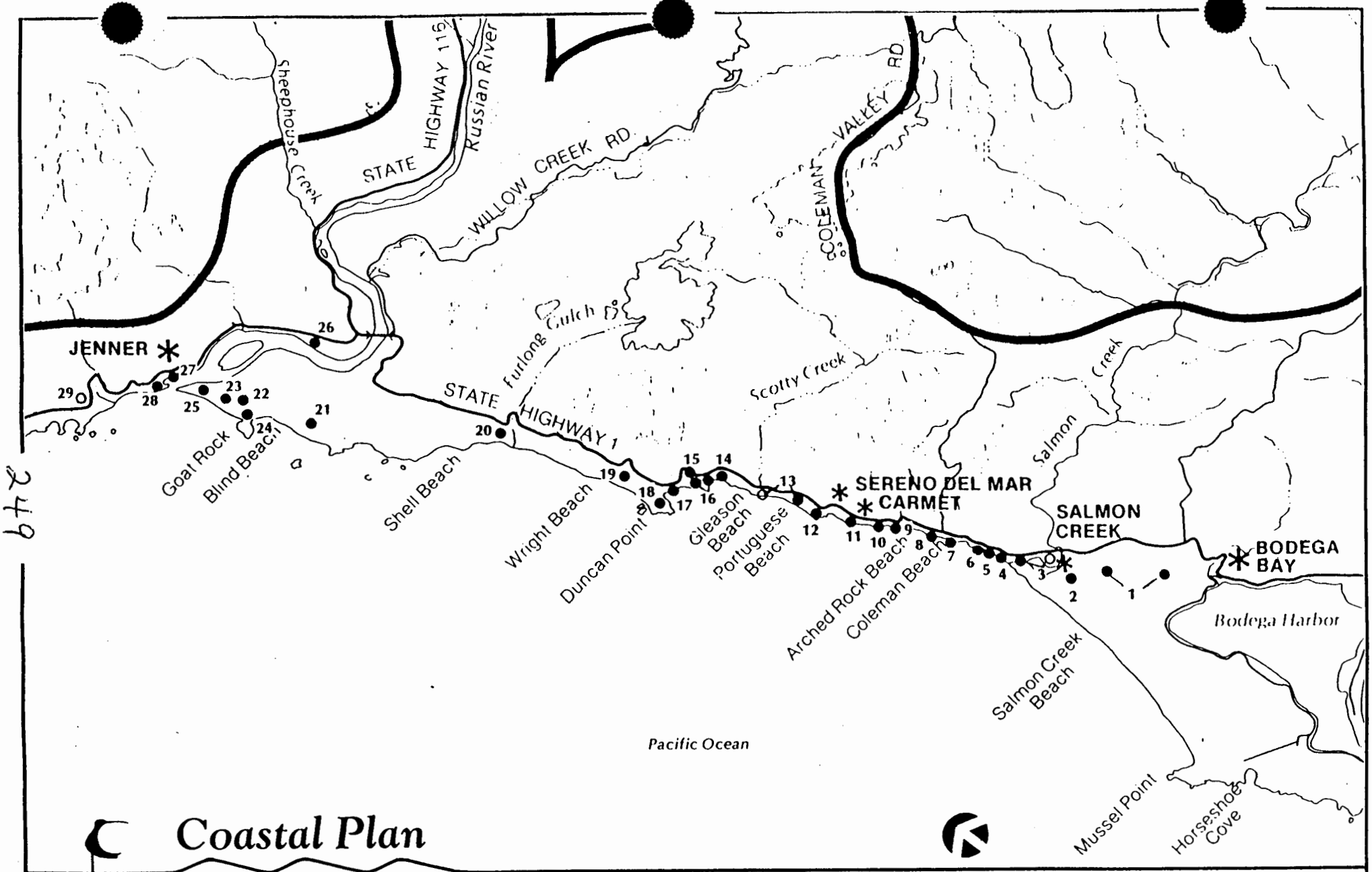
1 BAY HILL ROAD

2 BODEGA AVENUE

3 JOHNSON GULCH BYPASS

4 PERIPHERAL BYPASS

248




# Coastal Plan

FIGURE VII-8

**BEACH PARKING LOTS**

SONOMA COUNTY DEPARTMENT OF PLANNING

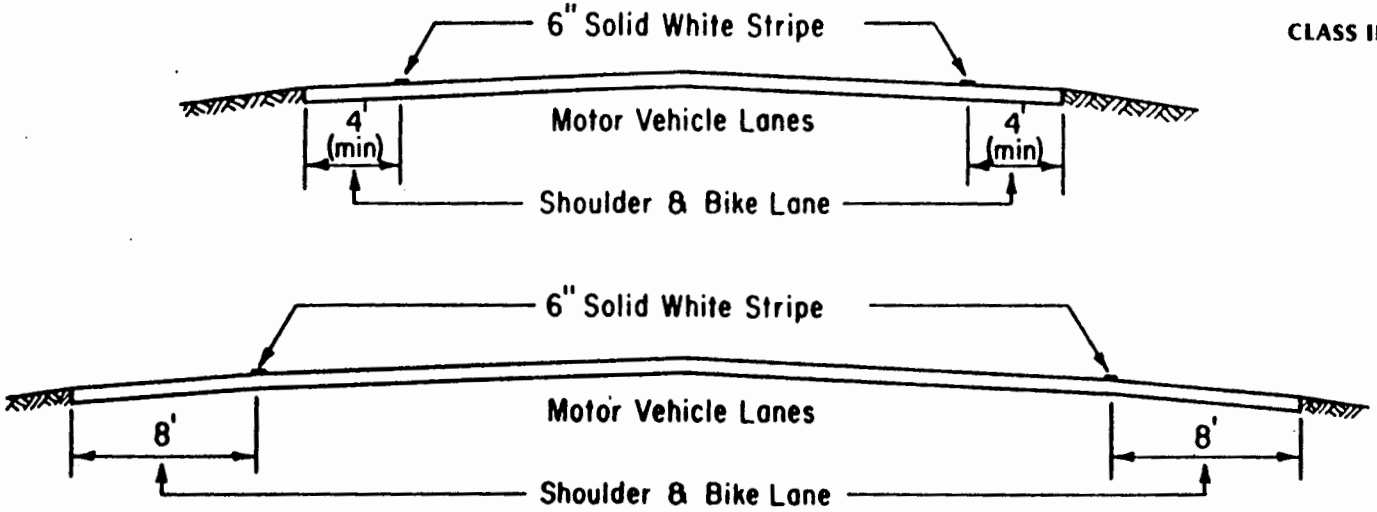
KILOMETERS 0 1 2 3 4

MILES 0 1 2

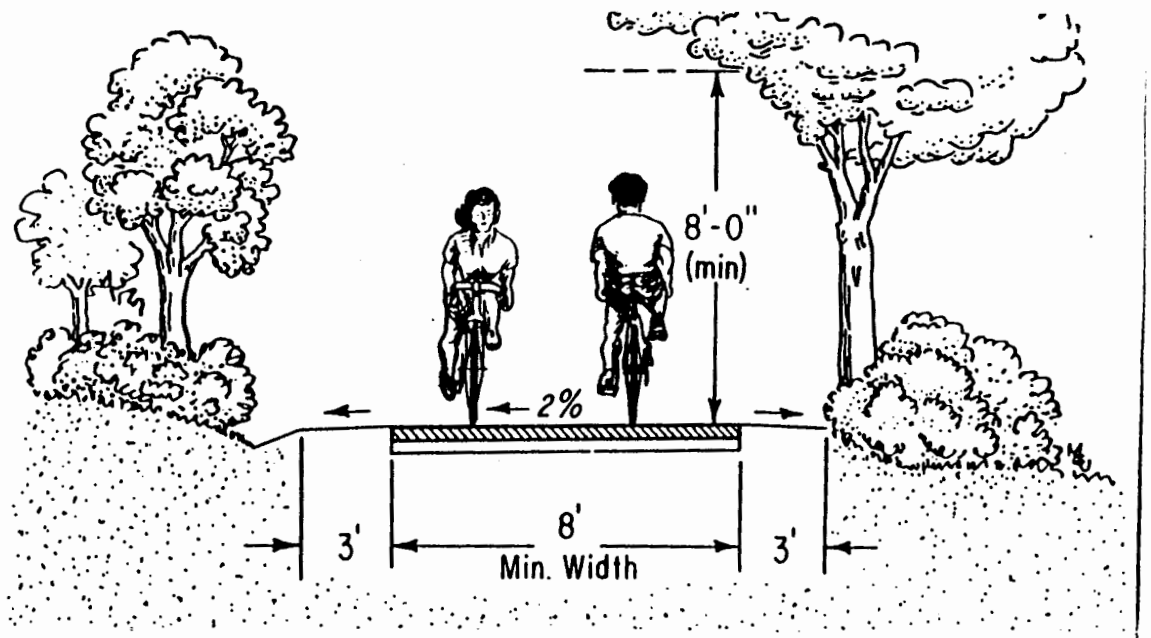
● EXISTING PARKING LOT

○ PROPOSED PARKING LOT

249




CLASS II TYPICAL BIKE LANE CROSS SECTION




CLASS I TWO-WAY BIKE PATH ON SEPARATE ALIGNMENT

Coastal Plan

FIGURE VII-9

**BIKEWAY DEVELOPMENT**

SONOMA COUNTY DEPARTMENT OF PLANNING

250

Figures Depicting Viewshed Protection Criteria and Policies

1. Screening proposed residences from scenic corridor routes:
(Primary decision criteria #2)

*Existing or planted landscaping screens residence from scenic corridor.

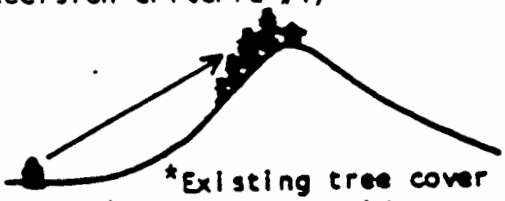
*Topographic relief screens residence from scenic corridor.

NOT:

*Residence not screened by existing vegetation.

*Location of residence interrupts ridgeline silhouette.

2. Siting residences on or near ridgelines or hilltops:
(Primary decision criteria #4)



*Existing tree cover screens residence from scenic corridor.

*Residence located below ridgeline when there is no vegetation to screen the residence from scenic corridor.

3. Structures in scale with surrounding environment:
(Policy for terrace/grassland, hillside/grassland, and cliff and bluffs locations)

*Residence follows topography and is in scale with surrounding environment.

*Residence not in scale with surrounding environment.

4. Siting residences in hillside locations:
(Policy for hillside locations)

*Minimum of grading reduces erosion scars.

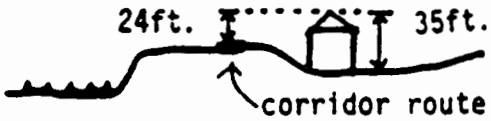
*Extensive grading increases likelihood of unsightly erosion scars.

Allowable Increases in Height Limits

Residence west of Hwy 1

Structure's height can be increased from 16ft. to 24ft. if it is no higher than 16ft. above road grade.

Residence east of Hwy 1




Structure's height can be increased from 24ft. to 35ft. if it is no higher than 24ft. above road grade.

Figure VII - 11

# General Plan / Coastal Plan / Zoning Consistency

3/17/94

| General Plan Land Use | Coastal Plan Land Use | Zoning |
|---|---|---|
| LIA, LEA, DA | Agriculture<br>Dedicated Open Space<br>Sensitive and Hazardous | LIA, LEA, DA<br>LIA, LEA, DA<br>LIA, LEA, DA |
| RRD | Agriculture<br>Timber<br>Recreation<br>Dedicated Open Space<br>Sensitive and Hazardous | RRD, RRDWA, TP<br>TP, RRD, RRDWA<br>RRD, RRDWA<br>RRD, RRDWA<br>RRD, RRDWA |
| RR | Rural Residential<br>Planned Community<br>Dedicated Open Space<br>Sensitive and Hazardous | RR, AR, PC<br>PC<br>RR, AR, PC<br>RR, AR, PC |
| UR | Low Density Residential<br>Medium Density Res.<br>Planned Community<br>Dedicated Open Space<br>Sensitive and Hazardous | R1, PC, RR<br>R1, R2, PC, RR<br>PC<br>R1, R2, PC, RR<br>R1, R2, PC, RR |
| GC | Commercial Center | C2, PC, CS |
| LC | Village Commercial<br>Commercial Center | CS, PC, AS<br>CT, CS, PC |
| RV&SC | Visitor Serving Com.<br>Recreation<br>Sensitive and Hazardous<br>Dedicated Open Space<br>Sensitive and Hazardous | CT, PC<br>CT, PC<br>CT, PC<br>PC<br>CT, PC |
| LI | Fishing Commercial | CF |
| PQP | Institutional<br>Sensitive and Hazardous | PF<br>PF |

F5c

# Sonoma County LCP Amendment #1-00

## Attachment #2

# Coastal Zoning Ordinance

(The attached Ordinance is identical to that previously distributed to the Commission and members of the public in November, 2000 as part of LCP Amendment #2-99)

Underlined text indicates proposed additions to the existing certified Sonoma County Coastal Zoning Ordinance. The entire Ordinance has been reformatted, as compared to the existing certified Coastal Zoning Ordinance, so non-underlined text

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COASTAL COMMISSION

# Part III COASTAL ZONING ORDINANCE

# SONOMA COUNTY

# COASTAL ZONING ORDINANCE

## Chapter 26C of The Sonoma County Code

**RESOLUTION #** _____

**ORDINANCE #**_____

**EFFECTIVE DATE:**_____

### Board of Supervisors

| | |
|---|---|
| MICHAEL CALE | 1ST DISTRICT |
| MIKE KERNS | 2ND DISTRICT |
| TIM SMITH | 3RD DISTRICT |
| PAUL KELLEY | 4TH DISTRICT |
| MIKE REILLY | 5TH DISTRICT |

### Planning Commission

| | |
|---|---|
| ELIZABETH SHEELA | 1ST DISTRICT |
| DON MARQUARDT | 2ND DISTRICT |
| LEE VAN GIESEN | 3RD DISTRICT |
| LEE DYSART | 4TH DISTRICT |
| PAMELA KAISER | 5TH DISTRICT |

# General Plan / Coastal Plan / Zoning Consistency

| General Plan Land Use | Coastal Plan Land Use | Zoning |
|---|---|---|
| LIA, LEA, DA | Agriculture<br>Dedicated Open Space<br>Sensitive and Hazardous | LIA, LEA, DA<br>LIA, LEA, DA<br>LIA, LEA, DA |
| RRD | Agriculture<br>Timber<br>Recreation<br>Dedicated Open Space<br>Sensitive and Hazardous | RRD, RRDWA, TP<br>TP, RRD, RRDWA<br>RRD, RRDWA<br>RRD, RRDWA<br>RRD, RRDWA |
| RR | Rural Residential<br>Planned Community<br>Dedicated Open Space<br>Sensitive and Hazardous | RR, AR, PC<br>PC<br>RR, AR, PC<br>RR, AR, PC |
| UR | Low Density Residential<br>Medium Density Res.<br>Planned Community<br>Dedicated Open Space<br>Sensitive and Hazardous | R1, PC, RR<br>R1, R2, PC, RR<br>PC<br>R1, R2, PC, RR<br>R1, R2, PC, RR |
| GC | Commercial Center | C2, PC, CS |
| LC | Village Commercial<br>Commercial Center | CS, PC, AS<br>CT, CS, PC |
| RV&SC | Visitor Serving Com.<br>Recreation<br>Sensitive and Hazardous<br>Dedicated Open Space<br>Sensitive and Hazardous | CT, PC<br>CT, PC<br>CT, PC<br>PC<br>CT, PC |
| LI | Fishing Commercial | CF |
| PQP | Institutional<br>Sensitive and Hazardous | PF<br>PF |

COASTAL ZONING ORDINANCE

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COASTAL COMMISSION

# COASTAL ZONING ORDINANCE

## Article I. In General.

### Section 26C-1. Purpose of Chapter:

This chapter is adopted to promote and protect the public health, safety, peace, comfort, convenience, and general welfare. It is also adopted for the following specified purposes:

(a) To ensure that the Coastal Act of 1976 (Division 20 of the Public Resources Code) is implemented in accordance with the Coastal Program of Sonoma County.

(b) To provide for the orderly and beneficial land use of the Coastal Zone of Sonoma County.

(c) To protect the character and social and economic stability of agricultural, residential, commercial, industrial, and other communities within the ~~county~~ Coastal Zone of Sonoma County.

(d) To protect the public safety and welfare by regulating the location and uses of all structures and land.

(e) To protect and conserve the scenic, recreational and natural resource characteristics of the county.

(f) To provide for the orderly and timely processing of development projects as anticipated by the California Permit Streamlining Act. Development projects do not include rezonings, plan amendments or other applications accompanied by a request for a rezoning or plan amendment.

### Section 26C-2. Composition of Zoning Ordinance.

(a) The Coastal Zoning Ordinance hereby establishes the "CC" combining district pursuant to the Coastal Act of 1976. All lands within the Coastal Zone are hereby and shall be zoned "CC", in combination with the applicable zoning districts below. Rezonings do not become effective until certified by the Coastal Commission. All development in the Coastal Zone shall be subject to the requirements of this ordinance and the Coastal Administrative Manual.

(b) The Coastal zoning ordinance also establishes various districts within the Coastal Zone of the county and designates lawful permitted uses, and uses which may be approved through the use permit process. Within these districts (1) it shall be unlawful to erect, construct, alter or maintain certain buildings or to carry on certain trades or occupations or to conduct certain uses of land or buildings, (2) the height and bulk of future buildings shall be limited, and (3) certain open areas shall be required around future buildings. The various districts also consist of appropriate regulations to be enforced in such district, all as set forth in this chapter.

(c) **Principal Permitted Uses:**

The Coastal Act requires definition of Principal Permitted Uses which clearly carry out the intent and purpose of each zoning district utilized in the coastal zone. Any development that is not designated as a Principal Permitted Use is appealable to the Coastal Commission.

Principal Permitted Uses are those uses listed under the heading "Uses permitted subject to site development and erosion control standards" within each zoning district. Notwithstanding the above, additional dwellings beyond one single-family dwelling on parcels zoned LIA, LEA, DA, RRD, RRDWA, and TP are not considered to be Principal Permitted Uses.

In conformance with the Open Space and Public Safety Elements of the General Plan, the County of Sonoma declares that the following Articles of this Chapter constitute its open space zoning pursuant to Government Code Section 65910:

| | |
|---|---|
| Article XX | F1 Floodway Combining District |
| Article XXI | F2 Floodplain Combining District |
| Article XXVII | B Districts |
| Article XXIV | HD Historic Combining District |
| Article XXII | SR Scenic Resource Combining District |
| Article XXIII | BR Biotic Resource Combining District |
| Article XXV | G Geologic Hazard Combining District |

**Section 26C-3. Numerical References and Headings.**

The ~~Planning~~ Director of the Permit and Resource Management Department or his or her designee, without following the procedures necessary to amend the provisions of this chapter, may periodically renumber or reletter the sections of this chapter so long as no text changes are made.

**Section 26C-4. Zoning Permits Relative to the General Plan and Coastal Plan. ~~Specific, and Area Plans.~~**

No ministerial or discretionary permit, such as, but not limited to, rezonings, use permits, variances, building or zoning permits for any use in any district, shall be issued if said rezoning or permit is inconsistent with the Sonoma County General Plan, or ~~any duly adopted Specific or Area Plans;~~ the Coastal Plan, except that...

(a) issuance of a permit for a second dwelling unit pursuant to Section 26C-325.1 is exempt from General Plan and Coastal Plan density restrictions.

**Section 26C-5. Applicability of Chapter to Governmental Units.**

Provisions of this chapter shall apply to cities, special districts, and state or federal governments or any agency of such governmental units, to the extent legally permissible. The provisions of this Chapter shall not apply to public projects of the County of Sonoma.

**Section 26C-6. Acquisition Of Open Space Interests Relative to General Plan Conformity.**

Prior to the public acquisition of open space interests in real property located in the unincorporated area by the Sonoma County Agricultural Preservation and Open Space District, the Board of Directors of the Open Space Authority shall make the general plan conformity reports required by Government Code Section 65402.

**Section 26C-7. Base Districts Enumerated.**

The districts established by this chapter are as follows:

| | | |
|---|---|---|
| RR Districts | - | Rural Residential Districts |
| R1 Districts | - | Low Density Residential Districts |
| R2 Districts | - | Medium Density Residential Districts |
| C2 Districts | - | Community Commercial Districts |
| PC Districts | - | Planned Community Districts |
| PF Districts | - | Public Facilities Districts |
| TP Districts | - | Timberland Production Zone Districts |
| LIA Districts | - | Land Intensive Agriculture Districts |
| LEA Districts | - | Land Extensive Agriculture Districts |
| DA Districts | - | Diverse Agriculture Districts |
| RRD Districts | - | Resources and Rural Development Districts |
| RRDWA Districts | - | Resources and Rural Development (Agricultural Preserve) Districts |
| AR Districts | - | Agriculture and Residential Districts |
| AS Districts | - | Agricultural Services Districts |
| CS Districts | - | Rural Services Districts |
| CT Districts | - | Commercial Tourist Districts |
| CF Districts | - | Commercial Fishing Districts |

**Section 26C-8. Combining Districts Enumerated.**

In addition to the districts enumerated above, the following combining districts are established as set forth in this Chapter:

| | |
|---|---|
| F1 | Floodway Combining District |
| F2 | Floodplain Combining District |
| J | Manufactured Home Exclusion Combining District |
| SR | Scenic Resource Combining District |
| BR | Biotic Resource Combining District |
| HD | Historic Combining District |
| G | Geologic Hazard Combining District |
| MR | Mineral Resource Combining District |
| Z | Second Unit Exclusion Combining District |
| B | B Combining District |

**Section 26C-9. Establishment of Districts Generally.**

The districts indicated above, are hereby established or may be established by progressive amendments to this chapter. The designations, locations and boundaries thereof are set forth and indicated on zoning maps. Such maps, and all notations, references, data and other information shown thereon are hereby made a part of this chapter, or may be made a part of this Chapter by the progressive amendment thereto.

**Section 26C-10. Interpretation of District Boundaries.**

Where uncertainty exists as to the boundaries of any of the districts, the Board of Supervisors, upon written application or upon its own motion, shall determine the boundaries of such district.

**Section 26C-11. Zoning Maps.**

Zoning maps shall consist of a series of maps which shall show the zoning plans, being parts of this ordinance under provisions of Section 26C-9, and shall be available at the Sonoma County ~~Planning~~ Permit and Resource Management Department.

**Section 26C-12. Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

**Accessory use.** A use of land or a building that is related to and subordinate to the primary use of the land or building located on the same lot.

**Adult entertainment establishment.** An adult entertainment establishment is any place of business at which one or more of the following activities is conducted:

(a) Adult bookstore: An establishment that devotes more than 50 percent of the total display, shelf, rack, table, stand or floor area utilized for the display of books and periodicals to the display and sale of the following:

(1) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, tapes, records or other forms of visual or audio representations which are characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas"; or

(2) Instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities."

An adult bookstore does not include an establishment that sells books or periodicals as an incidental or accessory part of its principal stock-in-trade and does not devote more than 50 percent of the total floor area of the establishment to the sale of books and periodicals.

**(b)** **Adult motion picture theater.** An establishment, whether open or closed, where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material which is distinguished or characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas" for observation by patrons. A "substantial portion of the total presentation time" shall mean the presentation of activities described above for viewing for more than 50% of the operating time.

**(c)** **Adult motion picture arcade.** Any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images, in which a substantial portion of the total presentation time of the images so displayed are distinguished or characterized by an emphasis for depicting or describing "specified sexual activities" or "specified anatomical areas." A "substantial portion of the total presentation time" shall mean the presentation of activities described above for viewing on more than 50% of the operating time.

**(d)** **Adult cabaret.** A nightclub, bar, restaurant or similar establishment which during a substantial portion of the total presentation time features live performances which are distinguished or characterized by an emphasis on "specified sexual activities" or by exposure of "specified anatomical areas" and/or feature films, motion pictures, video cassettes, slides or other photographic reproductions which are distinguished or characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas" for observation by patrons. A "substantial portion of the total presentation time" shall mean the presentation of activities described above for viewing for more than 50% of the operating time.

**(e)** **Adult theater.** A theater, concert hall, auditorium or similar establishment either indoor or outdoor in nature, which, for any form of consideration, regularly features live performances, a substantial portion of the total presentation time of which are distinguished or characterized by an emphasis on "specified sexual activities" or by exposure of "specified anatomical areas" for observation by patrons. A "substantial portion of the total presentation time" shall mean the presentation of activities described above for viewing for more than 50% of the operating time.

**(f)** **Massage establishment.**

(1) An establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist or similar professional person licensed by the State of California. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

(2) A massage establishment which provides only specialized massage services and is operated in accordance with the following provisions shall not be considered an adult entertainment establishment. The applicant shall submit proof of proficiency in the specialized field of practice. Proficiency may be established by proof of actual practice in the field of specialization for a period of three years or completion of a course of instruction in the specialized field of practice at a school authorized to provide such instruction by the State of California. The period of practice shall be attested to, in writing, by no less than three persons who meet the educational qualifications described in this paragraph or are members of a professional organization which is incorporated in the State of California which fosters or promotes the specialized field of practice.

**(g) Other businesses.** Any business not otherwise herein defined or identified which involves "specified sexual activities" or display of "specified anatomical areas".

**Affordable housing project.** A project which is granted a density bonus or increase, or other concession or incentive in exchange for the provision of affordable housing.

**Affordable ownership housing.** Home ownership housing which costs not more than thirty percent (30%) of the maximum income as established by the U.S. Department of Housing and Urban Development for very low, lower, and moderate income households, adjusted for household size; assuming that household size will equal the number of bedrooms contained in the unit, plus one.

**Affordable rental housing.** Rental housing which costs not more than thirty percent (30%) of sixty (60%) of median area income as established by the U.S. Department of Housing and Urban Development (HUD) for a lower income household, adjusted for household size, and, not more than thirty percent (30%) of fifty percent (50%) of HUD median area income for a very-low income household, adjusted for household size; assuming that the household size will equal the number of bedrooms contained in the unit, plus one.

**Aggrieved person.** Any person who, in person or through a representative, appeared at a public hearing or by other appropriate means prior to action on a coastal permit informed the county of his concerns about an application for such permit, or, who for good cause was unable to do either, and who objects to the action taken on such permit and wishes to appeal such action to a higher authority.

**Agricultural cultivation.** The act of preparing the soil for the raising of agricultural crops.

**Agricultural lands.** Land designated in the general plan within an agricultural land use category.

**Agricultural processing.** The act of changing an agricultural product from its natural state to a different form, as grapes to wine, apples to juice or sauce, etc.

**Agricultural production.** Production of food, fiber and plant materials, including, but not limited to, growing, harvesting, crop storage, and milking, etc., but not including agricultural support services, processing and visitor-serving uses.

**Agricultural service use.** The providing of services that directly support agricultural uses on the same property or on neighboring agricultural lands such as spraying, pruning or harvesting.

**Agricultural support service.** Processing services, maintenance and repair of farm machinery and equipment, veterinary clinics, custom farming services, agricultural waste handling and disposal services, and other similar services.

**Alley.** Any public thoroughfare which affords only a secondary means of access to abutting property.

**Antenna.** The transmitting and/or receiving device, including wires, rods, discs, or similar devices, that transmits or receives electromagnetic signals.

**Antenna, vertical.** A vertical type antenna with no horizontal components other than a small radial element at its base.

**Apartment buildings.** Any structure containing more than two dwelling units.

**Arboreal value.** A mathematical evaluation of the arboreal component of a site for the purposes of establishing a plan for tree preservation.

**Attached Commercial Telecommunication Facility.** A commercial telecommunication antenna which is affixed, fastened, or joined to a residence, business, or similar structure, other than another telecommunication facility, and which does not include a tower.

**Automobile court or motel.** A group of two or more detached or semi-detached buildings containing guest rooms or apartments with automobile storage space serving such rooms or apartments provided in connection therein which group is designed and used primarily for the accommodation of transient automobile travelers.

**Automobile wrecking yard.** See "Junk yard".

**Bed and breakfast inn.** A bed and breakfast inn is any building or portion thereof containing no more than five (5) guest rooms used, let or hired out for occupancy of one (1) or more guests. No restaurant is permitted. Food service is limited to breakfast served to overnight inn guests only.

**Biotic resources.** Unique or significant plant or animal communities including estuaries, fresh and salt water marshes, tideland resources, riparian corridors, and certain terrestrial communities as set forth in the general plan.

**Boarding house.** A dwelling other than a guest ranch, inn, hotel, residential community care or resocialization facility as herein defined, where lodging and meals for three (3) or more unrelated persons are provided for compensation.

**Building.** See "Structure".

**Building, accessory.** A subordinate building, the use of which is incidental to that of the main building on the same lot or building site. Unless provided herein to the contrary, accessory buildings shall not be constructed in advance of main permitted buildings.

**Building envelope.** A defined location or locations on a lot.

**Building, main.** A building in which is conducted the principal use of the lot or building site on which it is situated.

**Building site area.** An area of land which may be smaller than a recorded lot or parcel occupied or to be occupied by a main building and its accessory buildings, or by a dwelling group and its accessory buildings, together with such open areas as are required by the terms of this chapter.

**Business area.** Property contiguous to a highway that (a) upon one side of which highway, for a distance of six hundred (600) feet, fifty percent (50%) or more of the contiguous property fronting thereon is occupied by a permanent business use, or (b) upon both sides of which highway, collectively, for a distance of three hundred (300) feet, fifty percent (50%) or more of the contiguous property fronting thereon is so occupied. A business area may be longer than the distances specified in this section if the above ration of land in use for business to the length of the highway exists.

**Business, retail.** The retail sale of any article, substance, or commodity for profit or livelihood, conducted within a building, but not including the sale of lumber or other building materials or the sale of used or secondhand goods or materials of any kind, with the exception of antique stores.

**Business, wholesale.** The wholesale handling of any article, substance or commodity for profit or livelihood, but not including the handling of lumber or other building materials or the open storage or sale of any material or commodity and not including the processing or manufacture of any product or substance.

**Camp car.** A vehicle defined as a camp car under the provisions of Division XIII, Part 2, of the State Health and Safety Code.

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

**Carport.** An accessible and usable covered space not less than ten (10) feet by twenty (20) feet open on two or more sides for the storage of automobiles. Such structure shall be located on the lot so as to meet all the requirements of this chapter for accessory buildings, or if made as part of the main building it shall meet all the requirements of this chapter for the main building.

**Certified arborist.** Any person who has current certificate from the International Society of Arboriculture.

**Childcare facility.** A facility which provides non-medical care to children under 18 years of age in need of personal services, etc. on less than a 24-hour basis. Child day care facility includes day care center and family day care homes.

**Change of use.** The replacement of an existing use by a new use, or a change in the nature of an existing use, but not including a change of ownership, tenancy, or management where the previous nature of the use, line of business or other function is substantially unchanged.

**Coastal Commission.** The California Coastal Commission.

**Coastal permit.** A letter or certificate issued by the County of Sonoma in accordance with the provisions of this chapter, approving a project in the "CC" combining district as being in conformance with the coastal program. A Coastal Permit includes all application materials, plans and conditions on which the approval is based.

**Coastal Plan.** The Sonoma County Coastal Plan certified by the California Coastal Commission on December 2, 1980, and as may be subsequently amended.

**Coastal Program.** The county's land use plans, zoning ordinances, zoning maps and implementing actions certified by the Coastal Commission as meeting the requirements of the California Coastal Act of 1976.

**Coastal Zone.** The portion of the coast, as established by the Coastal Act of 1976 and as officially mapped by the Coastal Commission, and as it may subsequently be amended, which lies within the County of Sonoma.

**Co-located Telecommunication Facility.** A telecommunication facility which is comprised of a single tower containing a combination of antennas owned or operated by more than one public or private entity.

**Combining Districts.** A district whose regulations may supplement any other district except another combining district; for example, "RR" combined with "SR" (RR SR) adds the requirements of the Scenic Resource Combining district

~~**Companion animals.** Animals normally maintained in a home as pets.~~

**Condominium.** An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property, together with a separate interest in space in a residential, commercial, or industrial building on such property (See Civil Code Section 783.)

A condominium may also include a separate interest in other parts of the real property. For purposes of this chapter, and to the extent reasonably feasible, the term condominium apartment building and a stock cooperative, as each are defined by Sections 1103-4 of the Business and Professions Code. The creation of two or more condominiums may be termed a condominium project.

**Condominium conversion.** The subdivision of real property containing an apartment building or buildings or dwelling group into a condominium project, a planned unit development project, a community apartment project, or a stock cooperative project.

**Contractor's yard.** Any land and/or building(s) used primarily for the storage of equipment, vehicles, machinery, whether new or used, and for building materials, paints, pipe, or electrical components, any of which is used by the owner or occupant of the premises in the conduct of any building trades or building craft.

**County boundary.** The boundary of the county, or the boundary of any city in the county.

**Cultural events.** Periodic special events such as parades, concerts, festivals, races and gatherings which attract, either by direct participation, or as spectators, a large gathering of people.

The following are not cultural events for the purposes of this chapter:

(a) Events conducted entirely within dedicated rights-of-way where event sponsors have secured necessary encroachment or other permits from the County Surveyor and, if applicable, the California Department of Transportation.

(b) Events conducted entirely within a building for which all necessary county permits have been secured, provided that the events are within the scope of the use for which the building was permitted.

(c) Events conducted at fairgrounds or events conducted at outdoor spectator facilities for which a use permit has been obtained, provided that the outdoor event is within the scope of the use permit.

(d) An event which has all of the following characteristics:

(1) has no live amplified music;

(2) does not involve an admission fee either for participants or spectators;

(3) is a one-day event conducted between the hours of 7:00 a.m. and 11:00 p.m.;

(4) does not involve overnight sleeping of participants or spectators;

(5) is not conducted more than one calendar day in a 30-day period;

(6) is not accompanied by newspaper, radio, or television advertising or printed leaflets distributed to the public at large; and

(7) does not involve the sale of food or beverages.

**Damage to a protected tree.** Significant injury to the root system or other parts of a tree including burning, application of toxic substances, damaging through contact with equipment or machinery or compacting the soil within the drip line, changing the natural grade, interfering with the normal water requirements of the tree, trenching or excavating within the drip line, or removing more than 1/3 of the live wood.

**Day care center.** A facility other than a family day care facility which provides nonmedical care except as an accessory use, to children under 18 years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual. Day care centers include infant centers, preschools, extended day care facilities, and the like.

**d.b.h.**. (diameter at breast height) Trunk diameter measured at 4 ½ feet above ground. For trees which are multi-stemmed at this height, the d.b.h. measurement equals the total diameter of trunks which, if combined, are equal to or greater than the minimum size stipulated.

**Density bonus.** An increase in the density allowed by the land use designation of the General Plan, Coastal Plan, and/or the zoning district. (See "Residential density")

**Density bonus unit.** A dwelling unit within a residential development, which has been granted to the developer in exchange for having met the requirements of this chapter.

**Disabled household.** A household with at least one person who has a physical or mental impairment that substantially limits one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working (source: 24CFR Part 8, Sec. 8.3).

**Development.** "Development" means, on and, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other subdivision of land, change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

**Development incentive.** Waiver or reduction of impact/mitigation fees, parkland dedication, open space provisions, parking standards, off-site public improvements or other development requirements determined by the ~~Department of Planning~~ Permit and Resource Management Department to be of equivalent financial value to the density bonus based upon proof submitted by the applicant with verification by certified appraisal or financial analysis.

**Development permit.** A discretionary permit or approval including, but not limited to: subdivisions, use permits, precise development plans, lot line adjustments, variances, design review, and zoning permits. Ministerial building permits not accompanied by any other type of discretionary review or approval are exempt from this definition.

**District.** A portion of the county within which certain uses of land and buildings are permitted or prohibited and within which certain yards and other open areas are required and certain height limits are established for buildings, all as set forth and specified in this chapter.

**Domestic animals.** Animals normally maintained in the home as pets.

**Drip line.** The area identified by extending a vertical line from the outermost portion of the limb canopy to the ground with its axis parallel to the trunk.

**Dwelling groups.** A group of two or more detached or semi-detached, one family duplex or multiple dwellings situated upon a permanent foundation, occupying a parcel of land having any yard, court, or area in common.

**Dwelling unit, second.** A separate secondary dwelling unit containing cooking, sleeping, and sanitation facilities constructed or created within, onto, or detached from a single-family unit ~~or multi-family unit~~ in areas designated by this ordinance. Secondary dwelling units are not to be sold separately from the primary dwelling, but may be rented. Secondary dwelling units may be established by:

(a) The remodeling of a primary dwelling unit whereby cooking, sleeping, sanitation facilities are not shared in common;

(b) The conversion of an attic, basement, garage, or other previously uninhabited portion of a single-family or multi-family unit;

(c) The addition of a separate unit onto the primary dwelling unit; or

(d) The creation of a separate structure on the lot or parcel in addition to the primary dwelling unit.

The second dwelling unit may be constructed simultaneously with, subsequent to, or prior to the primary dwelling unit. An attached second dwelling unit may be converted from the primary structure, may be constructed onto the primary structure, or may be a combination of new and existing construction. A detached second dwelling unit may be established by the conversion of an accessory structure or may involve new construction. Except as otherwise provided in this section, the second unit shall be permitted subject to provisions of ~~Article~~ Section 26C-325.1.

**Dwelling, three family or triplex or apartment house.** A building or portion thereof used and designed as a residence for three or more families living independently of each other, and doing their own cooking in the building, including apartment houses, apartment hotels, hotels and flats, but not including automobile courts.

**Dwelling, two family or duplex.** A single building containing not more than two kitchens, designed or used to house not more than two families, living independently of each other, including all necessary employees of each such family.

**Dwelling unit.** A permanent building or portion thereof including manufactured and mobile homes designated or used exclusively as the residence, sleeping room or quarters with kitchen facilities which constitutes an independent housekeeping unit, for one or more persons. Dwelling unit does not include a tent, travel trailer, recreational vehicle, or similar vehicle or structure.

**Emergency.** A sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential services.

**Ethanol production.** The process of distilling ethyl alcohol into fuel.

**Excavation.** The mechanical removal of earth material.

**Exotic animal.** Any wild animal which the California Fish and Game Commission has declared to be a prohibited wild animal and the importation, transportation, or possession of which is unlawful except under authority of a revocable permit issued by the California Department of Fish and Game.

**Family.** A single and separate living unit, consisting of either:

(a) One (1) person, or two (2) or more persons related by blood, marriage, or adoption or by legal guardianship pursuant to court order; plus necessary domestic servants, and not more than three (3) roomers or boarders; or

(b) A group of not more than five (5) persons unrelated by blood, marriage or adoption or such legal guardianship. A group occupying a fraternity house, club, hotel, motel, or any other building or portion thereof other than a dwelling, shall not be deemed to be a family.

**Family day care home.** A home which regularly provides care, protection and supervision to twelve (12) or fewer children, in the provider's own home, for periods of less than twenty-four hours per day, while the parents or guardians are away, and includes the following:

(a) Large family day care home: A home which provides family day care to seven (7) to twelve (12) children, inclusive, including children under the age of 12 who reside at the home.

(b) Small family day care home: A home which provides family day care to six (6) or fewer children, including children under the age of 12 who reside at the home.

**Farm animal.** Any animal, other than wild or exotic, customarily kept or raised by humans for companion and/or commercial purposes.

**Farm family dwelling.** An additional single family dwelling incidental to the main dwelling in terms of size, location and architecture which is not leased, subleased, rented or sub-rented separately from the main dwelling nor divided by sale, and which is inhabited by a member of the farm operator's family.

**Feed yard/lot.** Corrals or holding areas for the primary purpose of holding or feeding animals for market and not incidental to a farm or ranch.

**Fill.** A deposit of imported material placed by artificial means, including movement of materials from one portion of a site to another and pilings in a submerged area.

**Final inspection.** The same meaning as described in the Uniform Building Code, as modified and adopted in Chapter 7 of the Sonoma County Code.

**Flood proof structure.** A structure which in the opinion of the chief engineer of the Sonoma County Water Agency and the county building inspector is designed and constructed to resist flotation, destruction or major damage by the maximum flood predicted for the structure site.

**Flood, selected.** The magnitude of flood to be used for establishing minimum flood profile levels and designating the outer limits of the part of the flood plain to be regulated, i.e., the outer limits of the floodway (F1) and floodplain (F2) districts. The selected flood shall be determined by the Planning Commission and the Board of Supervisors upon recommendation by the chief engineer of the Sonoma County Water Agency.

**Floodway.** The portion of the stream channel and the adjacent flood plain that must be reserved in order to discharge the selected flood without cumulatively increasing the water surface more than one foot.

**Free-standing Commercial Telecommunication Facility.** A telecommunication facility which is operated in whole or part for commercial purposes such as mobile radio services, cellular telephone services, tv and radio broadcast, personal communication services, but which is not affixed, fastened, or joined to a residence, business, or similar structure. A facility which includes an antenna(s) placed upon a tower which is attached to a structure is considered to be a Free-standing facility. Telecommunication facilities operated in whole or part by public agencies are included in this category. However, a telecommunication facility installed by a public utility for the sole purpose of monitoring and protecting its gas and electric facilities shall not be considered a telecommunication facility and shall be exempt from the telecommunication standards of this ordinance.

- **Major Facility:** Such facility which involves a combination of towers and antennas greater than 130' in height.
- **Intermediate Facility:** Such facility which involves a combination of towers and antennas greater than 40' and less than or equal to 130' in height.
- **Minor Facility:** Such facility which involves a combination of towers and antennas less than or equal to 40' in height.

**Freeway.** Any expressway or limited access highway, as those terms are defined by the Streets and Highways Code of the State.

**Garage.** An accessible and usable covered parking space of not less than 10 X 20 feet for storage of automobiles, such garage to be located on the lot so as to meet the requirements of this chapter for an accessory building.

**Gasoline service station.** A gasoline service station is a commercial business which is characterized by the retail sale of gasoline and related petroleum and incidental vehicular products. Where the term auto service station or automobile service station is referenced in Chapter 25, such terms shall be construed to mean a gasoline service station as defined in this paragraph.

**Grading.** Any excavating or filling or combination thereof.

**Guest house.** An accessory building which consists of a detached living quarter of a permanent type of construction with no provisions for appliances and fixtures for the storage and/or preparation of food, including, but not limited to, refrigeration, dishwashers, or cooking facilities. The building shall not be leased, subleased, rented, or sub-rented separately from the main dwelling. The floor area of a guest house shall be a maximum of 640 square feet. For the purposes of calculating the maximum size of a guest house, any storage space attached to the guest house, excluding garages, shall be included. A guest house shall be located closer to the primary dwelling on the subject lot than to a primary dwelling on any adjacent lot. The guest house shall not be located more than 100 feet from the primary dwelling on the subject lot, except where the ~~Planning~~ Director of the Permit and Resource Management Department determines that a greater setback is appropriate in light of topography, vegetation or unique physical characteristics. The ~~Planning~~ Director of the Permit and Resource Management Department may require a use permit or signatures from adjacent property owners.

**Hardrock quarry operations.** Processed or crushed rock operations which entail the extraction, stockpiling, processing, and sale of bedrock geologic deposits.

**Height of Buildings.** Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof. Where this requirement conflicts with the height, sight, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

**Hog or pig farms, commercial.** The keeping of more than six (6) adult swine (i.e. boars and sows) on the premises.

**Home occupation.** Any activity which results in a product or service not used in its entirety by the family group and which is carried on in a residence and which meets all of the following criteria:

(a) The use is clearly incidental and secondary to the use of the dwelling for dwelling purposes;

(b) The use is conducted entirely within a dwelling and is carried on by the inhabitants thereof;

(c) The use does not appreciably change the character of the dwelling or adversely affect the use permitted in a residential district. No home occupation shall be permitted when the same is objectionable due to noise, dust, smoke, odor, or other causes;

(d) Not more than eight (8) customers or clients shall come to the dwelling unit for service or products during any one day, nor will the use create substantial additional traffic or require additional parking spaces;

(e) No persons are employed other than those necessary for domestic purposes;

(f) Not more than one quarter of the total floor space of the dwelling is used for such use;

(g) The entrance to the space devoted to such use is from within the building and no internal or external alterations or construction features not customarily found in dwellings is involved.

(h) Signing shall be limited to one attached, non illuminated, two square foot sign.

(i) No commercial vehicle used shall be un-garaged except that a single one ton or smaller truck may be un-garaged so long as signs on the truck are limited in size to normal logos found in business vehicles.

Each person proposing to conduct a home occupation shall submit a Zoning Permit application for a Home Occupation to the ~~Planning~~ Permit and Resource Management Department Department which describes the nature and extent of the proposed home occupation. The ~~Planning~~ Director of the Permit and Resource Management Department may require the written consent of adjacent property owners or a use permit where it is determined that the proposed home occupation might be incompatible with the particular neighborhood.

**Hotel, Guest Ranch, Inns.** Any building or portion thereof containing six (6) or more guest rooms each used, designed or intended to be used, let or hired out for occupancy for one (1) or more guests. Guest ranches and/or inns

may provide dining to overnight guests. Guest ranches and/or inns may provide dining to a limited number of patrons, other than overnight guests, with a use permit in accordance with the provisions of the applicable base district.

**Housing Opportunity Area.** A parcel or parcels of land whereon a project is proposed that provides affordable housing pursuant to Housing Element Policy HE-2g.

**Incidental use.** A secondary use of land or a building that is developed or conducted so as to not significantly change the character, appearance or operation of the principal use of the building or property located on the same lot.

**Incentive.** A modification of zoning code requirements (e.g. minimum open space, minimum lot size, setbacks, parking standards); or, an allowance of other regulatory incentives or measures which can be shown to result in construction cost reductions, without compromising public policy.

**Infill Development.** A dwelling group, consisting of detached single family dwellings or manufactured homes, on a single parcel located in an R1 Low Density Residential District. The number of dwelling units within such dwelling group shall not exceed the maximum residential density permitted by the general plan land use element.

**Institution use.** Any use, commonly consisting of offices, churches, public buildings, financial institutions, etc., whose function does not involve direct on-site sales of products or personal services.

**Instream operations.** Sand and gravel operations which entail the extraction and sale of sand and gravel from stream and river channels.

**Junk yard.** Any land or lot where more than one hundred (100) square feet of the area or where any portion of that land or lot which adjoins any public or private street or road is used for the storage of junk, including scrap metals, salvage or other scrap materials, or for the dismantling or wrecking of automobiles or other vehicles or machinery, whether for sale or storage.

**Kennels.** Any lot or premises on which five (5) or more dogs or cats at least four (4) months of age are kept, boarded or trained, whether or not in special buildings and runways.

**Large collection facility.** A large collection facility occupies more than 500 square feet and includes bins, boxes, cans, kiosk-type units, reverse vending machines, and other containers or receptacles. #3805)

**Livestock.** Animals maintained as a source of food or clothing, including bovine and equine animals.

**Local area development guidelines.** Design and other guidelines for development that apply to a specified community or local area, as a subunit of a planning area, and which provide a greater level of detail or relate special circumstances for use in that area.

**Lot.** A legally defined parcel or contiguous group of parcels in single ownership or under single control, usually considered a unit for purposes of development.

**Lot, corner.** A lot, two or more adjacent sides of which abut upon a street.

**Lot coverage.** The percentage of a lot encumbered by structures and areas devoted to vehicular traffic or parking. Driveways surfaced with permeable materials, uncovered decks less than 30 inches in height, and roof overhangs less than one foot wide may be excluded. ~~Uncovered decks less than 30 inches in height, driveways, and roof overhangs less than one foot wide may be excluded.~~

**Lot, frontage.** The linear measurement of the front lot line.

**Lot, key.** An interior lot adjacent to a corner lot, the side line of which is contiguous with the rear lot line of the corner lot.

**Lot lines.** The property lines bounding the lot.

**Lot line, front.** Any of the following: (1) each street lot line of an interior or through lot. (2) either one or the other of the two street lot lines of a corner lot.

**Lot line, rear.** The lot line opposite and most distant from the front line, where such lot line is not also a street lot line.

**Lot line, side.** Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a side street lot line. A side lot line separating a lot from another lot or lots is called an interior side lot line.

**Lot of record.** A lot that is designated upon a map showing the lot, block and tract as indicated on a final map, as such map is filed in the County Recorder's Office, or as a lot shown on a recorded parcel map.

**Lot width.** The least distance between the side lot lines, measured at points midway between the front and rear lot lines. In the case of triangular lots, or lots that are bounded by more than four straight lines, or that have curvilinear side lines, the ~~Planning~~ Director of the Permit and Resource Management Department shall determine the lot width.

**Lower income household.** A household whose gross annual income is not more than eighty percent of the median income for Sonoma County as established by the U.S. Department of Housing and Urban Development, adjusted for household size.

**Major energy facility.** Any energy facility as defined by Public Resources Code Section 30107 and exceeding $100,000.00 in estimated cost of construction.

**Major medical facility.** A State-licensed institution which provides intensive professional supervision and/or medically supervised treatment to patients.

**Major public works project.** Any public works project as defined by Public Resources Code Section 30114 and exceeding $100,000.00 in estimated cost of construction.

**Manufactured home.** A dwelling unit including mobile homes and factory-built housing as defined in Sections 18210.5 and 19971, respectively, of the California Health and Safety Code.

**Mini-mart.** A commercial business which is characterized by the retail sale of gasoline and related petroleum products in combination with the retail sale of food, beverages, or other non-vehicular related items. A mini-mart does not include gasoline service stations which are solely combined with five (5) or fewer coin-operated, self-serve vending machines which dispense prepackaged food or beverages.

**Minor Development.** A development which a local government determines satisfies all of the following requirements:

(1) Is consistent with the certified local coastal program, as defined in Section 30108.6 of the Coastal Act.
(2) Requires no discretionary approvals other than a coastal development permit.
(3) Has no adverse effect either individually or cumulatively on coastal resources or public access to the shoreline or along the coast.

**Minor timberland conversion.** The conversion of less than three (3) acres of timberland not zoned TP (Timberland Production), whether or not the timberland is a portion of a larger parcel, to a non-timber growing use. Minor timberland conversion shall not include the conversion of timberland for the purpose of constructing a structure in accordance with a valid building permit, provided the conversion only involves the cutting or removal of the minimum amount of timber necessary to accommodate the structure.

**Mobile home.** A structure, transportable in one or more sections, which is built on a permanent chassis and is designed to be used as a dwelling unit with or without a permanent foundation. Mobile home does not include a recreational vehicle or factory-built housing as defined in Section 19971 of the California Health and Safety Code.

**Mobile home park.** Any area or tract of land used to accommodate ten (10) or more mobile homes.

**Moderate income household.** A household whose gross annual income does not exceed 120 percent of the median income for Sonoma County as established by the U.S. Department of Housing and Urban Development, adjusted for household size.

**Motel.** A group of two (2) or more detached or semi-detached buildings containing guest rooms or apartments and associated parking used primarily for the accommodation of transient automobile travelers.

**Multiple-user Telecommunication Facility.** A telecommunication facility which is comprised of multiple towers containing a combination of antennas owned or operated by more than one public or private entity.

**Non-Commercial Telecommunication Facility.** A telecommunication facility which is operated solely for personal use and not for commercial purposes.

**Nonconforming use.** A lawful use existing on the effective date of a zoning ordinance restriction and continuing since that date in non-conformance to the zoning ordinance restriction.

**Non-operative motor vehicle.** Any motor vehicle which cannot be moved under its own power, or cannot be operated lawfully on a public street or highway within this state, due to removal of, damage to, or deterioration of, or inoperative condition of any component part or the lack of an engine, transmission, wheels, tires, doors, windshield or any other component part necessary for such movement or lawful operation. Non operative motor vehicle shall not include "Vehicles of Historic Value" as defined by the California Vehicle Code which have current special identification plates as provided herein.

**Non-operative motor vehicle storage yard.** The placing on any lot or parcel or contiguous lots or parcels of land one (1) or more non-operative motor vehicles for a period exceeding fifteen (15) days.

**Old growth redwood.** Any redwood tree over two hundred (200) years old.

**Open areas.** Those areas suitable for common recreational use or which provide visual relief to developed areas, exclusive of flood control channel rights-of-way, areas devoted to parking, vehicular traffic, or private use, and any other area which does not significantly lend itself to the overall benefit of either the particular development or surrounding environment. Open areas may include areas in private lot ownership, provided that such areas are not fenced. The boundaries of open areas shall be treated as property lines in determining required rear and side yard setbacks.

At least fifty percent (50%) of the required open area shall be contained as a single visually identifiable area exclusive of connecting corridors or pathways, and in no case be less than fifty (50) feet in width nor five thousand (5,000) square feet in area.

**Outdoor advertising sign.** Any card, cloth, paper, metal, painted, or wooden sign of any character (excluding appurtenant and directional signs) placed for outdoor advertising purposes, on the ground or onto any tree, wall, bush, rock, post fence, building, structure or thing. The term placed, as used in this definition, includes erecting, constructing, maintaining, posting, painting, printing, tacking, nailing, gluing, sticking, carving, or otherwise fastening, affixing to, or making visible in any manner.

**Outdoor advertising structure.** A structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any poster, bill, printing, painting, or other advertisement of any kind whatsoever may be placed for advertising purposes. The term placed, as used in this definition, includes erecting, constructing, maintaining, posting, painting, printing, tacking, nailing, gluing, sticking, carving, or otherwise fastening, affixing to, or making visible in any manner.

**Outdoor vendor.** The sale of articles and agricultural or horticultural commodities on a small scale for profit or livelihood, not conducted within a building, but not including the sale of lumber or other building material.

**Parking spaces.** Usable off-street area with independent access, not included within established front-yard setback, at least 9' X 20' for diagonal or perpendicular vehicle parking, or at least 8' X 22' for parallel vehicle parking.

**Permit, use.** A permit issued after public hearing by the Board of Zoning Adjustments or Planning Commission as the case may be, that authorizes the recipient to make use of property in accordance with the requirements of this chapter.

**Permit, zoning.** A permit issued by the ~~Planning~~ Director of the Permit and Resource Management Department, that authorizes the recipient to make use of property in accordance with the requirements of this chapter.

**Planned developments.** A real estate development other than a community apartment project, a stock cooperative, or a cooperative, or a condominium and which is more particularly defined in Sections 11003 and 11003.1 of the California Business and Professions Code and subsequent amendments thereto, and having either or both of the following features:

(a) Any contiguous or noncontiguous lots, parcels or areas owned in common by the owners of the separately owned lots, parcels or areas consisting of areas or facilities the beneficial use and enjoyment of which is reserved to same or all of the owners of separately owned lots, parcels or areas.

(b) Any power existing to enforce any obligation in connection with membership in the owners association, or any obligation pertaining to the beneficial use and enjoyment of any portion of, or any interests in, either the separately or commonly owned lots, parcels or areas by means of a levy or assessment which may become a lien upon the separately owned lots, parcels or areas of defaulting owners or members, which said lien may be foreclosed in any manner provided by law for the foreclosure of mortgages or deeds of trust, with or without a power of sale.

**Prime soils.** Soils classified by the United States Department of Agriculture Soil Conservation Service as Class I or Class II.

**Principal Permitted Use.** Principal Permitted Uses are those uses so labeled which are listed under the heading "Uses permitted subject to Site Development and Erosion Control Standards" within each zoning district. Notwithstanding the above, additional dwellings beyond one single-family dwelling on parcels zoned LIA, LEA, DA, RRD, RRDWA, and TP are not considered to be Principal Permitted Uses.

**Processing services.** Support services which are related to and necessary for agricultural processing activities.

**Processing, timber.** Initial on-site activities and mill activities which transform the resource to a finished product.

**Professional offices.** Buildings, structures or establishments for the purpose of establishing or maintaining offices for doctors, attorneys, registered engineers or architects, licensed surveyors, accountants or realtors, but not including barbers, beauticians, cosmetologists or other service establishments.

**Protected perimeter.** The tree drip line.

**Protected tree.** Big Leaf Maple *Acer macrophyllum*, Black Oak *Quercus kelloggii*, Blue Oak *Quercus douglasii*, Coast Live Oak *Quercus agrifolia*, Interior Live Oak *Quercus wislizenii*, Madrone *Arbutus menziesii*, Oracle Oak *Quercus morehus*, Oregon Oak *Quercus garryana*, Redwood *Sequoia sempervirens*, Valley Oak *Quercus lobata*, California Bay *Umbellularia california*, and their hybrids.

**Protected tree of special significance.** Valley Oak *Quercus lobata*.

**Public garage.** Any premises, except those herein defined as a private or storage garage, used for the storage or care of motor vehicles or where any such vehicles are equipped for operation or repair or kept for remuneration, hire or sale.

**Public service use or facility.** A use operated or used by a public body or public utility in connection with any of the following services: water, waste water management, public education, parks and recreation, fire and police protection, solid waste management, utilities, hospitals, or other public service uses.

**Quasi-public use or facility.** A use operated by a private nonprofit, educational, religious, charitable or medical institution, having the primary purpose of serving the general public, and including uses such as churches, private schools and universities, community, youth and senior citizen recreational facilities, private hospitals and the like.

**Recreational vehicle (RV) travel trailer.** A motorized vehicle fit for human habitation and licensed by the Department of Motor Vehicles, commonly known but not limited to house cars, campers, motor homes, travel trailers, camp trailers, coaches.

**Recreational vehicle (RV) park.** Any area or tract of land where one (1) or more lots accommodate owners or users of travel trailers or motor vehicles used for travel or recreational purposes and where occupancy by any one (1) individual does not exceed ninety (90) consecutive days in any one (1) calendar year.

**Recyclable material.** Recyclable material is reusable material including but not limited to aluminum, glass, plastic, and paper which are intended for reuse, remanufacture, or reconstruction in altered form. Recyclable material includes used motor oil collected and transported in accordance with Section 25250.11 and 25143.2(b)(f) of the California Health and Safety Code.

**Recycling facility.** Recycling facility is a center for collection and/or processing of recyclable materials.

**Recycling collection facility.** Recycling collection facility is a center for the acceptance of recyclable materials and includes reverse vending machines, small collection facilities and large collection facilities.

**Recycling processing facility.** Recycling processing facility is a building or enclosed space used for the collection and processing of recyclable material, and/or used motor oil, by such means as flattening, sorting, compaction, bailing, shredding, grinding and crushing. Processing shall include the following:

(a) Light processing facilities have up to 45,000 square feet of gross collection. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers;

(b) Heavy processing facilities are all other processing facilities other than a light processing facility.

**Registered professional forester.** A registered professional forester as defined in Title 14, California Code of Regulations, section 895.1.

**Residential community care facility.** A home licensed by the State which is regularly used as a community care facility, health facility, care facility for the elderly, or alcoholism recovery facility (as defined by the California Health and Safety Code); or facilities for the mentally disordered, handicapped persons, or dependent and neglected children (as defined by the California Welfare and Institutions Code).

(a) Small residential community care facility: A residential care facility serving six or fewer persons.

(b) Large residential community care facility: A residential care facility serving seven or more persons.

**Residential density.** The number of dwelling units per acre or the number of acres per dwelling unit as shown in the General Plan Land Use Element.

**Resocialization facility.** A facility, including but not limited to a single family residence which provides adult supervision and residence services to six (6) or less individuals who are not related to the resident household, and who are mentally handicapped and may be receiving some case work services from psychiatric social workers or welfare workers. A resocialization facility may be a licensed or un-licensed home for persons who are placed in or referred to the facility by a State agency.

**Rest home.** A structure for housing ambulatory guests and requiring a license from another agency.

**Reverse vending machine.** A mechanical device which accepts and temporarily stores one or more types of empty beverage containers, including aluminum cans, glass and plastic bottles and cartons and issues a cash refund or redeemable credit slip with a value not less than the container's redemption value.

**Riparian corridor.** A line or belt of vegetation following the course of a river or stream on the immediate banks and appearing visually and structurally separate from the surrounding landscape.

**River terrace operation.** Sand and gravel operations which entail the extraction, stockpiling, processing, and sale of sand and gravel from terrace floodplain deposits.

**Roof.** The exterior surface on the top of a building or structure, as shown in the accompanying illustration.

**Rooming house.** A dwelling other than a hotel, residential community care facility, or resocialization facility where lodging, but not meals, for three (3) or more unrelated persons is provided for compensation.

**Scenic corridor.** As designated on Figure OS-2 of the General Plan Open Space Element, and the Coastal Plan, a strip of land of high visual quality along a certain roadway.

**Scenic highway.** Those roadways in Sonoma County that have been so designated by the State of California.

**Seasonal farmworker housing.** Any housing accommodation or structure of a temporary or permanent nature used as housing for farm workers for not more than 180 days in any calendar year and approved for such use pursuant to Title 25 of the California Code of Regulations.

**Secondary use.** A use of land or a building that is subordinate to, but may be different from the primary use of the land or building located on the same lot.

**Silhouette.** A calculation of the exposed surface area of the towers and antennas associated with a telecommunication facility, as seen from an elevation perspective, as shown in the accompanying illustration.

**Sludge.** Solid material produced through sewage treatment processes.

**Small collection facility.** A small collection facility which occupies an area of not more than 500 square feet and includes:

(a) reverse vending machines occupying more than 50 square feet;

(b) bins, boxes, cans, kiosk-type units and other containers or receptacles; and/or

(c) a properly licensed automobile, truck, trailer or van.

**Stable, commercial.** Housing for horses owned and used by someone other than the occupant or owner of the residence and including related shows, lessons, clinics and similar activities.

**Street.** A public or private thoroughfare which affords principal means of access to abutting property, including avenue, place, way, drive, land, boulevard, highway, road and any other thoroughfare except an alley as defined herein.

**Street line.** The boundary between a street and property.

**Structure.** Anything constructed or erected, the use of which requires location on the ground attachment to something having location on the ground.

**Structure Ridgeline.** The long, narrow crest at the top of the juncture of two or more surfaces making up the roof of a building or structure, as shown in the accompanying illustration.

**Structural alterations.** Any change in the supporting members of a building such as bearing walls, columns, beams or girders.

**Tasting room.** A facility in which agricultural products grown or processed in the county may be tasted and sold.

**Telecommunication Facility.** A facility that sends and/or receives electromagnetic signals, including antennas and towers to support receiving and/or transmitting devices along with accessory structures, and the land on which they are all situated.

**Timber.** Group A commercial species of trees as defined in Title 14, California Code of Regulations, Section 912.

**Timberland.** Land which is available for, and capable of, growing timber.

**Timberland conversion.** The conversion of timberland to a non-timber growing use.

**Tower.** The support structure, including guyed, monopole and lattice types, upon which antennas are located as part of a telecommunication facility. Tower does not include mounting brackets or similar devices utilized to attach an antenna directly onto the roof or side of a building.

**Transitional housing.** Housing for persons or families in transition from a homeless shelter to permanent housing.

**Travel trailer.** A vehicle, other than a motor vehicle or mobile home which is designed or used for human habitation and for travel or recreational purposes, which is not more than eight (8) feet in width and is less than forty (40) feet in length, and which may be moved upon a public highway without special permit or chauffeur's license or both, without violating any provision of the Vehicle Code of the State.

**Travel trailer park or recreational trailer park.** Any area or tract of land where one or more lots accommodate owners or users of travel trailers used for travel or recreational purposes wherein occupancy by any one individual does not exceed ninety consecutive days in any one calendar year.

**Tree.** A healthy living large woody plant which ordinarily has a central trunk and at maturity exceeds a height of 14 feet.

**Truck or equipment terminal or depot.** A space, area, or building designed, equipped or maintained for the parking or storage of two or more trucks, vehicles or equipment other than private automobiles or farm vehicles or equipment used incidental to agricultural uses on the premises.

**Urban service area.** An area designated in the general plan within which the full range of public services and infrastructure, such as sewer, water, police and fire protection, roads and transit, and other services necessary for urban development are available or planned to be available. The area bounded by an urban service boundary.

**Urban service boundary.** A designated limit to the urban development of cities and unincorporated communities of the county.

**Use, accessory.** A use incidental and accessory to the principal use of a lot or a building located on the same lot.

**Very low income household.** A household whose gross annual income is not more than fifty percent of the median income for Sonoma County as established by the U.S. Department of Housing and Urban Development, adjusted for household size.

**Veterinary clinic.** A facility for the provision of medical services for animals, unless otherwise specified, including incidental retail sales of pharmaceuticals for the health care of the animals. Animals may be kenneled on site.

**Yard.** An open space other than a court on the same lot with a building, which open space is unoccupied and unobstructed from the ground upward, except as otherwise permitted in this chapter.

**Yard, front.** A yard extending across the front of the lot between the inner side yard lines and measured from the front line of the lot to the nearest lines of the building: provided, that if any building line or official plan line has been established for the street upon which the lot faces, then such measurement shall be taken from such building line or official plan line to the nearest line of the building.

**Yard, rear.** A yard extending across the full width of the lot and measured between the rear line of the lot and the nearest line of the main building.

**Yard, side.** A yard between the line of the lot and the nearest line of the building and extending from the front line of the lot to the rear yard.

**Year-round farmworker housing.** Any housing accommodation or structure of a temporary or permanent nature used as housing for farm workers for more than 180 days in any calendar year and approved for such use pursuant to Title 25 of the California Code of Regulations.

**Zoning District.** A portion of the county within which certain uses of land and buildings are specified and within which certain yards and other open areas are required and certain height limits are established for buildings, all as set forth and specified in this chapter.

## Article II. LIA - Land Intensive Agriculture District

**Purpose:** To enhance and protect lands best suited for permanent agricultural use and capable of relatively low production per acre of land; and to implement the provisions of the Land Intensive Agriculture land use category (Section 2.7.2) of the General Plan and the policies of the Agricultural Resources Element.

### Section 26C-20. Permitted Uses, Subject to Site Development and Erosion Control Standards.

The following uses are permitted except within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan in which case a use permit is required. All clearing vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards.

(a) Principal Uses:

(1) On parcels exceeding five (5) acres, raising, feeding, maintaining and breeding of farm animals. When such farming involves animals which are continuously confined, such as veal calves, poultry, hogs and pigs, dairy cows, or similar livestock which may result in concentrations of animal waste, the use shall be subject to issuance of a zoning permit based upon written approval of the Sonoma County Public Health Department and the applicable Regional Water Quality Control Board of a confined animal management plan. Horses, goats, sheep, and similar farm animals are not considered to be confined animals for purposes of this chapter. The plan shall include provisions for:

a. containment of waste to the site;

b. reuse or disposal of waste in accordance with health and/or water quality regulations;

c. mitigation of potential water quality impacts due to surface runoff of waste;

d. control of vectors;

In the event that the confined animal use is proposed within 500 feet of a non-agricultural land use category, it shall require prior approval of a use permit.

(2) On parcels of five (5) acres or less, raising, feeding, maintaining and breeding of not more than one of the following per 20,000 square feet of area:

a. five (5) hogs or pigs;

b. one (1) horse, mule, cow, or steer;

c. five (5) goats, sheep, or similar animals;

d. fifty (50) chickens or similar fowl;

e. fifty (50) ducks or geese or one hundred (100) rabbits or similar animals.

f. The above limitations may be modified by the ~~Planning~~ Director of the Permit and Resource Management Department upon submittal of a proposal statement which describes the extent of the domestic farming use and which is signed by the owners of all property within 300 feet of the subject property. The ~~Planning~~ Director of the Permit and Resource Management Department may require the applicant to obtain a use permit if the Director determines that the project might be detrimental to surrounding uses.

g. 4-H and FFA animal husbandry projects are permitted without limitation of parcel size, provided that the parcel contains at least twenty thousand (20,000) square feet and provided

further a letter of project authorization is first submitted by the project advisor. The ~~Planning~~ Director of the Permit and Resource Management Department may require the applicant to obtain a use permit when the Director determines that the project might be detrimental to surrounding uses.

(3) Beekeeping.

(4) The growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops, including wholesale nurseries. Except as noted below, agricultural cultivation shall not be permitted in the following areas:

a. Within 100' from the top of the bank of the "Russian River Riparian Corridor".

b. Within 50' from the top of the bank of designated "flatland riparian corridors".

c. Within 25' from the top of the bank of designated "upland riparian corridors".

Agricultural cultivation may be allowed in a. - c. above upon approval of a management plan which includes appropriate mitigations for potential erosion, bank stabilization, and biotic impacts. This plan may be approved by the ~~Planning~~ Director of the Permit and Resource Management Department or by use permit pursuant to Section 26C-21(b)(1).

(5) Agricultural support services involving no more than one employee and occupying no more than one half (1/2) acre of land and subject, at a minimum to the criteria of General Plan Policies AR-5c and AR-5d. Such services may include incidental sales of products related to the support service use but shall not include additional walk-in, over-the-counter retail sales.

The following factors shall be considered in determining an agricultural support service to be "clearly subordinate to on-site agricultural production" as provided in above policy AR-5c:

a. The geographic area of the lot devoted to the support service use in comparison to that remaining in agricultural production.

b. Whether or not new structures or significant expansion of existing structures are needed to accommodate the support service use.

c. The relative number of employees devoted to the support service use in comparison to that needed for agricultural production.

(6) Incidental cleaning, grading, packing, polishing, sizing and similar preparation of crops which are grown on the site, but not including agricultural processing.

(7) Temporary or seasonal sales and promotion and incidental storage of crops which are grown or animals which are raised on the site.

(8) Ranch roads.

(b) Residential uses include the following:

(1) Single family detached dwelling unit(s) in accordance with the residential density permitted by the General Plan land use element, or permitted by a "B" combining district, whichever is more restrictive. In the event that more than one such dwelling unit is placed on a single lot, the additional dwellings shall be clustered with the primary dwelling in order to minimize roads, drives, and utility extensions. The additional dwellings shall also be subject to design review approval. These unit(s) may be manufactured homes, but only one may be a manufactured home without a permanent foundation.

A manufactured home without a permanent foundation shall require prior approval of a zoning permit, notice of which shall be posted at least ten (10) days prior to issuance, during which an appeal may

be filed and processed pursuant to Section 26C-331. Issuance of the zoning permit shall be subject, at a minimum, to the following conditions:

a. The manufactured home shall be at least twelve (12) feet in width except those that are owned and occupied on the effective date of this ordinance;

b. The manufactured home shall be skirted. All skirting shall be of a type approved by the State of California;

c. The manufactured home shall have one patio awning with a minimum dimension of 9' x 20' and either a garage, carport, or awning with a minimum dimension of 10' x 20' for covered parking;

d. All manufactured home sites shall be landscaped; and

e. The manufactured home shall be occupied by the owner of the property or a relative of the owner.

(2) One detached farm family dwelling unit per lot provided that a Williamson Act contract is in effect and that the following requirements are met:

a. An agricultural easement having a term equal to the useful life of the structure, but in no event less than twenty (20) years, shall be offered to the County at the time of application.

b. A covenant shall be recorded, in a form satisfactory to County Counsel, which acknowledges that, in the event that the agricultural use is terminated on the property, the farm family dwelling shall become a nonconforming residential use.

(3) One dwelling unit for full-time agricultural employees for each of the following agricultural uses conducted on the site:

a. at least fifty (50) mature cows or one hundred (100) beef cattle;

b. at least twenty (20) acres of grapes, apples, pears, prunes;

c. at least twenty thousand (20,000) broilers, fifteen thousand (15,000) egg-layers, or three thousand (3,000) turkeys;

d. at least two hundred fifty (250) sheep or goats, fifty (50) dairy goats or hogs;

e. at least thirty (30) mature horses;

f. wholesale nurseries with a minimum of either one (1) acre of propagating greenhouse or outdoor containers or three (3) acres of field-grown plant materials;

g. any other agricultural use which the ~~Planning~~ Director of the Permit and Resource Management Department determines to be of the same approximate agricultural value and intensity as a. through f. above.

Said dwelling unit(s) may be conventionally built homes or manufactured homes (with or without permanent foundations) provided that manufactured homes without a permanent foundation shall require a zoning permit approved in the manner described in Section 26C-20b(b)(1). Prior to the issuance of building or zoning permits for said employee unit(s), the property owner shall place on file with the ~~Planning~~ Permit and Resource Management Department an affidavit that said unit(s) will be used to house persons employed on the premises for agricultural purposes. Further, a covenant shall be recorded, in a form satisfactory to County Counsel, which acknowledges that in the event that the agricultural use is terminated on the property, the agricultural employee dwelling shall become a nonconforming residential use.

(4) Self-contained recreational vehicles and/or travel trailers to house persons solely employed on the site for agricultural purposes for less than ninety (90) days, subject to the following:

The property owner must submit a written affidavit to the ~~Planning~~ Permit and Resource Management Department, stating that said recreational vehicle and/or travel trailer will only be used to house persons solely employed on the site of a bona fide agricultural enterprise. A bona fide agricultural enterprise is defined for this purpose as an operation which derives its primary and principal income from agricultural production. The recreational vehicle or trailer shall be immediately removed from the site when it is no longer occupied by persons who are solely employed on the site.

(5) Seasonal farm worker housing which meets the standards set forth in Section 26C-320(j). Seasonal farm worker housing shall also conform to such public health, building and fire safety criteria as may be established by resolution or ordinance of the Board of Supervisors.

(6) Year-round farm worker housing which meets the standards set forth in Section 26C-320(n). Year-round farm worker housing shall also conform to such public health, building, and fire safety criteria as may be established by resolution or ordinance of the Board of Supervisors.

(7) One guest house per lot.

(c) The following non-agricultural uses, provided that the applicant must demonstrate that the use meets a local need, avoids conflict with agricultural activities and is consistent with Objective AR-4.1 and Policy AR-4a of the Agricultural Resources Element.

(1) Boarding of horses which are not owned by the occupant or owner of the property subject to issuance of a zoning permit, but not including shows, lessons, clinics or similar related activities.

(2) Home occupations.

(3) Small residential community care facilities.

(4) Occasional cultural events, provided that a written notice stating "The Sonoma County ~~Planning~~ Permit and Resource Management 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 26C-331 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 26C-331.

(5) Management of land for watershed, for fish and wildlife habitat, fish rearing ponds, hunting and fishing, where these uses are incidental to the primary use.

(6) Small family day care.

(7) Non-commercial kennels for up to ten (10) dogs.

(8) Public parks which do not interfere with the primary purpose of the Coastal Plan land use designation.

(9) 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.

(10) Attached Commercial Telecommunication Facilities subject to the applicable criteria set forth in Section 26C-325.7.

(11) Minor Free-standing Commercial Telecommunication Facilities, subject to the applicable criteria set forth in Section 26C-325.7, and subject to approval of a zoning permit, including environmental review, for which notice, including a site plan and one 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 Article 33 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 Article.

(12) Non-commercial Telecommunication Facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7. Facilities between forty feet (40') and eighty feet (80') in height are subject to approval of a ministerial 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 Article 33 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 Article.

(d) Accessory buildings and uses appurtenant to the operation of the permitted uses. Accessory buildings may be constructed on vacant parcels of two acres or more in advance of a primary permitted use. On vacant parcels less than two acres, accessory buildings may only be constructed if less than 120 square feet or as incidental to an existing agricultural use.

(e) Minor timberland conversions, subject to compliance requirements of Section 26C-32T.

(f) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Sections 26C-20.

**Section 26C-21. Uses ~~Permitted with~~ Requiring a Use Permit.**

(a) Sensitive Area Uses.

(1) Permitted uses listed in Section 26C-20 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading, excavation, fill, or construction when located in a sensitive area, riparian corridor, scenic corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(b) Agricultural Uses.

(1) Agricultural cultivation in the following areas, for which a management plan has not been approved pursuant to Section 26C-20(a)(4).

a. Within 100' from the top of the bank in the "Russian River Riparian Corridor".

b. Within 50' from the top of the bank in designated "flatland riparian corridors".

c. Within 25' from the top of the bank in designated "upland riparian corridors".

(2) Livestock feed yards, animal sales yards.

(3) Commercial mushroom farming.

(4) Commercial stables not permitted under Section 26C-20(c)(1), riding academies, equestrian riding and driving clubs, and hunting clubs.

(5) Commercial aquaculture, provided that, at a minimum, the use does not adversely affect biotic resources and does not take place on prime soils.

(6) Agricultural support services with more than one (1) and a maximum of (3) employees or occupying more than one half (1/2) acre of land, but otherwise subject to the same criteria as Section 26C-20(a)(5).

(7) Preparation of agricultural products which are not grown on site, processing of agricultural product of a type grown or produced primarily on site or in the local area, storage of agricultural products grown or processed on site, and bottling or canning of agricultural products grown or processed on site, subject, at a minimum, to the criteria of General Plan Policies AR-5e and AR-5f.

(8) Slaughterhouses, animal processing plants, rendering plants, fertilizer plants or yards which serve agricultural production in the local area and subject, at a minimum, to the criteria of General Plan Policies AR-5e and AR-5f.

(9) Retail nurseries involving crops/plants which are not grown on the site.

(10) Tasting rooms and other temporary, seasonal or year-round sales and promotion of agricultural products grown or processed in the county subject to the minimum criteria of General Plan Policies AR-6d and AR-6g. This subsection shall not be interpreted so as to require a use permit for uses allowed by Section 26C-20(a)(7).

(11) Promotional or marketing accommodations for private guests, provided that the use, at a minimum, meets all of the following criteria:

a. The use promotes or markets agricultural products grown or processed on the site.

b. The scale of the use is appropriate to the production and/or processing use on the site.

c. The use complies with General Plan Policies AR-6d and AR-6g.

d. No commercial use of private guest accommodations is allowed.

(12) Dwelling unit(s) for full time agricultural employees which are transferred from another lot within this district and which is under the same ownership as the subject property. The other lot need not be a lot within the Coastal Zone. The number of units allowed shall be determined by the standards in Section 26C-20(b)(3). The units shall be located on the receiving parcel such that they are closer to the primary dwelling unit than to the property line.

(13) Farm labor camps not permitted by Section 26C-20(b).

(c) The following non-agricultural uses, provided that the applicant must demonstrate that the use meets a local need, avoids conflict with agricultural activities and is consistent with Objective AR-4.1 and Policy AR-4a of the Agricultural Resources Element.

(1) Game preserves and refuges.

(2) Public schools, subject, at a minimum, to the criteria of General Plan Policy LU-6e.

(3) Private nursery, primary or secondary schools, and churches, subject, at a minimum, to the criteria of General Plan Policy LU-6f.

(4) Cemeteries.

~~(5) Commercial kennels.~~

(5) Minor public utility buildings and public service or utility uses (transmission,distribution lines and telecommunications facilities excepted), including but not limited to reservoirs, storage tanks, pumping stations, telephone exchanges, small power stations, transformer stations, fire and police stations and

training centers, service yards, and related parking lots which, at a minimum, meet the criteria of General Plan Policy PF-2s and which are not otherwise exempt by State law.

(6) Intermediate and Major Free-standing Commercial Telecommunication Facilities subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(7) Non-commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

~~(8) Radio, telephone, and other communication and transmission towers subject, at a minimum, to the criteria of General Plan Policy PF-2u.~~

(8) Exploration and development of low temperature geothermal resources for other than power development purposes provided that at a minimum it is compatible with surrounding land uses.

(9) One second dwelling unit per lot provided that all criteria of Section 26C-325.1 are met. Such criteria include, but are not limited to setbacks and yard requirements. (Ord. No. 3511)

(10) Application of sludge from wastewater treatment plants to agricultural land, subject, at a minimum, to the criteria of General Plan Policies PF-2q and PF-2r.

(11) Art studios and arts and crafts centers not involving retail or wholesale sales. A use permit for such uses may be granted only when the use is conducted within an existing abandoned agricultural building feasible for such use.

(12) Granges and similar community service facilities which do not adversely impact agriculture in the area.

(13) Large residential community care facility.

(14) Day care center.

(15) Large family day care.

(16) Golf courses and driving ranges shall be at the sole discretion of the County and subject, at a minimum, to the following criteria:

a. The proposed use is adjacent to a designated urban service boundary or includes an irrevocable offer of offsite unutilized development rights for all lands between the use and the urban service boundary.

b. Permanent open space or agricultural preservation is provided for the site of the proposed use and all areas for which development rights are acquired.

c. The use is located in close proximity to an existing wastewater treatment facility and includes the use of reclaimed wastewater in accordance with the regulations of the applicable regional water quality control agency.

d. The use is subject to design review approval and includes setbacks, buffers, or other measures designed to minimize its impact on existing and potential agricultural uses in the area.

e. Under no circumstances shall housing be included as part of the use, provided that a caretaker unit may be considered.

f. The use must be compatible with and not result in limitations on any agricultural operation.

g. The use shall not be conducted on lands subject to a Williamson Act contract or included in a Timber Production Zone.

h. Facilities associated with the golf course and/or driving range shall be limited to those which serve golfers on the course or range, such as locker and shower facilities, pro shop with incidental sales of golfing equipment, snack bar, and maintenance operations. Such facilities shall not include restaurants, other retail sales, lodging, or similar uses.

i. Driving ranges shall not be operated during nighttime hours.

j. The use shall not interfere with the primary purpose of the Coastal Plan land use designation.

(18) Craft sales and garage sales involving three (3) or four (4) sales days per year.

(d) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Sections 26C-21.

**Section 26C-22. Permitted Residential Density and Development Criteria.**

The use of land and structures within this district is subject to this article, the general regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the General Plan and Coastal Plan shall supersede the standards herein.

(a) Density: Residential density shall be between 20 and 100 acres per dwelling unit as shown in the General Plan land use element or permitted by a "B" combining district, whichever is more restrictive. However, dwelling units described in Section 26C-20(b)(2) through (7) inclusive may be permitted in addition to the residential density.

(b) Minimum lot size: The minimum lot size for creation of new parcels shall be 20 acres, unless a different area is permitted by any "B" combining district, provided that it shall also meet the criteria of General Plan Policy AR-8c. In such cases where lots are clustered, a protective easement shall be applied to the remaining large parcel(s) which indicates that density has been transferred to the clustered area.

(c) Minimum lot width: The minimum average lot width within each lot is one hundred twenty five (125) feet.

(d) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen percent (15%) of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. The Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

(5) East of Highway 1 and are not visible from designated scenic roads: Fifty (50) feet.

(6) Agricultural structures: Fifty (50) feet. However, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) Maximum height for telecommunication facilities is subject to the provisions of this Article and Section 26C-325.7.

(8) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(9) "A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(e) Maximum lot coverage: Thirty five percent (35%). Lot coverage limitations may be waived by the ~~Planning~~ Director of the Permit and Resource Management Department for commercial greenhouses and swimming pools.

(f) Yard requirements:

(1) Front yard: Ten percent (10%) of the depth of the lot, but not more than 75 feet.

(2) Side yard: Ten percent (10%) of the width of the lot, but not more than twenty (20) feet.

(3) Rear yard: Twenty (20) feet.

(4) Watering troughs, feed troughs, accessory buildings used for the housing or maintenance of farm animals and accessory buildings and runs used for the housing or maintenance of kennel animals shall be located at least fifty (50) feet from the front property line, twenty (20) feet from any side or rear property line, and thirty (30) feet from any dwelling on the adjacent property.

(5) No garage or carport opening facing the street shall be located less than twenty (20) feet from any exterior property line, except that where 25% or more of the lots on any one 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 the such garages or carports. However, in no case shall the front yards be reduced to less than ten feet. Further the ~~Planning~~ Director of the Permit and Resource Management Department may require a use permit if the reduction might result in a traffic hazard.

(6) Cornices, eaves, canopies, bay windows, fireplaces, other cantilevered portions of structures, and similar architectural features may extend two (2) feet into any required yard. The maximum length of the projections shall not occupy more than ⅓ of the total length of the wall on which it is located.

Uncovered porches, fire escapes, or landing places may extend six (6) feet into any required front or rear yard and three (3) feet into any required side yard.

(7) Where twenty-five percent (25%) or more of the lots on any one 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 limitations of Section 26C-22(f)(5).

(8) Accessory buildings may be constructed within the required yards on the rear half of the lot, provided that such building(s) 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 (10) feet to the main buildings on the same 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 (3) feet shall be maintained between the wall of a pool and the rear and side property lines, and accessory equipment (pump, filters, etc.) shall be exempt from setback restrictions). Additional setbacks may be required under the Uniform Building Code.

(9) The yard requirements of (1) or (2) above may be reduced up to 50% for agricultural buildings and structures if necessary for efficient farming operation.

(10) Additional setbacks may be required within sensitive areas, riparian corridors, scenic corridors, critical habitat areas, or unique features designated in the General Plan or Coastal Plan.

(g) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified 'Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty percent (30%), unless no feasible alternate site is available.

(h) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Later and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case

shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(i) Design Requirements:

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

## Article III. LEA - Land Extensive Agriculture District

**Purpose:** To enhance and protect lands best suited for permanent agricultural use and capable of relatively low production per acre of land; and to implement the provisions of the Land Extensive Agriculture land use category (Section 2.7.2) of the general plan and the policies of the Agricultural Resources Element.

### Section 26C-30. Permitted Uses, Subject to Site Development and Erosion Control.

The following uses are permitted except within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan in which case a use permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards.

(a) Principal Uses:

(1) On parcels exceeding five (5) acres, raising, feeding, maintaining and breeding of farm animals. When such farming involves animals which are continuously confined, such as veal calves, poultry, hogs and pigs, dairy cows, or similar livestock which may result in concentrations of animal waste, the use shall be subject to issuance of a zoning permit based upon written approval of the Sonoma County Public Health Department and the applicable Regional Water Quality Control Board of a confined animal management plan. Horses, goats, sheep, and similar farm animals are not considered to be confined animals for purposes of this chapter. The plan shall include provisions for:

a. containment of waste to the site;

b. reuse or disposal of waste in accordance with health and/or water quality regulations;

c. mitigation of potential water quality impacts due to surface runoff of waste;

d. control of vectors;

In the event that the confined animal use is proposed within 500 feet of a non-agricultural land use category, it shall require prior approval of a use permit.

(2) On parcels of five (5) acres or less, raising, feeding, maintaining and breeding of not more than one of the following per 20,000 square feet of area:

a. five (5) hogs or pigs;

b. one (1) horse, mule, cow, or steer;

c. five (5) goats, sheep, or similar animals;

d. fifty (50) chickens or similar fowl;

e. fifty (50) ducks or geese or one hundred (100) rabbits or similar animals.

f. The above limitations may be modified by the ~~Planning~~ Director of the Permit and Resource Management Department upon submittal of a proposal statement which describes the extent of the domestic farming use and which is signed by the owners of all property within 300 feet of the subject property. The ~~Planning~~ Director of the Permit and Resource Management Department may require the applicant to obtain a use permit if the Director determines that the project might be detrimental to surrounding uses.

g. 4-H and FFA animal husbandry projects are permitted without limitation of parcel size, provided that the parcel contains at least twenty thousand (20,000) square feet and provided further a letter of project authorization is first submitted by the project advisor. The ~~Planning~~ Director of the Permit and Resource Management Department may require the applicant to obtain a use permit when the Director determines that the project might be detrimental to surrounding uses.

(3) Beekeeping.

(4) The growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops, including wholesale nurseries. Except as noted below, agricultural cultivation shall not be permitted in the following areas:

a. Within 100' from the top of the bank of the "Russian River Riparian Corridor".

b. Within 50' from the top of the bank of designated "flatland riparian corridors".

c. Within 25' from the top of the bank of designated "upland riparian corridors".

Agricultural cultivation may be allowed in a. - c. above upon approval of a management plan which includes appropriate mitigations for potential erosion, bank stabilization, and biotic impacts. This plan may be approved by the ~~Planning~~ Director of the Permit and Resource Management Department or by use permit pursuant to Section 26C-31(b)(1).

(5) Agricultural support services involving no more than one employee and occupying no more than one half (1/2) acre of land and subject, at a minimum to the criteria of general plan Policies AR-5c and AR-5d. Such services may include incidental sales of products related to the support service use but shall not include additional walk-in, over-the-counter retail sales.

The following factors shall be considered in determining an agricultural support service to be "clearly subordinate to on-site agricultural production" as provided in above policy AR-5c:

a. The geographic area of the lot devoted to the support service use in comparison to that remaining in agricultural production.

b. Whether or not new structures or significant expansion of existing structures are needed to accommodate the support service use.

c. The relative number of employees devoted to the support service use in comparison to that needed for agricultural production.

(6) Incidental cleaning, grading, packing, polishing, sizing and similar preparation of crops which are grown on the site, but not including agricultural processing.

(7) Temporary or seasonal sales and promotion and incidental storage of crops which are grown or animals which are raised on the site.

(8) Ranch roads.

(b) Residential uses include the following:

(1) Single family detached dwelling unit(s) in accordance with the residential density permitted by the general plan land use element, or permitted by a "B" combining district, whichever is more restrictive. In the event that more than one such dwelling unit is placed on a single lot, the additional dwellings shall be clustered with the primary dwelling in order to minimize roads, drives, and utility extensions.

The additional dwellings shall also be subject to design review approval. These unit(s) may be manufactured homes, but only one may be a manufactured home without a permanent foundation.

A manufactured home without a permanent foundation shall require prior approval of a zoning permit, notice of which shall be posted at least ten (10) days prior to issuance, during which an appeal may be filed and processed pursuant to Section 26C-331. Issuance of the zoning permit shall be subject, at a minimum, to the following conditions:

a. The manufactured home shall be at least twelve (12) feet in width except those that are owned and occupied on the effective date of this ordinance;

b. The manufactured home shall be skirted. All skirting shall be of a type approved by the State of California;

c. The manufactured home shall have one patio awning with a minimum dimension of 9' x 20' and either a garage, carport, or awning with a minimum dimension of 10' x 20' for covered parking;

d. All manufactured home sites shall be landscaped; and

e. The manufactured home shall be occupied by the owner of the property or a relative of the owner.

(2) One detached farm family dwelling unit per lot provided that the following requirements are met:

a. An agricultural easement having a term equal to the useful life of the structure, but in no event less than twenty (20) years, shall be offered to the County at the time of application.

b. A covenant shall be recorded, in a form satisfactory to County Counsel, which acknowledges that, in the event that the agricultural use is terminated on the property, the farm family dwelling shall become a nonconforming residential use.

(3) One dwelling unit for full-time agricultural employees for each of the following agricultural uses conducted on the site:

a. at least fifty (50) mature cows or one hundred (100) beef cattle;

b. at least twenty (20) acres of grapes, apples, pears, prunes;

c. at least twenty thousand (20,000) broilers, fifteen thousand (15,000) egg-layers, or three thousand (3,000) turkeys;

d. at least two hundred fifty (250) sheep or goats, fifty (50) dairy goats or hogs;

e. at least thirty (30) mature horses;

f. wholesale nurseries with a minimum of either one (1) acre of propagating greenhouse or outdoor containers or three (3) acres of field-grown plant materials;

g. any other agricultural use which the ~~Planning~~ Director of the Permit and Resource Management Department determines to be of the same approximate agricultural value and intensity as a. through f. above.

Said dwelling unit(s) may be conventionally built homes or manufactured homes (with or without permanent foundations) provided that manufactured homes without a permanent foundation shall require a zoning permit approved in the manner described in Section 26C-30(b)(1). Prior to the

issuance of building or zoning permits for said employee unit(s), the property owner shall place on file with the ~~Planning~~ Permit and Resource Management Department an affidavit that said unit(s) will be used to house persons employed on the premises for agricultural purposes. Further, a covenant shall be recorded, in a form satisfactory to County Counsel, which acknowledges that in the event that the agricultural use is terminated on the property, the agricultural employee dwelling shall become a nonconforming residential use.

(4) Self-contained recreational vehicles and/or travel trailers to house persons solely employed on the site for agricultural purposes for less than ninety (90) days, subject to the following:

The property owner must submit a written affidavit to the ~~Planning~~ Permit and Resource Management Department, stating that said recreational vehicle and/or travel trailer will only be used to house persons solely employed on the site of a bona fide agricultural enterprise. A bona fide agricultural enterprise is defined for this purpose as an operation which derives its primary and principal income from agricultural production. The recreational vehicle or trailer shall be immediately removed from the site when it is no longer occupied by persons who are solely employed on the site.

(5) Seasonal farm worker housing which meets the standards set forth in Section 26C-320(j). Seasonal farm worker housing shall also conform to such public health, building and fire safety criteria established by resolution or ordinance of the Board of Supervisors.

(6) Year-round farm worker housing which meets the standards set forth in Section 26C-320(n). Year-round farm worker housing shall also conform to such public health, building, and fire safety criteria as may be established by resolution or ordinance of the Board of Supervisors.

(7) One guest house per lot.

(c) The following non-agricultural uses, provided that the applicant must demonstrate that the use meets a local need, avoids conflict with agricultural activities and is consistent with Objective AR-4.1 and Policy AR-4a of the Agricultural Resources Element.

(1) Boarding of horses which are not owned by the occupant or owner of the property subject to issuance of a zoning permit, but not including shows, lessons, clinics or similar related activities.

(2) Home occupations.

(3) Small residential community care facilities.

(4) Occasional cultural events, provided that a written notice stating "The Sonoma County ~~Planning~~ Permit and Resource Management 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 26C-331 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 26C-331.

(5) Management of land for watershed, for fish and wildlife habitat, fish rearing ponds, hunting and fishing, where these uses are incidental to the primary use.

(6) Small family day care.

(7) Non-commercial kennels for up to ten (10) dogs.

(8) Public parks which do not interfere with the primary purpose of the Coastal Plan land use designation.

(9) 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.

(10) Attached Commercial Telecommunication Facilities which meet the applicable criteria set forth in Section 26C-325.7.

(11) Minor Free-standing Commercial Telecommunication Facilities, subject to the applicable criteria set forth in Section 26C-325.7, and subject to approval of a zoning permit, including environmental review, for which notice, including a site plan and one 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 Article 33 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 Article.

(12) Non-commercial Telecommunication Facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7. Facilities between forty feet (40') and eighty feet (80') in height are subject to approval of a ministerial 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 Article 33 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 Article.

(d) Accessory buildings and uses appurtenant to the operation of the permitted uses. Accessory buildings may be constructed on vacant parcels of two acres or more in advance of a primary permitted use. On vacant parcels less than two acres, accessory buildings may only be constructed if less than 120 square feet or as incidental to an existing agricultural use.

(e) Minor timberland conversions, subject to compliance with the requirements of Section 26C-327.

(f) Other non-residential uses which in the opinion of the ~~Planning~~Permit and Resource Management Director are of a similar and compatible nature to those uses described in Sections 26C-30.

**Section 26C-31. Uses ~~Permitted with~~ Requiring a Use Permit.**

(a) Sensitive Area Uses:

(1) Permitted uses listed in Section 26C-30 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading, excavation, fill, or construction when located in a sensitive area, riparian corridor, scenic corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(b) Agricultural Uses:

(1) Agricultural cultivation in the following areas, for which a management plan has not been approved pursuant to Section 26C-30(a)(4):

a. Within 100' from the top of the bank in the "Russian River Riparian Corridor".

b. Within 50' from the top of the bank in designated "flatland riparian corridors".

c. Within 25' from the top of the bank in designated "upland riparian corridors".

(2) Livestock feed yards, animal sales yards.

(3) Commercial mushroom farming.

(4) Commercial stables not permitted under Section 26C-30(c)(1), riding academies, equestrian riding and driving clubs, and hunting clubs.

(5) Commercial aquaculture, provided that, at a minimum, the use does not adversely affect biotic resources and does not take place on prime soils.

(6) Agricultural support services with more than one (1) employee or occupying more than one half (1/2) acre of land, but otherwise subject to the same criteria as Section 26C-30(a)(5).

(7) Preparation of agricultural products which are not grown on site, processing of agricultural products of a type grown or produced primarily on site or in the local area, storage of agricultural products grown or processed on site, and bottling or canning of agricultural products grown or processed on site, subject, at a minimum, to the criteria of general plan Policies AR-5e and AR-5f.

(8) Slaughterhouses, animal processing plants, rendering plants, fertilizer plants or yards which serve agricultural production in the local area and subject, at a minimum, to the criteria of general plan policies AR-5e and AR-5f.

(9) Retail nurseries involving crops/plants which are not grown on the site.

(10) Tasting rooms and other temporary, seasonal or year-round sales and promotion of agricultural products grown or processed in the county subject to the minimum criteria of general plan policies AR-6d and AR-6g. This subsection shall not be interpreted so as to require a use permit for uses allowed by Section 26C-30(a)(7).

(11) Promotional or marketing accommodations for private guests, provided that the use, at a minimum, meets all of the following criteria:

a. The use promotes or markets agricultural products grown or processed on the site.

b. The scale of the use is appropriate to the production and/or processing use on the site.

c. The use complies with general plan policies AR-6d and AR-6g.

d. No commercial use of private guest accommodations is allowed.

(12) Dwelling unit(s) for full time agricultural employees which are transferred from another lot within this district and which is under the same ownership as the subject property. The other lot need not be a lot within the Coastal Zone. The number of units allowed shall be determined by the standards in Section 26C-30(b)(3). The units shall be located on the receiving parcel such that they are closer to the primary dwelling unit than to the property line.

(13) Farm labor camps not permitted by Section 26C-30(b).

(c) The following non-agricultural uses, provided that the applicant must demonstrate that the use meets a local need, avoids conflict with agricultural activities and is consistent with Objective AR-4.1 and Policy AR-4a of the Agricultural Resources Element.

(1) Game preserves and refuges.

(2) Public schools, subject, at a minimum, to the criteria of general plan Policy LU-6e.

(3) Private nursery, primary or secondary schools, and churches subject, at a minimum, to the criteria of general plan Policy LU-6f.

(4) Campgrounds with a maximum of thirty (30) sites provided that the subject area is not under a Williamson Act contract, and subject, at a minimum, to the criteria of general plan Policy AR-6e.

(5) Cemeteries.

~~(6) Commercial kennels.~~

(6) Private landing strips.

(7) One bed and breakfast inn, of five or fewer rooms per definition, on land not under Williamson Act contract and subject to Design Review, Article 29, ~~and~~ or Landmarks Commission Article 24, and subject, at a minimum, to the criteria of General Plan Policy AR-6e. No restaurant is permitted, food service is limited to breakfast served to inn guests only, and all public health requirements must be met. No accessory structures shall be used for rental occupancy ~~and no rooms may be added.~~ A bed and breakfast inn shall have an owner and/or operator in residence within the structure. Non-amplified music lawn parties, weddings or similar outdoor activities may be allowed where specifically included in the use permit. A bed and breakfast inn is ancillary to the agricultural use. Before a use permit is granted, a finding must be made and conditioning must insure that the bed and breakfast use is not detrimental to surrounding agricultural operations. (Ord. 3662)

(8) Guest ranches and country inns not exceeding 30 units and which are not located within designated Village Commercial areas in the Coastal Plan and further provided that any use permit granted to an operator of a guest ranch/inn to serve food to other than overnight guests is subject to the following limitations:

a. Dining for other than overnight guests may be allowed only in conjunction with a guest ranch/inn with a minimum of six (6) overnight guest rooms.

b. The number of overnight rooms plus the number of outside dining patrons cannot exceed 30.

c. The number of outside dining guests allowed will be determined at the time of use permit consideration based on the formula list in subsection b above. Guest ranch/inn proprietors may serve one meal only per day to the established allowable number of outside patrons. Such dining arrangements must be made by reservation only.

d. Dining for other than overnight guests may be alllowed only in conjunction with guest ranches/inns located east of Highway One.

e. Advertising of dining facilities to serve patrons other than overnight guests at guest ranches/inns shall be prohibited.

f. Approved on-site signs for guest ranches/inns may include no reference to dining facilities.

g. Non-amplified music, lawn parties, weddings or similar activities may be allowed where specifically included in the use permit.

(9) Minor public utility buildings and public service or utility uses (transmission, distribution lines and telecommunications facilities excepted), including but not limited to reservoirs, storage tanks, pumping stations, telephone exchanges, small power stations, transformer stations, fire and police stations and training centers, service yards, and related parking lots which, at a minimum, meet the criteria of general plan Policy PF-2s and which are not otherwise exempt by State law.

(10) Intermediate and Major Free-standing Commercial Telecommunication Facilities subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(11) Non-commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

~~(9) Radio, telephone, and other communication and transmission towers subject, at a minimum, to the criteria of general plan policy PF-2u.~~

(12) Exploration and development of low temperature geothermal resources for other than power development purposes provided that at a minimum it is compatible with surrounding land uses.

(13) One second dwelling unit per lot provided that all criteria of Section 26C-325.1 are met. Such criteria include, but are not limited to setbacks and yard requirements. (Ord. No. 3511)

(14) Application of sludge from wastewater treatment plants to agricultural land subject, at a minimum, to the criteria of general plan Policies PF-2q and PF-2r.

(15) Art studios and arts and crafts centers not involving retail or wholesale sales. A use permit for such uses may be granted only when the use is conducted within an existing abandoned agricultural building feasible for such use.

(16) Granges and similar community service facilities which do not adversely impact agriculture in the area.

(17) Large residential community care facility.

(18) Day care center.

(19) Large family day care.

(20) Golf courses and driving ranges shall be at the sole discretion of the County and subject, at a minimum, to the following criteria:

a. The proposed use is adjacent to a designated urban service boundary or includes an irrevocable offer of offsite unutilized development rights for all lands between the use and the urban service boundary.

b. Permanent open space or agricultural preservation is provided for the site of the proposed use and all areas for which development rights are acquired.

c. The use is located in close proximity to an existing wastewater treatment facility and includes the use of reclaimed wastewater in accordance with the regulations of the applicable regional water quality control agency.

d. The use is subject to design review approval and includes setbacks, buffers, or other measures designed to minimize its impact on existing and potential agricultural uses in the area.

e. Under no circumstances shall housing be included as part of the use, provided that a caretaker unit may be considered.

f. The use must be compatible with and not result in limitations on any agricultural operation.

g. The use shall not be conducted on lands subject to a Williamson Act contract or included in a Timber Production zone.

h. Facilities associated with the golf course and/or driving range shall be limited to those which serve golfers on the course or range, such as locker and shower facilities, pro shop with

incidental sales of golfing equipment, snack bar, and maintenance operations. Such facilities shall not include restaurants, other retail sales, lodging, or similar uses.

i. Driving ranges shall not be operated during nighttime hours.

j. The use does not interfere with the primary purpose of the Coastal Plan land use designation.

(21) Craft sales and garage sales involving three (3) or four (4) sales days per year.

(d) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Sections 26C-31.

**Section 26C-32. Permitted Residential Density and Development Criteria.**

The use of land and structures within this district is subject to this article, the general regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the general plan and ~~any applicable specific or area plan or local~~ Coastal Plan ~~area development guidelines~~ shall supersede the standards herein.

(a) Density: Residential density shall be between 60 and 320 acres per dwelling unit as shown in the General Plan land use element or permitted by a "B" combining district, whichever is more restrictive. However, dwelling units described in Section 26C-30(b)(2) through 7 inclusive, may be permitted in addition to the residential density.

(b) Minimum lot size: The minimum lot size for creation of new parcels shall be 1.5 acres, unless a different area is provided by a "B" combining district, provided that it shall also meet the criteria of General Plan Policies AR-8c and AR-3b. In such cases where lots are clustered, a protective easement shall be applied to the remaining large parcel(s) which indicates that density has been transferred to the clustered area.

(c) Minimum lot width: The minimum average lot width within each lot is one hundred twenty five (125) feet.

(d) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen percent (15%) of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. The Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

(5) East of Highway 1 and not visible from designated scenic roads: Fifty (50) feet.

(6) Agricultural structures: Fifty (50) feet. However, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) Maximum height for telecommunication facilities is subject to the provisions of this Article and Section 26C-325.7.

(8) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(9) "A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(e) Maximum lot coverage: Thirty five percent (35%). Lot coverage limitations may be waived by the ~~Planning~~ Director of the Permit and Resource Management Department for commercial greenhouses and swimming pools.

(f) Yard requirements:

(1) Front yard: Ten percent (10%) of the depth of the lot but not more than 75 feet.

(2) Side yard: Ten percent (10%) of the width of the lot, but not more than twenty (20) feet.

(3) Rear yard: Twenty (20) feet.

(4) Watering troughs, feed troughs, accessory buildings used for the housing or maintenance of farm animals and accessory buildings and runs used for the housing or maintenance of kennel animals shall be located at least fifty (50) feet from the front property line, twenty (20) feet from any side or rear property line, and thirty (30) feet from any dwelling on the adjacent property.

(5) No garage or carport opening facing the street shall be located less than twenty (20) feet from any exterior property line, except that where 25% or more of the lots on any one 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 the such garages or carports. However, in no case shall the front yards be reduced to less than ten feet. Further the ~~Planning~~ Director of the Permit and Resource Management Department may require a use permit if the reduction might result in a traffic hazard.

(6) Cornices, eaves, canopies, bay windows, fireplaces, other cantilevered portions of structures, and similar architectural features may extend two (2) feet into any required yard. The maximum length of the projections shall not occupy more than ⅓ of the total length of the wall on which it is located.

Uncovered porches, fire escapes, or landing places may extend six (6) feet into any required front or rear yard and three (3) feet into any required side yard.

(7) Where twenty-five percent (25%) or more of the lots on any one 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 limitations of Section 26C-32(f)(5).

(8) Accessory buildings may be constructed within the required yards on the rear half of the lot, provided that such building(s) 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 (10) feet to the main buildings on the same 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 (3) feet shall be maintained between the wall of a pool and the rear and side property lines, and accessory equipment (pump, filters, etc.) shall be exempt from setback restrictions). Additional setbacks may be required under the Uniform Building Code. ~~(Ord. #3932.)~~

(9) The yard requirements of (1) or (2) above may be reduced up to 50% for agricultural buildings and structures if necessary for efficient farming operation.

(10) Additional setbacks may be required within sensitive areas, riparian corridors, scenic corridors, critical habitat areas, or unique features designated in the General Plan or Coastal Plan.

(g) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty (30%) percent, unless no feasible alternate site is available.

(h) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the

access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(i) Design Requirements:

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

## Article IV. DA - Diverse Agriculture District

**Purpose:** To enhance and protect those land areas where soil, climate, and water conditions support farming but where small acreage intensive farming and part-time farming activities are predominant; but where farming may not be the principal occupation of the farmer; and to implement the provisions of the Diverse Agriculture land use category (Section 2.7.3) of the General Plan and the policies of the Agricultural Resource Element.

### Section 26C-40. Permitted Uses, Subject to Site Development and Erosion Control Standards.

The following uses are permitted except within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan in which case a use permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards.

(a) Principal Uses:

(1) On parcels exceeding five (5) acres, raising, feeding, maintaining and breeding of farm animals. When such farming involves animals which are continuously confined, such as veal calves, poultry, hogs and pigs, dairy cows, or similar livestock which may result in concentrations of animal waste, the use shall be subject to issuance of a zoning permit based upon written approval of the Sonoma County Public Health Department and the applicable Regional Water Quality Control Board of a confined animal management plan. Horses, goats, sheep, and similar farm animals are not considered to be confined animals for purposes of this chapter. The plan shall include provisions for:

a. containment of waste to the site;

b. reuse or disposal of waste in accordance with health and/or water quality regulations;

c. mitigation of potential water quality impacts due to surface runoff of waste;

d. control of vectors.

In the event that the confined animal use is proposed within 500 feet of a non-agricultural land use category, it shall require prior approval of a use permit.

(2) On parcels of five (5) acres or less, raising, feeding, maintaining and breeding of not more than one of the following per 20,000 square feet of area:

a. five (5) hogs or pigs;

b. one (1) horse. mule, cow or steer;

c. five (5) goats, sheep, or similar animals;

d. fifty (50) chickens or similar fowl;

e. fifty (50) ducks or geese or one hundred (100) rabbits or similar animals.

f. The above limitations may be modified by the ~~Planning~~ Director of the Permit and Resource Management Department upon submittal of a proposal statement which describes the extent of the domestic farming use and which is signed by the owners of all property within 300 feet of the subject property. The ~~Planning~~ Director of the Permit and Resource Management Department may require the applicant to obtain a use permit if the Director determines that the project might be detrimental to surrounding uses.

g. 4-H and FFA animal husbandry projects are permitted without limitation of parcel size, provided that the parcel contains at least twenty thousand (20,000) square feet and provided further a letter of project authorization is first submitted by the project advisor. The ~~Planning~~ Director of the Permit and Resource Management Department may require the applicant to obtain a use permit when the Director determines that the project might be detrimental to surrounding uses.

(3) Beekeeping.

(4) The growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops, including wholesale nurseries. Except as noted below, agricultural cultivation shall not be permitted in the following areas:

a. Within 100' from the top of the bank of the "Russian River Riparian Corridor".

b. Within 50' from the top of the bank of designated "flatland riparian corridors".

c. Within 25' from the top of the bank of designated "upland riparian corridors".

Agricultural cultivation may be allowed in a. - c. above upon approval of a management plan which includes appropriate mitigations for potential erosion, bank stabilization, and biotic impacts. This plan may be approved by the ~~Planning~~ Director of the Permit and Resource Management Department or by use permit pursuant to Section 26C-41(b)(1).

(5) Agricultural support services involving no more than one employee and occupying no more than one half (1/2) acre of land and subject, at a minimum, to the criteria of General Plan Policies AR-5c and AR-5d. Such services may include incidental sales of products related to the support service use but shall not include additional walk-in, over-the-counter retail sales.

The following factors shall be considered in determining an agricultural support service to be "clearly subordinate to on-site agricultural production" as provided in above Policy AR-5c:

a. The geographic area of the lot devoted to the support service use in comparison to that remaining in agricultural production.

b. Whether or not new structures or significant expansion of existing structures are needed to accommodate the support service use.

c. The relative number of employees devoted to the support service use in comparison to that needed for agricultural production.

(6) Incidental cleaning, grading, packing, polishing, sizing and similar preparation of crops which are grown on the site, but not including agricultural processing.

(7) Temporary or seasonal sales and promotion and incidental storage of crops which are grown or animals which are raised on the site.

(8) Ranch roads.

(b) Residential uses include the following:

(1) Single-family detached dwelling unit(s) in accordance with the residential density permitted by the General Plan land use element or permitted by a "B" combining district, whichever is more restrictive. In the event that more than one such dwelling unit is placed on a single lot, the additional dwellings shall be clustered with the primary dwelling in order to minimize roads, drives, and utility extensions.

The additional dwellings shall also be subject to design review approval. These unit(s) may be manufactured homes, but only one may be a manufactured home without a permanent foundation.

A manufactured home without a permanent foundation shall require prior approval of a zoning permit notice of which shall be posted at least ten (10) days prior to issuance, during which an appeal may be filed and processed pursuant to Section 26C-331. Issuance of the zoning permit shall be subject, at a minimum, to the following conditions:

a. The manufactured home shall be at least twelve (12) feet in width except those that are owned and occupied on the effective date of this ordinance;

b. The manufactured home shall be skirted. All skirting shall be of a type approved by the State of California;

c. The manufactured home shall have one patio awning with a minimum dimension of 9' x 20' and either a garage, carport, or awning with a minimum dimension of 10' x 20' for covered parking;

d. All manufactured home sites shall be landscaped; and

e. The manufactured home shall be occupied by the owner of the property or a relative of the owner.

(2) One dwelling unit for full-time agricultural employees for each of the following agricultural uses conducted on the site:

a. at least fifty (50) mature cows or one hundred (100) beef cattle;

b. at least twenty (20) acres of grapes, apples, pears, prunes;

c. at least twenty thousand (20,000) broilers, fifteen thousand (15,000) egg-layers, or three thousand (3,000) turkeys;

d. at least two hundred fifty (250) sheep or goats, fifty (50) dairy goats or hogs;

e. at least thirty (30) mature horses;

f. wholesale nurseries with a minimum of either one (1) acre of propagating greenhouse or outdoor containers or three (3) acres of field-grown plant materials;

g. any other agricultural use which the ~~Planning~~ Director of the Permit and Resource Management Department determines to be of the same approximate agricultural value and intensity as a. through f. above.

Said dwelling unit(s) may be conventionally built homes or manufactured homes (with or without permanent foundations) provided that manufactured homes without a permanent foundation shall require a zoning permit approved in the manner described in Section 26C-40(b)(1). Prior to the issuance of building or zoning permits for said employee unit(s), the property owner shall place on file with the ~~Planning~~ Permit and Resource Management Department an affidavit that said unit(s) will be used to house persons employed on the premises for agricultural purposes. Further, a covenant shall be recorded, in a form satisfactory to County Counsel, which acknowledges that in the event that the agricultural use is terminated on the property, the agricultural employee dwelling shall become a nonconforming residential use.

(3) Self-contained recreational vehicles and/or travel trailers to house persons solely employed on the site for agricultural purposes for less than ninety (90) days, subject to the following:

The property owner must submit a written affidavit to the ~~Planning~~ Permit and Resource Management Department, stating that said recreational vehicle and/or travel trailer will only be used to house persons solely employed on the site of a bona fide agricultural enterprise. A bona fide agricultural enterprise is defined for this purpose as an operation which derives its primary and principal income from agricultural production. The recreational vehicle or trailer shall be immediately removed from the site when it is no longer occupied by persons who are solely employed on the site.

(4) Seasonal farm worker housing which meets the standards set forth in Section 26C-320(j). Seasonal farm worker housing shall also conform to such public health, building and fire safety criteria as may be established by resolution or ordinance of the Board of Supervisors.

(5) Year-round farm worker housing which meets the standards set forth in Section 26C-320(n). Year-round farm worker housing shall also conform to such public health, building, and fire safety criteria as may be established by resolution or ordinance of the Board of Supervisors.

(6) One guest house per lot.

(c) The following non-agricultural uses, provided that the applicant must demonstrate that the use meets a local need, avoids conflict with agricultural activities and is consistent with Objective AR-4.1 and Policy AR-4a of the Agricultural Resources Element.

(1) Boarding of horses which are not owned by the occupant or owner of the property subject to issuance of a zoning permit, but not including shows, lessons, clinics or similar related activities.

(2) Home occupations.

(3) Small residential community care facilities.

(4) Occasional cultural events, provided that a written notice stating "The Sonoma County ~~Planning~~ Permit and Resource Management 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 26-331 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 26C-331.

(5) Management of land for watershed, for fish and wildlife habitat, fish rearing ponds, hunting and fishing, where these uses are incidental to the primary use.

(6) Small family day care.

(7) Non-commercial kennels for up to ten (10) dogs.

(8) Public parks which do not interfere with the primary purpose of the Coastal Plan land use designation.

(9) 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.

(10) Attached Commercial Telecommunication Facilities which meet the applicable criteria set forth in Section 26C-325.7.

(11) Minor Free-standing Commercial Telecommunication Facilities, subject to the applicable criteria set forth in Section 26C-325-7, and subject to approval of a zoning permit, including environmental review, for which notice, including a site plan and one 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 Article 47 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 Article.

(12) Non-commercial Telecommunication Facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7. Facilities between forty feet (40') and eighty feet (80') in height are subject to approval of a ministerial 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 Article 47 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 Article.

(d) Minor timberland conversions, subject to compliance with requirements of Section 26C-327.

(e) Accessory buildings and uses appurtenant to the operation of the permitted uses. Accessory buildings may be constructed on vacant parcels of two acres or more in advance of a primary permitted use. On vacant parcels less than two acres, accessory buildings may only be constructed if less than 120 square feet or as incidental to an existing agricultural use.

(f) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Sections 26C-40.

**Section 26C-41. Uses Requiring ~~Permitted with~~ a Use Permit.**

(a) Sensitive Area Uses:

(1) Permitted uses listed in Section 26C-40 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading, excavation, fill, or construction when located in a sensitive area, riparian corridor, scenic corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(b) Agricultural uses:

(1) Agricultural cultivation in the following areas, for which a management plan has not been approved pursuant to Section 26C-40(a)(4):

a. Within 100' from the top of the bank in the "Russian River Riparian Corridor".

b. Within 50' from the top of the bank in designated "flatland riparian corridors".

c. Within 25' from the top of the bank in designated "upland riparian corridors".

(2) Livestock feed yards, animal sales yards.

(3) Commercial mushroom farming.

(4) Commercial stables not permitted under Section 26C-40(c)(1), riding academies, equestrian riding and driving clubs, and hunting clubs.

(5) Commercial aquaculture, provided that, at a minimum, the use does not adversely affect biotic resources and does not take place on prime soils.

(6) Agricultural support services with more than one (1) employees or occupying more than one half (1/2) acre of land, but otherwise subject to the same criteria as Section 26C-40(a)(5).

(7) Preparation of agricultural products which are not grown on site, processing of agricultural products of a type grown or produced primarily on site or in the local area, storage of agricultural products grown or processed on site, and bottling or canning of agricultural products grown or processed on site, subject, at a minimum, to the criteria of General Plan Policies AR-5e and AR-5f.

(8) Slaughterhouses, animal processing plants, rendering plants, fertilizer plants or yards which serve agricultural production in the local area and subject, at a minimum, to the criteria of General Plan Policies AR-5e and AR-5f.

(9) Retail nurseries involving crops/plants which are not grown on the site.

(10) Tasting rooms and other temporary, seasonal or year-round sales and promotion of agricultural products grown or processed in the county subject to the minimum criteria of General Plan policies AR-6d and AR-6g. This subsection shall not be interpreted so as to require a use permit for uses allowed by Section 26C-40(a)(7).

(11) Promotional or marketing accommodations for private guests, provided that the use, at a minimum, meets all of the following criteria:

a. The use promotes or markets agricultural products grown or processed on the site.

b. The scale of the use is appropriate to the production and/or processing use on the site.

c. The use complies with General Plan Policies AR-6d and AR-6g.

d. No commercial use of private guest accommodations is allowed.

(12) Dwelling unit(s) for full time agricultural employees which are transferred from another lot within this district and which are under the same ownership as the subject property. The other lot need not be a lot within the Coastal Zone. The number of units allowed shall be determined by the standards in Section 26C-40(b)(2). The units shall be located on the receiving parcel such that they are closer to the primary dwelling unit than to the property line.

(13) Farm labor camps not permitted by Section 26C-40(b)(c).

(c) The following non-agricultural uses, provided that the applicant must demonstrate that the use meets a local need, avoids conflict with agricultural activities and is consistent with Objectiv[illegible] -4.1 and Policy AR-4a of the Agricultural Resources Element.

(1) Game preserves and refuges.

(2) Public schools, subject, at a minimum, to th[illegible] l-6e.

(3) Private nursery, primary or secondary school[illegible] um, to the criteria of General Plan Policy LU-6f.

(4) Campgrounds with a maximum of thirty (30) si[illegible] subject area is not under a Williamson Act contract and subject, at a minimu[illegible] a of General Plan Policy AR-6e.

(5) Cemeteries.

~~(6) Commercial kennels.~~
(6) Private landing strips.

(7) One bed and breakfast inn, of five or fewer rooms per definition, on land not under Williamson Act contract and subject to Design Review, Article 29, or Landmarks Commission, Article 24, and subject,

at a minimum, to the criteria of General Plan Policy AR-6e. No restaurant is permitted, food service is limited to breakfast served to inn guests only, and all public health requirements must be met. No accessory structures shall be used for rental occupancy ~~and no rooms may be added~~. A bed and breakfast inn shall have an owner and/or operator in residence within the structure. Non-amplified music lawn parties, weddings or similar outdoor activities may be allowed where specifically included in the use permit. A bed and breakfast inn is ancillary to the agricultural use. Before a use permit is granted, a finding must be made and conditioning must insure that the bed and breakfast use is not detrimental to surrounding agricultural operations. (Ord. 3662)

(8) Guest ranches and country inns not exceeding 30 units and which are not located within designated Village Commercial areas in the Coastal Plan and further provided that any use permit granted to an operator of a guest ranch/inn to serve food to other than overnight guests is subject to the following limitations:

a. Dining for other than overnight guests may be allowed only in conjunction with a guest ranch/inn with a minimum of six (6) overnight guest rooms.

b. The number of overnight rooms plus the number of outside dining patrons cannot exceed 30.

c. The number of outside dining guests allowed willl be determined at the time of use permit consideration based on the formula list in subsection b above. Guest ranch/inn proprietors may serve one meal only per day to the established allowable number of outside patrons. Such dining arrangements must be made by reservation only.

d. Dining for other than overnight guests may be allowed only in conjunction with guest ranches/inns located east of Highway One.

e. Advertising of dining facilities to serve patrons other than overnight guests at guest ranches/inns shall be prohibited.

f. Approved on-site signs for guest ranches/inns may include no reference to dining facilities.

g. Non-amplified music lawn parties, weddings or similar outdoor activities may be allowed where specifically included in the use permit.

(9) Minor public utility buildings and public service or utility uses (transmission, distribution lines and telecommunications facilities excepted), including but not limited to reservoirs, storage tanks, pumping stations, telephone exchanges, small power stations, transformer stations, fire and police stations and training centers, service yards, and related parking lots which, at a minimum, meet the criteria of General Plan Policy PF-2s and which are not otherwise exempt by State law.

(10) Intermediate and Major Free-standing Commercial Telecommunication Facilities subject at a minimum to the applicable criteria set forth in Section 26C-325.7

(11) Non-commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7

~~(11) Radio, telephone, and other communication and transmission towers subject, at a minimum, to the criteria of General Plan Policy PF-2u.~~

(12) Exploration and development of low temperature geothermal resources for other than power development purposes provided that at a minimum it is compatible with surrounding land uses.

(13) One second dwelling unit per lot provided that all criteria of Section 26C-325.1 are met. Such criteria include, but are not limited to setbacks and yard requirements. (Ord. No. 3511)

(14) Application of sludge from wastewater treatment plants to agricultural land subject, at a minimum, to the criteria of General Plan Policies PF-2q and PF-2r.

(15) Art studios and arts and crafts centers not involving retail or wholesale sales. A use permit for such uses may be granted only when the use is conducted within an existing abandoned agricultural building feasible for such use.

(16) Granges and similar community service facilities which do not adversely impact agriculture in the area.

(17) Large residential community care facility.

(18) Day care center.

(19) Large family day care.

(20) Commercial wood yards, including wood splitting.

(21) Golf courses and driving ranges shall be at the sole discretion of the County and subject, at a minimum, to the following criteria:

a. The proposed use is adjacent to a designated urban service boundary or includes an irrevocable offer of offsite unutilized development rights for all lands between the use and the urban service boundary.

b. Permanent open space or agricultural preservation is provided for the site of the proposed use and all areas for which development rights are acquired.

c. The use is located in close proximity to an existing wastewater treatment facility and includes the use of reclaimed wastewater in accordance with the regulations of the applicable regional water quality control agency.

d. The use is subject to design review approval and includes setbacks, buffers, or other measures designed to minimize its impact on existing and potential agricultural uses in the area.

e. Under no circumstances shall housing be included as part of the use, provided that a caretaker unit may be considered.

f. The use must be compatible with and not result in limitations on any agricultural operation.

g. The use shall not be conducted on lands subject to a Williamson Act contract or included in a Timber Production zone.

h. Facilities associated with the golf course and/or driving range shall be limited to those which serve golfers on the course or range, such as locker and shower facilities, pro shop with incidental sales of golfing equipment, snack bar, and maintenance operations. Such facilities shall not include restaurants, other retail sales, lodging, or similar uses.

i. Driving ranges shall not be operated during nighttime hours.

j. The use does not interfere with the primary purpose of the Coastal Plan land use designation.

(22) Craft sales and garage sales involving three (3) or four (4) sales days per year.

(d) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Sections 26C-41.

**Section 26C-42. Permitted Residential Density and Development Criteria.**

The use of land and structures within this district is subject to this article, the general regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the General Plan and ~~any applicable specific or area plan or local~~ Coastal Plan ~~area development guidelines~~ shall supersede the standards herein.

(a) Density: Residential density shall be between 10 and 60 acres per dwelling unit as shown in the General Plan land use element or permitted by a "B" combining district, whichever is more restrictive. However, dwelling units described in Section 26C-40(b)(2) through 7, inclusive may be permitted in addition to the residential density.

(b) Minimum lot size: The minimum lot size for creation of new parcels shall be 10 acres, unless a different area is permitted by a "B" combining district, except ...

(1) ...where General Plan area policies expressly provide for a different minimum lot size, or

(2) ...where it is demonstrated that creation of smaller lots will further General Plan Goals AR-3 and AR-4, Objectives AR-3.1 and AR-3.2, and Policies AR-3c, AR-3e, and AR-4a, or in all such cases, the minimum lot size shall also meet the criteria of General Plan Policy AR-8c, and in such cases where lots are clustered, a protective easement shall be applied to the remaining large parcel(s) which indicates that density has been transferred to the clustered area.

(c) Minimum lot width: The minimum average lot width within each lot is one hundred twenty five (125) feet.

(d) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen (15%) percent of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. There Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

(5) East of Highway 1 and are not visible from designated scenic roads: Fifty (50) feet.

(6) Agricultural structures: Fifty (50) feet. However, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) Maximum height for telecommunication facilities is subject to the provisions of this Article and Section 26C-325.7.

(8) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above

the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(9) A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(e) Maximum lot coverage: Thirty five percent (35%). Lot coverage limitations may be waived by the ~~Planning~~ Director of the Permit and Resource Management Department for commercial greenhouses and swimming pools.

(f) Yard requirements:

(1) Ten percent (10%) of the depth of the lot but not more than 75 feet.

(2) Side yard: Ten percent (10%) of the width of the lot, but not more than twenty (20) feet.

(3) Rear yard: Twenty (20) feet.

(4) Watering troughs, feed troughs, accessory buildings used for the housing or maintenance of farm animals and accessory buildings and runs used for the housing or maintenance of kennel animals shall be located at least fifty (50) feet from the front property line, twenty (20) feet from any side or rear property line, and thirty (30) feet from any dwelling on the adjacent property.

(5) No garage or carport opening facing the street shall be located less than twenty (20) feet from any exterior property line, except that where 25% or more of the lots on any one 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 the such garages or carports. However, in no case shall the front yards be reduced to less than ten feet. Further the ~~Planning~~ Director of the Permit and Resource Management Department may require a use permit if the reduction might result in a traffic hazard.

(6) Cornices, eaves, canopies, bay windows, fireplaces, other cantilevered portions of structures, and similar architectural features may extend two (2) feet into any required yard. The maximum length of the projections shall not occupy more than ⅓ of the total length of the wall on which it is located. Uncovered porches, fire escapes, or landing places may extend six (6) feet into any required front or rear yard and three (3) feet into any required side yard.

(7) Where twenty-five percent (25%) or more of the lots on any one 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 limitations of Section 26C-42(f)(5).

(8) Accessory buildings may be constructed within the required yards on the rear half of the lot, provided that such building(s) 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 (10) feet to the main buildings on 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 (3) feet shall be maintained between the wall of a pool and the rear and side property lines, and accessory equipment (pump, filters, etc.) shall be exempt from setback restrictions). Additional setbacks may be required under the Uniform Building Code.

(9) The yard requirements of (1) or (2) above may be reduced up to 50% for agricultural buildings and structures if necessary for efficient farming operation.

(10) Additional setbacks may be required within sensitive areas, riparian corridors, scenic corridors, critical habitat areas, or unique features designated in the General Plan or Coastal Plan.

(g) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty (30%) percent, unless no feasible alternate site is available.

(h) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case

shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(i) Design Requirements:

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

## Article V. RRD - Resources and Rural Development

**Purpose:** To implement the provisions of the Resources and Rural Development land use category (Section 2.8.1) of the General Plan, namely to provide protection of lands needed for commercial timber production, geothermal production, aggregate resources production; lands needed for protection of watershed, fish and wildlife habitat, biotic resources, and for agricultural production activities that are not subject to all of the policies contained in the Agricultural Resources Element of the General Plan. The Resources and Rural Development district is also intended to allow very low density residential development and recreational and visitor-serving uses where compatible with resource use and available public services.

### Section 26C-50. Permitted Uses, Subject to Site Development and Erosion Control Standards.

The following uses are permitted except within a sensitive area, riparian corridor, area of critical habitat, or a unique feature designated in the General Plan or Coastal Plan in which case a Use Permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards.

(a) Principal Uses:

(1) On parcels of five (5) acres or less, raising, feeding, maintaining and breeding of not more than one of the following per 20,000 square feet of area:

a. five (5) hogs or pigs;

b. one (1) horse, mule, cow, or steer;

c. five (5) goats, sheep, or similar animals;

d. fifty (50) chickens or similar fowl;

e. fifty (50) ducks or geese or one hundred (100) rabbits or similar animals.

f. The above limitations may be modified by the ~~Planning~~ Director of the Permit and Resource Management Department upon submittal of a proposal statement which describes the extent of the domestic farming use and which is signed by the owners of all property within 300 feet of the subject property. The ~~Planning~~ Director of the Permit and Resource Management Department may require the applicant to obtain a use permit if the Director determines that the project might be detrimental to surrounding uses.

g. 4-H and FFA animal husbandry projects are permitted without limitation of parcel size, provided that the parcel contains at least twenty thousand (20,000) square feet and provided further a letter of project authorization is first submitted by the project advisor. The ~~Planning~~ Director of the Permit and Resource Management Department may require the applicant to obtain a use permit when the Director determines that the project might be detrimental to surrounding uses.

(2) On parcels exceeding five (5) acres: Raising, feeding, maintaining and breeding of horses, cattle, sheep, goats, and similar animals.

(3) Boarding of horses which are not owned by the occupant or owner of the property subject to issuance of a zoning permit, but not including shows, lessons, clinics or similar, related activities.

(4) The outdoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops, including wholesale nurseries. Except as noted below, agricultural cultivation shall not be permitted in the following areas:

a. Within 100' from the top of the bank in the "Russian River Riparian Corridor".

b. Within 50' from the top of the bank in designated "flatland riparian corridors".

c. Within 25' from the top of the bank in designated "upland riparian corridors".

Agricultural cultivation may be allowed in a. - c. above upon approval of a management plan which includes appropriate mitigations for potential erosion, bank stabilization, and biotic impacts. This plan may be approved by the ~~Planning~~ Director of the Permit and Resource Management Department or by use permit pursuant to Section 26C-50(b)(3).

(5) The indoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain and similar food and fiber crops, provided that the greenhouse or similar structure for indoor growing is less than ~~800~~ 1,000 square feet.

(6) Incidental cleaning, grading, packing, polishing, sizing, or similar preparation of crops which are grown on the site, but not including agricultural processing.

(7) Temporary or seasonal sales and promotion, and incidental storage, of crops or fuel wood which are grown on the site.

(8) Temporary or seasonal sales and promotion of livestock which have been raised on the site.

(9) Management of lands and forests for the use of commercial production and harvest of trees, including controlled burns.

(10) Removal of timber and fuel wood, including uses integrally related to growing, harvesting, and on-site processing of forest products including, but not limited to roads, log landings, log storage areas, and incidental logging camps.

(11) Timber management, including planting, raising, harvesting and incidental milling for non-commercial purposes of trees and logs for lumber or fuel woods, subject to requirements of California Department of Forestry and Fire Protection.

(12) Contractor equipment storage incidental to the on-site growing and harvesting of forest products, including parking, repairing and storage of equipment so used. Construction of permanent structures will be subject to Article 29 (Design Review).

(13) Management of land for watershed, for fish and wildlife habitat, fish rearing ponds, hunting and fishing, beekeeping and grazing, where these uses are incidental to the primary use.

(14) Beekeeping.

(b) Residential uses include the following:

(1) Single family detached dwelling units in accordance with the residential density shown in the General Plan land use element or permitted by a "B" combining district, whichever is more restrictive. In the event that more than one such dwelling unit is placed on a single lot, the additional dwellings shall be clustered with the primary dwelling in order to minimize roads, drives, and utility extensions. The additional dwellings shall also be subject to design review approval. These unit(s) may be manufactured homes, but only one may be a manufactured home without a permanent foundation.

A manufactured home without a permanent foundation shall require prior approval of a zoning permit notice of which shall be posted at least ten (10) days prior to issuance, during which an appeal may be filed and processed pursuant to Section 26C-331. Issuance of the zoning permit shall be subject, at a minimum, to the following conditions:

a. The manufactured home shall be at least twelve (12) feet in width except those that are owned and occupied on the effective date of this ordinance;

b. The manufactured home shall be skirted. All skirting shall be of a type approved by the State of California;

c. The manufactured home shall have one patio awning with a minimum dimension of 8' x 20' and either a garage, carport, or awning with a minimum dimension of 10' x 20' for covered parking;

d. All manufactured home sites shall be landscaped;

e. The manufactured home shall be occupied by the owner of the property or a relative of the owner.

(2) One manufactured home for the housing of full-time agricultural employees may be permitted in the same manner provided in Section 26-50(b)(1) for each of the following agricultural uses conducted on the site:

a. at least fifty (50) mature cows or one hundred (100) beef cattle;

b. at least twenty (20) acres of grapes, apples, pears, prunes;

c. at least twenty thousand (20,000) broilers, fifteen thousand (15,000) egg-layers, or three thousand (3,000) turkeys;

d. at least two hundred fifty (250) sheep or goats, fifty (50) dairy goats or hogs;

e. at least thirty (30) mature horses;

f. wholesale nurseries with a minimum of either one (1) acre of propagating greenhouse or outdoor containers or three (3) acres of field-grown plant materials;

g. Any other agricultural use which the ~~Planning~~ Director of the Permit and Resource Management Department determines to be of the same approximate agricultural value and intensity as a. through f. above.

Prior to issuance of zoning permits for such manufactured homes, the property owner shall place on file with the ~~Planning~~ Permit and Resource Management Department an affidavit that said manufactured home(s) will be used to house persons employed on the premises for agricultural purposes and that the manufactured home(s) will be immediately removed from the site when said persons are no longer employed on the premises.

(3) Self-contained recreational vehicles and/or travel trailers to house persons solely employed on the site for agricultural or resource-related purposes for less than ninety (90) days, subject to the following:

The property owner must submit a written affidavit to the ~~Planning~~ Permit and Resource Management Department, stating that said recreational vehicle and/or travel trailer will only be used to house persons solely employed on the site of a bona fide agricultural enterprise. A bona fide agricultural enterprise is defined for this purpose as an operation which derives its primary and principal income from agricultural production. The recreational vehicle or trailer shall be immediately removed from the site when it is no longer occupied by persons who are solely employed on the site.

(4) Seasonal farm worker housing which meets the standards set forth in Section 26C-320(j). Seasonal farm worker housing shall also conform to public such public health, building and fire safety criteria as may be established by resolution or ordinance of the Board of Supervisors.

(5) One (1) guest house per lot.

(c) Other uses, unless such uses are in conflict with agriculture or timber production:

(1) Geotechnical studies involving no grading or construction of new roads or pads.

(2) Home occupations.

(3) Small residential community care facility.

(4) Small family day care.

(5) Large family day care provided that the applicant shall meet all performance standards listed in Section 325.3.

(6) Occasional cultural events, provided that a written notice stating "The Sonoma County ~~Planning~~ Permit and Resource Management 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 26C-331 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 26C-331.

(7) Non-commercial kennels for up to ten (10) dogs.

(8) 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.

(9) Attached Commercial Telecommunication Facilities subject to the applicable criteria set forth in Section 26C-325.7.

(10) Minor Free-standing Commercial Telecommunication Facilities, subject to the applicable criteria set forth in Section 26C-325.7, and subject to approval of a zoning permit, including environmental review, for which notice, including a site plan and one 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 Article 33 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 Article.

(11) Non-commercial Telecommunication Facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7. Facilities between forty feet (40') and eighty feet (80') in height are subject to approval of a ministerial 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 Article 33 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 Article.

(12) Accessory buildings and uses appurtenant to the operation of the permitted uses. Accessory buildings may be constructed on vacant parcels of two acres or more in advance of a primary permitted use. On vacant parcels less than two acres, accessory buildings may only be constructed if less than 120 square feet or as incidental to an existing agricultural use.

(13) Minor timberland conversions, subject to compliance with requirements of Section 26C-327.

(14) Ranch roads.

(15) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Sections 26C-50.

**Section 26C-51. Uses Requiring ~~Permitted with~~ a Use Permit.**

(a) Sensitive area uses.

1. Permitted uses listed in Section 26C-50 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

2. Any clearing of vegetation, grading, excavation, fill or construction when located within a sensitive area, riparian corridor, critical habitat area or unique feature designated in the General Plan or Coastal Plan.

(b) Resource Management Uses.

(1) Farm labor camps not permitted by Section 26C-50(b).

(2) The raising, feeding, maintaining, and breeding of poultry, fowl, rabbits, fur-bearing animals, or animals such as veal calves, dairy cows, pigs, hogs, and the like, which are continuously confined in and around barns, corrals and similar areas for other than domestic purposes. Incidental processing and temporary or seasonal sales and promotion of such animals which are raised on site. This subsection shall not be interpreted so as to require a use permit for animals allowed by Section 26C-50(a).

(3) Agricultural cultivation in the following areas for which a management plan has not been approved pursuant to Section 26C-50(a)(4):

a. Within 100' from the top of the bank in the "Russian River Riparian Corridor".

b. Within 50' from the top of the bank in designated "flatland riparian corridors."

c. Within 25' from the top of the bank in designated "upland riparian corridors".

(4) Indoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops in greenhouses or similar structures of 1,000 square feet or more.

(5) Processing of any agricultural product of a type grown or produced on site or in the immediate area, storage of agricultural products grown or processed on site, and bottling or canning of any agricultural product grown or processed on site.

(6) Livestock feed yards, animal sales yards.

(7) Commercial aquaculture, provided that, at a minimum, the use does not adversely affect biotic resources and does not take place on prime soils.

(8) Commercial wood yards, including wood splitting and sales of off-site fuel woods.

(9) Contractor equipment storage for off-site growing and harvesting of forest products, including packing, repairing and storage of equipment so used. Construction of permanent structures will be subject to Article 29 (Design Review).

(10) Commercial mushroom farming.

(11) Slaughterhouses, animal processing plants, rendering plants, fertilizer plants or yards, which serve agricultural production in the immediate area.

(12) Lumber, planing, and logging mills, mill ponds, and associated uses.

(13) The development of natural resources with appurtenant structures, including exploration and development of geothermal resources, oil and gas wells, and biomass energy projects. Geothermal energy wells, pipelines, transmission facilities, and associated grading and construction, when conducted within the primary KGRA. Hardrock quarry operations may be permitted only if they meet the criteria below:

a. The operation is consistent with the purpose(s) of the Resources and Rural Development District.

b. The operation involves five (5) acres of land or less.

c. The operation results in annual production of 5,000 cubic yards or less.

d. The quarry does not include crushing, screening, or batching operations.

e. The operation is subject to payment of fees and other mitigation measures as may be found consistent with the Aggregate Resources Management Plan.

f. The operation must have an approved Reclamation Plan.

g. The operation is located at least four (4) miles from the nearest approved source of aggregate materials.

Other aggregate mining operations are not permitted unless excepted by Section 26A 3 a)i) of the Sonoma County Code.

(14) One manufactured home for the housing of full-time employees of resource related uses conducted on the site.

(c) Other uses, unless such uses are in conflict with agriculture or timber production.

(1) Game preserves and refuges.

(2) Geotechnical studies which involve grading or construction of open roads or pads.

(3) Home occupations with one (1) non-resident employee, but which otherwise meet the definition of home occupation in Section 26C-12;

(4) Noncommercial clubs and lodges, golf courses, and driving ranges, but not including miniature golf courses.

(5) Public schools subject, at a minimum, to the criteria of General Plan Policy LU-6e.

(6) Private nursery, primary or secondary schools and churches subject, at a minimum, to the criteria of General Plan Policy LU-6f.

(7) Commercial and industrial uses permitted under Section 26-50 which involve significant quantities (over 100 kg/month) of hazardous materials as defined by Title 22, CAC.

(8) Private landing strips.

(9) Cemeteries, mausoleums, columbariums, and crematoriums.

(10) Minor public utility buildings and public service or utility uses (transmission, distribution lines and telecommunications facilities excepted) including, but not limited to, reservoirs, storage tanks, pumping stations, telephone exchanges, small power and transformer stations, fire and police stations and training centers, service yards, and parking lots which, at a minimum, meet the criteria of General Plan Policy PF-2s and which are not otherwise exempt by State law.

(11) Intermediate and Major Free-standing Commercial Telecommunication Facilities subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(12) Non-commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(13) Large residential community care facility.

(14) Day care center.

(15) Large family day care.

(16) Bed and breakfast inn of five or fewer rooms, per definition, subject to Design Review, Article 29 (Landmarks Commission); and ~~subject to~~ Article 24 ~~(Parking Regulations). (Ord. 3376)~~ No restaurant is permitted, food service is limited to breakfast served to inn guests only, and all public health requirements must be met. No accessory structures shall be used for rental occupancy ~~and no rooms may be added~~. A bed and breakfast inn shall have an owner and/or operator in residence within the structure. Non-amplified music lawn parties, weddings or similar outdoor activities may be allowed where specifically included in the use permit. ~~A bed and breakfast inn is ancillary to the agricultural use. Before a use permit is granted, a finding must be made and conditioning must insure that the bed and breakfast use is not detrimental to surrounding agricultural operations.~~

(17) Application of municipal sludge, subject, at a minimum, to the criteria of General Plan policies PF-2q and PF-2r.

(18) Art studios, arts and crafts centers not involving retail or wholesale sales. Such uses may be permitted only when conducted within an existing building.

(19) One second dwelling unit per lot provided that all criteria of Section 26C-325.1 are met. Such criteria include, but are not limited to setbacks and yard requirements (Ord. 3511).

(20) Craft sales and garage sales involving three (3) or four (4) sales days per year.

(21) Retail nurseries involving crops/plants which are not grown on the site.

(22) Tasting rooms for agricultural products which are grown or processed on site.

(23) Veterinary clinics for farm animals and livestock, but not for companion and exotic animals.

(24) Commercial stables not permitted under Section 26C-50(a)(3), riding academies, equestrian riding and driving clubs, and hunting clubs.

(25) Recreational vehicle parks, tent camps or campgrounds, lodging and other recreational or visitor serving uses which do not interfere or detract from the purposes of this district.

(26) Guest ranches and country inns not exceeding 30 units and which are not located within designated Village Commercial areas in the Coastal Plan and further provided that any use permit granted to an operator of a guest ranch/inn to serve food to other than overnight guests is subject to the following limitations:

a. Dining for other than overnight guests may be allowed only in conjunction with a guest ranch/inn with a minimum of six (6) overnight guest rooms.

b. The number of overnight rooms plus the number of outside dining patrons cannot exceed 30.

c. The number of outside dining guests allowed will be determined at the time of use permit consideration based on the formula list in subsection b above. Guest ranch/inn proprietors may serve one meal only per day to the established allowable number of outside patrons. Such dining arrangements must be made by reservation only.

d. Dining for other than overnight guests may be allowed only in conjunction with guest ranches/inns located east of Highway One.

e. Advertising of dining facilities to serve patrons other than overnight guests at guest ranches/inns shall be prohibited.

f. Approved on-site signs for guest ranches/inns may include no reference to dining facilities.

g. Non-amplified music, lawn parties, weddings, or similar outdoor activities may be allowed where specifically included in the use permit.

(28) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-51.

**Section 26C-52. Permitted Residential Density and Development Criteria.**

The use of land and structures within this district is subject to this article, the general regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the General Plan and Coastal Plan shall supersede the standards herein.

(a) Density: Residential density shall be between 20 and 320 acres per dwelling unit as shown in the General Plan land use element or permitted by a "B" combining district, whichever is more restrictive.

(b) Minimum lot size shall be 20 acres, unless a different area is permitted by a "B" combining district, except that a minimum lot size of as low as 1.5 acres may be considered in order to provide for clustering of residential development provided that a protective easement is applied to the remaining large parcel(s) which indicates that density has been transferred to the clustered area.

(c) Minimum lot width: The minimum average lot width within each lot is one hundred twenty-five (125) feet.

(d) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen (15%) percent of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. There Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

(5) East of Highway 1 and are not visible from designated scenic roads: Fifty (50) feet.

(6) Agricultural structures: Fifty (50) feet; however, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) Maximum height for telecommunication facilities is subject to the provisions of this Article and Section 26C-325.7.

(8) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(9) "A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair, and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(e) Maximum lot coverage: Thirty five percent (35%). Lot coverage limitations may be waived by the ~~Planning~~ Director of the Permit and Resource Management Department for commercial greenhouses and swimming pools.

(f) Yard requirements: The following shall apply except that if the subject property adjoins land which is zoned AR or is designated as agricultural land, the use is subject to the requirements of Section 26C-323(f).

(1) Front yard: Ten percent (10%) of the depth of the lot, but not more than 100 feet nor less than thirty (30) feet.

(2) Side yard: Ten percent (10%) of the width of the lot, but not more than fifty (50) feet.

(3) Rear yard: Fifty (50) feet.

(4) Watering troughs, feed troughs, accessory buildings used for the housing or maintenance of farm animals, and accessory buildings and runs used for the housing or maintenance of kennel animals shall be located at least fifty (50) feet from the front property line, twenty (20) feet from any side or rear property line, and thirty (30) feet from any dwelling on the adjacent property.

(5) No garage or carport opening facing the street shall be located less than twenty (20) feet from any exterior property line, except that where 25% or more of the lots on any one 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 the such garages or carports. However, in no case shall the front yards be reduced to less than ten feet. Further the ~~Planning~~ Director of the Permit and Resource Management Department may require a use permit if the reduction might result in a traffic hazard.

(6) Cornices, eaves, canopies, bay windows, fireplaces, other cantilevered portions of structures, and similar architectural features may extend two (2) feet into any required yard. The maximum length of the projections shall not occupy more than ⅓ of the total length of the wall on which it is located. Uncovered porches, fire escapes, or landing places may extend six (6) feet into any required front or rear yard and three (3) feet into any required side yard.

(7) Where twenty-five percent (25%) or more of the lots on any one 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 limitations of Section 26C-52(f)(5).

(8) Accessory buildings may be constructed within the required yards on the rear half of the lot, provided that such building(s) 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 (10) feet to the main buildings on 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 (3) feet shall be maintained between the wall of a pool and the rear and side property lines, and accessory equipment (pump, filters, etc.) shall be exempt from setback restrictions. Additional setbacks may be required under the Uniform Building Code.

(9) Additional setbacks may be required within sensitive areas, riparian corridors, scenic corridors, critical habitat areas, or unique features as designated in the General Plan or Coastal Plan.

(g) Parking requirements:

(1) On-site parking shall be provided for a minimum of two (2) vehicles for each dwelling unit.

(2) On-site parking shall be screened from view from public roadways by natural vegetation, landscaping, natural topography, fencing or structures.

(3) On-site parking shall not block emergency vehicle accessways or turnarounds.

(4) Any other use shall provide parking in accordance with the standards in Article 31.

(h) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty (30%) percent, unless no feasible alternate site is available.

(i) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(j) Design Requirements:

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

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## Article VI. RRDWA - Resources and Rural Development (Agricultural Preserve) District

**Purpose:** To implement the provisions of the Resources and Rural Development land use category (Section 2.8.1) of the general plan in a manner consistent with the provisions of Section 51200 et seq of the Government Code and the Land Conservation Act of 1965.

### Section 26C-60. Permitted Uses, Subject to Site Development and Erosion Control Standards..

The following uses are permitted except within a sensitive area, riparian corridor, area of critical habitat, or unique feature designated in the General Plan or Coastal Plan, in which case a Use Permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards.

(a) Principal Uses:

(1) On parcels of five (5) acres or less, raising, feeding, maintaining and breeding of not more than one of the following per 20,000 square feet of area:

a. five (5) hogs or pigs;

b. one (1) horse, mule, cow, or steer:

c. five (5) goats, sheep, or similar animals;

d. fifty (50) chickens or similar fowl;

e. fifty (50) ducks or geese or one hundred (100) rabbits or similar animals.

f. The above limitations may be modified by the ~~Planning~~ Director of the Permit and Resource Management Department upon submittal of a proposal statement which describes the extent of the domestic farming use and which is signed by the owners of all property within 300 feet of the subject property. The ~~Planning~~ Director of the Permit and Resource Management Department may require the applicant to obtain a use permit if the Director determines that the project might be detrimental to surrounding uses.

g. 4-H and FFA animal husbandry projects are permitted without limitation of parcel size, provided that the parcel contains at least twenty thousand (20,000) square feet and provided further a letter of project authorization is first submitted by the project advisor. The ~~Planning~~ Director of the Permit and Resource Management Department may require the applicant to obtain a use permit when the Director determines that the project might be detrimental to surrounding uses.

(2) On parcels exceeding ~~two (2)~~ five (5) acres; raising, feeding, maintaining and breeding of horses, cattle, sheep, goats, and similar animals.

(3) Boarding of horses which are not owned by the occupant or owner of the property subject to issuance of a zoning permit, but not including shows, lessons, clinics or similar, related activities.

(4) The outdoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops, including wholesale nurseries. Except as noted below, agricultural cultivation shall not be permitted in the following areas:

a. Within 100' from the top of the bank in the "Russian River Riparian Corridor".

b. Within 50' from the top of the bank in designated "flatland riparian corridors".

c. Within 25' from the top of the bank in designated "upland riparian corridors".

Agricultural cultivation may be allowed in a. - c. above upon approval of a management plan which includes appropriate mitigations for potential erosion, bank stabilization, and biotic impacts. This plan may be approved by the ~~Planning~~ Director of the Permit and Resource Management Department or by use permit pursuant to Section 26C-61(b)(3).

(5) The indoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain and similar food and fiber crops, provided that the greenhouse or similar structure for indoor growing is less than ~~800~~ 1,000 square feet.

(6) Incidental cleaning, grading, packing, polishing, sizing, or similar preparation of crops which are grown on the site, but not including agricultural processing.

(7) Temporary or seasonal sales and promotion, and incidental storage, of crops or fuel wood which are grown on the site.

(8) Temporary or seasonal sales and promotion of livestock which have been raised on the site.

(9) Management of lands and forests for the use of commercial production and harvest of trees, including controlled burns.

(10) Removal of timber, including uses integrally related to growing, harvesting, and on-site processing of forest products including, but not limited to roads, log landings, log storage areas, and incidental logging camps.

(11) Timber management, including planting, raising, harvesting and incidental milling for non-commercial purposes of trees and logs for lumber or fuel woods, subject to requirements of California Department of Forestry and Fire Protection.

(12) Contractor equipment storage incidental to the on-site growing and harvesting of forest products, including, parking, repairing and storage of equipment so used. Construction of permanent structures will be subject to Article 29.

(13) Management of land for watershed, for fish and wildlife habitat, fish rearing ponds, hunting and fishing, beekeeping and grazing, where these uses are incidental to the primary use.

(14) Beekeeping.

(b) Residential uses include the following:

(1) Single family detached dwelling units in accordance with the residential density shown in the general plan land use element or permitted by a "B" combining district, whichever is more restrictive. In the event that more than one such dwelling unit is placed on a single lot, the additional dwellings shall be clustered with the primary dwelling in order to minimize roads, drives, and utility extensions. The additional dwellings shall also be subject to design review approval. These unit(s) may be manufactured homes, but only one may be a manufactured home without a permanent foundation.

A manufactured home without a permanent foundation shall require prior approval of a zoning permit notice of which shall be posted at least ten (10) days prior to issuance, during which an appeal may be filed and processed pursuant to Section 26C-331. Issuance of the zoning permit shall be subject, at a minimum, to the following conditions:

a. The manufactured home shall be at least twelve (12) feet in width except those that are owned and occupied on the effective date of this ordinance;

b. The manufactured home shall be skirted. All skirting shall be of a type approved by the State of California;

c. The manufactured home shall have one patio awning with a minimum dimension of 8' x 20' and either a garage, carport, or awning with a minimum dimension of 10' x 20' for covered parking;

d. All manufactured home sites shall be landscaped;

e. The manufactured home shall be occupied by the owner of the property or a relative of the owner.

(2) One manufactured home for the housing of full-time agricultural employees may be permitted in the same manner provided in Section 26C-60(b)(1) for each of the following agricultural uses conducted on the site:

a. at least fifty (50) mature cows or one hundred (100) beef cattle;

b. at least twenty (20) acres of grapes, apples, pears, prunes;

c. at least twenty thousand (20,000) broilers, fifteen thousand (15,000) egg-layers, or three thousand (3,000) turkeys;

d. at least two hundred fifty (250) sheep or goats, fifty (50) dairy goats or hogs;

e. at least thirty (30) mature horses;

f. wholesale nurseries with a minimum of either one (1) acre of propagating greenhouse or outdoor containers or three (3) acres of field-grown plant materials;

g. Any other agricultural use which the ~~Planning~~ Director of the Permit and Resource Management Department determines to be of the same approximate agricultural value and intensity as a. through f. above.

Prior to issuance of zoning permits for such manufactured homes, the property owner shall place on file with the ~~Planning~~ Permit and Resource Management Department an affidavit that said manufactured home(s) will be used to house persons employed on the premises for agricultural purposes and that the manufactured home(s) will be immediately removed from the site when said persons are no longer employed on the premises.

(3) Self-contained recreational vehicles and/or travel trailers to house persons solely employed on the site for agricultural or resource-related purposes for less than ninety (90) days, subject to the following:

The property owner must submit a written affidavit to the ~~Planning~~ Permit and Resource Management Department, stating that said recreational vehicle and/or travel trailer will only be used to house persons solely employed on the site of a bona fide agricultural enterprise. A bona fide agricultural enterprise is defined for this purpose as an operation which derives its primary and principal income

from agricultural production. The recreational vehicle or trailer shall be immediately removed from the site when it is no longer occupied by persons who are solely employed on the site.

(4) Seasonal farm worker housing which meets the standards set forth in Section 26-320(j). Seasonal farm worker housing shall also conform to such public health, building and fire safety criteria as may be established by resolution or ordinance of the Board of Supervisors.

(5) Year-round farm worker housing which meets the standards set forth in Section 26C-320(h). Year-round farm worker housing shall also conform to such public health, building, and fire safety criteria as may be established by resolution or ordinance of the Board of Supervisors.

(6) One (1) guest house per lot.

(c) Other uses, unless such uses are in conflict with agriculture or timber production:

(1) Geotechnical studies involving no grading or construction of new roads or pads.

(2) Home occupations.

(3) Small residential community care facility.

(4) Small family day care.

(5) Occasional cultural events, provided that a written notice stating "The Sonoma County ~~Planning~~ Permit and Resource Management 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 26C-331 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 26C-331.

(6) Non-commercial kennels for up to ten (10) dogs.

(7) 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.

(8) Attached Commercial Telecommunication Facilities subject to the applicable criteria set forth in Section 26C-325.7.

(9) Minor Free-standing Commercial Telecommunication Facilities, subject to the applicable criteria set forth in Section 26C-325.7, and subject to approval of a zoning permit, including environmental review, for which notice, including a site plan and one 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 Article 33 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 Article.

(10) Non-commercial Telecommunication Facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7. Facilities between forty feet (40') and eighty feet (80') in height are subject to approval of a ministerial 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 Article 33 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 Article.

(11) Accessory buildings and uses appurtenant to the operation of the permitted uses. Accessory buildings may be constructed on vacant parcels of two acres or more in advance of a primary permitted use. On vacant parcels less than two acres, accessory buildings may only be constructed if less than 120 square feet or as incidental to an existing agricultural use.

(12) Minor timberland conversions subject to compliance with the requirements of Section 26C-327.

(13) Ranch roads.

(14) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Sections 26C-60.

**Section 26C-61. Uses ~~Permitted with~~ Requiring a Use Permit.**

(a) Sensitive area uses.

(1) Permitted uses listed in Section 26C-60 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading excavation, fill or construction when located within a sensitive area, riparian corridor, critical habitat area or unique feature designated in the General Plan or Coastal Plan.

(b) Resource Management Uses.

(1) Farm labor camps not permitted under Section 26C-60(b).

(2) The raising, feeding, maintaining, and breeding of poultry, fowl, rabbits, fur-bearing animals, or animals such as veal calves, dairy cows, pigs, hogs, and the like, which are continuously confined in and around barns, corrals and similar areas for other than domestic purposes. Incidental processing and temporary or seasonal sales and promotion of such animals which are raised on site. This subsection shall not be interpreted so as to require a use permit for animals allowed by Section 26C-60(a).

(3) Agricultural cultivation in the following areas for which a management plan has not been approved pursuant to Section 26C-60(a)(4):

a. Within 100' from the top of the bank in the "Russian River Riparian Corridor".

b. Within 50' from the top of the bank in designated "flatland riparian corridors."

c. Within 25' from the top of the bank in designated "upland riparian corridors".

(4) Indoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay grain, and similar food and fiber crops in greenhouses or similar structures of ~~800~~ 1,000 square feet or more.

(5) Processing of any agricultural product of a type grown or produced on site or in the immediate area, storage of agricultural products grown or processed on site, and bottling or canning of any agricultural product grown or processed on site.

(6) Livestock feed yards, animal sales yards.

(7) Commercial aquaculture, provided that, at a minimum, the use does not adversely affect biotic resources and does not take place on prime soils.

(8) Commercial mushroom farming.

(9) Slaughterhouses, animal processing plants, rendering plants, fertilizer plants or yards, which serve agricultural production in the immediate area.

(10) The development of natural resources with appurtenant structures, including exploration and development of geothermal resources, oil and gas wells, and biomass energy projects. Geothermal energy wells, pipelines, transmission facilities, and associated grading and construction, when conducted within the primary KGRA.

(11) One manufactured home for the housing of full-time employees of resource related uses conducted on the site.

(c) Other uses, unless such uses are in conflict with agriculture or timber production:

(1) Game preserves and refuges.

(2) Geotechnical studies which involve grading or construction of open roads or pads.

(3) Home occupations with one (1) non-resident employee, but which otherwise meet the definition of home occupation in Section 26C-12.

(4) Noncommercial clubs and lodges, golf courses, and driving ranges, but not including miniature golf courses.

(5) Commercial and industrial uses permitted under Section 26C-60 which involve significant quantities (over 100 kg/month) of hazardous materials as defined by Title 22, CAC.

(6) Private landing strips.

(7) Cemeteries, mausoleums, columbariums, and crematoriums.

(8) Minor public utility buildings and public service or utility uses (transmission, distribution lines and telecommunications facilities excepted) including, but not limited to, reservoirs, storage tanks, pumping stations, telephone exchanges, small power and transformer stations, fire and police stations and training centers, service yards, and parking lots which, at a minimum, meet the criteria of general plan Policy PF-2s and which are not otherwise exempt by State law.

(9) Intermediate and Major Free-standing Commercial Telecommunication Facilities subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(10) Non-commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(11) Large residential community care facility.

(12) Day care center.

(13) Large family day care.

(14) Application of municipal sludge, subject, at a minimum, to the criteria of general plan Policies PF-2q and PF-2r.

(15) Art studios, arts and crafts centers not involving retail or wholesale sales. Such uses may be permitted only when conducted within an existing building.

(16) Craft sales and garage sales involving three (3) or four (4) sales day per year.

(17) Retail nurseries involving crops/plants which are not grown on the site.

(18) Tasting rooms for agricultural products which are grown or processed on site.

(19) Commercial stables not permitted under Section 26C-60(a)(2), riding academies, equestrian riding and driving clubs, and hunting clubs.

(20) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-61.

**Section 26C-62. Permitted Residential Density and Development Criteria.**

The use of land and structures within this district is subject to this article, the general regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the general plan and Coastal Plan shall supersede the standards herein.

(a) Density: Residential density shall be between 20 and 320 acres per dwelling unit as shown in the General Plan land use element or permitted by a "B" combining district, whichever is more restrictive.

(b) Minimum lot size shall be 20 acres, unless a different area is permitted by a "B" combining district, except that a minimum lot size of as low as 10 acres may be considered in order to provide for clustering of residential development provided that a protective easement is applied to the remaining large parcel(s) which indicates that density has been transferred to the clustered area. Any such subdivision must also comply with General Plan Policy AR-8c.

(c) Minimum lot width. The minimum average lot width within each lot is one hundred twenty-five (125) feet.

(d) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen (15%) percent of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. There Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

(5) East of Highway 1 and are not visible from designated scenic roads: Fifty (50) feet.

(6) Agricultural structures: Fifty (50) feet; however, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) Maximum height for telecommunication facilities is subject to the provisions of this Article and Section 26C-325.7.

(8) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(9) A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(e) Maximum lot coverage: Thirty five percent (35%). Lot coverage limitations may be waived by the ~~Planning~~ Director of the Permit and Resource Management Department for commercial greenhouses and swimming pools.

(f) Yard requirements: The following shall apply except that if the subject property adjoins land which is zoned AR or is designated as agricultural land, the use is subject to the requirements of Section 26C-323(f).

(1) Front yard: Ten percent (10%) of the depth of the lot, but not more than 100 feet nor less than thirty (30) feet.

(2) Side yard: Ten percent (10%) of the width of the lot, but not more than fifty (50) feet.

(3) Rear yard: Fifty (50) feet.

(4) Watering troughs, feed troughs, and accessory buildings used for the housing or maintenance of farm animals, accessory buildings and runs used for the housing or maintenance of kennel animals shall be located at least fifty (50) feet from the front property line, twenty (20) feet from any side or rear property line, and thirty (30) feet from any dwelling on the adjacent property.

(5) No garage or carport opening facing the street shall be located less than twenty (20) feet from any exterior property line, except that where 25% or more of the lots on any one 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 the such garages or carports. However, in no case shall the front yards be reduced to less than ten feet. Further, the ~~Planning~~ Director of the Permit and Resource Management Department may require a use permit if the reduction might result in a traffic hazard.

(6) Cornices, eaves, canopies, bay windows, fireplaces, other cantilevered portions of structures, and similar architectural features may extend two (2) feet into any required yard. The maximum length of the projections shall not occupy more than ⅓ of the total length of the wall on which it is located. Uncovered porches, fire escapes, or landing places may extend six (6) feet into any required front or rear yard and three (3) feet into any required side yard.

(7) Where twenty-five percent (25%) or more of the lots on any one 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 limitations of Section 26C-26C-62(f)(5).

(8) Accessory buildings may be constructed within the required yards on the rear half of the lot, provided that such building(s) 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 (10) feet to the main buildings on the same 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 (3) feet shall be maintained between the wall of a pool and the rear and side property lines, and accessory equipment (pump, filters, etc.) shall be exempt from setback restrictions. Additional setbacks may be required under the Uniform Building Code.

(9) Additional setbacks may be required within sensitive areas, riparian corridors, scenic corridors, critical habitat areas, or unique features as designated in the General Plan or Coastal Plan.

(g) Parking requirements:

(1) On-site parking shall be provided for a minimum of two (2) vehicles for each dwelling unit.

(2) On-site parking shall be screened from view from public roadways by natural vegetation, landscaping, natural topography, fencing or structures.

(3) On-site parking shall not block emergency vehicle accessways or turnarounds.

(4) Any other use shall provide parking in accordance with the standards in Article XLIII.

(h) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty (30%) percent, unless no feasible alternate site is available.

(I) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In

addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(j) Design Requirements:

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

## Article VII. TP - Timberland Production District.

**Purpose:** To provide for Timberland zoning, a yield tax imposed at the time of harvest, and the conservation and protection of land capable of producing timber and forest products. The compatible uses specified in this section will be included in this zone and are consistent with the Forest Taxation Reform Act of 1976.

### Section 26C-70. Permitted Uses Subject to Site Development and Erosion Control Standards.

The following uses are permitted except within a sensitive area, riparian corridor, area of critical habitat, or unique feature designated in the General Plan or Coastal Plan, in which case a use permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards.

Notwithstanding those uses listed in Section 26C-70 and 71, no use shall be permitted contrary to California Government Code, chapter 6.7, article 1, sections 51100 through 51155.

(a) Principal uses:

(1) Management of lands and forests for the primary use of commercial production and harvest of trees, including controlled burns.

(2) Removal of timber and fuel wood, including uses integrally related to growing, harvesting and on-site processing of forest products including, but not limited to, roads, log landings, log storage areas and incidental logging camps.

(3) Recreational and educational uses, with or without fee, not requiring any permanent improvement of the land or interfering with the primary use (swimming, hunting, fishing, occasional camping, etc.).

(4) Management of land for watershed, for fish and wildlife habitat, fish rearing ponds, hunting and fishing, grazing, where these uses are incidental to the primary use.

(5) The erection, construction, alteration or maintenance of gas, electric, water or communication generating and transmission facilities, including necessary structures.

(6) Contractor equipment storage incidental to the on site growing and harvesting of forest products, including parking, repairing and storage of equipment so used. Construction of permanent structures will be subject to Article 29.

(7) The production and harvesting of miscellaneous compatible forest products. (Christmas tree farms and greenery.)

(8) Timber management, including planting, raising, harvesting and incidental milling for non-commercial purposes of trees and logs for lumber or fuel woods, subject to requirements of California Department of Forestry and Fire Protection.

(9) Temporary or seasonal sales and promotion, and incidental storage of fuel wood which is grown on site.

(b) Residential Uses:

(1) One single family dwelling unit with accessory buildings.

(2) Additional detached single family dwelling units, not to exceed four (4) dwellings on a single ownership, provided that the density does not exceed one (1) single family dwelling unit per one hundred sixty (160) acres, or that density shown in the General Plan land use element or that density permitted by a "B" combining district, whichever is the most restrictive. In the event that more than one such single family dwelling unit is placed on a single lot, the additional dwellings shall be

clustered with the primary dwelling in order to minimize roads, drives, and utility extensions. The additional dwellings shall also be subject to design review approval.

(c) Other uses, unless such uses are in conflict with agriculture or timber production:

(1) One guest house per lot.

(2) Occasional cultural events, provided that a written notice stating "The Sonoma County ~~Planning~~ Permit and Resource Management 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 if 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 26C-331 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 26C-331.

(3) Small family day care.

(4) Large family day care provided that the applicant shall meet all performance standards listed in Section 26C-325.3.

(5) Small residential community care facility.

(6) Non commercial kennels for up to ten (10) dogs.

(7) Beekeeping.

(8) All non-residential uses not requiring a use permit in the "RRD" district, but only on those portions of parcels which are not subject to Timber Production Regulations.

(9) Ranch roads.

(10) Attached Commercial Telecommunication Facilities subject to the applicable criteria set forth in Section 26C-325.7.

(11) Minor Free-standing Commercial Telecommunication Facilities, subject to the applicable criteria set forth in Section 26C-325.7, and subject to approval of a zoning permit, including environmental review, for which notice, including a site plan and one 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 Article 33 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 Article.

(12) Non-commercial Telecommunication Facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7. Facilities between forty feet (40') and eighty feet (80') in height are subject to approval of a ministerial 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 Article 33 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 Article.

(9) Other non-residential uses which in the opinion of the Planning Director are of a similar and compatible nature to those uses described in Section 26C-70.

**Section 26C-71. Uses ~~Permitted with~~ Requiring a Use Permit.**

(a) Sensitive area Uses:

(1) Permitted uses listed in Section 26C-70 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading, excavation, fill or construction when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(b) Resource Management Uses:

~~(1) Commercial timber harvesting of trees for lumber on parcels less than three (3) acres in size.~~

(2) Saw mills, planer mills, pulp mills, particle board plants, log ponds, earth-filled dams and lumber yards, with associated uses.

(3) Development and utilization of natural resources with appurtenant structures. Hardrock quarry operations may be permitted only if they meet the criteria below:

a. The operation is consistent with the purpose(s) of the Resources and Rural Development District.

b. The operation involves five (5) acres of land or less.

c. The operation results in annual production of 5,000 cubic yards or less.

d. The quarry does not include crushing, screening, or batching operations.

e. The operation is subject to payment of fees and other mitigation measures as may be found consistent with Aggregate Resources Management Plan.

f. The operation must have an approved Reclamation Plan.

g. The operation is located at least four (4) mile(s) from the nearest approved source of aggregate materials.

Other aggregate mining operations are not permitted unless excepted by Section 26A 3a) i) of the Sonoma County Code.

(4) Contractor equipment storage for off-site growing and harvesting of forest products, including packing, repairing and storage of equipment so used. Construction of permanent structures will be subject to Article 29.

(5) Commercial wood yards, including wood splitting and sales of off-site fuel woods.

(c) Other Uses, unless such uses are in conflict with agriculture or timber production:

(1) Aircraft landing facilities incidental to permitted forestry and recreation related uses.

(2) Permanently located and improved private and public campgrounds, resorts and "organized camps".

(3) Such use which does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber. Any facilities constructed for such use would not be permanent residences, except as provided in other portions of Article VII.

(4) All non-residential uses permitted with a use permit in the "RRD" district, but only on those portions of parcels not subject to Timber Production Regulations.

(5) Exploration and development of low temperature geothermal resources for other than power development purposes provided that at a minimum it is compatible with surrounding land uses.

**Section 26C-72. Zone Change to Timber Production Zone (TPZ).**

(a) Property contiguous to and under the same ownership as an existing Timber Production Zone.

(1) Minimum acreage: No minimum required.

(b) Timberlands not described in Section 26C-72(a) shall meet the following criteria for inclusion in the Timber Production District.

(1) Minimum acreage:

a. Sites I and II - Forty (40) acres.

b. All other sites - Eighty (80) acres.

(2) Applicant shall submit a plan for forest management, whose content shall be prepared or approved, by a licensed professional forester. Such plan shall provide for the eventual harvest of the timber within a reasonable period of time, as determined by the preparer of the plan.

(3) The parcel shall meet the current timber stocking standards and forest practice rules set forth by the Board of Forestry for the Forest District or the Coastal Commission Special Treatment Area or any other established by the Board of Forestry and pertinent to this County.

a. If the parcel does not meet current stocking standards as determined by the California Department of Forestry and Fire Protection, the owner must sign an agreement with the Board of Supervisors to meet such stocking standards and forest practice rules by the fifth (5th) anniversary of the signing of such agreement.

b. If such stocking standards and forest practices are not met by the fifth (5th) anniversary date, the Board of Supervisors shall immediately rezone the parcel pursuant to Government Code section 51121.

**Section 26C-73. Division of Timber Production Zone.**

(a) In the Coastal Zone, the minimum parcel size for creation of new lots is 640 acres.

**Section 26C-74. Bulk and Parking Standards.**

(a) Yard requirements:

The following shall apply except that if the subject property adjoins land which is zoned AR or is designated as agricultural land, the use is subject to the requirements of Section 26C-323(f):

(1) Front yard: Ten percent (10%) of the depth of the lot, but not more than 100 feet nor less than thirty (30) feet.

(2) Side yard: Ten percent (10%) of the width of the lot, but not more than Fifty (50) feet.

(3) Rear yard: Fifty (50) feet.

(4) Additional setbacks may be required within sensitive areas, riparian corridors, scenic corridors, areas of critical habitat, or unique feature areas as designated in the General Plan or Coastal Plan.

(b) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen (15%) percent of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. There Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

(5) East of Highway 1 and are not visible from designated scenic roads: Fifty (50) feet.

(6) Agricultural structures: Fifty (50) feet; however, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) Maximum height for telecommunication facilities is subject to the provisions of this Article and Section 26C-325.7.

(8) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.
Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(9) A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(c) Parking:

(1) On-site parking shall be provided for a minimum of two (2) vehicles for each dwelling unit.

(2) On-site parking shall be screened from view from public roadways by natural vegetation, landscaping, natural topography, fencing or structures.

(3) On-site parking shall not block emergency vehicle accessways or turnarounds.

(d) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty (30%) percent, unless no feasible alternate site is available.

(e) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(f) Design Requirements:

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

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Purpose: To provide lands for raising crops and farm animals in areas designated primarily for rural residential use pursuant to Section 2.2.2, Objective LU-6.6, and Policy LU-6d of the General Plan.

**Section 26C-80. Permitted Uses, Subject to Site Development and Erosion Control Standards.**

The following uses are permitted except within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan, in which case a Use Permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards.

(a) Principal Uses:

(1) The outdoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops, including wholesale nurseries. Except as noted below agricultural cultivation shall not be permitted in the following areas:

a. Within 100' of the top of the bank in the "Russian River Riparian Corridor".

b. Within 50' of the top of the bank in designated "flatland riparian corridors".

c. Within 25' of the top of the bank in designated "upland riparian corridors".

Agricultural cultivation may be allowed in a. - c. above upon approval of a management plan which includes appropriate mitigations for potential erosion, bank stabilization, and biotic impacts. This plan may be approved by the ~~Planning~~ Director of the Permit and Resource Management Department or by use permit pursuant to Section 26C-81(b)(2).

(2) The indoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain and similar food and fiber crops, provided that the greenhouse or similar structure for indoor growing is less than 1,000 square feet.

~~2. Wildlife preserves and refuges.~~

~~3. Timber management activities including raising and harvesting of trees for lumber on parcels greater than three (3) acres in size, subject to requirements of the California Division of Forestry Timber Harvesting Plan.~~

(3) On parcels of five (5) acres or less, the raising, feeding, maintaining and breeding of not more than one of the following per 20,000 square feet of area:

a. five (5) hogs or pigs;

b. one (1) horse, mule, cow, or steer;

c. five (5) goats, sheep, or similar animals;

d. fifty (50) chickens or similar fowl;

e. Fifty (50) ducks or geese or one hundred (100) rabbits or similar animals.

f. The above limitations may be modified by the ~~Planning~~ Director of the Permit and Resource Management Department upon submittal of a proposal statement which describes the extent of the domestic farming use and which is signed by the owners of all property within 300' of the subject property. The ~~Planning~~ Director of the Permit and Resource Management

Department may require the applicant to obtain a use permit if the Director determines that the project might be detrimental to surrounding uses.

g. 4-H and FFA animal husbandry projects are permitted without limitation of parcel size, provided that the parcel contains at least twenty thousand (20,000) square feet and provided further a letter of project authorization is first submitted by the project advisor. The ~~Planning~~ Director of the Permit and Resource Management Department may require the applicant to obtain a use permit when the Director determines that the project might be detrimental to surrounding uses.

(4) On parcels exceeding ~~two (2)~~ five (5) acres; raising, feeding, maintaining and breeding of horses, cattle, sheep, goats, and similar animals.

(5) Incidental cleaning, grading, packing, polishing, sizing, or similar preparation of crops which are grown on site, but not including agricultural processing.

(6) Temporary or seasonal sales and promotion, and incidental storage, of crops which are grown on site.

(7) Temporary or seasonal sales and promotion of livestock which have been raised on site.

(8) Boarding of a maximum of five (5) horses which are not owned by the occupant or owner of the property subject to issuance of a zoning permit but not including shows, lessons, clinics or similar related activities.

(9) Beekeeping.

(b) Residential Uses.

(1) Single-family detached dwelling units, in accordance with residential density shown in the General Plan land use element or permitted by a "B" combining district, whichever is more restrictive. In the event that more than one such dwelling unit is placed on a single lot, the additional dwellings shall be clustered with the primary dwelling in order to minimize roads, drives, and utility extensions. The additional dwellings shall also be subject to design review approval. These unit(s) may be manufactured homes, but only one may be a manufactured home without a permanent foundation.

A manufactured home without a permanent foundation shall require prior approval of a zoning permit notice of which shall be posted at least ten (10) days prior to issuance, during which an appeal may be filed and processed pursuant to Section 26C-331. Issuance of the zoning permit shall be subject, at a minimum, to the following conditions:

a. The manufactured home shall be at least twelve (12) feet in width except those that are owned and occupied on the effective date of this ordinance;

b. the manufactured home shall be skirted; all skirting shall be of a type approved by the State of California;

c. the manufactured home shall have one patio awning with a minimum dimension of 9' x 20' and either a garage, carport or awning with a minimum dimension of 10' x 20' for covered parking;

d. the manufactured home sites shall be landscaped; and

e. the manufactured home shall be occupied by the owner of the property or a relative of the owner.

(2) One (1) guest house per lot.

(3) Self contained recreational vehicles and/or travel trailers to house persons solely employed on the site for agricultural purposes for less than ninety (90) days, subject to the following:

The property owner must submit a written affidavit to the ~~Planning~~ Permit and Resource Management Department, stating that said recreational vehicle and/or travel trailer will only be used to house persons solely employed on the site of a bona fide agricultural enterprise. A bona fide agricultural enterprise is defined for this purpose as an operation which derives its primary and principal income from agricultural production. The recreational vehicle or trailer shall be immediately removed from the site when it is no longer occupied by persons who are solely employed on the premises site.

(c) Other uses:

(1) Home occupations.

(2) Small residential community care facility.

(3) Occasional cultural events, provided that a written notice stating "The Sonoma County ~~Planning~~ Permit and Resource Management 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 26C-331 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 26C-331.

(4) Small family day care.

(5) Accessory buildings and uses appurtenant to the operation of the permitted uses. Accessory buildings may be constructed on vacant parcels of two acres or more in advance of a primary permitted use. On vacant parcels less than two acres, accessory buildings may only be constructed if less than 120 square feet or as incidental to an existing agricultural use.

(6) Large family day care provided that the applicant shall meet all performance standards listed in Section 26C-325.3.

(7) Non-commercial kennels for up to ten (10) dogs.

(8) 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.

(9) Attached Commercial Telecommunication Facilities which meet the applicable criteria set forth in Section 26C-325.7.

(10) Minor Free-standing Commercial Telecommunication Facilities, subject to the applicable criteria set forth in Section 26C-325.7 and subject to approval of a zoning permit, including environmental review, for which notice, including a site plan and one 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 Article 47 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 Article.

(11) Non-commercial Telecommunication Facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7. Facilities between forty feet (40') and eighty feet (80') in height are subject to approval of a ministerial 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 Article 47 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 Article.

(d) Minor timberland conversions subject to compliance with the requirements of Section 26C-327.

(e) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Sections 26C-80.

**Section 26C-81. Uses ~~Permitted with~~ Requiring a Use Permit.**

(a) Sensitive Area Uses:

(1) Permitted uses listed in Section 26C-80, when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading, excavation, fill or construction when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(b) Resource Management Uses:

(1) The raising, feeding, maintaining, and breeding of poultry, fowl, rabbits, fur-bearing animals, or animals such as veal calves, pigs, hogs, and the like, which are continuously confined in and around barns, corrals and similar areas for other than domestic purposes. Incidental processing of such animals which are raised on site. This subsection shall not be interpreted so as to require a use permit for animals allowed by Sections 26C-20a ~~and~~—.

(2) Agricultural cultivation in the following areas, for which a management plan has not been approved by the ~~Planning~~ Director of the Permit and Resource Management Department pursuant to Section 26C-80(a)(1)

a. Within 100' of the top of the bank in the "Russian River Riparian Corridor".

b. Within 50' of the top of the bank in designated "flatland riparian corridors".

c. Within 25' of the top of the bank in designated "upland riparian corridors".

(3) Indoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops in greenhouses or similar structures of ~~800~~ 1,000 square feet or more.

(4) Commercial mushroom farming.

(5) Exploration and development of low temperature geothermal resources for other than power development purposes provided that at a minimum it is compatible with surrounding land uses.

(c) Other Uses:

(1) One bed and breakfast inn, of five or fewer rooms per definition, ~~on land not under Williamson Act contract and~~ subject to Design Review, ~~or~~ Article 29, or Landmarks Commission ~~subject to~~ Article 24, ~~(Parking Regulations), and subject, at a minimum, to the criteria of General Plan Policy AR-6e~~. No restaurant is permitted, food service is limited to breakfast served to inn guests only, and all public health requirements must be met. No accessory structures shall be used for rental occupancy ~~and no rooms may be added~~. A bed and breakfast inn shall have an owner and/or operator in residence within the structure. Non-amplified music, lawn parties, weddings or similar outdoor activities may be allowed where specifically included in the use permit. A bed and breakfast inn is ancillary to the agricultural use. Before a use permit is granted, a finding must be made and conditioning must insure that the bed and breakfast use is not detrimental to surrounding agricultural operations.

(2) One second dwelling unit per lot, provided that criteria of Section 26C-325.1 are met. Such criteria include, but are not limited to, setbacks and yard requirements (Ordinance No. 3511).

(3) Noncommercial clubs and lodges.

(4) Golf courses and driving ranges (only if located in Bodega Bay or Valley Ford), but not including miniature golf courses.

(5) Home occupations with one non-resident employee, but which otherwise meet the definition of home occupation in Section 26C-12.

(6) Public schools, subject, at a minimum, to the criteria of General Plan Policy LU-6e.

(7) Private nursery, primary, and secondary schools and churches subject, at a minimum, to the criteria of General Plan Policy LU-6f.

(8) Cemeteries, mausoleums, columbariums, and crematoriums.

(9) Minor public utility buildings and public service or utility uses (transmission, distribution lines and telecommunications facilities excepted) including, but not limited to, reservoirs, storage tanks, pumping stations, telephone exchanges, small power and transformer stations, fire and police stations and training centers, service yards, and parking lots which, at a minimum, meet the criteria of General Plan Policy PF-2s and which are not otherwise exempt by State law.

(10) Large residential community care facility.

(11) Commercial aquaculture.

(12) Guest ranches, country inns, which are not located within designated Village Commercial areas in the Coastal Plan and further provided that any use permit granted to an operator of a guest ranch/inn to serve food to other than overnight guests is subject to the following limitations:

a. Dining for other than overnight guests may be allowed only in conjunction with a guest ranch/inn with a minimum of six (6) overnight guest rooms.

b. The number of overnight rooms plus the number of outside dining patrons cannot exceed 30.

c. The number of outside dining guests allowed will be determined at the time of use permit consideration based on the formula list in subsection 2 above. Guest ranch/inn proprietors may serve one meal only per day to the established allowable number of outside patrons. Such dining arrangements must be made by reservation only.

d. Dining for other than overnight guests may be allowed only in conjunction with guest ranches/inns located east of Highway One.

e. Advertising of dining facilities to serve patrons other than overnight guests at guest ranches/inns shall be prohibited.

f. Approved on-site signs for guest ranches/inns may include no reference to dining facilities.

g. Non-amplified music, lawn parties, weddings, or similar outdoor activities may be allowed where specifically included in the use permit.

(13) Day care center.

(14) Craft sales and garage sales involving three (3) or four (4) sales days per year.

(15) Retail nurseries involving crops/plants which are not grown on the site.

(16) Veterinary clinics for farm animals but not for companion and exotic animals.

(17) Commercial stables not permitted under Section 26C-80(a)(8) academies, equestrian riding and driving clubs, and hunting clubs.

(18) Game preserves and refuges.

(19) Intermediate and Major Free-standing Commercial Telecommunication Facilities subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(20) Non-commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7

(d) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Sections 26C-81.

**Section 26C-82. Permitted Residential Density and Development Criteria.**

The use of land and structures within this district is subject to this article, the applicable regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the General Plan and ~~any applicable specific or area plan or local~~ Coastal Plan ~~area development guidelines~~ shall supersede the standards herein.

(a) Residential density shall be between 1 and 20 acres per dwelling unit as shown in the General Plan land use element or as permitted by a "B" combining district, whichever is more restrictive.

(b) Minimum lot size shall be 1.5 acres unless public water serves the lot, in which case the minimum shall be one (1) acre. In such cases where lots are clustered, a protective easement shall be applied to the remaining large parcels which indicates that density has been transferred to the clustered area.

(c) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen (15%) percent of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. There Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

(5) East of Highway 1 and are not visible from designated scenic roads: Thirty-five (35) feet.

(6) Agricultural structures: Thirty-five (35) feet, however, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) Maximum height for telecommunication facilities is subject to the provisions of this Article and Section 26C-325.7.

(8) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above

the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(9) A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(d) Minimum lot width: The minimum average lot width within each lot is eighty (80) feet.

(e) Maximum lot coverage: Thirty-five percent (35%). Lot coverage limitations may be waived by the ~~Planning~~ Director of the Permit and Resource Management Department for greenhouses and swimming pools.

(f) Yard requirements:

(1) Front yard: Thirty (30) except that in no case shall the setback be less than fifty-five (55) feet from the centerline of any public road, street or highway.

(2) Side yard: Minimum ten (10) feet.

(3) Rear yard: Twenty (20) feet.

(4) Watering troughs, feed troughs, accessory buildings used for the housing or maintenance of farm animals, and accessory buildings and runs used for the housing or maintenance of kennel animals shall be located at least fifty (50) feet from the front property line, twenty (20) feet from any side or rear property line, and thirty (30) feet from any dwelling on the adjacent property.

(5) No garage or carport opening facing the street shall be located less than twenty (20) feet from any exterior property line, except that where 25% or more of the lots on any one 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 the such garages or carports. However, in no case shall the front yards be reduced to less than ten feet. Further the ~~Planning~~ Director of the Permit and Resource Management Department may require a use permit if the reduction might result in a traffic hazard.

(6) Cornices, eaves, canopies, bay windows, fireplaces, other cantilevered portions of structures, and similar architectural features may extend two (2) feet into any required yard. The maximum length of the projections shall not occupy more than ⅓ of the total length of the wall on which it is located. Uncovered porches, fire escapes, or landing places may extend six (6) feet into any required front or rear yard and three (3) feet into any required side yard.

(7) Where twenty-five percent (25%) or more of the lots on any one 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 limitations of Section 26C-82(f)(5).

(8) Accessory building(s) may be constructed within the required yards on the rear half of the lot, provided that such building(s) 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 (10) feet to the main buildings on the 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 (3) feet shall be maintained between the wall of a pool and the rear and side property lines, and accessory equipment (pump, filters, etc.) shall be exempt from setback restrictions). Additional setbacks may be required under the Uniform Building Code.

(9) Additional setbacks may be required within sensitive areas, riparian corridors, scenic corridors, critical habitat areas and unique feature areas as designated in the General Plan or Coastal Plan.

(g) Parking:

(1) On-site parking shall be provided for a minimum of two (2) vehicles for each dwelling unit.

(2) On-site parking shall be screened from view from public roadways by natural vegetation, landscaping, natural topography, fencing or structures.

(3) On-site parking shall not block emergency vehicle accessways or turnarounds.

(h) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty (30%) percent, unless no feasible alternate site is available.

(i) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a

twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(j) Design Requirements:

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

## Article IX. RR - Rural Residential District.

**Purpose:** To preserve the rural character and amenities of those lands best utilized for low density residential development pursuant to Section 2.2.2 of the General Plan. Rural residential uses are intended to take precedence over permitted agricultural uses, but the district does not allow agricultural service uses. The Rural Residential district may also be applied to lands in other land use categories where it is desirable to use zoning to limit development.

### Section 26C-90. Permitted uses, Subject to Site Development and Erosion Control Standards.

The following uses are permitted except within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan, in which case a Use Permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards.

(a) Principal Uses:

(1) One single family dwelling unit on permanent foundation per lot.

(b) Agricultural Uses:

(1) Raising, feeding, maintaining and breeding of not more than one of the following per 20,000 square feet of area. If the subject parcel is at least five (5) acres, additional animals may be approved by use permit pursuant to Section 26C-91:

a. five (5) hogs or pigs;

b. one (1) horse, mule, cow, or steer;

c. five (5) goats, sheep, or similar animals;

d. fifty (50) chickens or similar fowl;

e. fifty (50) ducks or geese or one hundred (100) rabbits or similar animals.

f. 4-H and FFA animal husbandry projects are permitted without limitation of parcel size, provided that the parcel contains at least twenty thousand (20,000) square feet and provided further a letter of project authorization is first submitted by the project advisor. The ~~Planning~~ Director of the Permit and Resource Management Department may require the applicant to obtain a use permit when the Director determines that the project might be detrimental to surrounding uses.

(2) The outdoor growing and harvesting of shrubs, plants, trees, flowers, vines, fruits, vegetables, hay, grain and similar food and fiber crops. Except as noted below, agricultural cultivation shall not be permitted in the following areas:

a. Within 100' of the top of the bank in the "Russian River Riparian Corridor".

b. Within 50' of the top of the bank in designated "flatland riparian corridors".

c. Within 25' of the top of the bank in designated "upland riparian corridors".

Agricultural cultivation may be allowed in a. - c. above upon approval of a management plan which includes appropriate mitigations for potential erosion, bank stabilization, and biotic impacts. This plan may be approved by the ~~Planning~~ Director of the Permit and Resource Management Department or by use permit pursuant to Section 26C-91(c)(3).

(3) The indoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops, provided that the greenhouse or similar structure for indoor growing is less than ~~800~~ 500 square feet.

(4) Beekeeping.

(c) Other Uses:

(1) One guest house per lot.

(2) Occasional cultural events, provided that a written notice stating "The Sonoma County ~~Planning~~ Permit and Resource Management 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 26C-331 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 26C-331.

(3) Small family day care.

(4) Large family day care provided that the applicant shall meet all performance standards listed in Section 26C325.3.

(5) Home occupations.

(6) Small residential community care facility.

(7) 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.

(8) Accessory buildings, and uses appurtenant to the operation of the permitted uses. Accessory buildings may be constructed on vacant parcels of two acres or more in advance of a primary permitted use. On vacant parcels less than two acres, accessory buildings may only be constructed if less than 120 square feet or as incidental to an existing agricultural use.

(9) Attached Commercial Telecommunication Facilities which meet the applicable criteria set forth in Section 26C-325.7.

(10) Minor Free-standing Commercial Telecommunication Facilities, subject to the applicable criteria set forth in Section 26C-325.7, and subject to approval of a zoning permit, including environmental review, for which notice, including a site plan and one 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 Article 47 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 Article.

(11) Non-commercial Telecommunication Facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7. Facilities between forty feet (40') and eighty feet (80') in height are subject to approval of a ministerial 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 Article 47 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 Article.

(d) Other non residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Sections 26C-90.

**Section 26C-91. Uses ~~Permitted with~~ Requiring a Use Permit.**

(a) Sensitive Area Uses:

(1) Permitted uses listed in Section 26C-90, when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading, excavation, fill or construction when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(b) Residential Uses:

(1) Additional single family detached dwelling units on permanent foundation in accordance with residential density shown in the General Plan land use element or that density permitted by a "B" combining district, whichever is more restrictive.

(2) Planned developments, and condominiums. Densities will be permitted in accordance with the densities shown in the General Plan land use element or a "B" combining district whichever is more restrictive, also considering that which could be accommodated following conventional subdivision design, acknowledging topographical variations and permitted conventional lot areas. Compatibility with adjacent development, unique characteristics, innovation and the provision of amenities will be the primary criteria utilized in evaluating such development. The lot size, setback and coverage requirements of Section 26C-92 shall not apply to planned developments or condominiums.

(3) One second dwelling unit per lot, provided that criteria of Section 26C-325.1 are met. Such criteria includes, but is not limited to, setbacks and yard requirements. (Ord. No. 3511)

(c) Agricultural Uses:

(1) Raising, feeding, maintaining, and breeding of animals in excess of the limits set forth in Section 26C-90(b)(1), provided that the subject parcel is at least five (5) acres in size.

(2) One stand for the sale of agricultural products grown on the site, subject to design review approval.

(3) Agricultural cultivation in the following areas, for which a management plan has not been approved by the ~~Planning~~ Director of the Permit and Resource Management Department pursuant to Section 26C-90(b)(2):

a. Within 100' of the top of the bank in the "Russian River Riparian Corridor".

b. Within 50' of the top of the bank in designated "flatland riparian corridors".

c. Within 25' of the top of the bank in designated "upland riparian corridors".

(4) Kennels for dogs or cats with boarding for breeding only.

(d) Other Uses:

(1) Swimming clubs, tennis clubs, non-commercial clubs and lodges, and golf courses, but not miniature golf courses (only if located in Bodega Bay or Valley Ford.

(2) Driving ranges, provided that they shall not be operated during night time hours and that associated facilities include only those necessary to serve the driving range use, such as equipment rental and snack bar and not restaurants, retail sales, and similar facilities.

(3) Public schools, subject, at a minimum, to the criteria of General Plan Policy LU-6e, and which are located in Bodega Bay or Valley Ford.

(4) Art, craft, music, and dancing schools, business, or trade schools, public playgrounds, parks, community centers, libraries, museums, and similar uses which are located in Bodega Bay or Valley Ford, and which serve no more than the residential community in which they are located and which do not adversely affect the various agricultural communities within Sonoma County.

(5) Private nursery, primary or secondary schools and churches which are located in Bodega Bay or Valley Ford and which are subject, at a minimum, to the criteria of General Plan Policy LU-6f.

(6) Cemeteries, mausoleums, columbariums, and crematoriums.

(7) Minor public utility buildings and public service or utility uses(transmission distribution lines and telecommunications facilities excepted), including but not limited to reservoirs, storage tanks, pumping stations, telephone exchanges, small power and transformer stations, fire and police stations and training centers, service yards and parking lots which, at a minimum, meet the criteria of General Plan Policy PF-2s and which are not otherwise exempt by State law.

(8) Exploration and development of low temperature geothermal resources for other than power development purposes provided that at a minimum it is compatible with surrounding land uses.

(9) Large residential community care facility (only if located in Bodega Bay or Valley Ford).

(10) One bed and breakfast inn, of five or fewer rooms per definition, ~~on land not under Williamson Act contract and~~ on parcels of at least one (1) acre, subject to Design Review, Article 29 and/or Landmarks Commission, ~~subject to~~ Article 24, and provided the parcel is serviced by both sewer and water. No restaurant is permitted, food service is limited to breakfast served to inn guests only, and all public health requirements must be met. No accessory structures shall be used for rental occupancy ~~and no rooms may be added~~. A bed and breakfast inn shall have an owner and/or operator in residence within the structure.

(11) Day care center.

(12) Art studios and arts and crafts centers not involving retail or wholesale sales. A use permit for such uses may be granted only when the use is conducted within an existing abandoned agricultural building feasible for such use.

(13) Craft sales and garage sales involving three (3) or four (4) sales days per year.

(14) Intermediate and Major Free-standing Commercial Telecommunications Facilities subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(15) Non-commercial Telecommunications Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(16) Minor timberland conversions on parcels of five (5) acres or more, subject to compliance with the requirements of Section 26C-327.

(e) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Sections 26C-91.

**Section 26C-92**. Permitted Residential Density and Development Criteria.

The use of land and structures within this district is subject to this article, the applicable regulations of this ordinance and the provisions of any district which is combined herewith. Policies and criteria of the General Plan and Coastal Plan shall supersede the standards herein.

(a) Residential density shall be between 1 and 20 acres per dwelling unit as shown in the General Plan land use element or permitted by a "B" combining district, whichever is more restrictive.

(b) Minimum lot size: On lands designated "Urban Residential" on the General Plan land use map, minimum lot size shall be twenty thousand (20,000) square feet. On lands designated "Rural Residential" on the General Plan land use map, minimum lot size shall be 1.5 acres unless public water serves the lot, in which case the minimum shall be one acre.

(c) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen (15%) percent of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. The Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

(5) East of Highway 1 and are not visible from designated scenic roads: Thirty-five (35) feet.

(6) Agricultural structures: Thirty-five (35) feet; however, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) Maximum height for telecommunication facilities is subject to the provisions of this Article and Section 26C-325.7.

(8) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(9) A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed

the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(d) Minimum lot width: The minimum average lot width required within each lot is 80 feet.

(e) Maximum lot coverage: Thirty-five percent (35%). Lot coverage may be waived by the ~~Planning~~ Director of the Permit and Resource Management Department for greenhouses and swimming pools.

(f) Yard requirements: The following shall apply except that if the subject property adjoins land which is zoned AR or is designated as agricultural land, the use is subject to the requirements of Section 26-323(f).

(1) Front yard: Not less than thirty (30) feet provided, however, that no structure shall be located closer than fifty-five (55) feet to the centerline of any public road, street, or highway.

(2) Side yard: Minimum ten (10) feet.

(3) Rear yard: Twenty (20) feet minimum.

(4) Watering troughs, feed troughs accessory buildings and runs used for the housing or maintenance of kennel animals shall be located at least fifty (50) feet from the front property line, twenty (20) feet from any side or rear property line, and thirty (30) feet from any dwelling on the adjacent property.

(5) No garage or carport opening facing the street shall be located less than twenty (20) feet from any exterior property line, except that where 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 the such garages or carports. However, in no case shall the front yards be reduced to less than ten feet. Further the ~~Planning~~ Director of the Permit and Resource Management Department may require a use permit of the reduction might result in a traffic hazard.

(6) 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 building codes, even if the 10 foot to 20 foot setback cannot be met, subject to approval of Administrative Design Review.

~~(6)~~(7) Cornices, eaves, canopies, bay windows, fireplaces, other cantilevered portions of structures, and similar architectural features may extend two (2) feet into any required yard. The maximum length of the projections shall not occupy more than ⅓ of the total length of the wall on which it is located. Uncovered porches, fire escapes, or landing places may extend six (6) feet into any required front or rear yard and three (3) feet into any required side yard.

~~(7)~~(8) Where twenty-five percent (25%) or more of the lots on any one 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 limitations of Section 26C-92(f)(5).

~~(8)~~(9) Accessory building(s) may be constructed within the required yards on the rear half of the lot, provided that such building(s) shall not occupy more than thirty percent (30%) of the width of any rear yard. Such accessory building(s) shall not be located closer than ten (10) feet to the main buildings on 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 (3) feet 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, filters, etc.) shall be exempt from setback restrictions. Additional setbacks may be required under the Uniform Building Code.

(10) Additional setbacks may be required within a sensitive area, riparian corridor, scenic corridor, critical habitat area, or unique feature, designated in the General Plan or Coastal Plan.

(g) Parking requirements:

(1) On-site parking shall be provided for a minimum of two (2) vehicles for each dwelling unit.

(2) On-site parking shall be screened from view from public roadways by natural vegetation, landscaping, natural topography, fencing or structures.

(3) On-site parking shall not block emergency vehicle accessways or turnarounds.

(h) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty (30%) percent, unless no feasible alternate site is available.

(i) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(j) Design Requirements:

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

## Article X. R1 - Low Density Residential District.

**Purpose:** To stabilize and protect the residential characteristics of the district and to promote and encourage a suitable environment for family life. The "R1" district is intended for single family homes in low density residential areas, as provided in Section 2.2.1 of the General Plan, which are compatible with existing neighborhood character.

### Section 26C-100. Permitted Uses Subject to Site Development and Erosion Control Standards.

The following uses are permitted except within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan, in which case a use permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards.

(a) Principal Uses:

(1) One dwelling unit on permanent foundation per lot.

(2) Housing Opportunity Type C projects that satisfy all of the applicable requirements of Housing Element Policy HE-2q, including the design and development criteria set forth in Section 4)d) of Policy HE-2q for Type "C" Housing Opportunity Areas. The design and development criteria set forth in section 4 of Policy HE-2q for Type "C" Housing Opportunity Areas shall prevail over any conflicting criteria specified below in section 26C-102. Compliance with section 4 of Policy HE-2q for Type "C" Housing Opportunity Areas shall be determined by the body prescribed in section 5 of that Policy. Nothing herein shall limit the ability of the decision making body to either deny or to apply conditions to the approval of a Housing Opportunity Type "C" project.

(3) Transitional housing subject to compliance with the requirements Housing Element Policy HE-4p.

(4) One second unit per lot, provided that all criteria of Section 26C-325-1 are met. Such criteria include, but are not limited to, setbacks and yard requirements. (Ord. No. 3511)

(5) Density bonus projects for affordable housing pursuant to Sectioin 26C-326.1.

(b) Other Uses:

(1) Home occupations.

(2) Small residential community care facility.

(3) Accessory buildings and uses incidental and appurtenant to any permitted use.

(4) Occasional cultural events, provided that a written notice stating "The Sonoma County ~~Planning~~ Permit and Resource Management 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 26C-331 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 26C-331.

(5) The outdoor growing and harvesting of shrubs, plants, flowers, trees vines, fruits, vegetables, hay, grain, and similar food and fiber crops.

(6) Small family day care.

(7) Large family day care provided that the applicant shall meet all performance standards listed in Section 26C-325.3.

(8) Beekeeping.

(9) One guest house per lot.

(10) Hobby greenhouses up to 500 square feet in floor area.

(11) Attached Commercial Telecommunication Facilities which meet the applicable criteria set forth in Section 26C-325.7.

(12) Minor Free-standing Commercial Facilities, subject to the applicable criteria set forth in Section 26C-325.7 and subject to approval of a zoning permit, including environmental review, for which notice, including a site plan and one 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 26-92-040 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.

(13) Non-commercial Telecommunication Facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7. Facilities between forty feet (40') and eighty feet (80') in height are subject to approval of a ministerial 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 Article 47 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 Article.

(c) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-100.

**Section 26C-101. Uses ~~Permitted with~~ Requiring a Use Permit.**

(a) Sensitive Area Uses:

(1) Permitted uses listed in Section 26C-100 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading, excavation, fill or construction when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(b) Residential Uses:

(1) Planned developments and condominiums. Compatibility with adjacent development, unique characteristics, innovation, provision of amenities, and the provision of housing which is affordable pursuant to the requirements of Housing Element Sections 3.1 and 3.1.1 are additional criteria which will be utilized in evaluating such development. Condominium conversion shall be subject to the requirements of Housing Element Policy HE-3i.

(2) Housing Opportunity Area Type C projects based on alternative design and development criteria to those set forth in section 4)d) and 4)e) of Housing Element Policy HE-2g for Type "C" Housing Opportunity Areas, or, as applicable, section 26C-102 below. A use permit for such project shall not be approved unless the project meets all other requirements of Policy HE-2g for Type "C" projects. The decision making body shall be as specified in Policy HE-2g for Type "C" Housing Opportunity Areas. Nothing herein shall limit the ability of the decision making body to either deny or to apply conditions to the approval of a Housing Opportunity Type "C" project.

(3) Infill development subject to the requirements of Housing Element Policy HE-2b.

(c) Other Uses:

(1) Cemeteries, mausoleums, columbariums, and crematoriums.

(2) Non-commercial clubs and lodges.

(3) Swimming clubs, tennis clubs, golf courses but not including miniature golf courses.

(4) Public and private nonprofit elementary schools, junior high schools, and colleges.

(5) Churches.

(6) Public playgrounds, parks, community centers, libraries, museums, and similar uses and buildings.

(7) Minor public utility buildings and public service or utility uses (transmission, distribution lines and telecommunications facilities excepted) including, but not limited to, reservoirs, storage tanks, pumping stations, telephone exchanges, small power and transformer stations, fire and police stations and training centers, service yards, and parking lots which, at a minimum, meet the criteria of General Plan Policy PF-2s and which are not otherwise exempt by State law.

(8) Exploration and development of low temperature geothermal resources for other than power development purposes provided that at a minimum it is compatible with surrounding land uses.

(9) Large residential community care facility.

(10) Day care center.

(11) Intermediate Free-standing Commercial Telecommunication Facilities subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(12) Non-commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(d) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-101.

**Section 26C-102. Permitted Residential Density and Development Criteria:**

The use of land and structures within this district is subject to this article, the applicable regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the General Plan and Coastal Plan shall supersede the standards herein.

(a) Residential density shall be between 1 and 6 dwelling units per acre as shown in the General Plan land use or housing element or as permitted by a "B" combining district, whichever is more restrictive, provided however, that for a Housing Opportunity Area Type "C" project which meets all of the requirements of Section 26C-100(a)(5), or where a use permit for such project is approved pursuant to Section 26C-101(b), the maximum residential density shall be 11 dwelling units per acre.

(b) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen (15%) percent of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. There Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet and 15 feet for accessory buildings.

(5) East of Highway 1 and are not visible from designated scenic roads: Thirty-five (35) feet for the main building and fifteen (15) feet for accessory buildings.

(6) Agricultural structures: Thirty-five (35) feet; however, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) Maximum height for telecommunication facilities is subject to the provisions of this Article and Section 26C-325.7.

(8) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(9) A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(c) Minimum lot size: Six thousand (6,000) square feet.

(d) Minimum lot width: The minimum average lot width required within each lot is sixty (60) feet.

(e) Maximum lot coverage: Forty percent (40%). Lot coverage may be waived by the ~~Planning~~ Director of the Permit and Resource Management Department for swimming pools.

(f) Yard requirements: The following shall apply except that if the subject property adjoins land which is zoned AR or designated as agricultural land, the use is subject to the requirements of Section 26C-323(f).

(1) Front yard: Not less than twenty (20) feet provided, however, that no structure shall be located closer than forty-five (45) feet to the centerline of any public road, street or highway.

(2) Side yard: Not less than five (5) feet except where the side yard abuts a street in which case such yard shall be the same as the front yard. On lots where access is gained to an interior court by way of a side yard or where an entrance to a building faces the side line, said side yard shall be not less than ten (10) feet.

(3) Rear yard: Not less than twenty (20) feet.

(4) No garage or carport opening facing the street shall be located less than 20 feet from any exterior property line, except that where 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, in no case shall the front yards be reduced to less than 10 feet. Futher, the Permit and Resource Management Department Director may require a use permit if the reduction might result in a traffic hazard.

(5) Nothwithstanding 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 building codes, even if the 10 foot to 20 foot setback cannot be met, subject to approval of Administrative Design Review.

(6) Cornices, eaves, canopies, bay windows, fireplaces, other cantilevered portions of structures, and similar architectural features may extend two (2) feet into any required yard. The maximum length of the projections shall not occupy more than ⅓ of the total length of the wall on which it is located. Uncovered porches, fire escapes, or landing places may extend six (6) feet into any required front or rear yard and three (3) feet into any required side yard.

(7) Where twenty-five percent (25%) or more of the lots on any one 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 Section 26C-102(f)(4).

(8) Accessory buildings may be constructed within the required yards on the rear half of the lot, provided that such building(s) 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 (10) feet to the main buildings on 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 (3) feet 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, filters, etc.) shall be exempt from setback restrictions. Additional setbacks may be required under the Uniform Building Code.

(9) Additional setbacks may be required within a sensitive area, riparian corridor, scenic corridor, critical habitat area, or unique feature, designated in the General Plan or Coastal Plan.

(g) Parking requirements:

(1) Residential uses: Require one (1) covered off-street parking space and one (1) screened parking space per dwelling unit. The requirements for covered parking may be waived by the Director of the Permit and Resource Management Department where topographic conditions and/or small lot size make the provision of covered parking difficult. Factors to be considered shall be compatibility with the neighborhood and safety of access onto public streets. Landscaping and/or fencing may be required where appropriate.

(2) Other uses shall conform to Parking Regulations.

(h) Small lot subdivision standards for single-family detached dwelling unit subdivisions. The following standards may be utilized in place of those in Sections 26C-102(c) through (f), provided that additional usable common open area is provided based upon the following:

| Average Lot Area | Open Area per Lot |
|---|---|
| 5500 - 6000 square feet | 110 square feet |
| 5000 - 5500 square feet | 200 square feet |

| | | |
|---|---|---|
| (1) | Minimum Lot Width | (50 feet. 50 ft width to be measured at front building set back line 20 feet behind front property line) |
| (2) | Average lot width | N/A |
| (3) | Minimum lot area | 4500 square feet |
| (4) | Average lot area | 5000 square feet |
| (5) | Minimum side yard setback | 5 feet |
| (6) | Minimum front yard setback | 20 feet (to garage)<br>15 feet (to house) |
| (7) | Average front yard setback | 22 feet (to garage)<br>17 feet (to house) |
| (8) | Minimum rear yard setback | 20 feet |
| (9) | Minimum corner lot side setback | 15 feet |
| (10) | Minimum front elevation surface area | 500 square feet |
| (11) | Average front elevation surface area | 650 square feet |
| (12) | Maximum amount of 2-story homes | 2/3 of project |
| (13) | Minimum parking requirements | Space length = 18 feet |

An additional 1-1/2 on street parking spaces per lot to be provided in driveway and/or on street (1 space on or adjacent to lot; 1/2 space within project boundary but not on school/park frontage)

| | | |
|---|---|---|
| (14) | Corner lots | Only 1 or 1-1/2 story houses |

(15) Sidewalk/curb configuration

a. Sidewalks contiguous to curb allowed along internal residential streets.

b. Landscaped parkway strip ("Street Trees") between curb and sidewalk required for project "Collector" or "Arterial" streets.

(i) 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 Sections 26C-102(c) through (g) shall not apply to these planned developments and condominiums.

(j) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the

General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty (30%) percent, unless no feasible alternate site is available.

(k) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(l) Design Requirements:

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

(m) Inclusionary Housing Requirements.

(1) In housing projects of eleven (11) or more units, a minimum of fifteen percent (15%) of these units shall be affordable to very low, low or moderate income households, unless the conditions delineated in the Coastal Land Use Plan apply.

(2) In housing projects of five (5) to ten (10) units, either fifteen percent (15%) of the units shall be affordable to very low, low or moderate income households, or a six percent 6% in lieu fee shall be paid to a coastal zone site acquisition and development fund to be administered by the County Housing Authority.

## Article XI. R2 - Medium Density Residential District.

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**Purpose:** To preserve as many of the desirable characteristics of one-family residential districts as possible while permitting higher densities, and to implement the provisions for medium density residential development in Section 2.2.1 of the General Plan. ~~To implement the residential objectives of adopted Redevelopment Plans, where applicable.~~

### Section 26C-110. Permitted Uses, Subject to Site Development and Erosion Control Standards.

The following uses are permitted except within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan, in which case a use permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards.

(a) Principal Uses:

(1) Dwelling units on permanent foundations in accordance with the residential density shown in the General Plan land use element or that density permitted by a "B" combining district, whichever is more restrictive.

(2) One second dwelling unit per lot, provided that all criteria of Section 26C-325-1 are met. Such criteria include, but are not limited to, setbacks and yard requirements. (Ord. No. 3511)

(3) Housing Opportunity Area Type "A" projects that satisfy all of the applicable requirements of Housing Element Policy HE-2q, including the design and development criteria set forth in section 4)d) of Policy He-2q for Type "A" Housing Opportunity Areas located in Urban Residential 6-12 dwelling units per acre areas depicted on the General Plan Land Use Maps. The design and development criteria set forth in section 4 of Policy HE-2q for such Type "A" Housing Opportunity Areas shall prevail over any conflicting criteria specified below in Section 26C-112. Compliance with section 4 of Policy HE-2g for such Type "A" Housing Opportunity Areas shall be determined by the body prescribed in section 5 of that Policy. Nothing herein shall limit the ability of the decision making body to either deny or to apply conditions to the approval of such a Housing Opportunity Type "A" project.

(4) Transitional housing subject to compliance with the requirements of Housing Element Policy HE-4p.

(5) Density bonus projects for affordable housing pursuant to Section 26C-~~455~~326.1.

(b) Other Uses:

(1) Home occupations.

(2) Small residential community care facility.

(3) Accessory buildings and uses incidental and appurtenant to the primary use.

(4) Occasional cultural events, provided that a written notice stating "The Sonoma County ~~Planning~~ Permit and Resource Management 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 26C-331 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 26C-331.

(5) Small family day care.

(6) Large family day care provided that the applicant shall meet all performance standards listed in Section 26C-325.3.

(7) The outdoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops.

(8) Beekeeping.

(9) Hobby greenhouses up to 500 square feet in floor area.

(10) Attached Commercial Telecommunication Facilities which meet the applicable criteria set forth in Section 26C-325.7.

(11) Minor Free-standing Commercial Facilities, subject to the applicable criteria set forth in Section 26C-325.7 and subject to approval of a zoning permit, including environmental review, for which notice, including a site plan and one 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 26-92-040 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.

(12) Non-commercial Telecommunication Facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7. Facilities between forty feet (40') and eighty feet (80') in height are subject to approval of a ministerial 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 Article 47 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 Article.

(c) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Sections 26C-110.

**Section 26C-111. Uses ~~Permitted with~~ Requiring a Use Permit.**

(a) Sensitive Area Uses:

(1) Permitted uses listed in Section 26C-110 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading, excavation, fill or construction when located within a sensitive area, riparian corridor, critical habitat area or unique feature designated in the General Plan or Coastal Plan.

(b) Residential Uses:

(1) Planned developments and condominiums. Compatibility with adjacent development, unique characteristics, innovation, provision of amenities and the provision of housing which is affordable pursuant to the requirements of Housing Element Sections 3.1 and 3.1.1 to very low and low income households are additional criteria which will be utilized in evaluating such development. Condominium conversion shall be subject to the requirements of Housing Element Policy HE-3i. The lot size, coverage, and yard requirements of Section 26C-112 shall not apply to planned developments or condominiums.

(2) Mobile home parks and recreational vehicle parks combined therewith, subject to the provisions of Article 26C-325.5.

(3) Closure, cessation of use, or conversion of a mobile home park to an alternate land use provided that the criteria set forth in Section 26C-332.2 are met.

(4) Housing Opportunity Area Type "A" projects based on alternative design and development criteria to those set forth in section 4)d) and 4)e) of Housing Element Policy HE-2g for Type "A" Housing Opportunity Areas located in Urban Residential 6-12 dwelling units per acre areas depicted on the General Plan Land Use Maps, or, as applicable, Section 26C-112 below. A use permit for such project shall not be approved unless the project meets all other requirements of Policy HE-2g for such Type "A" projects. The decision making body shall be as specified in Policy HE-2g for Type "A" Housing Opportunity Areas. Nothing herein shall limit the ability of the decision making body to either deny or to apply conditions to the approval of such a Housing Opportunity Type "A" project.

(c) Other Uses:

(1) Cemeteries, mausoleums, columbariums, and crematoriums.

(2) Swimming clubs, tennis clubs, noncommercial clubs and lodges, golf courses, but not including miniature golf courses.

(3) Public and private nonprofit elementary schools, junior high schools, and colleges.

(4) Churches.

(5) Public playgrounds, parks, community centers, libraries, museums, and similar uses and buildings.

(6) Minor public utility buildings and public service or utility uses (transmission, distribution lines and telecommunications facilities excepted), including but not limited to reservoirs, storage tanks, pumping stations, telephone exchanges, small power stations, transformer stations, fire and police stations and training centers, service yards and parking lots which, at a minimum, meet the criteria of General Plan Policy PF-2s and which are not otherwise exempt by State law.

(7) Exploration and development of low temperature geothermal resources for other than power development purposes provided that at a minimum it is compatible with surrounding land uses.

(8) Large residential community care facility.

(9) Day care center.

(10) Intermediate Free-standing Commercial Telecommunication Facilities subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(11) Non-commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(d) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Sections 26C-111.

**Section 26C-112. Permitted Residential Density and Development Criteria.**

The use of land and structures within this district is subject to this article, the applicable regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the General Plan and ~~any applicable specific or area plan or local~~ Coastal Plan ~~area development guidelines~~ shall supersede the standards herein.

(a) Residential density shall be between 6 and 12 dwelling units per acre as shown in the General Plan land use or housing element or that density permitted by a "B" combining district, whichever is more restrictive, provided however that for a Housing Opportunity Area Type "A" project which meets all of the requirements

of Section 26C-110(a)(5), or where a use permit for such project is approved pursuant to Section 26C-101(b), the permitted residential density may be increased 100 percent above the mapped designation in the General Plan to a maximum of 24 dwelling units per acre. All applications for a discretionary approval shall be designed to meet at a minimum, the density requirements shown in the General Plan Land 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 comparable lessening of the significant impact. Nothing set forth in this section shall be construed to prohibit the construction of one single family dwelling on a single lot of record.

(b) Height Limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) Coastal:

a. West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

b. Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen (15%) percent of the units may exceed the height limit.

c. East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. There Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

d. East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

e. East of Highway 1 and are not visible from designated scenic roads: See standard height limits below.

f. An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

g. A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

h. Maximum height for telecommunication facilities is subject to the provisions of this Article and Section 26C-325.7.

(2) Standard:

a. For main structures, ~~provided that~~ where an R2 district abuts an R1 or RR district, for each four (4) feet of building height in excess of fifteen (15) feet the side yard setback shall be increased by one (1) foot. In all cases, where the side yard abuts a north, northwesterly, or northeasterly property line and the proposed main building exceeds fifteen (15) feet in height, the applicant shall submit at the time of application, evidence to show that the proposed building shall not cast a shadow greater than 10 percent (10%) of the solar collection absorption area on the adjacent lot at any one time between the hours of 9:00 am to 3:00 p.m. on December 21st local standard time. Accessory structures shall not exceed one (1) story.

(c) Minimum lot size: 6000 square feet.

(d) Minimum lot width: The minimum average lot width required within each lot is sixty (60) feet.

(e) Maximum lot coverage: Forty percent (40%), including all structures, driveways, and parking areas, except that up to ten percent (10%) additional coverage may be allowed for projects providing at least three (3) units per acre inclusionary housing.

(f) Yard requirements: The following shall apply except that if the subject property adjoins land which is zoned AR or designated as agricultural land, the use is subject to the requirements of Section 26C-323(f).

(1) Front yard: Not less than twenty (20) feet provided, however, that no structure shall be located closer than forty-five (45) feet from the centurion of any public road, street, or highway. Front yard requirements may be reduced up to five (5) feet in order to obtain an average of twenty (20) feet.

(2) Side yard: Not less than five (5) feet except where the side yard abuts a street in which case such yard shall be the same as a front yard. On lots where access is gained to an interior court by way of a side yard, or where an entrance to a building faces the sideline, said side yard shall be not less than ten (10) feet.

(3) Rear yard: Not less than twenty (20) feet.

(4) No garage or carport opening facing the street shall be located less than twenty (20) feet from any ~~exterior~~ street, property line, or less than twenty-four (24) feet from any interior property line.

(g) Parking requirements:

(1) Residential use:

a. Not less than one (1) covered parking space for each dwelling unit.

b. Not less than one-half (1/2) uncovered guest parking space for each dwelling unit in a garden apartment or dwelling group involving four (4) or more dwelling units.

c. Developments containing nine (9) or more dwelling units shall provide an additional one-half (1/2) uncovered guest parking space for each dwelling unit having two (2) or more bedrooms.

(2) Any other use shall provide off-street parking in accordance with the standards established in Article 31.

(h) Small lot subdivision standards for single family detached dwelling unit subdivisions: The following standards may be utilized in place of those in Section 26C-112(c) through (f), provided that additional usable common open area is provided based upon the following:

| Average Lot Area | Open Area per Lot |
|---|---|
| 5500 - 6000 square feet | 110 square feet |
| 5000 - 5500 square feet | 200 square feet |

| | | |
|---|---|---|
| (1) | Minimum Lot Width | (50 feet. 50 ft width to be measured at front building set back line 20 feet behind front property line) |
| (2) | Average lot width | 50 feet |
| (3) | Minimum lot area | 4500 square feet |
| (4) | Average lot area | 5000 square feet |
| (5) | Minimum side yard setback | 5 feet |
| (6) | Minimum front yard setback | 20 feet (to garage) 15 feet (to house) |
| (7) | Average front yard setback | 22 feet (to garage) 17 feet (to house) |
| (8) | Minimum rear yard setback | 20 feet |
| (9) | Minimum corner lot side setback | 15 feet |
| (10) | Minimum front elevation surface area | 500 square feet |
| (11) | Average front elevation surface area | 625 square feet |
| (12) | Maximum amount of 2-story homes | 2/3 of project |
| (13) | Minimum parking requirements | Space length = 18 feet |

An additional 1-1/2 on street parking spaces per lot to be provided in driveway and/or on street (1 space on or adjacent to lot; 1/2 space within project boundary but not on school/park frontage)

| | | |
|---|---|---|
| (14) | Corner lots | Only 1 or 1-1/2 story houses |

(15) Sidewalk/curb configuration

a. Sidewalks contiguous to curb allowed along internal residential streets.

b. Landscaped parkway strip ("Street Trees") between curb and sidewalk required for project "Collector" or "Arterial" streets.

(i) 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 Section 26C-112 shall not apply to these planned developments and condominiums.

(j) Development standards for dwelling groups and/or multi-family structures involving ~~four (4)~~ three (3) or more dwelling units:

(1) All utility distribution facilities (including but not limited to electric, communication and cable television lines) installed in and for the purpose of supplying service to any residential development shall be placed underground, except equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts. The subdivider is responsible for complying with the requirements of this Section, and shall make the necessary arrangements with the utility companies involved for the installation of said facilities.

(2) Landscaping shall be provided and perpetually maintained in all required yards.

(3) Installation of improvements to assure adequate drainage shall be required.

(4) All refuse collection areas shall be enclosed on at least three (3) sides by a five (5) foot high wall, said wall to be constructed of masonry or other material as specifically approved by the Director of ~~Planning~~ the Permit and Resource Management Department. Alternate methods of refuse storage and screening thereof may be approved by the ~~Planning~~ Director of the Permit and Resource Management Department.

(5) To the extent possible all off-street parking areas shall be screened from view of surrounding residents by a fence not less than four (4) feet in height, or by landscape materials having a normal two (2) year growth of not less than four (4) feet in height.

(6) All points of vehicular access and vehicular circulation to and from off-street parking areas, and driveways onto public rights of way, shall be approved by the Director of Public Works.

(7) All off-street parking areas shall be paved with asphalt or equivalent and shall conform to the off-street parking design standards of Article 31.

(8) Public utilities and easements therefor shall be provided as required by applicable public utilities and agencies.

(9) The placement of main buildings on any lot or parcel of land in the R2 (medium density residential) district shall conform to the following:

a. Parallel buildings front to front or arranged around an open court: thirty-five (35) feet or one-story buildings or forty (40) feet for two-story buildings. Driveways shall not be located within said building separation.

b. Parallel buildings front to rear or front to side: twenty (20) feet for one-story buildings or twenty-five (25) feet for two-story buildings.

c. Parallel buildings rear to rear or rear to side: fifteen (15) feet for one-story buildings plus two and one-half (2-1/2) feet for each additional story of each building in excess of one story.

d. Parallel buildings side to side: ten (10) feet for one-story buildings plus two and one-half (2-1/2) feet for each additional story of each building in excess of one story. No entries shall be permitted for such separation between building placed side to side.

e. For obliquely aligned buildings, the distances hereinbefore specified may be decreased by five (5) feet at one building corner if increased by an equal or greater distance at the other corner.

(10) The placement of garages and non-dwelling accessory buildings on any lot or parcel of land in the R2 (medium density residential) district shall conform to the following:

a. On the rear third of an interior or corner lot, the side yard and rear yard shall be not less than three (3) feet in width. In the case of a corner lot, all buildings shall observe the required side yard on the street side.

b. On any lot where the garage opens directly to a street, same shall be set back not less than twenty (20) feet from the property line.

c. The distance between main buildings and non-dwelling accessory buildings shall be not less than eight (8) feet.

(11) In developments of more than eight (8) units, a landscaped, unified usable open recreational and leisure area totaling at least three hundred (300) square feet for each dwelling unit is required. Said areas shall be conveniently located and readily accessible to each dwelling unit.

(12) The following areas shall not be considered as contributing to required recreational and leisure areas:

a. Any required front, side or rear yard.

b. Any area used for parking or vehicular circulation.

c. Areas reserved for private family use, such as patios, except that for each unit with 600 square feet or more of such private area, the recreational and leisure area may be reduced by 300 square feet.

(k) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty (30%) percent, unless no feasible alternate site is available.

(l) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(m) Design review: Design review and site plan approval shall be required for all dwelling groups and apartment developments featuring four (4) or more dwelling units in the manner provided in Article 29.

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

(n) Inclusionary Housing Requirements.

(1) In housing projects of eleven (11) or more units, a minimum of fifteen percent (15%) of these units shall be affordable to very low, low, or moderate income households unless the conditions delineated in the Coastal Land Use Plan apply.

(2) In housing projects of five (5) to ten (10) units, either fifteen percent (15%) of the units shall be affordable to very low, low, or moderate income households, or a six percent (6%) in lieu fee shall be paid to a coastal zone site acquisition and development fund to be administered by the County Housing Authority.

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## Article XII. PC - Planned Community District.

**Purpose:** To implement the provisions of Section 2.3 of the General Plan Land Use Element which provide for mixed residential and commercial use and to implement the provisions of Section 2.2 of the General Plan. ~~To implement the objectives of adopted redevelopment plans within Redevelopment Project Areas in the general plan.~~ Planned communities are intended to allow diversification in the relationship of various uses, buildings, structures, lot sizes and open spaces while insuring substantial compliance with adopted General Plans and with the intent of this ordinance in requiring adequate standards necessary to satisfy requirements of public health, safety and general welfare.

### Section 26C-120. Application.

(a) Applications to rezone lands to Planned Community shall be accompanied by a preliminary development plan that meets the requirements of Section 26C-121.

(b) Except for uses permitted by Section 26C-122, applications for building and zoning permits and the land division approvals required by the Sonoma County Subdivision Ordinance shall be preceded by the approval of a precise development plan that meets the requirements of Section 26C-124.

(c) The precise development plan shall be noticed, heard and determined by the Planning Commission or the Board of Supervisors in the manner provided for use permits in Article 33.

(d) The sectional district maps for Planned Community district shall reflect the preliminary development plan by showing:

(1) The precise areas and anticipated square footage of commercial use, where applicable.

(2) The precise areas and number of residences, where applicable.

(3) A reference to any Resolution of Intent adopted by the Planning Commission or Board of Supervisors at the time of recommendation or adoption of the sectional district maps.

### Section 26C-121. Preliminary Development Plan.

The preliminary development plan shall be a graphic representation of the applicant's intended development showing:

(a) The entire proposed planned community.

(b) If used in the Limited Commercial, ~~Limited Commercial-Traffic Sensitive~~ "Recreation and Visitor Serving Commercial", or General Commercial land use category, the proposed land uses precisely divided between residential and commercial.

(c) A preliminary circulation pattern.

(d) A preliminary site plan for all residential areas including the size of each area.

(e) The proposed number of dwelling units and size of each unit.

(f) The anticipated square footage and building intensity for commercial development in each area.

(g) The type and location of proposed public facilities located on site.

(h) General delineation of those units to be constructed in progression.

(i) Topography at contour intervals determined by the ~~Planning~~ Director of the Permit and Resource Management Department.

(j) The relationship of the Planned Community to its surroundings and the General Plan.

(k) Other information deemed necessary by the ~~Planning~~ Director of the Permit and Resource Management Department. Revision(s) to the preliminary development plan may be approved in the same manner as provided in ~~Section 26C~~ Article 33, except that permit expiration provisions shall be automatically waived.

**Section 26C-122. Permitted Uses, Subject to Site Development and Erosion Control Standards.**

The following uses are permitted except within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan, in which case a Use Permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards.

(a) Uses consistent with an approved Precise Plan.

(b) One dwelling unit on a permanent foundation per lot provided that the lot contains not less than six thousand (6,000) square feet of area and is at least sixty (60) feet in width.

(c) Home occupations.

(d) Small residential community care facility.

(e) Occasional cultural events, provided that a written notice stating "The Sonoma County ~~Planning~~ Permit and Resource Management 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 26C-331 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 26C-331.

(f) Small family day care.

(g) Large family day care provided that the applicant shall meet all performance standards listed in Section 26C-325.3.

(h) Attached Commercial Telecommunication Facilities which meet the applicable criteria set forth in Section 26C-325.7.

(i) Minor Free-standing Commercial Telecommunication Facilities, subject to the applicable criteria for such facilities in the RR District set forth in Section 26C-325.7 and subject to approval of a zoning permit, including environmental review, for which notice, including a site plan and one 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 Article 47 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.

(j) Non-commercial Telecommunication Facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7. Facilities between forty feet (40') and eighty feet (80') in height are subject to approval of a ministerial 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 Article 47 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 Article.

(k) On lands designated as **"Rural Residential"** on the General Plan land use map, the following additional uses:

(1) Raising, feeding, maintaining and breeding of not more than one of the following per 20,000 square feet of area: If the subject parcel is at least five (5) acres, additional animals may be approved by use permit pursuant to Section 26C-123.

a. five hogs or pigs;

b. one horse, mule, cow, or one steer;

c. five goats, sheep, or similar animals;

d. Fifty (50) chickens or similar fowl;

e. Fifty (50) ducks or geese or one hundred (100) rabbits or similar animals;

f. 4-H and FFA animal husbandry projects are permitted without limitation of parcel size provided that the parcel contains at least twenty thousand (20,000) square feet and provided further a letter of project authorization is first submitted by the project advisor. The ~~Planning~~ Director of the Permit and Resource Management Department may require the applicant to obtain a use permit when the Director determines that the project might be detrimental to surrounding uses.

(2) The outdoor growing and harvesting of shrubs, plants, trees, flowers, vines, fruits, vegetables, hay grain and similar food and fiber crops. Except as noted below, agricultural cultivation shall not be permitted in the following areas:

a. Within 100' of the top of the bank in the "Russian River Riparian Corridor".

b. Within 50' of the top of the bank in designated "flatland riparian corridors".

c. Within 25' of the top of the bank in designated "upland riparian corridors".

Agricultural cultivation may be allowed in a.- c. above upon approval of a management plan which includes appropriate mitigations for potential erosion, bank stabilization, and biotic impacts. This plan may be approved by the ~~Planning~~ Director of the Permit and Resource Management Department or by use permit pursuant to Section 26C-123(a).

(3) Accessory buildings, and uses appurtenant to the operation of the permitted uses. Accessory buildings may be constructed on vacant parcels of two acres or more in advance of a primary permitted use. On vacant parcels less than two acres, accessory building may only be constructed if less than 120 square feet or as incidental to an existing agricultural use.

(4) The indoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops, provided that the greenhouse or similar structure for indoor growing is less than ~~800~~ 500 square feet.

(5) One guest house per lot.

(6) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-122.

(l) On lands designated as "**Urban Residential**" on the General Plan land use map, the following additional uses:

(1) The outdoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops.

(2) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-12.2(l).

(m) On lands designated as **"Limited Commercial"** or **"General Commercial"** on the general plan land use map:

(1) Intermediate Free-standing Commercial Telecommunication Facilities fifty feet (50') or less in height subject to the applicable criteria for such facilities in the CS District set forth in Section 26C-325.7 and subject to approval of a zoning permit, including environmental review, for which notice, including a site plan and one 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 26-92-040 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.

**Section 26C-123. Uses Permitted With Precise Development Plan (Precise Development Plan is synonymous with "Use Permit").**

(a) Sensitive Area Uses:

(1) Permitted uses listed in Section 26-122 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading, excavation, fill or construction when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(b) On lands designated as **"Rural Residential"** on the General Plan land use map, those uses permitted with a use permit in the RR district (Section 26C-91) except Section 26C-~~b (m)~~91(b)(3)(second dwelling units).

(c) On lands designated as **"Rural Residential"** on the General Plan land use map, Intermediate and Major Free-standing Commercial Telecommunication Facilities subject at a minimum to the applicable criteria set forth for such facilities in the RR District in Section 26C-325.7 and only if the applicant demonstrates to the satisfaction of the decision-making body that there is no technically feasible alternative site(s) or strategy which would provide the needed service on lands which are not zoned AR, RR, R1, R2, R3, or PC with a UR or RR land use designation.

(d) On lands designated as **"Urban Residential"** on the General Plan land use map, those uses permitted with a use permit in the R1 (Low Density Residential) or R2 (Medium Density Residential), ~~or R3 (High Density Residential)~~ (Sections 26C-101 & 111 respectively) whichever is applicable.

(e) On lands designated as **"Urban Residential"** on the general plan land use map, Intermediate Free-standing Commercial Telecommunication Facilities subject at a minimum to the applicable criteria set forth for such facilities in the R1 District in Section 26C-325.7 and only if the applicant demonstrates to the satisfaction of the decision-making body that there is no technically feasible alternative site(s) or strategy which would provide the needed service on lands which are not zoned AR, RR, R1, R2, R3, or PC with a UR or RR land use designation.

(f) Golf courses, boarding of horses and commercial stables, and similar recreation facilities.

(g) Accessory buildings and uses.

(h) On lands designated as **"Limited Commercial"**, ~~"Limited Commercial - Traffic Sensitive"~~, or **"General Commercial"** on the General Plan land use map, the following uses provided that they are necessary or desirable and are not detrimental to surrounding areas:

(1) Any generally recognized retail business which supplies commodities on the premises, such as groceries, meats, dairy products, baked goods or other foods, drugs, dry goods, clothing, notions or hardware.

(2) Any personal service establishment which performs services on the premises for persons residing in adjacent residential areas, such as shoe repair, dry cleaning, tailoring, beauty parlors, or barber shops, or any service establishment of an office-showroom or workshop nature.

(3) Restaurants or other places serving foods or beverages.

(4) Professional, administrative and general business offices.

(5) Gasoline service stations and mini-marts.

(6) Other similar commercial uses which the Planning Commission determines are consistent with the provisions of Sections 2.3.1, 2.3.2, 2.3.3 and 2.3.4 of the General Plan Land Use Element.

(7) Additional dwelling units on permanent foundations as part of a mixed commercial/residential development provided that they are secondary to and compatible with an existing or proposed commercial use according to the following criteria:

a. The combined floor area of all of the residential units on the site must be less than 50% of the combined floor area of the commercial development unless the project is located in a designated Redevelopment Project Area, in which case the residential floor area must only be less than the floor area of the commercial development.

b. The maximum size of any residential unit is 1000 square feet.

(i) On lands designated as limited commercial or general commercial on the general plan land use map, Intermediate Free-standing Commercial Telecommunication Facilities greater than fifty feet (50') in height subject at a minimum to the criteria for such facilities in the CS District set forth in Section 26C-325.7.

(j) Minor public utility buildings and public service or utility uses (transmission, distribution lines and telecommunications facilities excepted) including, but not limited to, reservoirs, storage tanks, pumping stations, telephone exchanges, small power and transformer stations, fire and police stations and training centers, service yards, and parking lots which, at a minimum, meet the criteria of General Plan Policy PF-2s and which are not otherwise exempt by State law.

(k) Non-commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(l) Exploration and development of low temperature geothermal resources for other than power development purposes provided that at a minimum it is compatible with surrounding land uses.

(m) Day care center.

(n) Large residential community care facility.

(o) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-123.

(p) Lodging on parcels designated Recreation and Visitor-Serving in the General Plan.

**Section 26C-124. Precise Development Plan.**

For uses and subdivisions not satisfying the minimum requirements of Section 26C-122, a precise development plan (use permit) must precede the filing of an application for tentative map or zoning permit.

(a) The precise development plan shall be a precise, graphic and written representation of the applicant's intended development describing:

(1) Location and description of all buildings.

(2) Vehicular circulation.

(3) Pedestrian circulation.

(4) Parking.

(5) Topography at contour intervals determined by the ~~Planning~~ Director of the Permit and Resource Management Department.

(6) Drainage plan.

(7) Building elevations.

(8) Landscaping and maintenance provisions therefore.

(9) Gross area, lot area and open areas calculated to the nearest tenth of an acre.

(10) Delineation of those subunits to be constructed in progression.

(11) Signage.

(12) Other information deemed necessary by the ~~Planning~~ Director of the Permit and Resource Management Department.

(b) The maintenance of and perpetual existence of required open areas shall be guaranteed by creation of entities and the imposition of real conditions, covenants and restrictions as required by County Counsel.

(c) In the event that a subdivision map is not required for approval of the entirety of any general or precise plan of Planned Community, such approval shall not become effective until conveyances for any required public easements, streets, rights of way, or other public areas shall have been filed with the County Surveyor and accepted by the Board of Supervisors. Where any land is to be conveyed for public use, a title report issued by a title insurance company in the name of the owner of the land, issued to or for the benefit and protection of the County of Sonoma showing all parties whose consent is necessary and the nature of their interest therein, shall be filed with the conveyances of such land.

Where public improvements are to be constructed or where improvements are to be made upon lands to be conveyed to the County of Sonoma, the landowner shall execute and file an agreement between himself and the County providing for the installation of such improvements at the landowner's cost and expense, and in accordance with the approved development improvement agreement and bonds provided for herein shall be considered in a like manner as are requirements upon improvement agreements and bonds under regulations for subdivisions. Such improvement agreement and bonds shall be deemed to include and cover the installation of landscaping and planting as required by an approved plan thereof whether such landscaping and planting shall be upon public or private lands.

**Section 26C-125. Residential Density, Building Intensity and Development Criteria.**

The use of land and structures within this district is subject to this article, the applicable regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the General Plan and ~~any applicable specific or area plan or local~~ Coastal Plan ~~area development guidelines~~ shall supersede the standards herein.

(a) Residential density for lands in residential land use categories shall be as shown in the General Plan land use element or that density permitted by a "B" combining district, whichever is more restrictive.

(b) Building intensity: The maximum building intensity of the use of a site for lands in commercial land use categories shall be determined by multiplying the maximum building height limit and the maximum lot coverage. The specified height or lot coverage limits may be modified if a use permit is first secured and if the maximum building intensity is not exceeded.

(c) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen (15%) percent of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. There Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

(5) East of Highway 1 and are not visible from designated scenic roads: Thirty-five (35) feet.

(6) Agricultural structures: Thirty-five (35) feet; however, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) Maximum height for telecommunication facilities is subject to the provisions of this Article and Section 26C-325.7.

(8) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(9) A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(d) Minimum lot size: Six thousand (6,000) square feet or as indicated on the approved precise development plan.

(e) Maximum lot coverage:

(1) Percentage: Thirty-five percent (35%) for lots in excess of 6,000 square feet in size or forty percent (40%) for lots 6,000 square feet or smaller or as indicated on the approved precise development plan,

provided however that for a mixed commercial and residential development, pursuant to Section 26C-123(h), the maximum lot coverage shall not exceed fifty (50) percent subject to Section 26C-125(b). Lot coverage limitation may be waived by the ~~Planning~~ Director of the Permit and Resource Management Department for swimming pools.

(2) Building mass: Whereas this section permits, in effect, single- family dwellings with no side yards between, there shall be no more than six (6) dwelling units nor a length of more than one hundred fifty (150) feet, whichever is less, in any contiguous group or in any one building, unless specifically approved otherwise by the Sonoma County Planning Commission.

(f) Yard requirements: The following shall apply except that if the subject property adjoins land which is zoned AR or is designated as agricultural land, the use is subject to the requirements of Section 26C-323(f).

(1) Front yard required: Twenty (20) feet or as shown on the approved precise development plan, provided that no garage opening may be located closer than twenty (20) feet from any road, right of way or common driveway. A variation in setbacks shall be encouraged.

(2) Side or rear yards required: As required by ~~Article~~ the R1 District or as indicated on the approved precise development plan, provided that at least ten (10) feet must be maintained between all detached buildings. Smaller side and rear yard setbacks may be allowed by the Director of the Permit and Resource Management Department when abutting dedicated common open space or open areas. Approval of the applicable homeowner's association and signatures of neighbors shall be required.

(3) Special yards required for dwelling groups according to the provisions of Section 26C-112(i).

(g) Parking requirements:

(1) Residential: Garage space or parking space.

a. Not less than two (2) covered off-street parking spaces per dwelling unit. The requirements for covered parking may be waived for single-family dwellings if the lot on which the dwelling is to be placed is of such size, shape or location that the areas devoted to automobile parking will be visually screened from adjacent lots and from the common roadway(s) serving the property, provided that site plan approval in accordance with Article XLI is first secured.

b. Multi-family dwellings and dwelling groups: One (1) uncovered guest parking space per dwelling unit.

(2) Any other use shall provide parking in accordance with the standards in Article 31.

(h) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty (30%) percent, unless no feasible alternate site is available.

(i) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(j) Design Review Approval: All uses in the PC District are subject to design review approval with the exception of the uses in Section 26C-122.

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

(k) Inclusionary Housing Requirements.

(1) In housing projects of eleven (11) or more units, a minimum of fifteen percent (15%) of these units shall be affordable to very low, low, or moderate income households unless the conditions delineated in the Coastal Land Use Plan apply.

(2) In housing projects of five (5) to ten (10) units, either fifteen percent (15%) of the units shall be affordable to very low, low, or moderate income households, or a six percent (6%) in lieu fee shall be paid to a coastal zone site acquisition and development fund to be administered by the County Community Development Commission.

## Article XIII. ~~C1 Neighborhood Commercial~~ CS - Rural Services District.

**Purpose:** To implement Sections 2.3.1 and 2.3.2 of the General Plan Land Use Element by providing areas within the Coastal Zone which permit various retail business, service and professional activities ~~in rural neighborhoods and~~ only within ~~urban service areas~~ rural community and urban service boundaries designated in the Coastal Plan.

### Section 26C-130. Permitted Uses, Subject to Site Development and Erosion Control Standards.

The following uses are permitted except within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan, in which case a Use Permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards.

(a) Retail and Personal Service Uses:

(1) Neighborhood retail businesses which supply household commodities on the premises such as groceries, meats, dairy products, baked goods or other foods, drugs, notions or hardware; personal service establishments which perform services on the premises for persons residing in adjacent residential areas such as shoe repair, dry cleaning shops, tailor shops, beauty parlors, barber shops and the like. All retail sales and service uses shall be conducted entirely within a building. Maximum building gross floor area is 3,000 square feet.

(2) Plant and garden supply stores, nurseries and similar outdoor sales uses.

(3) Appliance repair, TV and electronic repair.

(4) Restaurants, bars, and cocktail lounges, provided that no live entertainment and dancing is allowed. Maximum building gross floor area is 3,000 square feet.

(5) Financial institutions such as banks and savings and loan offices, provided the facility is limited to ~~five~~ three thousand ~~(5,000)~~ (3,000) square feet of gross floor area.

(6) Professional, administrative, and general business offices.

(7) Health clinics.

(8) Health care offices.

(b) Other Uses:

(1) Accessory buildings and uses normally incidental to any permitted use. This shall not be construed as permitting any commercial use or occupation other than those specifically permitted.

(2) Small collection facilities as an accessory use to any permitted use subject to the provisions of Section 26C-325.2.

(3) Small family day care.

(4) Occasional cultural events, provided that a written notice stating "The Sonoma County ~~Planning~~ Permit and Resource Management 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 26C-331 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 26C-331.

(5) Large family day care provided that the applicant shall meet all performance standards listed in Section 26C-325.3.

(6) Small residential community care facility.

(7) Beekeeping.

(8) Attached Commercial Telecommunication Facilities subject to the applicable criteria set forth in Section 26C-325.7.

(9) Minor and Intermediate Free-standing Commercial Telecommunication Facilities fifty feet (50') or less in height subject to the applicable criteria set forth in Section 26C-325.7.

(10) Non-commercial Telecommunication Facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7.

(c) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-130.

**Section 26C-131. Uses ~~Permitted with~~ Requiring a Use Permit.**

(a) Sensitive Area Uses:

(1) Permitted uses listed in Section 26C-130 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading, excavation, fill or construction when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(b) Retail and Personal Service Uses.

(1) Retail sales uses described in Section 26C-130(A)(1) which exceed 3,000 square feet gross floor area.

(2) Produce stands and feed store.

(3) Art galleries, antique stores, second hand sales, and auction studios.

(4) New and used passenger vehicle, truck, trailer, farm implement, boat, recreational vehicle sales and rental.

(5) Vehicle parts and accessories sales, and tire sales.

(6) Outdoor sales yards, auction yards, and flea markets.

(7) Gasoline service stations and mini-marts.

(8) Art, craft, music and dancing schools.

(9) Business, professional or trade schools and colleges.

(10) Restaurant, bars, and cocktail lounges which include live entertainment and/or dancing, or which exceed 3,000 square feet gross floor area.

(11) Drive-in and take-out restaurants.

(12) Landscape materials yards and building material yards.

(13) Commercial firewood yards including wood splitting.

(14) Financial institutions described in Section 26C-26(a)(3) and which exceed 3,000 square feet gross floor area.

(15) Passenger and recreational vehicle maintenance services including service stations, washing and waxing, brake muffler, and tire repair.

(16) Passenger and recreational vehicle repair, body work, upholstery, and painting.

(17) Truck maintenance and repair.

(18) Animal hospitals, shelters, kennels, and veterinary clinics.

(19) Equipment rental yards.

(20) Minor agricultural services which serve the immediate vicinity including blacksmithing, welding, small machinery repair, and the like.

(c) Recreational Uses:

(1) Hotels, motels, inns, and guest ranches which are not located within designated Village Commercial areas in the Coastal Plan and further provided that any use permit granted to an operator of a guest ranch/inn to serve food to other than overnight guests is subject to the following limitations:

a. Dining for other than overnight guests may be allowed only in conjunction with a guest ranch/inn with a minimum of six (6) overnight guest rooms.

b. The number of overnight rooms plus the number of outside dining patrons cannot exceed 30.

c. The number of outside dining guests allowed will be determined at the time of use permit consideration based on the formula list in subsection 2 above. Guest ranch/inn proprietors may serve one meal only per day to the established allowable number of outside patrons. Such dining arrangements must be made by reservation only.

d. Dining for other than overnight guests may be allowed only in conjunction with guest ranches/inns located east of Highway One.

e. Advertising of dining facilities to serve patrons other than overnight guests at guest ranches/inns shall be prohibited.

f. Approved on-site signs for guest ranches/inns may include no reference to dining facilities.

g. Non-amplified music, lawn parties, weddings, or similar outdoor activities may be allowed where specifically included in the use permit.

(2) One bed and breakfast inn, of five or fewer rooms per definition, subject to Design Review, Article 29, and/or Landmarks Commission Article 24. No accessory structures shall be used for rental occupancy. A bed and breakfast inn shall have an owner and/or operator in residence within the structure. Non-amplified music, lawn parties, weddings, or similar outdoor activities may be allowed where specifically included in the use permit.

(3) Commercial recreation facilities including theaters, gymnasiums, swimming centers, skating rinks, tennis clubs, racquetball and handball facilities.

(4) Recreational vehicle parks, subject to Section 26C-325.5.

(d) Residential Uses:

(1) One dwelling unit on a permanent foundation per lot, subject, at a minimum, to the following criteria and provided that no commercial use may be permitted unless the dwelling unit is removed or converted to another use in accordance with this district:

a. The property has constraints or is of such a size as to make it infeasible to develop with commercial uses allowed by zoning.

b. The unit complies with setbacks, building heights, and other standards of the applicable zoning district.

c. The unit meets other conditions which may result from the application review process.

(2) One dwelling unit on a permanent foundation per lot, if compatible with and secondary to an existing or proposed commercial use, and provided that the property has not otherwise been developed with a dwelling unit.

(3) Additional dwelling units on permanent foundations provided that they are secondary to and compatible with an existing or proposed commercial use according to the following criteria:

a. The combined floor area of all of the residential units on the site must be less than 50% of the combined floor area of the commercial development ~~unless the project is located in a designated Redevelopment Project Area, in which case the residential floor area must be less than the floor area of the commercial development.~~

b. All residential units shall be attached units and each unit or group of units shall be attached to the commercial structure.

c. The maximum size of any residential unit is 1000 square feet.

(e) Other Uses:

(1) Wholesale warehouses and storage warehouses.

(2) Fleet storage yards and equipment storage yards.

(3) Fuel yards.

(4) Cabinet shops; electrical, plumbing, and heating shops; welding, sheet metal, and machine shops.

(5) Recycling centers for household paper, glass.

(6) Public and private elementary schools, junior high schools, high schools, and colleges.

(7) Public playgrounds, parks, community centers, libraries, museums, and similar uses.

(8) Cemeteries, mausoleums, columbariums, and crematoriums.

(9) Noncommercial clubs and lodges.

(10) Churches.

(11) Minor public utility buildings and public service or utility uses (transmission, distribution lines and telecommunications facilities excepted), including but not limited to reservoirs, storage tanks, pumping stations, telephone exchanges, small power stations, transformer stations, fire and police stations and training centers, service yards, and parking lots which, at a minimum, meet the criteria of General Plan Policy PF-2(s) and which are not otherwise exempt by State law.

(12) Intermediate Free-standing Telecommunication Commercial Facilities greater than fifty feet (50') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(13) Non-commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(14) Exploration and development of low temperature geothermal resources for other than power development purposes provided that at a minimum it is compatible with surrounding land uses.

(15) Large residential community care facility.

(16) Major medical facilities, small medical offices and clinics.

(17) Outdoor vendors.

(18) Recycling centers for household paper, glass, metals.

(19) Day care center.

(20) Commercial planned developments and commercial condominiums. Compatibility and provision of amenities shall be required and unique characteristics, design innovation and creativity shall be additional criteria utilized in evaluating such development. The lot size and required yards of Section 26C-132 shall not apply to such development. ~~Conversions of existing buildings to condominium or planned development may be accomplished by use permit waiver pursuant to Section and applicable Sections of Chapter 25 of the Sonoma County Code.~~

(f) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-131.

**Section 26C-132. Building Intensity and Development Criteria**

The use of land and structures within this district is subject to this article, the general regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the General Plan and ~~any applicable specific or area plan or local~~ Coastal Plan ~~area development guidelines~~ shall supersede the standards herein.

(a) Building intensity: The maximum building intensity of the use of a site shall be determined by multiplying the maximum building height limit and the maximum lot coverage. The specified height or lot coverage limits may be modified if a use permit is first secured and if the maximum building intensity is not exceeded.

(b) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen (15%) percent of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. There Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

(5) East of Highway 1 and are not visible from designated scenic roads: Thirty-five (35) feet.

(6) Agricultural structures: Thirty-five (35) feet; however, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) Maximum height for telecommunication facilities is subject to the provisions of this Article and Section 26C-325.7.

(8) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character, and does not exceed the allowed building intensity.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character, and does not exceed the allowed building intensity.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(9) A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(c) Minimum lot size:

(1) Where both public sewer and public water services are provided or where public sewer service alone is provided, ten thousand ~~(8,000)~~ (10,000) square feet.

(2) Where public water service alone is provided, one (1) acre.

(3) Where neither public sewer service nor public water service is provided, 1.5 acre.

(d) Maximum lot coverage: Fifty percent (50%) provided that additional lot coverage may be permitted subject to Section 26C-132(a).

(e) Yard requirements: The following shall apply except that if the subject property adjoins land which is zoned AR or designated as agricultural land, the use is subject to the requirements of Section 26C-323(f).

(1) Front yard: None, except where the frontage of a block is partially in an "R" District, in which case the front yard shall be not less than twenty (20) feet.

(2) Side yard: None, except where the side of a lot is next to any "R" District, in which case the side yard shall be not less than ten (10) feet.

(3) Rear yard: None, except where the rear of a lot abuts on an "R" District, in which case the rear yard shall be not less than ten (10) feet.

(4) Greater yards may be required in order to meet the standards of Design Review.

(f) Parking Requirements:

(1) Not less than two (2) covered off-street parking spaces per dwelling unit. The requirements for covered parking may be waived for single-family dwellings if the lot on which the dwelling is to be placed is of such size, shape, or location that the areas devoted to automobile parking will be visually screened from adjacent lots and from common roadways serving the property, provided that site plan approval in accordance with Design Review is first secured.

(2) Multi-family dwellings and dwelling groups: one (1) covered space plus one (1) uncovered guest parking space per dwelling unit.

(3) Any other use shall provide parking in accordance with the standards in Parking Regulations.

(g) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty (30%) percent, unless no feasible alternate site is available.

(h) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral

easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(i) Design review: Design review approval shall be required for all permitted uses in the manner provided in Article 29.

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

## Article XIV. ~~K Recreation and Visitor-Serving Commercial~~ CT - Commercial Tourist District.

Purpose: To encourage a compatible blend of recreation and tourist-commercial uses in such a way as to perpetuate Sonoma County's Coastal recreational resources in the manner provided in Section 2.3.4 of the General Plan.

### Section 26C-140. Permitted Uses, Subject to Site Development and Erosion Control Standards.

The following uses are permitted except within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan, in which case a Use Permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards.

(a) Tourist Commercial Uses.

(1) Hotels, motels, inns, resorts, and guest ranches up to 15 units which are not located within designated Village Commercial areas in the Coastal Plan, and further provided that any permit granted to an operator of a guest ranch/inn to serve food to other than overnight guests is subject to the following limitations:

a. Dining for other than overnight guests may be allowed only in conjunction with a guest ranch/inn with a minimum of six (6) overnight guest rooms.

b. The number of overnight rooms plus the number of outside dining patrons cannot exceed 30.

c. The number of outside dining guests allowed will be determined at the time of use permit consideration based on the formula list in subsection 2 above. Guest ranch/inn proprietors may serve one meal only per day to the established allowable number of outside patrons. Such dining arrangements must be made by reservation only.

d. Dining for other than overnight guests may be allowed only in conjunction with guest ranches/inns located east of Highway One.

e. Advertising of dining facilities to serve patrons other than overnight guests at guest ranches/inns shall be prohibited.

f. Approved on-site signs for guest ranches/inns may include no reference to dining facilities.

(2) Retail shops which principally serve tourists, including sale of resort apparel, curios, souvenirs, film, and magazines, with a combined total size of less than 3,000 square feet.

(3) Restaurants, including drive-in and take-out, and cocktail lounges accessory to restaurants or overnight accommodations, less than 2,000 square feet in size.

(4) Art galleries and antique studios less than 3,000 square feet in size.

(5) One bed and breakfast inn, of five or fewer rooms per definition, subject to Design Review, Article 29, and Landmarks Commission Article 24. No accessory structures shall be used for rental occupancy. A bed and breakfast inn shall have an owner and/or operator in residence within the structure. Non-amplified music, lawn parties, weddings, or similar outdoor activities may be allowed where specifically included in the use permit.

(6) Visitor information center.

(b) Other Uses.

(1) One (1) dwelling unit or living quarter as an accessory use only, provided it is occupied by the owner, operator, or caretaker of the principal uses conducted on the property.

(2) Home occupations.

(3) The outdoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops. Except as noted below, agricultural cultivation shall not be permitted in the following areas:

(a) Within 100' of the top of the bank in the "Russian River Riparian Corridor".

(b) Within 50' of the top of the bank in designated "flatland riparian corridors".

(c) Within 25' of the top of the bank in designated "upland riparian corridors".

Agricultural cultivation may be allowed in a. - c. above upon approval of a management plan which includes either appropriate mitigations for potential erosion, bank stabilization, and biotic impacts. This plan may be approved by the ~~Planning~~ Director of the Permit and Resource Management Department or by use permit pursuant to Section 26C-141(a).

(4) Small residential community care facility.

(5) Accessory uses and buildings incidental and appurtenant to the primary use.

(6) Small family day care.

(7) Large family day care provided that the applicant shall meet all performance standards listed in Section 26C-325.3.

(8) Professional, administrative and general business offices provided that the site is within an urban service area designated in the General Plan and that the use is primarily intended to serve tourist commercial and recreational needs.

(9) Occasional cultural events, provided that a written notice stating "The Sonoma County ~~Planning~~ Permit and Resource Management 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 26C-331 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 26C-331.

(10) Public parks.

(11) Beekeeping.

(12) Attached Commercial Telecommunication Facilities subject to the applicable criteria set forth in Section 26C-325.7.

(13) Minor and Intermediate Free-standing Commercial Telecommunication Facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7.

(14) Non-commercial Telecommunication Facilities eighty feet (80') or less in height which meet the applicable criteria set forth in Section 26C-325.7.

(c) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-140.

**Section 26C-141. Uses ~~Permitted with~~ Requiring a Use Permit.**

(a) Sensitive Area Uses:

(1) Permitted uses listed in Section 26C-140 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading, excavation, fill or construction when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(b) Tourist Commercial Uses.

(1) Tennis and racquet clubs.

(2) Marinas, including yacht clubs, fueling docks and incidental boat storage sales.

(3) Recreational vehicle parks, tent camps, or campgrounds, including incidental retail sales of groceries, drugs, and supplies.

(4) Non-commercial clubs and lodges, country clubs and golf courses, including miniature golf courses.

(5) Commercial recreation facilities and uses such as indoor and outdoor sports facilities, athletic clubs, amusement parks and health resorts, subject to the limitations on lodging facilities contained in Section 26C-141(b)(6).

(6) Hotels, motels, inns, resorts, and guest ranches of 16 or more units which are not located within Village Commercial areas in the Coastal Plan and subject, at a minimum, to a limit of 200 rooms in designated urban service areas, 100 rooms in rural areas which are serviced by public sewer, and a limit of 50 rooms otherwise, and further provided that any use permit granted to an operator of a guest ranch/inn to serve food to other than overnight guests is subject to the following limitations:

a. Dining for other than overnight guests may be allowed only in conjunction with a guest ranch/inn with a minimum of six (6) overnight guest rooms.

b. The number of overnight rooms plus the number of outside dining patrons cannot exceed 30.

c. The number of outside dining guests allowed will be determined at the time of use permit consideration based on the formula list in subsection 2 above. Guest ranch/inn proprietors may serve one meal only per day to the established allowable number of outside patrons. Such dining arrangements must be made by reservation only.

d. Dining for other than overnight guests may be allowed only in conjunction with guest ranches/inns located east of Highway One.

e. Advertising of dining facilities to serve patrons other than overnight guests at guest ranches/inns shall be prohibited.

f. Approved on-site signs for guest ranches/inns may include no reference to dining facilities.

g. Non-amplified music, lawn parties, weddings, or similar outdoor activities may be allowed where specifically included in the use permit.

(7) Retail shops which principally serve tourists, including sale of resort apparel, curios, souvenirs, film, and magazines with a combined size in excess of 3,000 square feet.

(8) Restaurants, including drive-in and take-out and cocktail lounges accessory to restaurants or overnight accommodations in excess of 2,000 square feet in size.

(9) Art galleries and antique studios in excess of 3,000 square feet in size.

(10) Shooting and archery ranges.

(11) Professional, administrative, and general business offices.

(12) Automobile service stations and gasoline sales.

(13) Bars and cocktail lounges, including those which provide live entertainment and dancing.

(14) Theaters.

(15) Open air theaters, ~~race tracks;~~ and similar establishments involving large assemblages of people. ~~and automobiles.~~

(c) Other Uses.

(1) Bus terminals.

(2) Taxi terminals.

(3) Commercial parking facilities.

(4) Heliports.

(5) Art, craft, music, and dancing schools.

(6) Business, professional or trade schools and colleges.

(7) Churches.

(8) Public playgrounds, private parks, community centers, libraries, museums and similar public uses and buildings.

(9) Minor public utility buildings and public service or utility uses (transmission, distribution lines and telecommunications facilities excepted), including but not limited to reservoirs, storage tanks, pumping stations, telephone exchanges, small power stations, transformer stations, fire and police stations and training centers, service yards and parking lots which, at a minimum, meet the criteria of General Plan Policy PF-2s and which are not otherwise exempt by State law.

(10) Intermediate and Major Free-standing Commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(11) Non-commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(12) Exploration and development of low temperature geothermal resources for other than power development purposes provided that at a minimum it is compatible with surrounding land uses.

(13) Large residential community care facility.

(14) Day care center.

(15) Agricultural cultivation in the following areas, for which a management plan has not been approved by the ~~Planning~~ Director of the Permit and Resource Management Department pursuant to Section 26C-140(b)(3).

a. Within 100' of the top of the bank in the "Russian River Riparian Corridor".

b. Within 50' of the top of the bank in designated "flatland riparian corridors".

c. Within 25' of the top of the bank in designated "upland riparian corridors".

(16) Gymnasiums, health clubs, spas and similar uses.

(17) Amplified live music.

(d) Other non-residential uses which, in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department, are of a similar and compatible nature to those uses described in Section 26C-141.

**Section 26C-142. Permitted Building Intensity and Development Criteria.**

The use of land and structures within this district is subject to this article, the applicable regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the General Plan and Coastal Plan shall supersede the standards herein.

(a) Building intensity: The maximum building intensity of the use of a site shall be determined by multiplying the maximum building height limit and the maximum lot coverage. The specified height or lot coverage limits may be modified if a use permit is first secured and if the maximum building intensity is not exceeded.

(b) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen (15%) percent of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. There Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

(5) East of Highway 1 and are not visible from designated scenic roads: Thirty-five (35) feet.

(6) Agricultural structures: Thirty-five (35) feet; however, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) Maximum height for telecommunication facilities is subject to the provisions of this Article and Section 26C-325.7.

(8) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character, and does not exceed the allowed building intensity.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character, and does not exceed the allowed building intensity.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(9) A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(c) Minimum lot size:

(1) Where both public sewer and public water services are provided or where public sewer service alone is provided, ten thousand (10,000) square feet.

(2) Where public water service alone is provided, one (1) acre.

(3) Where neither public sewer service nor public water service is provided, 1.5 acres.

(d) Minimum lot width: The minimum average lot width within each lot is eighty (80) feet.

(e) Maximum lot coverage: Sixty percent (60%) provided that additional lot coverage may be permitted subject to Section 26C-142(a).

(f) Yard requirements: The following shall apply except that if the subject property adjoins land which is zoned AR or is designated as agricultural land, the use is subject to the requirements of Section 26C-323(f).

(1) Front yard: None, except where the frontage in a block is partially in an "R" District, in which case the front yard shall be not less than twenty (20) feet.

(2) Side yard: None, except where the side of a lot is next to any "R" District, in which case the side yard shall be not less than ten (10) feet.

(3) Rear yard: None, except where the rear of a lot abuts on an "R" District, in which case the rear yard shall be not less than ten (10) feet.

(4) Greater yards may be required in order to meet the standards of Design Review.

(g) Parking Requirements.

(1) Parking shall be provided in accordance with the standards established in Parking Regulations.

(h) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the

General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty (30%) percent, unless no feasible alternate site is available.

(i) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(j) Design review: Design review approval shall be required for all permitted uses in the manner provided in Article 29.

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

## COASTAL ZONING ORDINANCE

### Article XV. C2 - Community Commercial District.

Purpose: The ~~Retail Business and Service~~ Community Commercial District is intended to implement the provisions of the Sonoma County General Plan, Section LU-2.3.1 to provide areas which permit a full range of retail goods and services for a residential and business community as a whole rather than a local neighborhood and to implement the objectives of adopted redevelopment plans within Redevelopment Project Areas in the General Plan. This district provides for comparison retail shopping and direct consumer service uses which are usually sought on occasion, rather than daily.

**Section 26C-150. Permitted Uses, Subject to Site Development and Erosion Control Standards.**

The following uses are permitted except within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan, in which case a Use Permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards. All uses requiring a Coastal Permit are appealable.

(a) Commercial Uses:

(1) Retail stores supplying commodities for residents of the county such as bakeries, ice cream, grocery and liquor stores, news stands, furniture, hardware, and appliance stores, department stores, stationery stores, sporting goods stores, pet shops, florist shops, automobile accessory stores and the like. Retail nurseries.

(2) Repair and service uses such as laundry and dry cleaning establishments, barber shops, beauty parlors, shoe repair and tailor shops, photography studios, radio and TV repair shops, and the like.

(3) Restaurants serving alcohol, bars, cocktail lounges, provided that no live entertainment or dancing is allowed.

(4) Pharmacies, including retail sales of drugs, opticians and orthopedic supplies, cards, books, film and variety items.

(5) Furniture, carpet and drapery stores, including incidental repair; paint and wall covering stores.

(6) Plant and garden supply stores, florist shops entirely enclosed within a building.

(7) Travel agencies.

(8) Telephone answering services, computer services, credit services.

(9) Indoor commercial recreation facilities including theaters, gymnasiums, swim centers, skating rinks, tennis clubs, health clubs, racquetball and handball facilities, and bowling alleys.

(10) Art galleries, and antique studios.

(b) Other Uses:

(1) Financial institutions such as banks and savings and loan offices, professional administrative and general business offices.

(2) Business, professional and trade schools or colleges.

(3) Small collection facilities as an accessory use to any permitted use subject to the provisions of Section 26C-325.2.

(4) Occasional cultural events, provided that a written notice stating "The Sonoma County ~~Planning~~ Permit and Resource Management 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 26C-331 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 26C-331.

(5) Small family day care.

(6) Large family day care provided that the applicant shall meet all performance standards listed in Section 26C-325.3.

(7) Small residential community care facility.

(8) Beekeeping.

(9) Attached Commercial Telecommunication Facilities subject to the applicable criteria set forth in Section 26C-325.7.

(10) Minor and Intermediate Free-standing Commercial Telecommunication Facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7.

(11) Non-commercial Telecommunication Facilities eighty feet (80') or less in height which meet the applicable criteria set forth in Section 26C-325.7.

(c) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-150.

**Section 26C-151. Uses ~~Permitted With~~ Requiring a Use Permit.**

(a) Sensitive Area Uses:

(1) Permitted uses listed in Section 26C-150 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading, excavation, fill or construction when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(b) Commercial Uses:

(1) Hotels, motels, guest ranches, inns, churches, clubs and lodges, which are not located within designated Village Commercial areas in the Coastal Plan, and further provided that any use permit granted to an operator of a guest ranch/inn to serve food to other than overnight guests is subject to the following limitations:

a. Dining for other than overnight guests may be allowed only in conjunction with a guest ranch/inn with a minimum of six (6) overnight guest rooms.

b. The number of overnight rooms plus the number of outside dining patrons cannot exceed 30.

c. The number of outside dining guests allowed will be determined at the time of use permit consideration based on the formula list in subsection 2 above. Guest ranch/inn proprietors may serve one meal only per day to the established allowable number of outside patrons. Such dining arrangements must be made by reservation only.

d. Dining for other than overnight guests may be allowed only in conjunction with guest ranches/inns located east of Highway One.

e. Advertising of dining facilities to serve patrons other than overnight guests at guest ranches/inns shall be prohibited.

f. Approved on-site signs for guest ranches/inns may include no reference to dining facilities.

g. Non-amplified music, lawn parties, weddings, or similar outdoor activities may be allowed where specifically included in the use permit.

(2) Second hand sales and auction studios.

~~(f) Indoor movie theaters.~~

(3) New and used automobile and recreational vehicle sales, service and repair establishments.

(4) Takeout food, live entertainment, amplified live music.

(5) Gasoline service stations, gasoline sales, car washes, public garages and mini- marts.

(6) Animal hospitals, veterinary clinics and kennels.

(7) Outdoor commercial recreation facilities including tennis clubs, swimming centers, amusement park rides and games, miniature golf, boat rentals and launching facilities, skateboard parks, and outdoor skating facilities.

(8) Business support services including copying and printing.

(9) Household goods rental store.

(10) Outdoor sales yards and flea markets, outdoor vendors.

(11) Retail sales of automobile parts, accessories and tires including installation, auto upholstery shops.

(12) Bed and breakfast inn, per definition. No accessory structure shall be used for rental occupancy. A bed and breakfast inn shall have an owner and/or operator in residence within the structure. Non-amplified music, lawn parties, weddings, or similar outdoor activities may be allowed where specifically included in the use permit.

(13) Commercial planned developments and commercial condominiums. Compatibility and provision of amenities shall be required and unique characteristics, design innovation and creativity shall be additional criteria utilized in evaluating such development. The minimum lot size and required yards of Section 26C-152 shall not apply to such development. ~~Conversions of existing buildings to commercial condominium or commercial planned development may be accomplished by use permit waiver pursuant to Section and applicable Sections of Chapter 25 of the Sonoma County Code.~~

(14) Automobile rental agencies.

(15) Bus terminals.

(16) Commercial parking facilities.

(17) Taxi terminals.

(18) Heliports.

(c) Other Uses:

(1) One dwelling unit on a permanent foundation per lot subject, at a minimum, to the following criteria, and provided that no commercial use may be permitted unless the dwelling unit is removed or converted to another use in accordance with this district.

a. The property has constraints or is of such a size as to make it infeasible to develop with the commercial uses allowed by zoning.

b. The unit complies with setbacks, building heights, and other standards of the applicable zoning district.

c. The unit meets other conditions which may result from the application review process.

(2) Additional dwelling units on permanent foundations provided that they are secondary to and compatible with an existing or proposed commercial use according to the following criteria:

a. The combined floor area of all of the residential units on the site must be less than 50% of the combined floor area of the commercial development.

b. All residential units shall be attached units and each unit or group of units shall be attached to the commercial structure.

c. The maximum size of any residential unit is 1000 square feet.

b. The maximum size of any residential unit is 1000 square feet.

(3) Day care center.

(4) Large residential community care facility.

(5) Major medical facilities.

(6) Public playgrounds, parks, community centers, libraries, museums, and similar uses.

(7) Mortuaries, cemeteries, mausoleums, columbariums, and crematoriums.

(8) Minor public utility buildings and public service or utility uses (transmission, distribution lines and telecommunications facilities excepted), including but not limited to reservoirs, storage tanks, pumping stations, telephone exchanges, small power stations, transformer stations, fire and police stations and training centers, and service yards and parking lots which at a minimum, meet the criteria of General Plan policy PF-2s and which are not otherwise exempt by State law.

(9) Intermediate and Major Free-standing Commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(10) Non-commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(11) Exploration and development of low temperature geothermal resources for other than power development purposes provided that at a minimum it is compatible with surrounding land uses.

(12) Amplified live music.

(d) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-151.

**Section 26C-152. Building Intensity and Development Criteria.**

The use of land and structures within this district is subject to this article, the applicable regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the General Plan and ~~any applicable specific or area plan or local~~ Coastal Plan ~~area development guidelines~~ shall supersede the standards herein.

(a) Building intensity: The maximum building intensity of the use of a site shall be determined by multiplying the maximum building height limit and the maximum coverage of the lot in square feet. The specified height or lot coverage limits may be modified if a use permit is first secured and if the maximum building intensity is not exceeded.

(b) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen (15%) percent of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. There Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

(5) East of Highway 1 and are not visible from designated scenic roads: Thirty-five (35) feet.

(6) Agricultural structures: Thirty-five (35) feet; however, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) Maximum height for telecommunication facilities is subject to the provisions of this Article and Section 26C-325.7.

(8) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character, and does not exceed the allowed building intensity.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character, and does not exceed the allowed building intensity.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(9) A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement.

Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(c) Maximum lot coverage: Fifty percent (50%) provided that additional coverage may be permitted subject to Section 26C-152(a).

(d) Minimum lot size: Ten thousand (10,000) square feet. Commercial planned developments and condominiums; minimum project size shall be one (1) acre.

(e) Yard requirements: The following shall apply except that if the subject property adjoins land which is zoned AR or is designated as agricultural land, the use is subject to the requirements of Section 26C-323(f).

(1) Front yard: None, except where the frontage in a block is partially in an R district, in which case the front yard shall be not less than twenty (20) feet.

(2) Side yard: None, except where the side of a lot abuts upon the side of a lot in an R district, in which case the side yard shall be not less than five (5) feet.

(3) Rear yard: None, except where the rear of a lot abuts on an R district, in which case the rear yard shall be not less than five (5) feet.

(4) Greater yards may be required in order to meet the standards of Design Review.

(f) Parking spaces: All uses shall furnish parking as required by Article 31 of this ordinance.

(g) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty percent (30%), unless no feasible alternate site is available.

(h) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(i) Design review: Design Review approval shall be required for all permitted uses in the manner provided in Article 29.

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environment effect than an overhead line.

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## Article XVI. AS - Agricultural Services District

Purpose: This district is intended to implement Section 2.3.2 of the General Plan by limiting the uses in the Limited Commercial land use category to those necessary to support local agricultural production.

### Section 26C-160. Permitted uses, Subject to Site Development and Erosion Control Standards.

The following uses are permitted except within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan, in which case a Use Permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards. All uses requiring a Coastal Permit are appealable.

(a) Principal Uses:

(1) Agricultural support services with a maximum of one employee and occupying no more than 1/2 acre of land.

(2) The growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops, including wholesale nurseries. Except as noted below, agricultural cultivation shall not be permitted in the following areas:

a. Within 100' from the top of the bank of the "Russian River Riparian Corridor".

b. Within 50' from the top of the bank of designated "flatland riparian corridors".

c. Within 25' from the top of the bank of the designated "upland riparian corridors".

Agricultural cultivation may be allowed in a. - c. above upon approval of a management plan which includes appropriate mitigation for potential erosion, bank stabilization, and biotic impact. This plan may be approved by the ~~Planning~~ Director of the Permit and Resource Management Department or by use permit pursuant to Section 26C-161(a).

(3) Incidental cleaning, grading, packing, polishing, sizing, and similar preparation of crops which are grown on the site, but not including agricultural processing.

(4) Tasting rooms and other sales and promotion, and incidental storage, of agricultural products grown or processed in the local area and subject to the provisions of Article 31.

(5) Beekeeping.

(b) Residential Uses:

(1) One dwelling unit on a permanent foundation per lot.

(c) Other Uses:

(1) Home occupations.

(2) Small residential community care facility.

(3) Accessory buildings and uses incidental and appurtenant to any permitted use.

(4) Occasional cultural events, provided that a written notice stating "The Sonoma County ~~Planning~~ Permit and Resource Management 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 26C-331 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 26C-331.

(5) Small family day care.

(6) Large family day care provided that the applicant shall meet all performance standards listed Section 26C-325.3.

(7) Non-commercial kennels for up to ten (10) dogs.

(8) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-160.

**Section 26C-161. Uses ~~Permitted with~~ Requiring a Use Permit.**

(a) Sensitive Area Uses:

(1) Permitted uses listed in Section 26C-160 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading, excavation, fill or construction when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(b) Principal Uses:

(1) Livestock feed yards, animal sales yards.

(2) Commercial mushroom farming.

(3) Retail nurseries which involve products not grown on the site.

(4) Agricultural support services with more than one employee or occupying more than 1/2 acre of land.

(5) Slaughterhouses, animal processing plants, rendering plants, fertilizer plants or yards which serve agricultural production in the local area.

(6) Processing, storage, bottling, canning, or similar activities involving agricultural products of a type grown, produced, or processed in the local area.

(7) Production or marketing services related to agricultural production in the local area.

(8) Farm equipment sales and repair.

(c) Residential Uses:

(1) One caretaker unit per lot in rural areas as defined in the General Plan.

(d) Other Uses:

(1) Large residential community care facility.

(2) Day care center.

(3) Amplified live music.

(4) Minor public utility buildings and public service or utility uses (transmission, distribution lines and telecommunications facilities excepted) including, but not limited to, reservoirs, storage tanks, pumping stations, telephone exchanges, small power and transformer station, fire and police stations and training centers, service yards, and parking lots which, at a minimum, meet the criteria of General Plan Policy PF-2s and which are not otherwise exempt by State law.

(5) Intermediate and Major Free-standing Commercial Telecommunication Facilities subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(6) Non-commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(7) Exploration and development of low temperature geothermal resources for other than power development purposes provided that at a minimum it is compatible with surrounding land uses.

(8) Agricultural cultivation in the following areas for which a management plan has not been approved pursuant to Section 26C-325.7:

a. Within 100' of the top of the bank of the "Russian River Riparian Corridor".

b. Within 50' of the top of the bank of designated "flatland riparian corridors".

c. Within 25' of the top of the bank of designated upland riparian corridors".

(9) Granges and similar community service facilities which do not adversely impact agriculture in the area.

~~2. Manufacture or commercial processing of asphalt, timber, concrete, earth, sawdust, wood chips, or similar building materials.~~

~~3. Solid waste disposal sites and land fills.~~

(e) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-161.

**Section 26C-162. Permitted Building Intensity and Development Criteria.**

The use of land and structures within this district is subject to this article, the general regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the General Plan and Coastal Plan shall supersede the standards herein.

(a) Building intensity: The maximum building intensity of the use of a site shall be determined by multiplying the maximum building height limit and the maximum lot coverage. The Specified height or lot coverage limits may be modified if a use permit is first secured and if the maximum building intensity is not exceeded.

(b) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen (15%) percent of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. There Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

(5) East of Highway 1 and are not visible from designated scenic roads: Thirty-five (35) feet.

(6) Agricultural structures: Thirty-five (35) feet; however, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) Maximum height for telecommunication facilities is subject to the provisions of this Article and Section 26C-325.7.

(8) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character, and does not exceed the allowed building intensity.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character, and does not exceed the allowed building intensity.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(9) A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(c) Minimum lot size:

(1) Where both public sewer and public water services are provided or where public sewer service alone is provided, eight thousand (8,000) square feet.

(2) Where public water service alone is provided, one (1) acre.

(3) Where neither public sewer service nor public water service is provided, 1.5 acre.

(d) Maximum lot coverage: Fifty percent (50%) provided that additional lot coverage may be permitted subject to Section 26C-162(a).

(e) Yard requirements: The following shall apply except that if the subject property adjoins land which is zoned AR or designated as agricultural land, the use is subject to the requirements of Section 26C-323(f).

(1) Front yard: None, except where the frontage of a block is partially in an R district, in which case the front yard shall be the same as required in such R district.

(2) Side yard: None, except where the side of a lot abuts upon the side of a lot in an R district, in which case the side yard shall be not less than ten (10) feet.

(3) Rear yard: None, except where the rear of a lot abuts on an R district, in which case the rear yard shall be not less than ten (10) feet.

(f) Parking spaces: Parking shall be provided in accordance with the standards established in Article 31.

(g) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty (30%) percent, unless no feasible alternate site is available.

(h) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(i) Design review: Design review approval shall be required for all permitted uses in the manner provided in Article 29.

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

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## ARTICLE XVII. CF - Commercial Fishing ~~Zone~~ District

Purpose: To create areas for ~~commercial and industrial uses which support the commercial fishing industry~~ resource support facilities for the commercial fishing industry within the General Plan's ~~"Unincorporated Community", "Rural Residential", and "River Resort"~~ "Limited Industrial" land use categories as provided in General Plan policy LU-10i.

### Section 26C-170. Permitted Uses Subject to Site Development and Erosion Control Standards.

The following uses are permitted except within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan, in which case a Use Permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards.

(a) ~~Retail Uses:~~ Fishing Commercial Uses:

(1) Fish buying and selling facilities.

(2) Fishing supply stores, including bait and tackle stores.

(3) Warehouses for storage of fishing gear, boats, and trailers.

(b) Other Uses:

(1) Accessory buildings and uses normally incidental to any permitted use.

(2) Occasional cultural events, provided that a written notice stating "The Sonoma County ~~Planning~~ Permit and Resource Management 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 26C-331 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 26C-331.

(3) Attached Commercial Telecommunication Facilities subject to the applicable criteria set forth in Section 26C-325.7.

(4) Minor and Intermediate Free-standing Commercial Telecommunication Facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7.

(5) Non-commercial Telecommunication Facilities eighty feet (80') or less in height which meet the applicable criteria set forth in Section 26C-325.7.

(c) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-170.

### Section 26C-171. Uses ~~permitted with~~ Requiring a Use Permit.

(a) Sensitive Area Uses:

(1) Permitted uses listed in Section 26C-170 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading, excavation, fill or construction when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(b) Fishing Commercial Uses:

(1) Large and heavy merchandise sales related to fishing industry needs including boat machinery, parts, and hardware sales incidental thereto.

(2) New and used boat sales.

(3) Fuel sales.

(4) Marinas.

(5) Dry cleaning and laundering services.

(6) Business support offices related to the fishing industry including security services and harbor administration.

(7) Boat repair and maintenance facilities.

(8) Contractors' shops related to fishing activities, including welding, small machinery repair and the like.

(9) Fishing support facilities including ice and blowers, fish off-loading, gear loading, boat haul-out and hoisting, pump-out, berthing and docks, boat launching, marine chandleries, and the like.

(10) Boat and fishing related equipment rentals.

(11) Storage yards for permitted uses.

(12) Fuel yards.

(13) Manufacturing, assembling or testing of devices, equipment and systems of an electrical, electronic or electro-mechanical nature related to harbor or marine activities.

(14) Marine testing laboratories, research and development facilities.

(15) Fish processing plants.

(c) Other Uses:

(1) One (1) mobile home or dwelling unit, as an accessory use only, to be used as the residence of the owner, operator, or caretaker of the permitted use.

~~2. Mobile home parks subject to mobile homes, mobile home parks, and mobile structures (article 38 current zoning ordinance article 28) at a maximum of seven (7) units per gross acre, to be processed in accord with procedures outlined in the Planned Community District (article 17).~~

(2) Restaurants, bars and cocktail lounges with or without live entertainment and dancing necessary to serve the "CF" District.

(3) Campgrounds and recreational vehicle and travel trailer parks (including incidental retail sales of groceries, drugs, and supplies).

(4) Commercial aquaculture.

(5) Necessary sea walls, breakwaters, and other shoreline structures as permitted by Coastal Act Section 30235.

(6) Minor public utility buildings and public service or utility uses (transmission, distribution lines and telecommunications facilities excepted), including but not limited to, reservoirs, storage tanks, pumping stations, telephone exchanges, small power stations, transformer stations, fire and police stations and training centers, and service yards and parking lots which, at a minimum, meet the criteria of General Plan policy PF-2s and which are not otherwise exempt by State Law.

(7) Intermediate and Major Free-standing Commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(8) Non-commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(9) Exploration and development of low temperature geothermal resources for other than power development purposes provided that at a minimum it is compatible with surrounding land uses.

(d) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Section 26C-171.

**Section 26C-172. Building Intensity and Development Criteria.**

The use of land and structures within this district is subject to this article, the applicable regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the General Plan and Coastal Plan shall supersede the standards herein.

(a) Building intensity: The maximum building intensity of the use of a site shall be determined by multiplying the maximum building height limit and the maximum coverage of the lot in square feet. The specified height or lot coverage limits may be modified if a use permit is first secured and if the maximum building intensity is not exceeded.

(b) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen (15%) percent of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. The Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

(5) East of Highway 1 and are not visible from designated scenic roads: Twenty-four (24) feet.

(6) Agricultural structures: Twenty-four (24) feet; however, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) Maximum height for telecommunication facilities is subject to the provisions of this Article and Section 26C-325.7.

(8) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties, ~~and~~ is compatible with community character, does not exceed the allowed building intensity.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character, does not exceed the allowed building intensity, and there are overriding considerations.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(9) A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(c) Minimum lot size: (More than one building may be located on each lot)

(1) On lands designated "Limited Industrial" on the General Plan land use map where both public sewer and public water services are provided, or where public sewer service alone is provided, ten thousand (10,000) square feet.

(2) Where public water service alone is provided, one (1) acre.

(3) Where neither public sewer service nor public water service is provided, 1.5 acres.

(d) Yard requirements:

The following shall apply except that if the subject property adjoins land which is zoned AR or is designated as agricultural land, the use is subject to the requirements of Section 26C-323(f).

(1) Front yard: None, except where the frontage in a block is partially in an "R" District, in which case the front yard shall be the same as required in such "R" District.

(2) Side yard: None, except where the side of a lot abuts on an "R" District, in which case the side yard shall not be less than ten (10) feet.

(3) Rear yard: None, except where the rear of a lot abuts on an "R" District, in which case the rear yard shall be not less than ten (10) feet.

(4) Greater yards may be required in order to meet the standards of design review.

(e) Maximum lot coverage: Fifty percent (50%) provided, however, that additional coverage may be permitted subject to Section 26C-172(a).

(f) Parking and loading requirements: Parking shall be required in accordance with Article 31.

(g) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty (30%) percent, unless no feasible alternate site is available.

(h) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(i) Design Review: Permitted Uses shall be subject to Design Review in the manner provided in Article 29.

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

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## Article XVIII. PF - Public Facilities District

**Purpose:** To provide sites which serve the community or public need and to protect these sites from encroachment of incompatible uses. The "PF" district shall be applied as a base zoning district to identify existing public facilities consistent with the provisions of Section 2.5 of the General Plan Land Use Element. The "PF" district shall be applied as a combining district to generally indicate those areas in which a future public facility is needed.

### Section 26C-180. Applicability as a Combining District.

Development of properties where "PF" is applied as a combining district shall comply with the regulations established by the applicable base district. Development entitlements may be subject to provision of a contribution to public service or infrastructure needs identified in the General Plan or Coastal Plan ~~applicable specific or area plan.~~

### Section 26C-181. Applicability as a Base District.

Development of properties where "PF" is applied as a base district shall comply with the provisions of Sections 26C-182 through 26C-184, inclusive.

### Section 26C-182. Permitted Uses.

The following uses are permitted except within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan, in which case a Use Permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards.

(a) Any facilities owned and operated by a city or the county.

(b) Facilities for the production, generation, storage, or transmission of water by a special district.

(c) Facilities for the production or generation of electrical energy by a special district.

(d) Special district electrical substation facilities receiving less than 100,000 volts.

(e) Special district facilities approved subject to Section 12808.5 of the Public Utilities Code (electrical transmissions and distribution lines).

(f) Incidental on-site administrative offices, vehicle and equipment storage and repair related to the above uses.

(g) Small collection facilities as an accessory use to any permitted use subject to the provisions of Section 26C-325.2.

(h) Attached Commercial Telecommunication Facilities subject to the applicable criteria set forth in Section 26C-325.7.

(i) Minor and Intermediate Free-standing Commercial Telecommunication Facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26C-325.7.

(j) Non-commercial Telecommunication Facilities eighty feet (80') or less in height which meet the applicable criteria set forth in Section 26C-325.7.

(k) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses described in Sections 26C-182.

**Section 26C-183. Uses Requiring a Use Permit.**

(a) Sensitive Area Uses:

(1) Permitted uses listed in Section 26C-182 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading, excavation, fill or construction when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(b) Elementary schools, junior high schools, high schools and colleges.

(c) Community centers, libraries, museums, and similar cultural uses.

(d) Government offices and public safety facilities (including law enforcement and fire protection).

(e) Park and recreational facilities, including publicly owned golf courses.

(f) Churches, cemeteries, mausoleums, columbariums, and crematoriums.

(g) Public utility buildings and public service or utility uses, including but not limited to electrical substations receiving more than 100,000 volts, service yards, parking lots, and sewage and wastewater treatment, storage, and disposal facilities.

(h) Administrative offices, vehicle and equipment storage and repair.

(i) Caretaker unit.

(j) Exploration and development of low temperature geothermal resources for other than power development purposes provided that at a minimum it is compatible with surrounding land uses.

(k) Day care center.

(l) Large residential community care facility.

(m) Intermediate and Major Free-standing Commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(n) Non-commercial Telecommunication Facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26C-325.7.

(o) Other non-residential uses of a similar and compatible nature to those uses described in Section 26C-183.

**Section 26C-184. Building Intensity and Development Criteria.**

The use of land and structures within this district is subject to this article, the applicable regulations of this ordinance, and the provisions of any district which is combined herewith. Policies and criteria of the General Plan and ~~any applicable specific or area plan or local~~ Coastal Plan ~~area development guidelines~~ shall supersede the standards herein.

(a) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen (15%) percent of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. There Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

(5) East of Highway 1 and are not visible from designated scenic roads: Thirty-five (35) feet for the main building and fifteen (15) feet for accessory buildings.

(6) Agricultural structures: Thirty-five (35) feet for the main building and fifteen (15) feet for accessory buildings; however, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(8) A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(b) Minimum lot size: Six thousand square feet unless additional area is required by any "B" combining district.

(c) Minimum lot width: The minimum average lot width within each lot is sixty (60) feet.

(d) Maximum lot coverage: Forty percent (40%).

(e) Yard requirements: The following shall apply except that if the subject property adjoins land which is zoned AR or is designated as agricultural land, the use is subject to the requirements of Section 26C-323(f).

(1) Front yard: Not less than twenty (20) feet provided, however, that no structure shall be located closer than forty-five (45) feet to the centerline of any public road, street or highway.

(2) Side yard: Not less than five (5) feet except where the side yard abuts a street in which case such yard shall be the same as the front yard.

(3) Rear yard: Not less than twenty (20) feet.

(4) No garage or carport opening facing the street shall be located less than twenty (20) feet from any exterior property line.

(5) Cornices, eaves, canopies, bay windows, fireplaces, other cantilevered portions of structures, and similar architectural features may extend two (2) feet into any required yard. The maximum length of the projections shall not occupy more than ⅓ of the total length of the wall on which it is located. Uncovered porches, fire escapes, or landing places may extend six (6) feet into any required front or rear yard and three (3) feet into any required side yard.

(6) Where twenty-five percent (25%) or more of the lots on any one 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 Section 26C-184(e)(4).

(7) Accessory buildings may be constructed within the required yards on the rear half of the lot, provided that such building(s) 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 (10) feet to the main buildings on the same or adjacent lots.

(f) Parking requirements: Parking shall be provided in accordance with the standards established in Article 31.

(g) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty (30%) percent, unless no feasible alternate site is available.

(h) Access Dedication.

(1) Each permit must conform to Chapter V access provisions of the Coastal Plan. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(i) Design Review: Permitted uses shall be subject to Design Review in the manner provided in Article _____.

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

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## Article XIX. S - Study District.

**Purpose:** To permit the conduct of studies and hearings by the Planning Commission and Board of Supervisors of the county with a view to the adoption of a zoning ordinance, or amendment or addition thereto, by increasing control over uses during the period necessary for such studies and hearings in order to prevent the establishment of uses which will not be in harmony with the ordinance which may be adopted at the conclusion of such studies and hearings. To that end, S district regulations shall be deemed to be combining in nature, supplementary and in addition to all other zoning regulations which may be applicable to lands when they are placed within an S district. At such time as such studies and hearings have been concluded by the adoption of the zoning ordinance contemplated at the time the S district classification became applicable to the land, such S district classification shall cease to be applicable to the lands embraced within the zoning change effected by the ordinance. Ordinances imposing S district provisions shall have no further force and effect after the expiration of the time limits imposed by Section 65858 of the Government Code of the state or any successor thereto (not more than two (2) years).

### Section 26C-190. Permitted Uses.

The following uses shall be permitted in an S district without obtaining a use permit, unless the ordinance imposing the S district classification specifically provides otherwise:

(a) The erection, construction, moving, alteration or use of one single-family dwelling per lot.

(b) Home occupations.

(c) Accessory buildings and uses clearly incidental to any permitted residential use.

(d) All agricultural uses permitted in Section 26C-90(b) (RR district) and which are also permitted in the base district with which this district is combined.

(e) Agricultural accessory buildings and uses clearly accessory or incidental to any permitted agricultural use, such as barns, stables, and other farm outbuildings.

### Section 26C-191. Uses ~~Permitted with~~ Requiring a Use Permit.

(a) The erection, construction, moving or alteration of any building or structure for any use other than those listed in Section 26C-190.

(b) The use of any land or existing building or structure for any use allowed in the applicable base district other than those listed in Section 26C-190.

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## COASTAL ZONING ORDINANCE

### Article XX. F1 - Floodway Combining District.

**Purpose:** To provide land use regulations for properties situated in floodways, to safeguard against the effects of bank erosion, channel shifts, increased runoff or other threats to life and property and to implement the provisions of the General Plan Public Safety Element. The application of this district shall be based upon data from the Federal Emergency Management Agency. Additional more detailed engineering analysis of flooding, erosion, or other conditions may be necessary so as to prevent property damage and safeguard the health, safety and general welfare of people.

### Section 26C-200. Location, Boundaries.

The F1 district shall be applied to properties which lie within the floodway as shown on the most recent FEMA maps and accompanying report. The boundaries of the floodway as indicated on the zoning maps should be considered approximate.

The provisions of this Article may be waived by the decision making body where it is demonstrated through engineering analysis, field determinations or other appropriate data, that the precise floodway boundary differs from that shown on the FEMA maps, and provided further, that FEMA approval and sign-off is first secured. No use shall be approved within the floodway that will significantly increase the flood hazard or significantly affect the carrying or storage capacity of the floodway.

### Section 26C-201. Uses within Floodway.

All uses allowed within the base district with which this district is combined shall be permitted subject to the provisions of Section 26C-202, except that no new permanent structure nor structure intended for human occupancy shall be permitted within the floodway.

### Section 26C-202. Development Standards for Floodways.

The decision making body shall be guided by the following standards in administering the F1 district:

(a) The placement and type of materials used in bank stabilization shall be complementary to surrounding development and natural conditions and shall not be depreciative of surrounding property values.

(b) Where, in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department or other decision making body, topographic data, engineering studies or other studies are needed to determine the effects of bank erosion on a proposed structure or the effect of the structure, including bank stabilization activities, on the floodway and natural vegetation, the applicant may be required to submit such data.

(c) Temporary structures such as floating docks and moorage facilities may require issuance of a use permit.

(d) Except as specifically allowed in this Article, no building or structure shall be constructed, erected, moved, converted, altered or enlarged in the floodway, nor shall any other condition be allowed which would tend to cause significant stream channel alteration or adversely affect the carrying or storage capacity of a floodway, or otherwise constitute a threat to life and property. Ordinary maintenance and repair of existing non-conforming structures shall be permitted subject to the provisions of Article 35.

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# COASTAL ZONING ORDINANCE

## Article XXI. F2 - Floodplain Combining District.

**Purpose:** To provide for the protection from hazards and damage which may result from flood waters. This district shall be combined with other districts as provided in this chapter.

### Section 26C-210. Location, Boundaries.

The F2 district shall be applied to properties which lie within the 100-year flood hazard area as shown on the most recent FEMA maps and accompanying report. The boundaries of the 100-year floodplain as indicated on the zoning maps should be considered approximate. The provisions of this Article may be waived by the decision making body where it is demonstrated through engineering analysis, field determinations or other appropriate data, that the precise 100-year floodplain boundary differs from that shown on the FEMA maps, and provided further, that FEMA approval and sign-off is first secured.

### Section 26C-211. Uses within Floodplain.

All uses allowed within the base district with which this district is combined shall be permitted subject to the provisions of Section 26C-212.

### Section 26C-212. Development Standards for Floodplains.

The decision making body shall be guided by the following standards, the purpose of which is to prevent the encroachment of flood waters on adjacent properties as well as preventing undue increase in flood heights and danger to life and property within this district and adjoining districts:

(a) Any structure permitted shall be constructed in accordance with the provisions of Chapter 7B of the Sonoma County Code.

(b) Where, in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department, or other decision making body, topographic data, engineering studies or other studies are needed to determine the effects of flooding on a proposed structure, or the effect of the structure on the floodway, the applicant may be required to submit such data or studies prepared by competent engineers or other technicians.

(c) In combining the F2 district with one or more other zoning districts, new residential, commercial and industrial structures will be permitted, if designed, constructed and utilized so that appreciable damage will not occur from the selected flood and provided that such structures comply with the flood protection regulations established in Chapter 7B of the Sonoma County Code. On parcels not being subdivided nor involving more than a one (1) acre development site, the Sonoma County Water Agency will assist applicants for building permits in locating the flood profile levels. Subdivisions will be allowed, provided that all of the area to be subdivided is filled to the elevation of the selected flood profile level prior to platting.

## Article XXII. SR - Scenic Resources Combining District

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**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.

### Section 26C-220. 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.

### Section 26C-221. ~~Community Separators and~~ Scenic Landscape Units.

(a) All structures 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 ridge lines.

(2) Structures shall use natural landforms and existing vegetation to screen them from view from public roads. On exposed sites, screening with native, fire retardant plants may be required.

(3) Cuts and fills are discouraged, and where practical, driveways are screened from public view.

(4) Utilities are placed underground except when such undergrounding would have a more significant effect than an overhead line.

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 Section 26C-221(a), the following standards shall apply to subdivisions within scenic landscape units and included within the SR district unless otherwise provided herein:

(1) Building envelopes shall be established for structures. Use of the 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 26C-320(k) of this Ordinance.

(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) Additional or varied development may be allowed in designated ~~community separators~~ and scenic landscape units in accordance with General Plan Policy~~ies OS-1c and~~ OS-2c, ~~respectively~~.

### Section 26C-222. 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 30 percent of the depth of the lot to a maximum of 200 feet 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 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) Other new structures provided they are subject to design review and

a. they are associated with existing structures;

b. there is no other reasonable location for the structure;

c. the location within the setback is necessary for the use; or

d. existing vegetation and topography screen the use.

(5) Compliance with the setback would render the parcel unbuildable.

(6) Satellite dishes which are not visible from the roadway.

(b) 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.

(c) Where scenic corridor policies of the Coastal Plan are more restrictive than the above requirements, the Coastal Plan policies shall be met.

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Purpose: To protect biotic resource communities including critical habitat areas and riparian corridors for their habitat and environmental value and to implement the provisions of Sections 3.1 and 3.2 of the General Plan Open Space Element.

**Section 26C-230. 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 BR regulations are combined unless otherwise provided herein.

**Section 26C-231. Critical Habitat Area.**

The following provisions shall apply to properties within the BR district which are designated as critical habitat areas on Figures OS-5a through OS-5i, inclusive of the General Plan Open Space Element.

(a) A biotic resource assessment to develop mitigation measures may be required where the ~~Planning~~ Director of the Permit and Resource Management Department determines that a discretionary project could adversely impact a designated critical habitat area.

(b) Building envelopes which avoid critical habitat areas shall be required on tentative maps accompanying major or minor subdivisions.

(c) Building permits shall require a minimum setback of fifty (50 feet) from the edge of any wetlands which are within a designated critical habitat area, with the following exceptions:

(1) Existing farm buildings are exempt and may be expanded or modified, provided that such expansion or modification shall not encroach further into any wetland.

(2) The ~~Planning~~ Director of the Permit and Resource Management Department may waive the setback if, after preparation of a biotic resource assessment, it is determined that either:

a. applying the setback makes an otherwise buildable parcel un-buildable; or

b. the structure is a noncommercial agricultural building and must be located adjacent to an existing farm complex for efficient farm operation.

**Section 26C-232. Riparian Corridors.**

The following provisions shall apply to properties within the BR district which are designated as riparian corridors on Figures OS-5a through OS-5i, inclusive, of the General Plan Open Space Element. These provisions are intended to be protective measures along selected streams which balance the need for agricultural production, urban development, timber and mining operations, and flood control, with preservation of riparian values.

Definitions: Riparian corridors designated in the General Plan are defined as follows for purposes of this Chapter:

1) "Urban Riparian Corridors" include those portions of designated corridors within urban residential, commercial, industrial, or public/quasi-public land use categories.

2) "Russian River Riparian Corridor" includes the corridor adjacent to any part of the Russian River which is neither located within the above urban riparian corridor nor within the jurisdiction of a city.

3) "Flatland Riparian Corridors" include the corridors adjacent to any streams which flow through predominantly flat or very gently sloping land, generally with alluvial soil. This classification excludes areas covered by 1) and 2) above.

4) "Upland Riparian Corridors" include the corridors adjacent to streams not included in the above three categories.

(a) The BR district shall be applied to streamside conservation areas along designated riparian corridors. The outermost boundaries of streamside conservation areas within the BR zoning district as indicated on the zoning maps should be considered approximate in order to allow for parcel specific determinations of the appropriate classification of a riparian corridor as a flatland or upland corridor based upon more detailed analysis of the parcel topography, and for the purpose of this section, shall be measured from the top of the higher bank as determined by the Sonoma County Water Agency, for designated riparian corridors as follows:

(1) Urban riparian corridors - 50'

(2) Russian River riparian corridor - 200'

(3) Flatland riparian corridor - 100'

(4) Upland riparian corridor - 50'

(b) Except as allowed by Section 26C-232(c), structures, roads, utility lines, parking lots, planting of lawns, grading, fill, or excavation shall be prohibited within any streamside conservation area. This prohibition may be waived if

(1) it makes a lot un-buildable and vegetation removal is minimized;

(2) no significant disturbance of riparian habitat would occur; or

(3) the use involves only the maintenance, restoration or minor expansion of an existing structure.

The ~~Planning~~ Director of the Permit and Resource Management Department may require a biotic resource assessment prior to waiver of this prohibition so that any potentially significant adverse effects on riparian habitat can be avoided or mitigated.

(c) The following uses where allowed by the "base" district with which this district is combined shall be considered within any streamside conservation area. Such uses are also subject to the requirements of the base district:

(1) Timber operations conducted in accordance with an approved timber harvest plan.

(2) Streamside maintenance carried out by or under the authorization of responsible flood control agencies or pursuant to a permit issued by said responsible agencies.

(3) Road crossings and street crossings, utility line crossings.

(4) Mining operations conducted in accordance with the County Surface Mining and Reclamation Ordinance.

(5) Permitted summer dams.

(6) Grazing and similar agricultural production activities not involving structures or cultivation, except as defined by (7) below.

(7) Agricultural cultivation:

a. Located no closer than 100' from the top of the bank in the "Russian River Riparian Corridor."

b. Located no closer than 50' from the top of the bank in "flatland riparian corridors."

c. Located no closer than 25' from the top of the bank in "upland riparian corridors."

d. The setbacks of (7)a., b., and c. above may be reduced through the use permit process or through a plan approved by the ~~Planning~~ Director of the Permit and Resource Management Department provided the owner includes appropriate mitigations for potential erosion, bank stabilization and biotic impacts.

(8) Selective vegetation removal as part of an integrated pest management program administered by the Agricultural Commissioner.

(9) Creekside bikeways, trails and parks within urban riparian corridors.

(10) Development authorized by waiver under Section 26C-232(b).

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## Article XXIV. HD - Historic Combining District.

**Purpose:** To protect those structures, sites, and areas that are remainders of past eras, events and persons important in local, state, or national history, or which provide significant examples of architectural styles of the past, or which are unique and irreplaceable assets to the County and its communities.

### Section 26C-240. Designation of Historic Structures and Historic Districts.

Pursuant to the normal zoning procedures:

(a) An individual structure or an integrated group of structures on a single lot or lots having a special historical, architectural or aesthetic interest or value as a historic structure may be designated; and

(b) An area having special historical, architectural, or aesthetic interest or value as a historic district may be designated. Before creating a historic district the advice of local citizens and committees may be sought.

### Section 26C-241. Alterations of Designated Historic Structures and New Construction within a Historic District.

No zoning permit authorizing alterations (including demolition) in the exterior of a structure within the boundaries of a historic district and no zoning permits authorizing construction of a new building within the boundaries of a historic district shall be granted unless approval has been granted by the County Landmarks Commission. In all cases where the request for a zoning permit involves demolition alone, however, the County Landmarks Commission shall take action on such request within six months of the date of application for the permit. It is not intended by this ordinance to grant the County Landmarks Commission jurisdiction over zoning or use permit matters other than in the area of design review.

### Section 26C-242. Standards Governing Decisions of County Landmarks Commission.

In determining whether to approve or to disapprove an application for a zoning permit required by Section 26C-241, the County Landmarks Commission shall apply the standards

(a) described in the purpose of this article, and

(b) such additional standards as may be specifically delineated upon the particular sectional district map establishing the historic zoning district for a particular area.

### Section 26C-243. Appeal to Planning Commission and/or Board of Supervisors.

Any interested person(s) may appeal the decision of the County Landmarks Commission under this Article to the Sonoma County Planning Commission in the manner required by Section 26C-331.

Any interested person(s) may appeal the decision of the Planning Commission under this Article to the Sonoma County Board of Supervisors in the manner required by Section 26C-331.

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## Article XXV. G - Geologic Hazard Area Combining District

**Purpose:** To reduce unnecessary exposure of people and property to risks of damage or injury from earthquakes, landslides and other geologic hazards in the Alquist-Priolo Special Studies Zone and to implement the provisions of Section 2.3 of the General Plan Public Safety Element.

### Section 26C-250. Location, Boundaries.

The G district may be applied to properties which are located within the Alquist-Priolo Special Studies Zone.

### Section 26C-251. Permitted Uses.

All uses permitted within the respective district with which the G district is combined shall be permitted, except that no structure intended for human occupancy or otherwise defined as a "project" in the Alquist-Priolo Special Studies Zone Act, shall be permitted to be placed across the trace of an active fault or within fifty (50) feet of the surface trace of any fault.

### Section 26C-252. Geologic Reports Required.

Geologic reports shall be required for development of properties within the G district and shall describe the hazards and shall include mitigation measures to reduce risks to acceptable levels.

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**Purpose:** To conserve and protect land that is necessary for future mineral resource production. The MR district is intended to be applied only where consistent with the Aggregate Resources Management Plan and combined with base zoning within the General Plan's Land Intensive Agriculture, Land Extensive Agriculture, Diverse Agriculture and Resources and Rural Development land use categories. This zone allows mining with the issuance of a surface mining use permit and the approval of a reclamation plan, but restricts residential and other incompatible uses. Its uses supersede those allowed in the applicable base district.

**Section 26C-260. Permitted Uses, Subject to Site Development & Erosion Control Standards.**

The following uses are permitted except within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan in which case a use permit is required. All clearing of vegetation, grading, excavation, fill or construction in association with these uses shall conform to the Site Development and Erosion Control Standards.

(a) Resource Management Uses:

(1) Geotechnical studies involving no grading or construction of new roads or pads.

(2) Timber management including planting, raising, and harvesting of trees and logs for lumber or fuel woods subject to requirements of California Department of Forestry, and Fire Protection.

(3) Raising, grazing, maintaining and breeding of horses, cattle, sheep, goats and similar animals.

(4) The outdoor growing and harvesting of plants, flowers, fruits, vegetables, shrubs, vines, trees, hay, grain and other similar food and fiber crops Except as noted below, agricultural cultivation shall not be permitted in the following areas:

a. Within 100' from the top of the bank in the "Russian River Riparian Corridor".

b. Within 50' from the top of the bank in designated "flatland riparian corridors".

c. Within 25' from the top of the bank on designated "upland riparian corridors".

Agricultural cultivation may be allowed in a. - c. above upon approval of a management plan which includes appropriate mitigation for potential erosion, bank stabilization, and biotic impacts. This plan may be approved by the ~~Planning~~ Director of the Permit and Resource Management Department or by use permit pursuant to Section 26C-261(b)(8).

(5) The indoor growing and harvesting of shrubs, vines, trees, hay, grain and similar food and fiber crops provided that the greenhouse or similar structure for indoor growing is less than 800 square feet.

(6) Incidental cleaning, grading, packing, polishing, sizing or similar preparation of crops which are grown on the site but not including agricultural processing.

(7) Temporary or seasonal sales and promotion, and incidental storage of crops or fuel woods which are grown on the site.

(8) Temporary or seasonal sales and promotion of livestock which have been raised on the site.

(9) Beekeeping.

(b) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses listed in Section 26C-260.

**Section 26C-261. Uses ~~Permitted With~~ Requiring a Use Permit.**

(a) Sensitive Area Uses:

(1) Permitted uses listed in Section 26C-260 when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(2) Any clearing of vegetation, grading, excavation, fill or construction when located within a sensitive area, riparian corridor, critical habitat area, or unique feature designated in the General Plan or Coastal Plan.

(b) Resource Management Uses:

(1) Mineral extraction and production as described below. In addition to meeting the requirements of this chapter, every use permit issued hereunder shall meet the requirements for a surface mining permit under the surface mining and reclamation ordinance, chapter 26A of the Sonoma County Code and as such, when approved, shall constitute the surface mining permit required by Chapter 26A-3.

a. Hardrock quarry operations; defined as processed or crushed rock operations which entail the extraction, stockpiling, processing and sale of bedrock geologic deposits.

1. Asphalt batch plants incidental to hardrock quarries.

2. Cement concrete batch plants incidental to hardrock quarries.

3. Equipment storage yards incidental to resource management, including packing, repairing and storage of equipment so used.

4. Accessory structures, offices, or other uses incidental to hardrock quarry operations.

b. River terrace operations, defined as sand and gravel operations which entail the extraction, stockpiling, processing and sale of sand and gravel from terrace floodplain deposits.

1. Sand and gravel operations which entail the extraction, stockpiling, processing and sale of sand, gravel, over- burden, and topsoil.

2. Equipment storage yards incidental to resource management, including parking, repairing and storage of equipment so used.

3. Accessory structures, offices or other uses incidental to river terrace operations.

c. Instream operations; defined as sand and gravel operations which entail the extraction and sale of sand, gravel, and overburden from streams and rivers. Processing shall be limited to the removal and placement of oversized (+3") particles.

(2) The raising, feeding, maintaining, and breeding of poultry, fowl, rabbits, fur-bearing animals, or animals such as veal calves, pigs, hogs, and the like, which are continuously confined in and around barns, corrals and similar areas for other than domestic purposes. Incidental processing of such animals which are raised on site. This subsection shall not be interpreted so as to require a use permit for animals allowed by Section 26C-260(a).

(3) Geotechnical studies which involve grading or construction of new roads or pads.

(4) Commercial harvesting and sales of off-site fuel woods not subject to the requirement of the California Department of Forestry and Fire Protection.

(5) Controlled burns undertaken for purposes of fuel load management and wildlife habitat enhancement.

(6) Oil and gas wells.

(7) Water conservation dams and ponds.

(8) Agricultural cultivation in the following areas, for which a management plan has not been approved pursuant to Section 26C-260(a)(4).

a. Within 100' from the top of the bank in the "Russian River Riparian Corridor".

b. Within 50' from the top of the bank in designated "flatland riparian corridors".

c. Within 25' from the top of the bank on designated "upland riparian corridors".

(c) Other Uses:

(1) Unpaved private landing strips.

(2) Accessory structures, or uses incidental and appurtenant to any use for which a use permit has been granted or is required.

(3) Minor public utility buildings and public service or utility uses (transmission and distribution lines excepted) including, but not limited to, reservoirs, storage tanks, pumping stations, telephone exchanges, small power and transformer stations, fire and police stations and training centers, service yards, and parking lots which, at a minimum, meet the criteria of General Plan Policy PF-2s and which are otherwise exempt by State law.

(4) Game preserves and refuges.

(d) Other non-residential uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar and compatible nature to those uses listed in Section 26C-261.

**Section 26C-262. Permitted Residential Density and Development Criteria.**

The use of land and structures within this district is subject to this article and the applicable regulations of this ordinance. Policies and criteria of the General Plan and any applicable specific or area plan or local area development guidelines shall supersede the standards herein.

(a) Density: Residential density shall be as shown in the General Plan land use element, or that density permitted by a "B" combining district, whichever is more restrictive. There shall be no minimum lot size for inclusion into the "MR" district.

(b) Minimum yard requirements for uses other than mineral extraction and production:

(1) Front yard required: Ten percent (10%) of the depth of the lot, but not more than 100 feet nor less than thirty (30) feet.

(2) Side yard required: Ten percent (10%) of the width of the lot, but not more than fifty (50) feet.

(3) Rear yard required: Fifty (50) feet.

(c) Height limits: Height for all structures is measured as the vertical distance from the average level of the highest and lowest point of that portion of the lot at natural grade covered by the building to the topmost point of the roof.

(1) West of Highway 1: Residential height limits are sixteen (16) feet. Commercial height limits are twenty-four (24) feet.

(2) Bodega Bay Core Area residential: Sixteen (16) foot height limit except that in major developments up to fifteen (15%) percent of the units may exceed the height limit.

(3) East of Highway 1 in the Sereno Del Mar Subdivision: Residential height limits are sixteen (16) feet. The Sereno Del Mar Architectural Review Committee may grant a higher structure to a maximum of 24 feet in accordance with subsection (7) below.

(4) East of Highway 1 and visible from designated scenic roads: Residential and commercial height limits are twenty-four (24) feet.

(5) East of Highway 1 and are not visible from designated scenic roads: Fifty (50) feet.

(6) Agricultural structures: Fifty (50) feet; however, structures shall not obstruct views of the shoreline from coastal roads, vista points, recreation areas, and beaches; and structures shall be sited to minimize visual impacts.

(7) An increase in height for residential structures west of Highway 1, up to a maximum of 24 feet, may be approved if the appropriate review body finds that the structure is no higher than 16 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

An increase in height for structures east of Highway 1 up to a maximum of 35 feet may be considered if the appropriate review body finds that the structure is no higher than 24 feet above the corridor route grade directly across from the building site, will not block coast views from the corridor route or neighboring properties and is compatible with community character.

Where these requirements conflict with the height, site, and bulk criteria in Appendix B (Bane Bill) of the Coastal Plan, for those properties listed, the requirements of Appendix B shall be followed.

(8) A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

(d) Parking requirements:

(1) On-site parking shall be screened where practical from view from public roadways by natural vegetation, landscaping, natural topography, fencing or structures.

(2) On-site parking shall not block emergency vehicle accessways and turnarounds.

(e) Environmental and Hazards Requirements.

(1) Environmental Protection and Hazards recommendations contained in the Coastal Plan, chapter 3, and land use recommendations 20 and 21, chapter 7, shall be applied to development projects within or affecting identified "Potentially Sensitive", "Conservation", "Sanctuary Preservation", and "Geologically Unstable" areas on Open Space and Hazards maps.

(2) All development shall be subject to Site Development and Erosion Control Standards. These standards are to be used as the minimum standards for development in the Coastal Zone. Where both these standards and the policies of the Coastal Plan apply to a development, the policies of the

Coastal Plan shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

(3) No development or grading shall occur on slopes greater than thirty (30%) percent, unless no feasible alternate site is available.

(f) Access Dedication.

(1) Each permit must conform to Chapter V access provisions. An offer of dedication is required if an accessway is shown on the property in the access plan. Consult Chapter V in the Coastal Plan for a description of each accessway and procedural requirements for dedication. In addition, existing prescriptive rights must be protected even if no accessway is shown in the access plan.

(2) Two types of access may be required: Lateral and/or vertical.

a. Lateral access refers to access paralleling the water's edge, either on the beach or the bluff. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory, unless the project has no direct or cumulative impact on the availability of public access to the coast. When there is a bluff, beach access to the toe of the bluff should be dedicated. If not, a twenty-five (25) foot wide accessway should be dedicated. If a bluff top trail is shown in the access plan, a bluff top easement dedication shall be required to be described as an area beginning at the bluff edge extending approximately twenty-five (25) feet inland. In no case shall the dedicated easement be required to be closer than ten (10) feet to a residential structure.

b. Vertical access dedications are necessary to provide access from the public roadway to the shoreline. A corridor easement should be a minimum of fifteen (15) feet in width with slope easements plus the additional area necessary for the placements of improvements.

(g) Design Requirements:

(1) All new development shall conform with coastal plan visual resource recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories included in the Coastal Administrative Manual, or subsequently approved area design guidelines.

(2) Design Review to be required in accordance with the procedures described on the Review Process Final View Rating Maps on file in the Permit and Resource Management Department and incorporated by reference.

(3) New extensions of utility distribution lines shall be undergrounded, except when such undergrounding would have a more significant environmental effect than an overhead line.

## Article XXVII. Z - Second Unit Exclusion Combining District.

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**Purpose:** The purpose of this district is to provide for the exclusion of second 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 second units would contribute to existing traffic hazards or increase the burden on heavily impacted streets, roads or highways; and

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

### Section 26C-270. 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 a second unit otherwise authorized by the applicable base district and Section 26C-325.1.

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

**Section 26C-280. Generally.**

The following regulations shall apply to the respective B districts:

| Combining District: | Requirements: |
|---|---|
| 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:<br>1. The property is designated "Rural Residential" on the general plan land use map, but is subject to a Williamson Act contract.<br>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.<br>3. The property is subject to a ~~Specific Plan or Area Plan~~ Coastal Plan policy where the County intends to limit urban development for the reasons set forth in that plan.<br>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. |

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**Purpose:** In order to carry out the objectives of this chapter and to protect values, plans for new or altered uses, structures and land divisions in certain zoning districts shall be reviewed by the ~~Planning~~ Director of the Permit and Resource Management Department or his appointed design review committee. The intent of this article is not to stifle individual initiative, but to set forth the minimums necessary to achieve a healthful community whose property values are protected from unplanned developments.

**Section 26C-290. Preliminary Development Plan Requirements.**

All development shall be planned as a unit. Applications for design review approval shall be accompanied by a development plan, including the entire parcel or parcels to be developed.

Approval of the preliminary development plan shall concentrate on the general acceptability of land uses, open space configuration, conformity to the General Plan ~~or area land use plans~~ and Coastal Plan, specific uses and densities proposed and their interrelationships and relationship to the surroundings. The preliminary development plan application shall include the following:

(a) Proposed land uses, showing general location of open space, building areas and specific uses.

(b) The proposed maximum density for residential uses measured in units per gross acre.

(c) The type and location of proposed major public facilities.

(d) Topography at intervals determined by the ~~Planning~~ Director of the Permit and Resource Management Department.

(e) A tabulations of the total land area and percentage thereof designated for various uses.

(f) General circulation pattern indicating both public and private vehicular and pedestrian ways, including trail systems where proposed.

(g) Relationships of present and future land uses to the surrounding area and any adopted General Plan, specific plan, or area land use plan.

(h) A statement of provisions for ultimate ownership and maintenance of all parts of the development, including streets, structures and open space.

(i) A preliminary report indicating provisions for storm drainage, sewage, disposal, grading and public utilities.

(j) Delineation of development staging, if any.

(k) Significant natural features such as trees, rock outcroppings and bodies of water.

(l) Existing man-made features and areas where natural materials are to be deposited and removed.

(m) Methods of preventing soil erosion or slippage.

(n) Any other data deemed necessary by the ~~Planning~~ Director of the Permit and Resource Management Department.

**Section 26C-291. Final Development Plans.**

Before a building permit or a zoning permit may be issued for any zoning district in which this section is applicable, final plans of development shall be approved by the ~~Planning~~ Director of the Permit and Resource Management

Department. Such final development plans shall include a plot plan and elevations drawn to a workable scale, depicting the following:

(a) Topography, significant natural features and trees.

(b) Location and design of buildings and structures including materials to be used.

(c) Location and type of landscaping, irrigation and its relationship to open spaces and existing vegetation, and any adopted County low-water use regulations.

(d) Location and design of off-street parking and loading facilities, and any required public roadway improvements.

(e) Location and type of fences and walls.

(f) Location of trash storage areas.

(g) Location and design of signs and exterior night lighting.

(h) Grading plans as necessary to meet the requirements of the Sonoma County Tree Protection Ordinance.

(i) Any other data deemed necessary by the ~~Planning~~ Director of the Permit and Resource Management Department.

In the case of a development of a group of commonly designed building, the ~~Planning~~ Director of the Permit and Resource Management Department may limit his review to typical elevations.

**Section 26C-292. General Development Standards.**

(a) Proposed structures are designed and situated so as to retain and blend with natural vegetation and land forms of the site and to ensure adequate space for light and air to itself and adjacent properties;

(b) Where grading is necessary for the construction of structures and paved areas, it blends with adjacent land forms through the use of contour grading rather than harsh cutting or terracing of the site and does not create problems of drainage or erosion on its site or adjacent property;

(c) Streams and other natural drainage systems are not altered so as to affect their character and thereby causing problems of drainage, erosion or flooding;

(d) Structures are located outside flood zones, drainage channels, and other areas subject to inundation;

(e) Trees and other vegetative land cover are removed only where necessary for the construction of structures or paved areas in order to reduce erosion and impacts on natural drainage channels and maintain surface runoff at acceptable levels;

(f) A smooth transition is maintained between development and adjacent open areas through the use of natural landscaping and plant materials which are native or appropriate to the area;

(g) Views are protected by the height and location of structures and through the selective pruning or removal of trees and vegetative matter at the end of view corridors;

(h) Structures are set back from the edge of bluffs and cliffs to protect views from scenic areas below;

(i) Varying architectural styles are made compatible through the use of similar materials and colors which blend with the natural setting and surrounding neighborhood;

(j) The design of the structure is appropriate to the use of the property and is in harmony with the shape, size and scale of adjacent buildings in the community;

(k) Overhead utility lines are placed underground where appropriate to reduce the visual impact in open and scenic areas.

(l) The number, location, size, design, lighting, materials, and use of colors in signs are compatible with the architectural style of the structure they identify and harmonize with their surroundings;

(m) Paved areas are integrated into the site, relate to their structure, and are landscaped to reduce visual impact from residential areas from roadways.

(n) The orientation of building sites shall be such as to maintain maximum natural topography and cover.

(o) The design of buildings, fences and other structures shall be evaluated on the basis of harmony with site characteristics and nearby buildings, including historic structures, in regard to height, texture, color, roof characteristics and setback.

(p) Streets shall be designed and located in such a manner as to maintain and preserve mutual topography, cover, significant landmarks and trees; to necessitate minimum cut and fill; and to preserve and enhance views and vistas on or off the subject parcel.

(q) Horticultural ground covers and other surfacing shall be used to prevent dust and erosion where natural vegetation and ground cover is disturbed or removed.

(r) All refuse collection areas shall be enclosed on all sides unless, by nature of the building design, the trash areas are obscured from the adjacent properties and from vehicular and pedestrian traffic. Refuse enclosures shall be of six-foot height with adequate access for refuse vehicles.

(s) Where non-residential or high-density residential areas are adjacent to low-density residential areas (R1), the ~~Planning~~ Director of the Permit and Resource Management Department may require six- foot screening in the form of a wall or landscape planting; except, that screen shall be reduced to three (3) feet if within or abutting a required front setback. the height limit may be modified where, because of differences in ground elevation, the purposes of this section would be better met. The precise location and type of screening shall be determined by the ~~Planning~~ Director of the Permit and Resource Management Department.

(t) The color, size, height, lighting and landscaping of "appurtenant" signs and structures shall be elevated for compatibility with local architectural motif and the maintenance of view and vistas of natural landscapes, recognized historic landmarks, urban parks or landscaping.

(u) A complete system of underground utilities shall be provided in accordance with Public Utility Commission regulations.

(v) All mechanical or air-conditioning apparatus shall be screened from view and baffled for sound.

(w) Each unit of development, as well as the total development, shall create an environment of desirability and stability. Every structure, when completed and in place, shall have a finished appearance.

(x) A minimum of eight percent (8%) of all parking lot areas where more than ten (10) parking spaces are provided shall be landscaped. The landscaping shall be uniformly distributed and provision shall be made for its perpetual maintenance.

(y) The parking layout shall conform to the dimensions on Exhibit 'A'. ~~the following diagram.~~ Where two-way traffic is desired, aisle widths shall be a minimum of twenty (20) feet, except where item F of the diagram requires a greater width. The ~~Planning~~ Director of the Permit and Resource Management Department may modify the layout provided the goals of this chapter are achieved. Such modifications may include, but are

not limited to parking at other angles than indicated, a combination of parking angles or a herringbone pattern.

(z) Circulation within a parking area shall be such that:

(1) A car entering the parking area need not enter a street to reach another side.

(2) Except for parking areas accommodating three (3) or fewer vehicles, a car entering a street or highway can do so by traveling in a forward direction.

(aa) All lighting in parking areas shall be arranged to prevent director glare or illumination onto adjacent properties.

(bb) Off-street parking areas and driveways, exclusive of required landscaping, shall be surfaced with materials approved by the ~~Planning~~ Director of the Permit and Resource Management Department. Paved parking areas shall be painted with lines showing parking spaces and with directional arrows, showing traffic movements.

(cc) Required residential covered off-street parking facilities shall be located on the premises they are intended to serve, and shall not extend into a required front yard or any other required yard abutting a street.

(dd) Off-street parking for other than residential uses shall be on the premises they are intended to serve or within three hundred (300) feet thereof. Where parking is provided on sites other than that of the use, a parking easement stipulating to the permanent reservation of the use of the site for parking, shall be recorded with the county recorder and filed with the Building Inspector and ~~Planning~~ Director of the Permit and Resource Management Department prior to the issuance of building or zoning permits.

**Section 26C-293. Approval of Building Permits, Zoning Permits, and Land Use; Status of Approved Preliminary and Final Development Plan(s), and Improvement Agreements.**

(a) Compliance. No building permit, zoning permit nor land use approval shall be issued in any zoning district where Article 29 is applicable until the preliminary and final development plan(s) have been approved by the ~~Planning~~ Director of the Permit and Resource Management Department or other applicable decision making body.

The ~~Planning~~ Permit and Resource Management Department shall not authorize final building inspection or any level of occupancy of the building(s) until satisfied that: all on-site improvements shown on the grading and utility drawings are installed or bonded for in accordance with the site plan approved by the Design Review Committee; the buildings are constructed in accordance with the illustrative building elevation drawings, material samples and color samples approved by the Design Review Committee; the landscaping and landscape irrigation system are installed or bonded for in accordance with the drawings approved by the Design Review Board and that all conditions of approval are met.

(b) Expiration. The preliminary development plan shall expire two (2) years from the date of approval or for such additional period as may be specified at the time of such approval unless design review approval of final development plans for all or part of the preliminary development plan area is obtained. In order to obtain final development plan approval, the preliminary development plan may be extended for one additional year upon written request and approval by the ~~Planning~~ Director of the Permit and Resource Management Department.

The final development plan shall expire two years after approval unless project construction has commenced within said two (2) year period. The final development plan may be extended for one additional year upon written request and approval by the authority which granted the original approval.

(c) Improvement Agreements:

(1) If the improvement works required as a condition of an approval of a project by the Design Review Committee are not satisfactorily completed before the issuance of a building permit(s) the owner(s)

of the property shall, prior to the issuance of such permit(s), enter into an agreement with County, agreeing to have the work completed within the time required, and specifying that should such work not be satisfactorily completed within the time limit, in addition to any other remedies it may have, the County may complete all specified improvements and be completely reimbursed for such improvements by the owner of the property. For purposes of this section, "improvement works" shall mean those landscape, street, and drainage improvements required as a condition of design review. Any such improvement agreement shall be approved as to form by the County Counsel and shall include, but not be limited to:

a. Construction of all improvements works per the approved plans; provided, however, that the development shall not be obligated to complete design review improvements in the event the developer elects not to construct the underlying project.

b. Completion of improvements within one year from approval of design review. This completion date may be extended by the county as provided in this Chapter.

c. Warranty by developer that construction of on-site drainage improvements will not adversely affect any portion of adjacent properties.

d. Payment of inspection fees in accordance with the County's established fees and charges.

e. Improvement security.

f. Maintenance and repair of any defects or failures and causes thereof.

g. Release and indemnification of the County from all liability incurred as a result of construction associated with the development and payment of all reasonable attorney's fees that the County may incur because of any legal action arising as a result of construction associated with the development.

h. Registered civil engineer's, architect's, or landscape architect's written verification to the County, based upon field inspection, that landscaping, private road, and drainage improvements located on the property and subject to the agreement have been constructed in substantial conformance with approved plans.

(2) Modification of Improvement Agreements. Improvement Agreements may be modified to reduce the amount of security in recognition of the partial completion of improvements, and to allow changes to improvement plans as approved by the Design Review Committee as specified under the terms of an existing agreement. All modifications of improvement agreements shall be at the discretion of the County of Sonoma, upon written request by the developer. In consideration of a modification to reduce the amount of security, the following will be required:

a. Engineer's, architect's, landscape architect's, or licensed contractor's written verification to the County that the partially constructed landscaping, private road and drainage improvements located on the property and subject to the agreement have been completed in substantial conformance with approved plans.

b. Revised improvement construction estimate to reflect current improvement costs as approved by the responsible department.

c. Revised improvement securities in accordance with revised construction cost estimates.

d. A fee shall be paid to the County to cover the actual costs for processing the modification.

(3) Extension of Improvement Agreements. The completion date for any improvements to be constructed under an improvement agreement may be extended by the County of Sonoma upon written request

by the developer and the submittal of evidence to justify such extension. The request shall be made not less than thirty (30) days prior to the expiration of the improvement agreement. Any such extension shall be authorized in writing by the County. Any request for extension, at the discretion of the County, may be denied. In consideration of the extension, the following will be required:

a. In those cases where construction has not commenced, revision of the improvement plan to provide the current design and construction standards required by the responsible department.

b. Revised improvement construction estimate to reflect current improvement costs as approved by the responsible department.

c. Increase of improvement securities in accordance with revised construction estimates.

d. Increase in any inspection fees to reflect current fees.

e. The Design Review Committee may impose additional requirements it may deem necessary as a condition to approving any time extension for the completion of improvements.

f. A fee shall be paid to the County to cover the actual costs for processing the extension.

(4) Amount of Security to Accompany Improvement Agreement. Applicant/developer shall, prior to County's execution of the Design Review Agreement, deliver to County the following security in a form satisfactory to the County Counsel:

a. Either a cash deposit, a corporate surety bond, or an instrument of credit sufficient to assure County that the improvement work approved by the County will be satisfactorily completed. Nothing contained in this section shall be construed to require duplicate security for improvements for which the County, as principal obligee, is already holding security.

b. If required by County, a cash deposit, corporate surety bond, or instrument of credit sufficient to assure County that wet weather construction mitigation measures will be constructed in accordance with the approved plan.

(5) Release of Improvement Securities. The performance security for dedicated improvements shall be released only upon acceptance of the improvements by the County and, if required as a condition of design review, approved warranty security has been filed with the County. The performance security for other improvements shall be released only upon satisfactory passage of final inspection by the County. Additional, with respect to improvements which will not be dedicated and accepted by the County, the applicant/developer shall comply with Section 3093 of the Civil Code and deliver forthwith to the ~~Planning~~ Director of the Permit and Resource Management Department or the Directors' appointed designee, a copy of the notice of completion and the engineer's, architect's, or licensed landscape architect's written verification based upon field inspection of satisfactory completion as required for the landscaping, private road and drainage improvements; and, if required as a condition of design review, shall deliver to the County any required maintenance and/or warranty agreements and security, prior to the release of the Performance Security.

(6) Delegation to Approve Improvement Agreements. Where the Board of Supervisors has, by resolution, adopted a standard form design review agreement which conforms to the requirements of this section, the ~~Planning~~ Director of the Permit and Resource Management Department is authorized to execute such agreements and accept security therefore on behalf of the County, including any extensions or minor modification thereto which are consistent with this section.

(7) The ~~Planning~~ Director of the Permit and Resource Management Department may waive the requirement for an improvement agreement and securities on landscape and irrigation improvements when found appropriate and the applicant enters into an agreement with the County to hold

occupancy on the project pending completion of all required improvements. In considering such a waiver, the ~~Planning~~ Director of the Permit and Resource Management Department shall review the scale of the project, visibility of the project from adjacent roads and properties, and demonstrated prior performance of the applicant.

**Section 26C-294. Design Review Requirement.**

(a) No permit shall be issued for any project requiring Design Review approval unless and until drawings and plans have been approved by the Design Review Committee or other applicable decision making body as the case may be. All buildings, structures, and grounds shall be developed in accordance with the approved drawings and plans.

(b) The Design Review Committee, composed of three (3) members appointed by the ~~Planning~~ Director of the Permit and Resource Management Department, shall be responsible for and shall have the authority to approve drawings and plans within the meaning of this section. The Committee, or other applicable decision making body as the case may be, shall endeavor to provide that the architectural and general appearance of buildings or structures and grounds are in keeping with the character of the neighborhood and are not detrimental to the orderly and harmonious development of the County and do not impair the desirability of investment or occupation in the neighborhood.

(c) The ~~Planning~~ Director of the Permit and Resource Management Department may waive the above requirement for Design Review Committee approval of a project in the following instances. In such cases, Administrative Design Review approval shall be required as described in (d) below.

(1) New commercial, institutional or industrial uses permitted by zoning in existing buildings or uses that have been previously authorized by use permit or Design Review approval. Approval shall be based on a review of the property to assure compliance with the terms and conditions of the original authorization of the use. Additional conditions may be required to implement the objectives of the Sonoma County General Plan, Coastal Plan, or ~~applicable Specific or Area Plans; any local area development guidelines and~~ the Sonoma County Code.

(2) Signs for residential, commercial, industrial and institutional uses permitted by this chapter, for which a sign program has been approved, or for appurtenant signs less than 32 square feet, which are not located along a designated scenic corridor.

(3) **Minor facade changes or building additions** for residential, institutional, commercial and industrial uses not requiring use permit approval or for such uses for which a use permit has been granted, if such changes or additions involve **less than 20% of the existing floor area**, do not exceed **5,000 square feet** and are exempt from the provisions of the California Environmental Quality Act.

(4) Fruit and produce stands (If exempt from CEQA).

(5) Bed and Breakfast Inns (subsequent to use permit approval).

(6) Any other project requiring Design Review approval as specified in this chapter which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department based on the small scale and the nature of the development should qualify for administrative design review. In the Coastal Zone, the waiver of design review shall also be subject to the following criteria:

a. Requirements and concerns of other responsible public agencies are met.

b. The immediate neighbors are not ill affected.

c. The requirements of the California Environmental Quality Act of 1970 are fully complied with.

d. The proposed use or activity is of such an intensity that no discernable public purpose would be served by requiring a permit.

e. That applicable performance standards are met.

(d) Administrative Design Review approval shall consist of a formal written waiver specifying conditions, if any. Copies of the written waiver will be distributed to the applicant and any interested persons. The administrative determination is appealable to the Design Review Committee within 10 calendar days following the mailing date of the report. An appeal is made by filing the appropriate application and required fees with the County ~~Planning~~ Permit and Resource Management Department.

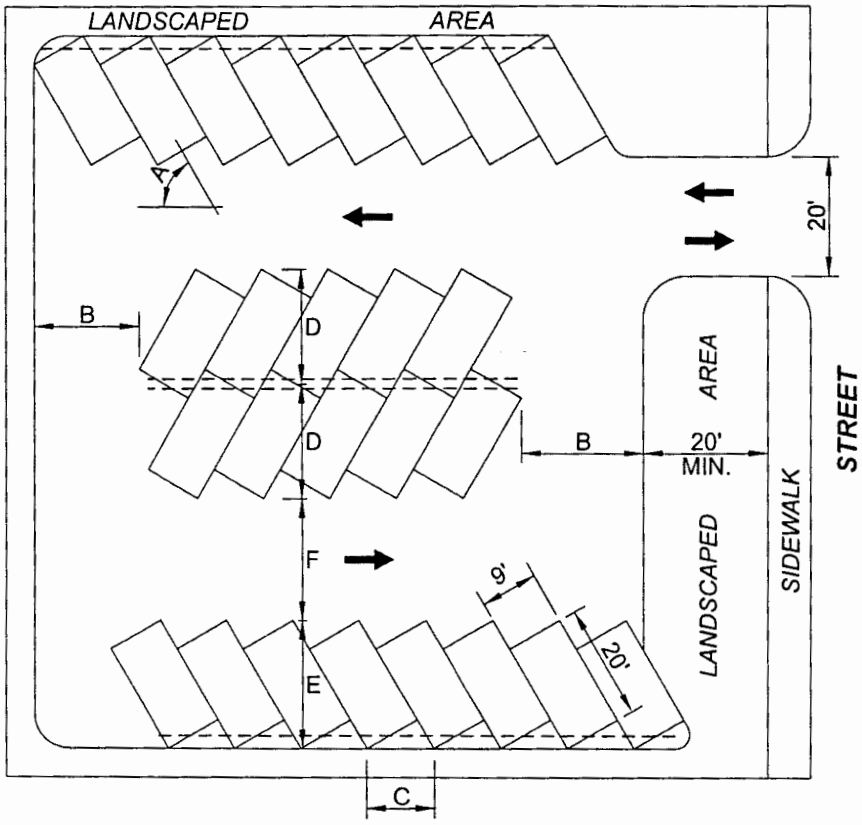
(e) In case the applicant is not satisfied with the decision of the Design Review Committee, he may within ten (10) days after such action appeal in writing to the Planning Commission. The Design Review Committee may, if it deems it advisable, refer any application for design review approval to the Planning Commission for its decision.

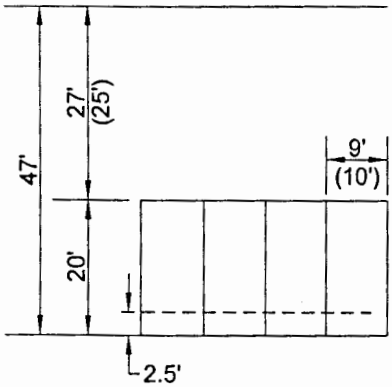
In case the applicant is not satisfied with the action of the Planning Commission, he may within 10 days appeal in writing to the Board of Supervisors.

# OFF-STREET PARKING DESIGN STANDARDS

## SONOMA COUNTY PERMIT & RESOURCE MANAGEMENT DEPARTMENT

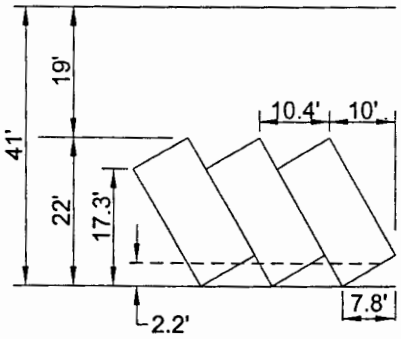
EXHIBIT A




**90° PARKING**

NOTE: Alternate dimensions ( ), for residential use or where desired.

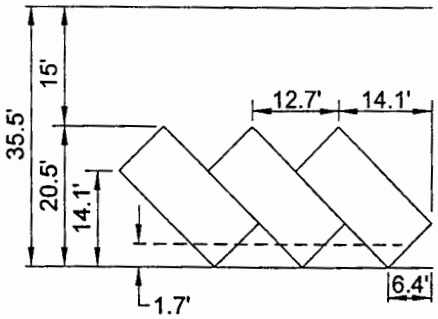



**60° PARKING**

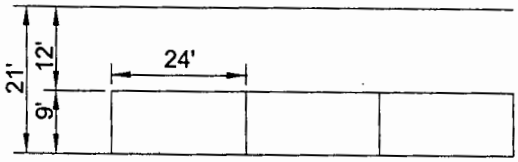
**DIMENSION TABLE**

| PARKING ANGLE | A | 30° | 45° | 60° | 90° |
|---|---|---|---|---|---|
| TURNAROUND | B | | 17' | 14' | 14' |
| CURB LENGTH | C | 18' | 12.7' | 10.4' | 9' |
| STALL DEPTH | D | 16.5' | 18.8' | 19.6' | 20' |
| STALL DEPTH | E | 17.8' | 20.5' | 21.8' | 20' |
| DRIVEWAY | F | 13' | 15' | 19' | 27' |

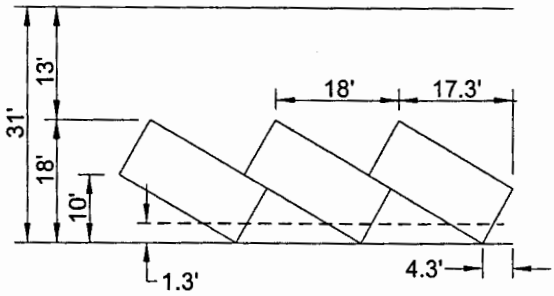
NOTE:
Parking stalls shall be 9' x 20'.
Compact stalls shall be 8' x 16'.
Handicap stalls shall be 12' x 20'.
Loading stalls shall be 12' x 40' with a 14'. min. height.




**45° PARKING**




**PARALLEL PARKING**




**30° PARKING**



DRAFT-7/00

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## Article XXX. Sign Regulations.

**Purpose:** To insure the stability and safeguarding of property values; to protect the investments, both public and private, in buildings and land; to preserve and improve the appearance of the county as a place to live and work; to encourage sound signing practices as an aid to business and for the information of the public; to prevent excessive and abusive signing; to reduce hazards and confusion to motorists and pedestrians; and to promote the public health, safety and general welfare.

### Section 26C-300. General Sign Provisions.

(a) The provisions established by this Section shall apply to signs in all base zoning districts. Signs shall further be regulated by additional provisions which may be set forth in other Sections of this Chapter. In addition, policies and criteria of the General Plan, and any applicable specific or area plan, or local area development guidelines shall supersede the standards herein.

(b) Any sign or advertising structure for which no regulations or provision in said ordinance stands applicable may be considered by the Board of Zoning Adjustments under the normal procedures and determinations of the use permit process, and said Board shall approve or deny such applications in harmony and spirit with the purpose and intent of these regulations.

(c) No person shall erect any sign regulated by this ordinance without first obtaining the written consent of the property owner(s) upon which such sign is located and filing such written consent with the ~~Planning~~ Permit and Resource Management Department.

(d) No permit for any sign shall be issued and no sign shall be constructed or maintained which has less horizontal or vertical clearance from communication lines and energized electrical power lines that prescribed by the laws of the State of California or rules and regulations duly promulgated by agencies thereof.

(e) Prohibited Signs: All signs not expressly permitted in Section 26C-302 or exempt in Section 26C-300(f) are prohibited. Prohibited signs include, but are not limited to the following:

(1) Signs in the form of banners, pennants, promotional flags and similar contrivances.

(2) Signs that consist of, or include, any moving part of any flashing, blinking, animated, fluctuating or otherwise intermittent light.

(3) Illuminated signs of such brightness as to create hazardous or annoying glare viewed by the general public.

(4) Signs so located as to prevent free ingress and egress from any door, window or fire escape.

(5) Signs erected at or near intersections in such a manner as to obstruct free and clear vision, or at any location where by reason of the position, shape or color it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.

(6) Signs attached to trees and poles with the exception of campaign and political signs permitted in accordance with Section 26C-302 and those placed by governmental agencies for public information purposes.

(f) Exempt Signs: The provisions of this ordinance shall not apply to the following signs, nor shall the area of such signs be included in the area of signs permitted for any site or use.

(1) Any public notice or warning required by a valid and applicable federal, state or local law, regulation or ordinance.

(2) Signs of public utility companies indicating danger or which serve as an aide to public safety or which show the location of underground facilities or of public telephones.

(3) Signs located in the interior of any building or within the enclosed lobby or court of any building or group of buildings, which signs are designed and located to be viewed exclusively by patrons of such use or uses.

**Section 26C-301. Definitions.**

(a) Sign. Any visual announcement, declaration, demonstration, display, illustration or insignia used to advertise, identify or promote the interest of any person, product or place of business when the same is placed out of doors in view of the general public.

(b) **Area of sign.** The entire area within a single continuous perimeter or geometric form or sphere enclosing the extreme limits of writing, representation, emblem, or any figure or similar character excluding the necessary supports or uprights on which such sign is placed. Where a sign has two or more faces, except where two such faces are placed back to back and are at no point more than two feet from one another, the area of all faces shall be included in determining the area of a sign. When only one face of the sign is to be used for area calculations, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if two faces are of unequal area.

(c) **Height of sign.** This shall be defined as the vertical distance from the uppermost point and used in measuring the area of a sign to the ground immediately below such point or to the level of the upper surface of the nearest curb of a street or alley (other than a structurally elevated roadway) whichever measurement permits the greater elevation of the sign.

(d) **Appurtenant sign.** Any sign which directs attention to an occupancy, business, commodity, service or entertainment conducted, sold or offered only from the premises where the sign is maintained.

(e) **Attached sign.** Any sign attached to, made a part of, or included on any building surface (also known as a wall sign).

(f) **Detached sign.** Any sign which is not an attached sign and which is supported primarily by one or more columns, uprights or braces placed in or upon the ground.

(g) **Directional sign.** Any structure for the purpose of furnishing direction to uses which are designated to accommodate tourists or other travelers, or a use which is of general public interest but excluding onsite information signs and real estate signs. Such signs shall indicate a point of change in travel, and shall not exceed thirty-two (32) square feet in area.

(h) **Directly illuminated sign.** Any sign designed to give forth artificial light directly or through transparent or translucent material from a source of light visible from the street, or abutting from property, including but not limited to exposed tubing neon signs.

(i) **Identification sign.** Any sign other than a bulletin board which serves to tell only the name, address and lawful uses of the premises upon which the sign is located and shall include name plates.

(j) **Indirectly illuminated sign.** Any sign whose illumination is reflected from its source by the sign display surface to the viewer's eye, the source of light not being visible from the street or from abutting property.

(k) **Off-site real estate sign.** Any sign advertising the sale, rental, lease or exchange of, and directions to, property other than that on which the sign is maintained.

(l) **On-site real estate sign.** Any sign advertising the sale, rental, lease or exchange of the premises on which the sign is maintained, including new development and subdivision signs.

(m) **Outdoor advertising sign:** Any off site card, cloth, paper, metal, painted, or wooden sign of any character (excluding appurtenant and directional signs) placed for outdoor advertising purposes, on the ground or onto any tree, wall, bush, rock, post, fence, building, structure or thing. The term placed, as used in this definition, includes erecting, constructing, maintaining, posting, painting, printing, tacking, nailing, gluing, sticking, carving, or otherwise fastening, affixing to, or making visible in any manner.

(n) **Outdoor advertising structure:** An offsite structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any poster, bill, printing, painting, or other advertisement of any kind whatsoever may be placed for advertising purposes. The term placed, as used in this definition, includes erecting, constructing, maintaining, posting, painting, printing, tacking, nailing, gluing, sticking, carving, or otherwise fastening, affixing to, or making visible in any manner.

(o) **Portable sign.** Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs equipped with wheels, casters or rollers. Advertising displays affixed to, or being supported by, a vehicle are portable signs.

(p) **Reader board.** Any sign of permanent character, but with movable letters, words or numerals indicating the names of persons associated with, or events conducted upon, or products or services offered upon the premises upon which such sign is maintained. For purposes of this Chapter, a reader board is considered an appurtenant sign.

## Section 26C-302. Permitted Signs.

The following signs are permitted by this ordinance and subject to the following regulations. Figure A summarizes the applicable permits required prior to placement of these signs. Where no permit is specified on Figure A, the applicable signs are not permitted.

- On site information signs
- Directional signs
- Appurtenant signs
- Real Estate Signs
- Campaign and Political Signs
- Outdoor Advertising Signs & Structures

(a) Onsite Informational Signs:

On site informational signs which meet either of the following criteria are permitted without prior approval of a permit:

(1) Not more than six (6) square feet in area having no advertising message and not exceeding six (6) feet in height. Such signs shall bear only name, address, symbol and directing arrow to place of use.

(2) Signs not exceeding two (2) square feet in area erected for the convenience of the public, such as signs identifying restrooms, entry/exit, public telephones, walkways and similar features and facilities.

On site informational signs not meeting either of the above criteria shall be treated as appurtenant signs and subject to Section 26C-302(c).

(b) Directional Signs:

Directional signs shall be subject to approval of a use permit in the base districts indicated on Figure A.

The requirement for use permits for directional signs may be waived only if such signs do not exceed eight (8) square feet in area. In the event of such waiver, the directional sign shall be subject to Design Review approval. In addition, the use permit requirement may be waived by the ~~Planning~~ Director of the Permit and Resource Management Department for temporary (30 day) signs advertising events of community interest such as fairs, festivals, parades and the like.

(c) Appurtenant Signs:

Appurtenant signs shall be subject to Design Review approval in the base districts as indicated on Figure A, and shall be subject to the following:

(1) The number of appurtenant signs per parcel shall be limited to one (1) attached sign per building side which fronts onto a project access road. One (1) detached sign may be permitted in place of an attached sign.

(2) A "sign program" shall be prepared for multiple occupancy buildings to ensure design consistency and to facilitate sign permit processing.

(3) The size of appurtenant signs shall be compatible with the proposed use and surrounding land uses and shall not exceed thirty-two (32) square feet.

FIGURE A
PERMITTED SIGNS
BY TYPE AND BASE ZONING DISTRICT

| | Directional | Appurtenant | Real Estate Off-Site | Campaign and Political Signs | Outdoor Advertising Structures and Signs |
|---|---|---|---|---|---|
| LIA | UP | DR | ZP | ZP | UP |
| LEA | UP | DR | ZP | ZP | |
| DA | UP | DR | ZP | ZP | |
| RRD | UP | DR | ZP | ZP | |
| RRDWA | UP | DR | ZP | ZP | |
| TP | | DR | ZP | ZP | |
| AR | UP | DR | ZP | ZP | |
| RR | | DR | ZP | ZP | |
| R1 | | DR | UP | ZP | |
| R2 | | DR | ZP | | |
| PC | | DR | UP | ZP | |
| C2 | UP | DR | UP | ZP | UP |
| PF | | DR | UP | ZP | |
| CS | UP | DR | UP | ZP | UP |
| CT | UP | DR | UP | ZP | UP |
| CF | UP | DR | UP | ZP | UP |
| AS | UP | DR | UP | ZP | |

ZP - Zoning Permit
DR - Design Review
UP - Use Permit

(4) Monument style signs with landscaping provided at the base are recommended for detached appurtenant signs. The maximum height of monument signs shall be six (6) feet above ground level.

(5) Lighting: Internal illumination of signs shall be by low intensity lamps and shall be limited to letters and graphic elements, with the surrounding background opaque. Where signs are externally illuminated, adjacent roads and properties shall be screened from the light source.

The Design Review Committee may approve signs which exceed the above standards where it is deemed appropriate in light of topography, vegetation or unique physical characteristics or design features.

(d) Real Estate Signs:

(1) On site real estate and recorded subdivision signs which meet the following criteria are permitted without prior approval of a permit:

a. It is located entirely within the property

b. It is unlighted

c. It is removed within fifteen (15) days after close of escrow, rental, lease, or exchange has been accomplished

d. Such signs shall not exceed three (3) square feet for lots of less that ten thousand (10,000) square feet; six (6) square feet for lots of less than twenty thousand (20,000) square feet; twelve (12) square feet for lots less than one (1) acre; eighteen (18) square feet for lots of less than five (5) acres; twenty-four (24) square feet for lots less than ten (10 acres); and thirty-two (32) square feet for lots of twenty (20) acres or more.

e. A recorded subdivision shall be permitted sixty-four (64) square feet of sign area for temporary sign use, with the provision of additional sign area available through the use permit procedure. One sign not exceeding six (6) square feet in area shall be permitted advertising the sale of a model home or "lot for sale." All "model home" and "lot for sale" signs shall be removed when the home or lot is sold, provided further that all signs shall be removed when all homes or lots are sold in the subdivision. Prior to placing the sign on the property or applying for a building permit, the applicant and the recorded owner(s) of the property shall furnish the ~~Planning~~ Permit and Resource Management Department with written authority granting the county permission to enter upon the premises and remove the sign in the event the permit holder defaults upon the agreement to remove same.

(2) Off site real estate signs which are in place for no longer than three (3) days, are less than four (4) square feet in area, are less than four (4) feet in height, are not illuminated and are not located along a designated scenic corridor, are permitted without prior approval of a permit.

Otherwise, off site real estate signs shall be subject to approval of a use permit or zoning permit in the base districts as indicated on Figure A. Notwithstanding Figure A, all offsite real estate signs located along a ~~designated~~ scenic corridor designated in the General Plan shall require a use permit. Where such signs require a zoning permit, they are subject to the following criteria:

a. No more than two (2) single faced signs, nor more than one (1) double-faced wing type sign, each having a maximum of sixteen (16) square feet on each face, shall be permitted per parcel.

b. They shall not exceed four (4) feet in height.

c. They shall not be illuminated.

d. They shall be removed within ten (10) days after the close of escrow, lease or exchange has been accomplished. For new residential, commercial and industrial developments, all signs shall be removed within ten (10) days after the close of escrow for the remaining lot or unit in a subdivision, planned development or condominium project, or within ten (10) days after the lease of the remaining unit in a planned development or condominium project. In the event that all signs are not properly removed, a penalty may be imposed sufficient to cover the costs of removal.

e. The maintenance and removal of the signs shall be the responsibility of the applicant or his or her representative.

f. They shall be erected in a safe manner in accordance with standards established by the Building Department.

g. The zoning permit shall be subject to revocation upon failure to comply with the above conditions.

(e) Campaign and Political Signs:

Campaign and political signs may be permitted in any zoning district upon being issued a zoning permit and are subject to the following criteria:

(1) No more than two (2) sixteen (16) square foot single faced, nor more than one (1) double faced or wing type, maximum sixteen (16) square feet on each face, political or campaign sign is permitted, per parcel, in the R1 (single family residential) districts.

(2) In all other zoning districts, two (2) single faced, or one (1) double faced, V-type political campaign sign, maximum thirty-two (32) square feet on each face is permitted, per parcel.

(3) Prior to the erecting or posting of any political or campaign sign on private property, the candidate, campaign manager or sponsor shall contact the ~~Planning~~ Permit and Resource Management Department to determine the applicable sign regulations. All signs shall be removed entirely within twenty (20) days of the close of the campaign. In the event that all signs are not properly removed, a penalty may be imposed sufficient to cover the costs of removal.

(4) No signs shall be erected earlier than ninety (90) days prior to the election in which the candidate or measure will be voted upon. Signs on behalf of a political candidate who is successful in the primary election may be retained for the general election, provided they are properly maintained.

(5) The maintenance and removal of the signs is the responsibility of the candidate, campaign manager or sponsors.

(6) No detached sign shall be located closer to a road, street or common driveway than the property line and may not obstruct sighting distance for vehicle traffic.

(7) No sign shall be placed so that the top of the sign is more than four (4) feet above the top of a fence, and in no case, more than seven (7) feet above the ground.

(8) All sign structures shall be erected in a safe manner in accordance with standards established by the Building Department.

(9) The zoning permit shall be subject to revocation upon failure to comply with the above conditions.

(f) Outdoor Advertising Structures and Signs:

Outdoor Advertising Structures and Signs are subject to prior approval of a use permit only in the base districts as indicated on Figure A and are subject to, at a minimum, the following criteria. The use permit requirement for temporary (30 day) outdoor advertising signs for events of general community interest, such

as fairs, festivals, parades, and the like may be waived by the ~~Planning~~ Director of the Permit and Resource Management Department .

(1) Outdoor advertising structures or signs may be of a "V" or back-to-back type of construction and shall not exceed two (2) advertising displays facing in each direction.

(2) No outdoor advertising structures or signs shall be erected or maintained closer than two thousand (2,000) feet to any historical or national monument or shrine.

(3) Outdoor advertising structures and signs located along roadways which are not designated as scenic corridors shall meet the following spacing requirements:

a. Outdoor advertising structures and signs along any freeway, expressway or limited access highway: no closer than one thousand (1,000) feet from any other outdoor advertising structure or sign, with the distance to be measured parallel to the centerline of such highway.

b. Outdoor advertising structures and signs in a business area not located along a freeway, expressway, or limited access highway: no closer than two hundred (200) feet to any other outdoor advertising structure or sign facing in the same direction, and on the same side of the highway.

c. Outdoor advertising structures or signs in other that a business area, and not located along a freeway, expressway, or limited access highway: no closer than five hundred (500) feet from any other advertising structure or sign with the distance to be measured parallel to the centerline of the highway.

(4) Outdoor advertising structures and signs along designated scenic corridors shall meet, at a minimum, the following design criteria, in addition to criteria (1) and (2) above.

a. The structure or sign shall be for on-site advertising purposes only.

b. The advertising message shall be restricted to the name and location of the business or service.

c. The structure or sign shall not exceed ~~ten (10) feet in height along the Highway 101 Scenic Corridor or~~ six (6) feet in height along all ~~other~~ scenic corridors.

d. The size of the structure or sign shall be limited to that which is necessary to allow passing motorists to identify the location.

e. Landscaping shall be provided at the base of the structure or sign.

f. The structure or sign shall consist of colors and materials which complement and blend in the surrounding landscape; bright colors should be avoided.

g. Outdoor advertising structures or signs shall meet the following spacing requirements:

1. Along any freeway, expressway or limited access highway: no closer than two thousand (2,000) feet from other outdoor advertising structure or sign facing in the same direction and on the same side of the highway.

2. In a business area not located along a freeway, expressway, or limited access highway: no closer than five hundred (500) feet from any other outdoor advertising structure or sign facing in same direction, and on the same side of the highway.

3. In other than a business area and not located along a freeway, expressway, or limited access highway: no closer than one thousand (1,000) feet to any other

outdoor advertising structure or sign measured parallel to the centerline of the highway.

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## Section 26C-310. Required Parking.

All uses permitted in Chapter 26C of the Sonoma County Code shall provide parking according to the following formulas:

| Use | Parking Spaces |
|---|---|
| **(a) Bicycle Parking** | |
| All commercial, industrial and institutional uses permitted by this Chapter | 1 bicycle parking space per 5 spaces of required automobile parking |
| **(b) Residential (except as otherwise specified by this Chapter)** | |
| One single-family dwelling | 1 covered space |
| One duplex | 2 covered spaces |
| One triplex | 3 covered spaces |
| Four (4) through eight (8) dwelling units | 1 covered space/du plus ½ uncovered guest space/du |
| Nine (9) or more dwelling units | 1 covered space/du PLUS ½ uncovered guest space per one-bedroom unit and 1 uncovered guest space/du with 2 or more bedrooms. |
| Hotels, motels | 1 space/unit PLUS 1 space for manager |
| Single mobile homes | 1 covered space/unit |
| Mobile home parks | 1 covered space/unit PLUS ½ uncovered guest space/unit and ¼ storage space/unit |
| Travel trailer parks | 1 space/10 coach sites |
| Condominiums and planned unit developments | 1 covered space/du PLUS 1 uncovered guest space/du |
| Bed and breakfast inns | 1 space/guest room PLUS 2 spaces for the resident family |
| **(c) Medical offices, clinics, hospitals and other facilities** | |
| Dental and medical clinics | 1 space/200 sq. ft. of floor area whichever is greater |
| Veterinary hospitals and offices | 1 space/250 sq. ft. floor area |

| | |
|---|---|
| Major medical facilities; hospitals | 1 space/250 sq. ft. floor area |
| Group care facilities and resocialization facilities | 2 covered spaces |

**(d) Schools, colleges, universities**

| | |
|---|---|
| Kindergarten and nursery schools and and day care centers | 1 space/employee PLUS 1 space/10 children |
| Elementary and junior high schools | 1 space/employee PLUS 1 space/8 students |
| Senior high schools | 1 space/employee PLUS 1 space/6 students |
| Colleges, universities and institutions of higher learning; business and professional schools and colleges; music and dancing schools | 1 space/employee PLUS 1 space/3 student |
| Large family daycare | At least 3 spaces which may include spaces provided to fulfill residential parking requirements and on-street parking so long as it directly abuts the site. |

**(e) Places of public assembly**

| | |
|---|---|
| Auditoriums, community centers | 1 space/4 seats or 1 space/75 sq. ft. floor area, whichever is greater |
| Libraries, museums, art galleries | 1 space/300 sq. ft. floor area |
| Sports arenas, stadiums | 1 space/4 seats |
| Dance halls | 1 space/50 sq. ft. floor area |
| Theaters | 1 space/4 seats |
| Private clubs and lodges | 1 space/100 sq. ft. floor area |
| Churches, chapels | 1 space/4 seats or 1 space/75 sq. ft. floor area, whichever is greater |
| Mortuaries, crematoriums and columbariums | 1 space/4 seats in sanctuary |

**(f) Recreational facilities**

| | |
|---|---|
| Gymnasiums | 1 space/4 fixed seats |
| Skating rinks | 1 space/100 sq. ft. floor area |

| | |
|---|---|
| Bowling alleys | 5 spaces/alley |
| Golf courses | 7 spaces/hole |
| Golf driving ranges | 1 space/tee |
| Miniature golf courses | 2 spaces/hole |
| Billiard and/or pool parlors | 2 spaces/table |
| Swimming pools - public, private and commercial | 1 space/100 sq. ft. pool area |
| Baseball parks | 1 space/4 seats |
| Commercial stables and riding academies | 1 space/3 horses |
| Auto race tracks, horse race tracks | 1 space/4 seats |

**(g) Commercial facilities, offices**

| | |
|---|---|
| General retail, except as otherwise specified | 1 space/200 sq. ft. floor area |
| Offices including all county offices, except as otherwise specified | 1 space/250 sq. ft. floor area with a minimum of 4 spaces |
| Stores selling furniture and major appliances only | 1 space per 500 sq. ft. floor area |
| Motor vehicle sales | 1 space/500 sq. ft. floor area or 1 space/2000 sq. ft. of outdoor sales area, with a minimum of 4 spaces |
| Auto repair shops, body and fender shops | 1 space/400 sq. ft. floor area |
| Self-serve laundries and dry cleaners | 1 space/3 washing machines |
| Self-serve auto washes | 2 spaces/stall |
| Barber shops, beauty and styling | 3 spaces/barber or salons stylist, with a minimum of 4 spaces |
| Health studios | 1 space/100 sq. ft. floor area |
| Contractor's storage yards | 1 space/3000 sq. ft. lot area |
| Nurseries, retail | 1 space/2000 sq. ft. site area PLUS 1 15'x30' loading space/acre |

| | |
|---|---|
| Feed yards, fuel yards, material yards | 1 space/2000 sq. ft. site area PLUS 1 15'x30' loading space/acre |
| Banks | 1 space/250 sq. ft. floor area PLUS 5 tandem land spaces/ teller or teller station |
| Savings and loan and other financial institutions, title companies | 1 space/250 sq. ft. floor area |
| Shopping centers | 1 space/200 sq.ft. floor area |
| Cabinet, plumbing, heating, electrical shops | 1 space/500 sq.ft. floor area |
| General business and professional offices | 1 space/250 sq. ft. floor area, with a minimum of 4 spaces |
| Antique shops, second hand sales | 1 space/200 sq. ft. floor area |
| Restaurants | 1 space/60 sq. ft. dining area |
| Outdoor markets, flea markets, etc. | 1 space/200 sq. ft. sales area, with a minimum of 4 spaces |

(h) "A portion of the above required parking spaces shall be provided for disabled persons consistent with state and federal law."

(I) Vehicular and bicycle parking requirements for all uses not specifically enumerated herein shall be determined by the Board of Zoning Adjustments or the Planning Commission.

(j) "In most cases where mixed uses are proposed, the required parking for the use with the most restrictive parking standard may be utilized to meet the above standards, provided that the applicant can demonstrate the effectiveness of the parking plan in relation to the proposed uses, and provided that future changes in the use of the property are subject to review by the decision making body so as to maintain the effectiveness of such plan. Otherwise, each proposed use shall be required to meet its applicable parking standard."

(k) The above parking standards may be reduced when it has been satisfactorily demonstrated to the ~~Planning~~ Director of the Permit and Resource Management Department or applicable decision making body that fewer spaces will adequately serve the specific use or that the applicant has encouraged transit opportunities through one or more of the following:

1. Participation in a comprehensive travel demand management (TDM) program including, but not limited to, provision of flex-time, car pooling, and transit passes;

2. Provision of transit stops and/or turnouts developed in cooperation with and approved by Sonoma County Transit;

3. Provision of amenities for bicyclists beyond those required by this section, including, but not limited to shower/locker room facilities, additional bicycle parking spaces and covered bicycle parking.

(l) The parking standards may be increased when it is determined that employee parking substantially reduces the number of spaces needed for customer use.

## Article XXXII. General Use and Bulk Exceptions; Building Lines.

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### Section 26C-320. General Use Provisions and Exceptions.

The use regulations specified in this chapter shall be subject to the following general provisions and exceptions:

(a) **Public Transmission and Utility Lines.** Public utility, transmission and distribution lines, both overhead and underground, shall be permitted in all districts without limitation as to height and without the necessity of obtaining a use permit; provided, that the routes of all proposed transmission lines shall be submitted to the Planning Commission for review and recommendation prior to acquisition of rights of way therefore or application to the Public Utilities Commission.

(b) **Natural Resource Development.** The development of natural resources as used within this chapter shall not be construed to mean the drilling of wells or other development or improvements made for the production of water for domestic or irrigation purposes by a person or persons not engaged in the business of furnishing or developing water.

(c) **Manufactured Home-Storage.** Manufactured homes for which zoning clearance for residential use has not been issued and which are in excess of eight (8) feet in width and thirty (30) feet in length may not be stored on any lot in any district ~~other than in the C3, M1, M2 and M3 districts~~ in compliance with adopted regulations for such land use.

(d) **Christmas Tree Sales.** Christmas tree sales may be permitted in the AS and C districts with a zoning permit provided that the zoning permit is limited to a period not to exceed one month.

(e) **Landfill Operations.** Zoning permits may be issued for landfill operations utilizing imported material in any district only when the Project Review and Advisory Committee is satisfied that there has been prior compliance with Article 1, Chapter 22; Chapter 7; Article 7, Chapter 11 of the Sonoma County Code and Chapter 70 of the Uniform Building Code, or similar superseding agency, and that the filling will not be detrimental to neighboring property.

(f) **Entertainment Establishments.** No dance hall, road house, night club, commercial club or any establishment where liquor is served, or commercial place of amusement or recreation, or any place where entertainers are provided, whether as social companions or otherwise, shall be established in any district closer than two hundred (200) feet to the boundary of any residential district unless a use permit is first secured in each case.

No adult entertainment establishment shall be established except in the C3 (General Commercial) District and except subject to the following limitations:

(1) A minimum of 1,000 feet from any other adult entertainment business.

(2) A minimum of 1,000 feet from any residential zoning district.

(f) **Minor Land Use Alterations, Grading within Waterways.** Use permit procedures for minor land use alterations and additions, or for grading and excavation within a waterway, which is also exempt from Section 26A-3a(i) of the County Surface Mining Ordinance, may be waived when it is demonstrated to the satisfaction of the ~~Planning~~ Director of the Permit and Resource Management Department that said addition/alteration will not be detrimental to the health, safety or welfare of adjacent land uses or properties or when such alterations are required by another public agency.

(g) **Outdoor Vendors.** Outdoor vendors are authorized subject to the following standards:

(1) All sales will take place at least 20 feet from the nearest property line, but in no case shall such sales take place within 20 feet from the edge of any road right-of-way.

(2) Parking shall be designated for a minimum of three automobiles, located at least 20 feet off the public right-of-way or 20 feet from the front property line with no automobile maneuvering permitted in the public right-of-way. The use permit may require additional parking, depending on the nature of the sales proposed.

(3) No free standing signs shall be allowed. Two attached signs shall be permitted no larger than 16 square feet each in area and not located within 20 feet of the public right-of-way.

(4) The outdoor sales shall not be conducted in a manner so as to cause a traffic hazard to passing motorists due to poor visibility and/or inadequate sign distance for safe ingress and egress.

(5) The area designated for outdoor vendor activities, excluding parking, shall not be greater than 500 square feet unless the Board of Zoning Adjustments finds that a larger area so designated will not be detrimental to the health, safety, or general welfare of persons residing or working the area.

(6) The Use Permit shall remain in effect for a maximum of one year, after which approval of a new Use Permit will be required to continue. The ~~Planning~~ Director of the Permit and Resource Management Department or designee may issue the second and subsequent use permit without a public hearing based upon evidence submitted by the applicant that the operation was conducted in compliance with the conditions and provision of the previous use permit. Uses not authorized by a valid use permit will be subject to abatement proceedings.

(7) All applicable permits from other County departments shall be obtained prior to operating the outdoor vendor business on the premises.

(h) **Open Space Easements.** The Board of Supervisors may require, on appeal or otherwise, and the Planning Commission or Board of Zoning Adjustments may recommend, as a condition of approval of a development application, the dedication of an open space easement on all or a portion of the property to be developed. Applications for development shall include, but not be limited to, applications for General Plan amendments, specific plan amendments, rezonings, major and minor subdivisions, use permits or precise development plans. Prior to requiring an open space easement or an offer of easement pursuant to this section, the Board or Commission shall make one of the findings set forth in paragraphs (1) through (3) in addition to making the findings set forth in paragraphs (4) and (5).

(1) The area which is to be the subject of the open space easement is characterized by great natural scenic beauty; or

(2) The existing openness, natural condition, or present state of use, if retained, would enhance the present or potential value of abutting or surrounding urban development; or

(3) The existing openness, natural condition, or present state of use, if retained, would maintain or enhance the conservation of natural or scenic resources.

(4) The imposition of the open space easement bears a reasonable relationship to the public welfare.

(5) The acquisition of the Scenic/Open Space Easement is consistent with the General Plan.

Open space easements exacted pursuant to this section may, at the discretion of the Board or Commission include, but not be limited to, any of the following:

a. A provision that the subject property shall be used only for those purposes which will maintain the existing open and scenic character of the property.

b. A prohibition on the placing or erecting or causing the placement or erection of any new building, structure, or vehicle intended for human occupancy or commercial purposes at the site.

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c. A prohibition of any act which will materially change the general topography or the natural form of the subject property.

d. A prohibition on the division of the subject property into two or more parcels under separate ownership by sale, gift, lease or otherwise except such divisions necessary for public acquisition.

e. A reservation of rights to the grantors for all uses not inconsistent with the restrictions specifically enumerated in paragraphs (a) through (d), inclusive including the right to prohibit entry thereon by unauthorized persons.

f. A reservation of rights to the grantor to develop water sources, including springs, and to lay, construct, repair and replace pipes and conduits for the transportation of water.

g. A reservation of rights to the grantors to manage the land and its resources in a manner consistent with accepted principles of conservation practice.

h. A reservation of rights to the grantor to use and develop the subject property from time to time for agricultural purposes.

Open space easements exacted pursuant to this section shall run with the land and shall continue until such time as the Board of Supervisors, at its discretion, abandons the County's right to the easement or, if the easement so provides, the easement expires in accordance with its terms.

Nothing contained in this section shall be construed to limit the authority of the County to exact, as an alternative, open space easements in accordance with the provisions of Government Code Sec. 51070 et seq.

(i) **Density Bonus.**

(1) A density bonus or development incentive, as defined in Section 26C-12, shall be granted in the zoning districts permitting residential development pursuant to Government Code Section 65915 if urban levels of service for water, sewer, infrastructure and other facilities are adequate. The development incentive alternative shall be utilized only where it is infeasible to construct the bonus units and where it is found that the incentive will not be injurious to the public health, safety and general welfare of the people in the area in which the project is proposed. The density bonus or development incentive shall be granted only to projects consisting of five (5) or more dwelling units in exchange for the construction of affordable housing units.

(2) Density increases shall be permitted for residential developments meeting the requirement of Section 65915 of the Government Code.

(3) The density bonuses set forth in Section 65915 of the Government Code are not cumulative.

(4) The rents or sales prices for affordable dwelling units shall be provided by the Community Development Commission. The number of affordable units shall be determined by the ~~Planning~~ Permit and Resource Management Department and agreed upon in writing, by the Community Development Commission and the developer, prior to the development project application being certified as complete. The length of time that the designated units are to remain affordable shall be twenty years or as otherwise specified by the Board of Supervisors or Community Development Commission.

(5) In order to insure that designated units are rented or sold to properly qualifying households, the Community Development Commission may include, as part of the density bonus contract, a provision which establishes an initial and annual monitoring fee to cover the Commission's expenses associated with contract monitoring.

(6) Where there is a direct financial contribution to the housing development pursuant to Government Code Section 65916 through participation in cost of infrastructure, write down of land cost, or subsidizing the cost of construction, the county will require continued availability for low and moderate income units for a period of thirty (30) years.

(j) **Seasonal farm worker housing shall meet the following standards:**

(1) Seasonal farm worker housing shall be located on parcels of 1.5 acres or more having an agricultural or resources and rural development General Plan land use designation. Such parcels shall be owned by the applicant. If less than 10 acres, such parcels shall be located within 1 mile of a minimum of 20 contiguous acres of land cultivated and either owned or long term leased by the applicant.

(2) Seasonal farm worker housing shall be located on parcels having direct access to a county maintained road. If a private road is to provide such access, the applicant shall file with the Planning Permit and Resource Management Department a written agreement signed by all of the property owners entitled to use such road acknowledging and agreeing to the road's use as access for the seasonal farm worker housing.

(3) Seasonal farm worker housing located on parcels of less than 10 acres shall house no more than 19 persons, including a caretaker, at any time.

(4) Seasonal farm worker housing and support structures shall be set back a minimum of 55 feet from the center line of any roadway, 60 feet from any other property line, 40 feet from any other structure, and 40 feet from watering troughs, feed troughs, and accessory buildings. Seasonal farm worker housing and support structures shall also be set back 75 feet from barns, pens, or similar quarters of livestock or poultry.

(5) Seasonal farm worker housing shall have off-street parking provided at a ratio of 1 space per 4 persons housed. The parking does not need to be covered or paved, but may not be located within any scenic corridor setback unless screened from public view by buildings, fences, landscaping, or terrain features.

(6) Seasonal farm worker housing may be either 1 or 2 story structures.

(7) Seasonal farm worker housing shall be occupied no more than 180 days in any calendar year. The Director of Environmental Health may restrict the occupancy of seasonal farm worker housing to 137 days between July 1 and November 15 in any calendar year for health and safety reasons.

(8) Seasonal farm worker housing having accommodations for at least 6 persons may have a single caretaker unit per parcel occupied year-round provided year-round occupancy of the caretaker unit is authorized by the Director of Environmental Health.

(9) Seasonal farm worker housing shall not be located within any floodway.

(10) Seasonal farm worker housing located within the 100 year flood elevation shall have the structure of the finished floor of the living quarters above the 100 year flood level, but may have a storage area before the living quarters.

(11) Seasonal farm worker housing located within the 100 year flood elevation shall have its septic tank and disposal field at least 100 feet removed from the 10 year flood elevation unless otherwise authorized by the Director of Environmental Health.

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(12) Seasonal farm worker housing shall be maintained in such a manner so as not to constitute a zoning violation or a health and safety hazard.

(13) Prior to the issuance of a building permit for seasonal farm worker housing, the applicant shall place on file with the ~~Planning~~Permit and Resource Management Department an affidavit that the seasonal farm worker housing will be used to house persons employed for agricultural purposes. Further, a covenant shall be recorded, in a form satisfactory to County Counsel, acknowledging and agreeing that park and traffic mitigation fees for the seasonal farm worker housing shall be waived unless and until the housing units are no longer used to house persons employed for agricultural purposes and further acknowledging and agreeing that in the event the housing units are converted to some other use the park and traffic mitigation fees existent at the time of conversion shall be immediately due and payable and the housing units shall be either removed or, if the new use is otherwise permitted, brought into compliance with the provisions of this code and state laws in effect at the time of conversion.

(k) **Tree Protection.**

General Provisions

Projects shall be designed to minimize the destruction of protected trees. With development permits, a site plan shall be submitted that depicts the location of all protected trees greater than 9 inches and their protected perimeters in areas that will be impacted by the proposed development, such as the building envelopes, access roads, leach fields, etc. Lot line adjustments, zoning permits and agricultural uses are exempt from this requirement. The provisions of this section shall not apply to trees which are the subject of a valid timber harvesting permit approved by the State of California. This section shall not be applied in a manner that would reduce allowable density lower than that permitted as a result of C.E.Q.A. or by other County ordinances or render a property undevelopable. To achieve this end, adjustments may be made.

Agricultural uses exempt from the tree protection ordinance are as follows: The raising, feeding, maintaining, and breeding of confined and unconfined farm animals, commercial aquaculture, commercial mushroom farming, wholesale nurseries, greenhouses, wineries and agricultural cultivation.

Construction Standards

Applicants are encouraged to use a qualified specialist to establish tree protection methods.

(1) Protected trees, their protected perimeters and whether they are to be retained or removed are to be clearly shown on all improvement plans. A note shall be placed on the improvement plans that "Construction is subject to requirements established by Sonoma County to protect certain trees".

(2) Before the start of any clearing, excavation, construction or other work on the site, every tree designated for protection on the approved site plan shall be clearly delineated with a substantial barrier (steel posts and barbed wire or chain link fencing) at the protected perimeter, or limits established during the permit process. The delineation markers shall remain in place for the duration of all work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of brush, earth and other debris as to avoid injury to any protected tree.

(3) Where proposed development or other site work must encroach upon the protected perimeter of a protected tree, special measures shall be incorporated to allow the roots to obtain oxygen, water and nutrients. Tree wells or other techniques may be used where advisable. No changes in existing ground level shall occur within the protected perimeter unless a drainage and aeration scheme approved by a certified arborist is utilized. No burning or use of equipment with an open flame shall occur near or within the protected perimeter (except for authorized controlled burns).

(4) No storage or dumping of oil, gasoline, chemicals, or other substances that may be harmful to trees shall occur within the drip line of any tree, or any other location on the site from which such substances might enter the drip line.

(5) If any damage to a protected tree should occur during or as a result of work on the site, the County shall be promptly notified of such damage. If a protected tree is damaged so that it cannot be preserved in a healthy state, the ~~Planning~~ Director of the Permit and Resource Management Department shall require replacement in accordance with the Arboreal Value Chart. If on-site replacement is not feasible, the applicant shall pay the in-lieu fee to the tree replacement fund.

(6) The following design standards for protected trees shall be adhered to:

a. Underground trenching for utilities should avoid tree roots within the protected perimeter. If avoidance is impractical, tunnels should be made below major roots. If tunnels are impractical and cutting roots is required, it shall be done by hand-sawn cuts after hand-digging trenches. Trenches should be consolidated to serve as many units as possible.

b. Compaction within the drip line or protected perimeter shall be avoided.

c. Paving with either concrete or asphalt over the protected perimeter should be avoided. If paving over the protected perimeter cannot be avoided, affected trees shall be treated as removed for purposes of calculating arboreal values.

d. Wherever possible, septic systems and/or leach lines shall not be located on the uphill side of a protected tree.

(7) Security posted for the purpose of insuring the proper construction of public or private improvements shall also include an amount sufficient to secure any requirements imposed pursuant to this section. In addition, security for potential tree damage shall be 25% of the amount posted for planned tree replacement. In lieu fees shall be paid prior to recording any maps. Such security shall not be released until protection requirements, including planting replacement trees, and any long term maintenance requirements have been satisfactorily discharged. The initial bond amount may be reduced to cover only the maintenance and replacement of trees after construction is completed.

(8) The Valley Oak, *Quercus lobata*, shall receive special consideration in the Design Review process to the extent that mature specimens shall be retained to the fullest extent feasible. Valley Oaks contribute greatly to Sonoma County's visual character, landscape and they provide important visual relief in urban settings. On existing parcels created without the benefit of an accompanying EIR, design review shall focus on the preservation of Valley Oaks to the fullest extent feasible. Where such preservation would render a lot unbuildable, partial protection with accompanying appropriate mitigations developed by a certified arborist shall be incorporated into the project design. In such cases where only partial protection can be achieved, full replacement in accordance with the Arboreal Value Chart shall be required.

Arboreal Value Charts

One of the following charts is to be used for determining arboreal values. The applicant shall indicate at time of application which chart is to be used. Chart #1 requires analysis to be done only in the development areas (building envelopes, access roads, etc.) and requires 100% replacement or in-lieu fees. Chart #2 requires analysis of the entire site but allows for removal of up to 50% of the arboreal value. Compensation for the loss of greater than 50% arboreal value will require replacement by using the chart.

Chart #1 To Be Used For Measuring Trees Removed Only in The Development Areas.

| d.b.h.* (inches) | Removed Trees | Weighted Value | Arboreal Value |
|---|---|---|---|
| 9-15 | | 1 | |
| over 15-21 | | 2 | |
| over 21-27 | | 3 | |
| over 27-33 | | 4 | |
| over 33 | | 5 | |
| | | Total | |

This value (the A.V. is used to calculate the replacement number.
Chart #2 Complete Site Analysis

a. To Be Used For Measuring Existing Trees On The Entire Site

| d.b.h.* (inches) | Existing Trees | Weighted Value | Existing Arboreal Value |
|---|---|---|---|
| 9-15 | | 1 | |
| over 15-21 | | 2 | |
| over 212-27 | | 3 | |
| over 27-33 | | 4 | |
| over 33 | | 5 | |
| | | Total | |

b. To Be Used For Measuring Trees To Be Removed

| d.b.h.* (inches) | Removed Trees | Weighted Value | Removed Arboreal Value |
|---|---|---|---|
| 9-15 | | 1 | |
| over 15-21 | | 2 | |
| over 21-27 | | 3 | |
| over 27-33 | | 4 | |
| over 33 | | 5 | |
| | | Total | |

Subtract the Removed Arboreal Value from the Existing Arboreal Value. If the Removed Arboreal Value is more than 50% of the Existing, the developer must replace the difference between Removed Arboreal Value and 50% of Existing Arboreal Value using the Arboreal Valuations.

*d.b.h. (diameter at breast height, 4 1/2 feet above ground) can be calculated by measuring the circumference of the tree and dividing by 3.14 or pi.

Arboreal Valuations

All trees to be replaced shall be the same native species as that removed unless specific approval has been granted by the ~~Planning~~ Director of the Permit and Resource Management Department.

1 point A.V. = six 5 gallon trees (can be existing trees on site that are below 9" d.b.h. if preservation methods are part of the development permit)
= two 15 gallon trees*
= $200 in-lieu fee**

2 points A.V. = 24" Box Tree*
= $400 in-lieu fee**

*The large trees must come from nurseries where they have been irrigated. They must have on-site irrigation to insure their survival.
**Annual average retail cost can be changed to reflect cost increases.

Replacement trees may be located on residentially zoned parcels of at least one and one half (1-1/2) acres and on any commercial or industrial zoned parcel, regardless of size, where feasible. Where infeasible, they may be located on public lands or maintained private open space. In-lieu fees may be used to acquire and protect stands of native trees in preserves or place trees on public lands.

(l) **Lot Line Adjustment.** Lot line adjustment applications made pursuant to Chapter 25 of the Sonoma County Code (Subdivision Ordinance) which propose to add land to an existing parcel for the purpose of increasing its subdivision potential shall be deemed contrary to the provisions of this chapter.

(m) **Area Design Review Committees.** Where development is proposed on parcels which are subject to area design review committees which have been created by resolution of the Board of Supervisors, the following shall apply.

(1) Prior to issuance of a building permit, the development plan will be reviewed and approved, conditionally approved, or denied by the ~~Planning~~ Director of the Permit and Resource Management Department on the basis of site planning as it relates to designated open space or design policies of adopted general, specific or area plans or other such design criteria as may have been adopted by the Board of Supervisors.

(2) Concurrent with the submittal of the development plan to the ~~Planning~~ Director of the Permit and Resource Management Department, the owner shall submit the advisory recommendation of approval, conditional approval or denial of the local design review committee with jurisdiction over the parcel.

(3) The ~~Planning~~ Director of the Permit and Resource Management Department shall consider the advisory recommendation of the local design review committee but shall not be bound by it.

(4) Decisions of the ~~Planning~~ Director of the Permit and Resource Management Department approving, conditionally approving, or denying a building permit pursuant to this Section are appealable in accordance with Section 26C-331.

(n) **Year-Round Farm worker Housing.** Year-round farm worker housing shall meet the following standards:

(1) Year-round farm worker housing shall be located on parcels of 10 acres or more having an agricultural General Plan land use designation, but may be located on parcels of 10 acres or more having a resources an rural development General Plan land use designation provided the parcel is under a Williamson Act contract. Such parcels shall be owned by the applicant.

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(2) Year-round farm worker housing shall be located on parcels having direct access to a County maintained road.

If a private road is to provide such access, the applicant shall file with the ~~Planning~~ Permit and Resource Management Department a written agreement signed by all of the property owners entitled to use such road acknowledging and agreeing to the road's use as access for the year-round farm worker housing.

(3) Year-round farm worker housing located on any parcel shall house no more than 38 persons at any time.

(4) Year-round farm worker housing and support structures shall be set back a minimum of 55 feet from the centerline of any roadway, 60 feet from any other property line, 40 feet from any other structure, and 40 feet from watering troughs, feed troughs, and accessory buildings. Year-round farm worker housing and support structures shall also be set back 75 feet from barns, pens or similar quarters of livestock or poultry. On parcels adjacent to a residential zoning district, year-round farm worker housing shall be set back a minimum of 500 feet from the property line adjacent to the residential zoning district.

(5) Year-round farm worker housing shall have off-street parking provided at the ration of 1 space per 4 persons housed. The parking does not need to be covered, but shall be screened from public view by buildings, fences, landscaping, or terrain features.

(6) Year-round farm worker housing may be either 1 or 2 story structures.

(7) Year-round farm worker housing shall not be located within any floodway.

(8) Year-round farm worker housing located within the 100 year flood elevation shall have the structure of the finished floor of the living quarters above the 100 year flood level, but may have a storage area below the living quarters.

(9) Year-round farm worker housing located within the 100 year flood elevation shall have its septic tank and disposal field at least 100 feet removed from the 10 year flood elevation unless otherwise authorized by the Director of Environmental Health.

(10) Year-round farm worker housing shall be maintained in such a manner so as not to constitute a zoning violation or a health and safety hazard.

(11) Prior to the issuance of a building permit for year-round farm worker housing, the applicant shall place on file with the ~~Planning~~ Permit and Resource Management Department an affidavit that the year-round farm worker housing will be used to house persons employed for agricultural purposes. Further a covenant shall be recorded, in a form satisfactory to County Counsel, acknowledging and agreeing that park and traffic mitigation fees for the year-round farm worker housing shall be waived unless and until the housing units are no longer used to house persons employed for agricultural purposes and further acknowledging and agreeing that in the event the housing units are converted to some other use the park and traffic mitigation fees existent at the time of conversion shall be immediately due and payable and the housing units shall be either removed or, if the new use is otherwise permitted, brought into compliance with the provisions of this code and state laws in effect at the time of conversion.

**Section 26C-321. General Lot Area and Width Regulations and Exemptions.**

(a) The use of land as permitted for the district in which it is located shall be permitted on a lot of less area or width than that required by the regulations for such district, unless the owner of such lot owns any contiguous

lot, in which case such lots shall be treated as one lot; provided, however, that such lots shall not be treated as one lot if any of the following four conditions are met:

(1) That each lot was created in compliance with applicable laws and ordinances in effect at the time of its creation, is served by public sewer and is at least 5,000 s.f. in area.

(2) That each lot was created in compliance with applicable laws and ordinances in effect at the time of its creation, is not served by public sewer and is at least 20,000 s.f. in area.

(3) That each of the lots was created in compliance with applicable laws and ordinances in effect at the time of its creation, is subject to Williamson Act Agricultural Preserve Contract, and conforms to minimum income requirements set forth in the Agricultural Preserve Contract.

(4) That each of the lots was created in compliance with applicable laws and ordinances in effect at the time of its creation, is subject to Timber Preserve and is 80 acres or larger.

(b) For purposes of the section, "served by public sewer" means that a governmental agency providing sewer service states in writing and without qualification that it will provide sewer service to the subject property.

(c) Contiguous parcels not conforming to Sections 26C-321(a)(1), (2), (3), and (4) may be merged into one parcel subject to the provisions of Section 25-62 of the Subdivision Ordinance.

**Section 26C-322. General Height Regulations and Exceptions.**

(a) In an AR, RR, R1, R2, or PC district, no fence shall hereinafter be constructed to exceed six (6) feet in height within any required side yard to the rear of the front line of any dwelling, or along any rear property line, nor to exceed three (3) feet in height within any required front yard nor within fifteen (15) feet of the street corner nor within any required exterior side yard on any corner lot, without first securing a use permit in each case.

**Section 26C-323. General Yard Regulations and Exceptions.**

(a) In the case of a through lot abutting on two streets, no building shall be located so as to encroach upon the front yard required on either street. This provision may be waived for swimming pools when it is demonstrated to the satisfaction of the ~~Planning~~ Director of the Permit and Resource Management Department that the location will not be detrimental to the health, safety or welfare of adjacent land uses or properties. The ~~Planning~~ Director of the Permit and Resource Management Department may require a use permit or signatures from adjacent property owners.

(b) Any dwelling use to be located in any C district shall provide front, side and rear yards as required in the ~~R3~~ R2 district; provided, that this shall not apply to any dwelling use to be located over a commercial or industrial establishment.

(c) Where irregular lot shapes prevent the direct determination of the area and yard requirements for a lot, the ~~Planning~~ Director of the Permit and Resource Management Department shall make such determinations as necessary for the administration of this chapter.

(d) In any case where an official plan line has been established as part of the street and highway plan, the required yards on the street side shall be measured from such official plan line, and in no case shall the provisions of this chapter be construed as permitting any structure to extend beyond any such official plan line.

(e) In any case where a building setback line or building envelope has been established by a recorded parcel map, final subdivision map, or the Coastal Plan, and said setback is different from the setback required by

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the zoning district in which the parcel is located, the established building setback line cannot be waived by the ~~Planning~~ Director of the Permit and Resource Management Department nor through a variance procedure.

(f) Protect and encourage agricultural production by establishing a buffer between agricultural production on lands either designated in one of the three agricultural land use categories in the General Plan or lands included within the "AR" zoning district, where any such lands abut a non-agricultural land use conducted on land outside the three General Plan land use categories. Generally, buffers shall be defined as a physical separation of 100 to 200 feet. These may be modified based upon topographic feature, a substantial tree stand, water course or similar existing feature. In some circumstances, a landscaped berm or other man-made feature may enhance the buffer. The requirement for buffer may be modified after hearing by the advisory agency following a written recommendation by the Agricultural Commissioner.

Notwithstanding the provisions of Article 26C-350 (Non-Conforming Uses) where the imposition of the buffer creates a non-conforming condition, expansion or modification of such use may be permitted provided that encroachment into the setback does not exceed that of the existing structure.

Agricultural production as used herein means either an existing agricultural operation or an agricultural operation that would be a reasonably anticipated use. No buffer or setback shall be created by the acquisition of a portion of a parcel devoted to an agricultural operation.

The provisions of this section shall only apply to discretionary permits which are either appealable pursuant to the Chapter or over which the Board of Supervisors has original jurisdiction.

(g) In any TP, LIA, LEA, DA, RRD, RRDWA, AR or RR district the required yard standards may be reduced when the ~~Planning~~ Director of the Permit and Resource Management Department finds that such reduction(s) are appropriate in light of topography, vegetation, or unique physical characteristics. In determining such findings, consideration will also be given to visibility from public roads and adjacent properties. Such reduction shall not result in a front yard of less than ten feet for any garage or carport opening. The ~~Planning~~ Director of the Permit and Resource Management Department may require a use permit or signatures from adjacent property owners.

**Section 26C-324. Building Lines.**

(a) Building lines may be established for the purpose of determining building locations. Such building lines shall be indicated on the zoning maps.

(b) Building lines shall be measured from the property line or adopted plan lines and shall supersede the front yard setback requirements of the zoning district within which the particular parcel(s) is located.

(c) Building lines shall be established in the manner provided by Article 94 ~~of this chapter~~.

**Section 26C-325.**

**Section 26C-325.1. Second Dwelling Units.**

(a) Establishment of Second Dwelling Units: Second dwelling units shall be permitted in accordance with the provisions of this section. The purpose of this section is to implement the requirements of Government Code Section 65852.2 requiring local agencies to provide for the establishment of second dwelling units within their respective boundaries.

Second dwelling units may be established by any of the following methods:

(1) The remodeling of existing habitable area in a primary dwelling unit whereby living, cooking, sleeping, sanitation facilities are installed, and which facilities are not shared in common with the cooking, sleeping and sanitation facilities in the primary dwelling unit;

(2) The conversion of an attic basement, garage or other previously uninhabited portion of a single family, whereby separate living, cooking, sleeping and sanitation facilities are installed therein;

(3) The construction of an addition which is attached onto the primary dwelling unit which contains living, cooking, sleeping and sanitation facilities separate from the primary dwelling;

(4) The construction of a separate structure on the lot or parcel which contains living, cooking, sleeping and sanitation facilities, in addition to and detached from the primary dwelling unit;

(5) The placement of a manufactured home on the parcel;

(6) The use, or modification and use of an existing legal non-conforming dwelling; or

(7) The conversion of a detached accessory structure by installing living, cooking, sleeping and sanitation facilities.

On parcels located in the LIA, LEA, DA and RRD districts, the second dwelling unit may be constructed simultaneously with, subsequent to, or prior to the primary dwelling unit. In all other districts in which second dwelling units are permitted, a second dwelling unit may not be occupied unless the parcel has been developed with a completed residence. When concurrent construction is proposed, the second unit permit shall prohibit occupancy of the second unit prior to occupancy of the primary unit.

(b) Requirements pertaining to all second units: The following requirements shall pertain to all second units and second unit applications in the unincorporated area of the County of Sonoma. No zoning permit or use permit for a second unit shall be issued, nor shall any second unit be constructed, located or used in any district, unless the proposed second unit meets all of the following requirements:

(1) A second dwelling unit can be no larger than ten (10) percent of the parcel on which it is to be located, but in no case larger than eight hundred forty (840) square feet. Notwithstanding the foregoing, a minimum floor area of six hundred forty (640) square feet is permitted for parcels ranging in size from six thousand (6,000) square feet to six thousand four hundred (6,400 square feet. For purposes of computing the square footage of a second dwelling unit which is detached from the primary single-family dwelling, all enclosed areas accessed from within the second dwelling unit shall be included. Notwithstanding the foregoing, an enclosed storage area, or garage of up to four hundred (400) square feet in area, shall not be included when calculating the square footage of the second dwelling unit provided that there is no internal doorway or passage between such storage or garage and the second dwelling unit.

(2) A second unit shall not be located on a parcel upon which a duplex, triplex, apartment house or condominium is located.

(3) A second unit shall not be located on a parcel upon which there is located more than one (1) dwelling unit.

(4) There shall be no more than one (1) second unit per parcel.

(5) No second unit permit shall be issued for a parcel which has not been developed with a completed residence unless the parcel is located in an LIA, LEA, DA, or RRD zoning district and contains at least two (2) acres (Ord. No. 3679).

(6) No second unit permit shall be issued unless the ~~Planning~~ Director of the Permit and Resource Management Department, or his designee, determines that the design of the second unit is similar in scale, appearance, and character to the existing dwelling unit and is otherwise compatible with existing structures on the parcel and in the neighborhood.

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(7) No second unit permit shall be issued where the issuance of such permit will result in a flood, geologic, or public health or safety hazard.

(8) No second unit permit shall be issued unless the second unit will comply with the requirements set forth in the General Plan and Coastal Plan, including, but not limited to, open space, design review and scenic quality provisions contained therein. This subsection shall not be construed to require conformance with density provisions contained in the General Plan or Coastal Plan.

(9) No second unit permit shall be issued unless the proposed second unit complies with all applicable building, fire, health and safety codes.

(10) The County shall have the right, but not the obligation, to refuse to issue a second unit permit where the proposed second unit would be prohibited by CCR's recorded prior to November 19, 1985. In no event shall the County refuse to issue a second unit permit on the basis of CCR's, where the enforcement of such CCR's would be unconstitutional, in violation of law, or otherwise contrary to public policy.

(11) No second unit permit shall be issued unless there is provided one (1) off-street all-weather surface parking space.

(12) No second unit permit shall be issued unless and until all required fees have been paid, including, but not limited to, school impact fees, road, traffic and other mitigation fees, where applicable.

(13) Where a second dwelling has been built or expanded illegally, a second unit permit may be issued, or a revoked permit, reinstated, only upon conforming with the requirements of this Section and upon compliance with the provisions of Section 1-7.1 of the Sonoma County Code.

Where the applicant seeks to establish a structure constructed prior to December 8, 1983, as a second unit as provided herein, the minimum yard requirements may be reduced, where, in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department, or other applicable decision-making body a reduction of the yard requirements would not be detrimental to the public health, safety, or general welfare.

(14) No second unit permit shall be issued for the purpose of placing a second unit on a parcel of less than two acres if such parcel is not served by both public water and public sewer. For purposes of computing the acreage required by this subsection, there shall be excluded areas covered by roadway easements for ingress or egress and such other areas, excluding public utilities easements, as may have been offered for dedication for other public purposes.

(15) No second unit permit shall be issued for a parcel of less than 6,000 square feet. For purposes of computing the square footage requirement, those areas referred to in the preceding paragraph shall be excluded.

(16) No permit for a second unit shall be issued unless a minimum of twelve (12) feet of all weather surface right-of-way is provided to the parcel except where the district fire chief or county fire services director determines that a road of some other surface or width is necessary for fire apparatus and emergency vehicles (Ord. 3679).

(17) In the event that the district in which the proposed second unit is to be located prohibits construction of structures which exceed thirty percent (30%) of the width of the parcel, second units shall comply with such provisions.

(18) Conventional metal-sided mobile homes may not be used as a second unit. A manufactured home on a permanent foundation may be used as a second unit provided that

~~(i)~~ A. It has been certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 and less than ten (10) years have elapsed between the date of manufacture of the manufactured home and the date of application for the issuance of a permit to install the manufactured home; or

B. It is factory-built housing as defined in California Health and Safety Code Section 19971; and

C. It meets all of the requirements of this Section, and following:

1. It has a minimum width of twelve (12) feet;
2. It is covered with an exterior material (such as wood, stucco, masonite or horizontal "lap" siding) customarily used for conventional dwellings. The exterior material must extend to the ground and be approved by the ~~Planning~~ Director of the Permit and Resource Management Department or his designee;
3. It has a roof pitch of not less than three (3) inches of vertical rise for each twelve (12) inches of horizontal run. The roof must consist of shingles or other material customarily used for conventional dwellings. The roof must be approved by the ~~Planning~~ Director of the Permit and Resource Management Department or his designee; and
4. It has eaves of a conventional design.

(19) Second unit permits are subject to the provisions of Section 26C-335.1 which provides that permits shall become void if construction is not commenced within two (2) years after the date they are granted or for such additional period of time as may be specified in the permit. This two (2) year period may be extended for an additional one year upon written request and approval by the ~~Planning~~ Director of the Permit and Resource Management Department.

(20) Total lot coverage for parcels developed with a second unit shall not exceed fifty percent (50%).

(21) Water Source. Where a parcel is located in a groundwater availability category 4, or relies on a water source located in said category a second dwelling unit shall not be approved for a parcel for which the source of domestic water is a private well or spring located on another parcel.

(22) ordinance, regulation, case law or the County's police power.

(c) Regulations Pertaining to Specific Districts

(1) No second unit permits shall be issued in the RRDWA or PC districts.

(2) The following regulations shall apply to second units in the RR, AR, LIA, LEA, DA, and RRD districts.

(i) Second dwelling units may be attached or detached from the primary dwelling unit.

(ii) A use permit or use permit waiver is required for all second dwelling units.

(iii) No second dwelling unit shall be located more than three hundred (300) feet from the primary dwelling unit located on the same parcel.

(iv) No second dwelling unit shall be located closer to any dwelling unit on an adjacent parcel than it is to the existing dwelling unit on its own parcel, except where an existing structure is being legalized pursuant to subsection (b) 13 of this section and such structure was constructed on or before December 8, 1983.

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(v) Second dwelling units which are located one hundred (100) feet or less from the primary dwelling on the same parcel must be set back no less than 20 feet from the rear property line. Second dwelling units which are located more than one hundred (100) feet from the primary dwelling on the same parcel must be set back no less than sixty (60) feet from any property line.

(vi) Only one (1) access driveway connection shall be permitted to a public or private road, which driveway shall serve both the primary and second dwelling units.

(3) The following regulations shall apply in the R1, R2 and districts:

(i) A second dwelling unit shall be attached to the existing primary dwelling unit, except, notwithstanding the provisions of Section 26C-350, a legal non-conforming, detached, dwelling unit which is smaller than the size limits set forth in subsection (b) (1) of this section may be expanded and converted to a second dwelling unit of a size not to exceed the maximum size limits set forth in subsection (b) (1) of this section, subject to securing a use permit in each case. All other provisions of this ordinance shall be complied with. (Ord. 3679.)

(ii) Second units must be set back no less than five (5) feet from the rear property line.

(iii) No second unit permit shall be issued unless the parcel is served by public sewer and public water.

(d) Procedure for Second Unit Applications

(1) Second dwelling units require a zoning permit or, in certain districts, a coastal/use permit. When making an application for a zoning permit or coastal/use permit for the establishment of a second unit, the following procedure shall be adhered to:

(i) The applicant shall file an application on forms prescribed by the Permit and Resource Management Department.

(ii) At the time of filing the application, the applicant shall pay a second unit dwelling unit application fee. The fee may be set by resolution of the Board of Supervisors and may be adjusted by the Board from time to time to reflect the cost of processing the applications and related appeals.

(iii) The application shall include a site plan, elevations, drawings, photographs, floor plans and such further information as the Permit and Resource Management Department deems necessary to evaluate the application in light of the requirements contained in this section.

(iv) After receiveing the completed application and accompanying material, the Permit and Resource Management Department shall give notice of the application as provided for in subsection (d) (2) (i) or (d) (3) (i), whichever is applicable.

(2) When processing an application for a second dwelling unit which does not require a coastal/use permit, the following additional procedures shall be adhered to:

(i) At least ten (10) days prior to the date upon which the zoning permit for the second dwelling unit would be issued the Permit and Resource Management Department shall mail notice of the application to all property owners within three hundred (300) feet of the subject property and shall post a notice on the property for at least ten (10) days indicating the applicant's intent to locate a second unit on the property. The written notice which is mailed and posted shall state that the County intends to issue a zoning permit for a second dwelling unit on the

property unless a written protest is received by the Permit and Resource Management Department within the ten (10) day period.

(ii) If no written protest and fee is received within the ten (10) day period, the Permit and Resource Management Department may issue a zoning permit for the second unit.

(iii) If a written protest is filed within ten days of posting or publication, it must be accompanied by a fee in an amount set by resolution of the Board of Supervisors. The only grounds for a written protest shall be that the proposed second dwelling unit does not meet the criteria set forth in this section.

(iv) A homeowner's association or members thereof wishing to object to the issuance of a zoning permit for a second dwelling unit on the basis that it is prohibited in the CCRs must include, with the written protest, a complete copy of the CCRs bearing the stamp of the Sonoma County Recorder.

(v) If a written protest on proper grounds and fee is received within the ten (10) day period, the Permit and Resource Management Department will schedule a hearing on the proposed second dwelling unit before the Board of Zoning Adjustments. The Board of Zoning Adjustments will determine whether the proposed second unit meets the criteria set forth in this section.

(vi) Decisions of the Board of Zoning Adjustments are appealable to the Board of Supervisors within twelve (12) days from the date of the Board of Zoning Adjustments' action. Appeals shall be accompanied by a fee to be set by Resolution of the Board of Supervisors. The Board of Supervisors shall hear the matter de novo.

(vii) If a second dwelling unit application is appealed to the Board of Zoning Adjustments or the Board of Supervisors, the appropriate Board may approve, deny or conditionally approve the permit based on the criteria set forth in this section.

(3) When processing an application for a second dwelling unit which requires a coastal/use permit, the following additional procedures shall be adhered to:

(i) The Permit and Resource Management Department shall mail notice of the application to all property owners within three hundred (300) feet of the subject property and shall post a notice on the property for at least ten (10) days indicating the applicant's intent to locate a second dwelling unit on the property. The written notice which is mailed and posted shall state that the County intends to waive the requirement for a coastal/use permit and approve construction of a second dwelling unit on the property unless a written protest is received by the Permit and Resource Management Department within the ten (10) day period.

(ii) If no written protest is received within the ten (10) day period, the Permit and Resource Management Department may waive the use permit. Notwithstanding the foregoing, such use permit shall not be waived by the Permit and Resource Management Department unless the Director of the Permit and Resource Management Department first makes all of the required findings set forth in subsection (d) (3) (v) of this section.

(iii) The only grounds for a written protest shall be as follows:

(A) That the proposed second dwelling unit does not meet the criteria set forth in this section;

(B) That the proposed second dwelling unit will be incompatible in the neighborhood, due to increased noise or traffic, placement of the second dwelling unit;

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(C) That the second dwelling unit will pose adverse drainage and erosion impacts;

(D) That the proposed second dwelling unit will be incompatible with an adjacent agricultural operation.

(iv) A homeowner's association or members thereof wishing to object to a use permit waiver for a second dwelling unit on the basis that it is prohibited by CCRs must include, with the written protest, a complete copy of the CCRs bearing the stamp of the Sonoma County Recorder.

(v) If a written protest on proper grounds is received within the ten (10) day period, the application for a use permit for a second dwelling unit shall be noticed and processed in the same manner as any other application for a use permit; provided, however, that in addition to making the finding required by Section 26C-332.1, the Board of Zoning Adjustments and the Board of Supervisors, on appeal, shall also find that the proposed second unit meets all of the requirements of this section. Additionally, the respective Boards shall consider increases in noise or traffic, site placement of the second unit, whether there exists adequate drainage and erosion controls and whether the proposed second unit is compatible with any adjacent agricultural operations. In the case of a use permit waiver, the Director of the Permit and Resource Management Department must make all of the findings required in this subsection, prior to waiving the use permit.

(vi) Decisions of the Board of Zoning Adjustments are appealable to the Board of Supervisors within twelve (12) days from the date of the Board of Zoning Adjustments' action. Appeals shall be accompanied by a fee to be set by Resolution of the Board of Supervisors. The Board of Supervisors shall hear the matter de novo.

(vii) If an application for a second dwelling unit is protested to the Board of Zoning Adjustments or appealed to the Board of Supervisors, the appropriate Board may approve, deny or conditionally approve the permit based on the criteria set forth in this section.

(e) Miscellaneous Provisions.

(1) Except as is otherwise provided herein, in the event that the provisions of this Section conflict with other provisions of Chapter 26C with respect to the regulation of second units, the provisions of this Section control. (Ord. No. 4935 § 1, 1996; Ord. No. 4781 § 2 (C-L), 1994; Ord. No. 4643, 1993; Ord. No. 3511.)

**Section 26C-325.2. Recycling Collection and Processing Facilities.**

The criteria and standards for recycling collection and processing facilities are as follows:

(a) Permits Required.

(1) No person shall place or permit placement, construction, or operation of any recycling facility, including reverse vending machine, large or small collection facility, or light or heavy processing facility without first obtaining a use permit or design review approval pursuant to the provisions set forth in this Section ~~26C-326~~. Subject to the restrictions and requirements of this section, recycling collection and processing facilities may be permitted as set forth in the following table:

| Type of Facility | Zones Permitted | Permit Required |
|---|---|---|
| Reverse Vending Machine | ~~LC~~, CS, ~~C1~~, CT, C2, ~~C3~~, CF, PF, ~~RC, M1, M2, M3,~~ PC, AS | Administrative Design Review |
| Small Collection Facility | ~~LC~~, CS, ~~C1~~, CT, C2, ~~C3~~, CF, PF, ~~RC, M1, M2, M3,~~ PC, AS | Administrative Design Review |
| Large Collection Facility | ~~C3~~, CF, ~~M1, M2, M3~~ | Use Permit |
| Light Processing Facility | ~~C3~~, CF, ~~M1, M2, M3~~ | Use Permit |
| Heavy Processing Facility | ~~M2~~ CF | Use Permit |

(2) A Planned Community (PC) district may expressly permit or prohibit recycling facilities. Where a PC district does not specifically address such facilities but allows uses permitted in the ~~C1, LC, RC,~~ CS, CT, C2, CF, ~~C3~~, PF, AS ~~M1, M2~~ districts, reverse vending machines and small collection facilities may be permitted with an administrative design review permit.

(3) A single administrative design review permit may be granted to allow more than one Reverse Vending Machine or more than one Small Collection Facility, even if located on different sites, pursuant to the following criteria:

a. the operator of each of the proposed facilities is the same;

b. the proposed facilities are determined by the Director of ~~Planning~~ the Permit and Resource Management Department to be similar in nature, size and intensity of activity;

c. all of the applicable criteria and standards set forth in this section are complied with.

(b) Reverse Vending Machines. Reverse vending machines shall meet the following conditions:

(1) Shall be established in conjunction with a commercial use, industrial or public facility use, which is in compliance with all Chapters of the Codes of the County of Sonoma including but not limited to Sonoma County Fire Code, Uniform Building Code and Zoning Ordinance.

(2) Shall, when associated with a commercial or industrial use, be located within 30 feet of the entrance to the primary use and shall not obstruct pedestrian or vehicular circulation.

(3) Shall be constructed and maintained with durable waterproof and rustproof material and shall be covered.

(4) Shall be clearly marked to identify the type of material to be deposited.

(5) Shall have a sign area of a maximum of four (4) square feet and sign(s) shall be attached to the machine.

(6) Shall be no more than 80 cubic feet in bulk and no more than eight feet in height per machine.

(7) The operator of the reverse vending machine and the operator of the primary use, on a daily basis, shall remove any and all recyclable materials or refuse which has accumulated or is deposited outside the reverse vending machines.

(8) Reverse vending machines located within a structure in which the primary use is located shall not require any permits under this section.

(9) Where a reverse vending machine is located nearer than 50 feet to a residential property, structure barriers shall be provided to reduce noise impacts.

(10) Reverse vending machine operation may be limited to the hours of operation of the host use.

(c) Small collection facilities. Small collection facilities shall meet the following conditions:

(1) Shall be established in conjunction with a commercial use, industrial use institutional or community facility public facility use which is in compliance with all chapters of the codes of the County of Sonoma including but not limited to the Sonoma County Fire Code, Uniform Building Code and Zoning Ordinance.

(2) Containers shall be constructed and maintained with durable waterproof, rustproof, and fire resistant material and shall be covered at all times when not attended.

(3) Containers shall be clearly marked to identify the type of recyclable materials which may be deposited. A sign shall be displayed stating that no materials shall be left outside designated containers.

(4) Facilities shall be clearly marked to identify the name and telephone number of the facility operator.

(5) The site shall be swept and maintained in a dust-free, litter-free condition on a daily basis.

(6) The facility shall be placed on a site so as not to obstruct on-site or off-site pedestrian or vehicular circulation, or any loading facilities.

(7) The facility shall be set back at least 20 feet from any street or right-of-way.

(8) The facility shall not impair the landscaping required for any concurrent use or any permit issued pursuant thereto.

(9) The noise level for the collection facility shall not at any time exceed 55 dBA as measured at the property line of any residentially zoned or residentially used property, and shall not exceed 65 dBA.

(10) The facility shall not include power-drive sorting and/or consolidation equipment such as crushers, balers, or bulk reverse vending machines.

(11) Signs may be provided as follows:

a. maximum sign area shall be four square feet;

b. no illuminated signs; and

c. signs must be consistent with the character of the location.

(12) Use of the facility for collection or disposal of refuse or hazardous material is prohibited.

(13) The facility shall be removed from the site no later than the date following expiration of the zoning permit for the primary use of the property or the state certification permit, whichever expires earlier.

(14) The facility shall be in operation only during the hours of operation of the primary use. Unless permission is otherwise given by the operator of primary use.

(15) The facility shall conform to all development regulations for the zoning district in which it is located.

(16) The occupation of parking spaces by the facility and by the attendant may not reduce available parking spaces below the minimum number required for the primary use unless all of the following conditions exist:

a. the facility is located in a convenience zone or a potential convenience zone as designated by the California Department of Conservation;

b. a parking study shows that existing parking capacity is not already fully utilized during the time the recycling facility will be on the site;

c. the use permit or design review approval will be reconsidered at the end of 18 months.

If the conditions set forth in A through C exist, a reduction in available parking spaces in an established parking facility may then be allowed as follows:

For a priority commercial or industrial host use:

| Number of Available Parking Spaces | Maximum Reduction |
|---|---|
| 0-25 | 0 |
| 26-35 | 2 |
| 36-49 | 3 |
| 50-99 | 4 |
| 100+ | 5 |

For a primary institutional use: A maximum five (5) spaces reduction will be allowed when not in conflict with parking needs of the primary use.

(17) The facility operator shall, on a daily basis, remove any and all recyclable materials or refuse which has accumulated or is deposited outside the containers, bins, or enclosures intended as receptacles for such materials.

(18) Small collection facilities are encouraged to accept all types of recyclable materials including, but not limited to all types of beverage and food containers made from aluminum, non-aluminum metal, glass, and plastic, and in appropriate circumstances the County may require collection of all types of recyclable materials as a condition of design review approval. Small collection facilities may collect newspapers and cardboard in containers constructed of non-flammable materials.

(d) Large collection facilities: Large collection facilities shall meet the following conditions:

(1) The facility will be screened from the public right-of-way and adjacent properties zoned, planned, or used for residential purposes by operating in an enclosed building or:

a. will be located within an area enclosed by an opaque fence at least six (6) feet in height with landscaping;

b. will meet all the noise standards set forth in subsection (d)(7).

(2) Setbacks and landscape requirements shall be those provided for the zoning district in which the facility is located.

(3) Materials stored outside shall be bailed, palletized, densified or in sturdy containers maintained in good condition. Storage containers for flammable material shall be constructed of non-flammable material. Oil storage must be in containers approved by the fire district, California Department of

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Forestry and the Sonoma County Public Health Department. No storage, excluding truck trailers and overseas containers, will be visible above the height of the fencing.

(4) The site shall be maintained free of litter and any other undesirable materials and will be cleaned of loose debris on a daily basis.

(5) Space will be provided on site for six (6) vehicles or the anticipated peak customer load, whichever is higher, to circulate and to deposit recyclable materials, except where the ~~Planning~~ Director of the Permit and Resource Management Department determines that allowing overflow traffic above six (6) vehicles is compatible with surrounding businesses and public safety.

(6) In addition to the parking spaces required in paragraph 5, one (1) parking space will be provided for each commercial vehicle operated by the recycling facility. Parking requirements will be as provided for in the zone, except that parking requirements for employees may be reduced when it can be shown that parking spaces are not necessary such as when employees are transported in a company vehicle to a work facility.

(7) Noise levels shall not exceed 55 dBA as measured at the property line of residentially zoned or occupied property, and shall not otherwise exceed 70 dBA.

(8) If the facility is located where it abuts property zoned, planned or occupied for residential use, it shall not be in operation between 7:00 pm and 7:00 am.

(9) Any containers provided for donation of recyclable materials will be adequately screened from any property zoned or occupied for residential use and shall be of sturdy, rustproof construction, shall have sufficient capacity to accommodate materials collected, and shall be secure from unauthorized entry or removal of materials.

(10) Unattended donation areas will be kept free of litter and any other undesirable material and the containers will be clearly marked to identify the type of material that may be deposited; the facility shall display a notice stating that no material shall be left outside the recycling containers.

(11) The facility will be clearly marked with the name and phone number of the facility operator and the hours of operation. Identification and informational signs will meet the standards of the zone. Directional signs, bearing no advertising message, may be installed with the approval of the ~~Planning~~ Director of the Permit and Resource Management Department, if necessary to facilitate traffic circulation or if the facility is not visible from the public right-of-way.

(12) Power-drive processing, including aluminum foil and can compacting, bailing, plastic shredding, or other light processing activities necessary for efficient temporary storage and shipment of material, may be approved through a use permit process where noise standards can be shown to be complied with.

(13) Other conditions may be required in connection with the use permit process.

(e) Light and Heavy Processing Facilities. A light or heavy processing operation shall meet the following conditions:

(1) The facility shall be screened from the public right-of-way and adjacent properties zoned, planned, or occupied for residential use.

(2) Processors will operate in a wholly enclosed building except for incidental storage, or

a. shall operate within an area enclosed on all sides by an opaque fence or wall not less than eight (8) feet in height and landscaped on all street frontages.

(3) Power-drive processing shall be permitted, provided noise level requirements of subsection (e)(11) are met. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials.

(4) A light processing facility shall be no larger than 45,000 square feet and may not shred, compact or bale ferrous metals other than food and beverage containers.

(5) A processing facility may accept used motor oil for recycling from the generator in accordance with Section 25250.11 of the California Health and Safety Code.

(6) Setbacks and landscaping requirements shall be those provided for the zoning district in which the facility is located.

(7) Materials stored outside shall be baled, palletized, densified or shall be in sturdy containers maintained in good condition. Storage containers for flammable material shall be constructed of non-flammable material. Oil storage must be in containers approved by the local fire district, Department of Forestry and Department of Public Health. No storage excluding truck trailers and overseas containers will be visible above the height of the fencing.

(8) The site shall be maintained free of litter and any other undesirable materials, will be cleaned of loose debris on a daily basis, and will be secured from unauthorized entry and removal of materials when attendants are not present.

(9) Parking space shall be provided on site for the anticipated peak load of customers to circulate, park and deposit recyclable materials. If the facility is open to the public, space will be provided for a minimum of ten (10) customers except where the ~~Planning~~ Director of the Permit and Resource Management Department determines that a lesser amount is surrounding business and public safety.

(10) In addition to the parking required by paragraph (g), one (1) parking space will be provided for each commercial vehicle operated by the processing center. Parking requirements will otherwise be as mandated by the zone in which the facility is located.

(11) Noise levels shall not exceed 55 dBA as measured at the property line of residentially zoned or occupied property, and shall not exceed 70 dBA.

(12) If the facility is located within 500 feet of property zoned or planned or occupied for residential use, it shall not be in operation between 7:00 pm and 7:00 am. The facility will be administered by on-site personnel during the hours the facility is open.

(13) Any containers provided for donation of recyclable materials will be adequately screened from any property zoned or occupied for residential use and shall be of sturdy, rustproof construction, shall have sufficient capacity to accommodate materials collected, and shall be secure from unauthorized entry or removal of materials.

(14) Donation areas shall be kept free of litter and any other undesirable material. The containers shall be clearly marked to identify the type of material that may be deposited.

(15) Sign requirements shall be those provided for the zoning district in which the facility is located. In addition, the facility will be clearly marked with the name and phone number of the facility operator and the hours of operation.

(16) No dust, fumes, smoke, vibration or odor above ambient level shall intrude on neighboring properties.

(17) Other conditions may be required as part of the use permit process.

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**Section 26C-325.3 Large Family Day Care.**

(a) Performance Standards: Any applicant for Large Family Day Care shall provide evidence to the ~~Planning~~ Director of the Permit and Resource Management Department at the time of application for a zoning permit of conformance to the following standards:

(1) Application:

An application for a zoning permit shall be accompanied by all information, plans, fees and descriptions required by the ~~Planning~~ Permit and Resource Management Department to process the application.

(2) Fencing:

Any front side or rear yard areas intended for day care use shall be surrounded by a barrier to separate the children from neighboring properties. Examples of acceptable barriers include hedgerows, chainlink or wood fences, walls, and the like. Fences shall be installed to protect the children from possible hazards (e.g., swimming pools, ravines, vicious animals, etc.) according to State Social Services licensing provisions. The application shall state the type of barrier proposed and the area to be fenced.

(3) Health and Safety Codes:

Proposed day care homes shall comply with applicable building and fire code provision, with the applicable Building Codes, Health Codes, Fire Code standards adopted by the State and administered by the County Fire Marshal, and with Social Services Department licensing requirements (California Administrative Code, Title 22, Division 2).

(4) Spacing and Concentration:

Properties used for large family day care homes may be located closer than three hundred feet (300') from one another in all directions unless there is an appeal from a neighbor. In no case shall a residential property be directly abutted by large family day care on two or more sides.

(5) Noise:

Noise emanating from a large family day care home or child care facility site shall not exceed 60 decibels on the A scale measured at the property line. A noise wall or other sound attenuating device may be required to insure that this level of noise is not exceeded.

(6) Circulation:

Residences located on arterial streets (as shown on the General Plan Circulation Map) must provide a drop-off/pick-up area designed to prevent vehicles from backing onto the arterial roadway. An accurate circulation plan, including parking, circulation, and drop-off areas, shall be included with the application.

(7) Parking:

All dwellings used for large family day care facilities shall provide at least three (3) automobile parking spaces. These may include spaces already provided to fulfill residential parking requirements and on-street parking so long as it abuts the site.

(8) Review and Enforcement:

a. One-Year Review

The zoning permit for large family day care shall be reviewed after one year by the Director to identify and achieve mitigation of any adverse conditions related to the day care activities conformance to these Zoning Ordinance regulations. The Director may mitigate problems related to noise, traffic, parking, and code violations by imposing new conditions, such as limiting hours of operation, requiring installation of solid fencing, subsequent or periodic review, etc. at his/her discretion. The Director shall give notice of this review to owners and residents of property within 100' of the large family day care to allow at least ten days for comment.

(b) Procedure for application for large family day care:

(1) An application for a zoning permit shall be accompanied by all information, plans, fees and descriptions required by the ~~Planning~~ Permit and Resource Management Department. Large family day care is exempt from CEQA.

(2) After the application is submitted, it will be referred to all interested agencies.

(3) At least ten days prior to the date upon which the zoning permit would be issued, the ~~Planning~~ Permit and Resource Management Department shall mail notice of the application to all property owners within 100 feet of the subject property and shall post a notice on the property for at least ten days indicating the applicant's intent to locate a large family day care on the property. The written notice which is mailed and posted shall state that the County intends to issue a zoning permit on the property unless a written protest is received by the ~~Planning~~ Permit and Resource Management Department within the ten-day period.

(4) If no written protest and fee is received within the ten day period, the ~~Planning~~ Permit and Resource Management Department may issue a zoning permit for the day care, subject to the adopted standards.

(5) If a written protest is filed within ten days of posting or publication, it must be accompanied by a fee in an amount set by resolution of the Board of Supervisors. The only grounds for a written protest shall be that the proposed family day care does not meet the criteria set forth in this section.

(6) If a written protest on proper grounds and fee is received within the ten day period, the ~~Planning~~ Permit and Resource Management Department will schedule a hearing on the proposed large family day care before the Board of Zoning Adjustments. The Board of Zoning Adjustments will determine whether the proposed day care meets the criteria set forth in this section.

(7) Decisions of the Board of Zoning Adjustments are appealable to the Board of Supervisors within twelve days from the date of the Board of Zoning Adjustment's action. Appeals shall be accompanied by a fee to be set by resolution of the Board of Supervisors. The Board of Supervisors shall hear the matter de novo.

(8) If the day care application is appealed to the Board of Zoning Adjustments or the Board of Supervisors, the appropriate Board may approve, or deny or conditionally approve the permit based on the criteria set forth in this section.

(9) Operators of existing large family day care homes shall have twelve (12) months of adoption of this ordinance in which to apply for a zoning permit, thereby establishing the use as a legal day care facility. A fee shall be required for the zoning permit, but posting and standards shall be waived.

**Section 26C-325.4. Manufactured Homes Placed on Permanent Foundations.**

(a) Purpose: To increase the supply of housing and variety of housing types available to the public by establishing a method for placement of manufactured homes on permanent foundations on individual lots, while architecturally integrating the mobile home into the surrounding neighborhood

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(b) Application: One manufactured home per lot is permitted pursuant to Section 26C-328(c), wherever the single-family dwelling is permitted provided that no other residential structures exist on the property. Additional manufactured homes, or manufactured homes which constitute additional residential units, may be permitted pursuant to this Section where additional single-family dwellings are permitted, subject to obtaining a use permit or use permit waiver.

The provisions of this Section shall not apply to the ~~J (manufactured home exclusion) or~~ HD (historic combining) districts, nor shall these provisions apply to manufactured homes used to house full-time agricultural employees where not placed on a permanent foundation. ~~Manufactured homes in the SD combining district will require design review.~~

(c) General requirements:

(1) Effect of locating a manufactured home on a permanent foundation system.

a. A Manufactured home which has been placed on a single lot and on a permanent foundation system pursuant to this Section shall be deemed to be a single-family dwelling, and subject to local property taxation pursuant to Section 18551 of the Health and Safety Code and Section 109.7 of the Revenue and Taxation Code.

(2) Construction standards.

a. A Manufactured home shall not be located on a permanent foundation system on a single lot unless:

1. a) it has been certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 and less than 10 years have elapsed between the date of manufacture of the manufactured home and the date of application for the issuance of a permit to install the manufactured home; or

b) it is factory-built housing as defined in California Health and Safety Code Section 19971; and

2. it has not been altered in violation of applicable codes.

(d) Criteria: In the LIA, LEA, DA, RRD, RRDWA, TP, RR, AR, R1, R2, ~~R3,~~ and PC districts, manufactured homes placed on permanent foundations shall:

1. Be occupied only as a residential use type in compliance with all applicable regulations.

2. Be subject to all provisions of this chapter applicable to residential structures.

3. Have a minimum width of twelve (12) feet, not including "expander".

4. Be covered with an exterior material (including wood, stucco, masonite, and horizontal "lap" siding) customarily used on conventional dwellings and approved by the ~~Planning~~ Director of the Permit and Resource Management Department. The exterior covering materials shall extend to the ground, except that when a solid concrete or masonry perimeter foundation is used, the exterior covering materials need not extend more than six (6) inches above finished grade.

5. Have a roof with a pitch of not less than three (3) inches vertical rise for each twelve (12) inches of horizontal run and consisting of shingles or other material customarily used for conventional dwellings and approved by the ~~Planning~~ Director of the Permit and Resource Management Department.

6. Have eaves of a conventional design.

(e) Installation of manufactured home:

(1) Surrender of registration. Subsequent to applying for the required building permits and prior to occupancy, the owner shall request a certification from the building department that a certificate of occupancy be issued pursuant to Section 18551(b)(2) of the California Health and Safety Code. Thereafter, any vehicle license plate, certificate of registration issued by a state agency is to be surrendered to the appropriate state agencies. Any manufactured mobile home which is permanently attached with underpinning or foundation to the ground must bear a California insignia or federal label pursuant to Section 18550(b) of the Health and Safety Code.

(2) Compliance. The ~~directors of building and planning~~ Director of the Permit and Resource Management Department shall determine that the project is in compliance with all requirements and conditions of the building permit prior to issuing final approval for occupancy.

(3) Building permit. Prior to installation of a manufactured home on a permanent foundation system the manufactured home owner or a licensed contractor shall obtain a building permit from the building department. To obtain such a permit, the owner or contractor shall comply with all requirements of Section 18551(a) of the Health and Safety Code.

**Section 26C-325.5. Mobile Home Park Standards.**

(a) Compliance with Board of Zoning Adjustments Standards Generally: All mobile home parks where approved by a use permit in the R2, ~~R3,~~ or PC district shall be developed in conformance with minimum design and improvement standards adopted by the Board of Zoning Adjustments.

(b) Design review: All mobile home parks shall be subject to design review by the ~~Planning~~ Director of the Permit and Resource Management Department in accordance with Article XLI and shall meet all provisions of this Section; provided, that when a change in design of any existing mobile home park is determined by the ~~Planning~~ Director of the Permit and Resource Management Department to be necessary and such change in design would not allow for full compliance with a provision of this Section, the ~~Planning~~ Director of the Permit and Resource Management Department shall have the authority to make such a determination as necessary for the administration of this Section.

(c) Mobile home park lot lines:

(1) Mobile home park lot lines shall not be created, moved, shifted, or altered except as permitted by this subsection.

(2) No mobile home park lot lines shall be created, moved, shifted, or altered if the action will place an occupant of a mobile home space or lot in violation of any mobile home separation or space requirements of this Chapter, Part 21 (commencing with section 18200) of Division 13 of the Health and Safety Code, or any administrative regulation adopted pursuant thereto.

(3) Applications to create, move, shift, or alter mobile home lot lines shall include the written authorization of the occupant or occupants, if any, of the mobile home spaces on which the lot lines will be created, moved, shifted, or altered. Written notice of applications shall be given to interested agencies and all residents of the subject mobile home park. Applications involving lot lines previously established through the use permit process shall be accompanied by a concurrent application to amend the applicable use permit and shall be acted upon by the Board of Zoning Adjustments at the same time as the amendment.

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(4) Applications not involving lot lines previously established through the use permit process may be acted upon by the ~~Planning~~ Director of the Permit and Resource Management Department if there are no written objections by interested agencies or residents of the mobile home park. If there are written objections by interested agencies or residents of the mobile home park, the ~~Planning~~ Director of the Permit and Resource Management Department shall refer the proposal to the Board of Zoning Adjustments for a public hearing and decision.

(5) In order to approve an application to create, move, shift or alter mobile home park lot lines, the finding of the ~~Planning~~ Director of the Permit and Resource Management Department or the Board of Zoning Adjustments shall be that the proposal will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort, or general welfare of persons residing in the mobile home park or to the general welfare of the area.

(6) In approving an application to create, move, shift, or alter mobile home park lot lines, the ~~Planning~~ Director of the Permit and Resource Management Department or the Board of Zoning Adjustments may designate such conditions as are necessary to secure the purposes of this Chapter and may require such guarantees and evidence that such conditions are being, or will be, complied with as are deemed appropriate.

(d) Submittal of plans: Development plans shall be submitted to the ~~Planning~~ Director of the Permit and Resource Management Department at least ten days prior to application for those permits required by Section 18500 of the Health and Safety Code or its successors, and any other pertinent permit requirements of the county and the Department of Housing and Community Development of the state.

Detailed drainage plans shall be submitted to and approved by the County Water Agency.

(e) Stage development: Development may be in stages so long as each stage meets the minimum standards of this Section and there is no occupancy of any mobile home until at least ten mobile home lots are developed and improved on at least two acres and authorized by a permit for occupancy as provided in Section 18505 of the Health and Safety Code.

(f) Density: The ~~Planning~~ Director of the Permit and Resource Management Department shall determine the allowable density for each mobile home park based on the following criteria:

(1) Provisions for necessary space for compliance with this Section.

(2) Individual mobile home sites shall be a minimum of two thousand four hundred (2,400) square feet.

(3) The maximum permitted residential density for a mobile home park shall be consistent with that established by the General Plan.

(4) Every mobile home shall have a minimum ten (10) foot clearance in all directions from other structures excluding storage cabinets, except that when awnings, porches or cabanas are attached, the minimum clearance shall be six (6) feet.

(g) Park area: No mobile home park shall be less than four (4) gross acres in area.

(h) Building lines: All structures and mobile homes shall have a setback of at least fifteen (15) feet from all property lines. All structures and mobile homes shall have a setback of at least twenty (20) feet from the ultimate right of way of any street adjoining the mobile home park. In case a greater building setback line has been established by ordinance, such greater building setback line shall be observed. The setback area shall be landscaped and continually maintained.

(i) Parking spaces: There shall be three (3) parking spaces for every two (2) mobile homes within at least one parking space on each site. Where tandem parking is utilized, one additional parking space for each ten (10) mobile homes shall be provided for guest parking and shall be dispersed throughout the development.

(j) Recreation Space: Each mobile home park shall contain a minimum of three hundred (300) square feet of recreation space per mobile home site; except, that when children are allowed, an additional three hundred (300) square feet per site shall be added, but in no case shall the total recreation space be less than six thousand (6,000) square feet in area not less than three thousand (3,000) square feet for any one recreation area. Recreation space design and location shall be approved by the ~~Planning~~ Director of the Permit and Resource Management Department.

(k) Utilities: All utility distribution facilities, including but not limited to electric, communication and cable television lines, installed in an for the purpose of supplying service to any mobile home park shall be placed underground, except as follows: Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets and concealed ducts. The developer is responsible for complying with the requirements of this subsection and shall make the necessary arrangements with the utility companies involved for the installation of such facilities.

(l) Storage facilities, garbage collection: A minimum 3' x 5' x 5' cabinet for storage shall be provided on each site; adequate trash enclosures and garbage collection shall be provided.

(m) Accessory uses: Accessory uses are those uses that are incidental to the original use; exist for the sole purpose of service to residents, are customarily found in multiple-family development and do not alter the character of the original use. Any structure used for an accessory use shall meet all requirements for a main structure. Allowable accessory uses include vending machines, a common car wash, storage area for travel trailers and boats, management facility, recreational facility and other uses which in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department are of a similar nature.

(n) Travel trailers: Travel trailers shall be allowed for permanent occupancy in a mobile home park and for storage by permanent occupants. Overnight use of spaces may be permitted upon first securing a use permit in each case to review compatibility. Travel trailer spaces shall be designated on the development plan and shall be separated from permanent mobile home spaces.

(o) Walls, fences, etc. A six (6) foot wall, fence or landscape screen may be required along all boundaries adjoining other properties. The ~~Planning~~ Director of the Permit and Resource Management Department shall make such a determination on the basis of esthetics and compatibility with surrounding proposed and existing development. A solid masonry wall, fence or such other decorative landscaping or screening as determined suitable by the ~~Planning~~ Director of the Permit and Resource Management Department may be required fifteen (15) feet from the ultimate property line adjacent to any public or private street. If a wall or fence is required it shall not be less than forty-two (42) inches in height nor greater than six (6) feet in height.

(p) Landscaping: All open areas, excluding mobile home sites, shall be landscaped and maintained. At least forty percent (40%) of all open areas shall be landscaped with live materials. Landscaping shall include planting of trees along perimeter boundaries adjacent to adjoining properties of a five (5) gallon size with a minimum of one tree per mobile home site. Additional and more mature trees may be required where they are being utilized in lieu of fencing development. Plans shall indicate a means of irrigation for landscaped areas.

(q) Signs: One non-illuminated or indirectly illuminated detached appurtenant sign that shall not exceed ten (10) feet in overall height or thirty-two (32) square feet in area shall be permitted and shall be integrated into the landscape with the location and elevation approved by the ~~Planning~~ Director of the Permit and Resource Management Department.

(r) Access: All streets shall be paved to a width of not less than twenty-five (25) feet from shoulder to shoulder. Access streets shall be thirty-three (33) feet in width if car parking is permitted on one side and forty-one (41) feet in width if car parking is permitted on both sides.

(1) No access driveway shall be located closer than one hundred (100) feet to any intersection.

(2) All cul-de-sac streets shall have a minimum outside turning radius of thirty-eight (38) feet.

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(3) All corners shall have a minimum fifteen (15) foot radii.

(4) Curbs and gutters shall be installed on both sides of all streets. The Planning Commission may approve alternate treatment in cases of extreme topography or low density developments.

(5) All streets shall be adequately lighted.

(6) Each site shall front on an access street.

(7) Stop signs shall be provided at all intersections with all public streets.

(s) Circulation: All mobile home park developments shall complement adjoining, existing or contemplated vehicle circulation patterns. All mobile home park developments shall dedicate land adjoining public roads to the county for road widening purposes and improvements of the same to county standards may be required, as stipulated by the County Department of Public Works, to offset the burden placed on the public by the generation of new traffic.

(t) Compliance with State Regulations and Other Regulations of the County: All pertinent state and county regulations concerning the development and operation of mobile home parks shall be observed. Nothing contained in this Section shall be construed to abrogate, void or minimize such other pertinent regulations.

**Section 26C-325.6. Low Water Use Landscaping.**

(a) Purpose: The purpose of this landscape ordinance is to effect efficient water use through proper landscape design and management. County decision making bodies or the ~~Planning~~ Director of the Permit and Resource Management Department may grant exceptions from this code section where appropriate and justified in light of unique project circumstances or conditions. Any such exception shall be conditioned upon the applicant providing alternative means of water conservation. For the purpose of this ordinance, landscaped areas shall be defined as ornamental planted areas, patios, decks, walkways and natural areas (excluding creek setback zones) within that portion of the lot to be developed. Pools, ponds, and fountains will be considered on an individual basis.

(b) Applicability:

(1) The Landscape Ordinance is applicable to all new and rehabilitated landscaping in projects that are subject to county discretionary review, including common areas. When two or more model homes are proposed in a residential complex, at least one shall comply with this ordinance. The low water use model home shall be identified with signage as water conserving.

(2) The following projects are exempt from the landscape ordinance:

a. Landscaping on existing and proposed single family lots. It is recommended but not required that front yard landscaping installed by developers on existing and proposed single family lots comply with this ordinance.

b. Areas devoted to agricultural cultivation.

c. Projects utilizing individual wells drawing groundwater for landscaping in Water Availability zones #1 and #2, as specified in the County General Plan or by the County Health Department.

d. Areas utilizing reclaimed wastewater for irrigation.

e. Public parks, golf courses, cemeteries, school recreational areas, and private active use recreational areas where the applicant can demonstrate no other feasible alternative exists to turf ground cover.

(c) Plant Selection: Plants selected in landscaped non-turf areas shall be well suited to the climate of the region and require minimal water once established. Plants that are of a higher water use variety shall be grouped together and be irrigated separately from water conserving plants.

(d) Turf Selection and Limitations: Turf shall be limited to 25% (or 30% for drought tolerant turf varieties) of the projects landscaped areas. Infill lots, corner lots, and other lots with more than one street frontage may be permitted to have turf up to 35% (or 40% for drought tolerant turf varieties) of the projects landscaped areas, where necessary to provide consistent street scapes.

No turf shall be allowed:

(1) in areas eight feed wide or less

(2) on slopes exceeding 10%, or 25% where other project water saving techniques can compensate for the increased runoff. A level buffer zone of 18" shall be provided between bermed turf areas and any hardscape (i.e. streets, walkways, etc.).

(e) Soil Conditioning and Mulching:

(1) A minimum one foot depth of uncompacted soil shall be available for water absorption and root growth in planted areas.

(2) Soil tests for horticultural suitability shall be required at time of landscape installation. Soil shall be prepared and/or amended as appropriate.

(3) A minimum of two inches of mulch shall be added in non-turf areas to the soil surface after planting. Plant types that are intolerant to mulch shall be excluded from this requirement. Non-porous material shall not be placed under the mulch.

(f) Irrigation:

(1) All landscaped areas shall be irrigated with an automatic system. Water efficient systems (drip, mini-spray, bubbler-type, etc.) shall be used whenever feasible. Low gallonage type sprinkler heads with matched precipitation rates shall be used when spray or rotor-type heads are specified for watering shrubs and ground cover areas. Lawns shall be sized and shaped so they can be efficiently irrigated. Spray or run-off onto paved areas shall be avoided.

(2) Dual or multi-program controllers with separated valves and circuits shall be used when the project contains more than one type of landscape treatment (lawn, ground cover, shrub, tree areas, etc.), or a variety of solar aspects. Soil moisture sensing devices and rain sensors shall be used on larger projects (50,000+ square feet of landscaped area) to minimize or eliminate over watering.

(3) Watering shall be scheduled at times of minimal wind conflict and evaporation loss.

(4) Sprinkler heads must have matched precipitation rates within each valve zone.

(5) Check valves are required where elevation differential may cause low head drainage.

(6) Within 60 days of project completion, it is recommended a water audit be conducted by a certified consultant to insure efficient water usage.

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**Section 26C-325.7 Telecommunications Facilities.**

(a) The following are the minimum criteria applicable to telecommunication facilities. In the event that a project is subject to discretionary and/or environmental review, mitigation measures or other conditions may also be necessary.

(1) Except as noted, all Telecommunication Facilities shall comply with the following:

a. any applicable easements or similar restrictions, including open space easements, on the subject property.

b. any applicable provisions of the General Plan or Local Coastal Plan and the permit requirements of any agencies which have jurisdiction over the project.

c. the regulations of any applicable combining district.

d. The height of any free-standing facility shall include the height of any structure upon which it is placed.

e. All setbacks shall be measured from the base of the tower closest to the applicable property line or structure.

f. The facility shall be operated so that they shall not result in human exposure to Non-ionizing Electromagnetic Radiation (NIER) in excess of the levels specified in the most current standard governing human exposure to NIER utilized by the Federal Communications Commission (FCC) in its licensing decision for the applicable facility. The applicant shall be responsible for demonstrating that the proposed facility will comply with this standard and may do so in any one of the following ways:

1. Provide evidence in the form of an FCC license or construction permit that the FCC has accepted the applicant's certification that the facility meets the FCC standard.

2. Provide evidence that the FCC has categorically excluded the applicant from demonstrating compliance with the FCC standard.

3. Provide an independent analysis by or on behalf of the applicant which demonstrates that the facility will comply with the FCC standard by such calculations and measurements as may be necessary. The calculations, measurements, and all related methods utilized to determine compliance shall be consistent with FCC policies and procedures.

g. Replacement of aging, defective, or obsolete legally-established antennas or towers is permitted without new zoning or use permit approval, provided that such replacement does not increase the height or result in a substantial change in the appearance of the facility. A legal non-conforming facility may be expanded one time not to exceed ten percent (10%) of the total existing silhouette, subject to all other applicable requirements of the Sonoma County Code.

h. In the event that a proposed telecommunication facility does not meet the required standards for such facility in the applicable district, it may be considered as the next larger facility, subject to the criteria therefor. For example, a Minor Facility that exceeds the allowed silhouette limit may be considered as an Intermediate Facility requiring a use permit, or an Attached Facility that exceeds the allowed silhouette limit may be considered as a Minor Facility requiring a zoning permit.

i. The site shall be restored to its natural state within six months of termination of use or abandonment of the site. Applicant shall enter into a site restoration agreement subject to the approval of the Director of PRMD and County Counsel.

As part of the agreement, the applicant shall commit to the following: where future technological advances would allow for reduced visual impacts resulting from the proposed wireless communication facility, the applicant agrees to make those modifications that would reduce the visual impact of the proposed facility.

(b) In addition to the standards of subsection a. above, Attached Commercial Telecommunication Facilities shall meet, at a minimum, the following criteria:

(1) The project description and permit shall include a specified maximum allowable silhouette of the facility. The silhouette shall be measured from the "worst case" elevation perspective, but shall not include support cables and guy wires as part of the silhouette calculation.

(2) A single vertical antenna not exceeding twenty-five feet (25') in height or four inches (4") in diameter may be included on a tower without being considered in the measurement of the height or silhouette of the facility.

(3) Antennas shall be located, designed, and screened to blend with the existing natural or built surroundings so as to minimize visual impacts and to achieve compatibility with neighboring residences and the character of the community to the extent feasible considering the technological requirements of the proposed telecommunication service.

(4) The owner/operator of any facility that causes interference with local television or radio reception shall be responsible for mitigation of such interference in accordance with the operator's applicable FCC license requirements.

(5) Approval of all Commercial Facilities is subject to the decision-making body finding that the proposed site results in fewer or less severe environmental impacts than any feasible alternative site.

(c) In addition to the standards of subsection a. above, Free-standing Commercial Telecommunication Facilities shall meet, at a minimum, the following criteria:

(1) Potential adverse visual impacts which might result from project related grading or road construction shall be minimized.

(2) Facility towers, antennas, and other structures and equipment shall be located, designed, and screened to blend with the existing natural or built surroundings so as to minimize visual impacts and to achieve compatibility with neighboring residences and the character of the community to the extent feasible considering the technological requirements of the proposed telecommunication service.

(3) Potential adverse impacts upon nearby public use areas such as parks or trails shall be minimized.

(4) Following assembly and installation of the facility, all waste and debris shall be removed and disposed of in a lawful manner.

(5) Significant adverse impacts on biotic resources, including any threatened, rare or endangered species, shall be mitigated.

(6) Drainage, erosion, and sediment controls shall be required as necessary to avoid soil erosion and sedimentation of waterways. Structures and roads on slopes of 30% or greater shall be avoided. Erosion control measures shall be incorporated for any proposed facility which involves grading or construction near a waterway or on lands with slopes over 10%. Natural vegetation and topography shall be retained to the extent feasible.

(7) The project description and permit shall include a specified maximum allowable silhouette of the facility. The silhouette shall be measured from the "worst case" elevation perspective, but shall not include support cables and guy wires as part of the silhouette calculation.

(8) A single vertical antenna not exceeding twenty-five feet (25') in height or four inches (4") in diameter may be included on a tower without being considered in the measurement of the height or silhouette of the facility.

(9) Upon abandonment or termination, the entire facility, including all equipment, towers, antennas, etc. shall be removed and the site restored to its pre-construction condition or other authorized use.

(10) The owner/operator of any facility that causes interference with local television or radio reception shall be responsible for mitigation of such interference in accordance with the operator's applicable FCC license requirements.

(11) Facilities shall be designed so as to provide adequate warning of potential hazards as well as location and operator identification and telephone number for public contact. Facilities may also be required to provide anti-climb devices or other security measures.

(12) The facility operator and property owner are encouraged to make available unutilized space for future co-located or multiple-user telecommunication facilities, including space for those entities providing similar, competing services.

(13) All applications for zoning permits or use permits shall include a statement or other documentation that all owners of property within three hundred feet (300') of the subject property have been provided with a written notification of the filing of the application.

(14) An alternatives analysis (required for Major Free-standing Facilities in all districts and for Intermediate Free-standing Facilities in the AR, RR, R1, R2, R3, and PC districts with a UR or RR land use designation) shall include the following content:

a. A topographic map of the proposed local service area which identifies the local network of facilities with which the proposed facility will connect.

b. A small scale map of the applicable franchise area which identifies the regional network of facilities with which the local network will connect.

c. Identification of the following on the local topographic map:

1. All other existing telecommunication facilities, including those owned or operated by the applicant for the same type of service, and those which provide other wireless services which could potentially support the proposed facility.

2. All other existing structures which might provide an opportunity for attached facilities.

3. Lands which are zoned for commercial or industrial use.

4. Lands which are designated as open space.

d. Identification of any existing service gaps in the proposed local service area as well as any service gaps which may remain in the event that the proposed facility is approved and constructed.

e. Identification of at least two alternative service plans which could provide comparable service to the intended service area. An explanation must be included if there are not at least two alternative plans. Alternatives which do not produce a minimum quality signal, or which would substantially interfere with another service do not need to be included.

f. The alternatives should include a mix of service strategies which incorporate existing, attached, and/or other free-standing facilities. The alternatives analysis for a facility proposed within a designated scenic resource area and/or a residential zone (AR, RR, R1, R2, R3, or PC with a UR or RR land use designation) shall include any feasible alternatives outside these respective areas. They should also be designed to offer clear tradeoffs involving:

1. the level of service provided.
2. the number of towers.
3. variety in tower heights and silhouettes.
4. potential visual impacts.
5. residential proximity and compatibility.
6. proximity to service area.
7. other applicable potential environmental impacts.

(15) A description of each alternative, including its ancillary equipment and structures and associated roads and compare and contrast the alternatives using the above factors. The alternative plans need not be analyzed at the same level of detail as the proposed project, but the justification for selection of the proposed project must be presented.

(16) Tower setbacks may be waived under any one of the following circumstances:

a. The facility is proposed to be co-located onto or clustered with an existing, legally-established telecommunication facility.

b. All of the owners of affected properties agree to the reduced setback. A property is considered affected if its dwelling unit lies within a distance equivalent to the required setback for the subject tower prior to reduction and the reduced setback would result in the tower being located closer to the dwelling unit than the above setback would otherwise allow.

1. Overall, the reduced setback enables further mitigation of adverse visual and other environmental impacts than would otherwise be possible.

(17) Approval of all Commercial Facilities is subject to the decision-making body finding that the proposed site results in fewer or less severe environmental impacts than any feasible alternative site.

(b) Additional standards for Telecommunication Facilities pertaining to specific districts.

(1) LIA, LEA, DA, RRD, RRDWA, AS, TP Districts:

a. Attached Commercial Facilities may be flush-mounted on the side or roof of a structure but are subject to a limit of five (5) square feet of silhouette above the structure ridge line or twenty-five (25) square feet above the roof of any single structure and a cumulative total silhouette for all attached commercial antennas on the subject lot of one hundred (100) square feet above the roofs of structures. The Director may allow these silhouette limits to be exceeded without requiring a zoning or use permit provided that the silhouette would be effectively unnoticeable

b. Minor Free-standing Commercial facilities shall meet the following standards:

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1. Towers shall be set back from the nearest offsite dwelling unit by a minimum distance equivalent to 110% of the height of the facility or the yard requirements of the applicable base district, whichever is more restrictive, provided that such setbacks may be waived pursuant to Section 325.7 1. c. (16)

2. The cumulative total silhouette of the facilities on the subject lot shall not exceed one hundred and sixty-five (165) square feet at full design capacity.

c. Intermediate and Major Free-standing Commercial facilities shall meet the following standards:

1. Towers shall meet the setback standards of Section 26C-325.7 (j)2. a. (b) 1.

2. For any proposed Major Facility, 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 26C-450 (j) 1. c. (14).

3. A visual analysis.

(2) AR, RR, R1, and R2 and PC Districts:

a. Attached Commercial Facilities may be flush-mounted on the side or roof of a structure but the cumulative total silhouette of all attached commercial antennas on the subject lot shall not exceed five (5) square feet above structure ridge lines or fifteen (15) square feet above the roofs of structures. The Director may allow these silhouette limits to be exceeded without requiring a zoning or use permit provided that the silhouette would be effectively unnoticeable

b. Minor Free-standing Commercial facilities shall meet the following:

1. Towers shall be set back from the nearest offsite dwelling unit by a minimum distance equivalent to 110% of the height of the facility or the yard requirements of the applicable base district, whichever is more restrictive, provided that such setbacks may be waived pursuant to Section 26C-325.7 (j) 1. c. (16).

2. The cumulative total silhouette of the facilities on the subject lot at full design capacity shall not exceed seventy (70) square feet in the AR and RR districts and shall not exceed forty five (45) square feet in the R1, R2, and R3 districts.

c. Intermediate and Major Free-standing Commercial Facilities shall not be approved in these districts unless allowed by the base district and unless the applicant demonstrates to the satisfaction of the decision-making body that there is no technically feasible alternative site(s) or strategy which would provide the needed service on lands which are not zoned AR, RR, R1, R2, R3, or PC with a UR or RR land use designation. In addition to such demonstration, the project shall meet the following standards:

1. 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 26C-325.7 (j) 1. c. (14)

2. 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. Consideration shall be given to views from public areas as well as from private residences. The analysis shall assess the cumulative impacts of the proposed facility and other existing and foreseeable telecommunication facilities in the area, and shall identify

and include all feasible mitigation measures consistent with the technological requirements of the proposed telecommunication service.

(3) CS District:

a. Attached Commercial Facilities may be flush-mounted on the side or roof of a structure but the cumulative total silhouette of all attached commercial antennas on dwelling units on the subject lot shall not exceed five (5) square feet above structure ridge lines or fifteen (15) square feet above the roofs of residential structures.

b. Minor and Intermediate Free-standing Commercial Facilities fifty feet (50') or less in height shall meet the following:

1. Towers setbacks shall be the same as those for other structures in the base district.

2. The cumulative total silhouette of the facilities on the subject lot shall not exceed two hundred and ten (210) square feet at full design capacity.

c. Intermediate Free-standing Commercial Facilities greater than fifty feet (50') shall meet the following:

1. Towers shall be set back by a minimum distance equivalent to 50% of the height of the facility from the property line of any property zoned AR, RR, R1, R2, R3, or PC with a UR or RR general plan land use designation and shall meet the yard requirements of the applicable base district, provided that such setbacks may be waived pursuant to Section 26C-325.7 (j) 1. c. (16).

2. A visual analysis.

(4) CT, C2, ~~C3~~, and CF Districts:

a. Attached Commercial Facilities may be flush-mounted on the side or roof of a structure but the cumulative total silhouette of the antennas on dwelling units on the subject lot shall not exceed five (5) square feet above structure ridge lines or fifteen (15) square feet above the roof of residential structures.

b. Minor and Intermediate Free-standing Commercial facilities eighty feet (80') or less in height shall meet the following:

1. Towers setbacks shall be the same as those for other structures in the base district.

2. The cumulative total silhouette of the facilities on the subject lot shall not exceed two hundred and ten (210) square feet at full design capacity.

c. Intermediate and Major Free-standing Commercial facilities greater than eighty feet (80') shall meet the following:

1. For Intermediate facilities, towers shall be set back by a minimum distance equivalent to 50% of the height of the facility from the property line of any property zoned AR, RR, R1, R2, R3, or PC with a UR or RR general plan land use designation or the yard requirements of the applicable base district, whichever is more restrictive, provided that such setbacks may be waived pursuant to Section 26C-325.7 (j) 1. c. (16).

2. For Major facilities, towers shall be set back by a minimum distance equivalent to 100% of the height of the facility from the property line of any property zoned AR,

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RR, R1, R2, R3, or PC with a UR or RR general plan land use designation or the yard requirements of the applicable base district, whichever is more restrictive, provided that such setbacks may be waived pursuant to Section 26C-325.7 (j) 1. c. (16).

3. For any proposed Major Facility, 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 26C-325.7 (j) 1. c. (14).

4. A visual analysis.

**Section 26C-326. Affordable Housing; Requirements for Long-term Affordability and Design and Construction.**

(a) Purpose. This section is intended to implement the provisions of section 3.1 et seq. of the Housing Element and sections 65915 and 65916 of the Government Code concerning density bonuses. Any affordable housing project shall comply with the provisions of this section.

(b) Affordable Housing Agreement Required. The obligations undertaken by a developer in exchange for subsidies for construction of an affordable housing project authorized by state law and the Housing Element shall be secured by the developer's execution of an Affordable Housing Agreement. The agreement shall include, at a minimum, provisions that the lots or the units thereon shall be reserved for sale or rent as the case may be to moderate, lower, or very low income households in accordance with the approved project and the provisions of section 3.1 of the Housing Element. The agreement shall be subject to review and approval by the county counsel and the executive director of the Community Development Commission, and include the following provisions:

1. Occupancy Standards.

(i) income eligibility criteria for defining affordability.

(ii) the actual affordable sales prices or rents for affordable units, as determined by the Community Development Commission. The Community Development Commission may from time to time revise the sales prices in response to changes in the real estate market.

(iii) certification and selection of buyers or renters, as the case may be. One of the criteria for certification and selection of buyers of ownership housing shall be that the purchaser be a "first-time home buyer."

2. Term of Resale and Rental Restrictions; First Right of Refusal; Silent Second Mortgage.

(i) a guarantee of initial sale of all moderate income units to moderate income households, and initial sale or rent and continued affordability of all units affordable to lower and very low income households, for the longest term permitted by law.

(ii) a provision that the first sale of a targeted dwelling to a lower or very low income household include an assignable First Right of Refusal to the Community Development Commission to purchase such unit on the occurrence of a subsequent sale.

(iii) a provision that a Silent Second Mortgage be recorded against the property at the time of transfer of a dwelling targeted for ownership by a low or very low income household at the time of the initial sale.

(iv) a provision to maintain all qualifying rental units for 30 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program, provided however, that if the county does not grant at least one additional incentive pursuant to section 26C-326.1 in conjunction with the grant of a density bonus, the agreement shall provide for the continued affordability for 10 years of all qualifying units. For purposes of interpreting and implementing this section, grant of a density increase pursuant to a Housing Opportunity Area policy shall be construed to be an additional incentive within the meaning of sections 26C-326.1. The thirty (30) or ten (10) year term, as the case may be, shall commence on the date of recording of the Notice of Completion of the unit or units.

(v) provisions for a fair and equitable tenant selection process to insure the selection of eligible tenants. Selection criteria may include, but not limited to, amount of household income and assets, household size, and the size of available units. In addition, priority may be given, first, to current residents of Sonoma County, and second, to persons employed in Sonoma County.

(vi) a provision that the Community Development Commission receive all applicable fees as may be established by resolution of said commission from time to time.

3. Domiciliary Criteria; Ownership Units.

(i) a provision that all required affordable housing shall be the principal place of residence of the purchaser. Principal place of residence shall mean the place where one actually lives for the greater part of the time, or the place where one remains when not called elsewhere for some temporary or special purpose and to which one returns frequently and periodically, as from work or vacation.

(ii) a provision that preference shall be given to current residents of the County of Sonoma in the sale or rental of such affordable housing to the extent allowed by law.

(c) Long-term Affordability Requirements to be Junior to Construction and Permanent Financing Loans. The Board of Supervisors finds and determines that a majority of the financial institutions and lenders which make or insure construction and long-term loans on affordable housing projects will not make such loans where a project is subject to locally-imposed long-term affordability restrictions. Therefore, to ensure that the requirements for long-term affordability set out in this chapter will not impede the financing necessary to ensure the construction of new affordable housing projects, the Board of Supervisors will subordinate said requirements to construction and long-term permanent financing.

(d) The Project Review and Advisory Committee and the Design Review Committee shall not have the authority to waive the requirements of this section 26C-326 where such requirements are applicable to a project approved by either of these committees.

(e) Standards for Qualifying Units. Qualifying units shall meet the following standards:

1. Design and Construction.

(i) Qualifying units shall be constructed concurrently with the other units in a residential development. Where the phasing of construction is necessary, each phase shall provide the required ratio of qualifying units to market-rate units.

(ii) Qualifying units shall be integrated into the overall design and distributed throughout the development in which they are located. To assist affordability of the qualifying units, amenities of qualifying units may be fewer or of lesser quality than that of the market rate units. Otherwise, these units shall generally be of similar quality and shall have similar amenities as the market-rate units, and their exterior materials and appointments shall be

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architecturally compatible with the market-rate units in the development. The average size (in square footage) of the qualifying units shall be at least seventy-five 75 percent of the average size (in square footage) of the market rate units.

(iii) The mix of unit sizes and bedroom counts in the qualifying units may be similar to the mix of unit sizes and bedroom counts provided in the development as a whole. The sizes and bedroom counts of the qualifying units may, however, be less than that of the market rate units to assist affordability of the qualifying units (subject to the size limit in subsection (ii) above).

(iv) Developers shall not offer upgrades of materials to buyers where such upgrades would increase the price of the dwelling above the specified affordable sales price.

2. Occupancy Standards for Qualifying Units. The Affordable Housing Agreement shall provide that qualifying units are to be sold or rented only to households certified by the Community Development Commission as very low or lower income.

3. Specific Standards for Ownership Qualifying Units. The Affordable Housing Agreement shall incorporate the following standards:

(i) Price Levels. Ownership qualifying units shall be offered at sales prices that are considered affordable to very low, lower or moderate income households, as established annually by the Community Development Commission based upon income limits published by the United States Department of Housing and Urban Development.

(ii) Buyer Certification and Selection. Qualifying units shall be sold to households certified by the Community Development Commission. Buyers eligible to purchase qualifying units will be selected by the developer in accordance with a marketing program approved, in advance, by the Director of the Community Development Commission. The marketing program shall set forth an equitable selection process to be used for the marketing of the affordable units. Selection criteria may include, but not be limited to, household income and assets, household size, and the size of available units. In addition, priority may be given, first, to current residents of Sonoma County, and second, to persons employed in Sonoma County.

(iii) Guarantee of Continued Affordability. The following provisions shall apply to all dwelling units required to be affordable to lower or very low income households:

(A) Silent Second Mortgages. A silent second mortgage shall be recorded against each parcel.

(B) First Right of Refusal; Notice of Intended Sale. An option agreement shall be recorded as part of the grant deed to the first eligible home buyer, which agreement shall provide the Community Development Commission with a first right to either purchase the qualifying unit at the fair market value or assign said commission's first right to a third party, for a specified period of time (typically thirty (30) years) upon notice by the owner that the property will be offered for sale.

(C) Notice of Intent to Exercise Option. Within forty-five (45) days from the date of receipt of the owner's notice of intent to sell the parcel, the Community Development Commission or assignee, as the case may be, shall notify the owner of the property said commission's or assignee's intent to exercise the option. In the event that the commission or its assignee elects to exercise the option to purchase a property, such option to purchase shall be completed within ninety (90) days from the date of receipt of the owners notice of intent to sell the property.

(D) Exercise of Option. Should the Community Development Commission elect to exercise its option to purchase the parcel, the seller shall pay said commission a fee equal to two (2) percent of the resale price. In addition, said commission shall receive the proceeds from the silent second mortgage at the time of resale.

(E) Failure to Exercise Option. Should the Community Development Commission elect not to exercise its option to purchase the parcel, said commission shall receive the proceeds from the silent second mortgage at the time of the sale of the parcel to a third party.

4. Specific Standards for Rental Qualifying Units.

(i) Rent Levels. Rental qualifying units shall be offered at rent levels that are considered affordable to very low or lower income households, as established annually by the Community Development Commission based upon income limits published by the United States Department of Housing and Urban Development.

(ii) Tenant Certification and Selection. Rental qualifying units are to be rented to households certified by the Community Development Commission. Owners of rental qualifying units must make available to the authorized staff of the Community Development Commission adequate records, as determined by the Community Development Commission in order to prove to the County that all tenants occupying the designated affordable rental units are eligible under the term of this section 26C-326 and the Affordable Housing Agreement.

(f) Silent Second Mortgages.

The following shall apply to silent second mortgages:

1. The term of a silent second mortgage shall generally be thirty (30) years.

2. The Silent Second Mortgage shall secure the repayment upon resale of any direct subsidy funds, such as: Community Development Block Grant funds, Redevelopment Agency housing set-asides or such other federal, state or local program funds used in the acquisition of land for the development or construction of said unit, and any pre-development and construction assistance.

(i) In no case shall the payoff amount of the silent second mortgage be less than the principal amount of the silent second mortgage (the difference between the appraised value of an affordable unit and the affordable sales price established for sale of the unit to either an eligible lower or very-low income buyer) plus the value of the Community Development Commission's share of the increase in equity.

(ii) The commission's share of said increase in equity shall be the product of the total equity increase multiplied by the ratio of the principal amount of the silent second mortgage to the appraised value on which the silent second mortgage amount is based.

3. Notwithstanding the requirements of subsection (f)(2), above, where the repayment of a silent second mortgage occurs at a time when the fair market value of the dwelling is equal to or less than the market value at the time of sale, the repayment formula for the silent second mortgage should protect the home buyer's original down payment amount. Under such circumstances, the payoff amount could be less than the original principal amount of the silent second mortgage.

4. Use of Proceeds from Silent Second Mortgages.

(i) All proceeds from a silent second mortgage received by the Community Development Commission shall be placed in the affordable housing trust fund and be used to fund the conservation, rehabilitation, and construction of permanent rental housing and/or to fund any

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other housing programs authorized by the Community Development Commission or the Board of Supervisors which is affordable to lower and very low income households.

(ii) Notwithstanding the provisions of subsection (4)(i), above, where said commission elects to exercise its option to purchase the dwelling, or the owner locates a buyer who qualifies at the same income level as the seller originally qualified, and meets the qualifying, occupancy, and specific standards for ownership units set forth in this section 26C-326.1, the proceeds of the silent second mortgage may be applied to the sale of said unit in the form of a new silent second mortgage.

**Section 26C-326.1 Affordable Housing; Density Bonus.**

(a) The purpose of this section is to:

1. Increase the supply of housing units in the unincorporated area for very lower and lower income and senior households who are most in need of housing, by offering a density bonus and other incentives to developers of new residential developments that include housing units for very low or lower income, or senior households;

2. Encourage increased diversity in new housing constructed in the unincorporated area for very low and lower income households by offering a supplemental density bonus to developers of new residential developments that include housing units for lower income disabled households or large rental units of three bedrooms or more for larger families of lower income;

3. Implement the state Density Bonus Law (secs. 65915, 65915.5, 65916, and 65917 of the State Government Code or their successors) and;

4. Implement Policy HE-1c of the Housing Element of the Sonoma County General Plan.

(b) Requirements to Qualify for Minimum Density Bonus of 25 Percent and Additional Incentive. In addition to the maximum density of residential development allowed by zoning on a given parcel, a twenty-five percent (25%) density bonus and at least one (1) other incentive shall be granted.

(c) In addition to the density bonus and incentive provided for in subsection (b), above, at least one (1) additional incentive, determined on a case-by-case basis, shall be offered when one of the following requirements are met:

1. Ten (10) percent of the total units will be constructed for very low income households; or

2. Twenty (20) percent of the total units will be constructed for lower income households; or

3. Fifty (50) percent of the total units will be constructed for senior households.

(d) Condominium Conversion Requirements to Qualify for Minimum Density Bonus of 25 Percent or an Additional Incentive. In addition to the maximum density of residential development allowed by zoning on a given parcel:

1. a twenty-five percent (25%) density bonus shall be granted; or,

2. at least one other incentive, determined on a case-by-case basis, shall be offered when one of the following requirements are met:

(i) Thirty-three percent (33%) of the total units of a proposed condominium conversion project will be reserved for sale to lower or moderate income households; or,

(ii) Fifteen percent (15%) of the total units of a proposed condominium conversion project will be reserved for sale to lower income households.

(e) Incentives. At least one of the following incentives are guaranteed for all projects eligible for a density bonus:

1. Parking standard reduction of one space per dwelling unit (for all units in the project).

2. A twenty percent (20%) reduction of the open space required by the zoning ordinance (if any).

3. A twenty percent (20%) reduction of minimum lot size for all units in the project.

4. A twenty percent (20%) reduction of minimum lot width for all units in the project.

5. A five-foot (5') reduction in side-yard setbacks and a ten-foot (10') reduction in front yard setbacks for all units in the project (in no event, however, shall front yard setbacks be less than ten (10) feet).

6. Additional modification of zoning code requirements (e.g. minimum open space, minimum lot size, setbacks, parking standards); or.

7. Allowance of other regulatory incentives or measures which can be shown to result in construction cost reductions, without compromising public policy (e.g. additional density bonuses, use of redevelopment funds or powers, if any, or other publicly assisted financing).

(f) More than one of these additional incentives may be granted if the project applicant demonstrates that the project meets other housing element goals (e.g. provision of housing for seniors, special housing needs individuals, etc.).

(g) Requirements to Qualify for Supplemental Density Bonus Greater Than Twenty-five Percent (25%). A supplemental density bonus of greater than twenty-five percent (25%), but not more than fifty percent (50%) above the maximum density permitted by the general plan or zoning, to be determined on a case-by-case basis, may be granted by the County to those residential developments that meet the minimum requirements set forth in section 26C-326.1(b), and meet at least one of the following requirements:

1. An additional ten percent (10%) or more of the total units will be constructed for very low income households;

2. An additional twenty percent (20%) or more of the total units will be constructed for lower income households;

3. An additional thirty percent (30%) or more of the total units will be constructed for lower income senior households;

4. An additional ten percent (10%) or more of the total units will be constructed for lower income disabled households; or.

5. An additional ten percent (10%) or more of the total units will be constructed as large rental units with three or more bedrooms and reserved for lower income households.

(h) Method of Calculating the Number of Base, Qualifying and Density Bonus Units:

1. When calculating the base number of dwelling units permitted under the current general plan, specific plan, area plan, or zoning, any decimal fraction shall be disregarded.

2. Density bonus units shall not be counted when determining the number of qualifying units in a residential development.

3. When calculating the number of qualifying units required, any decimal fraction shall be counted as a whole unit.

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(i) Procedure for Granting of Density Bonus and Incentives; Preliminary Application. A developer may submit to the county Permit and Resource Management Department a preliminary proposal for the development of housing pursuant to this section prior to the submittal of any application for approval (such as a general plan amendment, rezoning, tentative subdivision map, or design review approval). Any such preliminary proposal shall include the following:

1. a description of the project, specifying the total number of units, the number of units by number of bedrooms, and the location of the qualifying units;

2. the type of incentive, of those listed in section 26C-326.1 (d), being requested;

3. the type of additional incentive of those listed in section 26C-326.1 (e) is being requested, if any;

4. a statement as to how the granting of that additional incentive meets other housing element goals (e.g. provision of housing for seniors, special housing needs individuals, etc.).

5. the type of additional incentive of those listed in section 26-326.1 (e) is being requested;

6. a statement as to how the granting of that incentive will improve the financial feasibility of the project and assist the developer in providing the qualifying units.

7. Within sixty (60) days of receipt of a preliminary proposal, the county Department of Permit and Resource Management shall notify the developer in writing of the manner in which the county will comply with this section. The report to the developer will include confirmation of the maximum density by the current zoning applicable to the subject parcel, the number of density bonus units that will be allowed, and which incentive, of those listed in section 26-326.1 (b), will be offered by the county pending formal approval by the body deciding the application. In reviewing any such request, the Permit and Resource Management Department may consult with other departments and agencies.

8. Formal Approval and Granting of Density Bonus/Incentive and Supplementary Density Bonus. The density bonus and incentive, and supplemental density bonus, if any, shall be officially granted as part of the county's formal approval of any project (i.e. at the time of approval of any general plan amendment, rezoning, subdivision, use permit, design review, or any other planning permit required for the project). At the time of formal approval, the county shall also waive or modify any standards which have been offered.

9. Affordable Housing Agreement Required. Upon formal approval of the project, and prior to the taking of any ministerial action by the county concerning the project, including, but not limited to, the recording of a final subdivision map, or the issuance of building permits, the developer shall execute an Affordable Housing Agreement pursuant to section 26C-326. Said housing agreement shall be recorded along with the final subdivision map, or prior to the issuance of building permits, whichever occurs first.

**Section 26C-326.2 Affordable Housing; Housing Opportunity Areas.**

(a) Location.

1. Type "A" Housing Opportunity Areas are established in "Urban Residential six (6) to twelve (12) dwelling units per acre" areas depicted on the General Plan Land Use Maps which are zoned R-2 (Medium Density Residential).

2. Type "C" Housing Opportunity Areas are permitted in "Urban Residential four (4) to (6) dwelling units per acre" areas depicted on the General Plan Land Use Maps which are zoned R-1 (Low Density Residential).

(b) Density Increase. An increase in the residential density is permitted subject to compliance with the affordability requirements contained in Housing Element policy HE-2g and the requirements of this section.

c) Criteria for Approval of Type A and C Projects.

1. General Requirements.

(i) The terms of affordability shall be contained in an Affordable Housing Agreement pursuant to section 26C-326.

(ii) Only housing developments consisting of five or more dwelling units may be approved for under the Type A and Type C programs.

(iii) A Type A project shall not be located closer than one-fourth (1/4) mile to any other Housing Opportunity Type A project unless a use permit is first obtained.

(iv) A Type C project shall not be located closer than one-fourth (1/4) mile to any other Housing Opportunity Type C project unless a use permit is first obtained.

(v) No property may be approved for an increase in density pursuant to Housing Opportunity Type A or Type C programs unless the project:

(A) is adequately served by public sewer and public water, police, public transit, fire protection, and schools.

(B) does not exceed the holding capacity of the area as set forth in the general plan.

(C) complies with the provisions of Housing Element Policy HE-2j concerning growth management.

2. The residential density for a Type A project may be increased 100 percent above what is shown on the general plan land use map to a maximum of twenty-four (24) dwelling units per acre for parcels located in the Urban Residential six (6) to twelve (12). The maximum residential density for a Type C project is eleven (11) dwelling units per acre.

3. Compliance with the provisions of this section shall be determined by the approving body. Where a project includes both an application for design review and major subdivision, compliance shall be determined by the body deciding the major subdivision. Where the project includes both an application for design review and a minor subdivision, the such compliance will be determined by the body deciding the design review application.

4. The developer of a Housing Opportunity Type A or Type C project may propose alternatives to the development criteria contained in this section provided, however, that in no case shall the permitted residential density exceed that set forth for in subsection b), above. Where such alternative criteria are proposed, a Use Permit shall be required. Where a developer applies for a use permit under this alternative, it shall be processed concurrently with any required design review or subdivision application.

5. Any parcel for which a use permit for a Housing Opportunity Area project has been approved shall be listed on the file tracking log maintained by the Permit and Resource Management Department. Any parcel for which building permits have been issued for the construction of a Housing Opportunity Area project shall be designated on the land use maps of the general plan. Such designations may be accomplished by the Permit and Resource Management Department and shall not be construed as a general plan amendment within the meaning of Section LU-1.3 of the general plan or Section 65385 of the Government Code.

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Nothing herein shall limit the ability of the decision making body to either deny or to apply conditions to the approval of a Housing Opportunity Type A or C project.

(d) Type A Project Development Criteria. All Type A projects shall comply with the development criteria established for an R-2 zoning district with the following exceptions:

1. The maximum building height for main buildings permitted without a use permit is thirty-five (35) feet in Urban Medium Density Areas zoned R-2;

2. One off-street covered parking space shall be provided for each unit, and one-half uncovered guest space per unit shall be provided for multi-family housing where four or more units are proposed.

(e) Type C Project Development Criteria. All Type C projects shall comply with the following development criteria:

1. Lot Configurations and Sizes Required. In all developments, lot configurations may include, but are not limited to, zero lot line lots, angled Z lots, zipper lots, alternate width lots, quad lots, and motor court lots. Lot sizes may range from two thousand (2,000) to six thousand (6,000) square feet or more. A variety of lot configurations and lot sizes are required for projects larger than three acres in size.

2. Standards for Allowable Unit Square Footage. Allowable house size shall be based on lot square footage for the single family lots only. Actual house sizes, as well as lot sizes, in a proposed development plan may vary so long as the averages shown in the table below are maintained. House size refers to the gross living area of the primary dwelling only (storage sheds, garages, carports, covered patios, and second dwelling units are not included in the gross living area).

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|---|---|---|---|---|---|---|---|---|---|
| Average Lot Size | 2000 | 2500 | 3000 | 3500 | 4000 | 4500 | 5000 | 5500 | 6000 |
| Average House Size | 1000 | 1100 | 1200 | 1300 | 1400 | 1500 | 1600 | 1700 | 1800 |
| SQUARE FEET (can be interpolated) | | | | | | | | | |

HOW TO USE THE TABLE:

The first step is to determine the average lot size of the single-family lots in the proposed development. The next step is to determine the allowable average house size of the single family dwellings in the proposed development. The average house size shall not be greater than shown in the above table. (Note: multiple family lots are not subject to this section.)

3. Subsequent Expansions or Additions. Subsequent expansions or additions to dwelling units and the construction of second dwelling units not shown on the development plan may be permitted by Conditional Use Permit, approved by the Director of Community Development, provided any proposed expansion is in compliance with the provisions of subsections 4. through 10. of this section.

4. Minimum Yard Setback Requirement. There are no minimum yard requirements except as provided in subsection (5), below (private open space requirement). Setbacks for all proposed and possible future buildings or possible additions to proposed buildings shall be shown on the development plan. Front yard setbacks shall be varied.

The garage or carport front, when the entrance faces the street, shall be not less than twenty (20) feet to the rear of the public sidewalk, or twenty (20) feet from the property or adopted street plan line, whichever is a greater distance from the edge of pavement of the street.

5. Private Open Space Requirement. All single family lots shall provide a minimum of four hundred (400) square feet of usable private open space.

6. Maximum Building Height. The maximum height of main buildings and detached second dwelling units is thirty-five (35) feet.

7. Maximum Lot Coverage. The maximum lot coverage is sixty-five (65) percent.

8. Parking Requirement - Single Family Houses.

(i) Four (4) parking spaces shall be provided for each single family house, one (1) of which must be on site and covered, and another of which must be on a public or private street. The remaining two spaces may be on or off street, and may be tandem and compact.

(ii) The Planning Commission by resolution may allow fewer than four (4) parking spaces for each single family dwelling when the development's design incorporates non-automobile modes of transportation as specified in the general plan, for example, pedestrian and bicycle pathways or transit facilities. The Planning Commission may require more than four (4) parking spaces when the development's design is oriented solely toward motor vehicle transportation as determined by the Planning Commission.

(iii) Parking Requirement - Second Dwelling Unit. One additional on site parking space shall be provided for a second dwelling unit which may be covered or uncovered and may be tandem and compact.

(iv) Parking Requirement - Certain Multiple Family Units. For duplexes, triplexes, and fourplexes, one and one-half (1-1/2) parking spaces shall be provided for each one (1) bedroom unit, one (1) of which must be covered; and two and one-half (2-1/2) parking spaces shall be provided for each two (2) or more bedroom unit, one (1) of which must be covered. Tandem parking or street parking may supply the uncovered spaces.

**Section 26C-326.3. Affordable Housing; Deferral of Payment of Development Fees.**

(a) Building and Development fees may be deferred subject to compliance with the provisions of this section 26C-457. Any such deferral shall be subject to the availability of funds identified in subsection (b), below, and shall be directly related to the construction of housing units reserved for rent or sale to low- or very-low-income households. A written request for a deferral of fees shall be submitted with the applicable planning application.

(b) No deferral of fee payment shall be approved unless there are other funds available in an amount sufficient to finance loans to developers to pay for building and development fees otherwise required to be paid prior to the time that the permanent financing for the project is in place. The Community Development Commission or the Board of Supervisors may from time to time identify funds which would be earmarked and available to implement this section ~~26C-457~~.

(c) Any loan for a deferral of fee payment shall be subject to compliance with guidelines which may from time to time be adopted by the Board of Supervisors or the Community Development Commission concerning the use of funds to offset the deferred fees, as described in subsection (b), above.

(d) Fees for rental housing may be deferred until the time permanent financing for the project is in place or a certain date specified by the promissory note, whichever occurs first. Fees for ownership housing may be

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deferred until the sale of the dwelling unit, or a certain date specified by the promissory note, whichever occurs first.

(e) To secure payment of deferred fees a promissory note and a deed of trust shall be recorded against the parcel on which the affordable housing is being constructed.

(f) To qualify for a deferral of payment of fees, a dwelling unit shall be reserved for rent or sale to a low- or very-low-income household pursuant to the provisions of sections 3.1 through 3.1.2 of the Housing Element, including the requirement that the continued affordability of said units be secured by a recorded Affordable Housing Agreement.

(g) The county Auditor-controller is hereby authorized to transfer funds to cover the amount of the deferred fees. Upon payment of all required fees the Auditor-controller is authorized to reimburse the original fund.

(h) The directors of the Sonoma County Permit and Resource Management Department and the Community Development Commission are hereby authorized and directed to execute any documents on behalf of the County of Sonoma which may be required to implement the provisions of this section ~~26C-457~~, provided such documents have been previously authorized by the Board of Supervisors and approved by the county counsel. In addition, said directors are authorized and directed, with approval of the county counsel, to make any necessary technical, non-substantive changes to any documents required to implement the provisions of this section ~~26-98-700~~ where such documents have been approved by the Board of Supervisors or necessitated by the boards's approval of a deferral of fees for dwelling units affordable to low-or very-low-income households.

(i) The county counsel is authorized and directed to prepare or review and approve as to legal form, all necessary legal documents, including but not limited to promissory notes, deeds of trust, any escrow instructions which may be necessary to implement the provisions of this section 26C-457.

**Section 26-C-327 . Minor Timberland Conversions.**

(a) All minor timberland conversions shall require a zoning permit. Notice of the permit shall be mailed to all owners of real property as shown on the latest equalized assessment roll within 300 feet of the subject property and posted in at least three (3) public places on or near the subject property at least ten (10) days prior to issuance of the permit. The notice shall include an explanation of the procedure to appeal issuance of the permit. In addition to such other plans and date as are necessary to determine compliance with this chapter, the application for the permit shall be accompanied by all of the following:

(1) A statement of the approximate number, size, species, age, and condition of the trees to be included in the minor timberland conversion, the amount of land clearing to be done, the equipment to be used, the method by which slash and debris are to be removed or disposed of, and a schedule of daily operations.

(2) A copy of the Notice of Conversion Exemption Timber Operations prepared by a registered professional forester and submitted to the California Department of Forestry and Fire Protection for the minor timberland conversion.

(3) A statement by the owner of subject property consenting to the minor timberland conversion, certifying that the conversion is a one-time conversion to a non-timber growing use and that there is a bona fide intent to undertake and complete the conversion in conformance with the provisions of this chapter, and specifying what the new non-timber growing use will be after the conversion. The statement shall include evidence acceptable to the Director of the Permit and Resource Management Department of the bona fide intent to undertake and complete the conversion. Such evidence shall include, but not be limited to, a valid use permit, building permit, or septic permit, approved grading plans for road construction, or an agricultural management plan or soil capability study demonstrating the feasibility of the new non-timber growing use.

(4) Any other information the Director of the Permit and Resource Management Department deems necessary to make a decision on the application. Such information may include, but shall not be limited to, drainage or erosion control details and biotic studies.

(b) No zoning permit shall be issued for a minor timberland conversion unless it is determined that the conversion is a one-time conversion to a non-timber growing use and that there is a bona fide intent to undertake and complete the conversion in conformance with the provisions of this chapter. The determination of bona fide intent shall include consideration of the economic feasibility of the conversion, the environmental feasibility of the conversion, including, but not limited to, the suitability of soils, slope, aspect, quality and quantity of water, and micro-climate, and any other foreseeable factors necessary for successful conversion to the new non-timber growing use.

(c) All minor timberland conversions shall be conducted in accordance with the provisions of Title 14, California Code of Regulations, section 1104.1.

(d) All minor timberland conversions shall becompleted and the new non-timber growing use underway within two (2) years after the zoning permit is granted.

(e) All minor timberland conversions shall minimize damage to soils, residual trees, young growth, and other vegetation, and prevent erosion and damage to neighboring properties.

(f) No minor timberland conversion shall be conducted during the winter period unless it is carried out in accordance with Title 14, California Code of Regulations, section 914.7, subsections (a) and (b).

(g) No minor timberland conversion shall be conducted without a valid on-site copy of the zoning permit issued for the conversion.

(h) No minor timberland conversion shall include the cutting or removal of any old growth redwood unless a registered professional forester certifies in writing that the tree poses a serious danger to persons or property.

**Section 26C-327.5**

The Director of the Permit and Resource Management Department shall be responsible for verifying to the California Department of Forestry and Fire Protection that any proposed timberland conversion of less than three acres in the TP (Timberland Production) district is in conformance with all county regulatory requirements.

**Section 26C-328 Limitations on lot line adjustments**

(a) Notwithstanding any other provision of this code, except as otherwise provided in subsection (b), all lot line adjustments shall be subject to the following limitations:

(1) No lot line adjustment shall result in increased subdivision potential for any affected parcel.

(2) No lot line adjustment shall result in a greater number of developable parcels than existed prior to the adjustment. To be deemed a developable parcel for the purposes of this subsection, a parcel shall comply with one of the following requirements:

(A) The parcel meets all of the following criteria:

(I) The parcel has legal access to a public road or right-of-way, or is served by an existing private road that connects to a public road or right-of-way; and

(ii) The parcel is served by public sewer, or the parcel, as determined by the planning director, is likely to meet the criteria for approval of an on-site sewage disposal system for a one bedroom residence, as specified in Chapters 7 and 24 of this code and in the basin plans adopted by the applicable regional water quality control board.

without the use of an off-site septic easement. For the purposes of this subsection, "served by public sewer" shall mean either that a parcel is currently receiving public sewer service or that a public agency providing such service has stated in writing and without qualification that it will serve the parcel; and

(iii) On parcels less than 25 acres, the parcel is served by public water supply, or the parcel is located within an Area 1, 2, or 3 groundwater availability area as shown on Figures RC-2a to RC-2i of the general plan. Where public water service is not available and where the parcel is located within an Area 4 groundwater availability area, a well or spring yield test, as defined in Section 7-12 of this code, shall be required to demonstrate that an adequate water supply is available on-site or off-site. For the purposes of this subsection, "served by public water supply" shall mean either that a parcel is currently receiving public water service or that a public agency providing such service has stated in writing and without qualification that it will serve the parcel; or

(B) The parcel has an existing legal dwelling unit or had a legal dwelling unit which was destroyed by fire or other calamity within the last five (5) years.

(b) The provisions of subsection (a)(2) shall not apply to any of the following:

(1) Any lot line adjustment where all of the affected parcels are in the CS(Rural Services), C2 (Community Commercial), C3 (Commercial Services), or CF (Fishing Commercial) zoning districts.

(2) Any lot line adjustment where all of the parcels resulting from the lot line adjustment comply with the applicable density and minimum lot size requirements of this chapter and the general plan.

(3) Any lot line adjustment where all of the affected parcels were lawfully created on or after March 1, 1967.

(4) Any lot line adjustment where all of the affected parcels are in the LIA (Land Intensive Agriculture), LEA (Land Extensive Agriculture), or DA (Diverse Agriculture) zoning districts, provided that all of the parcels resulting from the lot line adjustment are a minimum of ten (10) acres in size and the owners of those parcels all record covenants, in a form satisfactory to county counsel, prohibiting any new residential development on the parcels for a period of ten (10) years, except for agricultural employee housing, farm family housing, and seasonal and year-round farmworker housing, as allowed by the applicable zoning district.

(5) Any lot line adjustment for which an application was filed and determined to be complete by the planning department on or before March 23, 1999, provided that the application is not thereafter withdrawn, denied, or substantially revised.

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**Section 26C-330. Zoning Permit - When Required.**

Zoning permits shall be required for all buildings and structures erected, constructed, altered, repaired or moved in or into any district established by this chapter, and for the use of vacant land or for a change in the character of the use of land within any district established by this chapter. A Coastal permit may be required pursuant to Article XXXIV.

**Section 26C-330.1. Same - Issuance.**

The zoning permit and/or Coastal permit shall be issued if the proposed use or building is in conformance with the provisions of this chapter. If any permit is issued, by error or otherwise, where a proposed use or building is not in conformance with the provisions of this chapter, such permit shall be null and void.

**Section 26C-330.2. Coastal Permits.**

Development in the Coastal Zone is subject to Article XXXIV, in addition to the provisions of this Article.

**Section 26C-330.3. Indemnification of County.**

(a) At the time of submitting an application for a discretionary approval which is the subject of this chapter, the applicant shall agree, as part of the application, to defend, indemnify, and hold harmless the County and its agents, officers, attorneys and employees from any claim, action, or proceeding brought against the County or its agents, officers, attorneys or employees to attack, set aside, void, or annul an approval of the County, its advisory agencies, appeal boards of Board of Supervisors, which action is brought within the applicable statute of limitations. The indemnification shall include damages awarded against the County, if any, costs of suit, attorney fees and other costs and expenses incurred in connection with such action.

(b) In the event that a claim, action or proceeding discussed in subdivision (a) is brought, the County shall promptly notify the applicant of the existence of the claim, action, or proceeding and will cooperate fully in the defense of such claim, action or proceeding. Nothing set forth in this section shall prohibit the County from participating in the defense of any claim, action or proceeding if the County elects to bear its own attorney fees and costs and defends the action in good faith.

**Section 26C-331. Hearings - When Required: Questions on Permitted Uses.**

(a) The Board of Zoning Adjustments/Planning Commission of the County of Sonoma, after notice as in this ordinance provided, shall hear and decide on applications for use permits, applications for variances and appeals from any order, requirement, permit, decision or determination made by any administrative official of the County of Sonoma in connection with the administration of this ordinance. Appeals from any administrative order, requirement, permit, decision or determination shall be made in writing within twelve (12) calendar days from the date of the administrative action; provided, however, that the County may still revoke an erroneously issued permit or entitlement even after the expiration of the twelve (12) day appeal period. In case of uncertainties by the ~~planning~~ Permit and Resource Management Department as to whether certain uses are permitted in certain districts, such department may refer such questions to the Board of Zoning Adjustments/Planning Commission for decision. The Board of Zoning Adjustments/Planning Commission may from time to time adopt performance standards for the uniform regulation of particular uses. Such performance standards shall be adopted by resolution following a hearing noticed in accordance with Section 26C-331(b) except that a general description of the area to be affected need not be given.

(b) Notwithstanding any other provision of this chapter to the contrary, the Board of Supervisors may exercise original and immediate jurisdiction over any application made pursuant to this chapter and may then proceed

to decide upon the merits of any such application. This power may be invoked by the affirmative vote of a majority of the Board of Supervisors, but shall not be invoked in those cases where the State can require a Planning Commission recommendation prior to Board action.

**Section 26C-331.1. Same - Notice.**

~~At least ten days'~~ Notice of ~~all~~ required hearings ~~required by Sections 26-461 and 26-466~~ shall be given by the ~~Planning~~ Director of the Permit and Resource Management Department as provided in Article XXXIV. ~~through the United States mails with postage prepaid to all persons shown on the last equalized assessment roll as assessed of parcels of real property within three hundred (300) feet of the parcel wherein the subject use is located or is to be located or by publication in a newspaper of general circulation and posting in at least three (3) places on or near the property which is the subject of the hearing; provided, however, that in the event of an appeal from an administrative determination by any official of the County of Sonoma in connection with the administration of this chapter the Planning Director need only notice the time and place of the hearing to the appellant and applicant in manner he deems just and equitable.~~

~~(b) At least ten (10) days notice of all hearings required by Section 26-481 shall be given by the Planning Director in accordance with all applicable laws.~~

**Section 26C-331.2. Concurrent Processing of Related Applications.**

Where a development project requires multiple approvals from different decision making bodies authorized to act under this chapter and Chapter 25 ~~or 26C~~ of the Sonoma County Code, notwithstanding anything else contained in this chapter and Chapter 25 ~~or 26C~~ to the contrary, the following administrative rules shall be applied to achieve concurrent processing of related applications:

(a) The Sonoma County Planning Commission may, at the same meeting that it acts upon an application within its jurisdiction, act on a related application which would otherwise be decided by the Board of Zoning Adjustments.

(b) All applications made pursuant to Chapter 25 of the Sonoma County Code which are accompanied by an application for a rezoning, ~~specific~~ Coastal Plan amendment or General Plan amendment shall be heard by the Planning Commission; the Planning Commission shall make its recommendation to the Board of Supervisors in connection with such rezoning or plan amendment and all related applications and, after considering such recommendation, the Board of Supervisors shall be the decision making body for all such related applications.

(c) Where the Board of Supervisors takes original jurisdiction over an application made pursuant to Chapter 25 it may, at the same time, assume direct jurisdiction over a related approval required pursuant to this chapter, except in those cases where State law requires the Planning Commission to hear and make a recommendation on such related approval.

(d) Applications for extensions or modifications of development projects originally approved pursuant to this Section may be acted upon by any decision making body which would otherwise have jurisdiction over the type of extension or modification which is sought.

**Section 26C-332. Use Permits - Issuance Generally.**

Use permits may be issued by the Board of Zoning Adjustments for any of the uses for which such permits are required by this chapter, except in the PC district.

**Section 26C-332.1. Same - Findings of the Board of Zoning Adjustments: Conditions.**

(a) In order to grant any use permit, the findings of the Board of Zoning Adjustments shall be that the establishment, maintenance or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort or general welfare of persons residing or working in the neighborhood or to the general welfare of the area.

The Board of Zoning Adjustments may designate such conditions in accordance with the use permit, as it deems necessary to secure the purposes of this chapter and may require such guarantees and evidence that such conditions are being or will be complied with.

(b) Subject to the right of appeal as provided in this ordinance, the decision of the Board of Zoning Adjustments shall be final twelve (12) days after the Board of Zoning Adjustments renders its decision.

(c) Written findings shall be made in connection with applications for mini-marts in which beer or wine is proposed to be sold. The findings shall be based on substantial evidence in view of the whole record to justify the decision of the Board.

**Section 26C-332.2. Mobile Home Park Conversion, Closure or Cessation of Use.**

In order to grant a use permit to allow the conversion of a mobile home park to an alternate land use, closure or cessation of use of the land as a mobile home park, the following findings shall be made by the Board of Zoning Adjustments/Planning Commission:

(a) Finding required by Section 26C-332.1(a).

(b) (1) Adequate replacement space in other mobile home parks is available for displaced mobile home park tenants and any adverse impacts of the conversion, closure or cessation of use on the ability of displaced mobile home park tenants to find adequate space in a mobile home park have been mitigated; or

(2) There exists land which is presently zoned and approved for development which will allow replacement housing for displaced mobile home park tenants.

(c) A relocation plan has been submitted which mitigates the adverse impacts of the displacement of low- and moderate-income individuals or households for a reasonable transition period and mitigates the adverse impacts of long-term displacement.

(d) An adequate impact report has been prepared and filed pursuant to Government Code, Sections 65863.7 and 66427.4 and Civil Code Section 798 et seq.

**Section 26C-333. Variances Generally.**

(a) Whenever, because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings which are unique to the subject property alone, where the strict application of this chapter is bound to deprive the property of privileges enjoyed by other properties in the vicinity and under identical zone classification, a variance may be granted. Justification for such a variance shall be based solely on comparative information describing the disparities between the subject property and surrounding properties and the burden of demonstrating that the above requirements are met shall be the responsibility of the applicant.

(b) At the conclusion of the public hearing, the Board of Zoning Adjustments shall make written findings of fact showing whether or not the requirements of subsection (a) of this section apply to the variance sought. As a part of such findings, the Board shall set forth such conditions, if any, as are necessary to obtain compliance with the provision of such subsection. Following the aforesaid hearings, the Board of Zoning Adjustments shall make its determination on the matter within sixty (60) days after the hearing is closed. Failure of the Board of Zoning Adjustments to reach a decision on the matter within sixty (60) days after the hearing is closed shall constitute a denial of the request by the Board.

**Section 26C-334. When Decision of Board of Zoning Adjustments to be Final.**

Subject to the right of appeal as provided in this chapter, the decision of the Board of Zoning Adjustments shall be final twelve (12) days after the Board of Zoning Adjustments renders its decision.

**Section 26C-335. Revocation Generally.**

Whenever in the opinion of the ~~Planning~~ Director of the Permit and Resource Management Department or of the Board of Zoning Adjustments a condition of any permit issued pursuant to this chapter has been violated, or that the use constitutes a nuisance, the ~~Planning~~ Director of the Permit and Resource Management Department shall cause a hearing to be held before the Board of Zoning Adjustments on the matter of the revocation or modification of such permit. The hearing shall be noticed in accordance with this chapter and shall require the owner to appear at the noticed time and place and show cause why such permit should not be revoked or modified.

If, after the hearing, the Board of Zoning Adjustments finds that there has been or will be a substantial failure to fulfill one or more of the conditions of the permit or that exercise of the use constitutes a nuisance, the Board may either revoke the permit or modify it in such a manner as to secure the goals of Section 26C-332.1.

**Section 26C-335.1. Revocation for Failure to Use or for Abandonment of Use.**

In any case where a zoning permit, use permit, design review approval or variance permit has not been used within two years after the date of the granting thereof or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided, however, that upon written request by the applicant and payment of applicable fees prior to the expiration of the two-year period, the permit approval may be extended for not more than one (1) year by the authority which granted the original permit.

**Expiration of Coastal Permit**

See Article XXXIV.

**Section 26C-335.2. Revocation - Notice.**

(a) At least ten (10) days' written notice of all hearings required by Sections 26C-335 and 26C-335.1 shall be given by the ~~Planning~~ Director of the Permit and Resource Management Department through the United States mails to the owners of the property that is the subject of the permit.

(b) The ~~Planning~~ Director of the Permit and Resource Management Department may give such additional notice as he deems necessary to secure a fair hearing.

**Section 26C-335.3. Permit Conditions as Violations of This Chapter.**

It shall be unlawful, prohibited, and a violation of this chapter to violate any term or condition of any permit or approval granted or issued pursuant to this chapter. Any person whether as principal, agent, employee, or otherwise, violating any such term or condition shall be subject to the sanctions provided in Section 26C-338.7.

**Section 26C-336. Appeals. ~~to the Board of Supervisors.~~**

Appeal procedures related to decisions on Coastal permits are set forth in Article XXXIV.

Appeal procedures on all other permits are as follows:

(a) The acts and determinations of the Board of Zoning Adjustments and the Planning Commission shall be directly reviewable by the Board of Supervisors which may affirm, reverse, or modify any such act or determination as it deems just and equitable. Such review by the Board of Supervisors shall be noticed in accordance with Section 26C-331.1.

(b) Any interested party dissatisfied with the action of the Board of Zoning Adjustments may, within twelve (12) days after the Board of Zoning Adjustments renders its decision, appeal in writing to the Board of Supervisors. Such appeal shall be filed with the ~~Planning~~ Director of the Permit and Resource Management Department. The Board of Supervisors shall set a date for public hearing and cause notice to be given as provided in this chapter. The Board of Supervisors shall render its decisions within ninety (90) days after the public hearing is first opened. In the event that the Board of Supervisors fails to act within the ninety (90) day period, the decision of the Board of Zoning Adjustments shall be deemed to be upheld. The ninety (90) day time limit of this section may be extended, with the consent of the Board of Supervisors, by any individual or entity having a fee or leasehold interest in the property subject to the appeal.

(c) The taking of an appeal pursuant to Section 26C 336(b) or the undertaking of a review pursuant to Section 26C 336(a) shall operate as a stay or issuance, modification, or revocation, as the case may be, of any permit with respect to which the appeal or review is taken. Such action shall be stayed until the Board of Supervisors has entered its decision.

(d) Any appeal made pursuant to this section, whether it be made by the Board of Supervisors or other interested person, may be withdrawn where the appellant requests such withdrawal and the Board of Supervisors consents.

**Section 26C-337. Application for Coastal Permits, Zoning Permits, Use Permits, Variances, Appeals, Etc.**

Applications for Coastal permits, zoning permits, use permits, variances, and appeals for use permits and variances shall be in writing on forms prescribed by the Board of Zoning Adjustments and shall be accompanied by such plans and data as are necessary to determine compliance with this chapter. If a use permit application, variance permit application, or mobile home zoning permit application is denied by the Board of Zoning Adjustments, Planning Commission or Board of Supervisors, reapplication for the same use cannot be made within one year of said denial unless said application is denied "without prejudice".

**Section 26C-337.1. Fees for Zoning Permits, Use Permits, Variances, Appeals, Design Review, Etc.**

Every person making an application for Coastal permits, zoning permits, variances, design review, rezoning, appeals, General Plan Amendments, and ~~Specific~~ Coastal Plan Amendments, or other related procedures, shall pay a processing fee prescribed by resolution of the Board of Supervisors.

Permit fees may be waived or refunded by the Sonoma County Board of Supervisors, Board of Zoning Adjustments or Planning Commission upon a showing of good cause. No application fee will be required from the County of

Sonoma or any other public agency whose directors are the Sonoma County Board of Supervisors acting as directors of the public agency.

**Section 26C-338. Enforcement of Chapter.**

(a) The ~~Planning~~ Director of the Permit and Resource Management Department and the Director's authorized agents and/or employees are hereby authorized to issue citations to persons for violations of this chapter.

(b) The ~~Planning~~ Director of the Permit and Resource Management Department and the Director's authorized agents or employees are hereby authorized to issue stop orders to prohibit further construction or use of structures or property which are violations of this chapter. Such stop orders shall remain in effect until violations are eliminated.

**Section 26C-338.1. Compliance With Chapter Generally.**

Except as otherwise provided in this chapter, no building shall be erected and no existing building shall be moved, altered, added to or enlarged, nor shall any land, building or premises be used, designated or intended to be used for any purpose or in any manner other than one that is included among the uses listed in this chapter as permitted in the district in which such building, land or premises is located.

No building shall be erected, reconstructed or structurally altered to exceed in height the limit designated in this chapter for the districts in which such building is located.

No building shall be erected, nor shall any existing building be altered, enlarged or rebuilt, nor shall any open area be encroached upon or reduced in any manner, except in conformity to the yard, building site area and building location regulations designated in this chapter for the district in which such building or open space is located.

**Section 26C-338.2. Permits and Licenses to Conform to Chapter.**

(a) All departments, officials and public employees of the county which are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this chapter and shall issue no such permit or license for uses, buildings or purposes where the same would be in conflict with the provisions of this chapter. Such permit or license, if issued in conflict with the provisions of this chapter, shall be null and void.

(b) The County may refuse to issue any discretionary or ministerial permit, license, variance or other entitlement, which is sought pursuant to this chapter, including zoning clearance for a building permit, where the property upon which the use or structure is proposed is in violation of this chapter.

**Section 26C-338.3. Structure or Use Contrary to Chapter - Prohibited: Declared Public Nuisance, Abatement Generally.**

Any building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this chapter shall be, and the same is hereby declared to be unlawful and public nuisance, and the District Attorney of the County shall, on order of the Board of Supervisors, immediately commence action or proceedings for the abatement and removal and enjoinment thereof in the manner provided by law, and shall take such other steps, and shall apply to such court as may have jurisdiction to grant such relief as will abate or remove such building or structure, and restrain and enjoin any person from setting up, erecting, building, maintaining or using any such building or structure or using any property contrary to the provisions of this chapter.

**Section 26C-338.4. Same - Abatement of Outdoor Advertising Structures, Signs, Etc.**

If any outdoor advertising structure, sign or appurtenant sign is erected, constructed or maintained in any district contrary to the provisions of this chapter, the Board of Zoning Adjustments shall set a time and place for hearing and serve upon the owner of the structure, and the owner of the real property upon which it is situated, an order to show cause why the Board of Zoning Adjustments should not cause the structure to be summarily abated and removed from the real property. For purpose of this chapter, such owner of record shall be deemed to be the owner as shown by the last equalized assessment roll of the county, and the address of such owner of record shall be deemed to be that as disclosed by the assessment roll. Such order to shown cause shall be served upon the owner of record of the real property and upon the owner of the structure by registered or certified mail at least thirty (30) days before the date of the hearing. If the address of the owner of such structure is unknown, the order to show cause shall be deemed to be the owner as shown by the last equalized assessment roll of the county, and the address of such owner of record shall be deemed to be that as disclosed by the assessment roll. Such order to show cause shall be served upon the owner of record of the real property and upon the owner of such structure is unknown, the order to show cause shall be mailed to him in care of the real property. A copy of the order to show cause shall also be posted on the real property on or near the outdoor advertising structure, sign or appurtenant sign.

If, after hearing, the Board of Zoning Adjustments determines that the outdoor advertising structures, signs or appurtenant sign should be summarily abated, it may order the Road Commissioner to remove the same and store it in the nearest county corporation yard. Thereafter, the owner of the structure may claim the same upon payment of the expenses of the Road Commissioner in connection with such removal. If such outdoor advertising structure; sign or appurtenant sign is not reclaimed within a period of six (6) months, the Road Commissioner may make such disposition thereof as he deems proper.

**Section 26C-338.5. Repealed by Ordinance No. 4909.**

**Section 26C-338.6. Remedies to be Cumulative.**

The remedies provided for in this chapter shall be cumulative and not exclusive.

**Section 26C-338.7. Penalty for Violation of Chapter: Continuing Violations.**

Any person, firm, or corporation or agency, or employee of any person, firm, or corporation or agency who violates or knowingly permits violation of any regulatory provision of this chapter shall be guilty of a public offense. The first and each subsequent conviction shall be a misdemeanor punished by a fine of not more than $1000.00 or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment. Each person, firm or corporation or agency or employee thereof shall be guilty of a separate offense for each day, or any portion thereof, during which any violation of this chapter is committed, or permitted and shall be punished accordingly.

**Section 26C-339. Tolling of Development Timelines.**

The period of time during which any zoning permit, coastal permit, use permit, variance, precise development plan, design review approval or other entitlement issued pursuant to this Chapter would normally be effective may be tolled pursuant to the provisions of this section. Requests for a stay may be made where a lawsuit is brought in a court of competent jurisdiction involving the approval or conditional approval of any of the foregoing permits or entitlements. The following shall apply to requests for a stay:

(a) A stay may not be granted until the County is served with the initial petition or complaint. If the County is not a party to the litigation, the County must be served with a courtesy copy of the initial pleading.

(b) Stays will only be granted where the litigation is brought by opponents of the development to attack or overturn the development approval or its accompanying environmental document.

(c) Stays may only be requested in connection with development approvals or any authorized extensions thereof, which are in effect as of or after March 1, 1991.

(d) A request for a stay must be made prior to the expiration of the development approval or any authorized extension thereof. Requests may be made on or after March 1, 1991.

(e) A request for a stay of one year or less will be automatically approved by the ~~Planning~~ Director of the Permit and Resource Management Department, unless the litigation is collusive.

(f) A request for a stay of more than one year and up to three years is discretionary and will be acted upon by the body which issued the original permit or entitlement and shall be subject to appeal in the same fashion as would the original permit or entitlement.

(g) Stays shall not exceed either three years or the period during which the litigation is pending, whichever is less.

(h) Requests for stays shall be acted upon within (40) days.

(i) If granted, the effective life of the permit or entitlement shall be extended for the period of the stay.

## Article XXXIV. Coastal Permit Regulations.

SEP 11 2000
COASTAL COMMISSION

**Purpose:** To establish procedures and findings for the issuance of development permits in the Coastal Zone. Where the plans, policies, requirements or standards of the Coastal Program, as applied to any project in the "CC" Combining District, conflict with those of the underlying district, or other provisions of this article, the plans, policies, requirements or standards of the Coastal Program shall take precedence. The "CC" combining district shall be coterminous with the Coastal Zone of Sonoma County as established by the Coastal Act of 1976 and as may subsequently be amended. All districts in the Coastal Zone shall be combined with the Coastal Combining District.

### Section 26C-340. Application.

A Coastal Permit shall be ~~issued~~ required for any development occurring in the Coastal Zone, except ~~for exempt the following projects~~ as provided for in Section 26C-341: ~~listed in the Coastal Combining District (article 35).~~ Development undertaken pursuant to a Coastal Permit shall conform to the plans, specifications, terms or conditions approved in granting the permit.

Application for a Coastal Permit shall be made to the Permit and Resource Management Department on forms provided by the Director of the Permit and Resource Management Department and shall be accompanied by such plans and data as are necessary to determine compliance with this chapter.

### Section 26C-340.1 Exemptions and Categorical Exclusions

The Coastal Act of 1976 exempts certain activities from coastal permit requirements pursuant to Public Resources Code Section 30610 & 30106. The Coastal Act also allows the Coastal Commission, pursuant to Public Resources Code Sections 30610 (d) & 30610.5 (b), to exclude from coastal permit regulations any category of development within a specifically defined geographic area if they find that such an exclusion will not result in a potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access or along the coast.

**a) Exemptions:**

(1) Replacement of any legal conforming structure, destroyed by fire or acts of God, provided, however, that the county may establish reasonable conditions to mitigate adverse impacts on coastal resources.

(2) Maintenance dredging of existing navigation channels or moving dredged material from such channels for disposal outside the Coastal Zone pursuant to a U.S. Army Corps. of Engineers permit.

(3) The harvesting of trees for timber, and other timber management activities including road construction subject to an approved California Division of forestry timber harvesting plan.

(4) Lot line adjustments not resulting in an increase in the number of lots or in allowable residential units.

(5) Tentative subdivision maps in connection with the purchase of land by a public agency for recreational purposes.

(6) Processing of Historic District zoning on designated sites.

(7) Repair and maintenance activities which do not result in an addition to or enlargement or expansion of the object of such activities, except as otherwise specified in Subchapter 7, Title 14, California Administrative Code and any amendments thereafter adopted.

(8) Activities of public utilities as specified in the Repair, Maintenance and Utility Hookup Exclusion adopted by the Coastal Commission on September 5, 1978.

(9) Improvements to existing single-family residences provided that the structure is not located on a beach, wetland, or seaward of the mean high tide line, or within 50 feet of the edge of a coastal bluff, and that the improvement does not exceed 10% of the floor area of the structure.

(10) Improvements to any structure other than a single family residence or a public works facility, except as otherwise specified in Subchapter 7.5, Title 14, California Administrative Code and any amendments thereafter.

(b) **Categorical Exclusions:**

Several categories of development have been excluded from the Coastal Permit requirement by the Coastal Commission under Public Resources Code Section 30610(d) and 30610.5(b). In no case shall any categorical exclusion apply to such development that is proposed on tide and submerged land, beaches, and lots immediately adjacent to the inland extent of any beach, or of the mean high tide line of the sea where there is no beach or lands and waters subject to the public trust as specified in Public Resources Code Section 30610.5(b). Refer to the Coastal Administrative Manual for the Categorical Exclusion Order E-81-5 and subsequent amendments.

**Section 26C-340.2 Action on Coastal Permit.**

(a) If action on other permits or approvals is to be taken by the Director of the Permit and Resource Management Department, the Board of Zoning Adjustments, the Planning Commission, Project Review and Advisory Committee, Design Review Committee, or the Board of Supervisors, then that person, commission or board may also act on the Coastal Permit.

(b) If the project requires no discretionary County permit or approval other than a Coastal Permit, then the Director of the Permit and Resource Management Department shall act on the Coastal Permit.

(c) If, in accordance with paragraphs (a) and (b) above, action on a Coastal Permit would be taken by the Director of the Permit and Resource Management Department but Section 26C-343 requires a public hearing, then the Board of Zoning Adjustments shall act in place of the Director of the Permit and Resource Management Department.

(d) If final action on other permits or approvals requires the recommendation of one (1) person or body to another, as in the case where the Planning Commission makes recommendations to the Board of Supervisors, then that person or body shall make a concurrent recommendation on the Coastal Permit.

**Section 26C-341. Standards for Application Review.**

The officer, commission or board acting on a Coastal Permit shall review the project for compliance with: all applicable plans, policies, requirements and standards of the Coastal Program; the County General Plan, requirements of the underlying zoning district, and other provisions of this chapter.

**Section 26C-341.1. Administrative Coastal Permit.**

The purpose of the Administrative Coastal Permit is to provide for the administrative issuance of Coastal Development Permits for the types of projects specified below:

(a) Any single family residence or accessory use that is a principal permitted use within the zoning district in which the development site is located which does not fall within any of the following categories:

(1) Exemptions and categorical exclusions as listed in Section 26C-340.1.

(2) Appealable areas as listed in Section 26C-347.

(3) Proposals within the outstanding portion of the Scenic Viewshed as shown on the Review Process/Final View Rating Maps on file in the Permit and Resource Management Department.

(b) Any other development specifically authorized as a principal permitted use within the zoning district in which the development site is located which does not fall within Section 26C-341.1(a) 1, 2, and 3.

(c) Appeal provisions are listed in Section 26C-347.

**Section 26C-341.2. Emergency Coastal Permit.**

An emergency coastal permit may be issued by the Director to authorize an applicant to proceed with remedial, immediate, temporary work responding to a verified emergency as defined by the Coastal Act. Emergency authorization may be given by the Director until such time as a coastal development application shall be filed.

(a) An application shall be made in the manner described in Section 26C-340 if time allows, or in person, or by telephone if time does not allow. The information to be reported at the time of the emergency shall include the following:

(1) nature and cause of emergency
(2) location-address, assessor's parcel number
(3) remedial work and method necessary to deal with the emergency
(4) circumstances to justify the course of action to be taken, including consequences of failing to take action
(5) timing of emergency work (when work will be performed and for how long)

(b) The Director shall not grant an emergency permit for any development in an area in which the Coastal Commission retains direct authority under the Coastal Act.

(c) The Director shall verify that the situation is in fact an emergency as defined in the Coastal Act, and perform a site visit if possible.

(d) The Director shall provide public notice of the proposed emergency action to the extent possible. Public notice shall be posted on the site and mailed to all persons within 100 feet of the subject property, prior to the emergency work if time allows. If time does not allow, public notice shall be given as soon as possible.

(e) The Director may grant the emergency permit with conditions, including an expiration date and the requirement for a regular coastal permit application, finding that:

(1) A verified emergency exists and work shall be completed within 30 days or as otherwise specified.

(2) Public notice has been given as time allows.

(3) The work will be consistent with requirements of the Local Coastal Program.

(f) An emergency permit shall be valid for 60 days from date of issuance. Prior to expiration, the applicant shall submit a regular coastal permit application for processing. Failure to comply with provisions of this section may result in enforcement action by the County.

(g) The Director shall report in writing to the Board of Supervisors at their next meeting, the granting of an emergency permit, describing the nature of the emergency and the work involved. The reporting shall be informational only; the decision to issue an emergency permit is at the discretion of the Director subject to provisions of this chapter.

**Section 26C-343. Public Hearing and Comment.**

(a) The appropriate person or body specified in Section 26C-340.2 shall hold a public hearing prior to any action on a Coastal Permit where any of the following apply:

(1) Action or recommendation on other permits or approvals required for the project require the holding of a public hearing.

(2) The permit is for a project appealable to the Coastal Commission.

(b) A public hearing on a Coastal Permit may be held concurrently with any other public hearing on the project held by the appropriate person or body specified in Section 26C-340.2.

(c) Any person may submit written comment on an application for a Coastal Permit, or on a Coastal Permit appeal at any time prior to the close of the applicable public hearing. If no public hearing is required, written comments may be submitted prior to the decision date specified in Section 26C-344(b). Written comments shall be submitted to the Director of the Permit and Resource Management Department who shall forward them to the appropriate person, commission, board or applicant.

(d) For minor development projects, the public hearing may be waived, at the discretion of the Director, if it meets the criteria for minor development in Section 26C-12.

(1) An application for a coastal permit shall be made as stated in Section 26C-340. Notice shall be given in the same manner as in Section 26C-485.1 (a), but stating that the County intends to waive the requirement of a hearing unless a written request for a public hearing is received within 15 working days.

(2) If no protest is received, the Director may approve the application and grant the coastal development permit.

(3) If a written protest is received, a public hearing shall be held with noticing, pursuant to Section 26C-344(a).

(4) The notice provided pursuant to this section shall include a statement that failure by a person to request a public hearing may result in the loss of that person's ability to appeal to the Coastal Commission any action taken by a local government on a coastal development permit application.

**Section 26C-344. Notice.**

(a) At least ten (10) calendar days prior to any public hearing notice of the hearing shall be provided by the following method:

(1) Mailed notice to the applicant.

(2) Mailed notice to all persons who have, in the past calendar year, requested county notice of all Coastal Permits.

(3) Mailed notice to any person who has, in writing, requested notices relating to the permit in question.

(4) Mailed notice to all property owners within 300 feet of the perimeter of the property on which the project is proposed.

(5) Mailed notice to residents within 100 feet of the perimeter of the property on which the project is proposed.

(1) The Coastal Commission.

(2) Any persons who specifically requested notice of such final action by submitting a self-addressed stamped envelope to the County.

(3) The applicant.

(e) Any such notice shall include conditions of project approval, written findings and procedures for appeal of the local decision of the Coastal Commission.

**Section 26C-345. Conditions.**

Approval of a Coastal Permit shall be conditioned as necessary to ensure conformance with and implementation of the Coastal Program. The approving authority may require modification and re-submittal of project plans, drawings and specifications to ensure conformance with the Coastal Program. When modification and re-submittal of plans are required, action shall be deferred for a sufficient period of time to allow the Director of the Permit and Resource Management Department to prepare a recommendation on the modified project.

**Section 26C-346. Findings.**

A Coastal Permit shall be approved only upon finding:

(a) That the project, as described in the application and accompanying materials, and is conditioned in accordance with Section 26C-345 and conforms with the plans, policies, requirements and standards of the Sonoma County Coastal Program.

**Section 26C-347. Appeals.**

Development pursuant to an approved Coastal Permit shall not commence until all applicable appeal periods expire, or, if appealed, until all appeals, including the Coastal Commission, have been exhausted.

Two concurrent appeal periods and procedures are required due to Coastal Act requirements as follows:

(a) Local appeals.

Action by the Director of the Permit and Resource Management Department , Board of Zoning Adjustments, Planning Commission, Design Review Committee, or Project Review and Advisory Committee to approve, condition or deny any Coastal Permit may be appealed on or before the 12th calendar day following such action. Action by the Director of the Permit and Resource Management Department shall be appealed to the Board of Zoning Adjustments. Action by the Project Review and Advisory Committee or the Design Review Committee may be appealed only to the Board of Supervisors.

Unless the appellant can demonstrate that appeal is made in accordance with Public Resources Code Section 30603 (as described below), local regulations and fees will apply.

(b) Coastal Act appeals.

Action by the Director of the Permit and Resource Management Department, Board of Zoning Adjustments, Planning Commission, Design Review Committee or Project Review and Advisory Committee may be appealed without fee only for the following reasons (#1-4)on or before the 10th working day following such action. Action by the Director of the Permit and Resource Management Department shall be appealed to the Board of Zoning Adjustments. Action by the Project Review and Advisory Committee or the Design Review

Committee shall be appealed to the Planning Commission. Action by the Board of Zoning Adjustments or the Planning Commission may be appealed only to the Board of Supervisors.

(1) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.

(2) Developments approved by the local government not included within paragraph (1) of this section located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream or within 300 feet of the top of the seaward face of any coastal bluff.

(3) Any development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinances as defined in Coastal Combining District.

(4) Any development which constitutes a major public works project or a major energy facility. The phrase "major public works project or a major energy facility" shall mean any proposed public works project or energy facility as defined by the Coastal Act, exceeding $100,000 in estimated cost of construction.

(c) Coastal Commission appeals.

Action by the Board of Supervisors on a Coastal Permit may be appealed for the following reasons (#1-4) to the Coastal Commission in accordance with Coastal Commission regulations on or before the 10th working day following receipt by the California Coastal Commission of the Notice of Final Action.

(1) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.

(2) Developments approved by the local government not included within paragraph (1) of this section located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream or within 300 feet of the top of the seaward face of any coastal bluff.

(3) Any development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinances as defined in Coastal Combining District.

(4) Any development which constitutes a major public works project or a major energy facility. The phrase "major public works project or a major energy facility" shall mean any proposed public works project or energy facility as defined by the Coastal Act, exceeding $100,000 in estimated cost of construction.

(d) An appeal pursuant to Section 26C-347(b) may only be filed by the applicant for the Coastal Permit in question, an aggrieved person, or any two members of the Coastal Commission. An appeal pursuant to Section 26C-347(c) may only be filed by the applicant for the Coastal Permit in question, an aggrieved person who has exhausted local appeals, or any two members of the Coastal Commission.

Where a project is appealed by any two (2) members of the Coastal Commission, notice of commissioner appeals shall be transmitted to the Director of the Permit and Resource Management Department and the appeal to the commission shall be suspended pending a decision on the merits by the Board of Supervisors. If the decision of the Board of Supervisors modifies or reverses the previous decision, the Commissioners shall be required to file a new appeal from that decision.

(e) An appeal pursuant to Section 26C-347(c) shall be filed with the Coastal Commission.

**Section 26C-348. Expiration of Permits.**

A Coastal Permit shall expire within two (2) years from its date of approval unless the permit has been used; provided however, that upon written request by the applicant prior to the expiration of the two (2) year period, the permit approval may be extended for not more than one (1) year by the authority which granted the original permit.

**Section 26C-349. Permit Amendment.**

Upon application by the permittee, a Coastal Permit may be amended by the approving authority. Application for and action on an amendment shall be accomplished in the same manner specified in this chapter for initial approval of a Coastal Permit. All sections of this chapter shall apply to permit amendments.

**Section 26C-350. Continuance:**

The lawful use of land existing on the effective date of this ordinance although such use does not conform to the regulations specified by this chapter for the district in which such land is located, may be continued but shall not be enlarged or increased, nor be extended to occupy a greater area than that occupied by such use at the time of the adoption of this ordinance, and that if any use ceases, the subsequent use of such land shall be in conformance with the regulations specified by this chapter for the district in which such land is located provided that:

(a) A legal nonconforming use may be replaced by a use of the same or less intensity upon obtaining a use permit or use permit waiver.

(b) Pursuant to policy LU-1f of the General Plan, a legal nonconforming use may be expanded one time not to exceed ten percent (10%) of the total existing floor area for any structures and to a maximum of 400 square feet, subject to lot coverage and setback requirements and to all other applicable requirements of the Sonoma County Code, and provided that such structures are not located within a designated Redevelopment Project Area.

(c) A legal nonconforming use consisting of a mobile home may be replaced with a newer and larger mobile home in the same location, subject to Article 29, Design Review.

(d) A legal single family dwelling or appurtenant structures for which a building permit was issued after December 1, 1980, shall be considered to be conforming with regard to the height measurement. Repair and remodeling of such structures shall be allowed provided that the height does not exceed the height of the structure prior to the remodel or repair, or the building height allowed by this chapter, whichever is greater.

Expansions of such structures which do not comply with the revised height restrictions shall comply with the new definition of height measurement as stated above, except that the expansion, up to 10% of floor area and not to exceed 400 s.f., shall be allowed, provided that the height does not exceed the height of the structure prior to the expansion, or the building height allowed by this chapter, whichever is greater.

**Section 26C-351. Reconstruction.**

If at any time any commercial or industrial use in existence on the effective date of this ordinance, which does not conform to the regulations for the district in which it is located, is damaged or destroyed by fire, explosion, act of God, tortious conduct of a third party, or act of the public enemy, to the extent of more than 50% of the replacement value of the structure, the land shall be subject to all the regulations specified by this chapter or the district in which such land is located. Any legal nonconforming agricultural or residential structure so damaged may be rebuilt on the original foundation footprint subject to obtaining a use permit. Additional floor area may be added to the structure in accordance with Section 26C-350(b). "Replacement value" as used in this Section is equal to the cost of the labor and materials which would be necessary to construct the structure.

**Section 26C-352. Termination of Use.**

If the actual operation of a legal nonconforming use ceases for a continuous period of one year, unless the legal owner can establish valid proof to the contrary, such cessation of the legal nonconforming use shall be considered termination; then without further action by the Planning Commission the use of the land shall be subject to all the regulations specified by this chapter for the district in which such land is located.

**Section 26C-353. Repairs and Maintenance.**

Remodeling, ordinary maintenance, and repairs may be made to any legal nonconforming industrial or commercial structures to the extent of twenty percent (20%) of the appraised value of the structure during any calendar year

period; provided that foundation work shall be exempt from the twenty percent (20%) calculation. Remodeling, ordinary maintenance, and repairs to any legal nonconforming agricultural or residential structure shall not be limited except as otherwise required by this Article or by other provisions of law.

Non-conforming historic structures shall be exempt from the 20% calculation provided that they are either: (1) included in an Historic Combining District; or (2) are listed as an historic resource in a Specific Plan or Coastal Plan; and (3) have been certified to be an historic resource by the Sonoma County Historic Landmarks Commission, or State of California or in the Federal Register of Historic Places; and (4) repair or reconstruction is an authentic replica of the original structure.

**Section 26C-354. Waiver of Covered Parking.**

The Director of ~~Planning~~ the Permit and Resource Management Department may waive the requirement for covered parking when a nonconforming structure is proposed for rehabilitation if topography, lot size or existing building location renders the requirement of covered parking unreasonable.

**Section 26C-355. Construction Beginning Prior to Effective Date of Ordinance.**

Nothing contained in this chapter shall be deemed to require any change in the plans, construction or designated use of any building upon which actual construction was lawfully begun prior to the effective date of this ordinance. Actual construction is hereby defined to be: the actual placing of construction materials in their permanent position, fastened in a permanent manner; provided that in all cases actual construction work shall be diligently carried on until the completion of the building or structure involved.

**Section 26C-356. Nonconforming Uses Created by Change in Districts.**

The foregoing provisions of this article shall also apply to nonconforming uses in districts hereafter changed.

**Section 26C-357. Outdoor Advertising Structures, Signs, etc.**

All outdoor advertising structures, outdoor advertising signs, appurtenant signs, and directional signs existing on or prior to December 5, 1957, or the effective date of a change in land use classification, whichever is later, which do not conform to the provisions of this chapter relating to the district in which such outdoor advertising structures, outdoor advertising signs, appurtenant signs and directional signs are located shall be considered non-conforming uses. Subject to the limitations set forth in the State Outdoor Advertising Act, such nonconforming uses shall be removed without compensation within thirty (30) days after the expiration of the amortization period set forth in Business and Professions Code sections 5412.1 and 5412.2. The amortization period for signs which may be amortized pursuant to sections 5412.1 and 5412.3 shall commence after the adoption of this ordinance and the giving of notice to the affected property owner. Wherever, by reason of the spacing limitations of this chapter, a greater number of outdoor advertising structures, outdoor advertising signs, appurtenant signs, or directional signs exist in the R, LIA, LEA, and DA districts than this chapter permits, the Board of Zoning Adjustments shall determine the date of establishment of each such outdoor advertising structure, outdoor advertising sign, appurtenant sign, or directional sign and determine which such signs are non-conforming and subject to amortization pursuant to Business and Professions Code sections 5412.1 and 5412.3. Outdoor advertising signs and structures that were defined as general service boards and granted a use permit prior to the adoption of this ordinance shall become a nonconforming use, if they do not meet the provisos of this chapter.

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## Article XXXVI. Amendments.

### Section 26C-360. Procedure Generally: Methods of Initiating.

This chapter may be amended by changing the boundaries of districts or by changing any other provision thereof whenever the public necessity and convenience and the general welfare require such amendment by following the procedure of this article. An amendment may be initiated by:

(a) The petition of one or more owners of property affected by the proposed amendment which petition shall be filed with the Planning Commission.

(b) Resolution of intention by the Board of Supervisors.

(c) Resolution of intention by the Planning Commission.

### Section 26C-361. Public Hearing: Zoning, Interim Zoning.

The Planning Commission shall hold at least one public hearing after notice as provided in this chapter, prior to taking any action on any proposal to amend this chapter; provided that if the Planning Commission, or the Permit and Resource Management Department ~~of Planning~~, in good faith is conducting or intends to conduct studies within a reasonable time for the purpose of, or holding a hearing for the purpose of, or has held a hearing and has recommended to the Board of Supervisors of the county the adoption of any zoning ordinance or amendment or addition thereto, the Board of Supervisors, to protect the public health, safety and welfare, may adopt as an urgency measure a temporary zoning ordinance, in accordance with title 7, chapter 4 of the Government Code of the state, placing the area which is the subject of such studies or hearing in an S district (Study District).

### Section 26C-362. Action by Planning Commission.

Following a public hearing, the Planning Commission shall make a report of its findings and recommendations with respect to the proposed amendment and shall file with the Board of Supervisors an attested copy of such report within ninety (90) days after the notice of the first of the hearings; provided, that such time limit may be extended upon the mutual agreement of the parties having an interest in the proceedings. Failure of the Planning Commission to report within ninety (90) days without the aforesaid agreement, shall be deemed to be approval of the proposed amendment by the Planning Commission.

### Section 26C-363. Action by Board of Supervisors: Abandonment or Withdrawal of Amendatory Proceedings.

Upon receipt of a report from the Planning Commission or upon the expiration of the ninety (90) days as aforesaid, the Board of Supervisors shall set the matter for hearing and shall give notice thereof by one publication within the county at least ten days prior to such hearing. After conclusion of the hearing, the Board of Supervisors may adopt the proposed amendment or any part thereof in such form as the Board may deem advisable. The decision of the Board of Supervisors, whenever practicable, shall be rendered within ninety (90) days after the receipt of a report and recommendation from the Planning Commission, except that after a four-fifths vote, the Board of Supervisors may render its decision after ninety (90) days but within a reasonable time. Upon the consent of the Planning Commission, any petition for an amendment may be withdrawn upon the written application of a majority of all the persons who signed such petition. The Board of Supervisors or the Planning Commission, as the case may be, may by resolution abandon any proceeding for an amendment initiated by its own resolution of intention; provided that such abandonment may be made only when such proceedings are before such body for considerable; and provided that any hearing of which public notice has been given shall be held.

Following approval of any amendment by the Board of Supervisors, it shall be forwarded to the Coastal Commission for review and approval, prior to becoming effective.

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## Article XXXVII. Development Fees.

**Purpose:** The purpose of this article is to provide a place in the Sonoma County Zoning Ordinance for the codification of development fee ordinances which accompany specific plans adopted by the Board of Supervisors. Such codifications are intended to assist both staff and developers in locating development fee ordinances which apply to parcels located within certain specific plan areas in the County. (Ord. No. 4643, 1993.)

### Section 26C-370. Purpose of Countywide Traffic Development Fee.

In order to implement the goals and objectives of the Sonoma County general plan, including the circulation and transit element of that general plan, and to mitigate the traffic impacts caused by new development in Sonoma County, certain public roadway improvements must be constructed to insure a safe and efficient level of service. The Board of Supervisors has determined that a countywide development impact fee is needed in order to finance these public improvements and to pay for the development's fair share of the construction cost of these improvements. In establishing the fee decribed in the following sections, the Board of Sueprvisors has found the fee to be consistent with its general plan and, pursuant to Government Code Section 65913.2, has considered the effects of the fee with respect to the county's housing needs as established in the housing element of the general plan. (Ord. No. 4816 § 1, 1994.)

### Section 26C-371. Countywide Development Fee Impact Area.

(a) The countywide development fee impact area shall be all unincorporated lands within the boundary of the County of Sonoma except for those lying within the boundaries of the following development fee impact areas: Sonoma Valley, Airport and Larkfield.

(b) There is created in the Office of the County Auditor-Controller and the County Treasurer a special interest-bearing trust fund entitled "Sonoma County Countywide Roadway Improvement Fund." Said fund shall consist of a roadway account. All amounts collected from roadway development fees on account of this chapter shall be deposited in said account. These fees shall be expended in accordance with the provisions of the general plan and Sonoma County Code Section 26-98-600 et seq., to pay the costs of roadway facilities and improvements described in Table 3, dated April 1997, as amended (attached to the ordinance codified in this chapter and on file in the Public Works Department and made a part hereof). Pursuant to Government Code Section 66007(b), these fees are authorized for expenditures and obligations for the specific purposes described in said Table 3. These funds may also be used to reimburse developers who have been required or permitted to install roadway facilities which are oversized with supplemental size, length or capacity. (Ord. No. 5012 § 4, 1997; Ord. 4816 § 1, 1994; Ord. 4643, 1993.)

### Sec. 26C-372. Findings and Determinations of the Board of Supervisors.

(a) The purpose of the fees adopted by Section 26C-370 et seq. is to pay the costs of roadway facilities and improvements in accordance with the provisions of the Sonoma County general plan, including the circulation and transit element, and to implement the county's general plan, and to use the authority of Article XI, Section 7 of the California Constitution by imposing development fees to fund the costs of certain facilities and services, the need for which is generated by the type and level of development proposed in Sonoma County.

(b) The use of which the fees are to be put is to pay the costs of the roadway facilities and improvements identified in Table 3, dated April 1997, as amended (attached to this ordinance and on file in the Permit and Resource Management Department and made a part hereof).

(c) There is a reasonable relationship between the fees used and the types of development projects on which the fee is imposed for the reasons set forth in the Sonoma County general plan and the January 1991, February 1992, and subsequent reports of the County Transportation and Public Work Directors, which are incorporated herein by this reference.

(d) There is a reasonable relationship between the need for the roadway facilities and improvements identified in said Table 3, dated April 1997, as amended, and the development projects on which the fee is imposed, for the reasons set forth in the Sonoma County general plan and the January 1991, February 1992, and subsequent reports of the County Transportation and Public Works Director, which are incorporated herein by this reference.

(e) The cost estimates in said Table 3, dated April 1997, as amended, are based upon actual current costs of construction as determined by the County Transportation and Public Works Director through an analysis of current contracted public projects.

(f) Without the adoption of Section 26C-370 et seq., the construction improvements as called for in said Table 3, dated April 1997, as amended, there will be decreased levels of service on certain highways, increased congestion, decreased highway safety, increased accidents, inadequate structural sections, road services deteriorating to the point where they cannot be safely maintained, lack of shoulders meeting basic safety standards, substandard traffic intersections, and an increase in flooding potential. (Ord. No. 5012 § 5, 1997; Ord. No. 4816 § 1, 1994; Ord. No. 4643, 1993.)

**Section 26C-373. Amount of Roadway Improvement Fund.**

(a) The development fee required for roadway improvements shall be apportioned among residential, commercial, industrial and institutional use.

(b) The development fee amount is based upon the report of the Sonoma County Transportation and Public Works Director dated January 1991, February 1992, and subsequent reports, and the Sonoma County general plan.

The development fee shall be:
Three hundred ninety-one dollars ($391.00) per trip for residential uses; and
One hundred nineteen dollars ($119.00) per trip for commercial uses; and
One hundred nine dollars ($109.00) per trip for industrial/institutional uses.

(c) The total fee payable for residential, commercial and industrial/institutional uses shall be computed by multiplying the number of estimated new average daily trips generated by the proposed project times the fee per trip.

(d) Calculation of New Average Daily Trips.

(1) The most recently issued trip generation manual published by the Institute of Transportation Engineers shall be used to determine the average daily trips for each proposed use.

(2) If a project alters or replaces an existing legal project on the same parcel, the number of average daily trips generated by the existing legal project will be deducted to determine the net increase in average daily trips. The fee assessment will be based on the net increase in average daily trips for a particular site.

Example for a general retail use of four thousand (4,000) square feet, replacing existing uses generating twenty (20) average daily trips, the fee would be:

| | | | |
|---|---|---|---|
| 48 trips/MSF x 4 MSF | = | +192 | Gross Trips (MSF=Thousand Square Feet) |
| 20 existing trips | = | -20 | |
| 31 passby trips | = | -31 | |
| Net New Trips | | 141 New Trips | |

141 Net New Trips x $119/Trip = $16,779

(e) Individual nonresidential uses permitted by the land use plan other than in commercial, industrial and institutional land use categories shall have roadway improvement fees assigned based upon recommendations from the County Department of Transportation and Public Works. (Ord. No. 4816 § 1, 1994; Ord. No. 4643, 1993.)

**Section 26C-374. Alternative Method and Compliance with other Laws.**

(a) Sections 26C-370 through 26C-379, inclusive, are intended to establish a supplemental method for funding the cost of certain facilities and services, the need for which will be generated by the level and type of development proposed in Sonoma County. The provisions of these sections shall not be construed to limit the power of the county to impose any other fees or exactions, but shall be in addition to any other requirements which the county is authorized to impose, or has previously imposed, as a condition of approving plans, rezonings or other entitlements within Sonoma County pursuant to state and local laws.

(b) The development fees established and referenced in this chapter are necessary for the mitigation of significant impacts which will be created by future development in Sonoma County. If, for any reason, any portion of this chapter is challenged in a court of competent jurisdiction, such challenge may constitute new information for purposes of CEQA which might, in turn, require additional environmental review of development projects. The refusal to pay fees imposed herein represents a failure on the part of the developer to participate in area-wide mitigation fees and may constitute the basis for the county's refusal to make a statement of overriding consideration in connection with accumulative environmental impacts generated by such project.

(c) Rezonings in Sonoma County are subject to the condition subsequent that the fees imposed by Sections 26C-370 through 26C-379, inclusive, will be paid. Failure to pay such fees shall result in a violation and entitle the county to pursue such remedies as may be available to it by law. (Ord. No. 4816 § 1, 1994; Ord. No. 4643, 1993.)

**Section 26C-375. Projects Exempt from Fee Requirements.**

(a) The fee provisions shall not apply to public agency projects (including special districts) which provide public infrastructure within the scope of the public agency's responsibilities.

(b) Development areas within the Sonoma Valley, Larkfield and Airport traffic mitigation fee ordinances shall be exempt from this chapter and shall instead pay the roadway development fees already established in those areas. (Ord. No. 4816 § 1, 1994; Ord. No. 4643, 1993.)

**Section 26C-376. Annual Adjustment and Review of Fees.**

(a) On January 1st of each year beginning in 1995, the development fees imposed by Sections 26C-370 through 26C-379, inclusive, shall be adjusted by the Department of Transportation and Public Works by a percentage amount equivalent to the percentage change in the engineering news record construction cost index for the preceding twelve (12) month period. The amount of fee applicable to any permit shall be computed based on the fee in effect as of the date of Department of Permit and Resource Management's approval of the building permit, or in those cases specified in Section 26C-377 , the fee in effect at the time for the Department of Permit and Resource Management's discretionary approval of the permit.

(b) The Board of Supervisors shall review the adequacy of the development fees established herein at least once every three years or, if required or appropriate, more often than once every three (3) years.

(c) The Department of Transportation and Public Works and the Department of Permit and Resource Management shall provide an annual report to the Board of Supervisors which specifies:

(1) Any change in the fee due to automatic annual adjustments;

(2) The status of the trust funds established to fund the development of public infrastructure in the countywide area; and

(3) The status of any improvement projects financed in full or in part by such trust funds (Ord. No. 4816 § 1, 1994; Ord. No. 4643, 1993.)

**Section 26C-377. Timing of Fee Payments.**

(a) The fees imposed and required by Sections 26C-370 through 26C-379, inclusive, shall be paid when any of the following county approval or permits are required:

(1) Department of Permit and Resource Management's approval of building permits for new residential dwelling units on existing lots, including second dwelling units authorized pursuant to this chapter;

(2) Those permits for which, prior to the issuance of a building permit, discretionary approval is required. These permits include, but are not limited to, use permits, design review approvals, and major or minor subdivisions; and

(3) Those zoning permits requiring discretionary approval which do not require a building permit.

(b) The fees imposed and required by subsection (a)(1) of this section shall be paid as follows:

(1) The fee for those approvals referred to in subsection (a)(1) of this section shall be paid to the county prior to Department of Permit and Resource Management's approval of a building permit.

(2) The fee for those permits and approvals referred to in subsection (a)(2) of this section shall be paid to the county prior to Department of Permit and Resource Management's approval of a building permit or issuance of the building permit, whichever occurs first. At the time of the discretionary approval, the following condition shall be imposed on the development:

"As a condition of the approval, applicant shall pay to the County of Sonoma those development fees required by Sections 26C-370 through 26C-379, inclusive, of the Sonoma County Code. Such fees shall be paid prior to issuance of a building permit."

Where the condition set forth above is to be placed on a major or minor subdivision, the condition shall be placed as a notation on the final or parcel map so that subsequent purchasers of lots within the subdivision will be on notice that fees will be required prior to the issuance of a building permit.

(3) The fee for those permits referred to in subsection (a)(3) of this section shall be paid to the county within thirty (30) days after the permit is approved. At the time of the discretionary approval, the following condition shall be imposed:

"As a condition of the approval, applicant shall pay to the County of Sonoma that development fee required by Sections 26C-370 through 26C-379, inclusive, of the Sonoma County Code within thirty (30) days after approval of this permit. Failure to make this payment within thirty (30) days after approval of this permit shall result in said permit being rendered null and void."

(c) No building permit or discretionary approval for property within Sonoma County shall be issued or approved unless the development fees for the property are paid as required by Sections 26C-372 through 26C-379, inclusive. (Ord. No. 4816 § 1, 1994; Ord. No. 4643, 1993.)

**Section 26C-378. Developer Construction of Oversized Facilities.**

Whenever a developer is required, as a condition of approval of a development permit, to construct roadway facilities determined by the county to have supplemental size, length or capacity over that needed for the impacts of that development, and when such construction is necessary to ensure efficient and timely construction of the roadway

facilities network, a reimbursement agreement with the developer and a credit against the fee, which would otherwise be charged pursuant to this chapter on the development project, shall be offered. The reimbursement amounts shall not include the portion of the improvement needed to provide services or mitigate the need for the facility or the burdens created by the development. (Ord. No. 4816 § 1, 1994; Ord. No. 4643, 1993.)

**Section 26C-379. Fee Adjustments.**

(a) A developer of any project subject to the fee established by Sections 26C-370 through 26C-379, inclusive, may apply to the director of the Permit and Resource Management Department for a reduction or adjustment to the fee, or a waiver of that fee, based upon: (1) the absence of any reasonable relationship or nexus between the traffic and transportation impacts of that development and either the amount of the fee charged or the types of facilities to be financed; and/or (2) the development is sufficiently specialized such that the fee should be specially calculated so as to maintain a reasonable relationship between the type of the development project and the amount of the fee.

The application shall be made in writing and filed with the director of the Permit and Resource Management Department not later than twenty (20) days prior to the public hearing on the development permit application for the project; or if no development permit is required, at the time of the filing of the request for a building permit.

The application shall state in detail the factual basis for the claim of waiver, reduction or adjustment. The director of the Permit and Resource Management Department in consultation with the director of the Department of Transportation and Public Works shall consider the application and render a decision. If a reduction, adjustment or waiver is granted, any change of use with the project shall invalidate the waiver, adjustment or reduction of the fee.

(b) In addition to the foregoing, a developer of any project subject to the fee established by Sections 26C-370 through 26C-379, inclusive, may apply to the Board of Supervisors for a reduction or adjustment to that fee, or a waiver of that fee, otherwise due in the following case:

(1) Situations where the Board of Supervisors determines that the project development is a project eligible for direct county funding consideration and, in lieu of such funding, the board elects to waive or reduce the fee in an amount determined appropriate by the board in its sole discretion.

Any such application shall be made in writing and filed with the clerk to the Board of Supervisors not later than ten (10) days prior to the public hearing on the development permit application for the project; or if no development permit is required, at the time of the filing of the request for a building permit. The application shall state in detail the factual basis for the claim of waiver, reduction or adjustment. The Board of Supervisors shall consider the application at the public hearing on the permit application or at a separate hearing held within sixty (60) days after the filing of the fee adjustment application. The decision of the Board of Supervisors shall be final. If a reduction, adjustment or waiver is granted, any change of use within the project shall invalidate the waiver, adjustment or reduction of the fee. (Ord. No. 5012 § 6, 1997; Ord. No. 4816 § 1, 1994; Ord. No. 4643, 1993.)

## Article XXXVIII. Site Development and Erosion Control Standards.

**Purpose:** To preserve and protect sensitive areas through appropriate development guidelines when grading, fill, or construction is necessary.

### Section 26C-380. Application.

The regulations contained in this article shall be the minimum requirements and shall apply within a sensitive area, riparian corridor, scenic corridor, ~~area of~~ critical habitat area or unique feature designated in the General Plan or ~~specific~~ Coastal Plan, and as defined in this chapter.

Where the policies of the Coastal Plan apply to a development they shall take precedence over these standards. Where the policies and standards of the General Plan are more restrictive than those of the Coastal Plan or any of the standards below, the General Plan standards and policies shall apply.

### Section 26C-381. Exceptions.

Site Development and Erosion Control Standards shall apply to all new and existing uses permitted by Chapter 26C of the Sonoma County Code, with the following exceptions:

(a) Alterations or additions exceeding neither twenty-five percent (25%) of the floor or site area; nor twenty-five percent (25%) of the market value of the structure(s) being altered or added as established by a licensed appraiser; or

(b) Cumulative projects conducted after the effective date of this ordinance that exceed the criteria in (a) above, shall be subject to ~~Article~~ this article.

(c) Exceptions granted by a Use Permit.

(d) Waivers, exceptions, or deletions adopted as part of ~~a specific plan, zoning study,~~ the Coastal Plan or General Plan amendment approved by the Board of Supervisors.

### Section 26C-382. Site Development Standards.

(a) Access Roads, Driveways, Turnarounds.

(1) All residential uses and all other uses involving structures exceeding 1,000 square feet of floor area shall be served by an all-weather road or driveway adequate to provide fire and emergency equipment access.

(2) All required roads and driveways shall have a minimum cleared width of twelve (12) feet with an all-weather surface.

(3) Required roads less than two (2) travel lanes in width shall include not less than one (1) turnout for each 300 feet of length.

(4) Maximum permitted grade on required roads shall be fifteen percent (15%) providing that a Variance Permit may be issued to allow road grades up to twenty percent (20%) for distances not exceeding 250 feet in any single instance and not exceeding 250 feet in each 1,250 feet of total roadway when required by local topography.

(5) Turnaround areas sufficient to accommodate fire and emergency equipment shall be provided adjacent to each residential structure and at the end of any dead-end roadways. Circular turnarounds shall be a minimum diameter of ninety (90) feet. Hammerhead configurations shall require minimum centerline radii of curvature of fifty (50) feet.

(6) No required roads shall have a centerline radius of curvature of less than fifty (50) feet.

(7) All weather surface on required roads shall utilize sufficient Class I sub-base or Class II base or equivalent native material to provide for unimpaired emergency equipment access during wet weather conditions.

(8) Bridges and culverts shall be constructed to support a load of not less than twenty (20) tons with a surfaced travel land of not less than twelve (12) feet.

(9) All roads shall be designed and constructed in accordance with the grading, drainage, erosion and sediment control standards of this ordinance.

(b) Water Supply, Storage, and Distribution.

(1) Domestic water supply must be provided from either an approved public water system or from an individual water supply system.

(2) Individual water supply systems shall meet the following minimum standards:

a. The water source shall yield a minimum flow of one (1) gallon per minute for a sustained period of not less than four (4) hours as tested between July 15th and October 1st.

b. Individual water systems utilizing water sources with a sustained yield of less than five (5) gallons per minute shall include a minimum of 4,000 gallons of storage capacity.

c. Water quality shall meet all requirements of the Environmental Health Department.

d. Water distribution systems shall meet the requirements of the latest edition of the Uniform Plumbing Code adopted by the county.

e. A minimum 2,000 gallon water storage tank, swimming pool, or pond shall be provided with 2-1/2" National Standard thread with 2-1/2" pipes, and should be accessible to fire equipment. A plan for each tank must be submitted with building plans for these sites and installation will occur prior to final inspection.

(c) Sewage Disposal.

(1) All structures for human occupancy shall be served by a public sewage disposal system, an individual septic tank and leach line system, or an alternative sewage disposal system approved by the County Health Officer.

(2) Proof of the availability of an approved means of sewage disposal shall be provided before the issuance of a building permit for any structure for human occupancy.

(3) Septic tank and leach line systems shall meet all of the requirements of the County Health Officer and Environmental Health Department adopted herein by reference.

(d) Solid Waste Disposal.

(1) All garbage, refuse, junk, waste products, or other solid waste material shall be recycled, composted or deposited at an approved waste disposal site or transfer station.

(2) Temporary storage of solid waste shall be out of view from public roads.

(e) Toxic and Flammable Substances Storage and Handling.

(1) All on-site fuel storage tanks and facilities shall be located and constructed according to the requirements of the ~~local fire district or the California Division of Forestry~~ applicable fire service agency.

(2) All pesticides, herbicides, and other agricultural chemicals shall be stored and handled in accordance with the requirements of the County Agricultural Commissioner.

(3) Any commercial storage or use of toxic, corrosive, or flammable substances or substances issuing toxic fumes and smoke upon burning shall require notification of the ~~local fire district or the California Division of Forestry~~ applicable fire service agency and adherence to all of the requirements of these agencies regarding storage, handling, and use of said substances.

(4) Any commercial storage, transfer, use, or disposal of any radioactive substance excepting licensed medical facilities and academic institutions shall first require a Use Permit.

(f) Fire Protection.

(1) Ability to meet access and water supply storage and distribution standards shall be demonstrated prior to the issuance of any building permit.

(2) Vegetation and other flammable material shall be cleared and maintained in accordance with all the requirements of the ~~California Division of Forestry~~ applicable fire service agency.

(3) Within any area designated extreme fire hazard in the General Plan or ~~an adopted specific plan~~ Coastal Plan, vegetation and other combustible material clearance shall extend not less than 150 feet on each side of any building or structure.

(4) Every chimney or stovepipe that is attached to any fireplace, stove, or other device that burns any solid or liquid fuel shall be provided and maintained with an approved fire screen over the outlet.

(5) All buildings or structures located within areas designated as extreme fire hazards in the General Plan or ~~a specific~~ Coastal Plan shall be constructed using fire proof or fire-resistant roofs. All building projections including eaves, overhangs, canopies, balconies, decks, and unenclosed under-floor areas shall utilize suitable fire resistant constructions.

(6) All internal combustion engines operated in fire hazardous areas shall be equipped with approved spark arresters.

(g) Energy Conservation.

(1) All structures for human occupancy shall be located, sited, and oriented to achieve maximum solar exposure.

(2) All new residential development shall provide suitable space and clothesline facilities to enable residents to dry their clothes using the sun. Such clothesline facilities shall be convenient to washing facilities and oriented so as to receive sufficient sun to dry clothes throughout the day and throughout the year.

(3) Any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of or any interest in real property which prohibits the installation or use of clotheslines in any residential zone is void and unenforceable. Restrictions may be placed on the location of clotheslines, so long as access to the sun is not restricted.

(4) All new swimming pool construction shall include a solar energy system as the primary means of pool heating.

(5) Variances from setback and height restrictions may be granted when shown essential for the operation of a solar energy system or the proper orientation of a passive solar building.

(6) No sign or advertising structure shall be illuminated between the hours of 10:00 p.m. and 6:00 a.m. excepting commercial enterprises while open for business.

~~(h)~~ Noise.

All development shall comply with the General Plan noise standards and policies.

~~(1) All residential structures to be located with in the year 2,000 projected noise contours exceeding sixty (60) Ldn shall be required to attenuate noise to not more than sixty (60) Ldn. Residential structures shall be designed and constructed to limit interior noise attributable to exterior sources to a maximum of forty-five (45) Ldn.~~

~~(2) Residential structures to be located adjacent to existing industrial and commercial uses shall be designed and constructed to meet the standards for residences along roadways.~~

~~(3) No person shall operate or cause to be operated on private property any source of sound in such a manner as to create a sound level which exceeds the sound level limits set forth in Table 1 when measured at or within the property boundary of the receiving land use.~~

~~TABLE 1~~

~~SOUND LEVEL LIMITS BY RECEIVING AND LAND USE ZONE~~

| ~~Receiving Land Use Zone~~ | ~~Time~~ | ~~Sound Level dbA~~ |
|---|---|---|
| ~~All Residential & Agricultural Zones except those in the category below.~~ | ~~7 a.m./10 p.m.~~ | ~~50~~ |
| | ~~10 p.m./7 a.m.~~ | ~~45~~ |
| ~~Resident & Agricultural Zone Area within 300' of Hwys. 101, 12, 116 or Commercial or Industrial Zones.~~ | ~~7 a.m./10 p.m.~~ | ~~55~~ |
| | ~~10 p.m./7 a.m.~~ | ~~60~~ |
| ~~Commercial~~ | ~~7 a.m./10 p.m.~~ | ~~65~~ |
| | ~~10 p.m./7 a.m.~~ | ~~60~~ |
| ~~Light Industrial (MP)~~ | ~~Anytime~~ | ~~70~~ |
| ~~Heavy Industrial~~ | ~~Anytime~~ | ~~75~~ |

~~a. *Corrections for character of sound.* For any source which contains a steady audible tone such as a whine, screech or hum or is a repetitive noise such as hammering or riveting or contains music or speech conveying informational content, the sound level limits set forth in Table 1 shall be reduced by five (5) dbA.~~

~~b. *Corrections for duration of sound.* A sound source may exceed the sound level limits by five (5) dbA if the sound occurs less than fifteen (15) minutes any hour and by ten (10) decibels if the sound occurs less than five (5) minutes in any hour.~~

~~For those cases where an objectionable noise is clearly audible but where the level of ambient noise does not permit direct quantitative sound level "A" measurements of the objectionable noise, sound measurements may be performed utilizing an octave band sound analyzer to determine sound level "A" limits as converted to octave band limits as follows:~~

~~Octave Band Sound Pressure Level~~

| ~~A Weighted Sound Level~~ | ~~(dbA re .0002 dyne/cm2) Octave Bank Center Frequency in HZ~~ | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | ~~31.5~~ | ~~63~~ | ~~125~~ | ~~250~~ | ~~500~~ | ~~1000~~ | ~~2000~~ | ~~4000~~ | ~~8000~~ |
| ~~45~~ | ~~62~~ | ~~56~~ | ~~50~~ | ~~45~~ | ~~42~~ | ~~39~~ | ~~36~~ | ~~33~~ | ~~30~~ |
| ~~50~~ | ~~67~~ | ~~61~~ | ~~55~~ | ~~50~~ | ~~47~~ | ~~44~~ | ~~41~~ | ~~38~~ | ~~35~~ |
| ~~55~~ | ~~70~~ | ~~65~~ | ~~60~~ | ~~55~~ | ~~52~~ | ~~49~~ | ~~46~~ | ~~43~~ | ~~40~~ |
| ~~60~~ | ~~73~~ | ~~68~~ | ~~64~~ | ~~60~~ | ~~57~~ | ~~54~~ | ~~51~~ | ~~48~~ | ~~45~~ |
| ~~65~~ | ~~76~~ | ~~72~~ | ~~68~~ | ~~65~~ | ~~62~~ | ~~59~~ | ~~56~~ | ~~53~~ | ~~50~~ |
| ~~70~~ | ~~79~~ | ~~76~~ | ~~73~~ | ~~70~~ | ~~67~~ | ~~64~~ | ~~61~~ | ~~58~~ | ~~55~~ |
| ~~75~~ | ~~84~~ | ~~81~~ | ~~78~~ | ~~75~~ | ~~72~~ | ~~69~~ | ~~66~~ | ~~63~~ | ~~60~~ |

~~c. *Sound level meter.* Sound levels shall be measured by a sound level meter satisfying the requirements pertinent for type S2A meters in American National Standards Institute specifications for sound level meters.~~

~~d. *Noise measurement procedure.* Utilizing the "A" weight scale of the sound level meter and the "slow" meter response (use "fast" response for impulsive type sounds), the noise level shall be measured at a position along the boundary line where the noise level is at maximum. In general, the microphone shall be located five (5) feet above the ground and ten (10) feet or more from the nearest reflective surface, where possible. Calibration of the instrument being used shall be performed immediately prior to recording any noise data utilizing an acoustical calibrator. measurements should not be taken in rain or winds over approximately twelve (12) miles per hour.~~

(i) Air Quality.

(1) All potential projects resulting in the discharge of air pollutants shall demonstrate the ability to meet the air quality standards of the appropriate air pollution control district prior to the issuance of any grading or building permits.

(2) All required roads shall be sufficiently rocked or paved and maintained as necessary to control dust.

(3) Non-paved roads subject to heavy traffic shall be managed so as to control dust.

(j) Landscaping and Vegetation.

(1) Native vegetation shall be retained, protected, and supplemented to the maximum extent possible.

(2) Fuel wood harvesting, except timber stand improvement, shall be conducted on a sustained yield basis. Harvested areas shall be protected from grazing until restocking is assured. Replanting shall be required whenever root sprouting fails to re-establish the initial native vegetation density.

(3) Landscaping, screening, and windbreaks shall utilize native species to the maximum extent possible.

(k) Drainage and Flooding.

(1) Projects which involve any of the drainage alterations, ponding, or filling activities listed below must be approved by the Sonoma County Water Agency before commencing operations. Activities included are those which:

a. Impair or impede or obstruct the natural flow of storm waters or other water running in a defined channel, natural or man-made, or cause or permit the obstruction of any such channel.

b. Deposit any material in such channel.

c. Alter the surface of land so as to reduce the capacity of such channel.

d. Construct, alter, or repair any storm water drainage structure, facility, or channel without first obtaining a permit therefor, as herein provided.

e. Impair the use of any easement dedicated for drainage purposes.

f. Construct, alter, or repair any storm water drainage structure, facility, or channel without first obtaining a permit therefor, as herein provided.

g. Impair the use of any easement dedicated for drainage purposes.

h. Place any material along the sides of any defined channel or so close to the side of said channel as to cause such material to be carried away by flood waters passing through such channel.

i. Construct any structure within 100 feet of the top of any embankment, natural or man-made which defines a channel, except structures constructed on a lot in a subdivision where the flood hazard has been found to be remote in the review of the Sonoma County Water Agency.

j. Deposit any material which contains paper, bottles, cans, lumber, garbage, organic matter, or other material which will not readily become an integral part of said channel side.

(2) Dams constructed for the purpose of impounding water when designed or approved by an agency of the federal government or of the State of California or when subject to review and approval by the State of California, Department of Water Resources, pursuant to part 1 of division 3 of the California Water Code shall be exempt from Sonoma County Water Agency approval.

(3) Sediment basins, settling ponds, ditches, levees, dikes, culverts, and other structures as well as erosion control and streambank protection measures shall be in accordance with recommendations and standards presented in and herein adopted by reference:

| | | |
|---|---|---|
| "Erosion and Sediment Control Handbook" | and | "Flood Control Design Criteria" |
| Perry Y. Amimoto | | Sonoma County Water Agency |
| California Division of Mines and Geology | | Revised Edition, 1973 |
| State Department of Conservation, 1978 | | |

(l) Geologic Hazards.

(1) All uses subject to the requirements of the Alquist-Priolo Special Studies Zone Act for protection from fault rupture hazard shall demonstrate compliance prior to issuance of any Use Permit, Building Permit, or other entitlement.

(2) All structures for human occupancy including mobile homes shall be designed and constructed to withstand without major structural damage groundshaking resulting from the maximum credible earthquake event for the area as specified in the Division of Mines and Geology Special Report 120 and adopted herein by reference.

(3) No structure for human occupancy shall be placed within the Tsunami Hazard zone as specified in the Division of Mines and Geology Special Report 120.

(4) Any structure for human occupancy proposed for construction within any area designated in the Division of Mines and Geology Special Report 120 as slope stability categories "Landslides", "C" or "Bf" shall require review and approval of all grading, site preparation, drainage, and foundation plans by a registered engineering geologist.

(m) Riparian Corridors.

(1) All clearing of vegetation, grading, excavation, fill, or construction within a riparian corridor designated in the General Plan or ~~a specific~~ Coastal Plan shall first require a Use Permit.

(2) Use Permits for development within designated riparian corridors shall not be approved except when it can be determined that no reasonable alternative means of accomplishing the project objectives outside of the riparian corridor can be found.

(3) Use Permits shall specify by condition the location and extent of vegetation to be disturbed, grading, filling or excavation permitted, roads, walkways or structures permitted, bank protection measures, erosion control measures, and revegetation requirements.

(4) No building materials, abandoned vehicles, junk, garbage, or other solid waste shall be stored within any riparian corridor designated in the General Plan or ~~specific plans~~ Coastal Plan.

(5) No pesticides, liquid fuels, or other toxic substances shall be sorted or applied within any riparian corridor designated in the General Plan or ~~specific plans~~ Coastal Plan.

(6) Vegetation removal in conjunction with permitted development shall be minimized and in no case shall result in the disruption of more than ten percent (10%) of the tree canopy per 100 linear feet of designated riparian corridor.

(7) Grading, filling, excavation, or construction in conjunction with permitted development shall not diminish or divert any stream flow or result in any increase in bank instability or erosion. Erosion and siltation controls as recommended in the Erosion and Sediment Control Handbook, Perry Amimoto, Division of Mines and Geology, 1978, shall be required.

(8) Any roadway, stream crossing, walkway, or structure located within a riparian corridor designated in the General Plan or ~~any specific plan~~ Coastal Plan shall be designed and constructed in accordance with all standards and requirements of the Sonoma County Water Agency. No building shall be located closer to the top of the bank of any water course than a distance equal to 2½ times the depth of the channel plus thirty (30) feet as determined and approved by the Sonoma County Water Agency.

(9) Intermittent stream crossing may be by means of culverts. All stream crossings shall be approved by the Sonoma County Water Agency and the State Department of Fish and Game prior to the issuance of any grading or building permits.

(10) Dams and water impoundments shall be exempt from the riparian standards of this ordinance with plans prepared by the U.S. Department of Agriculture, Soil Conservation Service, and approved by the local Soil Conservation District.

(n) Wetlands.

(1) No removal of native vegetation, grading, fill, excavation, dredging, construction, damming or diversion of natural water flow shall be permitted in any marsh or wetland designated in the General Plan or ~~specific~~ Coastal Plan.

(2) Grazing within marshes or wetlands designated in the General Plan or ~~specific~~ Coastal Plan shall be prohibited except as conducted and managed as provided in any official farm plan prepared by the U.S. Department of Agriculture, Soil Conservation service, and approved by the local Soil Conservation District.

(3) New development adjacent to wetlands designated in the General Plan or ~~specific~~ Coastal Plan shall be designed and constructed to avoid any erosion or sediment transport into the wetland.

(4) No removal of native vegetation, grading, fill, excavation, or construction of any roads or structures shall be permitted within 100 feet of any wetlands designated in the General Plan or ~~specific~~ Coastal Plan.

(o) Critical Habitat.

(1) All clearing of vegetation, grading, excavation, fill, or construction within a critical habitat area designated in the General Plan or ~~specific~~ Coastal Plan shall first require a Use Permit.

(2) Use Permits for development within designated critical habitat areas shall not be approved except when it can be determined that no reasonable alternative means of accomplishing the project objectives outside of the critical habitat area can be found.

(3) Use Permits shall specify by condition the location and extent of vegetation to be disturbed; grading, filling or excavation permitted; roads, walkways, or structures permitted; erosion control measures, revegetation requirements and acceptable timing for each aspect of the project.

(4) Prior to approval of a Use Permit for development within a designated critical habitat area, a biological or other scientific study may be required to determine the tolerance of the affected species to the proposed development.

(p) Unique Features.

(1) all removal of vegetation, grading, fill, excavation, or construction within a unique feature area designated in the ~~General Plan or specific~~ Coastal Plan shall first require a Use Permit.

(2) Use Permits for development within designated unique feature areas shall not be approved except when it can be determined that no reasonable alternative means of accomplishing the project objectives outside of the unique feature area can be found.

(3) Use Permits shall specify by condition the location and extent of vegetation to be disturbed; grading, filling, or excavation permitted; roads, walkways, or structures permitted; and specific measures to be undertaken to protect and enhance the unique feature area.

(4) Prior to approval of a Use Permit for development within a designated unique feature area, an archaeological or biological or other scientific study may be required to determine the sensitivity of the unique feature area to disturbance and means of reducing or mitigating the impact of the project on the unique feature to the maximum feasible extent.

(5) If, during development, subsurface archaeological materials are uncovered, work shall be halted temporarily and a qualified archaeologist contacted to evaluate the finds. Such archaeological

materials include but are not limited to milling equipment, obsidian or chert artifacts and waste flakes, bone, shell, human graves, structure foundations, and/or historic period items such as old bottles and ceramics.

(q) Scenic Corridor. ~~Community Separators, Vista Point, and Visual.~~

~~(1) All clearing of vegetation, grading, excavation, fill or construction within a scenic corridor, or community separator, vista point area designated in the General Plan or specific Coastal Plan shall first require a Use Permit.~~

~~(2) Use Permits for development within designated scenic corridors, community separators, or vista points shall not be approved except when it can be determined that no reasonable alternative means of accomplishing the project objectives outside of the designated area can be found.~~

~~(3) Use Permits shall specify by condition the location and extent of vegetation to be disturbed; grading, filling or excavation permitted; roads, walkways, or structures permitted; size, bulk, location, and design of any structures and revegetation or landscaping requirements.~~

~~(4) Scenic corridor, community separator, and vista point development standards shall apply a distance of 200' from the edge of the affected public right-of-way unless some different distance is specified in the General Plan or specific Coastal Plan.~~

(1) Ten scenic corridors have been identified in the Coastal Plan. The extent of land visible from the scenic corridors have been mapped on the Coastal Visual Resource maps incorporated by reference and on file in the Permit and Resource Management Department.

(2) All new development shall conform with Coastal Plan Visual Resource Element recommendations, applicable scenic view protection policies and policies related to landform and vegetation categories, or subsequently approved area design guidelines.

(3) Design Review for all new development to be required in accordance with the procedures described in the Coastal Plan Visual Resource Element and Coastal Administrative Manual.

(4) ~~Use~~ Coastal Permits for development within designated scenic corridors, ~~community separators, and vista points~~ shall not be approved except when it can be determined that the development will:

a. Create a consistent visual relationship with surrounding development and with the natural terrain and vegetation.

b. Require minimum grading and vegetation removal.

c. Not significantly obstruct existing public views.

d. Utilize native plants for required landscaping.

e. Utilize building material colors and textures complementary to the natural landscape.

f. Harmonize with the design characteristics of surrounding development.

g. Minimize outdoor lighting, shielding it sufficiently to assure no glare toward residential areas or roadways.

(r) Water Quality.

(1) All uses shall comply with the requirements and regulations of the appropriate Regional Water Quality Control Board. New uses requiring Regional Water Quality Board approval of discharge standards shall submit proof of such approval prior to issuance of any grading or building permits.

(2) Storage of pesticides, herbicides, liquid fuels, and/or other potentially toxic substances shall require use of a containment structure capable of preventing said substances from entering into any waterway or percolating into any groundwater.

(3) Subsurface disposal or reinjection of any liquid waste into the earth excepting approved septic and leach line systems shall require a Use Permit.

**Sec. 26C-383. Erosion Control.**

(a) Grading.

All section references in this section refer to the "Erosion and Sediment Control Handbook" adopted by reference herein.

(1) Except as indicated below, no person shall commence or perform any grading or filling or clearing of vegetation without having first obtained a grading permit:

a. The excavation does not exceed four (4) feet in vertical depth at its deepest point measured from the original surface and does not exceed 200 square feet in area.

b. The fill does not exceed three (3) feet in vertical height at its highest point measured from the natural ground surface and does not cover more than 200 square feet in area.

c. Exploratory excavations do not exceed an aggregate area of 200 square feet.

d. An excavation below finished grade for basements and footings of a building if authorized by a valid building permit. This exception does not affect the requirement of a grading permit for any fill made with the material from such excavation.

e. Clearing of vegetation does not exceed 1,000 square feet in area.

f. Use of land is for gardening primarily for home consumption.

g. Agricultural use of land that is operated in accordance with a farm conservation plan approved by the Resource Conservation District or when it is determined by the Resource Conservation District that such use will not cause excessive erosion or sediment losses.

(2) Grading operations shall be conducted so as to prevent damaging effects of sediment production and dust on the site and on adjoining properties.

(b) Sediment Control.

(1) Sediment shall be retained on the site (section 90).

(2) Sediment basins, sediment traps, or similar sediment control measures shall be installed before extensive clearing and grading operations begin.

(c) Native Vegetation.

(1) In no event shall the native vegetative ground cover be destroyed, removed, or disturbed more than fifteen (15) days prior to grading unless otherwise approved by the engineer representing the permit-issuing authority.

(2) When vegetation must be removed, the method shall be one that will minimize the erosive effects from the removal (sections 10 and 30).

(3) Exposure of soil to erosion by removing vegetation shall be limited to the area required for immediate construction operations.

(d) Control of Runoff.

(1) Provisions shall be made to control the increased runoff caused by changed soil and surface conditions during and after development (sections 40 through 100).

(2) To prevent excess runoff the rate of surface water runoff shall be structurally retarded (sections 90 and 100).

(3) Each applicant requesting permission to make any surface changes shall be required to:

a. Collect on-site surface runoff and dispose of it at nonerosive velocities to a point of discharge into the common natural watercourse of the drainage area.

b. Handle existing and potential off-site runoff through the development by designing for storm runoff from a fully developed area upstream.

c. Pay his proportionate share of the total cost of off-site erosion and sediment control improvements to the common natural watercourse based on a fully developed drainage area.

d. Provide and install at his expense all drainage, erosion, and sediment control practices (temporary and permanent) required by the Erosion and Sediment Control Handbook herein adopted by reference.

e. Retain sediment being transported by runoff water on-site through the use of sediment basins, silt traps, or similar measures.

(4) Concentration of surface water runoff shall only be permitted in swales or watercourse.

(5) In order to prevent polluting discharges from occurring, approved erosion and sediment control devices shall be required for all grading and filling. Control devices and measures which may be required include but are not limited to the following:

a. Energy absorbing devices to reduce the velocity of runoff water (section 100).

b. Sedimentation controls such as sediment debris basins and sediment traps. Any trapped sediment shall be removed to a disposal site approved by the permit-issuing authority (section 90).

c. Dispersal of water runoff from developed areas over large undisturbed areas.

d. Multiple discharge points to reduce the volume of runoff over localized areas.

(e) Slope Construction.

(6) Applying mulch or other protective coverings on stockpiled material which will be exposed through the winter season or which faces a high risk of intensive summer rains (section 30).

(7) Removal of excavated material not be used at the site to a location approved by the permit-issuing authority.

F5c

# Sonoma County LCP Amendment #1-00

## Attachment #3

# Coastal Administrative Manual

(The attached Coastal Administrative manual submittal is identical to that previously distributed to the Commission and members of the public in November, 2000 as part of LCP Amendment #2-99)

Underlined text indicates proposed additions to the existing certified Sonoma County Coastal Administrative Manual.

# Part II ADMINISTRATIVE MANUAL

# DRAFT REVISED

## COASTAL ADMINISTRATIVE MANUAL

### SONOMA COUNTY

The original publication was prepared with financial assistance from the Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, under the provisions of the Federal Coastal Zone Management Act of 1972, as amended, and from the California Coastal Commission, under the provisions of the California Coastal Act of 1976.

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NOTE:

In 1981, the County adopted the Coastal Plan, Coastal Zoning Ordinance, and Coastal Administrative Manual planning documents prepared under specific requirements of State law and intended to provide an intermediate level of detail between the 1978 General Plan and site development plans submitted to the County for approval. The 1978 General Plan focused on policies of Countywide significance and utilized generalized graphics to illustrate land use, open space and other elements.

In 1989, the County adopted an update of the 1978 General Plan. The General Plan update provided parcel-specific information concerning land use and open space. The General Plan update also included "area policies" in an attempt to focus particular attention on a specific area or parcel. Because of this level of specificity in the General Plan update, the Board of Supervisors determined that several of the specific plans, including the Coastal Plan, Coastal Zoning Ordinance, and Coastal Administrative Manual, were either duplicative or conflicted with the updated General Plan. The Board of Supervisors further determined that to the extent the specific plans and coastal documents provided policy guidance beyond that provided by the General Plan update, that such plans should be reviewed and revised to insure complete consistency with the General Plan. The General Plan includes a discussion of these specific plans and the Coastal Plan documents in Land Use Element Section 2.1.1 under Policy LU-1a.

This document was prepared pursuant to General Plan Policy LU-1a.

In keeping with the above intent, the proposed revisions of the Coastal Plan/Coastal Zoning Ordinance/Coastal Administrative Manual did not include exhaustive evaluation or reconsideration of the policies or designations contained in this plan. The scope of the revisions was limited to that necessary to achieve general plan consistency.

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## INTRODUCTION

The Coastal Administrative Manual ~~will~~ accompany ies the Coastal Zoning Ordinance and has as its major function implementation of the Sonoma County Coastal Plan in accordance with the provisions of the Coastal Act of 1976. The three sections of the manual deal with processing of coastal permits, procedures for amending the Coastal Plan and related implementations actions with attachments.

All development in the Coastal Zone shall be subject to the requirements of the Coastal Administrative Manual ~~which shall be adopted by resolution of the Board of Supervisors and~~ as certified by the Coastal Commission ~~as a part of the Sonoma County Local Coastal Program~~.

Coastal Permit

This section outlines in detail the procedures for processing permits within the coastal zone and is meant primarily for the use of Sonoma County ~~Planning~~ Permit and Resource Management Department staff. Steps to be undertaken by the ~~Planning~~ Permit and Resource Management Department include a ~~General/Coastal Plan consistency determination~~, review of the adequacy of the application, determination of the permit category, review, noticing, hearing if applicable, and adoption of findings. Appeal procedures are also outlined.

Attachments include application forms, forms for public noticing, categorical exclusion conditions, list of coastal permit exemptions, definition of appealable development, environmental resource management recommendations, State Interpretive Guidelines concerning Geologic Stability of Blufftop Development, Bane Bill regulations applying to Sea Ranch, and coastal design review guidelines.

Amendments to the Coastal Plan

All zone changes, amendments to the Coastal Zoning Ordinance, the Coastal Plan and the Administrative Manual and amendments to the Coastal Land Use Plan Map are subject to the Coastal Plan Amendment procedures outlined in this section. Procedures covered include initiation, processing, and action to conform with State zoning laws, the Coastal Act of 1976 and the Sonoma County Coastal Zoning Ordinance.

Related Implementation Actions

The ~~first~~ two sub-sections, administrative waiver of wetlands requirements and revision of mapped environmentally sensitive habitat areas, instruct staff on interpreting and implementing environmental resource management recommendations. A resolution ~~#71169 is included for action~~ by the Board of Supervisors establish~~es~~ a waiver prohibition of on site sewage system regulations in certain coastal development areas which have severe sewage disposal constraints and failing septic systems. The other three sub-sections are LAFCO policies for the coastal area, Coastal Commission condition requirements on conditional compatible uses in resource zones and a list of access trails which may be prescriptive. ~~The two~~ Other attachments include excerpts from the State Coastal Commission's Statewide Interpretive Guideline for Wetlands, and Other Wet Environmentally Sensitive Habitat Areas adopted February 4, 1981.

# I. COASTAL PERMIT

~~A. GENERAL PLAN CONSISTENCY~~

~~1. Application for a Coastal Permit shall not be accepted until a General/Coastal Plan Consistency Determination is made.~~

~~General Plan Consistency Review. In 1978 the Sonoma County Board of Supervisors established a General Plan Consistency review procedure. This procedure is conducted prior to application for any project and includes review of all applicable General and Specific Plan land use categories and policies. If the project is determined to be inconsistent with the General or Coastal Plan, the application will not be accepted for processing. This determination may be appealed to the Planning Commission and ultimately to the Board of Supervisors. Only when a project is deemed consistent with the General Plan and the Coastal Plan by staff, the Planning Commission or the Board of Supervisors, will the application be accepted. A determination of consistency does not imply that the project will ultimately be approved. After an application is accepted for processing, the County and Coastal Act noticing requirements will be carried out.~~

A. APPLICATION

1. When an application for a coastal project is received, make the following determinations (a-d):

   a. Determine that the Coastal Permit application is complete (Attachment A). It should include:

      1. A summary description of the project;

      2. A site plan, to scale, showing:

         + existing and proposed property lines, including easements
         + topography at a contour interval appropriate to the size of the project
         + location of existing and proposed structures, signs, roads, parking areas, fences and other improvements
         + major natural features: creeks, bluffs, vegetation;

      3. Building height elevations showing:

         + all exterior walls
         + type and color of roof and other exterior materials
         + location and design of roof equipment, trash enclosures, fences, exterior lights, signs and other exterior structures and equipment
         + section cut through the house and site at the ~~highest~~ average height above grade under the structure
         + any additional information determined by the ~~Planning~~ Director of the Permit and Resource Management Department to be necessary for evaluation of the proposed development;

      4. Materials for notification of nearby residents;

      5. Any additional required information

   b. Determine that the project is within the Coastal Zone

   c. Determine if the project is on tidelands, submerged lands or public trust lands (refer to Coastal Zone Appeals/Permit Jurisdiction Maps on file in the Permit and Resource Management Department offices). If so, a State Coastal Commission Permit is required and the Coastal Commission must be notified. When the planner is unsure that the project is within such an area, the State Lands Commission will make a determination. The applicant should apply directly to the State Coastal Commission.

d. Determine which Permit Category applies of the four below:

1. Project is exempt or excluded.
This applies to:

+ categorically excluded projects including single family development in Bodega Harbour, Villa Marina, Whaleship and Taylor Tract subdivisions, Bodega Bay, ~~if excluded~~ if development conditions are met, as well as all other development specifically excluded from a coastal permit in the Exclusion Order E-81-5, adopted _____, or as subsequently amended. (see Attachment B)
+ exempt projects (see Attachment S).

2. Project is appealable to the California Coastal Commission (refer to Attachment C and Coastal Commission Appeals Maps on file in the Permit and Resource Management Department offices);

3. Project is not appealable to the Commission but requires a public hearing;

4. Project is not appealable and does not require a public hearing.

e. If the project is an emergency requiring immediate action to protect life or property, as defined in the Coastal Act and the Coastal Zoning Ordinance, Sec. 26C-341.2, then an emergency permit may be issued. Within 60 days the applicant shall submit a coastal permit for processing according to the appropriate permit category stated above.

2. If the determination of the County's permit category is challenged by the applicant or an interested person, or if the ~~Planning~~ Permit and Resource Management Department wishes a Commission determination:

a. the Commission's Executive Director's opinion may be requested by telephone;

b. the Director shall transmit ~~his~~ the determination within two working days or following a site visit;

c. if the Director's opinion differs from the ~~Planning~~ Permit and Resource Management Department determination, the Coastal Commission shall hold a hearing to determine the appropriate designation.

B. REVIEW

The Planner shall check:

1. Zoning including Coastal Combining District requirements;

2. Environmental Maps:

a. If the project is within a designated Sanctuary Preservation area, development is prohibited unless it is a resource-dependent use (i.e., it needs a location in or near the resource to function). A resource dependent use must not significantly disrupt habitat values. Coastal Plan resource policies also apply (Attachment G).

b. If the project is within a designated Conservation area, an environmental study is required. No development is allowed unless the environmental study determines that no adverse effects would occur. Coastal Plan resource policies also apply (Attachment G).

c. If the project is within a designated Potentially Sensitive area, development is allowed only if adverse environmental effects can be mitigated. Environmental studies may be required. Coastal Plan resource policies also apply (Attachment G).

3. Hazard Maps.

   a. If the project is within the Marginally Stable/Unstable category, development is prohibited unless an engineering geologist reviews and approves all grading, site preparation, drainage, leachfield and foundation plans of any proposed structure, and determines there will be no significant impacts. The report shall contain the information stated in Attachment H.

4. Archaeological Maps.

   a. If the project is within a designated archaeological site area, require an archaeological study and implementation of reasonable mitigation measures recommended by the study.

5. Coastal Visual Resource Maps

   a. Check maps to determine in which viewshed category the project is located and whether or not it can be excluded, based on Categorical Exclusion Category "T"

   b. If the project cannot be excluded determine which permit category applies.

6. Historic Site/Area.

   a. If the project will affect a Historic District zone (or if the site is listed in the Historic Resources Inventory in the Coastal Plan), refer project to Landmarks Commission.

7. Slopes.

   a. No construction or grading is permitted where slopes exceed 30 percent unless no feasible alternate site is available.

8. Design Review.

   a. Check location.
   Design review is required on projects west of Highway 1, in ~~urban~~ "Rural Community" and "urban service" areas (on land use maps) and within view of designated scenic roads (Highway 1, Stewarts Point-Skaggs Springs Road, Fort Ross Road, Meyers Grade Road, Highway 116, paved portion of Willow Creek Road, Coleman Valley Road, Bay Hill Road, Bodega Highway, Valley Ford-Freestone Road, Petaluma-Valley Ford Road). Design Review is also required when specified by procedures in attachment B, Section II, T, of the Coastal Administrative Manual. The applicant must show the structure will not be visible, through photographs, topographic maps, or cross-sections;

   b. The requirement for Design Review may be waived by the ~~Planning~~ Director of the Permit and Resource Management Department.

   c. The County Design Review Committee shall utilize the Coastal Plan Visual Resource Element policies, and Coastal Design Guidelines (Attachment I). In addition, Design Review for The Sea Ranch, Bodega Harbour, ~~and~~ Timber Cove and Sereno del Mar shall be conducted by local design review committees.

9. Access.

   a. Check access maps. If an accessway is located on the property, require access dedication as a condition of the permit;

   b. If the access is located between two parcels, the first parcel to develop shall dedicate the entire easement width;

   c. All parcels along the shoreline shall dedicate lateral beach access.

C. NOTICING

1. If the application is complete and within the Coastal Zone, the planner should:

   a. Accept fees

   b. File notices according to the following categories: (See Section 26C-34) of Coastal Zoning Ordinance.

      1. Exempt or Categorically excluded. No noticing relating to Coastal Permit, but project must be recorded (Form, Attachment D);

      2. Appealable project (Always requires a public hearing). Notice in accord with Section ~~26-485.1 (a)~~ 26C-344 (Form, Attachment E1);

      3. Not appealable to the Coastal Commission, but requires a public hearing. Notice in accord with Section ~~26-485.1~~ 26C-344 (Form, Attachment E1);

      4. Not appealable and does not require a public hearing. Notice in accord with Section ~~26-485.1~~ 26-344 (Form, Attachment E2);

      5. Emergency permits shall require notice, as time allows, per Section 26C-341.2 (Form, Attachment F).

D. FINDINGS

1. A Coastal Permit shall only be approved upon findings that the project, as described in the application and as conditioned, conforms with the plans, policies, requirements and standards of the Sonoma County Coastal Program.

2. Note: The Coastal Act requires that every coastal development permit issued for development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that such development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act. Since the Coastal Plan Access Plan has been certified as being in conformance with access requirements in the Coastal Act, this requirement is met if the project is in conformance with the County's Access Plan.

E. APPEALS

1. Coastal Permit appeals ~~procedures~~ shall follow ~~normal County appeal procedures~~ the procedures in the Coastal Zoning Ordinance (Section 26C-34). Local appeals shall be exhausted prior to appeal to the Coastal Commission.

2. The appeal period following an action granting a Coastal Permit shall be as specified in the Coastal Zoning Ordinance, and shall run concurrently with the appeal period for any underlying permit, if any.

3. Within 7 days of a final local decision on an appealable project (local decisions are final if they have not been appealed within 10 working days to the appropriate body or upon action of the Board of Supervisors), the County shall provide mailed notice to:

   a. The State Coastal Commission;

   b. Any persons who specifically requested notice of such final action by submitting a self-addressed, stamped envelope to the County.

4. Such notice shall include conditions of project approval, written findings, and procedures for appeal of the local decision to the Coastal Commission (Form, Attachment E1).

5. The final local decision becomes effective immediately unless it is an action of the Board of Supervisors in which case it becomes effective 10 working days after the Commission has received mailed notice of final action, unless:

   a. An appeal is filed;

   b. The notice did not contain the conditions of approval, written findings and procedures for appeal.

6. No Coastal Permit shall be issued until appeals periods have expired (10 working days for all appealable permits).

## II. AMENDMENTS TO THE COASTAL PLAN

A. **Purpose and Intent:**

The purpose of this section is to provide for changes of the land use and/or zoning designation on properties where such change is warranted by consideration of location, surrounding development and timing of development, and to provide for amendments to this ~~ordinance~~ chapter and/or the Land Use Plan as the County may deem necessary or desirable. Any amendment must be "in the public interest" (Government Code Section 65356.1) and consistent with the other provisions of the Coastal Program. The intent of this section is to provide the mechanism consistent with the Coastal Act for amending a certified Local Coastal Program (L.C.P.) which consists of a land use plan and zoning ordinance.

B. **Applicability:**

1. Any zone change, amendment to this ~~ordinance~~ chapter, or amendment to the Land Use Plan shall be adopted pursuant to the provisions of this section.

2. a) Bodega Bay Rezoning consistent with the Phase 2 Land Use Plan for Bodega Bay may be proposed only when water and highway limitations cited in the Coastal Plan have been resolved.

~~b) Adequate water capacity should be reserved to serve the first three priority developments listed below as they are proposed in the Phase I development plan for Bodega Bay, by requiring that if water supplies do not prove adequate to all land use designated in the Phase I plan, a minimum of 30 percent of the projected available amount shall be reserved for the designated priority uses. A similar standard shall be applied to Phase II development if necessary:~~

~~- moderate expansion of marina facilities and fishing-related commercial facilities~~

~~- limited additional tourist commercial facilities~~

~~- affordable housing projects~~

~~Bodega Harbour and other existing residential commitments expanded general commercial and residential uses.~~

(b) Adequate water supply capacity shall be reserved pursuant to following General Plan policy Lu-10n.

"In Bodega Bay, if water supply does not prove adequate to all uses designated by the land use plan, reserve a minimum 30% of the projected available amount for the following priority uses:

(1) provision of at least 50 units of low/moderate housing.
(2) uses supporting the fishing industry.
(3) local serving commercial uses."

C. **Initiation:**

1. An amendment to a certified Local Coastal Plan may be initiated by:

a. The petition of one or more owners of property affected by the proposed amendment, which petition shall be filed with the ~~Planning~~ Permit and Resource Management Department.

b. Resolution of intention by the Board of Supervisors.

c. Resolution of intention by the Planning Commission.

D. **Processing:**

The L.C.P. Land Use Plan may be amended no more than three times in any calendar year. Following the initiation of an amendment to a certified Local Coastal Program, the Planning Commission shall hold at least one public hearing on the proposal. Notice of the hearing shall be given at least ten (10) calendar days before the hearing in the following manner:

1. For each zone change, amendment to this ~~ordinance~~ chapter, and amendment to the Land Use Plan:

   a. notice shall be published in a newspaper of general circulation, in the County,

   b. notice shall be mailed to any person who has filed a written request therefore and has supplied the County with self-addressed stamped envelopes,

   c. notice shall be mailed to the Coastal Commission.

2. In addition, for a proposed change of zoning district or change of land use designation, the following shall apply:

   At least ten (10) days notice of all hearings required shall be given by the ~~Planning~~ Director of the Permit and Resource Management Department through the United States mail with postage prepaid to all persons shown on the last equalized assessment roll as assessees of parcels of real property within 300 feet of the parcel to be affected, and by publication in a newspaper of general circulation within the County. Said notice shall include a general explanation of the matter to be considered, including a general description of the area to be affected.

E. **Action:**

Following a public hearing the Planning Commission shall make a report of its findings and recommendations with respect to the proposed amendment to the Board of Supervisors and file with the Board of Supervisors an attested copy of such report within ninety (90) days of the notice of the first hearing; provided that such time limit may be extended upon the mutual agreement of the parties having an interest in the proceedings. Failure of the Planning Commission to so report within ninety (90) days without the aforesaid agreement shall be deemed to be approval of the proposed amendment by the Planning Commission.

Upon receipt of a report from the Planning Commission, or upon the expiration of the ninety (90) days as aforesaid, the Board of Supervisors shall set the matter for hearing and shall give notice thereof by one (1) publication within the County at least ten (10) days prior to such hearing. After conclusion of the hearing, the Board of supervisors may adopt the proposed amendment or any part thereof in such form as the Board may deem advisable. The decision of the Board of Supervisors shall be rendered within nine (90) days after the receipt of a report and recommendation from the Planning Commission, except that after a four-fifths vote, the Board of Supervisors may render its decision after ninety (90) days but within a reasonable time. Upon the consent of the Planning Commission, any petition for an amendment may be withdrawn upon the written application of a majority of all persons who signed such petition. The Board of Supervisors or Planning Commission, as the case may be, may by resolution abandon any proceeding for an amendment initiated by its own resolution of intention; provided, that such abandonment may be made only when such proceedings are before such body for consideration and provided that any hearing of which public notice has been given shall be held.

Any proposed amendment to a certified Local Coastal Program shall not take effect until it has been certified by the Coastal Commission. Therefore, any approval by the County of a proposed amendment to the County's Local Coastal Program shall be submitted to the Coastal Commission with seven (7) days of the final approval by the Board of Supervisors in the form of a resolution of the Board of Supervisors carried by the affirmative votes of a majority of its total voting members.

# III. ATTACHMENTS

ATTACHMENTS:

The following items must be submitted with this form as part of the application:

1. As assessor's parcel map showing the applicant's property and all other properties within 100 feet of the property lines.

2. Materials for notification of nearby residents, including:

   a) A list of names and addresses of all residents (or addresses) within 100 feet of all boundaries of the applicant's property (streets and other public rights-of-way are not to be counted as part of the 100 feet). Include the Assessor's Parcel Number of each parcel. The required assessor's parcel map and names and addresses of property owners are available in the County Assessor's Office.

   b) A list of names and addresses of all other parties known to the applicant to have an interest in the proposed development.

   c) One stamped, business-size envelope (9x4") addressed to each of the above residents and interested persons. The return address on the envelope should be that of the Permit and Resource Management Department. (Envelopes to notify residents may be addressed to "Occupant".) The applicant shall place on the front of each and every envelope the words: IMPORTANT: PUBLIC HEARING NOTICE.

3. Construction of new homes in subdivisions of Bodega Harbour and The Sea Ranch and subject to architectural review by the homeowner's association. Evidence of such approval must accompany this application.

4. A Site Plan to scale for all proposed work, including signs, roads, fences, wells and septic systems and including any structures to be removed. The site plan should show existing and proposed property lines, the topography of the site, and any natural features such as creeks or rock outcrops. The site plan should also show all existing significant vegetation, including any significant vegetation to be removed. (8 ½ x 11" site plan required.)

5. Elevations of all proposed structures, including all exterior walls, materials and colors.

6. A section cut through each structure of roofs and wall showing the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the lot.

7. Grading and drainage plans, if appropriate. The grading plan prepared by a registered civil engineer should show existing and proposed contours, the amount of proposed excavation and fill (in cubic yards) and any necessary deposition sites, regardless of location. Drainage plans should show drainage patterns for all runoff from the site, location of drainage swales, ditches, and culverts, and the size of all drainage structures. The plan should also describe how grading will be conducted so as to minimize erosion during and after construction.

8. For development within 100 feet of a bluff or in an area of high geologic hazard, a comprehensive, site-specific geology and soils report must be submitted in accordance with the Interpretive Guidelines adopted by the Coastal Commission (Geologic Stability of Blufftop Development). Copies of the guidelines are available at the Permit and Resource Management Department. The report must determine that there will be no significant impacts from grading, site preparation, drainage, leachfields and foundation plans.

9. If the development involves diking, filling or dredging of open water, wetlands or estuaries, state amount of material to be dredged or filled, give location of dredge disposal site.

10. If public access to the shoreline is required as a condition of approval of a permit, additional material including a title report and a legal description of the parcel(s) will be required.

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT
2550 Ventura Avenue, Santa Rosa CA 95403
(707) 527-1900 FAX (707) 527-1103

COASTAL PERMIT

# COUNTY OF SONOMA
## PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 527-1900 FAX (707) 527-1103

*Field Operations • Code Enforcement • Permits • Environmental & Comprehensive Planning*

# PLANNING APPLICATION

File#:_____ Date Filed:_____
Accepted By:_____

TYPE OF APPLICATION REQUESTED:

___ Admin. Cert. of Compliance
___ Ag. Preserve
___ Cert. of Compliance
___ Cert. of Modification
___ Coastal Permit
___ Design Review Administrative
___ Design Review Comm./Ind.
___ Design Review Residential
___ Design Review Signs
___ General Plan Amendment
___ General Plan Appeal
___ Lot Line Adjustment
___ Major Subdivision
___ Minor Subdivision
___ Mobile Home Permit
___ Ordinance Interpretation
___ Parcel Status Determination
___ Second Unit Permit
___ Specific Plan Amendment
___ Use Permit
___ Variance
___ Zone Change
___ Zoning Permit
___ Other: _____

APPLICANT OR AGENT:
Name: _____
Mailing Address: _____
City/Town: _____
State/Zip: _____
Phone: _____ FAX: _____
Signature: _____
Date: _____

OWNER, IF OTHER THAN APPLICANT:
Name: _____
Mailing Address: _____
City/Town: _____
State/Zip: _____
Phone: _____ FAX: _____
Signature: _____
Date: _____

OTHER PERSONS TO BE NOTIFIED: Include Agents, Lenders, Architects, Etc.

Name: _____
Address: _____
City: _____ Zip: _____
Title: _____ Phone: _____

Name: _____
Address: _____
City: _____ Zip: _____
Title: _____ Phone: _____

Name: _____
Address: _____
City: _____ Zip: _____
Title: _____ Phone: _____

PROJECT INFORMATION:
Address: _____ City/Town: _____ Zip: _____
Assessor's Parcel Number(s): _____ Acreage: _____
Project Description: _____

Site Served by Public Water? (Y/N): _____
Name of Provider: _____
Number of New Lots Proposed: _____

Site Served by Public Sewer? (Y/N): _____
Name of Provider: _____

COMMERCIAL/INDUSTRIAL USES: (Enter Numbers Where Applicable)
Bldg. Sq. Ft. Proposed: _____ Existing Employees: _____ New Employees Proposed: _____

RESIDENTIAL USES: (Enter Numbers Where Applicable)
New Single Family Homes: _____ New Multi-Family Units: _____ New Second Units: _____
New Mobile Homes: ____ New Units For Sale: ____ For Rent: _____ Density Bonus Units: _____

---------- DO NOT WRITE BELOW THIS LINE ----------
Staff Planner: _____ Planning Area: _____ Supervisorial District: _____
Current Zoning: _____ General Plan Land Use: _____
Specific Plan: _____ S.P. Land Use: _____ Needs CEQA Review: _____
1975 Rolls Checked: _____ Previous Files: _____

PLANNING APPLICATION

11

# INDEMNIFICATION AGREEMENT

"As part of this application, applicant agrees to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or the adoption of the environmental document which accompanies it. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the County. If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect."

_____ _____

Applicant Property Owner (if other than applicant)

_____

Date

_____

File No.

NOTE: The purpose of the Indemnification Agreement is to allow the County to be held harmless in terms of potential legal costs and liabilities in conjunction with permit processing and approval.

**CALIFORNIA COASTAL COMMISSION**
45 Fremont St., Suite 2000, San Francisco 94105-2219 (415) 904-5260

CATEGORICAL EXCLUSION ORDER E-81-5, ADOPTED in _____

SONOMA COUNTY

The Commission by a two-thirds vote of its appointed members hereby adopts an order, pursuant to Public Resources Code Section 30010(e) and 30610.5(b), categorically excluding from the permit requirements of the California Coastal Act of 1976 the categories of development within the specifically defined geographic area described below:

## I. BACKGROUND

Section 30610 of the Coastal Act allows the State Commission to adopt a Categorical Exclusion for a specific type of development within a defined geographic area

Section 30610(e) states that no coastal development permit shall be required for the following types of development and in the following areas::

> "Any category of development, or any category of development within a specifically defined geographic area, that the Commission, after public hearing, and by two-thirds vote of its appointed members, has described or identified and with respect to which the Commission has found that there is no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast and, where such exclusion precedes certification of the applicable local coastal program, that such exclusion will not impair the ability of local government to prepare a local coastal program."

Public Resources Code Section 30610.5(b) additionally requires that the following findings and the provisions must be made.

Section 30610.5(b) states in part:

> "Every exclusion granted. . .shall be subject to terms and conditions to assure that no significant change in density, height, or nature of uses will occur without further proceedings under this division and an order granting an exclusion under Subdivision (e) of Section 30610...may be revoked at any time by the Commission if the conditions of the exclusion are violated."

The County of Sonoma seeks the exclusion by the California Coastal Commission of categories of development in the geographic areas designated in Exhibit 1 from Coastal Development Permit requirements. The categorical exclusion may be authorized pursuant to Public Resources Code Section 30610(e) and 30610.5(b).The geographic area is the entire coastal zone of the County of Sonoma. Within this area, the County proposes that the following activities within the specific areas shall not require a coastal development permit.

## II. CATEGORIES OF DEVELOPMENT GEOGRAPHIC AREAS AND CONDITIONS:

### A. Category of Development

Single family residences on existing parcels in Units I and II of Bodega Harbour Subdivision.

Geographic Area of Exclusion

Existing parcels in Units I and II of Bodega Harbour Subdivision except AP# 100-032-006, 008, 014-016, 048- 053, 062- 066 and AP# 100-033-033-036, as shown on the attached Exclusion Map B-1.

Conditions

1. All residences must be no higher than 16 feet from the highest point of natural grade under the house to the high point of the roof (chimney flues excluded).

2. Because subdivision geologic studies have indicated that certain lots require additional soils engineering study to insure proper construction, the following lots must meet specified requirements.

   AP# 100-255-003, 004, 009, 010
   100-261-005-007
   100-271-004, 005
   100-281-008-010
   100-282-004-008, 018, 019
   100-291-002-005, 017-021
   100-034-073-075, 078

Requirements

a. Building layout and foundation plans shall be reviewed by an engineering geologist.

b. The engineering geologist may require inspection of foundation excavations prior to pouring concrete if slopes are more than 20 percent.

3. The following lot requires an archaeological field investigation, and implementation of reasonable mitigation measures when recommended by the study: AP#100-261-020.

4. The following lots lie within 300 feet of a designated freshwater marsh: AP# 100-281-007-010; 100-029-004-010.

   To mitigate possible impacts on the marsh, the following measures shall be employed:

   a. Any grading, cut or fill shall occur between May 15 and September 15 with immediate reseeding of any disturbed areas. This requirement may be waived if an erosion control plan is submitted.

   b. Finished cut slopes shall be 3:1 or flatter.

   c. Use of pole, caissons and grade beam, or similar construction is strongly encouraged to minimize grading on these lots.

   d. Retaining devices such as railroad ties shall be utilized downslope from all structures with thick plantings of native grasses on the downstream side of the ties.

5. All development shall comply with Bodega Harbour Design Regulations and homeowner's CC&Rs. Evidence of final Design Review approval (letter) must be presented to the Permit and Resource Management Department. On any lot with a slope greater than 5 percent, the Design Review letter shall indicate appropriate measures for erosion control of storm runoff which have been included in the project design.

**B. Category of Development**

Single family residences on existing parcels in Taylor Tract and First Addition, Bodega Bay.

Geographic Area of Exclusion

Existing parcels in Taylor Tract and First Addition, as shown on the attached Exclusion Map ~~Ex-3~~B-2.

Conditions

1. Height shall not exceed 16 feet from ~~the high point of existing grade under the structure to the high point of the roof (chimney flue excluded)~~the average level of the highest and lowest point of that portion of the lot covered by the structure.

2. Dwelling units shall be subject to Design Review and must conform to Bodega Bay "Core Area" Coastal Plan Design Guidelines.

3. The following lots are subject to the requirement of engineered foundations for development within the Alquist-Priolo Special Studies Zone, as enforced by the Sonoma County ~~Building Department~~ Permit and Resource Management Department.

   AP# 100-098-011-017, 019, 022-027, 031-055, 057, 058, 064, 065
   100-092-001-009
   100-093-002-006, 008, 010, 011, 015-023
   100-094-001, 004-007
   100-095-001-007
   100-096-014-019, 033, 034

4. The following lots lie within 300 feet of a designated freshwater marsh:

   AP# 100-051-013-017

   A grading, erosion, and sediment control plan prepared by a civil engineer is required to mitigate possible impacts on the marsh.

**C. Category of Development**

Single family residences on existing parcels in the Whaleship Areas, Bodega Bay.

Geographic Area of Exclusion

Existing parcels in the Whaleship Area as shown on ~~the attached map, (Exhibit C)~~ Exclusion map B-2

Conditions

1. Height shall not exceed 16 feet from ~~the high point of natural grade under the structure to the high point of the roof (chimney flue excluded)~~ the average level of the highest and lowest point of that portion of the lot covered by the structure.

2. All dwellings are subject to design review by the County ~~Planning Department~~ Permit and Resource Management Department and shall conform to Coastal Zone Design guidelines.

3. The following parcels are subject to requirements of the Alquist-Priolo Special Studies Zone (engineered foundations) enforced by the County ~~Building Department~~ Permit and Resource Management Department.

   AP# 100-051-013-017

4. The following parcels require that an engineering geologist review and approve all siting of structures, grading, site preparation, drainage, and foundation plans to determine where will be no unmitigable hazards to life or property:

   AP# 100-051-013-017

   The engineering geologist report shall contain, at a minimum, the information specified in the Coastal Commission Statewide Interpretive Guidelines concerning Geologist Stability of Blufftop Development (5-5-77).

**D. Category of Development**

Single family residences on existing parcels in the Villa Marina Subdivision, Bodega Bay.

Geographic Area of Exclusion

Existing parcels in the Villa Marina Subdivision as shown on ~~the attached map, Exhibit D~~ Exclusion Map B-2

Conditions

1. Height shall not exceed 16 feet from the ~~high point of existing grade under the structure~~ the average level of the highest and lowest point of that portion of the lot covered by the structure.

2. All dwellings are subject to design review by the County ~~Planning Department~~ Permit and Resource Management Department and shall conform to Coastal Zone design guidelines.

3. The following parcels are subject to requirements of the Alquist-Priolo Special Studies Zone, including engineered foundations as enforced by the County ~~Building Department~~ Permit and Resource Management Department:

   AP# 100-007-012-017
   100-001-020-028

4. The following parcels require an engineering geologist review and approve the siting of structures, all grading, site preparation, drainage, and foundation plans and to determine there will be no unmitigable hazards to life and property:

   AP# 100-007-012-017
   100-007-026-028

5. The following parcels require an archaeological study, and the implementation of reasonable mitigation measures when recommended by the study:

   AP# 100-007-012,026,013

**E. Category of Development**

The pruning, trimming or removal of non-commercial trees that are part of a vegetation management program administered by the Department of Parks and Recreation to provide for:

a. tree hazard control
b. arboriculture
c. exotic (non-native tree removal as part of a program to restore an area to its native vegetation
d. fire prevention or control
e. insect or disease control
f. fuel break or fuel reduction
g. scenic vista clearing
h. soil erosion control
i. ecological management

Geographic Area of Exclusion

All California State Park, reserves, and recreation areas within the exclusion areas mapped on Exhibit 1.

Conditions

A report of the activity shall be submitted to the ~~Planning~~ Director of the Permit and Resource Management Department at least 10 days prior to that activity. Emergency fire control measures and the removal of trees which pose an imminent threat to public safety, such that the vegetation removal is exempted from the Department of Parks and recreation Operations Manual approval procedures, are exempt from the condition of this exclusion requiring a report and review by the ~~planning~~ Director of the Permit and Resource Management Department.

The proposed activity is excludable under this order only if the ~~planning~~ Director of the Permit and Resource Management Department reviews the proposed activity and certifies, prior to the commencement of any activity, that the tree trimming, pruning, and removal will protect the resource values of the following:

1. Any tree or trees that are landmark trees or that are of special cultural or coastal community significance.

2. Any tree or trees that are visually significant and/or important scenic resource.

3. Any tree or trees that provide shade or act as a buffer against visual or noise intrusion in areas used by the public for recreational purposes or access to or along the coast.

4. Any tree or trees which are an integral part of an environmentally sensitive habitat area.

5. Any tree or trees that are native California species.

6. Any tree or trees that are of educational or scientific value because of their location, species, size, habitat value or other natural features.

7. Any tree or trees that are important In the control of erosion, in the provision of windbreaks or other climate control, in the provision of protection to surrounding vegetation, in the provision of soil stabilization, or in the maintenance of flood control protection.

8. Any tree which is rare or endangered or provides habitat for rare or endangered species as listed in the following sources:

   a. Volume 60, Code of Federal Regulations, Part 23 (Based upon Convention on International Trade in Endangered Species of Wild Fauna and Flora).

   b. Volume 60, Code of Federal Regulations, Part 17 (Based upon Endangered Species Act Of 1973).

   c. Title 14, California Administrative Code, Section 670.2 (Plants of California Declared to be Endangered or Rare).

   d. California Native Plant Society Special Bulletin No.1, Inventory of Rare and Endangered Vascular Plants of California (The latest edition published shall be used).

The rare or endangered species lists referred to above are continually updated. The developer shall consult the most currently published versions of these lists.

## F. Category of Development

The raising, grazing, maintaining, and breeding of horses, cattle, sheep, goats, and similar livestock, except for the construction of feedpens, milking sheds, feedsheds, barns, or similar structures within areas designated as Sanctuary-Preservation, Conservation, or Potentially Sensitive (hereinafter referred to collectively as "Sensitive Areas") on the adopted Open Space Map.

Geographic Area of Exclusion

Parcels of land in the Sonoma County Coastal Zone which are zoned Resources and Rural Development, Land Intensive Agriculture, Land Extensive Agriculture or Diverse Agriculture ~~Natural Resource, Primary Agriculture, or Exclusive Agriculture~~ and designated as excluded areas by the map attached as Exhibit 1.

Conditions

This exclusion shall apply only to parcels five acres or larger.

**G. Category of Development**

The outdoor growing and harvesting of shrubs, plants, flowers, vines, fruits, vegetables, hay, grain, and similar food and fiber crops, including packing and polishing of unprocessed agricultural yield.

Within any Sensitive Areas designated on the adopted Open Space Map, this exclusion does not include the operation or maintenance of any power driven machinery, nor the erection of any structures for growing, harvesting, packing or polishing unprocessed agricultural yield.

Geographic Area of Exclusion

Parcels of land in the Sonoma County Coastal Zone which are zoned Resource and Rural Development, Land Intensive Agriculture, Land Extensive Agriculture, Diverse Agriculture Agriculture, Agriculture and Residential, or Rural Residential ~~Natural Resource, Primary Agriculture, or Exclusive Agriculture~~ and designated as excluded areas by the map attached as Exhibit 1.

**H. Category of Development**

The raising, feeding, maintaining, and breeding of poultry, fowl, rabbits, furbearing and similar animals for use of the persons residing on the property.

Geographic Area of Exclusion

Parcels of Land in the Sonoma County Coastal Zone which are zoned Resources andRural Development, Land Intensive Agriculture, Land Extensive Agriculture, Diverse Agriculture, and Timber Production ~~Natural Resource, Timber Preserve, Primary Agriculture, or Exclusive Agriculture~~ and designated as excluded areas by the map attached as Exhibit 1.

Conditions

Such use must be incidental and appurtenant to a single-family dwelling.

**I. Category of Development**

Reforestation and restoration of timber and agricultural areas incidental to the growing and harvesting of timber and agricultural products. Exempted developments include the planting of trees, hydromulching, removal of temporary culverts, removal of slash, restoration of the natural contours of dirt roads, contour plowing and other restoration of land which has been subject to harvesting of timber or other agricultural products to a habitat value which existed prior to human activity. The exclusion does not include structural development or grading which would otherwise require a coastal permit under the Site Development and Erosion Control Standards of this chapter~~the Zoning Ordinance, (Sec. 26-514 (a).)~~ Structural development is defined as the placement, erection, or construction of any structure. Structure includes, but is not limited to, any building, road, pipe, conduit, or aqueduct.

Geographical Area of Exclusion

Parcels of land in the Sonoma County Coastal Zone which are zoned Resources and Rural Development, Timber Production, Land Intensive Agriculture, Land Extensive Agriculture, or Diverse Agriculture ~~Natural Resource, Timber Preserve, Exclusive Agriculture or Primary Agriculture~~ and designated as excluded areas by the map attached as Exhibit 1, except for areas which are identified as Sensitive Areas on the Adopted Open Space Map.

Conditions

These activities must be carried out in a manner that protects riparian, and other sensitive habitat areas and deals adequately with water quality concerns. ~~Article 51~~ Site Development and Erosion Control Standards of this chapter ~~the Coastal Zone Ordinance~~ shall govern developments under this category, where applicable. These developments must be carried out in accordance with the Environmental Resource Management Recommendations listed in Chapter III of the Local Coastal Plan, the North Coast Water Quality Control Basin Plan and the Department of Fish and Game regulations.

J. **Category of Developments**

Maintenance and protection of wildlife preserves, including the stocking of fish, the planting of feed grains, the posting of signs and the erection and maintenance of barriers to predators.

Geographic Area of Exclusion

Parcels of Land in the Sonoma County Coastal Zone zoned Resource and Rural Development, Timber Production, Land Intensive Agriculture, Land Extensive Agriculture, or Diverse Agriculture ~~Natural Resource, Timber Preserve, Exclusive Agriculture, and Primary Agriculture~~ and designated as excluded areas by the map attached as Exhibit 1.

Conditions

Operation of any wildlife and fishing preserve and refuge must be approved by the Department of Fish and Game and must be carried out in accordance with the Environmental Resource Management Recommendations listed in Chapter III of the Local Coastal plan.

K. **Category of Development**

The construction, improvement or expansion of accessory structures or uses appurtenant and incidental to agricultural and timber operations such as sheds, barns, and corrals.

Geographic Area of Exclusion

Land in the Sonoma County Coastal Zone which is zoned Land Intensive Agriculture, Land Extensive Agriculture, Diverse Agriculture, Timber Production, Resources and Rural Development, or Resources and Rural Development/Agricultural Preserve ~~Exclusive Agriculture, Primary Agriculture, or Timber Preserve~~ subject to and designated as excluded by the map attached as Exhibit 1.

Conditions

Development is exempt under this category only if all of the following conditions are met:

1. Development is located east of Highway One and not within view of any designated scenic road;
2. It is not located within any Sensitive Area or hazardous areas so designated in the County's adopted Open Space Map;
3. It does not affect sensitive areas in a manner contrary to the Environmental Resource Management Recommendation listed in Chapter III of the Local Coastal Plan;
4. It does not involve a designated historic site or area;
5. It meets County erosion control, grading and zoning requirements.

L. **Category of Development**

Geotechnical studies not requiring a grading permit. In addition, grading or fill as follows:

1. An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation nor exempt any excavation having an unsupported height greater than 5 feet after the completion of such structure.

2. Cemetery graves.

3. Refuse disposal sites controlled by other regulations.

4. Excavations for wells or tunnels or utilities.

5. Exploratory excavations under the direction of soil engineers or engineering geologists.

6. An excavation which (a) is less than feet in depth, (b) which does not create a cut slope greater than 5 feet in height and steeper than one and one-half horizontal to one vertical.

7. A fill less than 1 foot in depth and placed on natural terrain with a slope flatter than five horizontal to one vertical, or less than 3 feet in depth, not intended to support structures, which does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course.

Geographic Area of Exclusion

Land in the Coastal Zone of Sonoma County designated as excludable areas by the map attached as Exhibit 1, not within any sensitive or hazardous areas as designated by the County's adopted Open Space Map, nor affecting any sensitive area in a manner contrary to the Environmental Resource Management Recommendations.

Conditions

This exclusion shall not apply to grading or fill on land with slopes over 30% nor where the Soils Conservation Service of the U.S. Department of Agriculture has identified the soils as moderately to severely erodible.

**M. Category of Development**

Controlled burns regulated by the Department of Forestry and the Air Pollution Control District.

Geographic Area Exclusion

Land In the Sonoma County Coastal Zone mapped on the attached Exhibit 1 as excluded areas.

Conditions

All required permits must be obtained from the Department of Forestry and the Air Pollution Control District.

**N. Category of Development**

A single residential dwelling on a vacant, legal lot or improvements to an existing residential dwelling or accessory structures or uses incidental and appurtenant to a single-family dwelling provided it does not affect scenic views or sensitive coastal resources.

Geographic Area of Exclusion

Parcels of land in the Sonoma County Coastal Zone designated as excludable on the map attached as Exhibit 1 east of Highway One ~~except for parcels within the Timber Cove subdivision~~, not within view of any designated scenic road.

**O. Category of Development**

One single family dwelling for each existing vacant parcel in Unit III of Bodega Harbour Subdivision.

Geographic Area of Exclusion

Vacant single family residential lots in Unit III of Bodega Harbour Subdivision as shown on Exhibit B-2.

Conditions

1. No structure shall be more than one story or 16 feet in height, except that up to 20 percent of the total roof area may be 20 feet in height if a corresponding distance is below the 16 foot maximum height. Height is measured as the vertical distance from the median elevation of the highest and lowest points of natural grade beneath the enclosed portion of the structure to the high point of the roof.

2. Because subdivision geologic studies have indicated that certain lots require additional soils engineering study to insure proper construction, the following lots must meet specified requirements.

   AP# 100-038-003, 032
   100-040-049
   100-042-025,037
   100-044-008
   100-045-002

   a. Building layout and foundation plans shall be reviewed by an engineering geologist.

   b. The engineering geologist may require inspection of foundation excavations prior to pouring concrete if slopes are more than 20 percent.

3. The following lots in Unit III must meet additional soils/geologic requirements:

   AP# 100-038-030, 033-036
   100-040-013, 016, 017
   100-041-038, 039, 040, 062
   100-042-073
   100-045-001

   a. A surface/subsurface foundation investigation by an engineering geologist is required based on the proposed building location prior to foundation design.

   b. Building layout and foundation plans must be reviewed by a registered engineering geologist.

   c. The engineering geologist is likely to require inspection of foundation excavations while excavating equipment is on the site and before forms and steel are in place.

4. The following lots require an archaeological field investigation, and implementation of reasonable mitigation measures when recommended by the study:

   AP#100-380-054
   100-420-072

5. All development shall comply with Bodega Harbour Design regulations and homeowner's CC&Rs. Evidence of final Design Review approval (letter) must be presented to the ~~Planning~~ Permit and Resource Management Department. On any lot with a slope greater then 5 percent, the Design Review letter shall indicate appropriate measures for erosion control of storm runoff which have been included in the project design.

**P. Category of Development**

Day care facilities for six or fewer children conducted In existing residence.

Geographic Area of Exclusion

Land in the Sonoma County Coastal Zone excluded under Exhibit 1.

**Q. Category of Development**

Home occupation carried out in an existing residence. This exclusion shall apply only to any activity which is carried on in a residence and which results in a product or service not used in its entirety by the family group, and which meets all of the following criteria:

1. The use is clearly incidental and secondary to the use of the dwelling for dwelling purposes;

2. The use is conducted entirely within a dwelling and is carried on by the inhabitants thereof; this does not include attached or detached garages or other accessory buildings;

3. The use does not appreciably change the character of the dwelling or adversely affect the uses permitted in a residential district. No home occupation shall be permitted which creates objectionable noise, dust, smoke, odor, or other nuisance;

4. The use shall not cause more than eight (8) customers or clients to come to the dwelling unit for service or products during any one (1) day;

5. The use shall not create substantial additional traffic or require additional parking;

6. No persons are employed other than those necessary for domestic purposes;

7. The use does not occupy more then one-quarter (1/4) of the total floor space of the dwelling;

8. The entrance to the space devoted to a home occupation shall be from within the building. No internal or external alterations or construction features are permitted;

9. Signing shall be limited to one (1) attached, non-illuminated, two (2) square foot sign;

10. No commercial vehicle shall be garaged, except that a single one ton or smaller truck may be ungaraged so long as signs on the truck are limited in size to normal logos found on business vehicles.

Geographic Area of Exclusion

Parcels within the Coastal Zone of Sonoma County shown as excluded on the map attached as Exhibit 1.

Conditions

Each person proposing to conduct a home occupation shall submit a letter to the ~~Planning~~ Director of the Permit and Resource Management Department fully disclosing the nature and extent of the proposed occupation. The ~~Planning~~ Director of the Permit and Resource Management Department may require the person proposing to conduct the home occupation to obtain written consent of owners of neighboring properties, or to obtain a use permit in cases where the proposed home occupation be incompatible with the particular neighborhood.

**R. Category of Development**

Signs subject to design review and conforming to Coastal Zone Design Guidelines.

Geographic Area of Exclusion

Land in the Sonoma County Coastal Zone designated as excluded in Exhibit 1.

**S. Category of Development**

Fences appurtenant to single-family residential, agricultural or animal husbandry use.

Geographic Area of Exclusion

Land in the Sonoma County Coastal Zone shown as excluded by Exhibit 1.

Conditions

No fence which might obstruct public accessways or public views to the ocean is exempted under this order. No fence shall be allowed to obstruct any path, trail, or road over which there is evidence of use by the public. If the construction of a fence is nonetheless necessary, and there is evidence of public use, then the developer shall preserve the accessway by erecting a stile, installing a gate, or by other appropriate physical means.

## I. Category of Development

Apply the following procedures when processing building and zoning permits not specifically subject to Use Permit, Coastal Permit, subdivision, full design review, or other public hearing procedure:

1. Proposal outside Scenic Viewshed as shown on Coastal Visual Resource Maps. Categorically exclude from Coastal Permit requirement if proposal is not within a sensitive area, riparian corridor, critical habitat area or unique feature area. If the project is one of these areas, follow procedure number 5 below.

2. Proposal inside Scenic Viewshed as shown on Coastal Visual Resource maps but located within area subject to local architectural review committee review. Categorically excluded from Coastal Permit Requirement. Planner requires letter of approval from Architectural Review Committee before signing off on building permit.

3. Proposal within "Average View" portion of Scenic Viewshed as shown on Coastal Visual Resource maps. Categorically exclude if Primary Decision Criterion are met. If criteria cannot be met, follow procedure number 4 below. Issue zoning permit specifying any conditions of approval.

4. Proposal within "Average View" portion of Scenic Viewshed as shown on the Coastal Visual Resource maps and outside the Appealable Area. Subject to Coastal Permit. No public hearing, but send notices to area landowners and take to Design Review Committee. Take to Board of Zoning Adjustments (BZA) only if significant objection is received from area landowners. Notice of final action specifies condition of approval.

5. Proposal within "Above Average" portion of Scenic Viewshed as shown on the Coastal Visual Resource maps and within Appealable Area. Subject to Coastal Permit; public hearing at BZA. Take to Design Review Committee for referral if planner has reservations about proposal. Notice of final action details conditions of approval.

Geographic Area of Exclusion

Land In the Sonoma County Coastal Zone shown as excluded in Exhibit 1.

### EXHIBIT 1

"Exhibit 1", as used In this document, refers to the ~~draft~~ adopted map of exclusion areas which was prepared by the staff of the Coastal Commission and incorporated herein by this reference. The map is on file with both the County and the Commission. This map shows areas excluded from this request for categorical exclusion under Section 30610.5(b) of the Coastal Act, namely:

> "Tide and submerged lands, beaches, and lots immediately adjacent to the inland extent of any beach, or of the mean high tide line of the sea where there is no beach, and all lands and waters subject to the public trust," where land is in the jurisdiction of the State Coastal Commission.

## III. FINDINGS

Provisions for Categorical Exclusions

Public Resources Code Section 30610(e) states that no coastal development permit shall be required for..

> Any category of development, or any category of development within a specifically defined geographic area, that the Commission, after public hearing and by two-thirds vote of its appointed members, has described or identified and with respect to which the Commission has found that there is no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast, and where such exclusion precedes certification of the applicable local coastal program, that such exclusion will not impair the ability of local government to prepare a local coastal program.

Public Resources Code Section 30610(b) additionally requires that the following findings and provisions must be made.

> 30610.5 (b) (in part)
>
> Every exclusion granted shall be subject to terms and conditions to assure that no significant change in density, height or nature of uses will occur without further proceedings under this division and an order granting an exclusion under Subdivision (d) of Section 30610..."may be revoked at any time by the Commission if the conditions of the exclusion are violated."

The findings below support the conclusions that the exclusion has no potential for significant adverse effect, either individually, or cumulatively, on coastal resources or on public access to or along the coast and that such exclusion will not result in a significant change in density, height or nature of uses.

1. Single-Family Homes (Categories A, B, C, D, N, O, T)

The exclusion covers single-family homes in specific parts of Bodega Bay including the Bodega Harbour Subdivisio and in the coastal zone generally where homes would not be visible from Highway One and would meet certain other conditions.

a. Visual and Scenic Resources. The Coastal Act requires the protection of scenic and visual quality of coastal areas and the protection of views to and along the ocean and scenic coastal areas (Sec. 30251). Furthermore, the Act provides for the protection of scenic communities which are popular visitor destination points (Sec. 30253(5)).

   The Sonoma County Coastal zone is a highly scenic area where construction of houses and other structures may affect public views.. Communities on the Sonoma Coast such as Bodega Bay area popular visitor destination points where protection of community character is an important Coastal Act goal.

   In the Bodega Bay area, the exclusion protects public views find visual resources through limiting the height of houses to be built and requiring design review. (For houses in Bodega Harbour Subdivision, design review would be accomplished by the Homeowner's Association under the existing recorded restrictions of the subdivision. (For houses elsewhere in Bodega Bay, design review would be accomplished by the Sonoma County ~~Planning~~ Permit and Resource Management Department under Coastal Plan design guidelines approved as part of the Coastal Plan.

   Outside of Bodega Bay, the exclusion would protect coastal visual resources by not applying to homes within view of any designated scenic road (including Highway One). For areas not within view of scenic roads, homes are excluded without a height limit or other design restrictions because the construction of a house in such locations would not have a potential for adverse impacts on coastal visual resources.

   As proposed and conditioned, the exclusion of single-family dwellings will not have an adverse impact either individually or cumulatively, on coastal visual resources.

b. Geologic Hazards. Section 30253 of the Coastal Act provides that new development shall minimize risks to life and property in areas of high geologic hazard and shall assure stability and structural integrity. The San

Andreas fault zone passes near the community of Bodega Bay, and much of the proposed excluded area lies within the Alquist-Priolo Special Geologic Studies Zone. In order to meet the requirements of Section 30253 of the Coastal Act, the exclusion provides for engineered foundations and other engineering work in areas of Bodega Harbour Subdivision and elsewhere in Bodega Bay where lots have the potential for instability. In addition, foundations for houses within the Alquist-Priolo Geologic Studies Zone must be designed by a registered civil engineer or engineering geologist. As proposed and conditioned, the exclusion will minimize risks to life and property in areas of geologic instability, in accordance with Section 30253.

c. Adequacy of Services. Section 30250 (a) provides that new development shall be located within or near existing developed areas where services are available to accommodate it. In Bodega Bay, houses constructed under this exclusion will be served by community sewage disposal system at Bodega Bay serves approximately 420 houses. The number of potential additional connections in the community is approximately 700 lots, including a small number of lots not covered under this exclusion. The total of existing and potential development is approximately 1120 homes, which is significantly less than the sewage disposal system's capacity of approximately 1775 residential units.

The Coastal Plan states that existing water sources available to the Bodega Bay public Utilities District may not be adequate to support full build-out of the community. The Plan states that the Public Utilities District is exploring additional supplies. Until additional supplies are available, the Coastal Plan calls for limiting development to existing lots (Phase 1 Land Use Plan) and relating new development to water capacities. If adequate water is not available for all lots, the Plan states than an allocation system should be developed and that additional water supplies should be pursued.

The construction of new homes in Bodega Bay has proceeded at a relatively slow pace in relation to the number of vacant lots remaining in the community ~~(approximately 25-35 homes built per year).~~ This moderate rate of growth ensures that development of new homes under this exclusion will not outrun the ability of the Public Utilities District to develop new water sources and to provide service to all existing lots.

Outside Bodega Bay, the exclusion covers single-family homes on legal lots which meet enumerated County standards including sewage disposal and water supply standards.The subdivision at Timber Cove ~~which is identified by to Coastal Plan to have particular water supply problems is specifically not covered by the Exclusion~~ did have significant water supply problems at the time of adoption of the Coastal Plan, but the water district constructed a reservoir in 1995 that will adequately supply water to the remaining lots In other areas where the County Environmental Health Department's requirements for water supply cannot be met including communities such as Jenner which are identified by the Coastal Plan as having inadequate water for additional development, the Exclusion would not apply.

As proposed and conditioned, the Exclusion ensures that all development will be served by adequate sewage disposal and water supply systems, consistent with Section 30250(a) of the Coastal Act. The Exclusion has no potential for significant adverse effect, either individually or cumulatively, on the ability of public services to support new development.

d. Public Access/Traffic. Section 30210 of the Coastal Act provides that maximum access and recreational opportunities shall be provided for all the people, consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. The exclusion of certain single-family homes, as proposed, will not significantly affect public access to or along the coast, for the following reasons. The first row of parcels adjacent to the sea is not covered by the exclusion. Furthermore, most parcels in Bodega Bay which are excluded are located inland of the first public road paralleling the sea. In other areas, the Coastal Plan Access Plan provides for the acquisition and/or development of additional accessways, beyond the extensive system of State and County parks which now exist on the Sonoma coast. Development of homes on existing lots covered by this Exclusion does not have the potential for impairing public access to the coast.

The Coastal Plan states that traffic congestion along Highway One is a problem, particularly on peak summer weekends. The Plan recommends certain highway and parking improvements that would help to improve traffic flow. The Plan also recommends the construction of a future Highway One bypass around the community of Bodega Bay, where the most significant traffic congestion occurs. The Plan provides that development should be limited to the Phase 1 land use plan (development on existing lots) until such time as a Highway One bypass is provided (and additional water is available). At that time, the Phase 2 land use plan (expanded development) would be implemented.

Throughout the coastal zone, the Plan generally provides for continued residential development on existing legally subdivided lots if water, septic system and other applicable regulations can be met. The pace of residential development on the Sonoma Coast has been modest. Continued moderate growth can be accommodated by existing road systems with the improvements recommended by the Coastal Plan. Major road improvements (Highway One bypass) would be required in Bodega Bay before additional areas could opened to residential development. As proposed and conditioned, the Exclusion has no potential for any significant adverse effect, either individually or cumulatively, on public access to or along the coast.

2. Trimming or Removal of Trees on State Parks Land (Category E)

Section 30240 of the Coastal Act provides that environmentally sensitive habitat areas shall be protected against any significant disruption of habit values. Commission studies have indicated that trees provide and protect wildlife habitat and enhance the biological productivity of coastal areas. Thus, trees are an important element In environmentally sensitive habitat areas. The Commission finds that all trees which are in areas designated by the Coastal Plan to be environmentally sensitive habitat areas or riparian areas shall not be covered by this Exclusion. As conditioned, the Exclusion requires that the Sonoma County ~~Planning~~ Director of the Permit and Resource Management Department review any proposed tree trimming or cutting and certify that the proposed activity will protect environmentally sensitive habitat areas.

Section 30251 of the Coastal Act provides for the protection of the scenic and visual qualities of coastal areas. Section 30253(5) provides for the protection of special communities which are popular visitor-destination points. The natural forest of the Sonoma Coast and the planted hedgerows and windbreaks of the Sonoma Coast are important elements in the scenic and visual quality of the area. Certain old or large stands of trees serve as community landmarks and bear particular importance in establishing community character. The Commission finds that the Exclusion shall not apply to the removal or trimming of trees which have special scenic or cultural significance. The ~~Planning~~ Director of the Permit and Resource Management Department is required to certify that any proposed activity under this Exclusion shall protect landmark trees or trees of special scenic or cultural significance.

Section 30243 of the Coastal Act provides that the long-term productivity of soils shall be protected. Trees provide a natural means of controlling soil erosion by acting as windbreaks and soil stabilizers. The Exclusion provides that the ~~Planning~~ Director of the Permit and Resource Management Department must certify that any proposed activity protects trees which are important in the control of erosion and in the provision of windbreaks. The Commission finds that, as conditioned, this Exclusion will assure the long-term productivity of soils and will not contribute to soil erosion.

As proposed and conditioned, the exclusion of tree-trimming and tree-cutting has no potential for any significant adverse effect, either individually or cumulatively, on coastal soil resources.

3. Raising of Cattle, Sheep, and Other Livestock (Category F).

The Coastal Plan encourages agriculture, including grazing and dairy uses, in the coastal zone. Extensive areas of the coastal zone are zoned for agriculture under the County's Implementation Program. This Exclusion covers the raising of livestock and the construction of feedpens and other structures incidental to the raising of livestock.

Section 30240 of the Coastal Act provides for the protection of environmentally sensitive habitat areas. As conditioned, the Exclusion does not apply to construction of feedpens, or other structures incidental to livestock raising within Sensitive Areas as mapped on the County's Open Space Map. As conditioned, the Exclusion will have no potential or any significant adverse impact, either individually or cumulatively, on environmentally sensitive habitat areas.

4. Planting and Harvesting of Crops (Category G).

The Coastal Plan and Implementation Program designate large areas of the coastal zone for agricultural use. Much of the Sonoma County coastal zone is suited for grazing rather than cultivation of crops, but where crops are appropriate, the Exclusion covers the growing and harvesting of food and fiber crops. As condition, the Exclusion does not apply to use of mechanized farm equipment or placement of structures within Sensitive Areas as mapped on the County's Open Space Map. Thus, the Exclusion protects Environmentally Sensitive Habitat areas, consistent with Section 30240 of the Coastal Act.

5. Raising of Poultry, Rabbits, and Similar Animals (Category H).

The Exclusion covers the raising of small animals for the use of persons residing on the property. As conditioned, the Exclusion applies only to parcels with a single-family dwelling. The Exclusion is limited to the keeping of animals incidental to residential use, and it therefore presents no potential for any significant adverse effects on coastal resources.

6. Reforestation and Restoration of Timber and Agricultural Lands (Category I).

Activities covered by this category of the Exclusion Order are those which restore areas which have been subject to harvesting of timber or other agricultural products. Excluded activities include removal of slash, planting of trees, restoration of natural land contours, and similar activities. The conditions of the Exclusion require that such activities take place in accord with the Environmental Resource Management Recommendations of the Coastal Plan and other applicable County standards. The Environmental Resource Management Recommendations strictly define what activities can take place in riparian areas and other environmentally sensitive habitat areas. The excluded activities will act to improve and restore the habitat values of harvested areas. As conditioned, the Exclusion has no potential for significant adverse effects on coastal resources.

7. Maintenance of Wildlife Preserves (Category J).

This category of the Exclusion Order covers those activities which are carried on by the California Department of Fish and Game in wildlife preserves in order to maintain habitat values for fish and wildlife. As conditioned, the activities under the Exclusion, must be carried out in accord with the Environmental Resource Management Recommendations of the Coastal Plan which, provide for the protection of environmentally sensitive habitat area, consistent with Section 30240 of the Coastal Act.

8. Construction of Agricultural Accessory Structure (Category K).

This category of the Exclusion Order covers the construction of barns, sheds, corrals, and other structures incidental to agricultural and timber operations. The conditions provide that developments are excluded only if they are located out of view of Highway One or other designated scenic roads, outside Sensitive or Hazardous Areas designated on the County's Open Space Map, and outside designated historic sites or areas, and If they meet certain other conditions. The conditions provide that excluded development will not have adverse effects on coastal visual resources, environmentally sensitive habitat areas, or historic resources, consistent with Coastal Act Sections 30251, 30240, and 30253(5).

9. Grading and Geotechnical Studies (Category L).

Section 30231 of the Coastal Act provides that "The biological productivity and the quality of Coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms... shall be maintained, and where feasible, restored through, among other means, controlling runoff,...and preventing substantial interference with surface water flow. Section 30253 of the Coastal Act states that "New development shall... neither create nor contribute significantly to erosion, geologic instability, or destruction of the site and surrounding areas.

The grading and fill exempted by this order is either limited in size, or undertaken, as part of a permitted use. The direction of soil engineers or engineering geologists is a prerequisite of exploratory excavations permitted under subsection 1.

Only excavations limited to less than 2 (two) feet deep, or which do not create a cut slope greater than 5 (five) feet high and steeper than 1 ½ (one and one-half) horizontal to 1 (one) vertical are specified in subsection 6. Only fill which is less than 50 (fifty) cubic yards on any one lot and does not construct a drainage course, and is less than 1 (one) foot deep, and placed on natural terrain with a slope flatter than 5 (five) horizontal to 1 (one) vertical, or less than 3 (three) feet deep, and not intended to support structures is allowed under subsection 7.

The wetlands, streams, estuaries, coastal waters and lakes protected under Section 30231 are either subject to the public trust or mapped as "Sensitive Areas". This exclusion does not authorize grading or fill in these areas without a coastal permit. The chances of runoff into these areas are minimized because the order does not exempt grading on slopes over 30%.

The order does not authorize grading of fill in any "hazardous area", as designated on the County's Open Space Map, nor on any land where the Soil Conservation Service has identified the soils as moderately to severely erodible. Only cut or fill consistent with the geologic safety policies of Section 30253 is excluded by this order.

10. Controlled Burns (Category M).

Section 30253 of the Coastal Act states that new development shall be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.

Section 30414 of the Coastal Act acknowledges that the State Air Resources Board and local air pollution control districts are the principal public agencies responsible for the establishment of air quality and air pollution control programs.

Section 30243 of the Coastal Act states that the long-term productivity of soils and timberlands shall be protected.

This order exempts controlled burns of timber. In some cases, the elimination of brush and timber is necessary to promote the rejuvenation of forests or to enhance habitat values. Such burns are exempted only if they are regulated by two other environmental regulatory agencies. The Coastal Act expressly recognizes the jurisdiction of the Air Pollution Control District to monitor burns. Given the effect of controlled burns and the supervision of such burns by responsible public agencies, the exclusion is consistent with the policies of the Coastal Act.

11. Day Care Facilities (Category P).

State law requires the regulatory agency to allow the operation of day care facilities for six or fewer children in existing residences.

12. Home Occupations Within Existing Structures (Category Q).

Only home occupations which meet specific criteria are exempted. Those criteria ensure that the use does not alter the residential character of the neighborhood, and that it has no impacts upon traffic, noise, or other factors affecting coastal resources or the quality of the environment.

13. Signs (Category R).

The Exclusion covers only signs which conform to Coastal Plan design guidelines. Furthermore, excluded signs are subject to county design review conducted by the County ~~Planning~~ Permit and Resource Management Department. Application of the design guidelines and design review procedures to individual signs will ensure that coastal visual resources are preserved, consistent with Section 30251 of the Coastal Act.

14. Fences Category (S).

Fences are excluded from permit requirements because they are an accessory structure to primary uses allowed in the certified Local Coastal Plan. Conditions of the order ensure that the fence(s) will have no impact on visual resources nor have the potential for interfering with public access.

15. The Commission certified that the Categories of development excluded under this order are allowed by right in Sonoma County, have specific development standards under the certified Local Coastal Program, and are handled ministerially by Sonoma County.

16. Consistency With Coastal Act Section 30610.

As demonstrated In the findings above, the proposed exclusion is consistent with the requirements of Coastal Act Section 30610(e) and 30610.5(b).

17. California Environmental Quality Act (CEQA).

For the same reasons that this exclusion will have no potential for any significant effect either individually or cumulatively on coastal resources, this exclusion will have no significant effect on the environment for purposes of the California Environmental Quality Act of 1970. (See attached Negative Declaration).

## IV. CONDITIONS

1. Maps showing excluded areas with:

   a. the appropriate approved zone district,

   b. areas of actual or potential public trust,

   c. boundaries of parcels landward of the first public road paralleling the sea, and

   d. the sensitive and/or hazardous areas depicted on the County's adopted Open Space Map.

   shall be submitted for Commission Executive Director review and concurrence before the County may implement the Exclusion.

2. The County of Sonoma shall maintain a record of any other permits which may be required for categorically excluded development which shall be made available to the Commission or any interested person upon request, pursuant to Section 30154 of the Commission Local Coastal Program Regulations.

3. The County of Sonoma shall, at an appropriate stage in the local approval process for the following development subject to this Exclusion, distribute to the applicant for such local approval an instruction sheet and form provided by the Executive Director of the Commission. After obtaining final local governmental approval but prior to commencing construction under this exclusion, such applicant shall send the completed form containing a brief description of the excluded development to the Commission:

   In Units I and II of Bodega Harbour Subdivision:

   AP# 100-281-007-010
   100-029-004-010

   In Taylor Tract of the First Addition to the Taylor Tract:

   AP# 100-008-045, 046, 054, 055
   100-009-025, 030, 031

   The County of Sonoma shall notify the Coastal Commission in writing within 5 working days of its determinations that the above categories of exempted development are properly exempt from coastal permit requirements. This notice is required because the development sites are within 100 feet of a freshwater marsh.

4. Where development under this exclusion is conditioned upon conformity with the Environmental Resource Management Recommendations set out in Chapter III of the Sonoma County Coastal Plan, those "recommendations" shall be implemented as mandatory requirements.

5. <u>Local Government Compliance with Exclusion Order</u>

   The order granting a categorical exclusion for these categories of development in the Central Coast Region, pursuant to Public Resources Section 30610, shall not become effective until the Executive Director of the State Coastal Commission has determined in writing that the local government has taken the necessary action to carry out the exclusion order pursuant to Section 13244 of the Coastal Commission regulations.

6. This exclusion shall apply to the permit requirements of the Coastal Act of 1976, pursuant to Public Resources Code Section 30610(a) and 30610.5(b), and shall not be construed to exempt any person from the permit requirements of any other federal, state or local government agency.

7. Development under this exclusion shall conform with the County of Sonoma zoning ordinances in effect on the date this exclusion is adopted by the Commission or to the terms and conditions of this exclusion where such terms and conditions specify more restrictive development criteria.

8. Any amendment to the certified Local Coastal Program which affects the land areas to which this exclusion applies shall require the approval of the California Coastal Commission pursuant to Commission Regulations and the Coastal Act of 1976 (Public Resources Code Section 30514).

9. Any development not falling within this exclusion remains subject to the regular permit requirements of the Coastal Act of 1976.

## V. RESCISSION AND REVOCATION

Pursuant to Title 14 of the California Administrative Code Section 13243(e), The Commission hereby declares that the order granting this exclusion may be rescinded at any time, in whole or in part, if the Commission finds by a majority vote of its appointed membership after public hearing that the terms and conditions of the exclusion order no longer support the findings specified in Public Resources Code Section 30610(e). Further, the Commission declares that this may be revoked at any time that the terms and conditions of the order are violated.

lote: The following lots in Unit 2 are not exempt from Coastal Permits because of visual concerns:

AP# 100-320-006-008, 014-016, 048-053, 062-066
100-330-033-036

Of these, lots 100-320-051, 053, 066 are subject to Condition 3.

Units I, 2 and 3 of Bodega Harbour depicted on Exclusion Map B-1 are exempt (except for the lots specified above) from Coastal Permits under certain conditions All conditions must be met or a Coastal Permit will be required. The ~~Planning~~ Permit and Resource Management Department shall not sign off on any building permit until evidence is provided that the conditions have been met.

CONDITION 1. (Units 1 and 2 only) All residences must be no higher than 16 feet from the high point of the roof (chimney flues excluded) to the highest point of natural grade under the house.

CONDITION 2. (Unit 3 only) No structure shall be more than one story or 16 feet in height, except that up to 20% of the total roof area may be 20 feet in height if at least an equal amount of the total roof area is a corresponding distance below the 16 foot maximum height. Height is measured as the vertical distance from the highest and lowest points of natural grade beneath the enclosed portion of the structure.

CONDITION 3. Because subdivision geologic studies have indicated that certain lots require additional soils engineering study to insure proper construction, the following lots must meet specific requirements:

1. Building layout and foundation plans shall be reviewed by an engineering geologist.
2. The engineering geologist may require inspection of foundation excavations prior to pouring concrete if slopes are more than 20%.

Units 1 and 2

AP# 100-255-003, 004, 009, 010
100-261-005-007
100-271-004, 005
100-281-008-010
100-282-004-08, 018, 019
100-291-002-005, 017, 019-021
100-340-073, 074, 075, 078

Unit 3

AP# 100-380-031, 032
100-400-049
100-420-025, 037
100-440-008
100-450-002

CONDITION 4. The following lots in Unit 3 must meet additional soils/geologic requirements:

1. A surface/subsurface foundation investigation by an engineering geologist is required based on the proposed building location prior to foundation design.
2. Building layout and foundation plans must be reviewed by a registered engineering geologist.
3. The engineering geologist is likely to require inspection of foundation excavations while excavating equipment is on the site and before forms and steel are place.

AP# 100-380-030, 033-036
100-400-013, 016, 017
100-410-038, 039, 040, 062
100-420-073
100-450-001

CONDITION 5. The following lots require an archaeological field investigation, and implementation of reasonable mitigation measures when recommended by the study:

AP# 100-261-020
100-380-054
100-420-720

CONDITION 6. The following lots lie within 300 feet of a designated freshwater marsh. To mitigate possible impacts on the marsh, the following measures shall be employed:

AP# 100-281-007-010
100-292-004-010

1. Any grading, cut or fill shall occur between May 15 and September with immediate reseeding of any disturbed areas. This requirement may be waived if an erosion control plan is submitted.

2. Finished cut slopes shall be 3:1 or flatter.

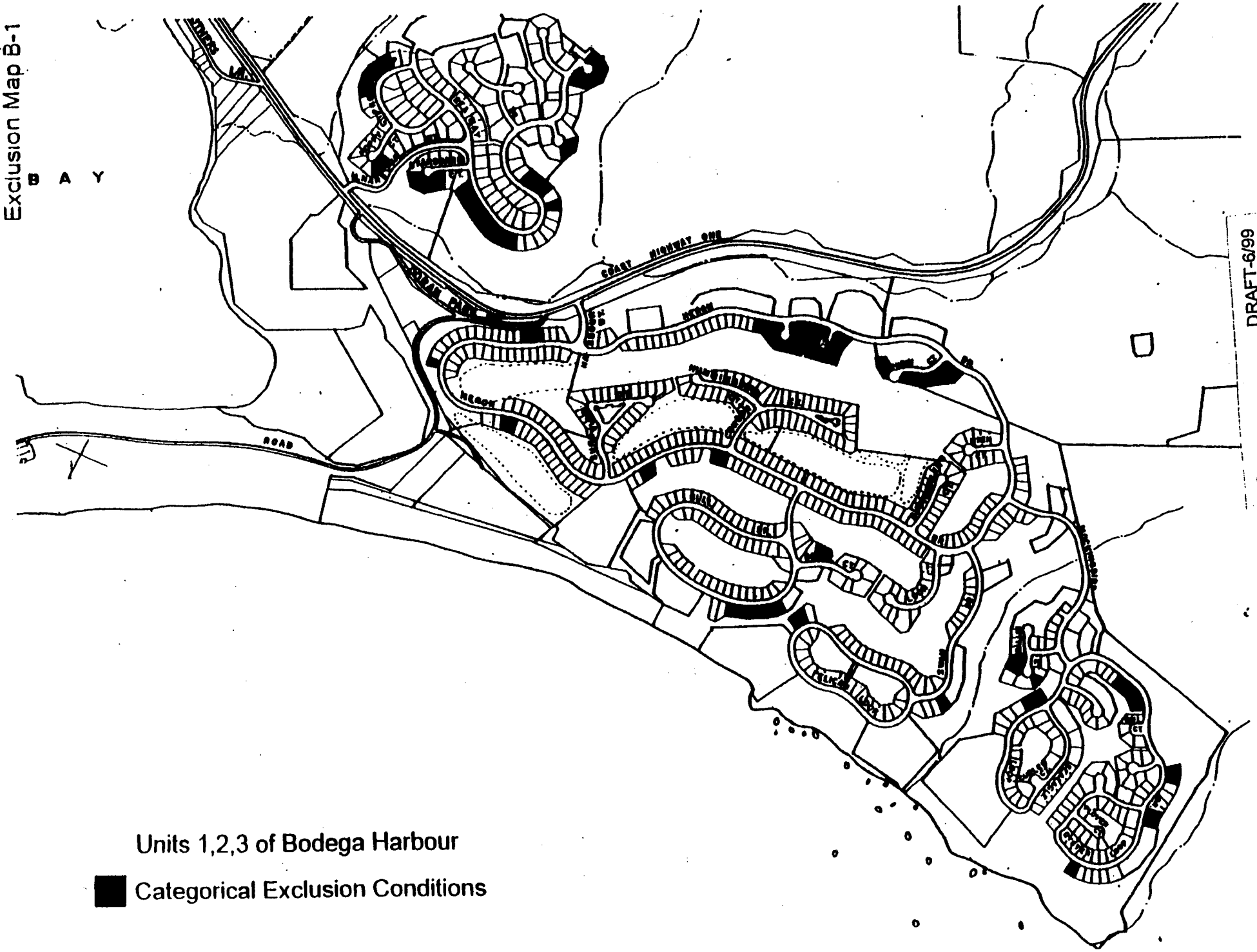
3. Use of pole, caissons and grade beam, or similar construction is strongly encouraged to minimize grading on these lots.

4. Retaining devices such a railroad ties shall be utilized downslope from all structures, with thick plantings of native grasses on the downstream side of the ties.

CONDITION 7. All development shall comply with Bodega Harbour Design Regulations and homeowner's CC&Rs. Evidence of final Design Review approval (letter must be presented to the ~~Planning~~ Permit and Resource Management Department. On any lot with a slope greater than 5%, the Design Review letter shall indicate appropriate measures for erosion control of storm runoff which have been included in the project design.

No final planning approval sign off shall occur until the planner sees the Final Design Review approval letter, and the Bodega Harbour checklist

Exclusion Map B-1




Units 1,2,3 of Bodega Harbour

Categorical Exclusion Conditions

DRAFT-6/99

CATEGORICAL EXCLUSION FOR
TAYLOR TRACT AND FIRST ADDITION, BODEGA BAY

**ATTACHMENT "B-2"**

One single family dwelling for each existing vacant parcel is categorically excluded from a Coastal Permit in the area we of Highway 1 in the Taylor Tract and the First Addition if it meets the following conditions. If it does not meet all of the following conditions, a Coastal Permit Is required.

1. The exclusion shall apply only to those parcels depicted on Exclusion Map B-2.

2. Height shall not exceed 16 feet from the ~~high point of existing grade under the structure~~ average level of the highest and lowest point of that portion of the lot covered by structure to insure community compatibility.

3. Dwelling units shall be subject to Design Review and conform to Bodega Bay "Core Area" Coastal Plan Design Guidelines.

4. The following lots are subject to the requirements of the Alquist-Priolo Special Studies Zone (engineered foundations) enforced by the Sonoma County ~~Building~~ Permit and Resource Management Department.

   AP# 100-080-011, 017, 019, 022-027, 031, 055, 057, 058, 064, 065
   100-092-001-009
   100-093-002-006, 008, 010, 011, 015-023
   100-094-001, 004-007
   100-095-001-007
   100-096-014-019, 033, 034

5. The following lots lie within 300 feet of a designated freshwater marsh. A grading, erosion, and sediment control plan prepared by a civil engineer is required to mitigate possible impacts on the marsh.

   AP# 100-080-045, 046, 054, 055
   100-090-025, 030, 031

CATEGORICAL EXCLUSION CONDITIONS
FOR VILLA MARINA, BODEGA BAY

**ATTACHMENT "B-2"**

One single-family dwelling for each existing vacant parcel In the Villa Marina Subdivision is categorically excluded from Coastal Permits if it meets to following conditions. If it does not meet any of the conditions, a Coastal Permit is required.

1. The exclusion shall apply only to those parcels depicted as excludable parcels on Exclusion Map B-2

2. Height shall not exceed 16 feet from the ~~high point of existing grade under the structure~~ average level of the highest and lowest point of that portion of the lot covered by structure.

3. All dwellings are subject to design review and shall conform to Coastal Zone design guidelines.

4. The following parcels are subject to requirements of the Alquist-Priolo Special Studies Zone (engineered foundations) enforced by the County ~~Building~~ Permit and Resource Management Department:

   AP# 100-070-012-017
   100-070-026-028

5. The following parcels require an engineering geologist review and approve grading, site preparation, drainage, and foundation plans to determine there will be no significant impacts:

   AP# 100-070-012-017
   100-070-026-028

6. The following parcels require an archaeological study, and implementation of reasonable mitigation measures when recommended by the study:

   AP# 100-070-012, 026, 028

CATEGORICAL EXCLUSION CONDITIONS
FOR WHALESHIP AREA, BODEGA BAY

**ATTACHMENT "B-2"**

One single family dwelling for each existing vacant parcel in the Whaleship Road area is categorically excluded from Coastal Permits if it meets the following conditions. If it does not meet any of the conditions, a Coastal Permit is requir

1. The exclusion shall apply only to those parcels depicted as excludable parcels on Exclusion Map ~~4~~ B-2. Remaining parcels are not excluded because they are within 100 feet of a designated marsh, contain marshes or ponds, potential public trust land, or are steep and present significant design issues.

2. Height shall not exceed 16 feet from the ~~high point of existing grade under the structure~~ average level of the highest and lowest point of that portion of the lot covered by structure.

3. All dwellings are subject to design review and shall conform to Coastal Zone Design guidelines.

4. The following parcels are subject to requirements of the Alquist-Priolo Special Studies Zone (engineered foundations) enforced by the County ~~Building~~ Permit and Resource Management Department:

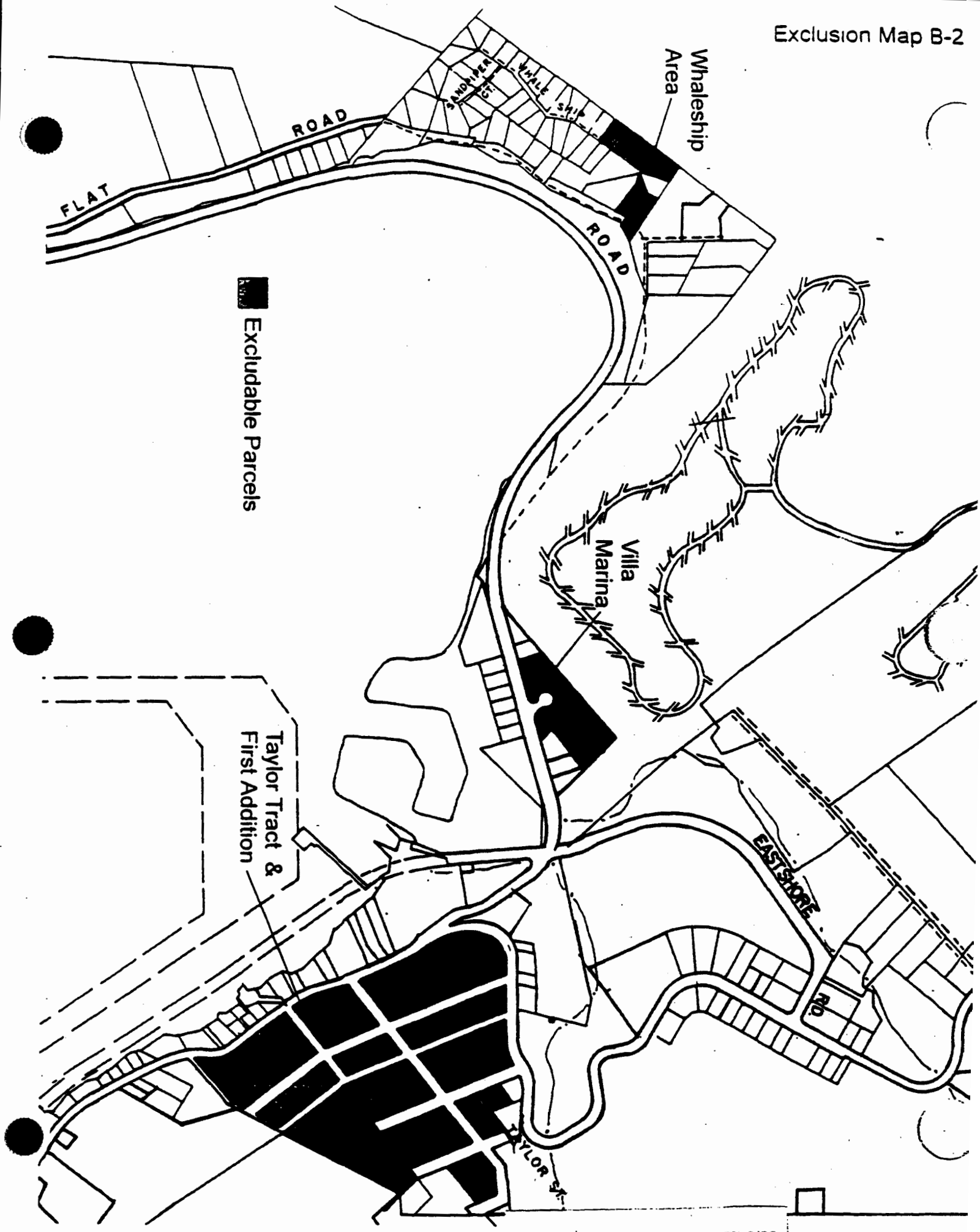
   AP# 100-051-013-017

5. The following parcels require that an engineering geologist review and approve all grading, site preparation, drainage, and foundation plans to determine there will be no significant impacts:

   AP# 100-051-013-017

The engineering geologist report shall contain, at a minimum, the information specified in the Coastal Commission Statewide Interpretive Guidelines concerning Geologic Stability of Blufftop Development.

Exclusion Map B-2



APPEALABLE DEVELOPMENTS

In accordance with Public Resources Code Section 30603(a), an action taken by a local government on a Coastal Development Permit application for any of the following may be appealed to the California Coastal Commission:

(a) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.

(b) Developments approved by the local government not included within paragraph (a) of this section located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream or within 300 feet of the top of the seaward face of any coastal bluff.

(c) Any development approved by the ~~coastal~~ county that is not designated as a ~~the~~ principal permitted use in the Coastal Zoning Ordinance ~~as defined in Coastal Combining District. (See Coastal Zoning Ordinance)~~

(d) Any development which constitutes a major public works project or a major energy facility. The phrase "major public works project or a major energy facility" shall mean any proposed public works project or energy facility as defined by the Coastal Act exceeding $100,000 in estimated cost of construction.

See Appeals Maps

# COUNTY OF SONOMA
## PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 527-1900 FAX (707) 527-1103

*Field Operations • Code Enforcement • Permits • Environmental & Comprehensive Planning*


# CATEGORICALLY EXCLUDED PROJECTS

Development Projects Categorically Excluded or Exempt from Coastal Permits for which Sonoma County permits have been issued.

AP # _____
Date: _____

Owner/Applicant: _____

Project: _____

_____

_____

AP # _____
Date: _____

Owner/Applicant: _____

Project: _____

_____

_____

AP # _____
Date: _____

Owner/Applicant: _____

Project: _____

_____

_____

AP # _____
Date: _____

Owner/Applicant: _____

Project: _____

_____

_____

# NOTICE OF PUBLIC HEARING

## *Pending Action on a Coastal Permit*

**Sonoma County Permit and Resource Management Department**
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 527-1900 FAX (707) 527-1103

---

**APPLICATION FILING DATE:** _____

The Sonoma County Permit and Resource Management Department has received application **(File#)** from (Applicant) requesting (Project Description) located at (Site Address); APN ___-___-___; Zoning _____ ; ___ Supervisorial District.

The Department has determined this project is exempt from the California Environmental Quality Act.
(or)

A Negative Declaration, including mitigation measures, has been prepared for the project to reduce potentially significant adverse impacts on the environment.

The **Sonoma County Board of Zoning Adjustments** will conduct a public hearing to consider an action on the project and/or conditions of approval at (time of hearing) on (date of hearing) in the hearing room at 2550 Ventura Avenue, Santa Rosa.

If you challenge the decisions on the project in court, you may be limited to raising only those issues previously raised before the Board of Zoning Adjustments at the hearing or in written form delivered to the Board of Zoning Adjustments prior to or at the hearing.

Prior to the hearing, the project details and environmental documents may be reviewed at, or written comments submitted to the Permit and Resource Management Department, at 2550 Ventura Avenue, Santa Rosa, CA 95403. Contact (Planner name) at (707) 527-1900.
(Check appropriate categories):

_____ Any appeals to the Board of Supervisors must be filed with the Permit and Resource Management Department within 12 calendar days which shall run concurrently with the appeal period of any underlying permit after a decision by the Planning Commission, Board of Zoning Adjustments, Design Review Committee, or Project Review and Advisory Committee.

_____ The Board of Supervisors decision is not appealable to the Coastal Commission.

_____ The action of the Board of Supervisors decision granting a coastal permit is appealable to the Coastal Commission. The decision may be appealed in writing to the State Coastal Commission within ten (10) working days following receipt by the Coastal Commission of the notice of final action. (Local appeal to the Board of Supervisors must be accomplished first.)

Address: California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219
(415) 904-5290

# *Pending Action on a Coastal Permit*
# *No Public Hearing Required*

**Sonoma County Permit and Resource Management Department**
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 527-1900 FAX (707) 527-1103

---

Date: _____ Planner: _____

For a development located within the Sonoma County Coastal Zone.

Application Filing Date: _____ File No: _____

Applicant: _____ Assessor's Parcel No.: ____-____-____

Proposed Project Location: _____ Zoning: _____

Supervisorial District: _____

Project Description:

_____

_____

_____

It is the determination of the Department that the project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to the Provisions of Title 14 of the California Administrative Code, Section 15301.

Date Application Will Be Acted Upon: _____
(14 days from mailing)

A 10 calendar day public comment period from the date of this notice allows interested persons to inform the County, in writing, of any concerns they have regarding the proposed project.

Please submit any comments by: _____
(10 days hence)

Comments will be reviewed prior to local decision making. This project does not require a public hearing unless the administrative decision is appealed. The decision granting or denying the administrative coastal permit may be appealed in writing to the Permit and Resource Management Department within 10 working days. A public hearing will then be scheduled before the Planning Commission or the Board of Zoning Adjustments. The action of granting an administrative coastal permit is <u>not</u> appealable to the Coastal Commission.

# *Pending Action on a Coastal Permit Notice of Waiver of Public Hearing*

**Sonoma County Permit and Resource Management Department**
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 527-1900 FAX (707) 527-1103

---

For a development located within the Sonoma County Coastal Zone.

Application Filing Date: _____ File No: _____

Applicant: _____ Assessor's Parcel No.: ____-____-____

Proposed Project Location: _____ Zoning: _____

Supervisorial District: _____

Project Description:

_____

_____

_____

It is the intention of the Director of the Permit and Resource Management Department to waive the public hearing and issue a Coastal Permit as provided in Section 30624.9 of the Public Resource Code. The hearing is being waived because the Department has determined that the proposal is a minor development. In addition, it is the determination of the Department that the project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to the Provisions of Title 14 of the California Administrative Code, Section 15301.

The Director intends to find that the proposal will not be detrimental to the health, safety or welfare of adjacent land uses or properties.

The Coastal Permit Waiver will be issued without a public hearing, unless, within fifteen (15) days from the date of this notice, a written objection is received by the Director. If a written objection is received, a public hearing will be scheduled.

Failure by a person to request a public hearing may result in the loss of that person's ability to appeal to the Coastal Commission any action taken by a local government on a coastal development permit application.

Persons wishing to obtain more information about this proposal, or to appeal in writing, must contact the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, California, 95403. Contact at (707) 527-1900.

Posting Date:
Staff:

# *Notice of Final Action on a Coastal Permit*

**Sonoma County Permit and Resource Management Department**
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 527-1900 FAX (707) 527-1103

---

Date: _____

File: _____
Applicant: _____
Address: _____
City, State, Zip: _____
Planner: _____

This notice is being distributed to the Coastal Commission and those who requested notice. The following project is located within the Coastal Zone. A project decision has been completed.

Project Description: _____

Project Location: _____ Assessor's Parcel No.: ____-____-____

___ APPROVED/DENIED by the _____ on _____.

Conditions of Approval:

See attached.

Findings:

1. The project, as described in the application and as conditioned, conforms with the plans, policies, requirements and standards of the Sonoma County Coastal Program.

2. See attached.

___ Appealable. A decision by the Planning Director, PRAC, or Design Review may be appealed to the Planning Commission within twelve (12) working days. The decision by the Planning Commission or Board of Zoning Adjustments may be appealed to the Board of Supervisors within twelve (12) working days. Following an action by the Board of Supervisors granting a coastal permit, an appeal may be filed with the Coastal Commission within ten (10) working days following receipt of the notice of final action by the Commission.

Address:
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

____ Not appealable to the Coastal Commission

ATTACHMENT "F"

# *EMERGENCY COASTAL PERMI.*
# *No Public Hearing Required*

**Sonoma County Permit and Resource Management Department**
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 527-1900 FAX (707) 527-1103

Date: _____ Planner: _____

For a development located within the Sonoma County Coastal Zone.

Application Filing Date: _____
File No: _____
Applicant: _____
Assessor's Parcel No: _____

Proposed Project Location: _____

Project Description: _____

This letter constitutes approval of the emergency work you or your representative has requested to be done at th location listed above. I understand from your information and our site inspection that an unexpected occurrence in the form of requires immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services, pursuant to Section 30624a & 30611 of the Coastal Act. The Director of the Permit and Resource Management Department hereby determines that:

(a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 60 days unless otherwise specified by the terms of the permit;

(b) Public notice has been given, although there has not been sufficient time for response; and

(c) As conditioned, the work proposed would be consistent with the requirements of the certified LCP.

The work is hereby approved, subject to the attached conditions.

_____
for
Chris Arnold, Director
Permit and Resource Management Department

## CONDITIONS OF APPROVAL

1. The enclosed form must be signed by the property owner and returned to our office within 15 days.

2. Only that work specifically described above and for the specific property listed above is authorized. Any additional work requires separate authorization from the Director of the Permit and Resource Management Department.

3. The work authorized by this permit must be completed within 60 days of this permit.

4. Within 60 days of the date of this permit, the permittee shall apply for a regular Coastal Permit. If no such application is received, the emergency work shall be removed in its entirety and the site restored to its previous condition within 150 days of this permit.

5. In exercising this permit, the applicant agrees to hold the County of Sonoma and the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.

6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies.

7. For emergency shorefront protection projects: If rock is used to construct the protective project, only clean rock shall be used. No fill materials or construction spoils shall be used. Applicant shall promptly remove without the aid of heavy machinery any rock that becomes dislodged and deposited on the beach.

8. Other

Condition #4 indicates that the emergency work is considered to be temporary work done in an emergency situation. If the property owner wishes to have the emergency development remain, a Coastal Permit must be obtained. A regular permit would be subject to all of the provisions of the LCP and may be conditioned accordingly. These conditions may include provisions for public access (such as an offer to dedicate an easement) and/or a requirement that a deed restriction be placed on the property assuming liability for damages.

If you have any questions about the provisions of this emergency permit, please call the Permit and Resource Management Department at (707) 527-1900.

## EMERGENCY PERMIT ACCEPTANCE FORM

Emergency Permit No.

Instructions: After reading the attached Emergency Permit, please sign this form and return within 15 working days from the Permit's date.

I hereby understand all of the conditions of the emergency permit being issued to me and agree to abide by them. I understand that the emergency work is temporary and a regular Coastal Permit is necessary.

_____
Signature of property owner
or authorized representative.

_____
Name

_____
Address

_____

_____

_____
Date of signing

ENVIRONMENTAL RESOURCES MANAGEMENT RECOMMENDATIONS
IMPLEMENTING ZONING DISTRICT ENVIRONMENTAL AND HAZARD ~~ORDINANCE~~ REQUIREMENTS
~~26-356 (a) 3~~

The habitats or specific resources which have been mapped for the Sonoma County coast are listed below with management recommendations for each. In any case where the General Plan standard for riparian corridors or critical habitats is more restrictive than the standards below, development shall conform to the General Plan standard.

**Sandy Beaches and Sand Spits, including Smelt Spawning Areas.**

1 Prohibit the opening of sandbars except for maintenance of tidal flow to assure the continued biological productivity of streams and associated wetlands and in particular cases to prevent flooding. Bars should not be breached until there is sufficient instream flow to preserve anadromous fish runs.

2. Prohibit all off-road non-authorized motor vehicles from beach areas.

3. Prohibit the removal of sand from beaches and spits.

**Dunes and Coastal Strand**

4. Prohibit the removal of sand from dunes except for dunes management.

5. Preserve and protect coastal dune habitats from all but resource dependent, scientific, educational, and passive recreational uses including support facilities. Disturbance or destruction of any dune vegetation should be prohibited unless as required for public park facilities, and then only if revegetation is a condition of project approval.

6. Prohibit all off-road, non-authorized vehicles from dune areas.

7. Minimize foot traffic for all permitted uses, including recreation, on vegetated dunes. Where access through dunes is necessary, well-defined footpaths or raised boardwalks shall be developed and used. Access areas should be posted with explanations describing the importance of the use of limited access routes for the purpose of protecting the plant communities.

8. Identify wildlife nesting and breeding habitats of rare or sensitive plants or animals for the publicly owned dune areas in order to temporarily restrict access to these areas during identified breeding and nesting seasons.

9. Prohibit construction of permanent structures within riparian areas as defined, or 100 feet from the lowest line of riparian vegetation, whichever is treater, except development dependent on the resources in the riparian habitat, including public recreation facilities related to the resource. Any development shall be allowed only if it can be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of the riparian habitat. The riparian area or 100 foot wide buffer zone should generally be maintained in a natural, undisturbed state. Trails and access may be permitted if studies determine no long-term adverse impacts would result from their construction, maintenance and public use. Trails should be made of porous materials.

10. Require erosion-control measures for projects affecting the riparian corridor.

11. Prohibit the removal of vegetation except commercial timber, subject to an approved timber harvest plan, from the riparian corridor unless it is shown to be essential to continued viability of the wetland.

12. Prohibit filling, grading, dredging, excavation, or construction in the watercourse of a riparian corridor unless it is shown that such action will maintain the value of the area as a habitat for wildlife and aquatic organisms and is compatible with continued viability of the habitat.

13. Prohibit pesticide and herbicide application in a riparian protection zone of 100 feet above the lowest streamside vegetation, or within riparian areas as defined, whichever is greater.

14. Encourage special range management practices which protect riparian areas.

15. Encourage development of livestock watering areas away from the riparian corridor.

**Wetlands (Marshes, ponds, reservoirs, seeps)**

16. Encourage restoration of marshlands where feasible.

17. Exclude all motor vehicles from wetlands. Pedestrian and equestrian traffic should be directed to specific areas with facilities provided to eliminate adverse impacts on biological resources.

18. Prohibit filling, grading, diking, dredging, and construction in wetlands, except under special conditions delineated in the Coastal Act Section 30233.

    All projects must maintain or enhance the functional capacity of the wetland or estuary. Dredging, when consistent with the provisions of the Coastal Act and where necessary for the maintenance of the tidal flow and continued viability of the wetland habitat, should be subject to the following conditions:

    - Prohibit dredging in breeding and nursery areas and during periods of fish migration and spawning.
    - Limit dredging to the smallest area feasible.
    - Require protective measures for dredging and excavation such as silt curtains, diapers, and weirs to protect water quality. Remove structures as soon as possible once they have served their purpose.

    Dredge spoils should not be deposited in areas subject to tidal influence or in areas where public access would be significantly adversely affected, as well as certain environmentally sensitive areas.

19. Minimize construction on land adjacent to wetlands during maximum seasons of breeding bird activity. (March 1 to July 1)

20. Prohibit discharge of wastewater into any wetland unless such discharge maintains or enhances the functional capacity of the wetland and maintains the quality of the receiving water.

21. Prohibit grazing or other agricultural uses in designated coastal wetlands. On watershed lands, a fence should be constructed on the outer edge of the wetland.

22. Prohibit the diking or filling of seasonal wetlands for the purpose of conversion to agriculture or to accommodate development of any kind.

23. Encourage the fencing of springs, seeps, and pond areas surrounded by lands used for grazing. Water for livestock should be piped outside of the wetland for use by livestock.

24. Prohibit the removal of vegetation from wetlands unless it is shown to be essential to the habitat viability.

25. Prohibit construction of agricultural, commercial, industrial and residential structures within 100 feet of wetlands.

26. Between 100 and 300 feet of wetlands, prohibit construction of agricultural, commercial, industrial and residential structures unless an environmental assessment finds the wetland would not be affected by such construction.

27. Prohibit new water diversions from streams that feed wetlands without establishing limits on diversion sufficient to protect the wetland.

**Bodega Harbor Tideflats**

28. Prohibit motor vehicles.

29. Recommend periodic closing of portions of the tideflats on the west side of the harbor to shellfish harvesting. A rotation system allowing opening of each section of the tideflats every three to five years has been suggested. The County should request evaluation of this proposal by the Department of Fish and Game.

30. Encourage more restrictive bag and possession limits and gear restrictions for ghost shrimp (Callllllianassa Californiensis), mud shrimp (Upogebia pugettensis), and blood worms (Urechis caupo).

31. Enforce leash laws to minimize the effects of domestic animals on marine mammal and shorebird populations on the tideflats.

32. Prohibit discharge of effluents in tideflat areas.

33. Prohibit dredging and filling in tideflat areas, except under special conditions delineated in the Coastal Act. The impact of dredging on the surrounding biota can be minimized by restricting operations to winter months.

**Rocky Intertidal, including Sea Bird Rookeries**

34. Generally prohibit the development of groins, breakwaters, piers, seawalls, pipelines or other structures in the rocky intertidal areas. These structures or other such construction that alters natural shoreline processes shall be permitted in other resource areas only when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

35. Prohibit vehicles in rock intertidal areas.

36. Designate important rocky intertidal areas as Marine or Ecological Reserves. Encourage maintenance of such areas by appropriate public agencies or private groups.

37. Designate the offshore, mouth, and banks of the Estero Americano as an ecological reserve. Sonoma County should act as the "lead public agency" to preserve this area as a representative of the Coastal estuarine environment of North Carolina.

38. Encourage utilization of the public shoreline at Salt Point State Park, Kruse Ranch, and the non-historic areas of Fort Ross Park to remove some pressure on the underwater resources at Stillwater Cove.

39. Prohibit public access to offshore rocks which are designated as seabird rookeries and nesting areas, and to habitats of seals and sea lions.

**Coastal Bluffs**

40. Require erosion and sediment control measures for excavation, grading, and construction operations in coastal permits for areas adjacent to coastal bluffs.

41. Prohibit the removal of sand or rock materials from any part of the bluffs except for road maintenance.

42. Minimize the removal of native plant species from the coastal bluff area.

43. Prohibit all off-road non-authorized motor vehicle traffic on bluff areas in order to limit compaction, erosion, and destruction of plants. Equestrian traffic should be directed to areas where the subsequent compaction and erosion do not adversely affect the stability of the bluffs.

44. Minimize recreational use of bluff sites known to be used by birds as nesting or roosting areas.

45. Design access points (stairways or trails) which pass through coastal bluff habitat to minimize erosion and disruption of bluff vegetation. Public access must be limited to the trailway corridor.

46. Develop surfaced paths along cliff tops, and paths or steps down cliff faces in bluff areas with heavy recreational use. In areas of moderate use, paths can be constructed of local material.

47. Prohibit development within 100 feet of a bluff edge except as described in Environmental Hazards Recommendation 2, Chapter III.

48. Encourage agricultural management practices which minimize soil erosion, sedimentation and siltation.

49. Include in coastal permits erosion and sediment control measures for excavation, grading and construction operations.

50. Provide areas for public observation of local cormorant population on Bodega Head and Stump Beach.

51. Encourage use of the upland area of Stillwater Cove County Park as a suitable area for educational facilities concerning coastal grassland or prairie.

**Coastal Woodland**

52. Include erosion and sediment control measures in coastal permits.

53. Minimize disruption to vegetation in all grading operations, placement of fill, or construction of structures.

**Pygmy Forest**

54. Prohibit construction of permanent structures except for those necessary for scientific and educational uses of this particular habitat.

55. Prohibit off-road motor vehicles, except for those required for management or emergency use in the forest area.

**Windbreaks**

56. Promote retention and proper management of existing windbreaks which are predominantly east-west oriented and do not block extensive coastal views.

57. Discourage new windbreaks that would interrupt coastal views.

**Rare or Endangered Plants and Animals**

58. Protect designated sites of rare or endangered plants. Prior to any development in or adjacent to designated sites, conduct precise botanical surveys to determine the distribution of any rare and/or endangered plants. Botanical surveys should be conducted during natural blooming season of species in question. Development should be sited and designed and constructed to prevent impacts of grading,

paving, construction of roads or structures, runoff, and erosion from significantly degrading rare and endangered plant habitats, and shall be compatible with the continuance of such habitat areas.

59. Assure compliance with the Federal Endangered Species Act of 1973 and the California Endangered Species Act of 1970 as amended.

**Osprey Nest Site**

60. Limit recreational activities near identified osprey nesting sites to low intensity passive recreation. These limitations are especially important during May through July when incubation takes place.

61. Protect osprey nesting sites located along the Willow Creek, Freezeout Creek, and Russian River uplands from disturbance by logging activities.

62. Prohibit removal of snags and dead tops of live trees in areas surrounding identified osprey sites.

63. Prohibit removal of osprey nests.

64. Prohibit development of structures and avoid development of new roads if at all possible within the nesting site areas.

**Heron Rookeries**

65. Prohibit public access in areas of identified heron rookeries. Access to Penny Island should be limited to low intensity usage for scientific and educational purposes. Scientific and educational use should be managed so as not to interfere with heron nesting (February to mid-July).

66. Prohibit new development (construction of structures or roads) within 600 feet of a rookery.

**Spotted Owl Territory**

67. Minimize impacts of development near identified Spotted Owl nesting and breeding areas.

**Anadromous Fish Streams**

68. Maintain flows in streams identified as anadromous fish habitat at a minimum flow level as required to continue their use as an anadromous fish spawning area.

69. Stop all stream diversions when stream flow falls below minimum flow standards until stream flows return to levels above the minimum standards.

70. Prohibit dredging in all anadromous fish streams.

71. Prohibit dams or other structures which would prevent upstream migration of anadromous fish in streams designated as "anadromous fish habitat" unless other measures are used to allow fish to bypass these obstacles. Any bypass measures should be approved by the Department of Fish and Game.

**Marine Mammal Haulout Grounds**

72. Limit recreational activities near and prohibit disturbance of designated areas used for harbor seal and sea lions hauling-out grounds to passive recreation to insure continued viability of these habitats.

73. Encourage annual monitoring by the Department of Fish and Game of designated marine mammal hauling-out grounds to determine the condition of hauling out grounds and to take counts of mammals for long-term management of marine mammals.

**Kelp**

74. Encourage the appropriate State and Federal jurisdictions to:

- Monitor the size and habitat viability of kelp beds and their associated fisheries resources;
- Monitor and regulate activities such as sewage disposal, dredging, petroleum development, and other energy development which may adversely affect near shore marine water quality and thus kelp resources.

75. Require specific site investigations prior to any kelp harvesting.

**Open Water**

76. Prohibit construction of new structures, and dredging, filling or diking in open water except in accordance with Section 30233 of the 1976 Coastal Act. Open water shall be defined in a manner consistent with the Commissions Wetlands Guidelines.

77. Prohibit dredging during periods of fish migration and spawning, and limit dredging to the smallest area feasible.

**Designated Sanctuary Preservation and Conservation Areas**

78. Implement Sanctuary-Preservation and Conservation Area limitations contained on page III-5 in order to assure special consideration and protection for unique resources of the coastal zone.

**Archaeological Resources**

79. Require an archaeological study when proposed projects are within designated archaeological site areas, and require implementation of reasonable mitigation measures when recommended by the study.

80. Continue to send all projects subject to CEQA to Sonoma State Anthropological Laboratory for review.

**(GEOLOGIC HAZARDS RECOMMENDATIONS)**

1. Anticipate the effects of, and develop a plan in response to, a major earthquake generated along the San Andreas fault zone.

2. Prohibit development within 100 feet of a bluff edge or within any area designated "unstable to marginally stable" on Hazards maps unless a registered engineering geologist reviews and approves all grading, site preparation, drainage, leachfield and foundation plans of any proposed building and determines there will be no significant impacts. The engineering geologist report shall contain, at a minimum, the information specified in the Coastal Commission's Statewide Interpretive Guidelines concerning Geologic Stability of Blufftop Development (May 5, 1977).

3. Enforce the requirements of the Alquist-Priolo Special Studies Zone Act for protection from fault rupture hazard.

4. Design and construct all structures for human occupancy, including mobile homes, in accordance with Zone 4 standards of the Uniform Building Code.

5. Enforce the geologic provisions of Chapter 70 of the Uniform Building Code.

6. Require engineering geologic reports in accordance with the ~~Planning~~ Permit and Resource Management Department geologic review procedure.

7. Encourage grazing practices on steep slopes which mitigate erosion problems.

8. Encourage resource use where suitable on lands which are hazardous to development and other uses.

9. Prohibit new dwellings within designated Tsunami Hazard Zones.

**Flooding**

10. Prohibit construction of structures within 100 feet of the top of any embankment, natural or man-made which defines a channel, except where flood hazard has been found to be remote in review by the Sonoma County Water Agency.

11. Grade and construct in such a manner as to minimize:

    a. ponding or accumulation of storm water not necessary for silt control, or groundwater recharge enhancement,
    b. alterations to the natural drainage system, and
    c. siltation of adjacent or downstream water courses.

12. Design new residential developments to minimize both volume and velocity of surface runoff and soil erosion.

**Fire Hazards**

13. Requiring fire management plans with applications for subdivisions and for new or expansion of existing recreational facilities in non-urban areas, including the development of State and County park holdings. Such plans should include, but not be limited to, adequate water storage, adequate ingress and egress for emergency vehicles and occupant evacuation, and building siting, to minimize fires hazard.

14. Support the Division of Forestry and local fire districts in creation and maintenance of a complete pre-suppression fire plan (fuel breaks, fire breaks, control burning, water development) for fire prevention.

15. Urge the State Department of Parks and Recreation, and the County Regional Parks Department to continue efforts to educate the public to fire hazards and fire prevention.

16. Encourage private individuals and communities to construct small-scale water impoundments for back-up use in fires and for back-up non-potable demand in coastal communities. Agricultural Extension Service advice and credit assistance now available to farmers and ranchers should be made available to those interested in such construction.

17. Require any construction to comply with the standards prescribed by comprehensive Building Codes and Fire Prevention Codes which give special consideration to different degrees of hazard.

18. Insure the safety of grazing lands and forest areas from wildland fire by the continued use of agricultural and forestry burning procedures and regulations.

19. Regulate the use of spark retarding devices on all equipment.

20. Prohibit development on "Sensitive and Hazardous" lands unless the project can be accomplished according to criteria specified in the preceding "Sensitive and Hazardous Areas" discussion.

21. Prohibit further residential land divisions west of Eastside Road due to the unstable nature of the area's surface and bedrock geology.

California Coastal Commission
Statewide interpretive Guidelines concerning
Geologic Stability of Blufftop Development (May 5, 1977).

The applicant for a permit for blufftop development, or development in a potentially unstable area, should be required to demonstrate that the area is stable for development and that the development will not create a geologic hazard or diminish the stability of the area. The applicant should file a report evaluating the geologic conditions of the site and the effect of the development prepared by a registered engineering geologist ~~or professional civil engineer with expertise in soils or foundation engineering, or by a certified engineering geologist.~~ The report should be based on an on-site investigation in addition to a review of the general character of the area. Where there is a dispute over the adequacy of the report, the Commission may request that the report be reviewed by a state geologist from the Division of Mines and Geology, the costs of that review and any necessary site inspections to be borne by the applicant. The report should consider, describe and analyze the following:

1. cliff geometry and site topography, extending the surveying work beyond the site as needed to depict unusual geomorphic conditions that might affect the site;

2. historic, current and foreseeable cliff erosion, including investigation of recorded land surveys and tax assessment records in addition to the use of historic maps and photographs were available and possible changes in shore configuration and sand transport;

3. geologic conditions, including soil, sediment and rock types and characteristics in addition to structural features, such as bedding, joints, and faults;

4. evidence of past or potential landslide conditions, the implications of such conditions for the proposed development, and the potential effects of the development on landslide activity;

5. impact of construction activity on the stability of the site and adjacent area;

6. ground and surface water conditions and variations, including hydrologic changes caused by the development (i.e., introduction of sewage effluent and irrigation water to the ground water system; alterations in surface drainage);

7. potential erodibility of site and mitigating measures to be used to ensure minimized erosion problems during and after construction (i.e., landscaping and drainage design);

8. effects on marine erosion on seacliffs;

9. potential effects of seismic forces resulting from a maximum credible earthquake;

10. any other factors that might affect slope stability.

The report should evaluate the off-site impacts of development (e.g., development contributing to geological instability on access roads) and the additional impacts that might occur due to the proposed development (e.g., increased erosion along a footpath). The report should also detail mitigation measures for any potential impacts and should outline alternative solutions. The report should express a professional opinion as to whether the project can be designed so that it will neither be subject to nor contribute to significant geologic instability throughout the lifespan of the project. The report should use a currently acceptable engineering stability analysis method and should also describe the degree of uncertainty of analytical results due to assumptions and unknowns. The degree of analysis required should be appropriate to the degree of potential risk presented by the site and the proposed project.

# COASTAL DESIGN REVIEW GUIDELINES

## A. PROCEDURE

1. Bodega Harbour: Projects in this subdivision shall be reviewed in accordance with the Bodega Harbour Design Regulations by the Bodega Harbour Design Review Committee. The Committee will refer projects within view of Highway 1 not meeting height or bulk limits to the County Design Review Committee for review against Coastal Plan visual guidelines. Any changes to the Design Review Regulations will also be reviewed and approved by the County Design Review Committee.

2. The Sea Ranch: Projects in this subdivision shall be reviewed in accordance with the Sea Ranch Design Guidelines, including revised Height, Site and Bulk Guidelines contained in the Coastal Plan, by The Sea Ranch Design Review Committee. The Committee will refer projects not meeting the Revised Height, Site and Bulk Guidelines to the County Design Review Committee for review against Coastal Plan visual guidelines. Any changes to the Design Review regulations will also be reviewed and approved by the County Design Review Committee.

3. Other Coastal Areas: Development (including additions and exterior remodelings) within ~~urban~~ "rural community" or "urban service area" boundaries, and within view of designated scenic roads shall be reviewed by the County Design Review Committee. The Design Review Committee, and on appeal the Board of Zoning Adjustments and Board of Supervisors, shall find that the proposal conforms with County Design Review guidelines and standards, and with the following Coastal Plan design guidelines and standards, and with the following Coastal Plan design guidelines before approving the project. This requirement may be waived for parcels in ~~urban~~ these areas east of Highway 1 and not visible from designated scenic roads, by the ~~Planning~~ Director of the Permit and Resource Management Department. The applicant must prove to the planner, through photographs, topographic maps, etc., that the project is not within view of a designated scenic road. Local Design Review Committees may be formed to apply the Coastal Zone Design Guidelines, if approved by the County Design Review Committee. Local Design Review criteria may also be adopted to augment or replace the Coastal Zone Design Review Guidelines, subject to County Design Review Committee review and approval.

## B. DESIGN REVIEW GUIDELINES
(See additional policies for Bodega Bay Core Area)

### General

1. Preserve unobstructed broad views of the ocean from Highway 1.

2. Minimize visual impacts of development.

### View Protection

1. Prevent development (including buildings, structures, fences, paved areas, signs, and landscaping) from obstructing views of the shoreline from coastal roads, vista points, recreation areas, and beaches.

2. Prohibit development which will significantly degrade the scenic qualities of major views and vista points.

3. Except in urban service and rural community areas, require a minimum setback of 100 feet from the right-of-way line along scenic corridors and greater where possible; however, permit a 50 foot setback when sufficient screening exists to shield the structure from public view. Where the

General Plan standards for scenic corridors are more restrictive than these standards, development shall comply with the General Plan standards.

4. Minimize visual impacts on landforms by:

- Concentrating development near existing vegetation or topographical features which provide screening.
- Concentrating development within existing communities.
- Clustering development to the extent feasible.
- Prohibiting development in open fields in rural areas, leaving agricultural valley floors and terrace lands open.
- Prohibiting the removal of tree masses which destroy ridgeline silhouettes.
- Prohibiting development in rural areas that projects above the ridgeline silhouette.

Landform Alterations

1. Minimize the alteration of natural landforms caused by cutting, filling, and grading for building sites, access roads, and public utilities by:

- Concentrating development on level or gently sloping areas.
- Constructing roads, etc. to fit the natural topography, rather than altering hillsides or other landforms to accommodate buildings designed for level sites.
- Prohibiting development that would significantly and permanently alter or destroy the appearance of natural landforms; requiring grading to follow the natural contours of the landscape.
- Prohibiting development and grading on hillsides with grades more than 30%.
- Restoring permitted temporary alterations of landforms as completely as possible and as soon as possible to minimize soil erosion.
- Sharing roads and driveways.

Landscaping and Vegetation

1. Discourage the removal of significant trees except through legitimate logging operations.
2. Locate and design new development to minimize tree removal.
3. Prohibit removal of windbreaks unless required because of disease.
4. Prohibit the planting of vegetation west of Highway 1 which could block coastal views.
5. Use indigenous plant materials for landscaping in areas visible from public roads, and encourage their use elsewhere for landscaping.
6. Protect existing vegetation where possible.
7. Use landscaping to integrate the man-made and natural environments and to screen and soften the visual impacts of new development.

Natural Landscape and Community Compatibility

1. Locate and design development in scale, shape and size to fit its natural setting and to be subordinate to the pre-existing character of the site.

2. Design and site structures in harmony with the shape, size and scale of existing nearby buildings in the community.

Height

1. Limit residential building height to 16 feet west of Highway 1, unless an increase in height would not affect views to the ocean or be out of character with surrounding structures (or unless otherwise designated). Limit building height to 24 feet east of Highway 1 (within view of designated scenic roads). Height is measured from the average level of the highest and lowest point of that portion of the lot covered by structure to the highest point of the roof or any projection therefrom ~~from the natural grade on the highest side of the improvement to the highest point of the roof or any projection therefrom.~~

Building Materials and Color

1. Use natural materials and earth colors which blend with the vegetative cover of the site unless the building is s historic style. Encourage use of non-reflective exterior surfaces. Encourage composition shingle and shake roofs in harmonizing colors with the building exterior. Dark colors are preferred. Discourage tar and gravel roofs. Discourage metal window frames unless they are bronze anodized aluminum or baked enamel. Encourage dark and non-reflective driveway materials. To maintain natural drainage flows, the use of impervious material should be minimized.

Architectural Form

1. Encourage traditional architectural styles of the coast in older development areas and contemporary styles in newer subdivisions. Encourage pitched roofs and relate roof slopes to existing nearby buildings. Relate the architectural shape and style of new buildings to existing nearby structures and natural features. Design accessory buildings to be consistent with the main building architectural character, materials, and finishes.

Fences

1. Discourage property line fences to minimize visual disruption of the natural terrain. Design fences as extensions of the main house. Materials should be the same as, or complimentary to, the building. Six foot fences are intended to be used only for screening of service yards, etc., and for privacy purposes.

Commercial

1. Design buildings which are compatible with the predominant design of existing buildings in the area or existing community characteristics (see descriptions in ~~pp. VII 56 to VII 60 of~~ the LCP) and are of wood or shingle siding. Employ the use of natural or earth colors, and use pitched, non-reflecting dark colored roofs unless they are historic reproductions. Require that exterior lighting be functional, subtle, and architecturally integrated with the building style, materials and colors. Limit maximum height to 24 feet unless the greater height will not have an effect on coastal views and there are overriding considerations.

   In Bodega Bay, reflect the nautical character of the harbor in building design. Wood exteriors may be stained or painted white or subdued colors. For fishing commercial structures, permit textured metal in subdued colors with proper architectural detailing and landscaping to add visual interest and soften building lines.

Parking

1. Screen parking areas from view through the use of landscaping, design, and siting.

Signs

1. Relate signs to their surroundings in terms of size, shape, color, texture, and lighting so that they are complimentary to the overall design of the building and are not in visual competition with other conforming signs in the area. Insure that signing is subtle, unobtrusive, vandal proof, and weather resistant, and if lighted, not unnecessarily bright. Avoid using struts, braces, kickbacks, or guy wires to support sign.

Utilities

1. Require that all new distribution line extensions be placed underground.

Agricultural Structures

1. Locate large agricultural structures out of public view when possible. Encourage designs and materials which blend with the natural vegetative cover.

C. BODEGA BAY CORE AREA

(The area including Taylor Tract and the planned residential area south of Taylor Tract between Highway 1 and the proposed Highway 1 bypass.)

In addition to the Coastal Zone Design Guidelines, the following guidelines will be applied to all Bodega Bay Core Area development. (Where guidelines conflict, the Core Area guidelines supersede the general guidelines. Design Review shall not be waived in this area.)

General

1. Encourage traditional building forms of coast buildings, including Greek Revival, Salt Box, and simple cottage styles similar to existing homes. Encourage pitched roofs. Flat roofs may be appropriate where compatible with existing structures. Where a building is between two existing structures, the design should act as a transition between the two existing structures.

Architectural Form

1. Encourage traditional building forms of coast buildings, including Greek Revival, Salt Box, and simple cottage styles similar to existing homes. Encourage pitched roofs. Flat roofs may be appropriate where compatible with existing structures. Where a building is between two existing structures, the design should act as a transition between the two existing structures.

Height

1. Limit building height to 16 feet from the average level of the highest and lowest point of that portion of the lot covered by structure ~~on that portion of the dwelling situated over the highest point of natural grade under the dwelling~~, except that in major developments up to 15% of the units may exceed the height limit.

Fences

1. Discourage property line fences over three feet in height and encourage traditional picket fences.

Materials and Colors

1. Encourage wood board or shingle siding. Encourage painted exteriors in colors similar to those existing in the town of Bodega Bay (i.e., rust, red, white, green, beige, brown, gray, yellow, and blue). Other colors must be approved by the Design Review Committee. Natural wood exteriors may be intermixed but should not dominate the new development area. Encourage wood trim windows painted in a contrasting, harmonizing color.

Streets

1. Encourage minimum paved street widths consistent with circulation, safety, and parking requirements to provide a sense of continuity between the new development and the original town.

Pedestrian Access

1. Require separated bike paths and walkways on one side of the street in new development areas.

Setbacks

1. Encourage some variation in setbacks.

Garages

1. Encourage use of detached garages in and adjacent to Taylor Tract. Single car garages may be appropriate.

ADMINISTRATIVE WAIVER OF WETLAND (100 FOOT SETBACKS) REQUIREMENTS IN THE LOCAL COASTAL PLAN IN ~~URBAN AREAS~~ "RURAL COMMUNITIES" AND URBAN SERVICE AREAS" ONLY, WHERE ROADS, TOPOGRAPHY, OTHER DEVELOPMENT EXISTS BETWEEN PROPERTY DEVELOPMENT AREA AND WETLAND.

In enforcing the 100 foot setbacks from wetlands and 300 foot environmental requirement near wetlands in urban areas, the ~~Planning~~ Director of the Permit and Resource Management Department may, through aerial photos, topographical maps, or other means make a determination, subject to review and approval by the Executive Director of the Coastal Commission, that development will not affect the riparian area or wetland because:

a. Other developed lots or roads exist between the proposed development and the wetland. This standard shall be used cautiously - at the outer edge of the 300 foot limit. If there is any reasonable doubt the proposal would affect the wetlands or riparian area, an environment assessment shall be undertaken and include appropriate mitigation measures.

b. Topography is such that it is highly unlikely that development could affect the wetland.

The policies shall not be waived outside designated ~~urban areas~~ "rural community" and "urban service areas" on the Coastal Plan Land Use Map.

## REVISION OF MAPPED ENVIRONMENTALLY SENSITIVE HABITAT AREAS

If there is no obvious mapping error which can be determined from review of aerial photos, the burden of proof is on the applicant to re-define the boundaries of a mapped environmentally sensitive habitat.

To define wetlands, the applicant shall use the State Coastal Commission Criteria for identifying and mapping wetlands and other wet environmentally sensitive habitat areas. (See Attachment L) The Coastal Act defines wetlands as "lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats and fens.

Riparian areas refer only to riparian vegetation. The geographical extent of a riparian habitat would be where riparian vegetation comprises at least 50% of the ground (shade) cover. Other habitats may be defined from Coastal Plan definitions.

Small drainage ways, usually less than five feet wide, with no evidence of riparian vegetation, are not to be considered riparian corridors. Unless there is a pooled or marshy area, they are probably also not wetlands as defined by the guidelines.

Where, during the course of review of a project, Coastal staff discovers an unmapped environmentally sensitive habitat area, staff shall utilize Coastal Plan habitat definitions and coastal Commission guidelines (for wet environmentally sensitive habitat areas), to define such area. Applicable Coastal Program restrictions would then apply.

Official changes in Open Space Maps may occur when Local Coastal Plan amendments are considered.

# TECHNICAL CRITERIA FOR IDENTIFYING AND MAPPING WETLANDS AND OTHER WET ENVIRONMENTALLY SENSITIVE HABITAT AREAS

The purpose of this discussion is to provide guidance in the practical application of the definition of "wetland" contained in the Coastal Act. The Coastal Act definition of "wetland" is set forth in Section 30121 of the Act which states:

> Sec. 30121
>
> "Wetland means lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

This is the definition upon which the Commission relies to identify "wetlands". The definition refers to lands "...which may be periodically or permanently covered with shallow water..." However, due to highly variable environmental conditions along the length of the California Coast, wetlands may include a variety of different types of habitat areas. For this reason, some wetlands may not be readily identifiable by simple means. In such cases, the Commission will also rely on the presence of hydrophytes and/or the presence of hydric soils. The rationale for this in general is that wetlands are lands where saturation with water is the dominant factor determining the nature of soil development and the types of plant and animal communities living in the soil and on its surface. For this reason, the single features that most wetlands share is soil or substrata that is at least periodically saturated with or covered by water, and this is the feature used to describe wetlands in the coastal Act. The water creates severe physiological problems for all plants and animals except those that are adapted for life in water or in saturated soil, and therefore only plants adapted to these wet conditions (hydrophytes) could thrive in these wet (hydric) soils. Thus, the presence or absence of hydrophytes and hydric soils make excellent physical parameters upon which to judge the existence of wetland habitat areas for the purposes of the Coastal Act, but they are not the sole criteria. In some cases, proper identification of wetlands will require the skills of a qualified professional.

The United States Fish and Wildlife Service has officially adopted a wetland classification system[1] which defines and classifies wetland habitats in these terms. Contained in the classification system are specific biological criteria for identifying wetlands and establishing their upland limits. Since the wetland definition used in the classification system is based upon a feature identical to that contained in the Coastal Act definitions, i.e., soil or substrata that is at least periodically saturated or covered by water, the Commission will use the classification system as a guide in wetland identification. Applying the same set of biological criteria consistently should help avoid confusion and assure certainty in the regulatory process. This appendix discusses the adaption of this classification system to the Coastal Act definition of "wetland" and other terms used in the Act, and will form the basis of the Commission's review of proposals to dike, fill or dredge wetlands, estuaries or other wet habitat areas.

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[1] "Classification of Wetlands and Deep-Water Habitats of the United States." By Lewis M. Cowardin, et al, United States Department of the interior, Fish and Wildlife Service, December 1979.

## I. U.S. Fish and Wildlife Classification System: Upland, Wetland/Deep-water Habitat Distinction.

The United States Fish and Wildlife Service classification is hierarchical, progressing from systems and subsystems, at the most general levels, to classes, subclasses, and dominance types. The term "system" refers here to a complex of wetland and deep-water habitats that share the influence of one or more dominant hydrologic, geomorphic, chemical, or biological factors.

The Service provides general definitions of wetland and deep-water habitat and designates the boundary between wetland and deep-water habitat and the upland limit of a wetland. The following are the Services' definitions of wetland and deep-water habitats:

### A. Wetlands

"Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification, wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports predominantly hydrophytes; (2) the substrata is predominantly undrained hydric soil; and (3) the substrata is non-soil and is saturated with water or covered by shallow water at some time during the growing season of each year.

Wetlands as defined here include lands that are identified under other categories in some land use classifications. For example, wetlands and farm lands are not necessarily exclusive. Many areas that we define as wetlands are farmed during dry periods, but if they are not tilled or planted to crops, a practice that destroys the natural vegetation, the will support hydrophytes.[2]

Drained hydric soils that are now incapable of supporting hydrophytes because of a change in water regime are not considered wetlands by our definition. These drained hydric soils furnish a valuable record of historic wetlands, as well as an indication of areas that may be suitable for restoration.

The upland limit or wetland is designated as (1) the boundary between land with predominantly hydrophytic cover; (2) the boundary between soil that is predominantly hydric and soil that is predominantly non-hydric; or (3) in the case of wetlands without vegetation or soil, the boundary between land that is flooded or saturated at some time each year and land that is not.

Wetlands should be identified and mapped only after a site survey by a qualified botanist, ecologist, or a soil scientist (See section III. 3. or the guideline for a list of required information). [3]

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[2] For the purpose of identifying wetlands using the technical criteria contained in this guideline, one limited exception will be made. That is, drainage ditches as defined herein will not be considered wetlands under the Coastal Act. A drainage ditch shall be defined as a narrow (usually less than 5-feet wide), man-made, non-tidal ditch excavated from dry land.

[3] Further details regarding the standards and criteria for mapping wetlands using the Service's classification system may be found in the following, "Mapping Conventions of the National Wetland Inventory", (undated), published by the U.S.F.W.S. The document may be obtained from the U.S.F.W.S., Regional Coordinator, Region 1, Portland, Oregon.

B. Deepwater Habitats

"Deepwater habitats are permanently flood lands lying below the deepwater boundary of wetlands. Deepwater habitats include environments where surface water is permanent and often deep, so that water, rather than air, is the principal medium within which the dominant organisms live, whether or not they are attached to the substrata. As in wetlands, the dominant plants are hydrophytes; however, the substrata are considered non-soil because the water is too deep to support emergent vegetation (U.S. Conservation Service, Soil Survey Staff, 1975).

"The boundary between wetland and deep-water habitat in the Marine and Estuarine Systems (i.e., areas subject to tidal influence) coincides with the elevation of the extreme low-water of spring tide (ELWS); permanently flooded areas are considered deep-water habitats in these systems. The boundary between wetland and deep-water habitat in the Rivarine, Lacustrine and Palustrine System lies at a depth of 2_____ (6.6 ft.) below low water; however, if emergents, shrubs or trees grow beyond this depth at any time, their deep-water edge is the boundary."

## II. Wetland/Estuary/Open Coastal Water Distinction

For the purposes of mapping "wetlands" under the Coastal Act's definition of wetlands, and of mapping the other wet environmentally sensitive habitat areas referred to in the Act, including "estuaries", "streams", "riparian habitats", "lakes", and "open coastal water", certain adaptions of this classification system will be made. The following is a discussion of these adaptions.

"Wetland as defined in Section 30121 of the Coastal Act, refers to land covered by "shallow water", and the examples given in this section include fresh, salt and brackish water marshes, mudflats and fens. A distinction between "wetland" and the other habitat areas in the Act, for example, "estuary", must be made because the Act's policies apply differently to these areas, and because the Act does not define some of these terms (such as "estuary"). A reasonable distinction can be made between "wetland" and "estuary" on the basis of an interpretation of the phrase "shallow water". Using the Service's classification system, "shallow water" would be water that is above the boundary of deep-water habitat, which would be the line of extreme low-water of spring tide[4] for areas subject to tidal influence and 2 meters for non-tidal areas. Therefore, wetland begins at extreme low-water of spring tide and "estuary" or "open coastal water" is anything deeper. The Coastal Act definition of "wetlands" would include the wetland areas of Estuaries, Palustrine, and Lacustrine ecological systems defined by the Fish and Wildlife classification system.

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[4] While the Service's classification system uses "extreme low-water of spring tide" as the datum to distinguish between "shallow-water" and "deep-water habitat", such datum is not readily available for the California coast. Therefore, the lowest historic tide recorded on the nearest available tidal bench mark established by the U.S. National Ocean Survey should be used as the datum.

Data for such bench marks are published separately for each station in loose-leaf form by the National Ocean Survey, Tideland Water Levels, Datum and Information Branch, (C23), Riverdale, MD 20840. These compilations include the description of all bench marks at each tide station (for ready identification on the ground), and their elevations above the basic hydrographic or chart datum for the area, which is mean lower low-water on the Pacific coast. The date and length of the tidal series on which the bench mark elevations are based are also given.

For the purposes of the Coastal Act, an "estuary" is a coastal water body usually semi-enclosed by land, but which has open, partially obstructed, or intermittent exchange with the open ocean and in which ocean water is at least occasionally diluted by fresh water runoff from the land. The salinity may be periodically increased above that of the open ocean by evaporation.

"Open coastal water" or "coastal water" as used in the Act refers to the open ocean overlying the continental shelf and its associated coastline with extensive wave action. Salinities exceed 30 parts per thousand with little or no dilution except opposite mouths of estuaries.

## III. Wetland/Riparian Area Distinction

For the purpose of interpreting Coastal Act policies, another important distinction is between "wetland" and "riparian habitat". While the Service's classification system includes riparian areas as a kind of wetland, the intent of the Coastal Act was to distinguish these two areas. "Riparian habitat" in the Coastal Act refers to riparian vegetation and the animal species that require or utilize these plants. The geographic extent of a riparian habitat would be the extent of the riparian vegetation. As used in the Coastal Act, "riparian habitat" would include the "wetland" areas associated with Palustrine ecological systems as defined by the Fish and Wildlife Service classification system.

Unfortunately, a complete and universally acceptable definition of riparian vegetation has not yet been developed, so determining the geographic extent of such vegetation is rather difficult. The special case of determining consistent boundaries of riparian vegetation along watercourses throughout California is particularly difficult. In Southern California, these boundaries are usually obvious; the riparian vegetation grows immediately adjacent to watercourses and only extends a short distance away from the watercourse. In Northern California, however, the boundaries are much less distinct; vegetation that occurs alongside a stream may also be found on hillsides and far away from a watercourse.

For the purposes of this guideline, riparian vegetation is defined as that association of plant species which grows adjacent to freshwater watercourses, including perennial and intermittent streams, lakes, and other freshwater bodies. Riparian plant species and wetland plant species either require or tolerate a higher level of soil moisture than dryer upland vegetation, and are therefore considered hydrophytic. However, riparian vegetation may be distinguished from wetland vegetation by the different kinds of plant species. At the end of this appendix, lists are provided of some wetland hydrophytes and riparian hydrophytes. These lists are partial, but give a general indication of the representative plant species in these habitat areas and should be sufficient to generally distinguish between the two types of plant communities.

The upland limit of a riparian habitat, as with the upland limit of vegetated wetlands, is determined by the extent of vegetative cover. The upland limit of riparian habitat is where riparian hydrophytes are no longer predominant.

As with wetland, riparian habitats should be identified and mapped only after a site survey by a qualified botanist, freshwater ecologist, or soil scientist.[5] (See pp. 6-9 of the guideline for a list of information which may be required of the applicant.)

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[5] Identification of riparian habitat areas in Northern California presents peculiar difficulties. While in Southern California riparian vegetation generally occurs in a narrow band along streams and rivers, along the major rivers in Northern California it may be found in broad floodplains, abandoned river channels and the bottoms adjacent to the channels. In forested areas, the overstory of riparian vegetation may remain similar to the adjacent forest but the understory may contain a variety of plant species adapted to moist or wet substrates. For example, a salmonberry, bayberry, willow, twinberry, and lady fern, may all be more common in the understory of riparian habitat areas than in other types of forest habitats.

## IV. Vernal Pools

Senate Bill No. 1699 (Wilson) was approved by the Governor on September 13, 1980 and the Bill added Section 30607.5 to the Public Resources Code to read:

> 30607.5 Within the City of San Diego, the commission shall not impose or adopt any requirements in conflict with the provisions of the plan for the protection of vernal pools approved and adopted by the City of San Diego on June 17, 1980, following consultation with state and federal agencies; and approved and adopted by the United States Fish and Wildlife Service.

The Commission shall adhere to Section 30607.5 of the Public Resources Code in all permit and planning matters involving vernal pools within the City of San Diego.

All vernal pools located within the City of San Diego in the coastal zone are depicted on a map attached as Exhibit 1 to a letter from Commission staff to Mr. James Gleason, City of San Diego (4/29/30). While "vernal pool" is a poorly defined regional term, all information available to the Commission suggests that all vernal pools are distinct from vernal ponds and vernal lakes, which exist in other parts of the coastal zone (e.g., Oso Flaco Lakes in San Luis Obispo County). The Commission generally considers these habitat areas to be wetlands for the purposes of the Coastal Act, and therefore all applicable sections of the Coastal Act will be applied to these areas.

## V. Representative Plant Species in Wetlands and Riparian Habitat Areas

This is a list of "representative" species that can be expected to be found in the various habitat areas indicated. Not all of them will be found in all areas of the State, and there are numerous others that could be included. However, this test should suffice to generally distinguish between these types of plant communities.

### A. Salt Marsh

Pickleweed (Salicornia virginica)
Glasswort (S. subterminales)
Saltgrass (Distichlis spicata)
Cordgrass (Spartina foliosa)
Jaumea (Jaumea carnosa)
Saltwort (Batis maritima)
Alkali heath (Frankenia grandifolia)
Salt cedar (Monanthocalce littoralis)
Arrow grass (Triziocnin maritimum)
Sea-bliza (Suaeda californica var pubescens)
Marsh rosemary (limonium californicum var mexicanum)
Gum plant (Grindelia stricta)
Salt Marsh fleabane (Plucnea purpurescens)

### B. Freshwater Marsh

Cattails (Typha spp.)
Bulrushes (Scirpus spp.)
Sedges (Carex spp.)
Rushes (Juncus spp.)
Spikerush (Heleochais palustris)
Pondweeds (Potamogeton spp.)
Smartweeds (Polygonum spp.)
Water Lilies (Nupnar spp.)
Buttercup (Ranunculus aquatilis)
Water-cress (Nasturium officinale)
Bur-reed (Sparganium eurycarpum)
Water parsley (Venanthe sarmentosa)
Naiads (Na)

C. Brackish Marsh

Alkali bulrush (Scirpus robustus)
Rush (Juncus balnicus)
Brass buttons (Cotula coronopifolia)
Fat-hen (Atriplex patula var hastata)
Olney's bulrush (Scirpus olneyi)
Common tula (Scirpus acutus)
Common reed (Phragmites communis)

D. Riparian

Willows (Salix spp.)
Cottonwoods (Populus spp.)
Red alder (Alnus rubra)
Box alder (Acer negundo)
Sycamore (Platanus racemosa)
Blackberry (Rubus vitifolia)
So. Black Walnut (Juglans californica) (So. Calif.)
California Bay (Umbelularia californicum) (So. Calif.)
Bracken fern (Pteris aquilinum) (Cen. Calif.)
Current (Ribes spp.)
Twinberry (Lonicera involucrata) (No. Calif.)
Lady fern (Athyrium filix-femina)
Salmonberry (No. Calif)
Bayberry (No. Calif.)

E. Vernal Pools

Downingia (Downingia sp.)
Meadow-foxtail (Alopecurus howellii)
Hair Grass (Deschampsia danthonioides)
Quilwort (Isoetes sp.)
Meadow-foam (Limnanthes sp.)
Pogogyne (Pogogyne sp.)
Flowering Quilwort (Lilaea scilloides)
Cryptantha (Cryptantha sp.)
Loosestrife (Lythrum hyssopifolium)
Skunkweed (Navarretia sp.)
Burton-celery (Eryngium sp.)
Crouse-grass (Orcuttia sp.)
Water-starwort (Callitriche sp.)
Waterwort (Elatine sp.)
Woolly-heads (Psilocarpus sp.)
Brodiaea (Brodiaea sp.)
Tilaea (Crassula aquatica)

Criteria for Establishing Buffer Areas

A buffer area provides essential open space between the development and the environmentally sensitive habitat area. The existence of this open space ensures that the type and scale of development proposed will not significantly degrade the habitat area (as required by Section 30240). Therefore, development allowed in a buffer area is limited to access paths, fences necessary to protect the habitat area, and similar uses which have either beneficial effects or at least no significant adverse effects on the environmentally sensitive habitat area. A buffer area is not itself a part of the environmentally sensitive habitat area, but a "buffer" or "screen" that protects the habitat area from adverse environmental impacts caused by the development.

A buffer area should be established for each development adjacent to environmentally sensitive habitat areas based on the standards enumerated below. The width of a buffer area will vary depending upon the analysis. The buffer area should be a minimum of 100 feet for small projects on existing lots (such as one single family home or one commercial office building) unless the applicant can demonstrate that 100 feet is unnecessary to protect the resources of the habitat area. If the project involves substantial improvements or increased human impacts, such as a subdivision, a much wider buffer area should be required. For this reason, the guideline does not recommend a uniform width. The appropriate width will vary with the analysis based upon the standards.

For a wetland, the buffer area should be measured from the landward edge of the wetland (Appendix D). For a stream or river, the buffer area should be measured landward from the landward edge of riparian vegetation or from the top edge of the bank (e.g., in channelized streams). Maps and supplemental information may be required to determine these boundaries. Standards for determining the appropriate width of the buffer area as follows:

1. Biological significance of adjacent lands. Lands adjacent to a wetland, stream, or riparian habitat area vary in the degree to which they are functionally related to these habitat areas. That is, functional relationships may exist if species associated with such areas spend a significant portion of their life cycle on adjacent lands. The degree of significance would depend upon the habitat requirements of the species in the habitat area (e.g., nesting, feeding, breeding or resting). This determination requires the expertise of an ecologist, wildlife biologist, ornithologist, or botanist who is familiar with the particular type of habitat involved. Where a significant functional relationship exists, the land supporting this relationship should also be considered to be part of the environmentally sensitive habitat area, and the buffer area should be measured from the edge of these lands and be sufficiently wide to protect these functional relationships. Where no significant functional relationships exist, the buffer should be extended from the edge of the wetland, stream or riparian habitat (for example) which is adjacent to the proposed development (as opposed to the adjacent area which is significantly related ecologically).

2. Sensitivity of species to disturbance. The width of the buffer area should be based, in part, on the distance necessary to ensure that the most sensitive species of plants and animals will not be disturbed significantly by the permitted development. Such a determination should be based on the following:

   a. Nesting, feeding, breeding, resting or other habitat requirements of both resident and migratory fish and wildlife species.

   b. An assessment of the short-term and long-term adaptability of various species to human disturbance.

3. Susceptibility of parcel to erosion. The width of the buffer area should be based, in part, on an assessment of the slope, soils, impervious surface coverage, runoff characteristics, and vegetative cover of the parcel and to what degree the development will change the potential for erosion. A sufficient buffer to allow for the interception of any additional material eroded as a result of the proposed development should be provided.

4. Use of natural topographic features to located development. Hills and bluffs adjacent to environmentally sensitive habitat areas should be used, where feasible, to buffer habitat areas. Where otherwise permitted, development should be located on the sides of hills away from environmentally sensitive habitat areas. Similarly, bluff faces should not be developed, but should be included in the buffer area.

5. Use of existing cultural features to locate buffer zones. Cultural features, (e.g., roads and dikes) should be used, where feasible, to buffer habitat areas. Where feasible, development should be located on the side of roads, dikes, irrigation canals, flood control channels, etc., away from the environmentally sensitive habitat area.

6. Lot configuration and location of existing development. Where an existing subdivision or other development is largely built out and the buildings are a uniform distance from a habitat area, at least that same distance will be required as a buffer area for any new development permitted. However, if that distance is less than 100 feet, additional mitigation measures (e.g., planting of native vegetation which grows locally) should be provided to ensure additional protection. Where development is proposed in an area which is largely undeveloped, the widest and most protective buffer area feasible should be required.

7. Type and scale of development proposed. The type and scale of the proposed development will, to a large degree, determine the size of the buffer area necessary to protect the environmentally sensitive habitat area. For example, due to domestic pets, human use and vandalism, residential developments may not be as compatible as light industrial developments adjacent to wetlands, and may therefore require wider buffer areas. However, such evaluations should be made on a case-by-case basis depending upon the resources involved, and the type and density of development on adjacent lands.

**ATTACHMENT "N"**

Resolution Number _____

County of Sonoma
Santa Rosa, California

RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, ESTABLISHING WAIVER PROHIBITION OF ON-SITE SEWAGE SYSTEM REGULATIONS IN CERTAIN COASTAL DEVELOPMENT AREAS.

WHEREAS, the community of Jenner, and the subdivisions of Sereno del Mar, Carmet, Rancho del Paradiso and Salmon Creek were identified as areas having severe sewage disposal constraints and failing septic systems during preparation of the Coastal Plan; and

WHEREAS, on-site sewage system failures in these areas have a high likelihood of causing health hazards or water quality impairment; and

WHEREAS, the Coastal Act of 1976 requires that new development occur only where it will not have significant adverse effects on coastal resources; and

WHEREAS, prohibiting waiver of adopted on-site sewage system installation regulations will significantly decrease changes of failure of new septic systems; and

WHEREAS, the Coastal Plan specifically recommends prohibition of any waiver of Regional Water Quality standards for on-site wastewater disposal in Jenner, Sereno del Mar, Carmet, Rancho del Paradiso, and Salmon Creek; and

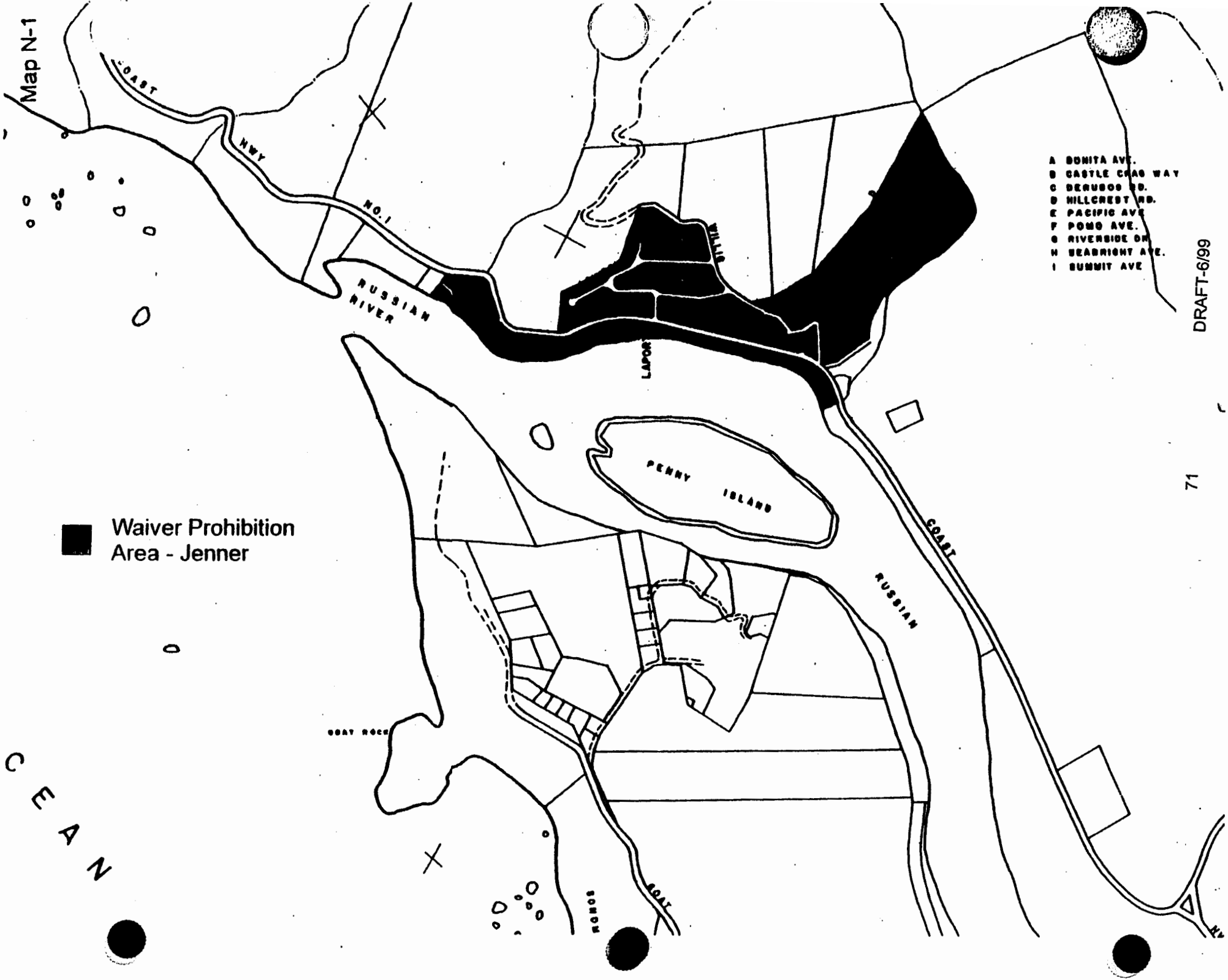
NOW THEREFORE BE IT RESOLVED that the Board of Supervisors does direct the County Public Health Service to extend a waiver of prohibition order to cover the community of Jenner and the subdivisions of Carmet, Rancho del Paradiso, Salmon Creek and Sereno del Mar.

SUPERVISORS VOTE:

Adams: Rudee: Esposti: Carpenter: Putnam:

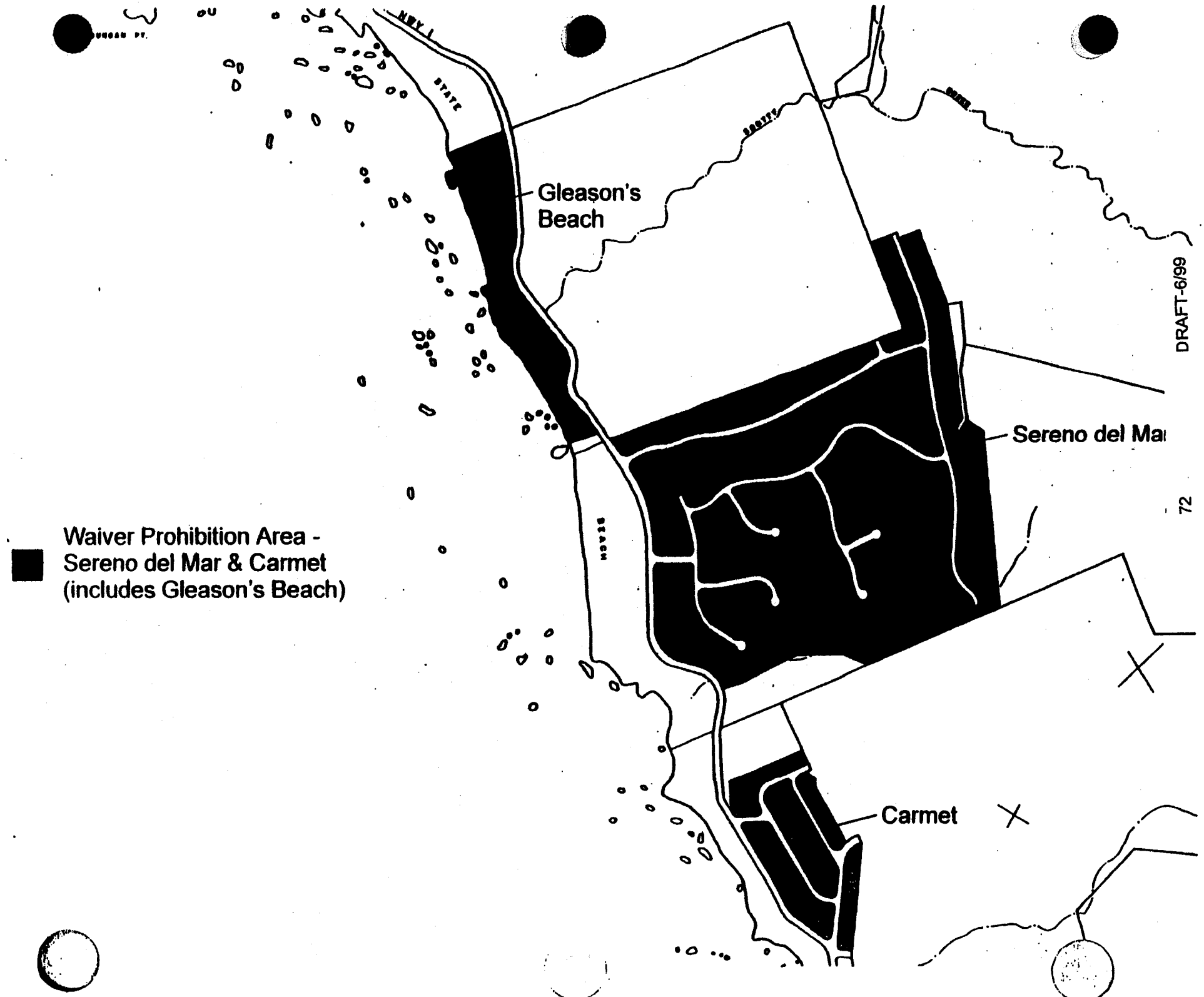
Ayes: Noes: Absent: Abstain:

SO ORDERED.


Map N-1
COAST
HWY
NO. 1
RUSSIAN
RIVER
WILLIS
LAPORT
PENNY
ISLAND
COAST
RUSSIAN
ROAD
COAST
A BONITA AVE.
B CASTLE CRAG WAY
C DERUBOS RD.
D HILLCREST RD.
E PACIFIC AVE
F POMO AVE.
G RIVERSIDE DR
H SEABRIGHT AVE.
I SUMMIT AVE
Waiver Prohibition
Area - Jenner
C E A N

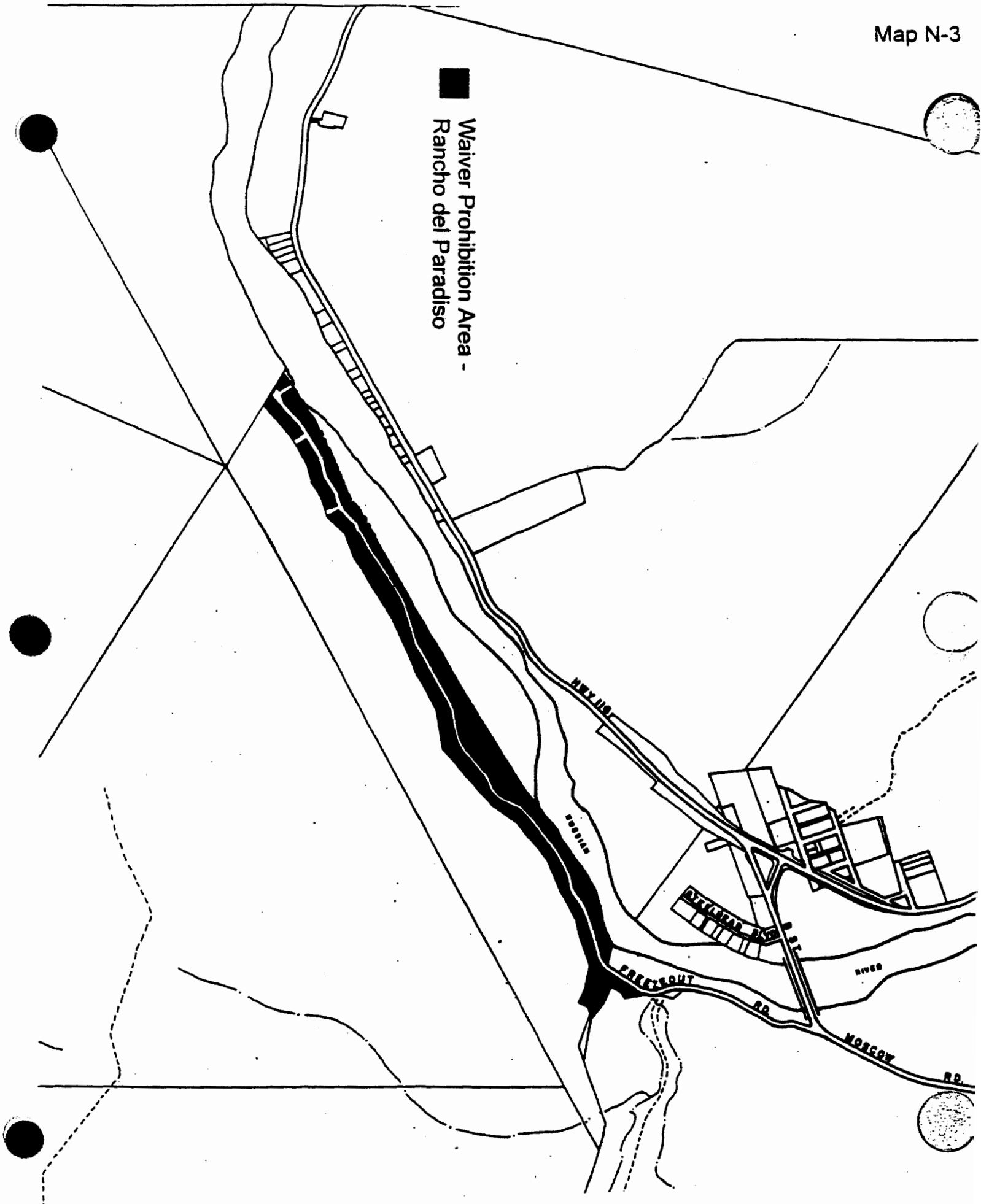
DRAFT-6/99

Map N-2

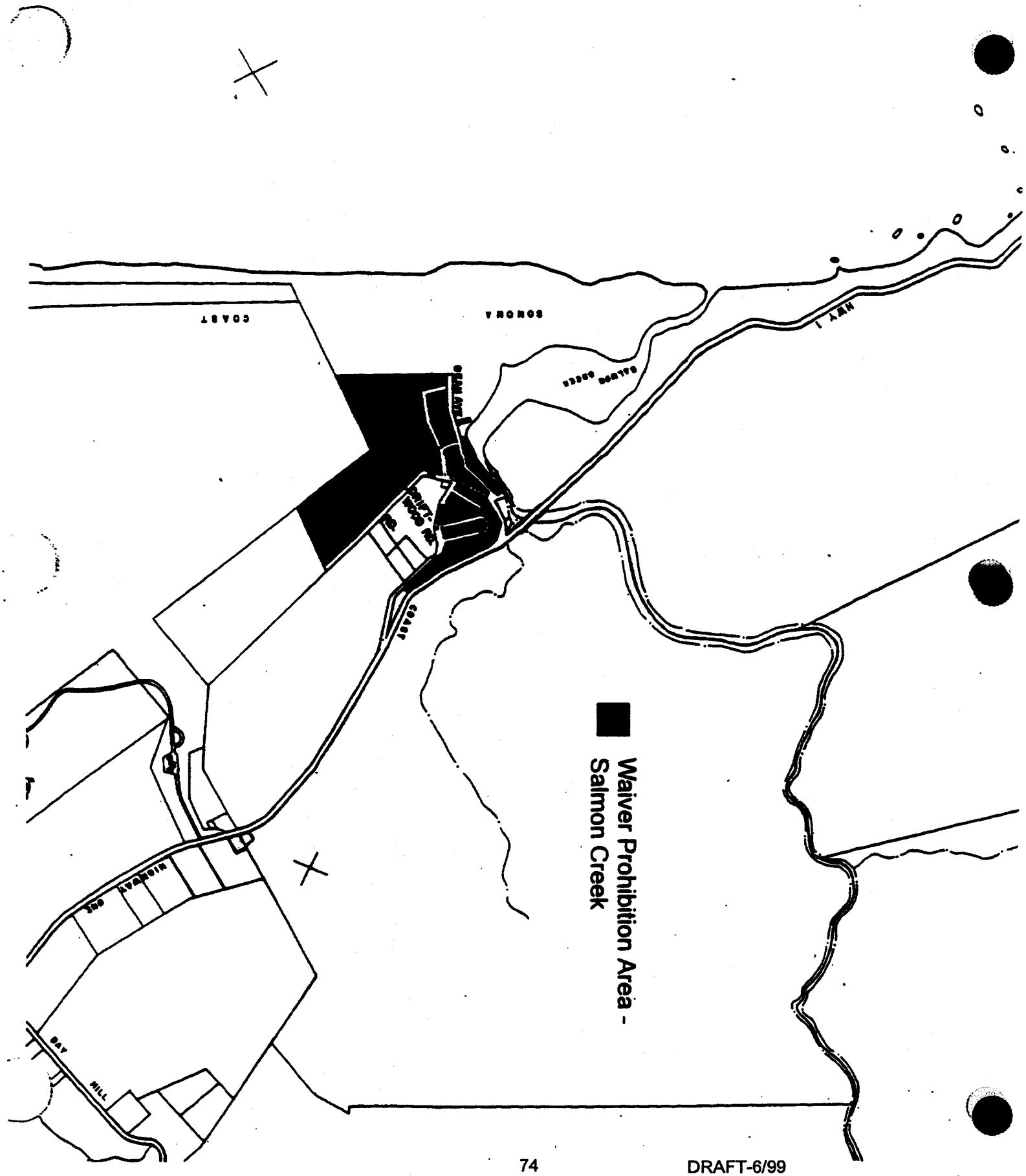



DRAFT-6/99

Map N-3


Waiver Prohibition Area -
Rancho del Paradiso
HWY 116
FREEZEOUT
RD.
MOSCOW
RD.
RIVER

Map N-4


Waiver Prohibition Area -
Salmon Creek
COAST
SONOMA
HWY 1
COAST
BAY
HILL

LAFCO Policies for the Coastal Zone

1. Limit operation and formation of urban service district boundaries to within "urban service" boundaries designated in the Coastal Plan, except to serve public parkland.

2. Utilize Coastal Plan recommendations in evaluating LAFCO proposals in the Coastal Zone by referring all such proposals to the Sonoma County ~~Planning~~ Permit and Resource Management Department for review.

3. Consider adoption of Coastal Plan "urban service" boundaries as "Spheres of influence" for coastal communities.

COASTAL COMMISSION CONDITION:

Include standards for review and approval of Conditional Compatible uses for resource zones.

Standards will be the same as the standards for review of conditional uses in all zones (see Planning Review procedures (Sec. 1 of Manual), zoning ordinance standards and land use plan recommendations). However, in resource zones, protection of the resource is primary. The use must promote resource use or at least not interfere with resource production.

**LIST OF ACCESS TRAILS WHICH MAY BE PRESCRIPTIVE:**

1. Black Point Beach
2. Stewarts Point Cove
3. Northern Red Box Accessways
4. Southern Red Box Accessways
5. Northern Horseshoe Cove
6. Ocean Cove
7. Bluff Trail Ocean Cove to Stillwater Cove
8. Stillwater Cove Southern Corridor
9. Timber Cove Ninive Drive Vertical Access
10. Timber Cove Inn Access
11. Windermere Point
12. Kolmer Gulch
13. Russian Gulch Northern Access
14. Russian River Access Bridge to Sawmill Gulch
15. Duncans Mills Campground
16. Casini's Campground
17. Rancho del Paradiso Subdivision
18. Bridgehaven Boat Launching
19. Gleasons Beach Subdivision
20. Central Bodega Bay Harbor Access

(Correspond to Access Trail Names in Coastal Plan - May 1980)

Resolution Number _____

County of Sonoma
Santa Rosa, California
File: Local Coastal Plan

RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, DIRECTING THE ENVIRONMENTAL HEALTH DEPARTMENT TO PROPOSE A GROUNDWATER LEVEL MONITORING SYSTEM AND WASTEWATER MANAGEMENT ZONES IN ACCORD WITH THE LOCAL COASTAL PLAN.

WHEREAS, the Sonoma County Coastal Plan identifies certain communities which have severe water supply problems and recommends specific actions to correct these problems; and

WHEREAS, the State Coastal Commission has also recognized communities which have severe water supply problems and has certified the recommended actions to correct these problems; and

WHEREAS, the permit authority of the State Coastal Commission can be delegated to the County only when the County has adopted measures to implement Coastal Plan recommendations; now

THEREFORE BE IT RESOLVED that the Board of Supervisors directs the County Environmental Health Department to propose a program to monitor groundwater levels and to consider establishment of wastewater management zones in accord with the Sonoma County Coastal Plan; and

BE IT FURTHER RESOLVED that prior to the approval of a coastal permit for construction of any additional house at Sereno del Mar, the Sonoma County Environmental Health Department shall review the Sereno del Mar Water Company water system and determine that water of adequate quantity and quality is available to serve additional development; and

BE IT FURTHER RESOLVED that prior to the approval of a coastal permit for construction of any additional house at Timber Cove, the Sonoma County Environmental Health Department shall review the Timber Cove water system and determine that the water supply, storage, and distribution facilities are adequate for future development.

SUPERVISORS VOTE:

Adams: Rudee: Esposti: Carpenter: Putnam:

Ayes: Noes: Absent: Abstain:

SO ORDERED.

## COASTAL ACT EXEMPTIONS

The Public Resources Code exempts certain activities from Coastal Permit requirements as follows:

1. Replacement of any legal, conforming structure, destroyed by fire or acts of God, provided , however, that the County may establish reasonable conditions to mitigate adverse impacts on coastal resources.

2. Maintenance dredging of existing navigation channels or moving dredged material from such channels for disposal outside the Coastal Zone pursuant to a U.S. Army Corps of Engineers permit.

3. The harvesting of trees for timber, and other timber management activities including road construction subject to an approved California Department of Forestry Timber Harvesting Plan.

4. Lot line adjustments not resulting in an increase in the number of lots or in allowable residential units.

5. Tentative subdivision maps in connection with the purchase of land by a public agency for recreational purposes.

6. Processing of Historic District Zoning on designated sites.

7. Single family residences on any vacant legal lot existing at The Sea Ranch on October 1, 1980. Residential development is required to meet Height, Site and Bulk Guidelines (see Attachment T).

8. Repair and maintenance activities which do not result in an addition to or enlargement or expansion of the object of such activities, except as otherwise specified in Subchapter 7, Title 14, California Administrative Code and any amendments thereafter adopted.

9. Activities of public utilities as specified in the Repair, Maintenance and Utility Hookup Exlusion adopted by the Coastal Commission on September 5, 1978.

10. Improvements to existing single-family residences provided that the structure is not located on a beach, wetland or seaward of the mean high tide line., or within 50 feet of the edge of a coastal bluff, and that the improvement does not exceed 10% of the floor area of the structure.

11. Improvements to any structure other than a single family residence or a public works facility, except as otherwise specified in Subchapter 7.5 Title 14 of the California Administrative Code and any amendments thereafter.

BANE BILL

(B) Height, Site and Bulk Criteria

Subsection 30610.6 (e) of the Coastal Act charges the Executive Director with the duty of specifying design criteria for the height, site and bulk of any developments visible from areas where scenic view easements have been established. The purpose of such criteria is to ensure that new development will not substantially detract from the scenic view areas identified in compliance with Subsection 30610.6 (d). Below area the criteria designated pursuant to this new portion of the Coastal Act. Enforcement of these standards shall be the responsibility of the County of Sonoma.

(1) Site

a. Structures should be located upon lots to take maximum advantage of topographical features and existing tree masses. This is particularly true of those lots nearest to Highway One, since a poorly sited structure in close proximity to a public viewing area may have a substantial adverse impact on views to the coast. When sites are designated as tree or topo sites, this means that special attention to the noted condition of the lot shall be incorporated into the design of the project. Similarly, frontage or low site designations indicate that a proposed dwelling must be placed on the identified portion of the lot (generally the point farthest away from Highway One), in order to minimize obstruction of coastal views.

b. Definitions

1. Low Site - Designates lots on which the home shall be sited on the lowest portion of the lot.

2. Frontage Site - Designates lots on which the house shall be sited on the portion of the lot nearest the frontage road.

3. Topo Site - Designates lots on which the home shall be sited in such a manner as to promote shielding of the home from public view by the terrain.

4. Tree Site - Designates lots on which the home shall be sited to promote shielding of the home from public view by hedgerows and other existing trees.

(2) Height

Height is measured as follows: From the natural grade on the highest side of the improvement to the highest point of the roof or any projection therefrom.

(3) Bulk

Bulk is determined by calculating the gross square footage of the proposed structure or structures (i.e., garages are included). Bulk control is basically intended to reduce visual impacts on the landscape; therefore different categories have been developed to reflect the degree of exposure of the site under consideration. Bulk limits in each category are as follows:

Category 1: 1250 square feet (highly visually sensitive lots)

Category 2: 1760 square feet (less visually sensitive lots adjacent to Highway One)

Category 3: 2250 square feet

Absent a specific designation of either category 1 or 2, category 3 shall apply to all lots west of Highway One.

(4) Specific Designations

Specific design criteria have been established using the definitions and policies discussed above for each lot which is both visible from a scenic view easement and subject to a design recommendation in the Commission's Overall Conditions and Findings. Subject to the exception detailed below, houses on sites for which specific design criteria have been established must conform to these designations. The County shall have the responsibility for enforcing these criteria, using whatever review process it deems most effective.

A variance to a height, site and/or bulk designation may be allowed where the County makes a written finding that the house design is consistent with Coastal Act view protection objectives. Such variances, however, shall be subject to the following restrictions:

Height and Bulk - variations in these categories shall not exceed 25% of the height or bulk limit designated for the site.

Siting - alternate siting is permissible where the designated portion of the lot is the only area feasible for installation of a septic system. However, even in this situation the siting of the house shall attempt as far as possible to conform with the site designation.

SPECIFIC HEIGHT, SITE AND BULK DESIGNATIONS:

| | | | |
|---|---|---|---|
| Unit 1 | Block 1 | Lots 1-4, 7-9 | tree site |
| | Block 5 | Lots 1-5 | 16' height, category II |
| | Block 6 | Lots 2-5, 7, 8 | 16' height |
| | Block 7 | Lots 4, 6, 13, 14 | tree site |
| Unit 7 | Block 1 | Lots 1, 3-5 | 16' height |
| | Block 2 | Lots 1, 2, 4-9 | frontage site, 16' height, category II |
| | Block 3 | Lots 7, 8 | 16' height |
| | | Lots 1-4, 6-8 | tree site |
| | Block 4 | Lots 1-4, 6-8 | 16' height |
| | Block 5 | Lots 1-4, 12-16 | 24' height |
| | | Lots 5-7 | 16' height |
| Unit 15 | | Lots 3-5 | 16' height |
| | | Lots 6, 7 | topo site, 16' height |
| | | Lots 9, 10 | 16' height |
| Unit 17 | | Lots 44-46, 48 | frontage site, 16' height, category II |
| | | Lots 53-55 | 16' height |
| | | Lot 56 | 16' height |
| Unit 18 | | Lots 14, 15, 18, 19 | tree sites |
| | | Lots 20-24 | low site, 16' height |
| | | Lots 25-28, 30, 32, 33, 35 | 16' height |
| | | Lot 36 | 24' height |
| | | Lots 39-42 | frontage site, 16' height, category II |
| | | Lot 43 | 16' height |
| | | Lots 44-45 | topo site, 16' height |
| | | Lots 46-48 | 16' height |
| | | Lots 97, 98, 99 | tree sites, 24' height |
| | | Lots 101 & 102 | frontage site, 16' height, category 2 |

| | | |
|---|---|---|
| Unit 21 | Lots 1-4 | frontage site, 16' height, category 2 |
| | Lots 6-9, 12, 14, 15 | 16' height |
| | Lots 16, 17, 19-23, 25-27 | 24' height |
| | Lots 29-32, 34 | 16' height |
| | Lots 36-40 | frontage site, 16' height, category 2 |
| | Lot 42 | tree site, 16' height, category 2 |
| | Lots 43-44 | frontage site, 16' height, category 2 |
| | Lots 45-46 | tree site, 24' height |
| | Lots 52-58 | tree sites, 24' height |
| | Lots 59, 61, 65 | 16' height |
| | Lot 68 | tree site |
| | Lots 70, 72-75, 77-83, 85, 87-92 | 16' height |
| | Lot 94 | 24' height |
| | Lots 95-98, 104-107, 109, 111-117, 119, 120, 123 125, 127, 128 | 16' height |
| | Lot 130 | tree site, 24' height |
| | Lots 132-141-143 | topo site, 24' height |
| | Lot 146 | 24' height |
| | Lot 147 | topo site, 16' height |
| | Lots 148-152 | 16' height |
| | Lot 154 | frontage site, 16' height |
| Unit 24 | Lot 1 | 16' height |
| | Lots 36, 38-42 | 24' height |
| | Lots 52-54-56, 62-67, 73-76 | 16' height |
| | Lots 78-79 | 24' height |
| | Lots 81-87-89 | 16' height, category 2 |
| | Lots 95-99, 101-103, 105-112, 114-118, 120, 121, 124-127, 129-131, 133-135 | 16' height |
| | Lots 136-148 | 24' height |
| | Lots 158 & 159 | 16' height, category 2 |
| Unit 28 | Lot 2 | frontage site, 16' height, category 2 |
| | Lots 4, 6, 7, 9-11 | topo site, 16' height, category 2 |
| | Lots 15-17 | 16' height |
| | Lot 19 | tree site, 24' height |
| | Lots 21-23, 25-28, 30-31, 33-44, 48-70, 72-78, 81-97, 99-114, 117-120 | 16' height |
| | Lot 124 | 24' height |
| | Lot 125 | tree site, 24' height |
| | Lot 126 | topo site |
| | Lots 128-130, 132, 135, 136, 138 | tree site, 24' height |
| | Lots 139, 140 | frontage site, 16' height, category 2 |
| | Lots 141-147 | frontage site, 16' height, category 1 |
| | Lots 148-150 | frontage site, 16' height |

## SCENIC VIEW EASEMENTS (Sea Ranch)

As a part of the legislative solution to the question of development of The Sea Ranch, the Coastal Act has been amended by the addition of Subsection 30610.6 (d) which instructs the executive director to "specifically identify the areas along State Highway One for which scenic view easements...will be required." Subsection 30610.6 (c) states that these easements are to be established for the purpose of allowing for the removal of trees in order to restore and preserve scenic views from the highway.

Using the Commission's current Overall Conditions and Findings for The Sea Ranch, plus the Sonoma County LCP, as starting points, the staff has identified those areas for which easements will be required. Below is a list of such areas as well as a recommendation for tree removal at each site. These recommendations are designed to be both an aid in directing the eventual removal of the trees as well as a means of ensuring that drainage areas within each easement will not be subject to increased erosion due to tree removal.

Easements and Tree Removal Guidelines

Unit 15

Easement - All the common area in this unit shall be subject to a scenic view easement.
Tree Removal Guideline - South of the Yardarm Drive entrance all trees within 50 feet of the entrance shall be removed, as shall all trees along the southernmost 200 feet of Yardarm Drive. Trees should be removed to open coastal views throughout the easement north of the entrance. (See Map A)

Unit 11

Easement - The easement shall be a 20-foot wide strip running the length of the area tentatively identified as Unit 11, adjacent to Highway One frontage. (See Map B)
Tree Removal Guideline - Trees should be thinned and removed where necessary to open coastal view.

Unit 1

Easement - The easement shall encompass all of the common area behind the Moonraker Recreation Area and Block 5. (See Map C)
Tree Removal Guideline - To open a downcoast view to Black Point trees behind the Moonraker Recreation Center shall be trimmed and thinned, gradually giving way to the creation of a clearing behind Captain's Close.

Moonraker Road

Easement - An easement shall extend 200' seaward along the first 400' of Highway One frontage, south of Moonraker Road. (See Map C)
Tree Removal Guideline - Trees in this area shall be removed.

Unit 7

Easement - Starting at the northern hedgerow, the easement extends across the common area between Highway One and the rear of Block 2 and the lot reserved for a recreation area. (See Map D)
Tree Removal Guideline - Remove only those Bishop Pines in the area behind Lots 4-9. Leave all the trees in the vicinity of Annapolis Road.

Unit 18

Easement 1 - The easement begins at the southernmost hedgerow and proceeds southward across the common area between Highway One, Mariners Drive and Lot 102. It then continues along the highway frontage, maintaining the width established between the southeastern corner of Lot 102 and the highway until it terminates at the boundary of this unit and Unit 17. (See Map E)

Tree Removal Guideline - All the young Bishop Pines along the fence shall be removed.

Easement 2 - The easement includes all the common area south of Whitesurf Road, between Lots 38-42 and Highway One. (See Map E)
Tree Removal Guideline - Remove most of the trees in this area.

Sea Ranch Stables

Easement - In the portion of the stables area north of the hedgerow (above Unit 21, Lots 130-140), an easement shall extend southward 200' from the northeast leg of the boundary with Unit 21. In addition, a 20' wide easement, adjacent to Highway One frontage, shall extend south to the hedgerow. (See Map F)
Tree Removal Guideline - Trees along the boundary with Unit 21 shall be topped and trimmed to maintain the northern view across the unit. Trees in the strip along the highway shall be removed where necessary to restore lateral coastal views.

Unit 21

Easement 1 - Includes all common land south of the northern hedgerow to Breaker Reach, bordered by Hedgegate Road on the west. (See Map F)
Tree removal Guideline - Remove all the trees in this area to restore the best downcoast view in The Sea Ranch.

Easement 2 - The easement extends from the Breaker Reach entrance to the Vantage Road entrance. This easement is bordered on the west by Greenvale Close and the lots fronting on that street, down to Lot 8. The easement ends at a straight line between the northwest corner of Lot 8 and the southwest corner of Lot 31. (See Map F)
Tree Removal Guideline - Widen the view down Breaker Reach by cutting the Bishop Pines just south of the entrance. Top and thin trees between Lots 31-34 and 7-8 to maintain a clear downcoast view over this area. It is noted, however, that extensive cutting in this area is not recommended because of the drainage course at this site. Trees behind Lots 4-6 should be thinned. The trees from behind Lot 3 to the Vantage Road entrance should be removed.

Easement 3 - This easement starts at the Vantage Road entrance and extends southward, between Sentinel Close and Highway One, to the boundary between this unit and The Sea Ranch Stables. (See Map f)
Tree Removal Guideline - The young pines in this area should be removed, but the wind stunted redwoods and brush in the southern drainage area should remain to prevent increased erosion.

Easement 4 - The easement begins at the northern hedgerow and extends northward behind Lots 42, 43, and 44, and terminates at the end of this unit. (See Map G)
Tree Removal Guideline - Removal all the young pines along the fence.

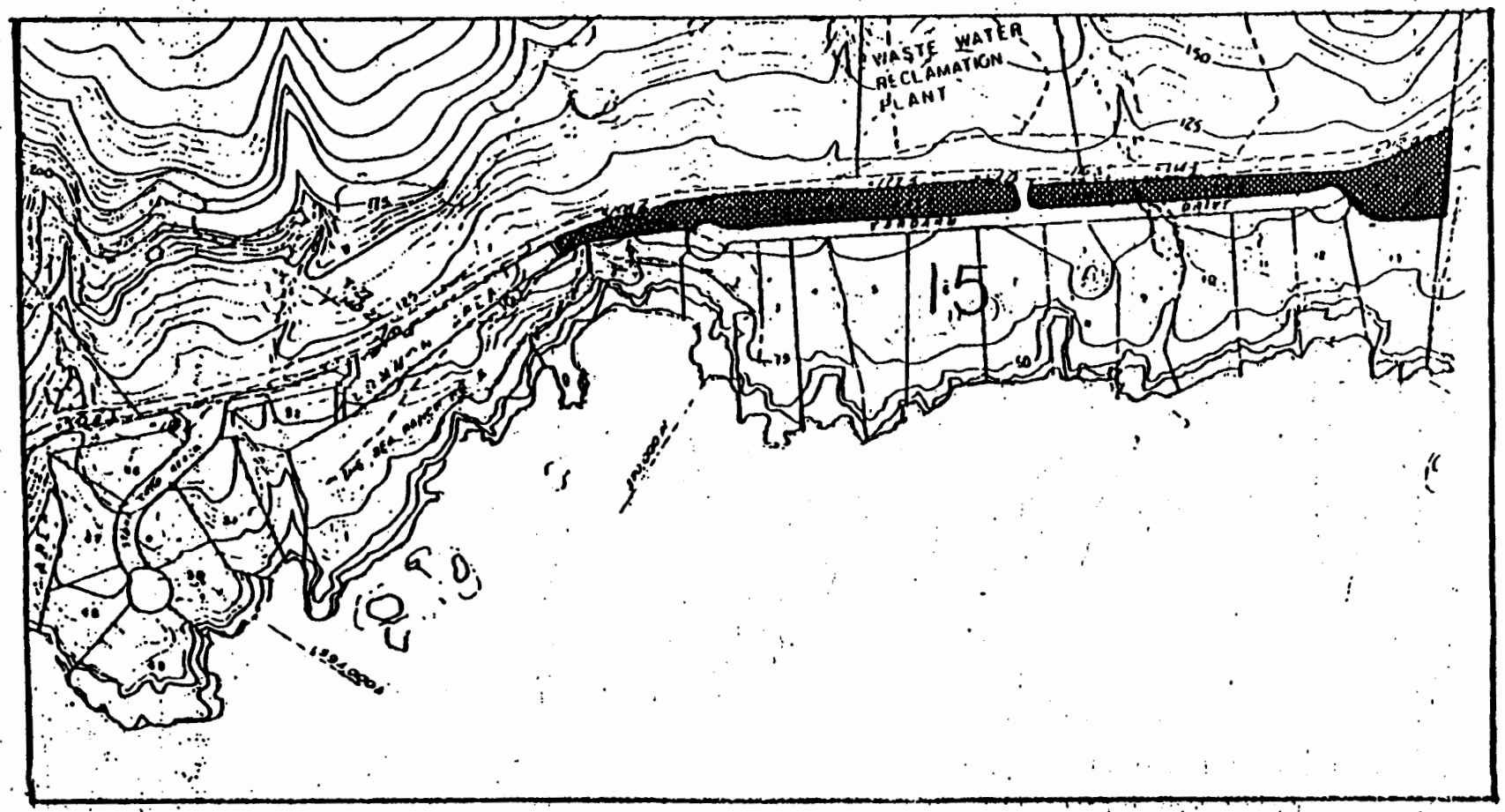
Unit 24

Easement - To widen the view down Whalebone Road an easement shall be established to include all the common area south of Whalebone, between Highway One and the rear of Lots 158 and 159. (Note: Pursuant to Coastal Act Subsection 30610.6 (c)(2) this area is also the site of a six vehicle parking area. This scenic easement is intended to cover that portion of the designated area that is not used for parking.) (See Map G)
Tree Removal Guideline - Removal all the trees in this area.

Unit 28

Easement 1 - An easement shall be established to include all common area south of the northern hedgerow to Leeward Spur, between Highway One and Leeward Road. (See Map H)
Tree Removal Guideline - Thin and remove trees in the easement area to restore a view across the entire unit. No trees should be removed between Lots 6 and 7 to avoid exacerbating erosion in the small drainage area.

Easement 2 - This easement extends across all the common area bordered by Leeward Spur, Leeward Road and the southern hedgerow. (See Map H)
Tree Removal Guideline - Thin trees to restore view of the coast.

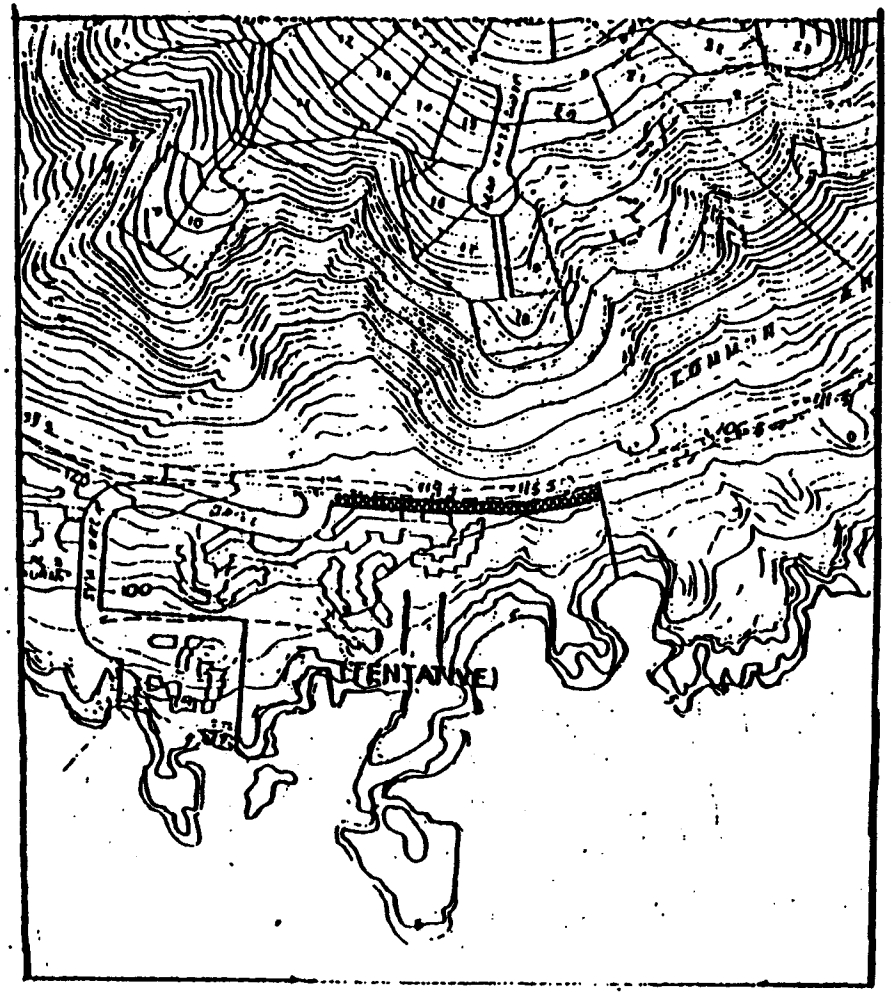



Map A. Unit 15

Designated Easement Area

Scale 1" = 400'

Portion of the Sea Ranch Composite Map
Prepared by Brelje and Race
August 1970 Revised August 1972

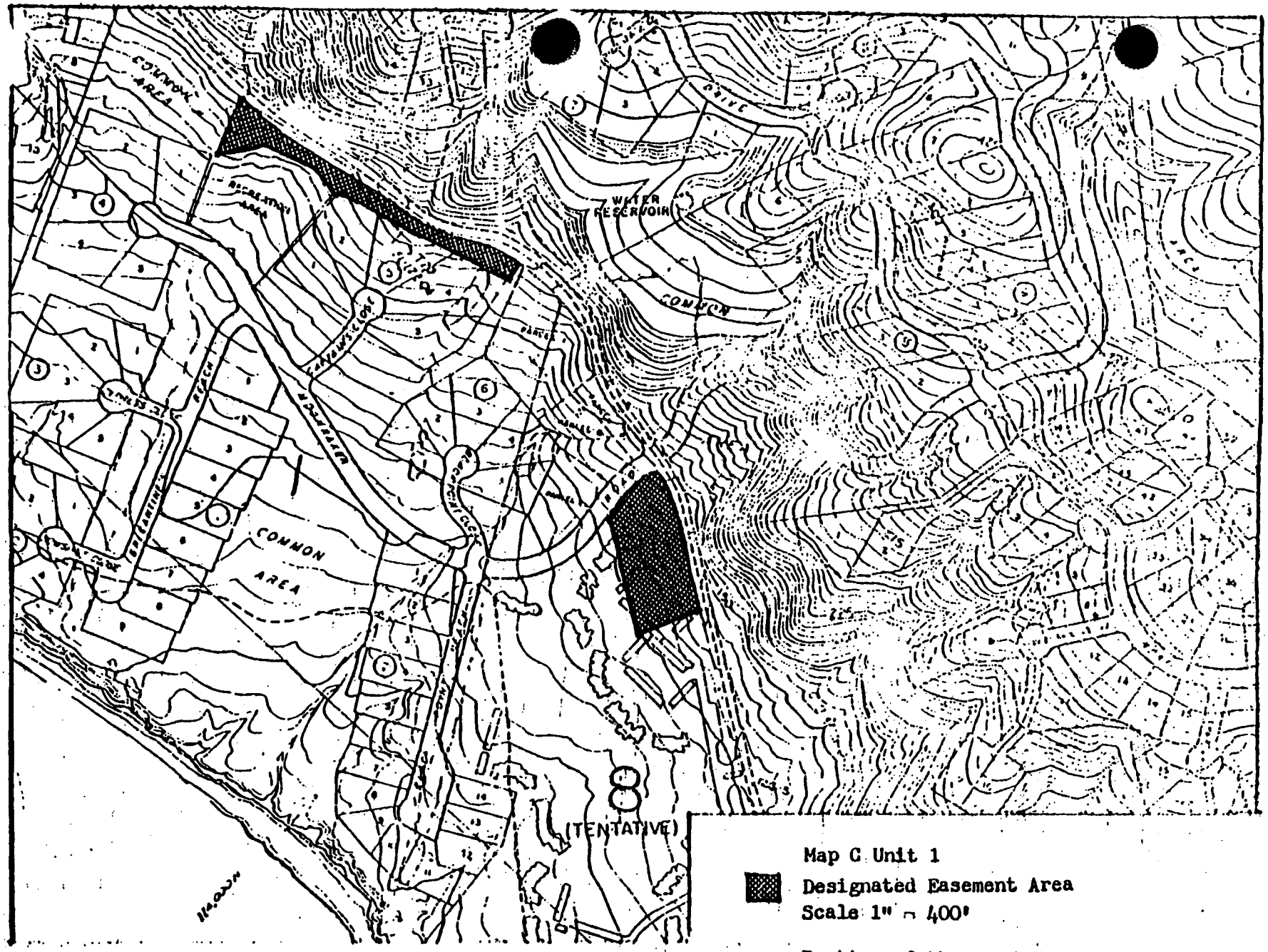



Map B Unit 11

Designated Easement Area

Scale 1" = 400'

Portion of the Sea Ranch Composite Map
Prepared by Brelje and Race
August 1970 Revised August 1972



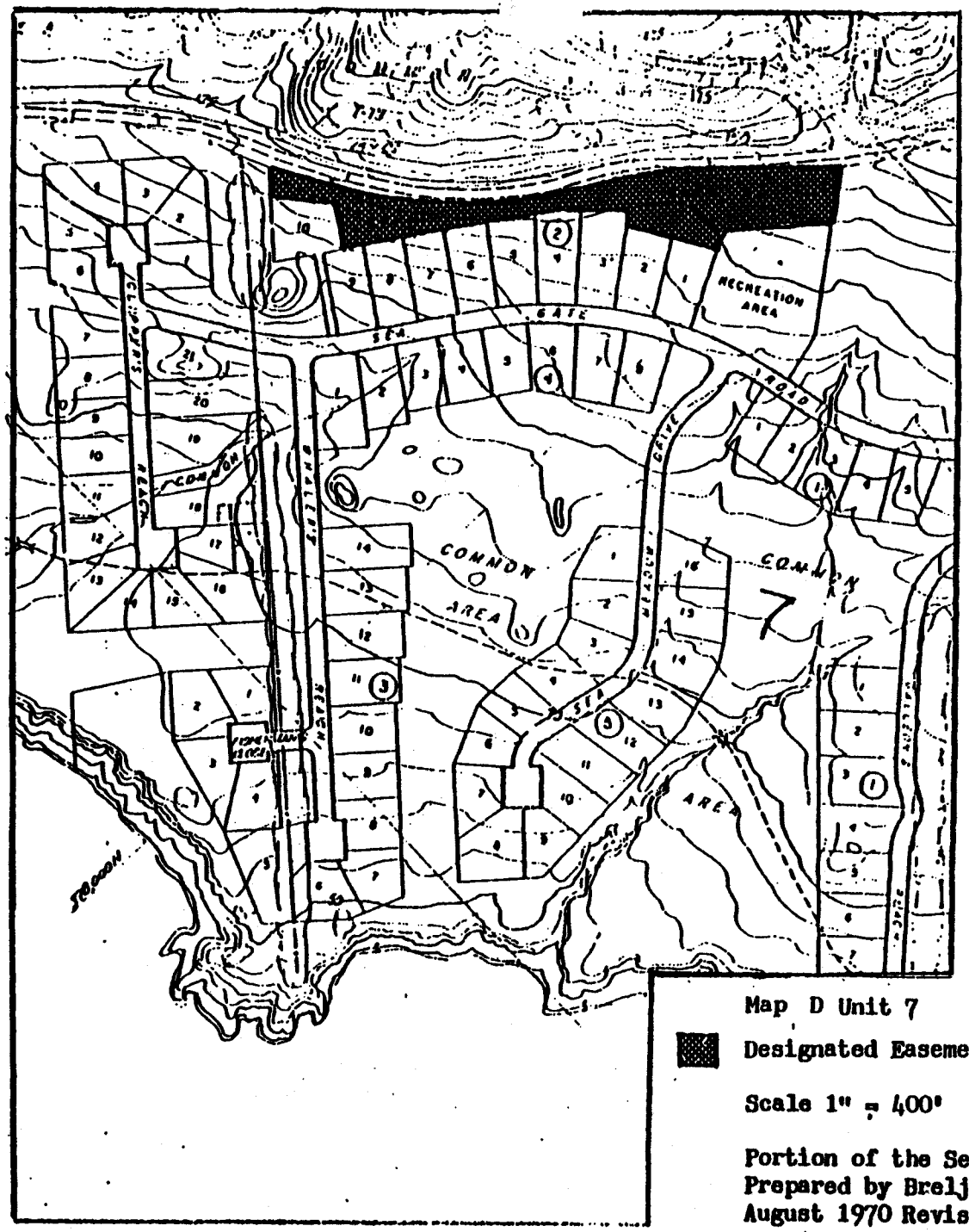

Map C Unit 1

Designated Easement Area

Scale 1" = 400'

Portion of the Sea Ranch Composite Map
Prepared by Brelje and Race
August 1970 Revised August 1972

L8

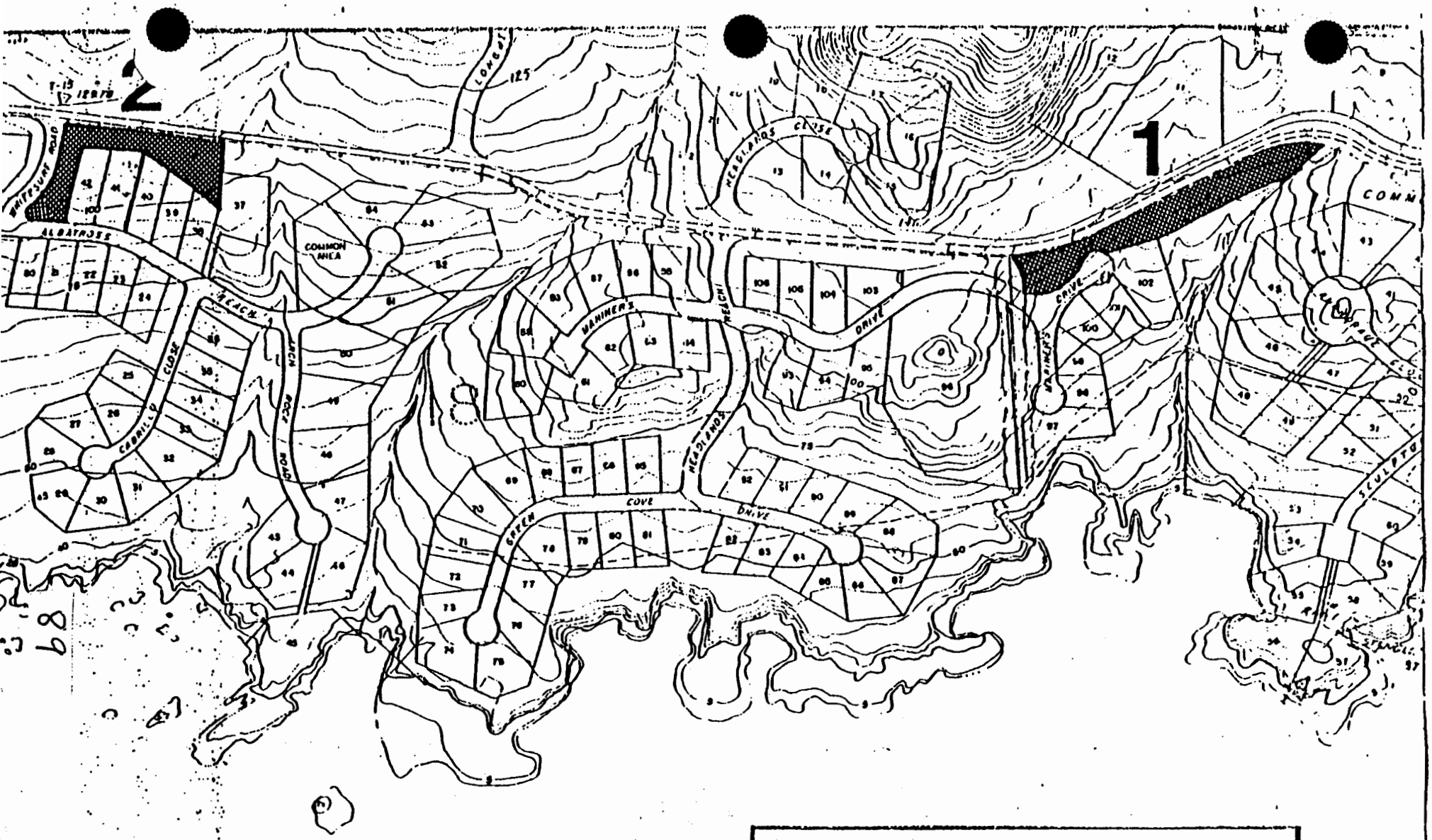



Map D Unit 7

Designated Easement Area

Scale 1" = 400'

Portion of the Sea Ranch Composite Map
Prepared by Brelje and Race
August 1970 Revised August 1972

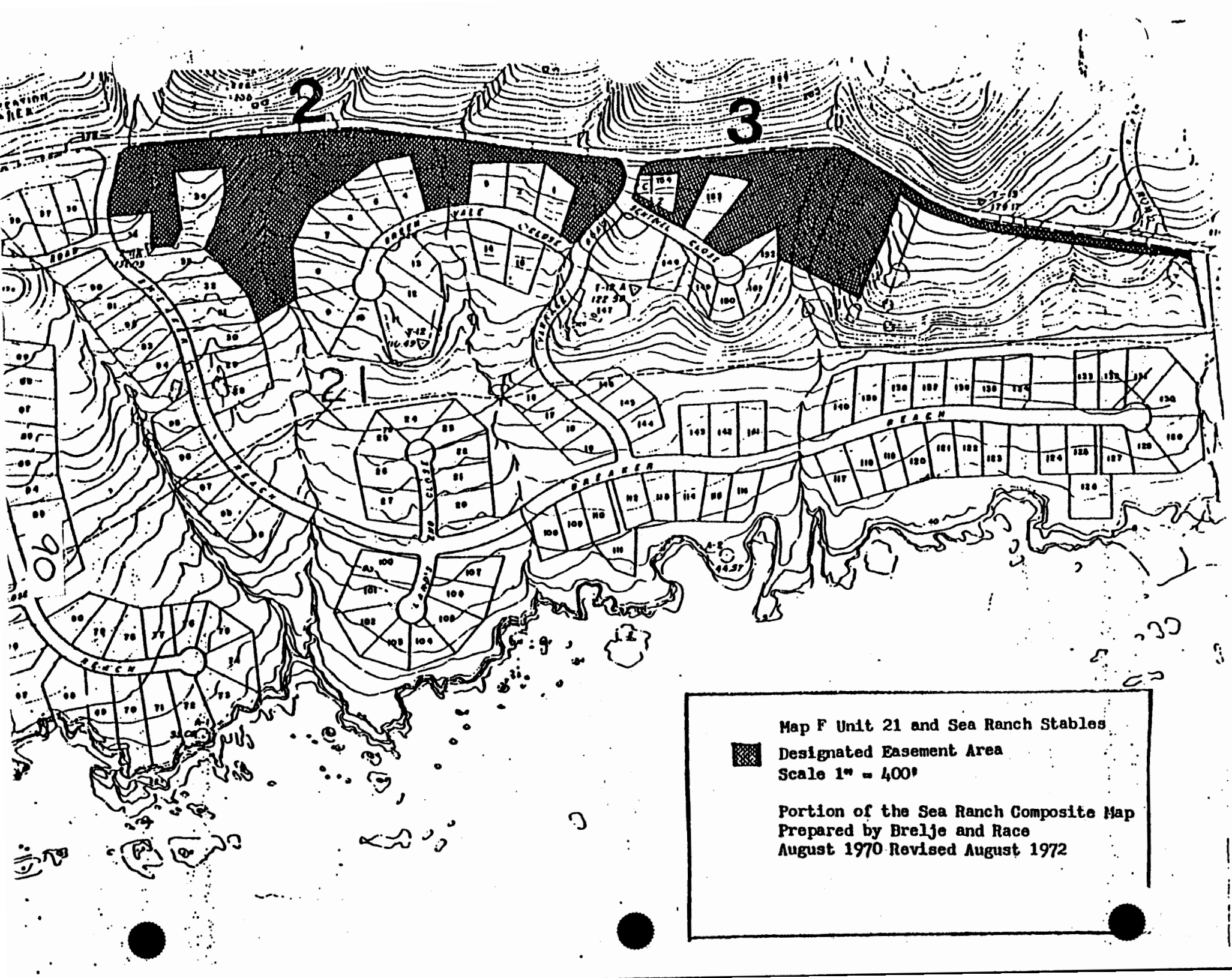


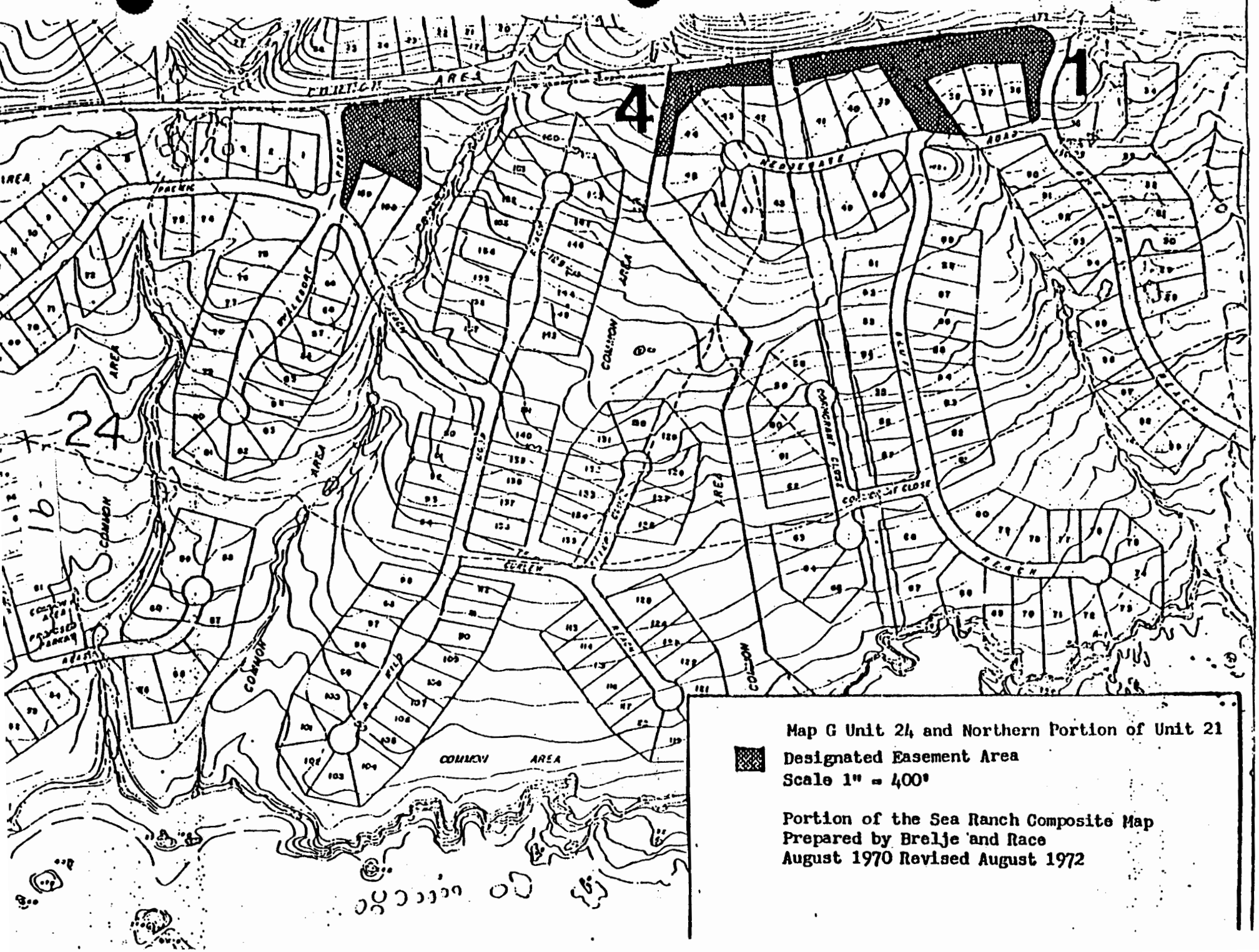

Map E Unit 18

Designated Easement Area

Scale 1" = 400'

Portion of the Sea Ranch Composite Map
Prepared by Brelje and Race
August 1970 Revised August 1972


2
3
21
BEACH
Map F Unit 21 and Sea Ranch Stables
Designated Easement Area
Scale 1" = 400'
Portion of the Sea Ranch Composite Map
Prepared by Brelje and Race
August 1970 Revised August 1972

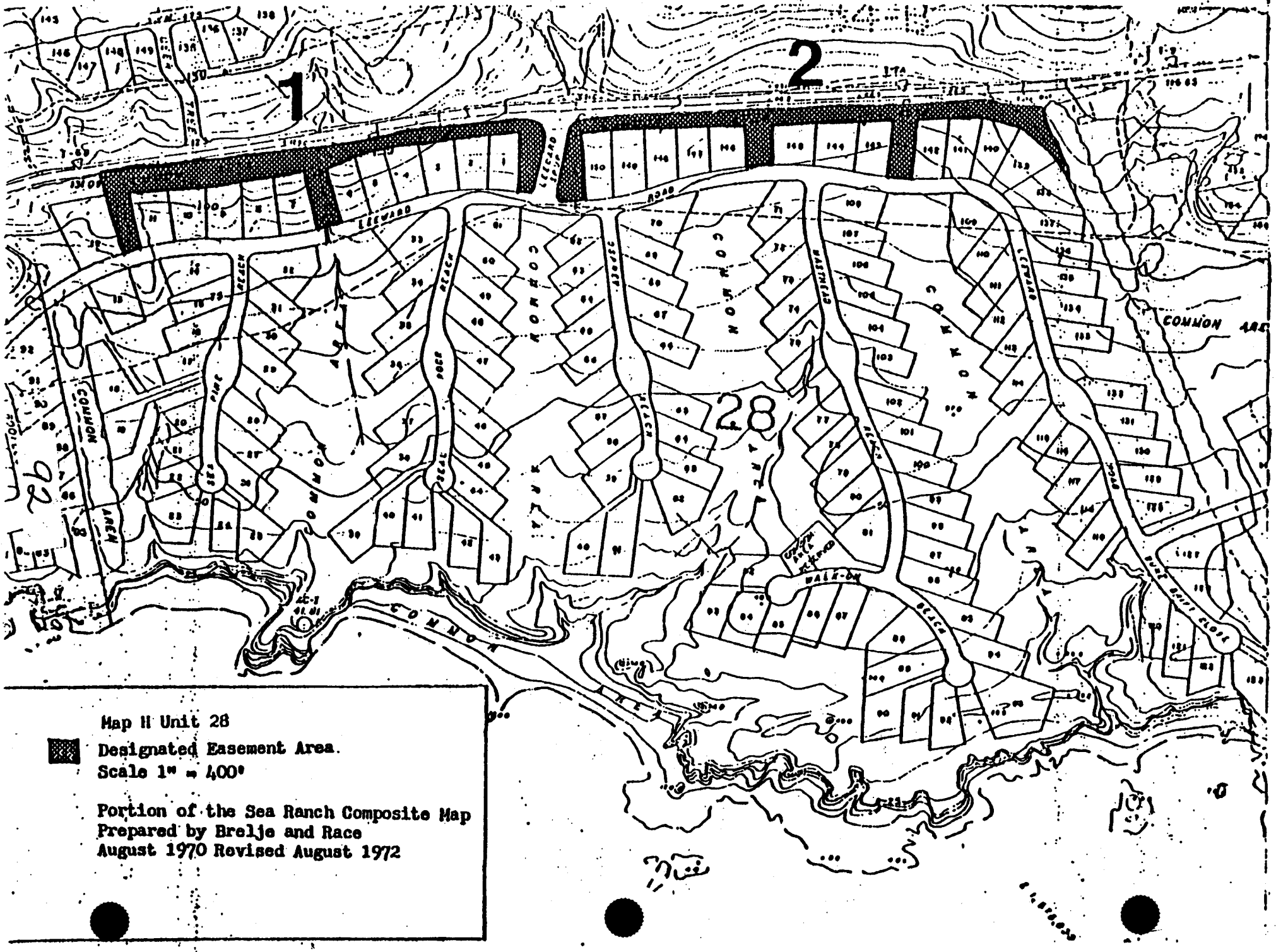



Map G Unit 24 and Northern Portion of Unit 21

Designated Easement Area

Scale 1" = 400'

Portion of the Sea Ranch Composite Map
Prepared by Brelje and Race
August 1970 Revised August 1972


1
2
28
LEEWARD ROAD
COMMON AREA
COMMON AREA
COMMON AREA
COMMON AREA
COMMON AREA
COMMON AREA
WALK-ON BEACH
SEA PINE REACH
SEAL ROCK REACH
OSPREY REACH
WASTHEAD REACH
LEEWARD ROAD
BUNE DRIFT CLOSE
Map II Unit 28
Designated Easement Area.
Scale 1" = 400'
Portion of the Sea Ranch Composite Map
Prepared by Brelje and Race
August 1970 Revised August 1972

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# Sonoma County LCP Amendment #1-00

## Attachment #4

# Chart of Coastal Plan Changes

(The attached chart is identical to that previously distributed to the Commission and members of the public in November, 2000 as part of LCP Amendment #2-99)

Underlined text indicates proposed additions to the existing certified Sonoma County Coastal Administrative Manual.

# GENERAL PLAN CHANGES
**(Proposed)**

BODEGA BAY-SOUTHERLY AREA

*** previous amendment**

| APN | FROM LU des | TO LU des. | ZONING | REASON | COMMENT |
|---|---|---|---|---|---|
| 100-030-032 & 034 | UR 4 | PQP | PF-CC | County R.O.W. | adj. to Westshore Rd |
| 100-030-044 (adj. to) | no des. | PQP | PF-CC | Spud Pt.- county owned | tidelands lease area#11 no APN |
| 100-040-013 | LI | PQP | PF-CC | County R.O.W. | adj. to Westshore Rd |
| 100-040-017 (adj. to) | no des. | LI | CF-CC | Mason's Marina-pvt. | tidelands lease area#8 no APN |
| *100-091-001 | UR 4 | LC | CS-CC, SR,G,F2 | Diekman's parking deck | previous CP amend (file # cp88-037) |
| 100-100-012 | RRD 20 | PQP | PF-CC | State owned | Coastal Conservancy. |
| 100-110-012, 004,007 | RRD 20 | PQP | PF-CC | " " | " " |
| 100-120-002, 003,006,008, 011,020,021 | RRD 20 | PQP | PF-CC | " " | " " |
| 100-130-005,006 | RRD 160 | PQP | PF-CC | County owned | Doran Park |
| 100-140-001 | RRD160 | PQP | PF-CC | County " | Hwy 1 R.O.W |
| 100-150-009, 026 | RRD 160 | PQP | PF-CC | County owned | Doran Park |
| 100-180-017, 031,035,037 | LEA 160 | PQP | PF-CC | BBPUD owned | sewage plant |
| 100-220--004 | RR2 | PQP | PF-CC | State owned | Cal Trans maint. sta. |
| 100-220-010 | RR2 | PQP | PF-CC | PG & E owned | power sta. |

| | | | | | |
|---|---|---|---|---|---|
| 100-220-015 (ptn), 031, 032,033 | RR 20 | RR 1 | RR-CC-B6-1, SR | CP designated Rural Res. | have sewer & water, urban service area |
| 100-220-022 thru 026 | RR 20 | RR 2 | RR-CC-B6-2, SR | " " | existing 2+ acre lots |
| 100-220-029 | PQP | LEA 160 | LEA-CC B6, 160/640,SR,G | No public ownership | ag land |
| 100-360-parcel A, B,D,E,F | RR1 | RVSC | PC-CC | Bodega Harbour | golf course, commons |
| 100-360-023 & 025 | RRD 160 | PQP | PF-CC | County owned | Doran Park |
| 101-020-041 | RR2 | LEA 160 | LEA-CC B6, 160/640,SR,G | Coastal Plan is Ag | open land, undeveloped |
| 101-020-042 thru 045 | LEA 160 | PQP | PF-CC | State owned | Sonoma Coast |

## GENERAL PLAN CHANGES

MIDDLE AREA + VALLEY FORD

| APN | FROM LU des | TO LU des | ZONING | REASON | COMMENT |
|---|---|---|---|---|---|
| 026-010-055 | RR 2 | PQP | PF-CC | Institutional | V.F. fire sta. |
| 026-020-001 | LEA 160 | DA 40 | DA -CC-B6 40/160-SR | retain Coastal plan density | retain existing |
| 026-060-006 (ptn) | " | " | " | " | " |
| 026-070-007, 008(ptn), 012(ptn,) 014 | " | " | " | " | " |
| 096-140-001 thru 009, 024 thru 028 | RVSC | RRD 160 | RRD-CC-B6 160/640-BR,F1,F2 | floodway & floodplain | Undeveloped river frontage |
| 097-150-005 (ptn) | LEA 160 | RRD 160 | TP-CC-B6 160/640-SR | Timber preserve | |
| 099-030-006 | DA 20 | PQP | PF-CC | State owned | Jenner Park |
| 099-050-014 | PQP | RRD 160 | RRD-CC-B6-160/640, SR, BR, F1, F2 | Privately owned | Bridgehaven Campground |
| 099-050-015, 016 | PQP | LEA 160 | LEA -CC-B6 160/640, SR, BR, F1 | Privately owned | ag/open land |
| 099-080-036 | RR2 | RVS&C | CT-CC-SR, BR, F2 | Existing restaurant | Correction w/ APN099-080-039 . |
| 099-090-004 | LEA 160 | PQP | PF-CC | State owned | |
| 099-090-013 | LEA 160 | RRD 160 | TP-CC-B6-160/640, SR, | Timber preserve | |
| 099-120-009 | LC | PQP | PF-CC | State owned | Jenner Visitor Center |

| | | | | | |
|---|---|---|---|---|---|
| 101-120-054,030 thru 033 | RR 2 | PQP | PF-CC | State owned | Gleason's Beach |
| 101-160-003 thru 009 | LEA 160/640 | RR2 | RR-CC-B6,SR | Developed lots | <2 acres in size |
| 109-080-001 | RRD 160 | PQP | PF-CC | State owned | Cal Trans maint. sta |
| 109-100-012 | RRD 160 | PQP | PF-CC | State owned | Ft. Ross Park |
| 109--130-008, (ptn) | LEA 160 | RRD 160 | TP-CC-B6, 160/640, SR | Timber Preserve | |
| 109-140-010 | LEA 160 | PQP | PF-CC | State owned | Black Ranch Park |
| 109-140-013 | LEA 160 | PQP | PF-CC | " | Russian Gulch |
| 109-140-014 | LEA 160 | RRD 160 | TP-CC-B6-160/640, SR | Timber Preserve | |
| 109-200-027 | RRD 160 | PQP | PF-CC | County owned | Stillwater Cove Park |
| 109-450-001 thru 016 | RRD 160 | RR 2 | RR-CC-B6-2 | 1-2 acre lots developed | Fort Ross Highlands sub. |
| 109-460-001 thru 005 | " | " | " | " | " |
| 109-480-021 | RRD 160 | PQP | PF-CC | Institutional | Fort Ross School |
| 109-490-004 | PQP | RRD 160 160 | RRD-CC-B6-160/640, SR | Privately owned | |

## GENERAL PLAN CHANGES

NORTH AREA-SEA RANCH

| APN | FROM LU des | TO LU des | ZONING | REASON | COMMENT |
|---|---|---|---|---|---|
| 122-030-008, 012 | RRD 160 | PQP | PF-CC | County owned | Gualala Park |
| 122-030-017, 018 | RVS&C | PQP | PF-CC | County owned | R.O.W. |
| 122-060-014 | RR1 | RRD 160 | TP-CC-B6-160/640, SR | Sea Ranch owned | Remnant land commons-TP |
| 122-180-014 | RR1 | PQP | PF-CC | " | sewage treatment site |
| 122-190-033 (ptns) | " | " | " | " | school sites? |
| 122-200-029 | " | " | " | " | antennae site |
| 122-370-015, 016 (ptns) | " | " | " | " | school sites? |
| 122-530-040 | " | " | " | " | maintenance yard |
| 122-400-017 | " | " | " | " | reservoir |
| 155-520-002 | " | " | " | " | airport runway |
| 156-560-002 (ptn) | " | RVS&C | PC-CC | " | golf course |
| | | | | | |

## COASTAL PLAN CHANGES

**(Proposed)**

BODEGA BAY-SOUTHERLY AREA

*Previously amended

| APN | FROM LU des | TO LU des | ZONING | REASON | COMMENT |
|---|---|---|---|---|---|
| 100-010-004,007-10 | RECREATION | INSTITUT | PF-CC | State owned | State parks |
| 100-020-003,013-17, 019, 032,033 | RECREATION | INSTITUT | PF-CC | State owned | State parks |
| 100-030-032,034 | RURAL RES | INSTITUT | PF-CC | County owned | Spud Pt. Marina |
| 100-040-013 | FISH COMM'L | INSTITUT | PF-CC | " " | Road R.O.W. |
| 100-040-017 (adj to) | No des | FISH COMM'L | CF-CC | Tidelands lease-fishing commercial | Mason's Marina file (#CP97-0008) |
| 100-030-044 & adj. land | FISHING COMM'L | INSTITUT. | PF-CC | County owned | Spud Pt. Marina |
| *100-040-021 | RURAL RES | FISH COMM'L | CF-CC | Gen Plan-LI | file #cp91-583 |
| 100-080-003 | RECREATION | INSTITUT | PF-CC | State owned | State park |
| *100-080-074 | SENSITIVE & HAZ. | MED DENSITY RES | R2-CC-B6-4, SR,G | General Plan desig. | Freeman (file #SP95-1013) |
| *100-091-001 | LOW DENS RES | VILLAGE COMM'; | CS-CC,SR,G | Commercial | Diekman's parking deck (file #cp88-037) |
| 100-092-001 thru-096-050 | MED DENS. RES | LOW DENS RES | R1-CC-B6-4 | GP Des | Taylor Tract |
| 100-080-016 thru-069 | " " | " " | " " | " " | " " |
| 100-100-001 | VILLAGE COMM'L | LOW DENS RES. | PC-CC | General Plan | Phase II build out/Harbor View |
| 100-100-012 | SENSITIVE & | INSTITUT | PF-CC | State owned | Coastal |

| | | | | | |
|---|---|---|---|---|---|
| | HAZ | | | | Conservancy |
| *100-100-026 | RURAL RES | PLAN COM | PC-CC | General Plan request | w/Harbor View (file#SP1099 8) |
| 100-110-012 | SENSITIVE & HAZ | INSTITUT | PF-CC | State owned | Coastal Conservancy |
| 100-110-013 | RECREATION | VISITOR SERVING COMM'L | CT-CC-SR,G | Commercial develop. GP is R&VSC | Entire island changed to recognize comm'l |
| 100-120-002 & 03,06,07,08, 11,21 | SENSITIVE & HAZ | INSTITUT | PF-CC | State owned | Coastal Conservancy |
| 100-120-018, 022 thru 025 | RECREATION | VIS SERVING COMM'L | CT-CC, SR, G | Comm'l development, GP is R&VSC | entire island is changed to recognize commercial |
| 100-130-001,004-06 | SENSITIVE & HAZ | INSTITUT | PF-CC | County owned BBPUD | Doran Park, treatment plnt |
| 100-140-001 | SENSITIVE & HAZ | INSTITUT | PF-CC | County owned | County R.O.W |
| 100-150-009&26 | RECREATION | INSTITUT | PF-CC | County owned | Doran Park |
| 100-180-022(ptn-8 Ac) | AG | LOW DENS RES | RR-CC-B8 | Phase II density | after bypass |
| 100-180-022(Ptn-4 ac) | RR | LOW DENS RES | R1-CC-B6 4u/ac | Gen Plan | infill |
| 100-180-051 (ptn) | AG | MED DENS. RES. | RR-CC-B8, G | Phase 2 dens. | after by-pass |
| *100-180-030, 053 | Housing opportunity | Med. density Res. | PC-CC | residential sub. | Harbor View(file#SP1 0998) |
| 100-180-017, 031,035,037 | AG | INSTITUT. | PF-CC | BBPUD owned | treatment plant |
| 100-180-055 (old ptn. 039) | RR | INSTITUT. | PF-CC | Publicly owned GP-INSTITUT | BB Fire Dist. (file #GP-94-380) |

| | | | | | |
|---|---|---|---|---|---|
| 100-210-028 | RECREATION | INSTITUT | PF-CC | State owned | State parks |
| 100-220-007,008 | RECREATION | INSTITUT | PF-CC | State owned | State parks |
| 100-220-011 | RR | VISITOR SERV COMML | CT-CC-SR | Commercial GP is R&VSC | BB R.V. Park |
| 100-220-015,016 | AGRIC | RURAL RES | RR-CC B6,SR,20 | Gen Plan des. proposed RR | exist smaller lots |
| *100-220-019,020,021 | AGRIC | RURAL RES | RR-CC B6 2 SR, G | Gen Plan des | <2 acre lots (file#91-734) |
| 100-220-022-26 | AGRIC | RURAL RES | RR-CC B6,2 SR | Gen Plan des. proposed RR | <2 acre lot |
| *100-220-029 (ptn.) | AGRIC | FISH COMM'L | CF-CC, SR | Approved for comm'l site, GP proposed LI | File #CPH88-919 |
| 100-230-001, 031,042-44 | RECREATION | INSTITUT | PF-CC | State owned | State park |
| 100-330-004 | INSTITUT. | RR | PC-CC | Bodega Harbour ownership | pioneer cemetary |
| 100-360-023 &025 | RECREATION | INSTITUT | PC-CC | County owned | Doran Park |
| 100-360-A,B,D,E,F | DEDICATED OPEN SPACE | RECREATION | PC-CC | Bodega Harbour | golf course-dedicated O.S. |
| 101-011-005,007-11,034&035 | AGRIC | INSTITUT. | PF-CC | State owned | State Park |
| 101-020-042-045 | RECREATION | INSTITUT. | PF-CC | " " | " " |
| 101-040-003 | AGRIC. | INSTITUT. | PF-CC | " " | " " |

## COASTAL PLAN CHANGES

MIDDLE AREA + VALLEY FORD

| APN | FROM LU des | TO LU des | ZONING | REASON | COMMENTS |
|---|---|---|---|---|---|
| 026-010-055 | COMML CTR | INSTITUTION | PF-CC | Institutional | V.F. fire sta. |
| 074-180-055 (ptn) | AGRIC | RR | AR-CC-B6 10 | Small lots | Consistent w/ surrounding |
| 074-330-001, 002,003 | " | " | " | " | " |
| 097-130-013, 022 | RR | TIMBER | RRD-CC-B6 160/640,SR, BR,F2,F1 | Same ownership as adjoining RRD | see APN097-130-021, GP des RRD |
| 097-160-002,3 | RECREATION | INSTITUT | PF-CC | State owned | Willow Creek |
| 099-030-006,7,10,11 | RECREATION | INSTITUT | PF-CC | State owned | State beach |
| 099-030-006 | " | " | " | " | Jenner Beach |
| 099-040-001-4,010 | " | " | " | " | Goat Rock |
| 099-060-005, 010-013 | " | " | " | " | " |
| 099-060-001,2,6,10,11, 16-19 | " | " | " | " | State Beach |
| 099-070-004,6,10-12 | " | " | " | " | Willow Creek |
| 099-080-030,,61 | AGRIC | " | " | " | " |
| 099-080-036 | RUR RES | VIS SERV COMM | CT-CC | Commercial | existing restaurant |
| 099-160-ALL | RUR RES | INSTITUT | PF-CC | State owned | Coast. Conserv purch |
| 099-120-009 | COMML CTR | INSTITUT. | PF-CC | State owned | Jenner Visitor Center |

| | | | | | |
|---|---|---|---|---|---|
| 101-090-013 | TIMBER | AG | LEA-CC B6 160/640, SR | Not timber, adjoins other ag | 'GP des LEA |
| 101-110-004 | RECREATION | INSTITUT | PF-CC | State owned | State beach |
| 101-120-030-33 | RECREATION | INSTITUT " | PF-CC | State owned | State beach |
| 101-120-054 | " | " | " | " | " |
| 101-130-001-3,005-7, 11,12 | " | " | " | " | " |
| 101-140-034,39,40,45 | " | " | " | " | " |
| 101-150-001,22,029-32 | " | " | " | " | " |
| 101-190-ALL | RUR RES | " | " | prior subdiv | Rev. to acreage |
| 101-110-019 | AG | RR | AR-CC B6 2, SR,G | Between 2 sub, Carmet & Ser. del Mar | See adjoining APN101-060-010 |
| 101-120-058 | RECREATION | RR | RR-CC B6 2, SR | Privately owned | Developed |
| 101-140-001 | AG | RR | RR-CC B6 2, SR | Res, not ag (2acres) | Water tanks for Sereno del Mar |
| 109-010-005,6,7 | RECREATION | INSTITUT | PF-CC | State owned | Salt Point Park |
| 109-020-004,15,16,17 | " | " | " | " | " |
| 109-030-006,11 | " | " | " | " | " |
| 109-040-001,2,3 | " | " | " | " | " |
| 109-050-010 (ptn) | VIS SERV. COMML | TIMBER | TP-CC B6 160/640, SR | Not comm'l on remainder | |
| 109-050-012 (ptn) | RECREATION | COMML CTR | CS-CC, SR | Ocean Cove barn | GP request LC |

| | | | | | |
|---|---|---|---|---|---|
| 109-060-003,6-9 | RECREATION | INSTITUT | PF-CC | County owned | Stillwater Cove Park |
| 109-060-010 | VIS SERV COMML | RECREATION | RRD-CC-B6 160/640, SR | Stillwater Cover Ranch | GP is RRD |
| 109-060-011 | RECREATION | INSTITUT | PF-CC | County owned | Stillwater Cove |
| 109-070-010,11 | VIS SERV COMML | RECREATION | RRD-CC-B7, SR HD(Ptn) | Timber Cove Inn property | Bluff & statue, GP is RRD |
| 109-080-001 & ROW | TIMBER | INSTITUT | PF-CC | State owned | maintenance sta., Hwy 1 |
| 109-080-002 & 003 | RECREATION | AG | DA-CC B6 20 SR | GP des. DA 20 | vacant |
| 109-080-006 | RR | TIMBER | RRD-CC B7 | consistent w/ surrounding | SFD |
| 109-090-012,13,35,36 | RECREATION | INSTITUT | PF-CC | State owned | Fort Ross Pk |
| 109-100-009,13 | " | " | " | " | " |
| 109-110-010 | " | " | ' | ' | ' |
| 109-120-005 | RECREATION | RUR RES | AR-CC-B6 20,SR | Private owner | small lot |
| 109-120-006 | " | INSTITUT | PF-CC | State owned | park |
| 109-140-010 | AGRIC | INSTITUT | PF-CC | State | Black Ranch Park |
| 109-140-011&013 | RECREATION | INSTITUT | PF-CC | State | Russian Gulch |
| 109-220-009 | RECREATION | TIMBER | RRD-CC-B6 160/640 | adjoins other timber land | GP des. RRD |
| 109-240-006 | RECREATION | INSTITUT | PF-CC | State owned | |
| 109-430-001 | TIMBER | RR | RR-CC B7 SR | part of Timber Cove sub | correction |
| 109-480-021 | TIMBER | INSTITUT | PF-CC | institutional | Ft. Ross School |
| *109-480-023 | AGRIC | INSTITUT | PF-CC | " | Timber Cove fire sta. (#SP91-108) |

| | | | | | |
|---|---|---|---|---|---|
| 122-240-002 (ptn) | VILLAGE COMML | TIMBER | TP-CC B6 160/640, SR | limit comml to area of existing comml | reducing area of CS-CC Stewarts Pt. |
| 122-260-003, 004 | " | AG | LEA-CC B6 160/640, SR | " | " |
| 122-270-002 | " | TIMBER | TP-CC B6 160/640, SR | " | " |
| 122-280-006 (ptn) | TIMBER | AG | LEA-CC-B6 160/640,SR | ptn. in ag preserve | remainder in TP |
| 122-290-001 | RR | AG | RRDWA-CC B6160/640,SR | In ag preserve | GP des. RRD |
| | | | | | |

## COASTAL PLAN CHANGES

SEA RANCH-NORTH AREA

| APN | FROM LU des | TO LU des | ZONING | REASON | COMMENT |
|---|---|---|---|---|---|
| 122-020-003 & 004 | RECREATION | INSTITUT | PF-CC | County owned | Gualala Park |
| 122-030-008, 012,015 | " | " | " | " | " |
| 122-030-017 & 018 | DED. 0/S | INSTITUT | PF-CC | " | " |
| *122-040-010 | TIMBER | INSTITUT | PF-CC | Sea Ranch owned | Gualala treat. plant (#CP90-801) |
| *122-040-011 | TIMBER | INSTITUT | PF-CC | " | reservoir (file #CP95-026) |
| 122-051-001 | RECREATION | INSTITUT | PF-CC | County owned | Gualala Park |
| 122-200-030 (ptn) | TIMBER | INSTITUT. | PF-CC | Sea Ranch owned | sewage plant |
| 122-300-010 | " | PLANNED COMMUN | PC-CC | " | chapel |
| 122-300-007 | " | INSTITUT. | PF-CC | " | fire station |
| 122-520-044 | PLANNED COM & O/S | RECREATION | PC-CC | " | golf course |
| 122-520-047 | PLANNED COMMUN | DEDICATED O/SPACE | PC-CC | " | commons |
| 122-530-040 | " | INSTITUT. | PF-CC | " | maintenance yard |
| 122-530-044 | " | DEDICATED O/SPACE | PC-CC | " | commons |
| 122-540-001 thru 008 (ptns) | DEDICATED O/SPACE | PLANNED COMMUN | " | " | correction on rear portions |
| 122-540-025 | PLANNED COMMUN | DEDICATED O/SPACE | " | " | commons |
| 155-210-011 | " | INSTITUT. | PF-CC | " | airport |
| 155-220-037 | " | " | " | " | " |

| | | | | | |
|---|---|---|---|---|---|
| 155-230-006 | " | " | ' | ' | ' |
| 155-240-001 | " | " | " | " | " |
| 155-440-020 thru 024 | INSTITUT. | PLANNED COMMUN | PC-CC | " | Unit 30C-lots, correction |
| 156-370-003 | DEDICATED O/SPACE | RECREATION | PC-CC | " | golf course |
| 156-380-003 | " | " | " | " | " |
| 156-500 ? (lots 74-92) | | RECREATION | PC-CC | Reversion to acreage | |
| 156-530-015-024 | DED O/S | PLAN. COM. | PC-CC | Sea Ranch | Unit 34-A-lots |
| 156-530-015 thru 024 | " | PLANNED COMMUN | PC-CC | " | Unit 34C-lots, correction |
| 156-560-002 | " | RECREATION | PC-CC | " | golf course |
| 156-620-024 | PLANNED COMMUN | DEDICATED O/SPACE | PC-CC | " | commons |
| | | | | | |

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# Sonoma County LCP Amendment #1-00

## Attachment #5

# Selected General Plan Policies Identified in the Coastal Zoning Ordinance

(The attached list of policies is identical to that previously distributed to the Commission and members of the public in November, 2000 as part of LCP Amendment #2-99)

Underlined text indicates proposed additions to the existing certified Sonoma County Coastal Administrative Manual.

## Selected General Plan Policies identified in the Coastal Zoning Ordinance

### Pol LU-6e

**LU-6e:** Public schools in rural land use categories shall meet all of the following minimum criteria:

(1) a requirement that the schools district must obtain a use permit for any proposed facility, even though by State law the district is exempt from zoning regulations.

(2) if in an agricultural category, the use shall not be located on lands currently used for agricultural production and shall not result in conflicts with agricultural production or related processing, support services, or visitor serving uses. If in a residential category, the use shall be compatible with residential category uses in the area.

(3) Conflicts with other resource production activities are avoided.

### Pol LU-6f

**LU-6f:** Private nursery, primary or secondary schools and churches in rural land use categories shall meet all of the following minimum criteria:

(1) the school or church must obtain a use permit prior to initiation of the use.

(2) the use shall not be located on lands currently used for agricultural production and shall not result in conflicts with agricultural production or related processing, support services, or visitor serving uses.

(3) conflicts with other resource production activities are avoided.

(4) adequate public services and infrastructure must be available for the use, without inducing unplanned growth.

(5) sites are limited to existing parcels less than 5 acres unless an agricultural, scenic, or other in perpetuity easements is applied to the portion of the site not part of the proposed use.

(6) the site has frontage on a designated collector or arterial roadway.

(7) the use primarily serves a congregation or student body which resides in the community in which the proposed use is to be located.

(8)

### Land Use Element

### Sec. 2.3.1

#### 2.3.1 Policy for General Commercial Areas

**PURPOSE AND DEFINITION:** The General Commercial category provides for intense commercial uses which serve a mix of business activities and the residential and business community as a whole rather than a local neighborhood. These uses provide for comparison shopping and services which are ordinarily obtained on an occasional rather than daily basis. This category is also intended to provide opportunities for a mix of residential and commercial use in urban service areas.

**Permitted Uses:** All commercial uses except regional shopping centers are allowed. Primary uses range from department stores and specialty shops to space extensive businesses such as paint, tire, carpet, lumber, home materials, and feed stores. Wholesale and heavy commercial uses and services are also included. Professional, administrative, financial, medical and general business offices which have more than 5,000 square feet of gross floor area require this category. Residential and general commercial uses may be combined in a single development where the residential use is clearly compatible with and secondary to the commercial use. This category also provides for consideration of a single-family residence in place of commercial uses allowed by zoning. The zoning ordinance may further define the uses which are permitted within this category and the bulk, height, coverage and other standards for such development.

**Development Intensities and Criteria:** Structures generally are not expected to cover more than 50 percent of the site or exceed thirty-five feet in height. Additional height may be considered if a reduction

in coverage is provided which results in no overall increase in building intensity. Commercial uses shall require design review approval and on-site parking.

Mixed residential and general commercial use may be considered where urban services are available and as part of a master site development plan. In such cases, residential use may only be allowed as a secondary use in conjunction with and clearly compatible with the commercial use.

**Designation Criteria:** Amendments to add this designation must meet all of the following:
1. lands shall be located within an urban service area.
2. adequate public services shall be available or shall be planned to be available.
3. lands shall be located on or have convenient access to arterial or collector highways.
4. lands shall be near other commercial uses, but shall not occur in strips along highways.
5. lands shall not be located in environmentally sensitive or hazardous areas such as floodways or fault zones.
6. any applicable planning area policies.

Sec. 2.3.2

### 2.3.2 Policy for Limited Commercial Areas

**Purpose and Definition:** This category provides sites where commercial activities are limited. Particular limitations may be specified in policies for each planning area. Limited commercial land is intended to accommodate retail sales and services for the daily self sufficiency of local rural or urban neighborhoods or communities in keeping with their character. This category is also intended to provide opportunities for a mix of residential and commercial use in urban service areas. This category also provides for consideration of a single-family residence in place of commercial uses allowed by zoning.

**Permitted Uses:** The range and/or scale of permitted uses vary by location and may be expressed in planning area policies. The zoning ordinance may also further define uses permitted in this category and the bulk, height, coverage and other standards for such development. Residential and limited commercial uses may be combined in a single development within urban service areas.

**Permitted Development Intensities and Criteria:** New lots shall not be smaller than 1.5 acres on individual wells and septic systems or 1.0 acre on public water. Structures generally are not expected to cover more than 50 percent of the site or exceed thirty-five feet in height. Additional height may be considered if a reduction in coverage is provided which results in no overall increase in building intensity. Commercial uses shall require design review approval and on-site parking.

Mixed residential and commercial use may be considered where urban services are available and as part of a master plan for the site. In such cases, the residential use is a secondary use allowed only in conjunction with and compatible with the commercial use.

**Designation Criteria:** Amendments to add this designation must meet all of the following:
1. lands shall be located on or have convenient access to an arterial or collector highway.
2. the amount of land designated for limited commercial shall be consistent with population growth projected for the local market area. Only very limited amounts of land are intended for this use outside urban service areas.
3. within the unincorporated communities shown on Figure LU-2 on page 33, lands shall be close to other commercial uses or to local population concentration.
4. outside of the unincorporated communities shown on Figure LU-2 on page 33, clusters of limited commercial uses shall not be permitted.
5. lands shall not be located in scenic corridors, except within the above unincorporated communities.
6. in rural areas, lands may be limited to a single parcel and be restricted to that level which can be served by an individual well and septic system.
7. any applicable planning area policies.

Sec. 2.3.3

### 2.3.3 Policy for Limited Commercial – Traffic Sensitive Areas

**Purpose and Definition:** This category provides sites for uses allowed in the Limited Commercial category, but which are severely constrained by traffic congestion. Particular traffic impact limitations may be specified in policies for each area or in the zoning ordinance.

**Permitted Uses:** The range and/or scale of permitted uses vary by location and by traffic impacts as in the "Limited Commercial" category. Average daily traffic generated by various limited commercial uses has been calculated by the Institute of Transportation Engineers and is periodically published in a technical manual "Trip Generation".

**Permitted Development Intensities and Criteria:** Same as for Limited Commercial areas, but may be further limited by traffic levels specified in the zoning ordinance. The specified average daily traffic levels will be used in conjunction with the "Trip Generation" manual published by the Institute of Transportation Engineers in order to determine the intensity and type of uses permitted.

**Designation Criteria:** Amendments to add this designation must meet all of the following criteria:
1. those listed for the Limited Commercial category.
2. lands are located in an area which is subject to severe traffic congestion and nearing or in excess of roadway or intersection capacity anticipated in this plan or in an applicable specific or area plan.

Sec. 2.3.4

### 2.3.4 Policy for Recreation and Visitor Serving Commercial Areas

**Purpose and Definition:** This category provides sites for both outdoor recreation uses and the commercial service needs of visitors and travelers. Its purpose is to limit this type of development to those appropriate sites.

**Permitted Uses:** Primary uses include outdoor recreation facilities and tourist commercial uses, including golf courses, tennis and racquet clubs, marinas, race tracks, shooting ranges, and similar uses in private ownership. Other uses include campgrounds, recreational vehicle parks, indoor lodging, indoor recreation facilities, visitor information centers, museums, restaurants, and other uses oriented to the needs of visitors. Where specified by planning area policy, this category provides for consideration of a single-family residence in place of commercial and recreation uses allowed by zoning. Otherwise, residential use is limited to one caretaker unit for each parcel with recreational or commercial development. The zoning ordinance may further define the uses permitted by this category and the bulk, height, coverage and other standards for such development.

**Permitted Development Intensities and Criteria:** Lots shall not be smaller than 1.5 acres on individual wells and septic systems or 1.o acre on public water. Structures and parking generally are not expected to cover more than 50 percent of the site or exceed thirty-five feet in height. Additional height may be considered if a reduction in coverage is provided which results in no overall increase in building intensity. Lodging facilities may not exceed 50 rooms per site in rural areas and 200 rooms per site in urban service areas. Lodging facilities with up to 100 rooms per site in rural areas may be permitted where serviced by public sewer provided, however, that such use is compatible with and does not adversely affect adjacent agricultural, resource and rural residential uses. Design review shall be required for commercial and recreational development in this category.

**Designation Criteria:** Amendments to add this designation must meet all of the following:
1. lands shall have convenient access to a county or state maintained road, preferably a designated arterial or collector.

2. the site shall be outside of an agricultural production area.
3. outside the unincorporated communities shown on Figure LU-2 on page 33, clusters of parcels with recreation and visitor serving commercial use designations shall be avoided.
4. any applicable planning area policies.

## HE Sec. 3.1

### 3.1 Definitions

Very Low Income Household, means a household whose gross annual income is not more than 50 percent of the median income for Sonoma County as established by the U.S. Department of Housing & Urban Development (HUD), adjusted for household size.

Lower Income Household, means a household whose gross annual income is not more than 80 percent of the HUD median income, adjusted for household size.

Moderate Income Household, means a household whose gross annual income does not exceed 120 percent of the HUD median income, adjusted for household size.

Affordable Rental Housing, means rental housing which costs not more than 30 percent of 60 percent of HUD median area income for a lower income household, adjusted for household size, and, not more than 30 percent of 50 percent of HUD median area income for a very-low income household , adjusted for household size, assuming that the household size will equal the number of bedrooms contained in the unit, plus one.

Affordable Ownership Housing, means home ownership housing which costs not more than 30 percent of the maximum income as established by HUD for very low, lower, and moderate income households, adjusted for household size; assuming that household size will equal the number of bedrooms contained in the unit, plus one.

## HE Sec. 3.1.1

### 3.1.1 Qualification for Incentives

In order to qualify a project for density bonus or other incentives, the project must include the minimum percentage of affordable units required under the density bonus ordinance, or under the Housing Opportunity Area program. The applicant must demonstrate that each required affordable housing unit complies with the income requirements set out in section 3.1, above.

## Pol HE-2b

**HE-2b:** Policy for "Infill" Development. For parcels located within an Urban Residential 1-6 (dwelling units per acre) area, which are large enough in lot area to permit more than one dwelling but cannot meet subdivision criteria due to shape or other similar constraint, permit dwelling groups consisting of detached single family dwellings or manufactured homes, subject to the following:

1) That the density shall not exceed that permitted by the general plan land use category.
2) In the case of conventional construction, each proposed unit shall comply with the minimum requirements for the zoning district in which the property is located.

## Pol HE-2q

**HE-2q:** The Board of Supervisors recommends that when allocating or making plans for the allocation of available and future resources or services designated for residential use, special

districts and private entities that provide water services at retail or sewer services within the incorporated area of the county will grant a priority for the provision of these available and future resources or services to housing developments proposed within Urban Service Areas which are affordable to Moderate, Low-, and Very Low Income Households where such housing developments will help the county to meet the quantified housing objectives identified in Table HE-17 on page 126, with the highest priority being given to very low income housing, the second highest priority being given to low income housing and third highest priority being given to moderate income housing.

## Pol HE-3i

**HE 3i:** The following criteria will be considered when evaluating an application for condominium conversion:

1) The surplus of vacant multi-family residential units offered for rent or lease should be in excess of 5 percent of the available multi-family rental stock in the community in which the proposed project is located, not including areas within cities.

2) At least 30 percent of the units included in the proposed condominium conversion should be reserved for sale to low and very-low income households. Subject to the requirements set forth in Housing Element Section 3.1 on page 103 by means of a Housing Agreement to insure that such units remain affordable to very low and low income households for the maximum period allowed by law.

3) Tenants would be granted the right of first refusal concerning the purchase of the units. Tenants who are 60 years or older would be offered lifetime leases. Tenants not qualifying for lifetime leases should be offered a 10-year lease. The subdivider should provide a plan to assist in relocating tenants displaced by the conversion to comparable rental housing.

## Pol HE-4p

**HE-4p:** Permit housing for persons or families who are in a transition from a homeless shelter to permanent housing in all urban residential categories subject to the following:

1) That the occupancy of such dwellings shall not exceed the types of housing allowed by the general plan in Land Use Element Section 2.2.1, nor shall the character of the dwelling used for such purposes be inconsistent with the character of the housing types expressed in the general plan and zoning ordinance. The construction of new dwellings for such purposes shall conform to the provisions of the Sonoma County Code.

2) That each transitional housing unit or apartment building be supervised by a full-time resident manager.

3) The public agency administering the funding of such housing shall not authorize funding to any project within 300 feet of any existing transitional housing project.

## Goal AR-3

**Goal AR-3: Maintain the maximum amount of land in parcel sizes that a farmer would be willing to lease or buy for agricultural purposes.**

Objective AR-3.1

**Objective AR-3.1:** Avoid the conversion of agricultural lands to residential or nonagricultural commercial uses.

## Objective AR-3.2

**Objective AR-3.2:** Maintain, in those agricultural land use categories where small parcels may be permitted, the largest land area for agricultural use. Limit the number of clustered lots in any one area to avoid the potential conflicts associated with residential intrusion.

**The County shall use the following policies, in addition to those in the Land Use Element, to achieve these objectives:**

### Pol AR-3b

**AR-3b:** In considering subdivision of lands within "Land Extensive Agriculture" areas except those lands under Williamson Act contract, one-half or three of the permitted residential lots (whichever is greater), may be clustered. These clustered parcels may be as small as one and one-half acres but no larger than ten acres. No future subdivision of these small parcels shall be permitted. All other parcels created in this category shall have a minimum lot size at least as large as the maximum density specified by the land use plan map or that allowed by policy AR-8c on page 204, whichever is more restrictive.

### Pol AR-3c

**AR 3-c:** Where clustered subdivision is permitted, separate clusters on one site from those on another site unless it is clearly demonstrated that the resulting lots will not create the appearance of, or conflicts associated with, residential intrusion. Any subdivision which proposes to cluster parcels of 10 acres or less, shall locate those lots around existing residences on the parcel being subdivided. The intent of this policy is to minimize the impact of residential parcels on adjacent agricultural operations.

### Pol AR-3e

**AR-3e:** Where clustered subdivision is permitted, to the extent allowed by law, place an agricultural easement in perpetuity on the residual farming parcel(s) at the time that the subdivision occurs. The easement shall be conveyed to the County of other appropriate non profit organizations.

## Goal AR-4

**Goal AR-4: Allow farmers to manage their operations in an efficient, economic manner with minimal conflict with nonagricultural uses.**

## Objective AR-4.1

**Objective AR-4.1:** Apply agricultural land use categories only to areas or parcels capable of the commercial production of food, fiber and plant material. Establish agricultural production as the highest priority use in these areas or parcels. The following policies are intended to apply only to lands designated within agricultural land use categories.

**The County shall use the following policies, in addition to those in the Land Use Element, to achieve this objective:**

### Pol AR-4a

**AR-4a:** The primary use of any parcel within the three agricultural land use categories shall be agricultural production and related processing, support services, and visitor serving uses. Residential uses in these areas shall recognize that the primary use of the land may create agricultural "nuisance" situations, such as files, noise, odors, and spraying of chemicals.

## Pol AR-5c

**AR-5c:** Only permit agricultural support service uses that clearly support local agricultural production consistent with the specific requirements of each of the three agricultural land use categories. Insure that such uses are clearly subordinate to on-site agricultural production and do not adversely affect agricultural production in the area. Establish standards and procedures for those uses in the zoning ordinance.

## Pol AR-5d

**AR-5d:** Use the following guidelines for approving zoning or permits for agricultural support services:

1) The use will not require the extension of sewer or water.
2) The use does not substantially detract from agricultural production on-site or in the area.
3) The use does not create a concentration of commercial uses in the immediate area.
4) The use is compatible with and does not adversely impact surrounding residential neighborhoods.

## Pol AR-5e

**AR-5E:** Local concentrations of any commercial or industrial uses, even if related to surrounding agricultural activities, are detrimental to the primary use of the land for the production of food, fiber and plant materials and shall be avoided.

## Pol AR-5f

**AR-5f:** Permit storage facilities for agricultural products either grown or processed on the site. Size the facilities according to the processing operation.

## Pol AR-6d

**AR-6d:** Follow these guidelines for approval of visitor serving uses in agricultural areas, such as wine or cheese tasting:

1) the use promotes and markets only agricultural products grown or processed in Sonoma County.
2) the use is compatible with existing agricultural production activities in the area.
3) the use will not require the extension of sewer and water.

## Pol AR-6e

**AR-6e:** Follow these guidelines for approval of recreational uses in agricultural areas, such as bed and breakfast inns or campgrounds:

1) the use is compatible with any agricultural activity or existing residential use in the area.
2) the use will not require the extension of sewer or water.
3) all potential conflicts are mitigated to the satisfaction of the County.

## Pol AR-6g

**AR-6g:** Concentration of visitor serving uses in local area, even if related to surrounding agricultural activities, are detrimental to the primary use of the land for the production of food, fiber and plant materials and may constitute grounds for denial for such uses.

## Pol AR-8c

**AR-8c:** Subdivision of any Williamson Act contracted lands shall not result in any new parcels less than 10 acres in size for Type 1 preserves or 40 acres in size for Type 2 preserves, o the established minimum lot size, whichever is more restrictive. Each proposed new parcel must separately meet the economic criteria that the original parcel met at the time that the contract was executed.

## Pol PF-2q

**PF-2q**: Encourage application of sludge generated in Sonoma County to agricultural lands in the County. Consider sludge application projects as designated in the Land Use Element of the General Plan for purposes of compliance with Section 66796.41 of the Government Code if they meet all of the following criteria. In the event that one or more of the criteria are not met, a general plan amendment shall be required.

1) The project's primary purpose is to enhance agricultural use. The rate of sludge application shall be designed to enhance existing agricultural operations or designed in conjunction with a detailed management plan for proposed agricultural use.
2) The rate of sludge application shall not result in any future limitations on the potential agricultural use of the area of application.
3) The project shall be subject to the approval of the applicable Regional Water Quality Control Board.
4) A use permit and, if necessary, a solid waste facility permit, shall be obtained.
5) A permit shall be obtained from the local solid waste enforcement agency (Public Health Department).
6) The project and any permits approved for the project shall specifically provide that waste disposal is limited solely to the approved Sonoma County sludge source.
7) The project shall include provisions for periodic review and evaluations of long term impacts on soils, water, and agricultural production.

Notwithstanding this policy, lime treated sludge from the Vallejo Sanitation District may be applied to Tubbs Island, a 2500 acre site. (APN 068-180-008, 004, 005, 006, 011, 013; 068-190-005, 007, 008, 013, 017).

## Pol PF-2r

**PF-2r**: In the event that sludge generated within the County is inadequate to address the agricultural demand for sludge, the County may consider general plan amendments for application of sludge generated outside of the County provided that all of the criteria set forth in policy PF-2q are met (disregarding "Sonoma County" in criterion #6) and that:

a) The applicant can satisfy local public health officials that the method of production and content of the sludge will not be detrimental to public health.
b) The applicant demonstrates that traffic and other impacts of the proposed project are no greater than impacts associated with sludge generated within the County.
c) The applicant demonstrates that there are no alternative sources of sludge within the County.

Notwithstanding this policy, lime treated sludge from the Vallejo Sanitation District may be applied to Tubbs Island, a 2500 acre site. (APN 068-180-008, 004, 005, 006, 011, 013; 068-190-005, 007, 008, 013, 017).

## Pol PF-2s

**PF-2s**: Public utility facilities other than transmission line corridors may be designated as "Public/Quasi-Public" on the land use map. Allow consideration of minor facilities in any land use category where they are compatible with neighborhood character and preservation of natural and scenic resources.

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# Sonoma County LCP Amendment #1-00

## Attachment #6

## The Sea Ranch letter and attachments, May 4, 2000

(The attached materials are identical to those previously distributed to the Commission and members of the public in November, 2000 as part of LCP Amendment #2-99)

Underlined text indicates proposed additions to the existing certified Sonoma County Coastal Administrative Manual.

# MEMORANDUM

TO: Supervisor Mike Reilly

FROM: The Sea Ranch Association

DATE: May 4, 2000

RE: Proposed Local Coastal Plan Amendments

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Below, we recommend language for amendments to the Sonoma County Local Coastal Plan ("LCP") to reflect current conditions at The Sea Ranch and policies of The Sea Ranch Association. All page numbers refer to the June 1999 Draft of the LCP (which contains Sonoma County's proposed amendments). It may be necessary to revise these amendments to reference the page numbers of the existing LCP. All pages of the LCP referred to herein are attached to this memo, with appropriate locations for the insertion of these amendment indicated.

## PROPOSED LOCAL COASTAL AMENDMENTS

**Section 1. Local Coastal Plan Amendments.** The Sonoma County Local Coastal Plan ("LCP") is amended as follows (all new text is red-lined and all deleted text is presented in ~~strike-out~~):

A. The following text to page 22 of the LCP is added under item 1 (Sea Ranch North) and after the text that reads "Conservation Areas":

Conservation Easement on Unit 39

B. The following sentence on page 169 of the LCP, at the end of the paragraph captioned "The Sea Ranch," is revised to read:

Design review guidelines apply to all subdivisions and development at The Sea Ranch and include the following provisions:

C. The following text on page 185 of the LCP (including County's proposed amendment which is indicated in italics) is deleted:

~~The Coastal Commission designates a 100 unit transfer site *on Assessor's Parcel Number 122-050-15* at The Sea Ranch. *This designation is consistent with the General Plan Land Use Category of Rural Residential applied in the Sea Ranch area, because the intent of the plan was to establish a total maximum number of units in the Sea Ranch development which included the density transfer site.* The Furlong Gulch project is expected to require only 38 of the 100 sites. Other Conservancy Projects could transfer credits up to the 100 total of The Sea Ranch. The transfer site shall be annexed to The Sea Ranch Association and will be subject to The Sea Ranch Restrictions and Design Guidelines.~~

D. The following text is added after the sentence on page 185 of the LCP that reads "The purpose of this project is to preserve the site for its unusual scenic and visual qualities" :

As part of this project, the Coastal Conservancy acquired an approximately 30 acre site at The Sea Ranch in 1982 and designated it a "transfer site" to receive development potential for up to 100 units. The Sea Ranch Association annexed the site as Unit 39 of The Sea Ranch and made it subject to The Sea Ranch Restrictions and Design Guidelines. Subsequently, the Coastal Conservancy conveyed the site to a private owner who subdivided Unit 39 into 7 lots (Unit 39-A of The Sea Ranch) and a remainder parcel (Unit 39-B). Part of Unit 39 is encumbered by a conservation easement to protect wetlands identified on the site.

E. The following text is added after the sentence on page 186 of the LCP that reads "(This would be subsequent to Design Review approval if design review is required for the site)":

With respect to lots on The Sea Ranch Association, applicants must obtain approval of The Sea Ranch Design Committee and the Board of Directors of The Sea Ranch Association prior to obtaining a coastal permit, building permit, or subdivision approval.

F. The following text on page 187 of the LCP is deleted:

~~After passage of Proposition 20 in 1972, The California Coastal Commission began negotiating with The Sea Ranch Association and Oceanic Properties, Inc. In 1979, the Coastal Commission established Overall Conditions to Development at The Sea Ranch~~

~~which recognized 2029 lots, including the condominium lots developable at 1 unit per lot.~~

~~The Coastal Commission required that the Overall Conditions, dealing with water supply, septic monitoring, highway capacity, visual impacts, and public access, be met prior to any additional building on unbuilt lots. The Sea Ranch Association chose to continue ongoing litigation against the Coastal Commission rather than to fulfill the Overall Conditions. In order to resolve this impasse, the State Legislature passed the Bane Bill during the 1979-80 legislative session. This exempts single family residences on existing lots at the Sea Ranch from Coastal Act provisions if certain requirements were met. Issues dealt with by the legislation were public access, scenic view easements, criteria for height, site and bulk, transportation adequacy, water supply and septic monitoring. The Bane Bill gave The Sea Ranch Association until July 1, 1981, to exercise this option by depositing escrow, deeds and other necessary documents to establish public easements for access and scenic views. When the U.S. District Court ruled in favor of the California Coastal Commission, The Sea Ranch Association voted to implement the Bane Bill.~~

~~The Bane Bill left open the question of ultimate buildout at the Sea Ranch and of constructing more than 1 unit on undeveloped condominium lots.~~

G. The following text is added after the sentence on page 187 of the LCP that reads "Stewarts Point, two miles south of The Sea Ranch, contains a general store and a medical clinic" :

<u>Development</u> The Sea Ranch Amended Precise Development Plan Policy Statement ("PDP") (July 7, 1982) sets the maximum number of lots allowable on The Sea Ranch (as depicted on the PDP map dated Dec. 1981 and adopted on July 7, 1982) at 2,329. While the PDP provided up to 100 units on the Coastal Conservancy "transfer site" (Unit 39), that site was subsequently conveyed to a private owner who subdivided it into 7 lots (Unit 39-A) and a remainder parcel (Unit 39-B). Part of Unit 39 is encumbered by a conservation easement. The 2,329 maximum number of allowable lots at The Sea Ranch does not include lots that have been and may be created on Unit 39. Under an agreement between the private owner of Units 39 and The Sea Ranch Association, no more than 60 residential units may be developed (7 of which have already been developed) on those sites as of 2000.

H. The after the heading "<u>Water Supply</u>" on page 187 of the LCP is revised as follows:

Although the Sea Ranch has ~~more than~~ enough water for expected build out, Term 14 of the present Sea Ranch ~~water~~ Water Company permit requires that no diversion of water from the Gualala River South Fork diversion point be allowed when the river flows are less than five cubic feet per second between the months of June and December. ~~This requirement is intended to preserve river flow for steelhead spawning. Several alternative water sources have been proposed to meet this condition; the two primary alternatives are storage reservoirs and a Gualala lagoon diversion.~~ To meet the requirements of Term 14, a 300 acre-feet storage reservoir has been constructed.

I. The text after the heading "Septic Monitoring" on page 188 is revised as follows:

Septic system discharges may have cumulative impacts on coastal waters as the area builds out. Approximately ~~1400~~ 1600 lots at the Sea Ranch are expected to develop on individual septic systems. Soils at the Sea Ranch vary greatly~~;~~ and are in some areas ~~soils~~ marginal for septic system operations. To minimize the possibilities of future operational problems and the possible adverse ~~impacts~~ effects on coastal waters, ~~a septic maintenance and monitoring program is proposed but not yet implemented~~ an On-site Wastewater Zone has been created to monitor all private septic systems on the Sea Ranch.

The Sea Ranch is bisected by Highway 1, the main ~~access~~ axis route~~.~~ through the Sea Ranch. Minor east -- west access is provided via Stewarts Point -- Skaggs Springs Road. Water from the Gualala River is provided to the entire development by The Sea Ranch Water Company, ~~a private utility~~ a subsidiary corporation of The Sea Ranch Association. There are ~~T~~two sewage treatment plants ~~that serve units at the north end and two subdivision units~~, one is located in the northern area and the other is located in the central area of the Sea Ranch. ~~1430 of the homes are expected to develop on septic systems.~~ These treatment plants are operated by the Sea Ranch Water Company under contract with Sonoma County. Approximately 1700 units are expected to be connected to the sewer system.

Public Access ~~Dedication of public access has been the most controversial at The Sea Ranch.~~ The Bane Bill required that the association and Oceanic California, Inc. dedicate public access easements for five vertical accesses with lateral connections to beaches and a bluff top trail in the northern three units of the Sea Ranch. ~~The required offers of dedication have been made to the Coastal Conservancy. The Coastal Conservancy and Sonoma County Regional Parks are~~

~~negotiating over ownership and operation.~~ Sonoma County Regional Parks owns and maintains the accesses.

Traffic Constraints The Coastal Act required that coastal development not reduce the capacity of Highway 1 so that recreational ~~travel~~ traffic is not impaired. The Coastal Plan traffic study identifies future Highway capacity deficiencies at The Sea Ranch and recommends intersection improvements along Highway 1 to increase highway capacity. ~~The solution is acceptable to both the Association and Oceanic. The Bane Bill parallels these Coastal Plan provisions.~~ The recommended improvements as set forth in the plan have been implemented by the California Department of Transportation.

J. The following text on page 189 of the LCP is deleted:

~~Additional Development Issues~~

~~Ultimate Buildout. The Bane Bill established 2029 units as the buildout level for The Sea Ranch subject to its provisions. The impacts of 2029 units are not fully known. The cumulative impacts from increasing numbers of septic systems is a concern. Traffic loads on Highway 1 will increase but to what degree depends on the future character of the community. Even with the assumption that The Sea Ranch is primarily a retirement community with low levels of traffic generation, peak hour traffic congestion will require improvements to Highway through The Sea Ranch. Demands for public facilities and services such as school classrooms, a library, health facilities, increased police and fire protection or better public access roads can be expected to intensify as more people reside at The Sea Ranch. For these reasons, and in accord with Coastal Act policies to preserve and protect coastal timber lands, 2029 units is proposed as the maximum buildout of The Sea Ranch in the Coastal Plan unless there is a clear public benefit outweighing the risks of additional development.~~

~~Provision of moderate income housing units and a transfer of development potential from less suitable areas are considered to be clear public benefits. The Sea Ranch is an isolated subdivision near no major urban centers. It is a major employer presently employing 200 service workers. This number is expected to nearly double during the planning period, yet no provision has been made at The Sea Ranch to house any of these workers. Estimated existing need for such housing derived from a housing survey was for 80-90 units, and 160-190 units during the planning period. Providing some moderate cost housing units would help meet housing goals.~~

~~Transfer of development potential from less suitable areas is another public benefit. The State Coastal Conservancy is presently exploring the possibility of transferring development potential from Pacific View Estates, a largely unbuilt, small subdivision, to protect high quality coastal views at that location. The Coastal Plan proposes similar development transfers to protect certain visual, recreational, or environmentally sensitive coast resources.~~

~~The Coastal Plan would allow a certain number of additional residential and lodge units above and beyond the 2029 units already agreed upon on the conditions that 15 percent affordable housing units are constructed and a transfer site for 100 units is designated. Access and intersection improvements related to additional development would also be required.~~

K. Item 7 on page 195 should be revised as follows (the County's proposed amendments are indicated in *italics*):

7. Limit expansion and formation of *public sewer services* ~~urban service district boundaries~~ to within designated urban *service* boundaries. *Existing facilities outside of the Sea Ranch Urban Service Boundary may continue to be served, but no expansion is permitted.* Amend The Sea Ranch Precise Development Plan map to reflect the current Sea Ranch Urban Service Boundary. ~~Notwithstanding the above, the urban service district boundary at The Sea Ranch may go beyond urban boundaries in order to continue existing services.~~

L. Item 17 on page 196 should be deleted as follows:

~~17. Allow Oceanic Properties, Inc. 300 additional residential units and up to 100 lodge units on the conditions that:~~

~~Fifteen percent of the total 300 are constructed affordable housing units.~~

~~Intersection improvements at Highway 1 and Halcyon, Deer Trail and the Lodge entrance are constructed as recommended in the Transportation section.~~

~~Tow accessways in Unit 34-A and 36 are improved as recommended in the Access section.~~

~~Sites which would accommodate 100 units for the purpose of transfer programs are designated.~~

## TABLE III-1

## ENVIRONMENTAL RESOURCE CATEGORIES

| | | |
|---|---|---|
| San Beaches/Sand Spits including Smelt Spawning Areas | Rocky Intertidal Shoreline Including Seabird Rookeries | Osprey Nest Sites |
| Dunes/Coastal Strand | Coastal Bluffs | Heron Rookeries |
| Riparian Corridor | Grassland/Coastal Prairie | Spotted Owl Territory |
| Freshwater/Brackish Marsh | Coastal Woodland | Anadromous Fish Streams |
| Ponds, Reservoirs, Seeps | Pygmy Forest | Marine Mammal Haul-out Grounds |
| Bodega Harbor Tideflats | Rare and/or Endangered Plants (California Native Plant Society list) | Kelp Beds |
| | | Open Water |

## ENVIRONMENTAL RESOURCE SUMMARIES

### 1. Sea Ranch North

The northern section of The Sea Ranch contains the State Del Mar Ecological Reserve. The Gualala River supports a sizeable (4,000-5,000 fish) steel head run which is harvested by sportsmen. The mouth of the river includes freshwater and brackish water marshes. The habitat of the river wetlands include nursery areas for smelt, surf perch, flatfish, spider and market crab. Sand bars are used as shorebird nesting areas and osprey foraging areas. Gualala Point Island is a major seabird rookery.

Sanctuary Preservation Areas:

Gualala River
The sandy beach, freshwater marsh and riparian areas at the mouth of the Gualala River
Del Mar Landing Ecological Reserve
Rocky intertidal area
Seabird rookery on the southern boundary
Ponds, reservoirs, seeps
Two rare and/or endangered plant sites
Riparian areas on the south side of the Gualala River

Conservation Areas:

Coastal bluffs on the south side of the Gualala River * insert Conservation Easement in Unit 39-A

### 2. Sea Ranch South

Natural biological resources of the southern half of The Sea Ranch area have been disrupted by subdivision homes, roads and accessory facilities. The most pronounced natural environment is coastal

**Design Compatibility with Natural Features.** New development should respect the natural setting. Except for Bodega Bay, and other historic areas, construction materials, colors, and architectural features should be carefully chosen to blend with landscape features of the site so that structures and nature compliment one another and development has a minimum impact on the site. In Bodega Bay, Duncans Mills, Stewarts Point, and Valley Ford, site impacts should be minimized, but integration of new buildings with the existing character of the town is the overriding concern.

**Building Scale.** An issue closely related to integration of structural design with the physical conditions of the site is that of scale, the relationship of the size of the structure to its surrounding features, both natural and man-made. In the past, many houses have been built which are not out of scale with their surroundings. They may be too massive for their lot size, block light and air for smaller neighboring homes, and destroy the harmony and character of the community.

**Design Compatibility with Existing Structures.** In many of the coastal subdivisions there are few unifying features. The design guidelines address this issue. In older communities, traditional building styles of early coastal buildings are encouraged. In newer communities, roof lines and building exteriors should be compatible with surrounding buildings.

**Commercial Design.** Commercial development in and near Bodega Bay encompasses a wide variety of styles and colors with few common traits except most are single story, wood frame construction. With the absence of a predominant architectural style in the community, it would be appropriate for new commercial construction to reflect the nautical character of the harbor with wooden buildings of simple design.

**Structural and Community Features**

In order to help preserve structural and community features which distinguish coast communities and subdivisions from other areas, and to develop coherent visual guidelines for new development, it is helpful to review the origins and common features of Sonoma's coastal communities.

The Sea Ranch. For over 100 years this spectacular ten mile stretch of the Coast was used by sheep ranchers who added to it only the cypress windbreaks on the lower meadows west of Highway 1. Oceanic Properties bought the 5200 acre Del Mar Ranch in 1963, intending to create a low density residential community where development would have a minimum impact on the natural environment and would blend harmoniously with it. To some extent these goals have been achieved under the design guidance of The Sea Ranch Review Committee. Design review guidelines apply to all subdivision and development at The Sea Ranch and include the following provisions: INSERT

1. Homes are sited to take advantage of natural landforms and vegetation while preserving views from neighboring lots.

2. Buildings are clustered in some areas to achieve screening and greater open space.

3. Landscaping is informal and utilizes indigenous plant materials.

4. Roof slopes are governed by a roof slope direction plan to achieve building to building unity.

5. Sea Ranch homes tend to be simple and dramatic with no roof eaves.

6. Natural wood exteriors and shake roofs or suitably colored asphalt shingles are strongly encouraged.

government restrictions. However, the implications of any compensation program are far reaching and must be undertaken with great care.

**Coastal Conservancy Projects**

The State Coastal Conservancy was established to implement programs to protect or restore coastal resources. The major Coastal Conservancy project in Sonoma County is the Furlong Gulch Restoration Project, which involves purchasing and transfer of development potential of 38 undeveloped lots in and adjacent to the Pacific View Estates subdivision to one or a combination of receiver sites, including The Sea Ranch and Bodega Bay, or for a possible project design on site (Clustered residential development or visitor serving commercial facilities). The purpose of this project is to preserve the site for its unusual scenic and visual qualities.

The Coastal Plan designates a 100 unit transfer site on Assessor's Parcel Number 122-050-15 at The Sea Ranch. This designation is consistent with the General Plan Land Use Category of Rural Residential applied in the Sea Ranch Area, because the intent of the plan was to establish a total maximum number of units in the Sea Ranch development, which included the density transfer site. The Furlong Gulch project is expected to require only 38 of the 100 sites. Other Conservancy projects could use transfer credits up to the 100 total of The Sea Ranch. The transfer site shall be annexed to The Sea Ranch Association and will be subject to The Sea Ranch Restrictions and Design Guidelines. Delete

The Coastal Plan identifies a few additional areas where coastal views, recreation potential or sensitive biological resources are threatened. Some of the identified lots have extremely limited development potential because of their small size or other constraints. Programs which would recognize the limited development potential of such lots but would compensate the owner in some fashion to assure that the property remains undeveloped are strongly encouraged. Possible lots for inclusion in such programs are:

**TABLE VII-10 CONSERVANCY PROJECTS**

| Area | Public Benefit | Lots |
|---|---|---|
| Bodega Bay (waterfront lots between Windy Lane and sewage treatment plan) | visual, recreational access | 18 |
| Salmon Creek (between Bean Avenue and Salmon Creek) | visual, marsh protection | 7 |
| Pacific View Estates | visual | 38 |
| Timber Cove | access | 2 |
| Gleasons Beach | access | 3 |
| Stillwater and Ocean Coves | visual, recreational access | 4 |
| Windermere Point | visual | 1 |

These are not the only possible Conservancy Projects in Sonoma County. Certain other resource areas may require further public attention to ensure their protection and enhancement:

- Environmentally sensitive habitat areas such as Willow Creek Marsh, the Russian River, and other wetlands which are degraded or under conflicting use and development pressures;
- Agricultural lands that have a history or potential of productive use, including traditional grazing areas, prime and non-prime lands, and large ranch areas;
- Appropriate accessways; and
- Areas where unused land or subdivided lots require consolidation or redesign to permit appropriate land uses.

## SMALL COMMUNITIES LAND USE ISSUES

### Background Information

Most of the small communities on the coast have limited water supplies and wastewater disposal problems which severely constrain future development potential. Internal roads are generally narrow, private roads inadequate for major new development.

Year round populations in each of the communities is less than 150. Average lot sizes in all of the communities are less than two acres. The small lot sizes contribute to difficulties in meeting the septic regulations.

Urban Service and Rural Community Boundaries recognize existing subdivisions or developed areas. Inclusion of vacant smaller parcels in Duncans Mills recognizes plans for commercial expansion there, and that community's adequate water supplies. The Valley Ford Boundaries include the entire town, although further development hinges on development of new water supplies.

Construction of Timber Cove Subdivision has been halted for several years because of a court ordered building moratorium. Timber Cove was approved on the basis of individual wells and septic systems. When landowners could not drill adequate producing wells, the developer constructed a substandard water system without necessary permits. In 1974 property owners brought suit against the developer to improve the water system. The court ordered the developer to provide a certain quantity of potable water from new wells. Once the necessary permits have been obtained and the system is operational, the county must allow up to 100 connections to the water system. Twenty-eight existing homes may be connected. Another 72 could be issued building permits and connection to the system.

To insure equity, the following procedure in issuing building permits will apply. The applicant must obtain a County Coastal Permit and building permit from the Planning and Building Departments. (This would be subsequent to Design Review approval if design review is required for the site). Any permit shall lapse and become null and void one two years following the date on which the final design review approval or waiver of design review occurs unless, prior to the expiration, construction is commenced and diligently pursued toward completion on the site for which the permit was obtained. Following permit lapse, the applicant must reapply. If there is a waiting list of other persons desiring permits, the applicant will be placed at the end of the list.

INSERT

## The Sea Ranch Issues

### Background Information

The Sea Ranch is a 5000 acre planned second-home and retirement community located along the northern ten miles of the Sonoma County coast. Originally, County Planned Development ordinances in 1964 and 1968 approved in concept a 5200 unit development. By the time Proposition 20, the original Coastal Act, went into effect in 1972, 2106 single family lots and 18 condominium lots had been approved by the County at The Sea Ranch. One thousand seven hundred lots are owned by individual owners; the remaining lots are still held by Oceanic Properties, Inc., the original developer. East of the highway, large tracts of The Sea Ranch timber land are un-subdivided and undeveloped.

About half of the land in subdivided areas is reserved for common open space. Private hiking and equestrian trails on these lands are maintained by The Sea Ranch Association. Recreation facilities included a public golf course, the lodge, private stables, and recreational centers. A house rental program and the Lodge allow visitors to enjoy the spectacular views, bluffs, and beaches at The Sea Ranch.

The Sea Ranch Lodge contains the post office, a small convenience store, and a restaurant. A general commercial area which contains professional offices, building supplies, and the fire station, is located along Annapolis Road at the eastern boundary of The Sea Ranch. Most retail commercial development serving The Sea Ranch is in the town of Gualala about one mile north of The Sea Ranch. Stewarts Point, two miles south of The Sea Ranch, contains a general store and a medical clinic. * INSERT

After passage of Proposition 20 in 1972, The California Coastal Commission began negotiating with The Sea Ranch Association and Oceanic Properties, Inc. In 1979, the Coastal Commission established Overall Conditions to Development at The Sea Ranch which recognized 2029 lots, including the condominium lots developable at 1 unit per lot. Delete

The Coastal Commission required that the Overall Conditions, dealing with water supply, septic monitoring, highway capacity, visual impacts, and public access, be met prior to any additional building on unbuilt lots. The Sea Ranch Association chose to continue ongoing litigation against the Coastal Commission rather than to fulfill the Overall Conditions. In order to resolve this impasse, The State Legislature passed the Bane Bill during the 1979-80 legislative session. This exempts single family residences on existing lots at The Sea Ranch from Coastal Act provisions if certain requirements were met. Issues dealt with by the legislation were public access, scenic view easements, criteria for height, site and bulk, transportation adequacy, water supply and septic monitoring. The Bane Bill gave The Sea Ranch Association until July 1, 1981 to exercise this option by depositing escrow, deeds and other necessary documents to establish public easements for access and scenic views. When the U.S. District Court ruled in favor of the California Coastal Commission, The Sea Ranch Association voted to implement the Bane Bill.

The Bane Bill left open the questions of ultimate buildout at The Sea Ranch and of constructing more than 1 unit on undeveloped condominium lots.

Water Supply Although the Sea Ranch has more than enough water for expected buildout, Term 14 of the present Sea Ranch water permit requires no diversion of water from the Gualala River South Fork diversion point when river flows are less than five cubic feet per second between June and December. This requirement is intended to preserve river flow for steelhead spawning. Several alternate water sources have been proposed to meet this condition; the two primary alternatives are storage reservoirs and a Gualala Lagoon diversion. Oceanic has filed for an amended water permit application to implement the latter. REVISE

The reservoir alternative would divert river flow during the rainy season to storage reservoirs located on The Sea Ranch property. Since the projected demands of The Sea Ranch are less than 1000 acre feet, and mean annual runoff in the south fork of the Gualala River is approximately 300,000 acre feet, it is evident there is ample water to satisfy requirements on an annual basis. The main drawbacks of this alternative are high costs, possible adverse visual impacts, lengthy construction times, and geological aspects of reservoir construction.

The lagoon diversion project would involve construction of an offset well or wells from the lagoon area of the Gualala River near its mouth. A pipeline, pump and possible treatment facility, would be installed to provide potable water to The Sea Ranch system.

The State Water Resources Control Board, Division of Water Rights, has determined that there is an adequate water supply from the diversion project to serve a buildout of up to 3000 units. An Environmental Impact Report is being prepared for this alternative.

The Bane Bill specified that no coastal development permit could be required for the development of supplemental water supply facilities determined by the State Water Resources Control Board to be necessary to meet the need of legally permitted development within The Sea Ranch. The legislation did provide for participation by the Executive Director of the Coastal Commission in proceedings before the State Water Resources Control Board relating to such facilities and that the Director may recommend terms and conditions that the commission deems necessary to protect against adverse impacts on coastal zone resources. The State Water Resources Control Board has the authority to decide whether such terms and conditions are reasonable.

Septic Monitoring Septic system discharges may have cumulative impacts on coastal waters as the area builds out. Approximately 1400 lots at The Sea Ranch are expected to develop on individual septic systems. Soils at The Sea Ranch vary greatly; in some areas soils are marginal for septic operation. To minimize the possibilities of future operation problems and possible adverse impacts on coastal waters, a septic maintenance and monitoring program is proposed but has not yet been implemented. — REVISE

The Sea Ranch is bisected by Highway 1, the main access route. Minor east-west access is provided via Stewarts Point-Skaggs Springs Road. Water from the Gualala River is provided to the entire development by The Sea Ranch Water Company, a private utility. Two sewage treatment plants serve units at the north end and two subdivision units in the central area of The Sea Ranch. 1430 of the homes are expected to develop on septic systems.

Public Access Dedication of public access has been the most controversial issue at The Sea Ranch. The Bane Bill required that The Sea Ranch Association and Oceanic California, Inc. dedicate public access easements for five new vertical accesses with lateral connections to beaches and a bluff top trail in the northern three units. The required offers of dedication have been made to the Coastal Conservancy. The Coastal Conservancy and Sonoma County Regional Parks are negotiating over ownership and operation.

Traffic Constraints The Coastal Act required that coastal development not reduce the capacity of Highway 1 so that recreational travel is impaired. The Coastal Plan traffic study identifies future highway capacity deficiencies at The Sea Ranch and it recommends intersection improvements along Highway 1 to increase highway capacity. This solution is acceptable to both The Association and Oceanic. The Bane Bill parallels these Coastal Plan provisions.

Scenic View Easements The Bane Bill provided that the Executive Director of the Coastal Commission would identify areas along Highway 1 where scenic view easements should be established to allow for removal of trees in order to restore and preserve scenic views. These view easements were established and dedicated to the Coastal Conservancy (see Appendix C).

Height, Site, and Bulk The Bane Bill provided that the Executive Director of the Coastal Commission would specify design criteria for height, site, and bulk of development visible from scenic view areas, to be enforced by the County of Sonoma. The adopted Height, Site, and Bulk Guidelines include height limits, limitations on gross square footage of structures, and siting requirements on specified lots west of Highway 1. The Guidelines have been incorporated into The Sea Ranch design review process (see appendix B). The County does have the authority to grant a variance of up to 25 percent of height or bulk limits if no feasible alternative exists and the variance is consistent with the Coastal Act view protection objectives.

~~Figure VII-11~~

**Additional Development Issues**

Ultimate Buildout. The Bane Bill established 2029 units as the buildout level for The Sea Ranch subject to its provisions. The impacts of 2029 units are not fully known. The cumulative impacts from increasing numbers of septic systems is a concern. Traffic loads on Highway 1 will increase but to what degree depends on the future character of the community. Even with the assumption that The Sea Ranch is primarily a retirement community with low levels of traffic generation, peak hour traffic congestion will require improvements to Highway 1 through The Sea Ranch. Demands for public facilities and services such as school classrooms, a library, health facilities, increased police and fire protection or better public access roads can be expected to intensify as more people reside at The Sea Ranch. For these reasons, and in accord with Coastal Act policies to preserve and protect coastal timber lands, 2029 units is proposed as the maximum buildout of The Sea Ranch in the Coastal Plan unless there is a clear public benefit outweighing the risks of additional development. delete

Provision of moderate income housing units and a transfer of development potential from less suitable areas are considered to be clear public benefits. The Sea Ranch is an isolated subdivision near no major urban centers. It is a major employer presently employing approximately 200 service workers. This number is expected to nearly double during the planning period, yet no provision has been made at The Sea Ranch to house any of these workers. Estimated existing need for such housing derived from a housing survey was for 80-90 units, and 160-190 units during the planning period. Providing some moderate cost housing units would help meet housing goals.

Transfer of development potential from less suitable areas is another public benefit. The State Coastal Conservancy is presently exploring the possibility of transferring development potential from Pacific View Estates, a largely unbuilt, small subdivision, to protect high quality coastal views at that location. The Coastal Plan proposes similar development transfers to protect certain visual, recreational, or environmentally sensitive coast resources.

The Coastal Plan would allow a certain number of additional residential and lodge units above and beyond the 2029 units already agreed upon on the conditions that 15 percent affordable housing units are constructed and a transfer site for 100 units is designated. Access and intersection improvements related to additional development would also be required. For additional development The Sea Ranch Design

2. Designate as within Rural Community Boundaries ~~urban~~: land within the existing residential subdivision boundaries of Jenner, Rancho del Paradiso, West Beach, Sereno del Mar, Gleasons Beach, Carmet, and Salmon Creek.

3. Designate Timber Cove Rural Community Boundary ~~urban boundaries~~ as the subdivision, the Timber Cove Inn, and existing developed areas adjacent to the subdivision south to the Fort Ross Store area.

4. Designate as within Rural Community Boundaries ~~urban~~ the existing developed areas at Duncans Mills, Valley Ford and Stewarts Point. Stewarts Point and Duncans Mills Rural Community ~~urban~~ boundaries may be changed in the future to reflect Historic District boundaries.

5. Designate as within urban service boundaries those lands shown inside the urban service boundaries on the General Plan Land Use Maps for Bodega Bay and The Sea Ranch.

6. Designate as rural those lands shown outside the urban service and Rural Community boundaries on the Land Use Maps.

7. Limit expansion and formation of public sewer services ~~urban service district boundaries~~ to within designated urban service boundaries. Existing facilities outside of the Sea Ranch Urban Service Boundary may continue to be served, but no expansion is permitted. ~~Notwithstanding the above, the urban service district boundary at The Sea Ranch may go beyond urban boundaries in order to continue existing services.~~

INSERT

8. Allow service extensions to public parklands although they may not be within urban boundaries, only where consistent with General Plan Policies PF-1d and PF-1e.

9. Allow residential development on existing legally subdivided lots if water, septic and other applicable regulations are met.

10. Require that land divisions and development proposals outside urban service boundaries conform to the resource capabilities of the land as recommended in the Resources chapter.

11. Allow new and expanded commercial development consistent with the Coastal Plan within urban service and rural community boundaries if water, septic and other applicable regulations are met.

12. Provide for commercial development only within designated urban service and rural community boundaries except where consistent with development recommendations in the visitor serving facilities section.

13. Only coastal dependent industrial land uses are appropriate along the Sonoma Coast. Locate such uses in urban service areas able to accommodate them.

14. Apply site and design guidelines contained in the visual section to development in urban areas and coastal zone scenic ~~corridors~~ view sheds.

15. Encourage Coastal Conservancy projects or other programs to protect certain lands having high public benefit.

16. Encourage consolidations of lots in high hazard areas and visually or environmentally sensitive areas.

**The Sea Ranch**

16. Enforce the Height, Site, and Bulk Guidelines adopted pursuant to Public Resources Code Section 30610.6 (e) (see Appendix B). Incorporate these Guidelines into The Sea Ranch Design Review process.

17. Allow Oceanic Properties, Inc. 300 additional residential units and up to 100 lodge units on the conditions that:

    Fifteen percent of the total 300 are constructed affordable housing units.

    Intersection improvements at Highway 1 and Halcyon, Deer Trail and the Lodge entrance are constructed as recommended in the Transportation section.

    Two accessways in Units 34-A and 36 are improved as recommended in the Access section.

    Sites which would accommodate 100 units for the purpose of transfer programs are designated.

DELETE

~~19. Designate the following areas for residential expansion: Units 35-B, 35-C, 34-A, unsubdivided areas of Units 34-B, 35-D, and the Condominium lots in Units 35-A, 35-B, 35-C, 34-A (as shown in Figure VII-11).~~

**Land Use Recommendations for Bodega Bay**

18. Prohibit development on Sensitive and Hazardous lands unless the project can be accomplished according to criteria specified in the preceding Sensitive and Hazardous Areas discussion.

19. Prohibit further residential land divisions west of Eastside Road due to the unstable nature of the area's surface and bedrock geology.

20. Stage development and annexation to the Public Utilities District in accordance with the phased Land Use Plans.

21. Require PUD service to all new development within the Urban Service Boundary.

22. Encourage provision of affordable new housing units.

23. Explore possible sites for temporary vehicle camping.

24. Implement Stage II of the Bodega Bay Land Use Plan only upon resolution of present traffic and water constraints.

25. Relate new development to water capacities: If adequate water is not available, develop a building permit allocation system to limit development, and pursue development of additional water supplies.

26. Insure that adequate water capacity is reserved to serve the first three priority developments listed below as they are proposed in the Phase I development plan for Bodega Bay, by requiring that if water supplies do not prove adequate to all land uses designated in the Phase I plan, a minimum of 30 percent of the projected available amount shall be reserved for the designated priority uses. A similar standard shall be applied to Phase II development if necessary:

F5c

# Sonoma County LCP Amendment #1-00

## Attachment #7

# Relationship between Housing Density Bonus Statute and Coastal Act

(The attached memorandum is identical to that previously distributed to the Commission and members of the public in November, 2000 as part of LCP Amendment #2-99)

Underlined text indicates proposed additions to the existing certified Sonoma County Coastal Administrative Manual.

STATE OF CALIFORNIA—THE RESOURCES AGENCY PETE WILSON, *Governor*

CALIFORNIA COASTAL COMMISSION
SAN DIEGO COAST AREA
1 CAMINO DEL RIO NORTH, SUITE 200
SAN DIEGO, CA 92108-1725
(619) 521-8036

# MEMORANDUM

October 10, 1995

**TO:** Coastal Commissioners

**FROM:** Ralph Faust, Chief Counsel
Dorothy Dickey, Deputy Chief Counsel
Amy Roach, Staff Counsel

**RE:** Relationship Between Housing Density Bonus Statute and Coastal Act

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## I. Introduction

During the Coastal Commission's July hearing, some Commissioners requested additional information concerning the relationship between the housing provisions of the Coastal Act and those provisions of the Government Code that provide for increases in residential densities beyond otherwise maximum allowable densities (i.e., the "density bonus" provisions). These requests followed a discussion of the density bonus policy contained in the City of San Diego's proposed amendment to its land use plan for the Torrey Pines Community.[1] The City had objected to the suggested modifications recommended by Commission staff, arguing, without elaboration, that the modifications were inconsistent with requirements of the Government Code.

This memorandum explains both the relationship between the housing provisions of the Coastal Act and the density bonus provisions of the Government Code, and the effect which the density bonus provisions have on local government implementation of the Coastal Act. In brief, the Coastal Act requires that local coastal programs ("LCPs") include plans and ordinances concerning residential densities, and that those plans and ordinances conform with the policies of Chapter 3 of the Coastal Act. Government Code § 65915 requires local governments to encourage development of low income housing by granting a 25% increase in the density otherwise allowed under a land use plan and zoning ordinances, as well as by granting one other type of incentive, such as relief from

[1] The Commission postponed a vote on the land use plan amendment, which is now agendized for the October hearing.

applicable development standards. The Coastal Act does not provide for local government housing policies to be included in LCPs. However, the requirements of Government Code § 65915 affect a local government's plans and ordinances concerning residential density. These plans and ordinances are required components of an LCP and therefore, must be included in an LCP and must conform with the policies of the Coastal Act.

Government Code § 65915 potentially conflicts with the Coastal Act by requiring increases in residential density beyond the densities certified as conforming with Chapter 3 policies of the Coastal Act. The general legal principle adopted by courts is that potentially conflicting statutes must be reconciled in a manner that gives effect to both statutes. A later-enacted statute takes precedence over an earlier-enacted statute only to the extent the two statutes cannot be reconciled. In light of these principles, the Coastal Act and Government Code § 65915 must be harmonized without ignoring either statute. Such harmonization is accomplished by recognizing that the mandatory provisions of Government Code § 65915 must be given effect, but that the discretionary provisions of Government Code § 65915 must be implemented only in a manner that also takes into account the policies of the Coastal Act. Therefore, the Commission may find that an LCP conforms with the policies of Chapter 3 of the Coastal Act even if the LCP provides for compliance with the mandatory provisions of Government Code § 65915, i.e., the grant of a 25% density increase and one other incentive. However, the Commission cannot find that an LCP conforms with Chapter 3 policies of the Coastal Act unless it finds that the LCP implements all discretionary provisions of Government Code § 65915, e.g., how to accommodate the density increase and which incentive to grant, in a manner that conforms with Chapter 3 policies of the Coastal Act.

## II. Relationship Between Coastal Act Housing Provisions and Government Code

The Coastal Act precludes the Commission from requiring or reviewing local government policies concerning how to accommodate housing needs. However, these provisions do not preclude the Commission from requiring and reviewing policies concerning the location and density of residential development. Both the Government Code and the Coastal Act treat the planning for location and density of residential development as distinct from planning for the accommodation of housing needs. Local government policies and ordinances relating to location and density of residential development must be included in a local government's LCP and, in order for a local government to issue coastal development permits for development within its jurisdiction, must be in conformance with the policies of Chapter 3 of the Coastal Act. Plans and ordinances for residential densities are not exempt from inclusion in an LCP and from conformance with the Coastal Act simply because they have been influenced by housing requirements.

### A. Local Coastal Programs Must Include Plans and Ordinances Concerning Residential Densities

The Government Code requires local governments to develop general plans for the area within their jurisdiction. Local governments are authorized to issue zoning

ordinances that are consistent with a general plan. Govt. Code §§ 65800, 65860. A general plan must contain a variety of elements, including a land use element and a housing element. Govt. Code §§ 65300, 65302. The land use element must indicate the location and density of commercial, industrial, and residential development. Govt. Code § 65302(a). Thus, the land use element of a general plan must plan for the location and density of residential development. Local governments must correlate the land use element with the circulation element so that the location and density of different types of development is correlated with the location of highways and streets. Govt. Code § 65302(b).

The housing element of a general plan must contain information identifying the local government's housing needs and specifying how those needs will be met. Govt. Code §§ 65583, 65302(c). Although the housing element and land use element are related, they are distinct components of the general plan and are based upon different analyses and planning efforts.

The Coastal Act provides for a delegation to local government of the authority to issue coastal development permits. The delegation may occur only after a local government has submitted an LCP that conforms with the policies of Chapter 3 of the Coastal Act (i.e., the policies for protection of coastal access, coastal recreational opportunities, wetlands, environmentally sensitive habitat areas, etc.). Pub. Res. Code §§ 30500, 30519. The LCP must consist of a land use plan ("LUP") and zoning ordinances that implement the LUP. Pub. Res. Code § 30108.6. The LUP must include those portions of the local government's general plan that indicate the "kinds, location, and intensity of land uses." Pub. Res. Code § 30108.5. Thus, the Coastal Act requires that an LCP consist of all portions of the local government's general plan and zoning ordinances that relate to the "kinds, location, and intensity of land uses" in the coastal zone. Accordingly, the Coastal Act requires that an LCP contain plans and ordinances relating to the location and density of residential development.

Until 1982, one of the Chapter 3 policies of the Coastal Act provided for the protection and encouragement of low and moderate income housing. Prior to that year, in order for the Commission to find that an LCP conformed with Chapter 3 policies, the Commission was required to evaluate policies and ordinances relating to how the local government intended to provide for low and moderate income housing. Thus, local governments were required to submit as part of their LCPs not only the land use element of their general plan, but also the housing element. In 1981, the California legislature amended the Coastal Act to delete the Chapter 3 policy that required the Commission to protect and encourage low and moderate income housing. The legislature also added Coastal Act § 30500.1, which states that the Commission shall not require local governments to submit housing policies.[2] See Senate Bill 626, Chapter 1007, adopted 1981. At the same time, the legislature amended the Government Code by adding section 65590, which requires local governments to adopt certain policies relating to the protection of affordable housing in the coastal zone. Shortly thereafter, the legislature

[2] Section 30500.1 states: "No local coastal program shall be required to include housing policies and programs."

adopted Coastal Act § 30011, which precludes the Commission from evaluating how a local government has applied Government Code § 65590 to a particular development.

These amendments did not change the Coastal Act requirement that local governments develop policies and plans that insure development in the coastal zone conforms with Chapter 3 policies of the Coastal Act. Rather, the amendments shifted the responsibility for protecting and encouraging affordable housing away from the Coastal Commission to local governments. These amendments did not modify the requirement that local governments include in their LCPs plans and ordinances for the location and density of residential development, and that those plans and ordinances conform with Chapter 3 policies. Thus, LCPs submitted to the Commission must include plans and ordinances relating to the location and density of residential development. In order for the delegation of coastal development permit issuing authority to occur, the Commission must certify that those plans conform with the policies of Chapter 3 of the Coastal Act.

The Coastal Act also states it does not exempt local governments from requirements of housing laws.[3] Pub. Res. Code § 30007. Therefore, to the extent the Government Code imposes housing related requirements on local governments, the Coastal Act cannot be a means for the local government to avoid those requirements. In some cases, Government Code housing requirements will be strictly related to the housing element of the local government's general plan and will not be submitted to the Commission as part of the LCP. However, if Government Code housing requirements affect the residential density provisions of the land use element of a general plan, local government's implementation of those requirements must be included in an LCP and must conform with the Coastal Act.

### B. Local Coastal Programs Must Provide For Compliance With Nondiscretionary Requirements of the Density Bonus Law

To encourage the development of low income housing, Government Code § 65915 requires local governments to provide two types of incentives to developers who agree to make a specified percentage of new housing affordable to low income and senior households. The incentives are:

(1) a density increase of 25%, and

(2) one other incentive in the form of a financial incentive, reduction in development standards, mixed zoning, or other incentive that will reduce housing costs <u>unless</u> the local government determines that this additional incentive is not necessary to make the low income housing affordable.

---

[3] Section 30007 states:

> Nothing in this division shall exempt local governments from meeting the requirements of state and federal law with respect to providing low- and moderate-income housing, replacement housing, relocation benefits, or any other obligation related to housing imposed by existing law or any law hereafter enacted.

One other provision of the Coastal Act addresses housing: section 30600.1 relates to coastal development permits that were issued with conditions relating to the provision of low and moderate income housing.

This section also authorizes, but does not require, local governments to grant increases in density beyond 25% and to grant additional incentives for purposes of encouraging the development of low income housing. Local governments must establish ordinances to implement the density bonus and incentive requirements. Govt. Code § 65915(a).

Accordingly, to comply with Government Code § 65915, local governments must amend their zoning ordinances to allow the granting of density bonuses and incentives. Because zoning ordinances must be consistent with the general plan, an amendment to zoning ordinances to accommodate the density bonus requirements will likely trigger the need to amend the residential density provisions of the general plan. For local governments with Commission-certified LCPs, these changes to the general plan and zoning ordinance will require amendment of the LCP, which is required to contain the residential density provisions of the general plan and zoning ordinances. Of course, local governments that have not submitted an LCP to the Commission for certification will not have an LCP to amend. When these local governments submit an LCP for certification, it will be required to contain residential density provisions and accordingly, must include density bonus provisions that the local government has incorporated into its general plan and zoning ordinance.

Local governments that must both comply with Government Code § 65915 and develop LCPs that conform with Chapter 3 policies of the Coastal Act are faced with potentially conflicting requirements. Courts have held that potentially conflicting statutes must be harmonized to avoid ignoring one statute. See e.g. Fuentes v. Workers' Compensation Appeals Board, 16 Cal. 3d 1, 128 Cal. Rptr. 673 (1976), Larson v. State Personnel Board, 28 Cal. App. 4th 265, 33 Cal. Rptr. 412 (1994). If two statutes cannot be harmonized the later-enacted statute is given effect, but only to the extent the statutes cannot be harmonized. Id.

Thus the requirements of Government Code § 65915 must be harmonized with Coastal Act requirements, without ignoring either statute. Since § 65915 was enacted after the Coastal Act, it must be given effect to the extent it cannot be reconciled with the Coastal Act. Government Code § 65915 cannot be reconciled with the Coastal Act to the extent that it imposes mandates that require local government to allow development that is inconsistent with a certified LCP. However, to the extent Government Code § 65915 authorizes discretionary actions, it must be reconciled with the Coastal Act by requiring that local government exercise its discretion in a manner that takes into account the statutory obligations of the Coastal Act. Thus, although local governments must comply with mandatory provisions of Government Code § 65915, discretionary provisions of § 65915 must be implemented in a manner that also complies with Coastal Act requirements.

Section III of this memorandum explains which provisions of the density bonus law are mandatory and which are discretionary, and illustrates how these provisions must be implemented in LCPs.

## III. Conformance of Density Bonus Requirements with the Coastal Act

### A. 25 Percent Density Increase

Government Code § 65915(b) mandates that local governments grant a density bonus to developers who agree to make specified percentages of new units affordable to low income or senior households.[4] Government Code § 65915(f) defines the term "density bonus" as:

> a density increase of at least 25 percent over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as of the date of application by the developer . . . .

Under this definition, the Government Code requires an increase in density of at least 25% but does not require a density increase beyond 25%. Further, the Government Code does not specify how the 25% density bonus is to be accommodated. Accordingly, how the increase is accommodated and whether to provide an increase beyond 25% are within local government's discretion.

Because local government has the discretion to decide how the 25% density increase may be achieved, LCPs must insure that if there are means of accommodating the 25% density bonus that will not create inconsistencies with Chapter 3 policies, those means will be used. For example, if a 25% increase in density can be accommodated by either decreasing yard sizes or filling wetlands, the increase must be accommodated by decreasing yard sizes, which will not adversely affect coastal resources. Coastal resources can be adversely affected only when it is impossible to grant the density increase without such adverse impacts. In those situations, the density increase must be implemented in the manner that is the most protective of significant coastal resources. For example, if the density bonus can be accommodated only by either increasing building heights thereby reducing public views to the ocean, or filling wetlands, the density increase must be accommodated by the height increase, since that will be most protective of significant coastal resources.[5] If relief from more than one development standard is necessary to accommodate the 25% density bonus, the LCP may provide for such relief.

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[4] Government Code § 65915(b) states:

> When a developer of housing agrees or proposes to construct at least (1) 20 percent of the total units of a housing development for lower income households, . . . or (2) 10 percent of the total units of a housing development for very low income households, . . . or (3) 50 percent of the total dwelling units of a housing development for [senior residents], a city, county, or city and county shall either (1) grant a density bonus and at least one of the concessions or incentives identified in subdivision (h) unless the city, county, or city and county makes a written finding that the additional concession or incentive is not required in order to provide for affordable housings costs . . . or (2) provide other incentives of equivalent financial value based upon the land cost per dwelling unit.

[5] In many cases, the issue of which method of accommodating a density increase will be most protective of significant coastal resources will be a policy issue. Therefore, LCPs should identify how the local government intends to make choices about methods of accommodating density increases.

Similarly, LCPs must insure that density increases beyond 25% will not occur unless it can be demonstrated that the increase will not result in inconsistency (or inconsistency beyond that created by accommodation of a 25% density bonus) with the policies and development standards of the certified LCP. For example, a local government might amend its LCP to identify subregions where density increases beyond 25% can be accommodated without adversely affecting coastal resources. The LCP could provide that in those subregions, the local government could exercise its discretion to provide a density bonus beyond 25% without creating inconsistencies with the certified LCP.

Government Code § 65915(f) requires that the increase in density granted to a developer be 25% over the "maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan." Many local government general plans and ordinances establish residential densities by identifying both a density range that indicates an approximate density for an area, and a series of development standards and other factors (e.g., setbacks, heights, yard size, proximity to circulation element roads, etc.) that will be applied to determine the maximum density that will be allowed on any particular site within the district or area. The Government Code requires that the 25% density increase be applied to the density that will be the maximum allowed under both the general plan and zoning ordinances. Therefore, the base density to which the density bonus will be applied will be the density that would be identified after application of both the density range for an area and the factors applicable to the developer's particular site.

### B. Application of Incentives

Government Code § 65915(b) requires local governments to provide not only a density bonus but also "at least one of the concessions or incentives identified in [§ 65915(h)]" unless the local government finds that the additional concession or incentive is not required to provide for affordable housing. Government Code § 65915(h) identifies a concession or incentive as:

> (1) A reduction in site development standards or a modification of zoning code requirements or architectural design requirements which exceed the minimum building standards . . . , including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required.
>
> (2) Approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.

(3) Other regulatory incentives or concessions proposed by the developer or the city, county, or city and county which result in identifiable cost reductions.[6]

Thus, the provision of at least one incentive is mandatory unless the local government finds that the additional incentive is unnecessary. However, § 65915 does not require local governments to provide more than one incentive in addition to the density bonus. Further, it does not indicate how a local government is to choose which incentive to provide. Therefore, whether to award more than one incentive and which incentive to award are discretionary.

Accordingly, LCPs may provide for the grant of one incentive, in addition to a density bonus, if necessary.[7] However, LCPs may not provide for more than one incentive unless it can be demonstrated that the grant of additional incentives will not result in inconsistencies with the certified local coastal program. Similarly, in applying the one incentive, LCPs must insure that if there are incentives that will encourage development of low income housing without adversely affecting coastal resources, those incentives will be used. If all possible incentives will have an adverse effect on coastal resources, the LCP must provide for use of the incentive that is most protective of significant coastal resources.

For example, if the potential incentives are: (1) a reduction in parking standards that may impede coastal access, and (2) allowing otherwise prohibited fill of wetlands, the first incentive should be awarded, rather than the second, since the Coastal Act places greater restrictions upon the filling of wetlands. LCPs should rank incentives in terms of impacts on coastal resources to insure that the incentive chosen is the incentive that is the most protective of significant coastal resources.

## IV. Conclusion

Local coastal programs must harmonize requirements of the Coastal Act and the mandates of the density bonus statute by providing for compliance with mandates of Government Code § 65915, i.e., a 25% density bonus, and one incentive if necessary. Discretionary aspects of Government Code § 65915, i.e., how to accommodate a density increase, whether to grant a density increase beyond 25%, which incentive to grant, and whether to grant more than one incentive, must be implemented in a manner that is fully consistent with the policies of Chapter 3 of the Coastal Act. LCPs that achieve these goals will satisfy both the Coastal Act and Government Code § 65915.

---

[6] Section 65915(h) concludes with the following provision:

> This subdivision does not limit or require the provision of direct financial incentives for the housing development, including the provision of publicly owned land, by the city, county, or city and county, or the waiver of fees or dedication requirements.

[7] Government Code § 65915 seems to presume that a density bonus can be accommodated without relief from development standards because it treats density bonuses as distinct from incentives, which by definition include relief from development standards. However, § 65915(d) states that local governments must adopt procedures for waiving or modifying development standards that would inhibit application of density bonuses to particular sites. Therefore, it appears that at least one incentive must be provided, if necessary, even if a developer has already obtained relief from development standards to accommodate a 25% increase in density.

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# Sonoma County
# LCP Amendment #1-00

Attachment #9

# Portions of Preliminary Coastal Zone Land Use Map

(Colored copies available upon request)

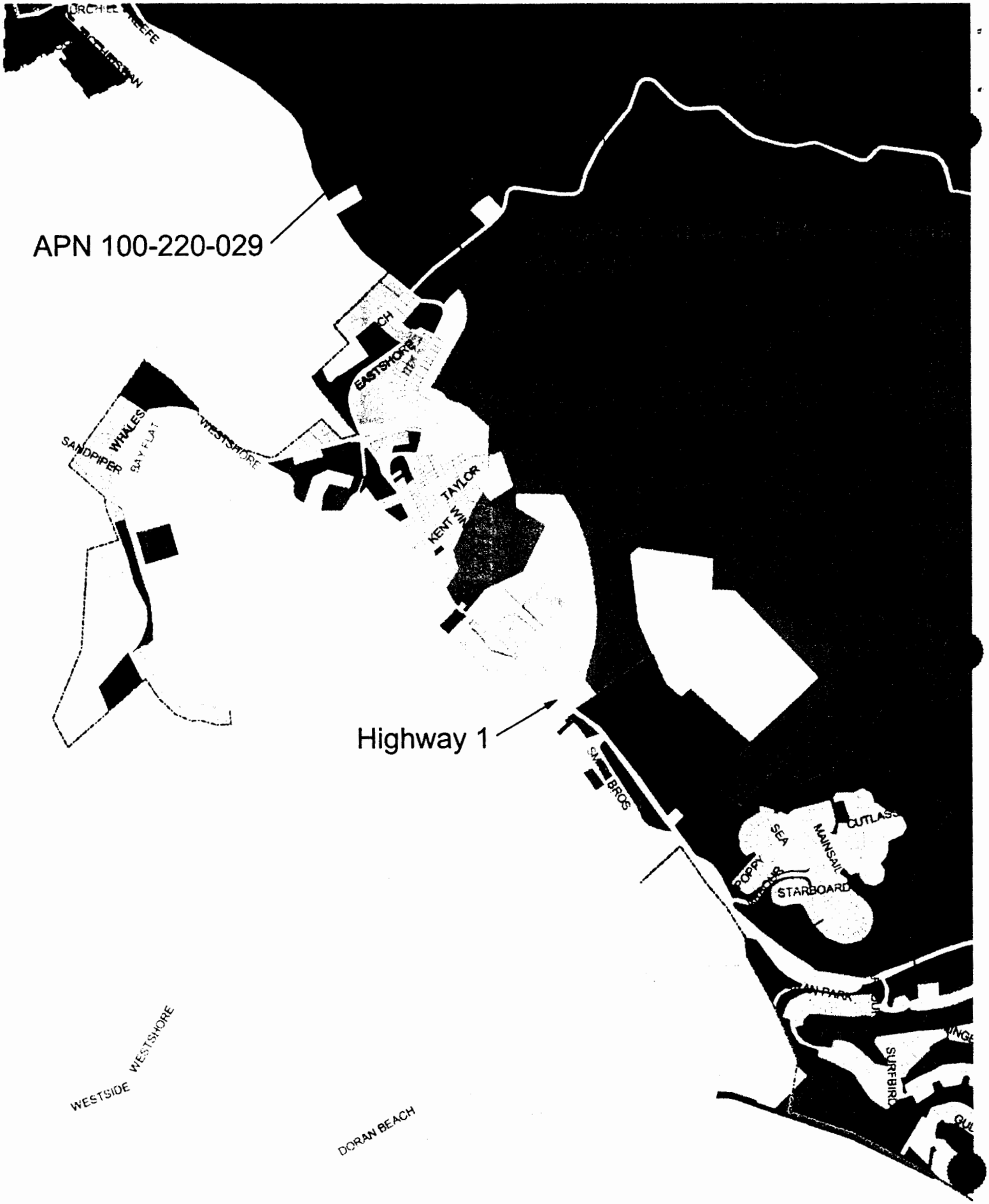
ATTACHMENT 9
(1 of 3)
Sonoma County LCP Amendment
No. 2-99

# LEGEND

Coastal Commission Boundary
Urban Service Boundary
Rural Community Boundary

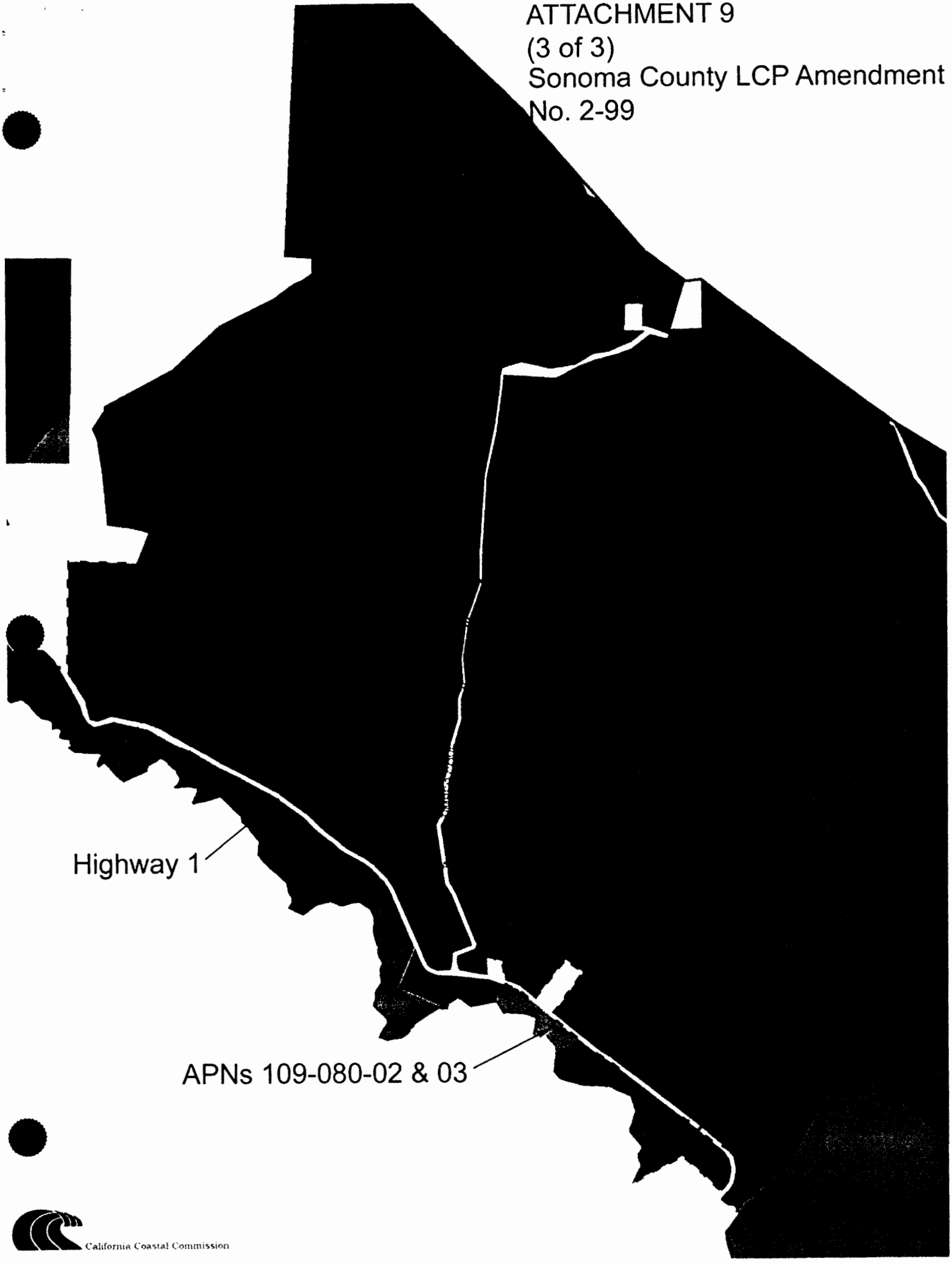
Land Use Inside Coastal Commission Boundary

Institutional
Planned Community
Medium Density Residential
Low Density Residential
Rural Residential
Sensitive and Hazardous
Timber
Agriculture
Dedicated Open Space
Recreation
Village Commercial
Commercial Center
Visitor Serving Commercial
Fishing Commercial
All Parcels




California Coastal Commission

ATTACHMENT 9
(3 of 3)
Sonoma County LCP Amendment
No. 2-99




California Coastal Commission

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# Sonoma County
# LCP Amendment #1-00

Attachment #10

# Sonoma County's proposed amendments to its Local Coastal Program, LCP Amendment No. 1-00

COUNTY OF SONOMA
BOARD OF SUPERVISORS
575 ADMINISTRATION DRIVE, RM. 100A
SANTA ROSA, CALIFORNIA 95403

(707) 565-2241
FAX (707) 565-3778

EEVE T. LEWIS
COUNTY CLERK

MEMBERS OF THE BOARD

TIM SMITH
CHAIRMAN

MIKE KERNS
VICE CHAIRMAN

MICHAEL J. CALE

PAUL L. KELLEY

MIKE REILLY

June 19, 2001

Ms. Sara Wan, Chairperson
California Coastal Commission
North Central Coast District
45 Fremont, Suite 2000
San Francisco, CA 94105

Subject: Sonoma County's proposed amendments to its Local Coastal Program, LCP amendment No. 1-00

Dear Chairperson Wan:

As you are aware, in November 1999, Sonoma County proposed to your Commission that the County's coastal regulations be modified in order to achieve consistency between the County General Plan and the Local Coastal Plan. In December, 2000, your Commission's staff recommended a number of modifications, including some significant changes unrelated to the County's application. Since that time, we have been working closely with your staff in an effort to resolve our differences in a way that will allow both the County's proposal to be approved and the Commission's interest in coastal resource protection to be fulfilled.

As this matter is scheduled on your agenda for July, 2001, in Santa Rosa, the purpose of this letter is to outline a proposed course of action that we believe will accomplish this goal. We have discussed this proposal with your staff and it appears that staff is willing to recommend approval to your Commission with certain conditions. The proposal is described in further detail below, but in general, it provides assurance that the County would agree to most of the Commission's proposed modifications and would agree to address several other significant modifications in the new General Plan and Coastal Plan update now underway. In recognition of this commitment, the County requests that the Commission defer these latter modifications in Group B at this time.

The County's proposal is as follows:

A. The County concurs with the following Commission staff's proposed modifications:

**LCP:**
Issues #1, #3, #4, #5, #6, #7, #8, #9

**Zoning Ordinance:**
Issues #1, #2, #3, #7, #8, #10, #11.

B. The County requests that the Commission defer the following proposed modifications until the County addresses them in the comprehensive update of the LCP to be done in conjunction with the General Plan update:

**LCP:**
Issue #10: Sea Ranch requested changes to update language and restrict density on transfer site.

**Zoning Ordinance:**
Issue #9: Recommendations to revise Site Development and Erosion Control section (Article 38) to reduce polluted runoff and improve water quality standards.

Issue #4: Eliminate golf courses with a use permit on agricultural land.

Issue #5: Eliminate guest ranches and campgrounds with a use permit on agricultural land.

C. The County requests that the Commission reconsider the following proposed modifications:

**LCP:**
Issue #2: Right-to Farm Ordinance: The County requests that the Right-to-Farm ordinance be included in the amendment, to be attached as an addendum to the LCP and referenced in the Resource Section.

Issue #4: Fishing Commercial on APN100-220-029: The County requests that the Commission approve an amendment from Agriculture to Fishing Commercial on an 11-acre portion of the parcel, based on a prior approval of a commercial fishing storage facility by our County and upheld by the Coastal Commission on appeal. The County's General Plan has designated this 11-acre area as General Industrial.

We sincerely hope that this proposal will be supported by Coastal Commission staff recommendation and favorably considered by your Comission so that the County can move forward on amendments that have been in progress for 7 years.

Cordially,

TIM SMITH, Chairman
Board of Supervisors

TS:jl

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# Sonoma County
# LCP Amendment #1-00

Attachment #11

# "Right to Farm" Ordinance

# ORDINANCE NO. 5203

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, ADDING SECTIONS 7-11.75, 25-12.75, 26-88-170, AND 26C-451.5 TO THE SONOMA COUNTY CODE, AND REPEALING AND RE-ENACTING ARTICLE II OF CHAPTER 30 OF THE SONOMA COUNTY CODE, THE SONOMA COUNTY RIGHT TO FARM ORDINANCE**

---

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

**SECTION I.** Section 7-11.75 of the Sonoma County Code is added to read:

**Sec. 7-11.75. Compliance with right to farm ordinance.**

Any building or structure subject to the provisions of this chapter shall comply with the right to farm ordinance set forth in Chapter 30 of this code.

**SECTION II.** Section 25-12.75 is added to the Sonoma County Code to read:

**Sec. 25-12.75. Compliance with right to farm ordinance.**

Any subdivision subject to the provisions of this chapter shall comply with the right to farm ordinance set forth in Chapter 30 of this code.

**SECTION III.** Section 26-88-170 is added to the Sonoma County Code to read:

**Sec. 26-88-170. Compliance with right to farm ordinance.**

Any use subject to the provisions of this chapter shall comply with the right to farm ordinance set forth in Chapter 30 of this code.

**SECTION IV.** Section 26C-451.5 is added to the Sonoma County Code to read:

**Sec. 26C-451.5. Compliance with right to farm ordinance.**

Any use subject to the provisions of this chapter shall comply with the right to farm ordinance set forth in Chapter 30 of this code.

**SECTION V.** Article II of Chapter 30 of the Sonoma County Code is repealed and re-enacted to read:

## Article II. Right to Farm.

### Sec. 30-20. Short Title.

This article shall be known and may be cited as the Sonoma County Right to Farm Ordinance or the Right to Farm Ordinance.

### Sec. 30-21. Findings.

(a) It is the declared policy of this county to conserve, protect, enhance, and encourage agricultural operations on agricultural land within the unincorporated area of the county. Further, it is the intent of this county to provide its residents proper notification of the county's recognition and support, through this article, of the right to farm.

(b) Where non-agricultural land uses, particularly residential and commercial development, extend onto agricultural land or exist side by side, agricultural operations are frequently the subject of nuisance complaints. As a result, some agricultural operations are forced to cease or curtail their operations and many others are discouraged from making investments in improvements to their operations, all to the detriment of adjacent agricultural uses and the economic viability of the county's agricultural industry as a whole. It is the purpose and intent of this article to reduce the loss to the county of its agricultural resources by limiting the circumstances under which properly conducted agricultural operations on agricultural land may be considered a nuisance.

(c) It is the further purpose and intent of this article to promote a good-neighbor policy by requiring notification of owners, purchasers, residents, and users of property adjacent to or near agricultural operations on agricultural land of the inherent potential problems associated with being located near such operations, including, without limitation, noise, odors, fumes, dust, smoke, insects, operation of machinery during any time of day or night, storage and disposal of manure, and ground or aerial application of fertilizers, soil amendments, seeds, and pesticides. It is intended that, through mandatory disclosures, owners, purchasers, residents, and users will better understand the impact of living or working near agricultural operations and be prepared to accept attendant conditions from properly conducted agricultural operations as a normal and necessary aspect of living in a county with a strong rural character and an active agricultural sector.

(d) It is the further purpose and intent of this article to carry out and advance the goals, objectives, policies, and implementation programs of the agricultural resources element of the general plan.

**Sec. 30-22. Relationship to other laws.**

This article is not intended to, and shall not be construed or given effect in a manner that modifies or abridges federal law or regulation, or state law as set out in the Civil Code, Health and Safety Code, Fish and Game Code, Food and Agricultural Code, Division 7 of the Water Code, or any other applicable provision of state law relative to nuisances; instead, this article is only to be utilized in the interpretation and enforcement of provisions of this code and county regulations. Further, this article is not intended to, and shall not be construed or given effect in a manner that limits or restricts the county's authority to review and approve or disapprove proposals for agricultural operations on agricultural land in accordance with other provisions of this code or other laws.

**Sec. 30-23. Schedule of fees and charges.**

The board of supervisors may from time to time establish a schedule of fees and charges following the procedures required by law to recover the reasonable cost of providing services, issuing permits, recording documents, and enforcing regulations pursuant to this article.

**Sec. 30-24. Definitions.**

Unless the provision or context otherwise requires, the definitions contained in this section shall govern the construction of this article. The definition of a word or phrase applies to any of that word's or phrase's variants.

"Adjacent to agricultural land" means within 300 feet of agricultural land.

"Agricultural land" means all that real property within the unincorporated area of the county designated as land intensive agriculture, land extensive agriculture, or diverse agriculture by the general plan and zoning ordinance.

"Agricultural operation" means and includes, but shall not be limited to, the cultivation and tillage of the soil, dairying, the production, irrigation, frost protection, cultivation, growing, harvesting, processing, and storing of any agricultural commodity, including viticulture, horticulture, timber, or apiculture, the raising of livestock, fur bearing animals, fish, or poultry, and any commercial agricultural practices performed incident to or in conjunction with such operations, including preparation for market, delivery to storage or to market, or delivery to carriers for transportation to market.

"Development approval" means all of the following:

(a) Any discretionary approval granted pursuant to Chapter 25, 26, or 26C of this code to allow residential or commercial development of land, including,

without limitation, any approval of a zone change, tentative map, lot line adjustment, use permit, or design review.

(b) Any building permit issued pursuant to Chapter 7 of this code to allow construction of a new single-family dwelling, enlargement of an existing single-family dwelling by six hundred forty (640) square feet or more of floor area, or installation of a manufactured home.

"Director of permit and resource management" means the director of permit and resource management of the county or his or her authorized representative.

"General plan" means the Sonoma County General Plan.

"Properly conducted agricultural operation" means an agricultural operation that is in conformance with existing laws and regulations and proper and accepted customs and standards.

"Treasurer/tax collector" means the treasurer/tax collector of the county or his or her authorized representative.

"Zoning ordinance" means the Sonoma County Zoning Ordinance set forth in Chapter 26 of this code or the Sonoma County Coastal Zoning Ordinance set forth in Chapter 26C of this code, as appropriate.

**Sec. 30-25. Nuisance - agricultural operation.**

No agricultural operation conducted or maintained on agricultural land in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the county, shall be or become a nuisance for purposes of this code or county regulations if it was not a nuisance when it began, provided that such operation complies with the requirements of all applicable federal, state, and county statutes, ordinances, rules, regulations, approvals, and permits. The provisions of this section shall not apply where a nuisance results from the negligent or improper management or operation of an agricultural operation.

**Sec. 30-26. Disclosure of article to current owners.**

The treasurer/tax collector shall cause the following notice to be mailed to all owners of real property within the county with the annual tax bill:

> The County of Sonoma permits the operation of properly conducted agricultural operations on agricultural land within the unincorporated area of Sonoma County, and has declared it County policy in the Sonoma

County Right to Farm Ordinance (Sonoma County Code, Chapter 30, Article II) to conserve, protect, enhance, and encourage such operations. Residents or users of property located near an agricultural operation on agricultural land may at times be subject to inconvenience or discomfort arising from that operation, including, without limitation, noise, odors, fumes, dust, smoke, insects, operation of machinery during any time of day or night, storage and disposal of manure, and ground or aerial application of fertilizers, soil amendments, seeds, and pesticides. One or more of these inconveniences or discomforts may occur as result of any properly conducted agricultural operation on agricultural land. The County of Sonoma has determined in the Sonoma County Right to Farm Ordinance that inconvenience or discomfort arising from a properly conducted agricultural operation on agricultural land will not be considered a nuisance for purposes of the Sonoma County Code or County regulations, and that residents or users of nearby property should be prepared to accept such inconvenience or discomfort as a normal and necessary aspect of living in a county with a strong rural character and an active agricultural sector. For more information about the Sonoma County Right to Farm Ordinance, please contact the Sonoma County Agricultural Commissioner's office at 2604 Ventura Avenue, Santa Rosa, CA 95403.

**Sec. 30-27. Disclosure of article in development approvals.**

Where a development approval is sought on or adjacent to agricultural land, the property owner, as part of the application for the development approval, shall execute a declaration acknowledging the right to farm. The director of permit and resource management shall cause the declaration to be recorded in the office of the county recorder upon granting of the development approval, unless a declaration acknowledging the right to farm has already been recorded for the property pursuant to this section, in which case the declaration need not be recorded. The declaration shall be in substantially the following form:

**DECLARATION ACKNOWLEDGING RIGHT TO FARM**

The undersigned do hereby certify to be the owner(s) of certain real property located in Sonoma County, California, and more particularly described in Exhibit "A," attached hereto and incorporated herein by this reference ("the subject property").

The undersigned do hereby acknowledge that the subject property is located on or adjacent to agricultural land, as defined in the Sonoma County Right to Farm Ordinance (Sonoma County Code, Chapter 30, Article II). The undersigned do hereby further acknowledge that the County of Sonoma

permits the operation of properly conducted agricultural operations on agricultural land within the unincorporated area of Sonoma County, and has declared it County policy in the Sonoma County Right to Farm Ordinance to conserve, protect, enhance, and encourage such operations. The undersigned do hereby further acknowledge that if the subject property is located near an agricultural operation on agricultural land, residents or users of the subject property may at times be subject to inconvenience or discomfort arising from that operation, including, without limitation, noise, odors, fumes, dust, smoke, insects, operation of machinery during any time of day or night, storage and disposal of manure, and ground or aerial application of fertilizers, soil amendments, seeds, and pesticides. The undersigned do hereby further acknowledge that one or more of these inconveniences or discomforts may occur as a result of any properly conducted agricultural operation on agricultural land. The undersigned do hereby further acknowledge that the County of Sonoma has determined in the Sonoma County Right to Farm Ordinance that inconvenience or discomfort arising from a properly conducted agricultural operation on agricultural land will not be considered a nuisance for purposes of the Sonoma County Code or County regulations, and that residents or users of nearby property should be prepared to accept such inconvenience or discomfort as a normal and necessary aspect of living in a county with a strong rural character and an active agricultural sector.

This Declaration shall run with the subject property in perpetuity and shall be binding upon the undersigned and the undersigned's heirs, personal representatives, lessees, executors, successors, and assigns. This Declaration and the acknowledgments contained herein shall be disclosed to prospective transferees of any interest in the subject property, including, without limitation, a leasehold interest, prior to any such transfer.

**IN WITNESS WHEREOF,** the undersigned has/have executed this Declaration this _____ day of _____, 19__.

**DECLARANT(S)**

Dated:_____ _____

Dated:_____ _____

**NOTE: ACKNOWLEDGMENTS MUST BE ATTACHED FOR ALL SIGNATORIES.**

**Sec. 30-28. Disclosure of article to buyers of real property.**

(a) Where a transfer of real property by sale, exchange, installment land sale contract, lease with an option to purchase, any other option to purchase, ground lease coupled with improvements, or residential stock cooperative improved with one to four dwelling units is proposed for any real property within the unincorporated area of the county, the transferor shall disclose this article and the nature of its provisions to the prospective transferee in one of the following ways:

(1) Deliver a general disclosures and disclaimers advisory to the prospective transferee pursuant to local real estate practice that includes a statement disclosing this article and the nature of its provisions. The statement shall be in substantially the following form:

> The County of Sonoma permits the operation of properly conducted agricultural operations on agricultural land within the unincorporated area of Sonoma County, and has declared it County policy in the Sonoma County Right to Farm Ordinance (Sonoma County Code, Chapter 30, Article II) to conserve, protect, enhance, and encourage such operations. If the property you are purchasing is located near an agricultural operation on agricultural land, residents or users of the property may at times be subject to inconvenience or discomfort arising from that operation, including, without limitation, noise, odors, fumes, dust, smoke, insects, operation of machinery during any time of day or night, storage and disposal of manure, and ground or aerial application of fertilizers, soil amendments, seeds, and pesticides. One or more of these inconveniences or discomforts may occur as a result of any properly conducted agricultural operation on agricultural land. The County of Sonoma has determined in the Sonoma County Right to Farm Ordinance that inconvenience or discomfort arising from a properly conducted agricultural operation on agricultural land will not be considered a nuisance for purposes of the Sonoma County Code or County regulations, and that residents or users of nearby property should be prepared to accept such inconvenience or discomfort as a normal and necessary aspect of living in a county with a strong rural character and an active agricultural sector. For more information about the Sonoma County Right to Farm Ordinance, please contact the Sonoma County Agricultural Commissioner's office at 2604 Ventura Avenue, Santa Rosa, CA 95403.

(2) Deliver a disclosure statement to the prospective transferee pursuant to Article 1.5 (commencing with Section 1102) of Chapter 2 of Title 4 of Part 4 of Division 2 of the Civil Code disclosing this article and the nature of its provisions. The disclosure statement shall be in substantially the following form:

LOCAL OPTION

REAL ESTATE TRANSFER DISCLOSURE STATEMENT

THIS DISCLOSURE STATEMENT CONCERNS THE REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, DESCRIBED AS __ *(Address and Assessor's Parcel Number(s))*_____. THIS STATEMENT IS A DISCLOSURE OF THE CONDITION OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH SECTION 30-28 OF THE SONOMA COUNTY CODE AS OF __*(date)*____. IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER(S) OR ANY AGENT(S) REPRESENTING ANY PRINCIPAL(S) IN THIS TRANSACTION, AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PRINCIPAL(S) MAY WISH TO OBTAIN.

I

SELLERS INFORMATION

The Seller discloses the following information with the knowledge that even though this is not a warranty, prospective Buyers may rely on this information in deciding whether and on what terms to purchase the subject property. Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

THE FOLLOWING ARE REPRESENTATIONS MADE BY THE SELLER(S) AS REQUIRED BY THE COUNTY OF SONOMA, AND ARE NOT THE REPRESENTATIONS OF THE AGENT(S), IF ANY. THIS INFORMATION IS A DISCLOSURE AND IS NOT INTENDED TO BE PART OF ANY CONTRACT BETWEEN THE BUYER AND SELLER.

The County of Sonoma permits the operation of properly conducted agricultural operations on agricultural land within the unincorporated area of Sonoma County, and has declared it County policy in the Sonoma County Right to Farm Ordinance (Sonoma County Code, Chapter 30, Article II) to conserve, protect, enhance, and encourage such operations. If the property you are purchasing is located near an agricultural operation on agricultural land, residents or users of the property may at times be subject to inconvenience or discomfort arising from that operation, including,

without limitation, noise, odors, fumes, dust, smoke, insects, operation of machinery during any time of day or night, storage and disposal of manure, and ground or aerial application of fertilizers, soil amendments, seeds, and pesticides. One or more of these inconveniences or discomforts may occur as a result of any properly conducted agricultural operation on agricultural land. The County of Sonoma has determined in the Sonoma County Right to Farm Ordinance that inconvenience or discomfort arising from a properly conducted agricultural operation on agricultural land will not be considered a nuisance for purposes of the Sonoma County Code or County regulations, and that residents or users of nearby property should be prepared to accept such inconvenience or discomfort as a normal and necessary aspect of living in a county with a strong rural character and an active agricultural sector. For more information about the Sonoma County Right to Farm Ordinance, please contact the Sonoma County Agricultural Commissioner's office at 2604 Ventura Avenue, Santa Rosa, CA 95403.

Seller certifies that the information herein is true and correct to the best of the Seller's knowledge as of the date signed by the Seller.

Seller_____ Date_____

Seller_____ Date_____

II

BUYER(S) AND SELLER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND/OR INSPECTIONS OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A CONTRACT BETWEEN BUYER(S) AND SELLER(S) WITH RESPECT TO ANY ADVICE/INSPECTIONS/DEFECTS.

I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT.

Seller_____ Date_____

Seller_____ Date_____

Buyer_____ Date_____

Buyer_____ Date_____

Agent (Broker
Representing Seller)_____ By_____ Date_____

(Associate Licensee
or Broker-Signature)

Agent (Broker
Obtaining the Offer)_____ By_____ Date_____
(Associate Licensee
or Broker-Signature)

**A REAL ESTATE BROKER IS QUALIFIED TO ADVISE ON REAL ESTATE. IF YOU DESIRE LEGAL ADVICE, CONSULT YOUR ATTORNEY.**

(b) If a prospective transferee refuses to sign the general disclosures and disclaimers advisory or disclosure statement required by subsection (a), the transferor may comply with the requirements of this section by delivering the advisory or statement to the prospective transferee as provided in subsection (a) and affixing and signing the following declaration to the advisory or statement:

"I, _____*(name)*_____, have delivered a copy of the foregoing _____ *(general disclosures and disclaimers advisory/disclosure statement)*_____ as required by Section 30-28 of the Sonoma County Code to ____*(transferee's name)*_____,who has refused to sign.

I declare the foregoing to be true.

Date:_____ Signature:_____ Print Name:_____

**Sec. 30-29. Noncompliance with article.**

Noncompliance with any provision of this article shall not affect title to real property, nor prevent the recording of any document.

**SECTION VI.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

**SECTION VII.** This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, passed and adopted this 19day of October, 1999, on regular roll call of the members of said Board by the following vote:

**SUPERVISORS:**

**KERNS** aye **SMITH** aye **KELLEY** aye **REILLY** no **CALE** aye

**AYES** 4 **NOES** 1 **ABSTAIN** ____ **ABSENT** ____

**WHEREUPON,** the Chair declared the above and foregoing ordinance duly adopted and

**SO ORDERED.**

Chair, Board of Supervisors
County of Sonoma

**ATTEST:**

EEVE T. LEWIS, County Clerk and
ex-officio Clerk of the Board of
Supervisors