

ORDINANCE NO. 6403

An Ordinance Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Amending Sonoma County Code Chapter 26 (Zoning), Articles 04-28, 88-89, To Correct Codification Errors and Make Related Technical and Editorial Amendments; Amending The Official Zoning Database To Make Technical Corrections and Implement Previously Adopted Conditions Of Project Approval; And Determining Exemption From The California Environmental Quality Act

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

SECTION I. The Official Zoning Database of the County, adopted by reference in Section 26-02-110 of the Sonoma County Code, is hereby amended to reclassify specified real property as set forth in Exhibits A and B, attached hereto and incorporated herein by this reference. The Director of the Permit and Resource Management Department is directed to reflect these amendments to the Official Zoning Database as adopted.

SECTION II. Sonoma County Code, Chapter 26, Section 26-04-020 (Glossary) is amended as provided in Exhibit C.

SECTION III. Sonoma County Code, Chapter 26, Section 26-06-020 (Agricultural and Resource Zones) and Section 26-06-030 (Allowed Land Uses) is amended as provided in Exhibit D.

SECTION IV. Sonoma County Code, Chapter 26, Section 26-06-040 (Development Standards) is amended as set forth in Exhibit E.

SECTION V. Sonoma County Code, Chapter 26, Section 26-08-030 (Allowed Land Uses) is amended as provided in Exhibit F.

SECTION VI. Sonoma County Code, Chapter 26, Section 26-08-040 (Development Standards) is amended as set forth in Exhibit G.

SECTION VII. Sonoma County Code, Chapter 26, Section 26-10-030 (Allowed Land Uses) is amended as provided in Exhibit H.

SECTION VIII. Sonoma County Code, Chapter 26, Section 26-12-030 (Allowed Land Uses) is amended as provided in Exhibit I.

SECTION IX. Sonoma County Code, Chapter 26, Section 26-14-030 (Allowed Land Uses) is amended as provided in Exhibit J.

SECTION X. Sonoma County Code, Chapter 26, Section 26-16-080 (Accessory Buildings on Vacant Parcels) is amended as provided in Exhibit K.

SECTION XI. Sonoma County Code, Chapter 26, Section 26-18-030 (Agricultural Processing) is amended as provided in Exhibit L.

SECTION XII. Sonoma County Code, Chapter 26, Section 26-18-080 (Animal Keeping: Farm Animals) is amended as provided in Exhibit M.

SECTION XIII. Sonoma County Code, Chapter 26, Section 26-18-160 (Indoor Crop Cultivation) is amended as provided in Exhibit N.

SECTION XIV. Sonoma County Code, Chapter 26, Section 26-18-170 (Land and Resource Management) is amended as provided in Exhibit O.

SECTION XV. Sonoma County Code, Chapter 26, Section 26-18-220 (Timber Management) is amended as provided in Exhibit P.

SECTION XVI. Sonoma County Code, Chapter 26, Section 26-18-240 (Timber Saw Mills and Lumber Production) is amended as provided in Exhibit Q.

SECTION XVII. Sonoma County Code, Chapter 26, Section 26-22-030 (Campgrounds) is amended as provided in Exhibit R.

SECTION XVIII. Sonoma County Code, Chapter 26, Section 26-22-030.1 (Campgrounds) is amended as provided in Exhibit S.

SECTION XIX. Sonoma County Code, Chapter 26, Section 26-22-080 (Educational Institutions: Elementary and Secondary Schools) is amended as provided in Exhibit T.

SECTION XX. Sonoma County Code, Chapter 26, Section 26-24-110 (Cottage Housing Development) is amended as provided in Exhibit U.

SECTION XXI. Sonoma County Code, Chapter 26, Section 26-26-090 (General Retail) is amended as provided in Exhibit V.

SECTION XXII. Sonoma County Code, Chapter 26, Section 26-26-150 (Vehicle/Boat Sales and Rentals) is amended as provided in Exhibit W.

SECTION XXIII. Sonoma County Code, Chapter 26, Section 26-28-100 (Horse Boarding) is amended as provided in Exhibit X.

SECTION XXIV. Sonoma County Code, Chapter 26, Section 26-88-121 (Home Occupations) is amended as provided in Exhibit Y.

SECTION XXV. Sonoma County Code, Chapter 26, Section 26-88-122 (Live/Work Uses) is amended as provided in Exhibit Z.

SECTION XXVI. Sonoma County Code, Chapter 26, Section 26-89-030 (Administration and General Requirements) is amended as provided in Exhibit AA.

SECTION XXVII. Sonoma County Code, Chapter 26, Section 26-89-040 (Affordable Housing Requirements for Residential Development) is amended as provided in Exhibit BB.

SECTION XXVIII. Sonoma County Code, Chapter 26, Section 26-89-045 (Workforce Housing Program Requirements) is amended as provided in Exhibit CC.

SECTION XXIX. Sonoma County Code, Chapter 26, Section 26-89-050 (Density Bonus Program) is amended as provided in Exhibit DD.

SECTION XXX. Sonoma County Code, Chapter 26, Section 26-89-060 (Affordable Housing Incentives) is amended as provided in Exhibit EE.

SECTION XXXI. Sonoma County Code, Chapter 26, Section 26-89-070 (Design and Construction) is amended as provided in Exhibit FF.

SECTION XXXII. Sonoma County Code, Chapter 26, Section 26-89-080 (Ownership Unit Occupancy and Long-Term Restrictions) is amended as provided in Exhibit GG.

SECTION XXXIII. Sonoma County Code, Chapter 26, Section 26-89-090 (Rental Unit Occupancy and Long-Term Restrictions) is amended as provided in Exhibit HH.

SECTION XXXVI. The amendments to Chapter 26 adopted herein are exempt from the California Environmental Quality Act under CEQA Guidelines sec. 15061(b)(3), as it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment. This ordinance includes amendments to Chapter 26 to restore and reinstate regulations that were erroneously and unintentionally deleted, moved, or modified by adoption of Ordinance 6335 (February 2021). Adoption of Ordinance 6335 was intended to comprehensively reorganize, reformat, and streamline much of Chapter 26, and was not intended to make substantive changes except as specifically identified. However, codification errors have been identified since adoption of Ordinance 6335 that modified long-standing uses and regulations in certain zoning districts without legislative intent or appropriate notice. This ordinance also makes editorial amendments necessary to clarify the meaning or intent of restored provisions in context, and to improve the useability of the code, such as by ensuring that all defined terms are listed in the glossary and appropriate cross-references inserted. Accordingly, adoption of this ordinance is covered by the common sense exemption of Guidelines section 15061(b)(3) because the substantive amendments made by adoption of this ordinance merely correct codification errors to restore uses and other requirements as they existed in Chapter 26 before being erroneously deleted by Ordinance 6335. This ordinance restores the original wording and practical application, consistent with legislative intent, of those identified provisions of Chapter 26 that were amended in error.

The amendments to the Official Zoning Database that are adopted pursuant to Section I herein, as set forth in Exhibit B, are exempt from the California Environmental Quality Act under CEQA Guidelines sec. 15061(b)(3). It can be seen with certainty that there is no possibility that the project may have a significant effect on the environment because the proposed amendments to the Official Zoning Database will only correct historical errors created when the Official Zoning Database was established, and resolve mapping inconsistencies that were revealed by improvements in mapping techniques. No change in the physical environment would result, because no development is proposed as part of the adjustments to zoning and combining districts, and because the amendments only implement the existing regulations. These updates are needed to ensure the accuracy and reliability of the Official Zoning Database and other zoning information.

The amendments to the Official Zoning Database adopted pursuant to Section I herein, set forth in Exhibit A, are adopted to satisfy previously approved project conditions of approval and are necessary for compliance with the Sonoma County Subdivision Code (Sonoma County Code, Chapter 25). These zone changes were reviewed and considered in compliance with CEQA prior to and at the time of project approval and are exempt from CEQA pursuant to CEQA Guidelines section 15305 (Class 5), minor alterations in land use limitations, because the amendments merely realign the zoning lines to be coterminous with adjusted property lines.

SECTION XXXVII. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or 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 XXXVIII. This Ordinance shall be and the same is hereby declared to be in full force and effect on and after the 30th day following its adoption and shall be published once before the expiration of fifteen (15) days after the date of its 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, adopted this 7th day of March, 2023, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin: Aye Rabbitt: Aye Gore: Aye Hopkins: Aye Coursey: Aye

Ayes: 5

Noes: 0

Absent: 0

Abstain: 0

WHEREUPON, the Chair declared the above and foregoing Ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Christina Rivera,
Clerk of the Board of Supervisors

Proposed Official Zoning Database Changes, Exhibit A

#	Address	APN	Existing Zoning	Proposed Zoning	Total Acreage Amended
1	15525 Riverside Drive, Guerneville	070-120-071	R2 B6 1 DU, F1 F2 LG/116 LG/RRC RC50/25 SR VOH	R1 B6 1 DU, F1 F2 LG/116 LG/RRC RC50/25 SR VOH	±0.1
2	451 Duer Road, Sebastopol	087-110-090	DA B6 10 SR VOH	DA B7, SR, VOH	±23.0
3	5259 Sebastopol Road, Sebastopol	087-110-091	DA B6 10 SR VOH	DA B7, SR, VOH	±4.5
4	3200 Castle Road, Sonoma	127-790-005	RRD B7, RRD B6 40, LG/MTN RC100/50 SR	RRD B7, LG/MTN RC100/50 SR	±19.9
5	3003 Castle Road, Sonoma	127-790-004	RRD B6 40, RRD B7, LG/MTN RC100/50 SR	RRD B6 40, LG/MTN RC100/50 SR	±5.0
6	11500 Chalk Hill Road, Healdsburg	132-120-063	LIA B7, RC100/50, LIA B6 40 RC100/25	LIA B6 40 RC100/25	±1.79
7	11720 Chalk Hill Road, Healdsburg	132-120-062	LIA B7, RC100/50, LIA B6 40 RC100/25	LIA B7, RC100/50	±1.79

EXHIBIT B

Amendments to Sec. 26-04-020 Definitions

I. Section 26-04-020(A) is amended as follows:

A. Subsection (A)(1) is amended as indicated in underline and strikeout below:

Accessory Dwelling Unit (ADU). ~~An attached or a detached residential dwelling unit that provides complete independent living facilities for one (1) or more persons and is located on a lot with a proposed or existing primary residence. An ADU shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same lot as the single family or multifamily dwelling is or will be situated. An ADU may be an efficiency unit, as defined in state Government Code § 65852.2; or a manufactured home, as defined in state Government Code § 65852.2. See Section 26-24-020 for definition and development standards.~~

B. The following definitions are added, to be inserted in their alphabetical order:

Agricultural Employee Housing: Caretaker dwelling. See Section 26-24-030 for definition and development standards.

Agricultural Employee Housing: Full-time. See Section 26-24-040 for definition and development standards.

Agricultural Employee Housing: Seasonal. See Section 26-24-050 for definition and development standards.

Agricultural Employee Housing: Temporary Camp. See Section 26-24-060 for definition and development standards.

Agricultural Employee Housing: Year-round or extended seasonal. See Section 26-24-070 for definition and development standards.

Agricultural Support Services. See Section 26-18-050 for definition and development standards.

Airfields and Landing Strips: Agricultural or Personal. See Section 26-030-020 for definition and development standards.

Airfields and Landing Strips: Restricted Use. See Section 26-30-030 for definition and development standards.

Alcoholic Beverage Sales. See Section 26-26-020 for definition and development standards.

Animal Keeping: Beekeeping. See Section 26-18-060 for definition and development standards.

Animal Keeping: Confined Farm Animals. See Section 26-18-070 for definition and development standards.

Animal Keeping: Farm Animals. See Section 26-18-080 for definition and development standards.

Animal Product Processing. See Section 26-20-020 for definition and development standards.

Applicant – Cannabis. A person that is applying for a permit to engage in commercial cannabis activity pursuant to this chapter.

Aquaculture. See Section 26-18-110 for definition and development standards.

- II. Section 26-04-020(B) is amended to add the following definitions, to be inserted in their alphabetical order:

Banks and Financial Institutions. See Section 26-28-030 for definition and development standards.

Bar, Tavern, Nightclub. See Section 26-26-030 for definition and development standards.

Building, Main. A building in which is conducted the principal use of the lot or building site on which it is situated.

Building and Landscape Materials Sales. See Section 26-26-040 for definition and development standards.

Business Support Services. See Section 26-28-040 for definition and development standards.

- III. Section 26-04-020(C) is amended to add the following definitions, to be inserted in their alphabetical order:

Camp, Organized. See Section 26-22-020 for definition and development standards.

Campgrounds. See Section 26-22-030 for definition and development standards.

Cannabis Delivery. The commercial transfer of cannabis or cannabis products to a customer, including use by a retailer of any technology platform owned and controlled by the retailer.

Caretaker Dwelling. See Section 26-24-080 for definition and development standards.

Cemetery. See Section 26-28-050 for definition and development standards.

Civic institution. See Section 26-22-040 for definition and development standards..

Commercial Cannabis Activity. The cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery, or sale of cannabis and cannabis products.

Commercial Horse Facilities and Stables. See Section 26-28-060 for definition and development standards.

Commercial Kennel. See Section 26-28-070 for definition and development standards.

Community Meeting Facilities. See Section 26-22-050 for definition and development standards.

Congregate Housing. See Section 26-24-090 for definition and development standards.

Cottage Food Operation. See Section 26-24-100 for definition and development standards.

Cottage Housing Development. See Section 26-24-110 for definition and development standards.

Country Club. See Section 26-22-060 for definition and development standards.

- IV. Section 26-04-020(D) is amended to add the following definitions, to be inserted in their alphabetical order:

Day Care Center. See Section 26-28-080 for definition and development standards.

Dispatch Facility. See Section 26-30-040 for definition and development standards.

- V. Section 26-04-020(E) is amended to add the following definitions, to be inserted in their alphabetical order:

Education Institutions: Colleges and Universities. See Section 26-22-070 for definition and development standards.

Education Institutions: Elementary and Secondary schools. See Section 26-22-080 for definition and development standards.

Education Institutions: Specialized Education and Training. See Section 26-22-090 for definition and development standards.

- VI. Section 26-04-020(F) is amended to add the following definitions, to be inserted in their alphabetical order:

Family Day Care Home. See Section 26-24-150 for definition and development standards.

Farm Equipment and Supplies Sales and Rental. See Section 26-26-050 for definition and development standards.

Farm Stand. See Section 26-18-150 for definition and development standards.

Fertilizer Plants. See Section 26-20-030 for definition and development standards.

Firewood Yard. See Section 26-20-030 for definition and development standards.

Fuel Dealers. See Section 26-26-070 for definition and development standards.

Fuel Station. See Section 26-26-080 for definition and development standards.

VII. Section 26-04-020(G) is amended as follows:

A. The following definitions are added, to be inserted in their alphabetical order:

General Retail. See Section 26-26-090 for definition and development standards.

Golf Course. See Section 26-22-100 for definition and development standards.

Greenhouse. A permanent structure, including glasshouses, conservatories, hothouses, or other similar structures for the covered propagation and growing of plants, constructed with a translucent roof and/or walls.

B. Subsection (G)(9) is amended to read as follows:

Guest House. See Section 26-24-170 for definition and development standards. ~~An accessory building to a single family dwelling which consists of a detached living area of a permanent type of construction. A guest house may contain a full or half bathroom, but may not contain provisions for appliances or 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 except that a legal, fully permitted guest house may be used as a hosted rental as provided for under Section 26-88-118 (hosted rentals). The floor area of a guest house shall be a maximum of six hundred forty (640) square feet. Floor area shall be calculated by measuring the exterior perimeter of the guest house and the length of any common walls. In the case of straw bale or similar construction, floor area may be calculated using interior dimensions. For the purpose of calculating the maximum size of a guest house, any storage area attached to the guest house, excluding garage, 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 one hundred feet (100') from the primary dwelling on the subject lot, except where the planning director determines that a greater setback is appropriate in light of topography, vegetation or unique physical characteristics.~~

VIII. Section 26-04-020(H) is amended to add the following definitions, to be inserted in their alphabetical order:

Heavy Equipment Sales and Rentals. See Section 26-26-100 for definition and development standards.

Homeless Shelter. See Section 26-28-090 for definition and development standards.

Hoop House – Cannabis. A temporary structure used for season extension or crop protection erected for less than one hundred eighty (180) days. Hoop houses do not include light deprivation, ventilation, artificial lighting, or any electrical components. The ends are left open and the material covering the structure is removable.

Horse Boarding. See Section 26-28-100 for definition and development standards.

- IX. Section 26-04-020(I) is amended to add the following definition, to be inserted in alphabetical order:

Indoor Crop Cultivation. See Section 26-18-160 for definition and development standards.

- X. Section 26-04-020(J) is amended as follows:

A. The following definition is added, to be inserted in alphabetical order:

Junkyard. 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.

B. Subsection (J)(1) is amended as indicated in underline and strikeout below:

Junior Accessory Dwelling Unit (JADU). ~~A dwelling unit that is no more than five hundred (500) square feet in size and contained entirely within a single-family residence. A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing structure.~~ See Section 26-24-190 for definition and development standards.

- XI. Section 26-04-020(L) is amended to add the following definitions, to be inserted in their alphabetical order:

Laboratories. See Section 26-20-040 for definition and development standards.

Land and Resource Management. See Section 26-18-170 for definition and development standards.

Laundry Plants. See Section 26-20-050 for definition and development standards.

Light Deprivation. The elimination of natural light in order to induce flowering, using black out tarps or any other opaque covering.

Live/Work. See Section 26-24-200 for definition and development standards.

Lodging: Agricultural Farmstay. See Section 26-28-110 for definition and development standards.

Lodging: Agricultural Marketing Accommodations. See Section 26-28-120 for definition and development standards.

Lodging: Bed and Breakfast. See Section 26-28-130 for definition and development standards.

Lodging: Hosted Rental. See Section 26-28-140 for definition and development standards.

Lodging: Hotel, Motel, and Resort. See Section 26-28-150 for definition and development standards.

Lodging: Vacation Rental. See Section 26-28-160 for definition and development standards.

Low Temperature Geothermal Resource Development. See Section 26-30-050 for definition and development standards.

XII. Section 26-04-020(M) is amended to add the following definitions, to be inserted in their alphabetical order:

Maintenance and Repair Service, non-vehicular. See Section 26-28-170 for definition and development standards.

Manufactured Home Sales and Rental. See Section 26-26-110 for definition and development standards.

Manufacturing/processing, heavy. See Section 26-20-060 for definition and development standards.

Manufacturing/processing, light. See Section 26-20-070 for definition and development standards.

Manufacturing/processing, medium. See Section 26-20-080 for definition and development standards.

Marina. See Section 26-30-060 for definition and development standards.

Medical Services: Hospitals. See Section 26-28-180 for definition and development standards.

Medical Services: Offices and Outpatient Care. See Section 26-28-190 for definition and development standards.

Mining, Surface. See Section 26-18-180 for definition and development standards.

Mixed-use Development. See Section 26-24-210 for definition and development standards.

Mobile Home Park. See Section 26-24-220 for definition and development standards.

Mushroom Farming. See Section 26-18-190 for definition and development standards.

XIII. Section 26-04-020(N) is amended as follows:

A. The following definitions are added, to be inserted in their alphabetical order:

Nonmanufactured Cannabis: Flower, shake, kief, leaf, and pre-rolls.

Nonoperative Motor Vehicle. A nonoperative motor vehicle is any which cannot be moved under its own power, or cannot be operated lawfully on a public street or highway within this state. Nonoperative 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.

Nonvolatile Solvent: Any solvent used in the extraction process that is not a volatile solvent. For purposes of this chapter, 'nonvolatile solvents' include carbon dioxide and ethanol.

B. Subsection (N)(9) is amended as indicated in underline and strikeout below:

Nursery, Retail. See Section 26-26-120 for definition and development standards. ~~See "plant nursery."~~

XIV. Section 26-04-020(O) is amended to add the following definitions, to be inserted in their alphabetical order:

Oil and Gas Exploration and Extraction. See Section 26-30-070 for definition and development standards.

Outdoor Vendor. See Section 26-26-130 for definition and development standards.

XV. Section 26-04-020(P) is amended as follows:

A. The following definitions are added, to be inserted in their alphabetical order:

Parking Facilities. See Section 26-30-080 for definition and development standards.

Parks and Playgrounds. See Section 26-22-110 for definition and development standards.

Permanent Supportive Housing. See Section 26-24-230 for definition and development standards.

Personal Services. See Section 26-28-200 for definition and development standards.

Premises – Cannabis: The designated structure or structures and land specified in the application that is owned, leased, or otherwise held under the control of the applicant or person holding a valid permit where commercial cannabis activity will be or is conducted.

Process, Processing, or Processes – Cannabis: All activities associated with drying, curing, grading, trimming, rolling, storing, packaging, and labeling of nonmanufactured cannabis.

Professional Office. See Section 26-28-210 for definition and development standards.

Public Utility Facilities. See Section 26-30-100 for definition and development standards.

B. Subsection (P)(4) is amended as indicated in underline and strikeout below:

Periodic Special 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.~~ See Section 26-22-120 for definition and development standards. (Also "cultural events.")

C. Subsection (P)(6) is amended as indicated in strikeout below:

Permit. ~~A~~ A county approval required by the zoning ordinance, including design and site plan review, historic resource permits, use permits, planned development permits, variances and zoning permits. The term "permit" does not including planning clearances, building permits, grading permits, and other construction-related approvals unless otherwise indicated. See also "use permit" and "zoning permit."

D. Subsection (P)(22) is amended as indicated in underline and strikeout below:

Public Safety/Service Facilities, Minor. See Section 26-30-090 for definition and development standards. ~~See use regulation 26-30-090.~~

XVI. Section 26-04-020(R) is amended as follows:

A. The following definitions are added, to be inserted in their alphabetical order:

Recreation and Sports Facilities: Health/Fitness Facility. See Section 26-22-130 for definition and development standards.

Recreation and Sports Facilities: Recreation Facility, Indoor. See Section 26-22-140 for definition and development standards.

Recreation and Sports Facilities: Recreation Facility, Outdoor. See Section 26-22-150 for definition and development standards.

Recreation and Sports Facilities: Rural sports and recreation. See Section 26-22-160 for definition and development standards.

Recreation and Sports Facilities: Shooting Ranges. See Section 26-22-170 for definition and development standards.

Recycling Collection Facilities. See Section 26-20-090 for definition and development standards.

Recycling Processing Facilities. See Section 26-20-100 for definition and development standards.

Renewable Energy Facility. See Section 26-30-110 for definition and development standards.

Residential Community Care. See Section 26-24-240 for definition and development standards.

Residential Dwelling, Multi-family. See Section 26-24-120 for definition and development standards.

Residential Dwelling, Single-family. See Section 26-24-130 for definition and development standards.

Residential Dwelling, Two-family. See Section 26-24-140 for definition and development standards.

Restaurant. See Section 26-26-140 for definition and development standards.

B. Subsection (R)(8) is deleted:

~~**Recycling Facility.** Either a recycling collection or processing facility. Also recycling processing facility. See use regulation 26-18-0301~~

XVII. Section 26-04-020(S) is amended to add the following definitions, to be inserted in their alphabetical order:

Single-room Occupancy. See Section 26-24-250 for definition and development standards.

Sports and Entertainment Assembly. See Section 26-22-180 for definition and development standards.

Storage: Contractor's storage yard. See Section 26-20-110 for definition and development standards.

Storage: Manufactured home storage. See Section 26-20-120 for definition and development standards.

Storage: Personal storage. See Section 26-20-130 for definition and development standards.

Storage: Vehicle, boat, and RV storage. See Section 26-20-140 for definition and development standards.

Storage: Warehouses. See Section 26-20-150 for definition and development standards.

Storage: Wholesale and distribution. See Section 26-20-160 for definition and development standards.

Studios for Art Crafts, Dance, Music. See Section 26-22-190 for definition and development standards.

- XVIII. Section 26-04-020(T) is amended to add the following definitions, to be inserted in their alphabetical order:

Tasting Rooms. See Section 26-18-210 for definition and development standards.

Telecommunication Facility. See Section 26-30-120 for definition and development standards.

Temporary Occupancy of Travel Trailer. See Section 26-24-260 for definition and development standards.

Theater and Entertainment Venues. See Section 26-22-200 for definition and development standards.

Timberland Conversion. See Section 26-18-250 for definition and development standards.

Timber Management. See Section 26-18-220 for definition and development standards.

Timber Operator Storage Yard. See Section 26-18-230 for definition and development standards.

Timber Saw Mills and Lumber Production. See Section 26-18-240 for definition and development standards.

Transitional Housing. See Section 26-24-270 for definition and development standards.

Truck/Bus/Freight Terminal. See Section 26-30-130 for definition and development standards.

- XIX. Section 26-04-020(V) is amended as follows:

A. Subsection (V)(6) is amended as indicated in underline and strikeout below:

Veterinary Clinic. ~~A facility for the provision of medical services for animals, which may include incidental sales of pharmaceuticals for the medical care of animals, and associated kenneling of animals on site.~~ See Section 26-28-220 for definition and development standards.

B. The following definitions are added, to be inserted in alphabetical order:

Vehicle Maintenance and Repair. See Section 26-28-220 for definition and development standards.

Vehicle/boat Sales and Rentals. See Section 26-26-150 for definition and development standards.

Visitor/Interpretive Center. See Section 26-22-210 for definition and development standards.

XX. Section 26-04-020(W) is amended as follows:

A. Subsection (W)(4) is amended as indicated in underline and strikeout below:

See Section 26-24-280 for definition and development standards. ~~A single unit comprised of one (1) or more rooms, occupied and utilized by a single household, which accommodates both work activity and residential occupancy, in which the working space is predominant and the residential facilities secondary, and which includes:~~

~~a. Working space reserved for and regularly used for commercial or industrial use by one (1) or more residents of the unit; and~~

~~b. Complete residential cooking, sleeping and sanitary facilities in compliance with all applicable building codes.~~

B. The following definition is added, to be inserted in alphabetical order:

Wrecking and Salvage Yards. See Section 26-20-170 for definition and development standards.

EXHIBIT C

Amendments to Article 06, Secs. 26-06-020 Purpose of Agricultural And Resource Zones and Sec. 26-06-030 Allowed Land Uses

I. Section 26-06-020(B)(5) is amended as indicated in underline and strikeout below:

5. Timberland production district (TP). The TP zone:

- a. Provides for timberland zoning, a yield tax to be imposed at the time of harvest, and the conservation and protection of land capable of producing timber and forest products; and
- b. Specifies compatible uses that are consistent with the Forest Taxation Reform Act of 1976.

II. Section 26-06-030(C) is amended as indicated in underline and strikeout below:

C. Unlisted Land Uses.

1. If a proposed use is not specifically listed in any allowed land use table, the use shall not be allowed, except as provided below.
2. LIA, LEA, DA, RRD zones: For a proposed nonresidential use not listed in ~~any~~ the allowed land use table, the Director may determine that the proposed use is equivalent to a permitted or conditionally permitted use if the Director finds that the proposed use is similar to and compatible with a listed permitted or conditionally permitted use.
3. TP zone: For a proposed nonresidential use not listed as a permitted use in the allowed land use table, the Director may determine that the proposed use is of a similar and compatible nature and equivalent to a permitted use.
3. When the director determines that a proposed nonresidential use is equivalent to a listed use, the proposed use shall be treated in the same manner as the listed use with respect to development standards, permits required, and all applicable requirements of the ~~development~~ Zoning Code.

III. Section 26-06-030, Table 6-1 is amended to modify uses as indicated in underline and strikeout below:

Land Use	LIA Zone	LEA Zone	DA Zone	RRD Zone	TP Zone	Use Regulations
Land and Resource Management	P	P	P	P	P*	26-18-170
Nursery, Wholesale	P	P	P	P	-	26-26-200 <u>26-18-200</u>

Land Use	LIA Zone	LEA Zone	DA Zone	RRD Zone	TP Zone	Use Regulations
Timber Management	-	-	-	P	P*	26-18-220
Timber Operator Storage Yard, On-Site and Incidental	-	-	-	P	P	26-18-230
Camp, Organized	-	-	-	C	C	26-22-020
Campgrounds	-	C	C	C	C	26-22-030
<u>Campgrounds, resorts and organized camps</u>	-	-	-	-	<u>C</u>	<u>26-22-30.1</u>
Studios for Art Crafts, Dance, Music	P	P	P	P	-	26-22- 190 <u>200</u>
Horse Boarding	P*	P*	P*	P*	-	26-28-100
<u>Lodging: Hotel, Motel, and Resort</u>	-	-	-	<u>C</u>		<u>26-28-150</u>
Commercial Cannabis Uses	†	†	†	†	± ₋	† See 26-88-250; 26-88-254

EXHIBIT D

Amendments to Sec. 26-06-040 Development Standards

- I. Section 26-06-040, Table 6-2 is amended to modify uses as indicated in underline and strikeout below:

Standard	LIA Zone	LEA Zone	DA Zone	RRD Zone	TP Zone	Supplemental Standards
Street Side Property Line Setback (min. ft.)	30	10-30	10-30	10-30	See 26-06-040.G.1	26-06-040.G; 26-16-060
Height, Residential Non-Agricultural Structures (max. ft.)	35	35	35	35	35	26-06-040.F; 26-16-040

EXHIBIT E

Amendments to Sec. 26-08-030 Allowed Land Uses

- I. Section 26-08-030, Table 8-1 is amended to modify uses as indicated in underline and strikeout below:

Land Use	AR Zone	RR Zone	R1 Zone	R2 Zone	R3 Zone	Use Regulations
Nursery, Wholesale	P	P	-	-	-	26-26-200 <u>26-18-200</u>
Studios for Art Crafts, Dance, Music	-	C	-	-	-	26-22- 190 <u>200</u>
Family Day Care Home, Large	P	P	P	P	P	26-28-150 ; <u>26-24-150</u> ; 26-88-080
Family Day Care Home, Small	P	P	P	P	P	26-28-150 ; <u>26-24-150</u> ; 26-88-080
Horse Boarding	<u>P*</u>	-	-	-	-	26-18-100

- II. Section 26-08-030(D) is added to read as follows:

D. Unlisted Land Uses.

1. For a proposed nonresidential use not listed in the allowed land use table, the Director may determine that the proposed use is equivalent to a permitted or conditionally permitted use if the Director finds that the proposed use is similar to and compatible with a listed permitted or conditionally permitted use.
2. When the Director determines that a proposed nonresidential use is equivalent to a listed use, the proposed use shall be treated in the same manner as the listed use with respect to development standards, permits required, and all applicable requirements of the Zoning Code.

EXHIBIT F

Amendments to Sec. 26-08-040 Development Standards

I. Section 26-08-040 is amended to add subsection (D), as follows:

D. **Accessory Buildings on Vacant Parcels.** See Section 26-16-080.

EXHIBIT G

Amendments to Sec. 26-10-030 Allowed Land Uses

I. Section 26-10-030(B) is amended as indicated in underline and strikeout below::

B. Additional Permits.

1. In addition to the permits required by Table 10-1, Design Review is required for all allowed uses in compliance with Article 8236 (~~Design Review~~ Specific permit requirements), except that design review is not required in the AS zone.
2. A zoning permit or other permits may be required in addition to those permits required by Table 10-1. See individual use regulations sections for additional requirements that may apply.

II. Section 26-10-030, Table 10-1 is amended to modify uses as indicated in underline and strikeout below:

Land Use	CO Zone	C1 Zone	C2 Zone	C3 Zone	LC Zone	CR Zone	AS Zone	K Zone	Use Regulations
Nursery, Wholesale	-	-	-	C	<u>C-</u>	-	P	P	26-18-200
Storage: Contractor's Storage Yard	-	-	-	C	<u>C-</u>	-	-	-	26-20-110
Storage: Personal Storage	-	-	-	<u>P/C</u>	<u>P/C-</u>	-	-	-	26-20-130
Storage: Vehicle, Boat, and RV Storage	-	-	-	C	<u>C-</u>	-	-	-	26-20-140
Sports and Entertainment Assembly	-	-	-	-	-	-	-	C	26-22- 180 <u>190</u>
Studios for Art Crafts, Dance, Music	-	C	-	-	C	-	-	C	26-22- 190 <u>200</u>
Theater and Entertainment Venues	-	-	C	C	-	-	-	-	26-22- 200 <u>210</u>
Visitor/Interpretive Center	-	-	-	-	-	-	-	P	26-22- 210 <u>220</u>
Caretaker Dwelling	-	-	-	<u>C-</u>	C	-	C	C	26-24-080
Single-Room Occupancy, Small	-	-	C	-	<u>CP*</u>	-	-	-	26-24-250; 26-88-125
<u>Day Care Center</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>-</u>	<u>C</u>	<u>C</u>	<u>26-28-080</u>
Vehicles/Boats Sales and Rentals	-	-	C	P	<u>C-</u>	-	-	-	26-26-150
Lodging: Hotel, Motel, and Resort	-	-	C	-	-	-	<u>-C</u>	C	26-28-150

III. Section 26-10-030(F) is added to read as follows:

F. Unlisted Land Uses.

-
1. For a proposed nonresidential use not listed in the allowed land use table, the Director may determine that the proposed use is equivalent to a permitted or conditionally permitted use, if the Director finds that the proposed use is similar to and compatible with a listed permitted or conditionally permitted use.
 2. When the Director determines that a proposed nonresidential use is equivalent to a listed use, the proposed use shall be treated in the same manner as the listed use with respect to development standards, permits required, and all applicable requirements of the Zoning Code.

EXHIBIT H

Amendments to Sec. 26-12-030 Allowed Land Uses

I. Section 26-12-030(B) is amended as indicated in underline and strikeout below:

B. Additional Permits.

1. In addition to the permits required by Table 12-1, design review is required for all allowed uses in compliance with Article 82~~36~~ (Design Review~~specific permit requirements~~). In the MP, M1, and M3 zones, if any regulation in this article differ from those in Article 82, this article governs.
2. A zoning permit, design review or other permits may be required in addition to those permits required by Table 12-1. See individual use regulations sections for additional requirements that may apply.

II. Section 26-12-030, Table 12-1 is amended to modify uses as indicated in underline and strikeout below:

Land Use	MP Zone	M1 Zone	M2 Zone	M3 Zone	Use Regulations
Storage: Personal Storage	-	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	26-20-130
Theater and Entertainment Venues	P	-	-	-	<u>26-22-200</u> 210

III. Subsection (F) is added to Section 26-12-030, to read as follows:

F. Unlisted Land Uses.

1. For a proposed nonresidential use not listed in the allowed land use table, the Director may determine that the proposed use is equivalent to a permitted or conditionally permitted use if the Director finds that the proposed use is similar to and compatible with a listed permitted or conditionally permitted use.
2. When the Director determines that a proposed nonresidential use is equivalent to a listed use, the proposed use shall be treated in the same manner as the listed use with respect to development standards, permits required, and all applicable requirements of the Zoning Code.

EXHIBIT I

Amendments to Sec. 26-14-030 Allowed Land Uses

I. Section 26-14-030, Table 14-1 is amended to modify “Studios for Art, Crafts, Dance, Music,” as indicated in underline and strikeout below:

Land Use	PCRR Zone	PCUR Zone	PCCOM Zone	PF Zone	Use Regulations
Studios for Art, Crafts, Dance, Music	C	-	-	-	26-22-200

II. Subsection (D) is added to Section 26-14-030, to read as follows:

D. Unlisted Land Uses.

1. PCRR, PCUR, PCCOM and PF zones: For a proposed nonresidential use not listed in the allowed land use table, the Director may determine that the proposed use is equivalent to a permitted or conditionally permitted use if the Director finds that the proposed use is similar to and compatible with a listed permitted or conditionally permitted use.
2. When the Director determines that a proposed nonresidential use is equivalent to a listed use, the proposed use shall be treated in the same manner as the listed use with respect to development standards, permits required, and all applicable requirements of the Zoning Code.

EXHIBIT J

Amendments to Sec. 26-16-080. Accessory buildings on vacant parcels.

- I. Section 26-16-080(A) is amended as indicated in underline and strikeout below: A.
Accessory Buildings on Vacant Parcels. The following requirements apply in the LIA, LEA, DA, RRD, ~~and AR, RR, and PC~~ zones:
1. Accessory buildings may be constructed on vacant parcels of two (2) acres or more in advance of a primary permitted use. Excludes accessory dwelling units.
 2. On vacant parcels less than two (2) acres, accessory buildings may only be constructed if less than one hundred twenty (120) square feet or as incidental to an existing agricultural use.

EXHIBIT K

Amendments to Sec. 26-18-030 Agricultural Processing

I. Section 26-18-030(C)(1) is amended as indicated in underline and strikeout below:

C. Standards.

1. LIA, LEA, DA, AR zones: the use must be sized to accommodate, but not exceed, the needs of the on-site growing or processing operation. (General Plan policy AR-5c~~AG-5c~~)
2. AR zone:
 - a. The use is limited to processing of agricultural products grown or produced on site, and bottling, canning, or storage of agricultural products grown and processed on site.
 - b. The combined square footage of all buildings for processing or storage shall not exceed:
 - (1) Two thousand five hundred (2,500) square feet on parcels of five (5) acres or less; and
 - (2) Five thousand (5,000) square feet on parcels greater than five (5) acres.
 - c. Agricultural products imported from offsite sources shall not exceed thirty percent (30%) of the average onsite agricultural production. This limitation does not apply during periods of catastrophic crop or animal loss caused by extreme weather, pestilence, or similar conditions.
3. MP zone: Limited to wineries meeting effluent pre-treatment requirements. Tasting rooms and retail sales not allowed.
4. M1, M2, M3 zones: Incidental retail sale of agricultural products processed on the site is allowed.

II. Section 26-18-030(D) is amended as indicated in underline and strikeout below:

- D. Findings LIA, LEA, DA, AR Zones.** To approve an Agricultural Processing facility in the LIA, LEA, DA, or AR zone that processes products grown off-site, the review authority must find that the facility will be consistent with General Plan policy AR-5c~~AG-5g~~.

EXHIBIT L

Amendments to Sec. 26-18-080 Animal Keeping: Farm Animals

I. Section 26-18-080(B) is amended only as indicated in underline and strikeout below:

B. Standards.

1. Maximum Number of Animals.

- a. Animal limits apply only to parcels:
 - (1) 2 acres or less in the LIA, LEA, DA, RRD, AR, and PCRR zones; and
 - (2) 5 acres or less in the RR zone
- b. When animal limits apply, not more than one (1) of the following animal uses in Table 18-1 is permitted per twenty thousand (20,000) square feet of land area.

Table 18-1: Maximum Number of Farm Animals per twenty thousand (20,000) square feet of land area

Animal	Max. number
Hogs and pigs	5
Horses, mules, cows and steer	1
Goats, sheep, and similar animals	5
Chickens or similar fowl	50
Ducks and geese	50
Rabbits or similar animals	100

- c. LIA, LEA, DA, RRD and AR zones: The above limitations may be modified by the Director 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 three hundred feet (300') of the subject property. ¶ If the project exceeds the limitations in Table 18-1, the director may require the applicant to obtain a use permit if the director determines that the project might be detrimental to surrounding uses.
- d. LIA, LEA, DA, RRD, AR, RR, and PCRR zones: 4-H and FFA animal husbandry projects are exempt from the limitations in Table 18-1 if the project is on a parcel twenty thousand (20,000) square feet or more and the project advisor submits a letter of project authorization to the department. However if the project exceeds the limitations in Table 18-1, the director may require a use permit for the project upon determining that the project may be detrimental to surrounding uses.

-
- e. RR zone: On a lot 5 acres or more, the number of animals may exceed Table 18-1 with a use permit.
 - f. RRD and AR zones: Temporary or seasonal sales and promotion of livestock raised on the site is allowed.

2. **Hens in R1 Zone.**

- a. In the R1 zone, raising, feeding, and maintaining of up to six (6) hens is allowed. Hens must have access to chicken coop and contained within a secure enclosure which prevents animal trespass.
- b. The coop and pen shall be located in the rear yard of the property and maintained in a sanitary condition.

EXHIBIT M

Amendments to Sec. 26-18-160 Indoor Crop Cultivation

- I. Section 26-18-160(B)(1) is amended as indicated in underline and strikeout below:
- B. **Use Permit Required.**
1. AR, RRD and PCRRD zones: greenhouses and other similar structures over eight hundred (800) square feet in RRD and PCRRD zones require a use permit.
- II. Section 26-18-160(C)(2) is amended only as indicated in underline and strikeout below:
- C. **Standards:**
1. LIA, LEA, and DA zones: The area on a property occupied by a greenhouse or other similar structure used for indoor crop cultivation shall not exceed two thousand five hundred (2,500) square feet.
2. RR zone: The area on a property occupied by a greenhouse or other similar structure used for indoor crop cultivation shall not exceed eight hundred (800) square feet.

EXHIBIT N

Amendments to Sec. 26-18-170 Land and Resource Management

- I. Section 26-18-170 is amended as indicated in underline and strikeout below:
- A. *Definition.* Management of land for watershed, for fish and wildlife habitat, fish rearing ponds, hunting and fishing, grazing. ~~Lands management activities dedicated to the protection and conservation of natural resources, such as aquatic environments, wetland and riparian habitat, watersheds, and fish and wildlife habitat.~~
1. TP zone: Includes recreational and educational uses, with or without fee (swimming, hunting, fishing, occasional camping, etc.). ~~Fish rearing ponds, hunting and fishing where allowed by the property owner and/or responsible resource agency.~~
- B. *Standards.*
1. LIA, LEA, DA, RRD, and TP zones: Allowed only when incidental to a primary use.
2. TP zone:
- a. Permanent improvements prohibited.
- b. Shall not interfere with the primary use of the property.
3. RRD and TP zones: Incidental grazing allowed.
4. On a parcel under a Williamson Act contract, use must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations.

EXHIBIT O

Amendments to Sec. 26-18-220 Timber Management

I. Section 26-18-220 is amended as indicated in underline and strikeout below:

Sec. 26-18-220. Timber management.

A. Definition.

1. RRD zone: The management of lands and forests to grow and harvest timber for commercial purposes.

2. TP zone: Management of lands and forests for the primary use of commercial production and harvest of trees.

B. Includes:

1. RRD zone:

2. TP zone: Removal of timber and fuel wood; uses integrally related to growing, harvesting, and on-site processing of forest products including roads, log landings, log storage areas, and incidental logging camps; timber management, including planting, raising, harvesting, and incidental milling for noncommercial purposes of trees and logs for lumber or fuel woods; establishing and maintaining gas, electric, or water generating and transmission facilities, including necessary structures; the production and harvesting of miscellaneous compatible forest products such as Christmas trees and greenery; contractor equipment storage incidental to the on-site growing and harvesting of forest products, including parking, repairing and storage of equipment so used; temporary or seasonal sales and promotion, and incidental storage of fuel wood grown on site; controlled burns. Also includes timber management, including planting, raising, harvesting and incidental milling for noncommercial purposes of trees and logs for lumber or fuel woods, subject to requirements of California Department of Forestry and Fire Protection.

C. Standards. TP: Construction of permanent structures necessary for contractor equipment storage incidental to on-site growing and harvesting of forest products, including parking, repairing and storage of equipment so used, is subject to Article 82.

EXHIBIT P

Amendments to Sec. 26-18-240 Timber Saw Mills and Lumber Production

- I. Section 26-18-240(A) is amended only as indicated in strikeout below:
- A. **Definition.** A facility that cuts and processes timber to produce lumber products.
1. Includes: Saw mills, lumber, planing and logging mills, pulp mills, particle board plants, mill and log ponds, earth-filled dams ~~and lumber yards~~, and associated uses.
 2. Excludes: Temporary portable mills.

EXHIBIT Q

Amendments to Sec. 26-22-030 Campgrounds

I. Section 26-22-030 is amended only as indicated in strikeout below:

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

B. **Standards.**

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

C. **Findings.**

1. LEA zone: To approve a conditional use permit for a campground in the LEA zone, the review authority must find that the use will be consistent with general plan policy AR-6f and other applicable provisions of the general plan.
2. TP zone: The use does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber.

EXHIBIT R

Amendment to Chapter 26, Article 22 Campgrounds, Resorts, and Organized Camps (TP)

Sonoma County Code Chapter 26, Article 22 is amended to insert “Campgrounds, resorts and organized camps (TP)” as a new section, as follows:

26-22-30.1. – Campgrounds, resorts and organized camps (TP)

A. Definition. Permanently located and improved private and public campgrounds, resorts and organized camps. Applies in TP zones only.

B. Standards.

1. Must be permanent located and improved.
2. The use shall not include construction of permanent residences, except as otherwise allowed in the TP zone.
3. The use does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber.

EXHIBIT S

Amendments to Sec. 26-22-080 Educational institutions: Elementary and secondary schools

- I. Section 26-22-080 is amended as indicated in underline and strikeout below::
- A. **Definition.** Educational institutions providing instruction to minors as required by the California Education Code.
1. Includes: public and private elementary, junior high, and high schools;
- B. **Permits.**
1. A ~~zoning~~ use permit is required.
- ~~2. In the LIA, LEA, DA, RRD, AR, RR zones, a use permit is required.~~
- C. **Standards.**
1. Not permitted on property subject to a Williamson Act contract.
2. In the ~~LIA~~, LEA, DA, RRD, AR, RR zones, the use must be consistent with general plan policy LU-6e.
3. In the LEA and DA zones, the applicant must demonstrate that the use meets a local need, avoids conflict with agricultural activities and is consistent with general plan objective AR-4.1 and policy AR-4a.
4. In the RR Zone, private elementary and secondary schools must be consistent with General Plan Policy Lu-6f .

EXHIBIT T

Amendments to Sec. 26-24-110 Cottage Housing Development

- I. Section 26-24-110(B) is amended as indicated in underline and strikeout below:
- B. **Standards.**
1. See Section 26.88.063 (cottage housing developments).
 2. R1 and R2 zones: Up to three (3) cottages per property allowed by right. Four (4) or more cottages requires a use permit.
 3. R1 and R2 zones: Allowed only on lots eight thousand (8,000) square feet or more.

EXHIBIT U

Amendments to Sec. 26-26-090 General Retail

I. Section 26-26-090(B) is as indicated in underline and strikeout below:

B. Standards.

1. C1 and LC zones: Limited to neighborhood-serving retail selling household commodities without a use permit.
2. C1 and LC zones: Antique stores, second hand sales, auction studios with use permit.
- ~~23.~~ C3 zone: Limited to retail sales of heavy commercial goods not suited to other commercial zones, including sale of surplus goods.
- ~~34.~~ K zone: Limited to visitor-oriented retail businesses which supply commodities such as groceries, prepared foods, drugs, or hardware.
- ~~45.~~ Industrial zones: Limited to and in conjunction with industrial development permitted in the applicable industrial zone.

EXHIBIT V

Amendments to Sec. 26-26-150 Vehicle/boat Sales and Rentals

- I. Section 26-26-150(B)(1) is amended as indicated in underline:
 - B. **Standards.**
 - 1. C2 and LC zone: Use permit required. Automobile sales only.

EXHIBIT W

Amendments to Sec. 26-28-100 Horse Boarding

- I. Section 26-28-100 is as indicated in underline and strikeout below:
- A. **Definition.** The keeping and training of horses not owned by the property owner or occupant.
1. Excludes: Group lessons and clinics, shows, and similar related activities.
- B. **Permits.**
1. Zoning Permit required in AR, DA, LEA, LIA, and RRD.
- C. **Standards.**
1. May include private lessons (one (1) trainer/one (1) student).
 2. AR zone: Five (5) horses maximum.
 3. Must be consistent with objective AR-4.1 and policy AR-4a of the agricultural resources element.
 4. On a parcel under a Williamson Act contract, use must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations.
- D. **Exclusions.**
1. Shall not include group lessons
 2. Group clinics
 3. Shows or similar related activities

EXHIBIT X

Amendments to Sec. 26-88-121 Home Occupations

- I. Section 26-88-121(d)(5) is amended as indicated in underline and strikeout below:
- (5) Parking Requirements. Home occupations shall comply with the parking standards set forth in Section 26-86-010~~26-88-010~~(g). The decision maker may modify this requirement to decrease or increase the required parking as appropriate to allow for the reuse of existing structures with limited parking, so long as adequate on-site parking for clients is demonstrated.

EXHIBIT Y

Amendments to Sec. 26-88-122 Live/Work Uses

I. Section 26-88-122(d)(5) is amended only as indicated in underline and strikeout below:

- (5) Parking Requirements. Live/work uses shall comply with the parking standards set forth in Section 26-86-010 ~~26-88-010(g)~~. The decision maker may modify this requirement to decrease or increase the required parking as appropriate to allow for the reuse of existing structures with limited parking or to accommodate authorized employees and/or customer or client visits. Adequate on-site parking for customers or clients must be demonstrated.

EXHIBIT Z

Amendments to Sec. 26-89-030 Administration and General Requirements

I. Section 26-89-030(B) is amended only as indicated in underline and strikeout below:

- B. Affordable Housing Requirements.** Unless otherwise exempt under Subsection 26.89.040 B. (Exempt projects), any person who constructs one or more residential units shall provide affordable housing through one of the following:
1. On-site construction of affordable units in accordance with Subsections 26.89.040 C. 1. (Ownership Projects), ~~or 26.89.040.C.2. (Rental Condominium or Timeshare Projects)~~, 26.89.040.C.3 (Rental Projects), or 26-89-045.C (On-site Construction of Units); or
 2. Payment of an affordable housing fee in accordance with Subsection 26.89.040.D ~~F. (Affordable housing fee)~~ or 26-89-045.D (Workforce housing fee); or
 3. An alternative equivalent action approved in accordance with Subsection 26.89.040.E (Alternative Equivalent Actions) ~~G or 26.89.045.E (Alternative Equivalent Actions)~~.

II. Section 26-89-030(C) is amended only as indicated in underline and strikeout below:

C. Calculation of base units, affordable units, and density bonus units. The following requirements apply to calculations performed in the administration of the provisions of this Article regarding base, affordable and density bonus units.

1. When calculating the number of base dwelling units allowed on the site in compliance with this Development Code, any decimal fraction shall be disregarded.
2. Density bonus units are counted in the total when determining the number of affordable units required in a Rental or Ownership Housing Opportunity Area Program ~~Type A or Type C~~ project.
3. Density bonus units are not counted when determining the number of affordable or senior units required to qualify a project for a density bonus or incentives under the State density bonus program.
4. When calculating the number of affordable or senior units required, any decimal fraction shall be counted as a whole unit, except as specifically provided by Subsection 26-89-040 E.
5. When calculating the number of density bonus units to be granted to an applicant, a fractional unit shall be rounded up to the nearest whole number.
- ~~64.~~ 64. An Accessory second-dwelling uUnit shall not be considered a base unit when calculating affordable housing, workforce housing, or density bonus program

requirements, nor shall it be considered as an affordable unit except when meeting the affordable housing requirement for one single-family home on one single parcel, as provided in Subsection 26-89-040.C.5.c ~~E~~, or if provided under an Affordable Housing Agreement and approved as an Alternative Equivalent Proposal consistent with Subsection 26-89-040.E ~~G~~ and the requirements of 26-89-070 (Design and Construction Standards).

III. Section 26-89-030(H) is amended only as indicated in underline and strikeout below:

- H. Permit requirements.** Implementation of the Affordable Housing Proposal shall be ensured through the following, as applicable:
- 1. Discretionary permits.** Each discretionary permit authorizing a residential project, including tentative maps, shall contain a condition detailing the actions required for compliance with this Article (i.e., provision of units on-site, payment of fees, or alternative equivalent action).
 - 2. Final or parcel maps.** Each final map or parcel map shall bear a note indicating the method of compliance with the requirements of this Article, and stating that an Affordable Housing Agreement shall be recorded, fees paid, or alternative action undertaken in compliance with ~~§~~subsections 26-89-040.E~~G~~, (Alternative Equivalent Actions) or 26-89-0405.F. (Affordable Housing Fee) before issuance of a no ~~B~~building ~~P~~permit with respect to each parcel created by the map.
 - 3. Building Permits.** Unless the unit is exempt under Subsection 26-89-040.B. (Exempt Projects), no ~~B~~building ~~P~~permit shall be issued for a residential unit until the applicant has demonstrated compliance with this Article through recordation of an Affordable Housing Agreement, through payment of fees, or through alternative equivalent action authorized in compliance with ~~§~~subsections 26-89-040.E~~G~~, (Alternative Equivalent Actions).

IV. Section 26-89-030(L) is amended only as indicated in underline and strikeout below:

- L. Housing agreement required for affordable units.** If a residential project will comply with the requirements of this Article through the construction of affordable housing units on- or off-site, the property owner shall execute an Affordable Housing Agreement (in compliance with Section 26-89-100, Affordable Housing Agreements) before any of the following:
1. Any ministerial action by the County with regard to the project;
 2. Recordation of a final map; or
 3. Issuance of a ~~B~~building ~~P~~permit for any unit within the project. The provisions contained within an Affordable Housing Agreement shall be enforceable by the County, and any violation of the agreements shall constitute a violation of this Development Code.

EXHIBIT AA

Amendments to Sec. 26-89-040 Affordable Housing Requirements for Residential Development

- I. Section 26-89-040(A) is amended to read as follows:
- A. Applicability and requirements.** Unless otherwise exempt under Subsection 26-89-040.B- (Exempt Projects), any person who constructs or develops one or more residential units, whether a single-family home, units in multi-family dwellings, or by condominium conversions or otherwise, shall provide affordable housing through one or more of the following three methods:

 - 1. On-site construction of the required affordable units.** Provide the required affordable unit(s) on-site, in compliance with the Section 26-89-040.C- (Minimum Requirements for Construction of Affordable Units On-Site);
 - 2. Payment of affordable housing fee.** Pay an affordable housing fee in compliance with Subsection 26-89-040.D (Affordable Housing Fee)~~F~~; or
 - 3. Alternative equivalent actions.** Perform an alternative equivalent action in compliance with Subsection 26-89-040.E (Alternative Equivalent Action)~~G~~; which may be allowed to fulfill the affordable housing requirements of this Section if approved by the Director, at his or her sole discretion.
- II. Section 26-89-040(B) is amended only as indicated in underline and strikeout below:
- B. Exempt projects.** The affordable housing requirements of this Section shall not apply to the following exempt projects and unit types:

 - 1. Project with vested rights.** A project that demonstrates a vested right to proceed without complying with this Section.
 - 2. Affordable units.** Affordable units which are subject to an Affordable Housing Agreement.
 - 3. Accessory dwellings.** Accessory dwelling units and junior accessory dwelling units.
 - 4. Agricultural related housing.** Farm family units of up to 1,200 square feet, agricultural employee units of up to 1,200 square feet, and seasonal, year-round, and extended seasonal farmworker housing.
 - 5. Alternative housing.** Homeless shelters, transitional housing, supportive housing, single room occupancy facilities, community care facilities, group homes, and similar State-licensed care facilities.
 - 6. Dwelling unit destroyed by fire or natural catastrophe.** Repair, reconstruction, or replacement of a legal dwelling unit that is destroyed by fire or natural

catastrophe, provided that a Building Permit for repair, reconstruction, or replacement has been issued and construction begun within 10 years of destruction.

7. **Residential remodels and minor additions that add no more than 1,000 square feet.** Remodels and additions that add no more than 1,000 square feet to existing, legal dwelling units that do not result in the creation of an additional unit.
8. **Replacements.** Replacement of an existing, legal dwelling unit where the total living area within the replacement unit is no more than 1,000 square feet greater than the living area within the unit being replaced.
9. **Parcels with existing affordable units.** The construction or establishment of one new home on one single parcel, in conjunction with an Accessory Dwelling Unit subject to an Affordable Housing Agreement, ~~when the subject parcel contains an existing second dwelling unit~~, or a farm family unit or an agricultural employee dwelling unit of 1,000 square feet or less.
10. **General exemption.** Residential projects that can demonstrate that they will not contribute to the demand for affordable housing in the County or adversely impact the County's ability to meet its affordable housing needs.

III. Section 26-89-040(C)(5) is amended to read as follows:

5. **Fractional calculations.** If calculating the number of units required by Subsection ~~26.89.030.C~~ 26.89.030.C (Calculation of base units, affordable units, and density bonus units) or 26.89.040.C (Minimum Requirements for Construction of Affordable Units On-Site), results in a fractional unit requirement, the applicant may satisfy that fractional requirement by:
 - a. Construction of an additional affordable unit;
 - b. On qualifying agricultural parcels, construction or conversion of a unit to a farm family or agricultural employee unit containing not more than 1,000 square feet of living area, or a farmworker bunkhouse containing at least two bunks for unaccompanied workers in compliance with Subparagraphs 26-88-010(l) (Seasonal Farmworker Housing) or ~~26-88-010(o)~~ 26-88-010(o) Year-Round or Extended Seasonal Farmworker Housing . Farm family and agricultural employee units may be constructed to satisfy a fractional requirement under this Subparagraph only, and shall not otherwise be considered an affordable unit for the purposes of meeting the affordable unit requirements of this ~~a~~ Article; or,
 - c. On parcels eligible for an accessory dwelling unit, construction or conversion of an existing unit to an accessory dwelling unit pursuant to 26-88-060 (Accessory Dwelling Units). Accessory dwelling units may be constructed to defer payment of the affordable housing fee that would otherwise be due for the construction

of one new single-family home on one single parcel only, provided that an Affordable Housing Fee Deferral Agreement, in a form acceptable to County Counsel, is signed by the property owner and recorded to ensure that the unit will remain available for rent to a qualified low-income household at an affordable rent. The fee will be automatically deferred in each year that the second dwelling unit continues to be made available for rent under the terms of the Affordable Housing Fee Deferral Agreement. Should the property owner cease renting the unit, or otherwise fail to comply with the terms of the Fee Deferral Agreement, then the affordable housing fee in effect at the time will be immediately due and payable to County and a Notice of Cancellation of the Affordable Housing Fee Deferral Agreement shall be recorded. In this case, credit shall be given for each year that the unit has been rented to a low income household at an affordable rent in compliance with the Agreement, with the term for being 30 years. Any remaining portion of the term may be met through payment of the remaining prorated affordable housing fee, using the fee amount in effect at the time that the owner ceases renting the unit. Provision of an accessory dwelling unit shall not otherwise be considered as meeting the affordable unit requirements of this Article. In cases involving the subdivision of property, provision of a separate accessory dwelling unit on each parcel may meet the affordable unit requirement of this article only for each parcel upon which an accessory dwelling unit is placed and a covenant recorded to ensure that the unit will remain available for rent.

IV. Section 26-89-040(D)(2) is amended to read as follows:

2. **Timing of payment.** The affordable housing fees shall be calculated at the time of Building Permit application. The fee shall be paid at the time of the wallboard inspection for each non- exempt residential unit, unless proof is provided that the required affordable housing units will be constructed on site; that an alternative equivalent action was previously approved in compliance with Subsection 26-89-040.~~GE~~ (Alternative Equivalent Actions); or that a fee deferral agreement in compliance with Section 26-89-040~~(C)(5)~~.C.5.c has been granted.

V. Section 26-89-040(E) is amended to read as follows:

- ~~GE~~. **Alternative equivalent actions.** The Director may, at his or her sole discretion, approve an alternative equivalent action to the provision of the affordable units on-site or payment of the affordable housing fee, as follows.
1. **Scope of alternative proposals.** Proposals for an alternative equivalent action may include:

-
- a. The dedication of vacant land (see ~~Subparagraph G.5~~ Subsection 26-89-040.E, ~~below~~, Standards for land dedications);
 - b. The construction of affordable rental or ownership units on another site within the unincorporated area of the County; or
 - c. The acquisition and enforcement of rental or sales price restrictions on existing market rate dwelling units in compliance with this Article.
2. **Content of proposal.** A proposal for an equivalent alternative action shall show how the requested alternative action will further affordable housing opportunities in the County to an equal or greater extent than the provision of the affordable housing units on-site in compliance with Subsection C. (Number of affordable units required), or payment of the affordable housing fee in compliance with ~~Subsection F26-89-040.D~~ Subsection 26-89-040.D (Affordable housing fee).
 3. **Review and approval.** Only the Director can approve an alternative equivalent action under this Section. A proposal for an alternative equivalent action may be approved by the Director only if the Director finds that the alternative action will further affordable housing opportunities in the County to an equal or greater extent than the construction of the required affordable units as part of the project or payment of the affordable housing fee, as applicable.
 4. **Performance of alternative action.** After approval by the Director of a proposal for an alternative action, entitlements for that alternative action shall be processed concurrent with the market-rate project. If the alternative action includes construction of affordable units on another site or the acquisition and enforcement of rental/sales price restrictions on existing market rate units, an Affordable Housing Agreement in compliance with Section 26.89.100 (Affordable Housing Agreements) shall be recorded for each of those units before recordation of any final map for, or issuance of any ~~B~~building ~~P~~permit related to ~~within~~, the market-rate project, and the affordable units shall be constructed or acquired concurrent with, or before, the construction of the market rate units.
 5. **Standards for land dedications.**
 - a. **Offers of dedication.** An applicant who proposes to dedicate land located within the unincorporated area of the County as a means of satisfying the requirements of this Article shall offer the land dedication as a part of the initial application for project approval. The applicant's offer shall describe the site, shall offer it for dedication at no cost to the County, and shall include a site plan illustrating the feasibility of locating and constructing the number of affordable units for which the applicant is requesting credit.
 - b. **Site suitability and appraisal.**

-
- (1) The applicant shall provide a site suitability analysis which demonstrates that the land proposed for dedication is suitable for the development of affordable housing in terms of size, location, General Plan land use designation, availability of services, proximity to public transit, adjacent land uses, access, physical characteristics and configuration, and other relevant planning criteria. Department staff shall evaluate the site suitability analysis, identify the site's projected unit capacity, and recommend to the review authority whether the site should be accepted or conditionally accepted. An environmental evaluation may be required as a part of the site suitability analysis.
 - (2) The applicant shall provide an appraisal of the land proposed for dedication. The appraisal shall be prepared by a qualified land appraiser and shall conform to the Uniform Standards of Professional Appraisal Practice as adopted by the Appraisal Standards Board of the Appraisal Foundation.
 - (3) All County staff costs associated with the determination of site suitability, and all expenses incurred to determine legal status of the site, to perform environmental assessments and to obtain an appraisal, shall be borne by the applicant.
- c. Calculation of credit for dedication of land.** Following review of the appraisal and site suitability analysis, the County shall determine the extent to which the dedication shall satisfy the requirements of this Article as follows:
- (1) The County shall offer to credit the applicant for the land dedication only to the extent that the appraised value of the land to be dedicated equals the full development cost of providing the required affordable units under Subsection 26-89-040.C.1 (Number of units: Ownership projects), subsection 26-89-040.C.2 (Number of units: Condominium or timeshare conversion projects) or Subsection 26-89-040.C.32 (Number of units: Rental projects), including both land costs and construction costs.
 - (2) If the appraised value of the land is less than the total projected development cost for the number of affordable units required under Subsection 26-89-040.C.1 (Number of units: Ownership projects), Subsection 26-89-040.C.2 (Number of units: Condominium or timeshare conversion projects), or Subsection 26-89-040.C.32 (Number of units: Rental projects), the applicant will be credited with only the number of affordable units for which development costs are covered by the value of the land.
 - (3) The applicant shall agree to satisfy any remaining obligations under this Article by providing additional affordable units on the project site, or paying applicable affordable housing fees.
- d. ~~Procedure for acceptance of site.~~** ~~The County shall not accept an offer of dedication nor approve the proposed residential project until all of the~~

~~conditions of acceptance of the land, if any, have been completed by the applicant. The County's formal acceptance of the offer of dedication shall take place concurrently with its approval of the residential project. The grant deed dedicating the site to the County, or to a developer of affordable housing approved by the County, shall be recorded before issuance of any Building Permit within the market rate project.~~

EXHIBIT BB

Amendments to Sec. 26-89-045 Workforce Housing Program Requirements

- I. Section 26-89-045(A) is amended to read as follows:
- A. Applicability and requirements.** Unless otherwise exempt under Subsection 26-89-045.B- ~~(Exempt projects)~~, any person who constructs new or expanded nonresidential development, shall contribute to the County's affordable housing program through one or more of the following three methods:
 - 1. On-site construction of the required affordable units.** Provide the required affordable unit(s) on-site, in compliance with Subsection 26-89-045.C- ~~(On-site Construction of Units)~~ as allowed by the underlying zone district (i.e., mixed use, work/live);
 - 2. Payment of workforce housing fee.** Pay the workforce housing fee in compliance with Subsection 26-89-045.D- ~~(Workforce housing fee)~~; or
 - 3. Alternative equivalent actions.** Perform an alternative equivalent action in compliance with Subsection 26-89-045.E- ~~(Alternative equivalent actions)~~; which may be allowed to fulfill the affordable housing requirements of this Section if approved by the Director, at their ~~its~~ sole discretion.
- II. Section 26-89-045(C)(5) is amended to read as follows:
- 5. Fractional units.** If calculating the number of units required by this Section results in a fractional unit requirement, the applicant may satisfy that fractional unit requirement by:
 - a. Constructing an additional affordable unit;
 - b. Paying an fee in compliance with Subsection 26-89-045.E- ~~(Workforce Hhousing Ffee)~~; or,
 - c. Performing an alternative equivalent action approved by the Director in compliance with Subsection 26-89-045.EG- ~~(Alternative Eequivalent Aactions)~~.
- III. Section 26-89-045(D) is amended to read as follows:
- DE. Workforce housing fee.** To satisfy the requirements of this Section through the payment of a fee, payment shall be made in accordance with the following:
 - 1. Determination of fee.** The amount of the workforce housing fee shall be established by resolution of the Board. Thereafter, the workforce housing fee shall be increased or decreased annually by the percentage change in the Construction Cost Index for the San Francisco Bay Area for the prior year, as reflected in the third quarter Engineering News Record. The workforce housing fee shall be automatically adjusted, and a new schedule published by the

Director, effective on January 1 st of each year. This adjustment will offset the effects of inflation related to construction cost increases or deflation-related cost decreases. If the Construction Cost index is discontinued, the Director shall use a comparable index for determining the changes in the median home costs for the County. The fee shall be periodically reviewed and updated at least every five years to reflect any changes in the need for affordable housing resulting from new nonresidential development.

2. **Timing of payment.** The workforce housing fee shall be calculated at the time of Building Permit application. The fee shall be paid at the time of issuance of the Building Permit for each nonresidential project, unless proof is provided that the required affordable housing units will be constructed on-site or that an alternative equivalent action was previously approved in compliance with Subsection 26-89-040.F(G).
3. **Workforce Housing Fee Trust Fund Guidelines.** There shall be established a separate account for workforce housing fees within the County Fund for Housing (CFH) as may be necessary to avoid commingling as required by law, or as deemed appropriate to further the purposes of the workforce housing fees. The County's use of the workforce housing fees, along with any interest earnings, shall comply with all of the following requirements.
 - a. Workforce housing fees deposited in the CFH, along with any interest earnings, shall be allocated for uses that increase and improve the supply of housing affordable to households of extremely low-, very low-, low-, and moderate incomes, including:
 - (1) The acquisition of property and property rights for the construction of affordable housing; and
 - (2) The cost of construction including costs associated with planning, administration, and design, building or installation, development fees, on- and off-site improvements, and any other costs associated with the planning, predevelopment, permitting, construction and financing of affordable housing.
 - b. Monies may also be used to cover administrative expenses incurred by the Department or the CDC in connection with affordable housing and not otherwise reimbursed through processing and other fees, including:
 - (1) Reasonable consultant and legal expenses related to the establishment and/or administration of the workforce housing fee account;
 - (2) Reasonable expenses for administering the process of calculating, collecting, and accounting for workforce housing fees authorized by this Section; and

-
- (3) County and CDC administrative costs for project development, permitting, post-development code compliance, and the ongoing monitoring of affordable housing projects constructed with workforce housing fee trust funds.
 - c. Adequate cost accounting procedures shall be utilized and documented for all of the expenditures.
 - d. No portion of the collected workforce housing fees shall be diverted to other purposes by way of loan or otherwise.

IV. Section 26-89-045(E) is amended to read as follows:

- EF. Alternative equivalent actions.** The Director may, in his or her sole discretion, approve an alternative equivalent action to the provision of the affordable units on site or payment of the workforce housing fee, as follows.
- 1. Scope of alternative proposals.** Proposals for an alternative equivalent action may include:
 - a. The dedication of vacant land (see Subsection 26-89-045.F.5 ~~paragraph G.5~~, Standards for land dedications); ~~or~~,
 - b. The construction of affordable rental or ownership units on another site within the unincorporated area of the County;
 - c. The acquisition and enforcement of rental/sales price restrictions on existing market rate dwelling units in compliance with this Article; or
 - d. Employer based programs providing direct subsidy to qualified employees, including mortgage buy-downs or rental assistance that provides long-term affordability.
 - 2. Content of proposal.** A proposal for an equivalent alternative action shall show how the requested alternative action will further affordable housing opportunities in the County to an equal or greater extent than the provision of the affordable housing units on site in compliance with Subsection 26-89-045.C.1 ~~C.~~ (Number of affordable units required), or payment of the workforce housing fee in compliance with Subsection 26-89-045.D ~~E.~~ (Workforce housing fee).
 - 3. Review and approval.** Only the Director can approve an equivalent alternative action under this Section. A proposal for an alternative equivalent action may be approved by the Director only if the Director finds that the alternative action will further affordable housing opportunities in the County to an equal or greater extent than the construction of the required affordable units as part of the project or payment of the workforce housing fee.
 - 4. Performance of alternative action.** After approval by the Director of a proposal for an alternative action, entitlements for that alternative action shall be processed concurrent with the nonresidential projects. If the alternative action

includes construction of affordable units on another site or the acquisition and enforcement of rental/sales price restrictions on existing market rate units, an Affordable Housing Agreement in compliance with Subsection 26.89.100 shall be recorded for each of those units before recordation of any final map for, or issuance of any ~~B~~building ~~P~~permit related to ~~within~~, the nonresidential project, and the affordable units shall be constructed or acquired concurrent with, or before, the construction of the nonresidential project.

5. Standards for land dedications.

a. Offers of dedication. An applicant who proposes to dedicate land located within the unincorporated area of the County in lieu of constructing the affordable units required by this Section shall offer the land dedication as a part of the initial application for project approval. The applicant's offer shall describe the site, shall offer it for dedication at no cost to the County, and shall include a site plan illustrating the feasibility of locating and constructing the number of required affordable units for which the applicant is requesting housing fee credit.

b. Site suitability and appraisal.

(1) The applicant shall provide a site suitability analysis which demonstrates that the land proposed for dedication is suitable for the development of affordable housing in terms of size, location, General Plan land use designation, availability of services, proximity to public transit, adjacent land uses, access to streets and walkways, physical characteristics and configuration, and other relevant planning criteria. Department staff shall evaluate the site suitability analysis, identify the site's projected unit capacity, and recommend to the review authority whether the site should be accepted or conditionally accepted. An environmental evaluation may be required as a part of the site suitability analysis.

(2) The applicant shall provide an appraisal of the land proposed for dedication. The appraisal shall be prepared by a qualified land appraiser and shall conform to the Uniform Standards of Professional Appraisal Practice as adopted by the Appraisal Standards Board of the Appraisal Foundation.

(3) All County staff costs associated with the determination of site suitability, and all expenses incurred to determine legal status of site, to perform environmental assessments and to obtain an appraisal, shall be borne by the applicant.

c. Number of units credited to dedication of land. Following review of the appraisal and site suitability analysis, the County shall determine the number of required affordable housing units for which the applicant will receive credit upon dedication of the site.

(1) The County will offer to credit the applicant for the land dedication only to the extent that the appraised value of the land to be dedicated equals the full

development cost of providing the required affordable units including both land costs and construction costs.

- (2) If the appraised value of the land is less than the total projected development cost for the number of affordable units required, the applicant will be credited with only the number of affordable units for which development costs are covered by the value of the land.
- (3) The applicant shall agree to provide any remaining affordable units required by this Section on the project site, or to pay the applicable workforce housing fee for the remaining number of required units.
- d. **Procedure for acceptance of site.** The County shall not accept an offer of dedication or approve the proposed nonresidential project until all of the conditions of acceptance of the land, if any, have been completed by the applicant. The County's formal acceptance of the offer of dedication shall take place concurrently with its approval of the nonresidential project. The grant deed dedicating the site to the County, or to a developer of affordable housing approved by the County, shall be recorded before issuance of any building permit related to ~~within~~ the nonresidential project.

EXHIBIT CC

Amendments to Sec. 26-89-050 Density Bonus Programs

I. Section 26-89-050 is amended to read as follows:

Sec. 26-89-050 Density Bonus Programs

A. Applicability.

1. A project that is proposed to provide affordable housing units or to provide land for the affordable housing units, and which meets or exceeds the minimum thresholds of affordability specified below, may request a density bonus in compliance with one of the applicable density bonus programs provided by this Section.
2. Only one density bonus program may be applied to each project.
3. Density bonus programs shall not be applied to General Plan and Zoning Database amendments, but rather may be approved only in conjunction with a development permit (i.e., tentative map, parcel map, Conditional Use Permit, or Design Review).

B. Application requirements. The density bonuses provided by this Section shall be granted by the County only after the filing and approval of an application, as follows.

1. **Application filing.** The applicant shall file with the Department an application for a density bonus and other incentives in compliance with this Section either before, or concurrent with, the submittal of an application for discretionary project approval (for example, a tentative map, parcel map, conditional use permit or design review). Modifications to an existing application for a density bonus shall be considered a new application.
2. **Application requirements.** An application shall include all of the following information:
 - a. A detailed development plan and description of the proposed project, including a Housing Proposal in compliance with Subsection 26-89-030.G. (Housing Proposal required) outlining the number, type, size, tenure, number of bedrooms and proposed affordability level for each and every unit within the development;
 - b. The density bonus program under which the application is filed (e.g., State density bonus program, Supplemental density bonus program, Mixed use project density bonus, Rental Housing Opportunity Area Program, or Ownership Housing Opportunity Area Program);

-
- c. The type of density bonus incentive requested, of those listed in Section 26-89-060 (Affordable Housing Incentives);
 - d. If more than one incentive is requested in compliance with Subsection 26-89-060.B. (Affordable Housing Incentives: Additional Incentives), a statement of why the project is eligible for the additional incentives. Eligibility for the additional incentive may be shown by establishing that the project is in compliance with ~~will provide affordable housing in the percentages specified in~~ Subsection 26-89-060.B.1., that the project meets other Housing Element goals (e.g., provision of housing for seniors, special housing needs individuals, and/or other goals), and/or that the additional incentive is necessary to improve the financial feasibility of the development and to allow the applicant to provide additional affordability or affordability for a longer term;
 - ~~e. Any alternative incentive being requested in compliance with Subsection 26-89-060.D. (Request for Alternative Incentive), together with a statement as to why, due to the particular characteristics of the project site, the alternative incentive is necessary to provide for affordable housing costs; and~~
 - ef. Any other information deemed necessary by the Director to allow a complete evaluation of the application.

3. Consideration of application. An application for a density bonus shall be considered and approved only as an integral part of the County's approval of a discretionary development permit for the project (i.e., at the time of approval of a subdivision, Conditional Use Permit, Design Review, or other required land use permit). The project approval shall identify the density bonus and other incentive(s) that the County has granted the applicant, and any waiver or modification of standards that may have been approved for the project.

C. State density bonus program. In addition to the incentives provided by Section 26-89-060 (Affordable Housing Incentives), a residential project of five or more base units that provides affordable or senior housing, or that provides land for construction of affordable housing, or that provides affordable housing along with child care facilities, or that provides ~~ten 10 percent (10%)~~ of total housing units for transitional foster youth as defined in Section 66025.9 of the Education Code, disabled veterans as defined in Government Code Section 18542, or homeless persons as defined in the federal McKinney-Vento Homeless Assistance Act all as specified below, shall be eligible for a density bonus to allow more dwelling units than otherwise allowed on the site by the applicable General Plan Land Use Map and zone district, in compliance with the following:

1. Density bonus for on-site construction of very low-income housing.

- a. A 20 percent density bonus shall be granted to any housing project of five or more base units that is constructed to provide at least five percent of the base units for very low-income households.
- b. For each one percent increase in the number of base units provided as affordable to very low-income households above the five percent specified in Subsection 26-89-050.C.1.a ~~Subparagraph C.1.a.~~, above, the density bonus shall be increased by two and one-half percent, up to a maximum of 35 percent above the maximum density allowed by the General Plan and zone district, as indicated in Table 2.

2. Density bonus for on-site construction of low-income housing.

- a. A 20 percent density bonus shall be granted to any housing project of five or more base units that is constructed to provide at least ~~ten~~ 10 percent ~~(10%)~~ of the base units for low-income households.

STATE DENSITY BONUS PROGRAM
AFFORDABILITY AND INCENTIVE SCHEDULE

Table 2: Density Bonus Calculations Single- and Multi-Family Developments		
% Affordable*	% DB**	# Incentives
Low-Income Units		
10	20.0	1
11	21.5	1
12	23.0	1
13	24.5	1
14	26.0	1
15	27.5	1
16	29.0	1
17	30.5	1
18	32.0	1
19	33.5	1
20	35.0	2
30	35.0	3
Very Low-Income Units		
5	20	1
6	22.5	1
7	25	1
8	27.5	1
9	30	1
10	32.5	2
11	35	2
15	35	3
Moderate-Income		
10	5	1

11	6	1
12	7	1
13	8	1
14	9	1
15	10	1
16	11	1
17	12	1
18	13	1
19	14	1
20	15	2
21	16	2
22	17	2
23	18	2
24	19	2
25	20	2
26	21	2
27	22	2
28	23	2
29	24	2
30	25	3
31	26	3
32	27	3
33	28	3
34	29	3
35	30	3
36	31	3
37	32	3
38	33	3
39	34	3
40	35	3

* The density bonus units shall not be included when determining the number of affordable units required.

** All density calculations resulting in fractional units shall be rounded up to the next whole number.

- b. For each one percent increase in the number of base units provided as affordable for low-income households above the 10 percent specified in Subsection 26-89-050.C.2.a ~~Subparagraph C.2.a~~, above, the density bonus shall be increased by one and one-half percent, up to a maximum of 35 percent above the maximum density allowed by the General Plan and zone district, as indicated in Table 2, above.
3. **Density bonus for on-site construction of senior housing.** A 20 percent density bonus shall be granted to any housing project that is constructed to provide at least 35 dwelling units for senior households.

4. Density bonus for construction of moderate income housing in condominium and planned development construction projects.

- a. A five percent density bonus shall be granted to any condominium project or planned development of five or more base units that is constructed to provide at least 10 percent of the base units for moderate-income households.
- b. For each one percent increase in the number of base units provided as affordable to moderate income households above the 10 percent specified in Subsection 26-89-050.C.4.a ~~Subparagraph C.4.a.~~, above, the density bonus shall be increased by one percent up to a maximum of 35 percent above the maximum density allowed by the General Plan and zone district, as indicated in Table 3, above.
- c. Modifications or waivers of development standards that are approved as part of the condominium or planned development project shall be considered additional incentives in compliance with Subsection 26-89-060.B.

5. Density bonus for provision of affordable housing in condominium conversion projects.

- a. In the case of a condominium conversion, a 25 percent density bonus shall be granted, or other incentives of equivalent financial value shall be offered, if the project is constructed to provide at least:
 - (1) 33 percent of the base units to low- or moderate-income households; or
 - (2) 15 percent of the base units to lower-income households.
- b. An applicant shall be ineligible for a density bonus or other incentives in compliance with this Subsection ~~Subparagraph~~ if the apartments proposed for conversion constitute a housing development for which a density bonus or other financial incentives were previously provided.

6. Density bonus for donation of land for affordable housing.

- a. A 15 percent density bonus shall be granted to a residential project of five or more base units if the project applicant donates land to the County for development of affordable housing in compliance with all of the following:
 - (1) The applicant shall donate and transfer the land no later than the date of approval of the final map, parcel map, or other residential project application, whichever comes first;
 - (2) The developable acreage and zoning classification of the land shall be sufficient to allow construction of units affordable to very low-income households in an amount not less than 10 percent of the number of residential units of the proposed project;

-
- (3) The transferred land shall:
 - (a) Be at least one acre in size or of sufficient size to allow development of at least 40 units;
 - (b) Have appropriate General Plan and zone district designation for development of affordable housing;
 - (c) Be served by adequate public facilities and infrastructure; and
 - (d) Have appropriate zoning and development standards to make the development of the affordable units feasible.
 - (4) Before transfer of the land, the applicant shall obtain all permits and approvals, except Building Permits, necessary for development of very low-income housing units in compliance with this Subparagraph. At the County's discretion, Design Review may be delayed until after transfer of the land;
 - (5) The transferred land and the affordable units constructed upon it shall be subject to a deed restriction ensuring continued affordability in compliance with Section 26-89-090;
 - (6) The land shall be transferred to the County or to a developer of affordable housing approved by the County. The County may, at its discretion, require the applicant to identify and transfer the land to an approved developer; and
 - (7) The transferred land shall be within the boundary of the proposed project or, with the approval of the County, within one-quarter mile of the boundary of the proposed development.
 - (8) A proposed source of funding for the very-low income units shall be identified no later than the date of approval of the final subdivision map, parcel map or residential development application.
 - b. For each one percent increase above the 10 percent land donation described in Subparagraph Subsection 26-89-050.C.6.a., above, the density bonus shall be increased by one percent up to a maximum of 35 percent above the maximum density allowed by the General Plan and zone district.

7. Childcare facilities.

- a. If a residential project that meets the minimum State density bonus requirements specified in Subparagraphs Subsections 26-89-050.C.1 through 26-89-050.C.4., above, includes a child care facility on the premises of or adjacent to the project, then the County shall grant either of the following:
 - (1) An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child care facility; or

-
- (2) An additional incentive that contributes significantly to the economic feasibility of the construction of the childcare facility.
 - b. If a density bonus or additional incentive is granted in compliance with this ~~Subsection~~Subparagraph, the child care facility shall be required:
 - (1) To remain in operation for a period of time that is equal to or longer than the period of time during which the density bonus units are required to remain affordable under this Section; and
 - (2) To ensure that, of the children who attend the child care facility, the percentage of children of very low-income households, low-income households, or moderate-income households equals the percentage of dwelling units required for each of those income categories in compliance with Subsections 26-89-050.C.1, 26-89-050.C.2, or 26-89-050.C.4 ~~Subparagraphs C.1, C.2, or C.4,~~ above, as applicable.
 - c. For purposes of this ~~Subsection~~Subparagraph, a "child care facility" means a child care facility other than a family day care home, including, but not limited to, infant centers, preschools, extended day care facilities, and school-age child care centers.
- 8. Combining density bonuses.** The density bonuses specified in Subsections 26-89-050.C.1 through 26-89-050.C.7~~Subparagraphs C.1 through C.7,~~ above, may be combined, but shall in no case, except as otherwise provided in this Section, result in an increase in density for the residential project above 35 percent above the maximum density allowed by the General Plan and zone district.
- D. County supplemental density bonus program.**
- 1. In addition to the incentives provided by Section 26-89-060 (Affordable Housing Incentives), a residential project of five or more base units shall be eligible for a density bonus of up to 50 percent above the maximum density allowed by the General Plan and zone district, if the project provides a total of:
 - a. 10 percent or more of the base units for extremely low-income households;
 - b. 20 percent or more of the base units for very low-income households;
 - c. 30 percent or more of the base units for low-income senior households;
 - d. 30 percent or more of the base units for low-income households, with 10 percent or more of those base units provided as fully accessible units for low-income disabled households;
 - e. 30 percent or more of the base units for low-income households, with 10 percent or more of those base units provided as large rental units with three or more bedrooms for low-income large family (5 or more persons) households; or
 - f. 40 percent or more of the base units for low-income households, or

- g. A state density bonus program-qualifying project for very-low or low-income households that also provides 33 percent or more of the total project units as powered by on-site renewable energy systems capable of generating at least 70 percent of the projected electrical energy demand of the units or results in an equivalent reduction in utility costs; or
- h. 30 percent or more of the base units for low-income households, with 100 percent of the total project units providing at least the ~~3~~ basic tenants of universal design (stepless entry and thresholds, complete single floor living area with 32-inch doorways, and environmental controls at accessible heights).

E. Housing Opportunity Program bonuses.

1. Rental Housing Opportunity Program requirements (formerly Type A). Rental housing projects consisting of two or more base dwelling units may qualify for the Rental Housing Opportunity program.

a. Rental Housing Opportunity areas established. Housing opportunity areas for rental housing may be established in locations designated by the General Plan Land Use Maps as:

- (1) Urban Residential, six to 12 dwelling units per acre, that are zoned R-2 (Medium Density Residential); and,
- (2) Urban Residential 12 to 20 dwelling units per acre, that are zoned R-3 (High Density Residential).

b. Rental housing project density increase. A rental project that is allowed two or more dwelling units by the applicable zone district may be constructed at up to twice the base density, provided that a minimum of ~~forty~~40 percent (40%) of the total units within the project will be provided as affordable for rent to very low- or low-income households, and further provided that in no case may the total density exceed that shown in Table 4, below.

c. Rental Housing Opportunity development standards. A ~~Rental H~~Rental Housing ~~O~~Opportunity development shall comply with all of the development standards established by this Development Code for the R3 (High Density Residential) zone district.

Table 4
MAXIMUM ALLOWABLE DENSITY

Density as Shown on Zoning Database Map	Maximum Allowable Density (Rental Housing Opportunity)
6 units per acre	12 units per acre
7 units per acre	14 units per acre
8 units per acre	16 units per acre

9 units per acre	18 units per acre
10 units per acre	20 units per acre
11 units per acre	22 units per acre
12 units per acre	24 units per acre
13 units per acre	26 units per acre
14 units per acre	28 units per acre
15 units per acre	30 units per acre
16 units per acre	32 units per acre
17 units per acre	34 units per acre
18 units per acre	36 units per acre
19 units per acre	38 units per acre
20 units per acre	40 units per acre

2. **Ownership Housing Opportunity Area Program requirements (~~formerly Type C~~).** Only residential projects consisting of four or more base dwelling units may qualify for the Ownership Housing Opportunity Area ~~P~~program,
 - a. **Ownership Housing Opportunity ~~a~~Areas established.** Ownership Housing Opportunity ~~a~~Areas may be established in locations identified by the General Plan as Urban Residential with a density of two to six dwelling units per acre, and that are zoned R-1 or R-2.
 - b. **Ownership ~~h~~Housing ~~p~~Project Opportunity Area density increase.** An Ownership Housing Opportunity Area project that is allowed four or more dwelling units by the applicable zone district may be approved for development as a small-lot subdivision at a density of up to ~~eleven (11)~~ dwelling units per acre if:
 - (1) The site is designated by the General Plan Land Use Map with a density of two ~~(2)~~ to six ~~(6)~~ dwelling units per acre;
 - (2) A minimum of ~~twenty~~ 20 percent ~~(20%)~~ of the units are reserved for sale to very low- or low-income households; and
 - (3) The remainder of the units are reserved for sale to low- and moderate-income households.
 - c. **Ownership ~~h~~Housing Opportunity Area Project development standards.** An ownership housing development shall comply with all of the following standards.
 - (1) **Parcel configurations and sizes.** The parcel configurations within an Ownership Housing Opportunity Area development may include zero lot-line parcels, angled Z lots, zipper lots, flag lots, alternate width parcels, quad lots, and motor court lots. Parcel sizes may range from 2,000 to 6,000 square feet or more. A variety of parcel configurations and parcel sizes shall be provided in a development on any site larger than three acres.

-
- (2) **Allowable floor area ratio.** Allowable dwelling size shall be based on parcel area. Actual house sizes, as well as parcel sizes, in a proposed development plan may vary so long as the averages shown in Table 5, below, are maintained. "Dwelling size" refers to the gross living area of the primary dwelling only; storage sheds, garages, carports, covered patios, and decks are not included in the gross living area.

Table 5
DWELLING SIZE

Average Parcel Size	2,000	2,500	3,000	3,500	4,000	4,500	5,000	5,500	6,000
Average House Size	1,000	1,100	1,200	1,300	1,400	1,500	1,600	1,700	1,800

Note: All quantities are in square feet of floor area (can be interpolated).

How to Use the Table. First, determine the average parcel size of the single-family parcels in the proposed development. Next, determine the allowable average dwelling size of the single-family dwellings in the proposed development. The average dwelling size shall not be greater than shown in the table.

- (3) **Subsequent expansions or additions.** Subsequent expansions or additions to dwelling units, if not shown on the development plan, may be allowed in the future only where the proposed expansion is within a designated building envelope shown on the development plan.
- (4) **Setback/yard requirements.** Setbacks and yards shall be provided in compliance with the standards of the R-3 zone district.
- (a) Setbacks for all proposed and possible future structures or additions shall be designated on the development plan.
- (b) Front yard setbacks shall be varied.
- (c) A garage or carport with a vehicle entrance facing the street shall be set back a minimum of 20 feet from the rear of the public sidewalk, or 20 feet from the property or adopted street plan line, whichever is greater.
- (5) **Private open space requirement.** Each dwelling unit or parcel shall be designed to provide a minimum of 400 square feet of usable private open space.
- (6) **Maximum structure height.** The maximum height of structures is 35 feet.
- (7) **Maximum coverage.** Maximum allowable structure coverage is 65 percent. The use of alternative permeable surfaces is strongly encouraged for driveways, walkways, and patios wherever feasible in order to maintain or enhance groundwater absorption and recharge.
- d. **Alternatives to development standards.** An applicant for an Ownership Housing Opportunity Area project may propose alternatives to the development standards in Subsection 26-89-050.E.2 Subparagraph F.2, above, provided that

in no case shall the residential density exceed ~~eleven (11)~~ units per acre. Conditional use permit approval shall be required to authorize alternative development standards. A conditional use permit application for alternative standards shall be processed concurrently with the required design review and subdivision applications.

EXHIBIT DD

Amendments to Sec. 26-89-060 Affordable Housing Incentives

I. Section 26-89-060 is amended to read as follows:

A residential project that provides affordable housing onsite in compliance with the affordable housing requirements of Section 26-89-040 (Affordable Housing Requirements for Residential Development), or the requirements of a density bonus program under Section 26-89-050 (Density Bonus Programs), may be granted incentives in compliance with this Section.

A. Guaranteed Incentives. The following incentives are guaranteed for each residential project providing on-site affordable housing in compliance with Subsection 26-89-040.C. (Affordable Housing Requirements: Minimum Requirements for Construction of Affordable Units On-Site~~Number of affordable units required~~), Subsection 26-89-050.C. (State density bonus program), Subsection 26-89-050.D. (County supplemental density bonus program), ~~Subsection 26-89-050.E. (Mixed use project density bonuses)~~ or Subsection 26-89-050.F. (Housing Opportunity Area Program bonuses):

1. "Fast-tracking" of land use permit, subdivision, and construction permit applications for the affordable housing development by all County departments, provided that an affordable rental project shall have priority over an affordable ownership project;
2. Concurrent processing, where projects require multiple permits or environmental review; and
3. Preference to affordable housing developments in priority development areas.

B. Additional Incentives.

1. In addition to the incentives guaranteed under Subsection 26-89-060.A, the review authority shall also grant one of the following incentives to each residential project providing on-site affordable housing in compliance with Section 26-89-040.C. (Affordable Housing Requirements: Minimum Requirements for Construction of Affordable Units On-Site~~Number of affordable units required~~), Section 26-89-050.C. (State density bonus program), 26-89-

050.D. (~~County Supplemental density bonus program~~), ~~26-89-050.E. (Mixed-use project density bonuses)~~ or Section 26-89-050.F. (Housing Opportunity Area Program bonuses):

- a. Elimination of covered parking requirements;
 - b. A 20 percent reduction of any open space requirements;
 - c. A 20 percent reduction of the minimum parcel size or minimum parcel width;
 - d. A five-foot reduction in side yard setbacks and a 10-foot reduction in front yard setbacks, provided that adequate access to light is maintained for all units as determined by Design Review; and further provided that no front yard setback shall be less than 10 feet, no garage shall be set back less than 20 feet, and adequate sight distance is maintained; or
 - e. Allowance of other regulatory incentives or measures that can be shown to result in identifiable and actual cost reductions.
2. In addition to the incentives guaranteed under Subsection 26-89-060.A, the review authority shall grant two incentives under this Subsection 26-89-060.B to each residential project that provides:
 - a. 30 percent of the base units for low-income households;
 - b. 15 percent of the base units for very low-income households; or
 - c. 30 percent of the base units for moderate income households in a condominium project or planned development.
 3. The review authority may grant two or more incentives under this Subsection if the applicant demonstrates that the development meets other Housing Element goals (e.g., provision of housing for seniors or special housing needs individuals, including the provision of housing meeting Universal Design standards), or provides greater or longer term affordability, or a greater number of affordable units than otherwise required. Incentives provided under this Subsection shall be proportional to the extent to which the project provides for additional affordable and/or special needs housing units and/or child care facilities. In the case of condominiums and planned developments, any waiver or modification of development standards approved for the condominium or planned development project shall be considered incentives under this Subsection.
- C. Request for specific incentive.**
1. An applicant eligible for an affordable housing incentive under this Subsection may submit a request for a specific incentive under Subsection 26-89-060.B, and may request a meeting with the Department to discuss that request. The review

authority shall grant the specifically requested incentive unless it finds any of the following:

- a. The incentive is not required in order to provide for the affordable housing costs or rents as provided in this Section; or
 - b. The incentive would have a specific adverse impact, as defined in Government Code Section 65589.5 ~~paragraph (2) of subdivision (d)~~, upon public health or safety or the physical environment or upon any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the project unaffordable to low- and moderate income households.
 - c. The incentive would be contrary to state or federal law.
2. If the review authority finds that it cannot grant the specifically requested incentive, it shall grant a different incentive under Subsection 26-89-060.B, which incentive it determines will best enhance the economic feasibility of the project or will allow greater or longer term affordability or a greater number of affordable units.

EXHIBIT EE

Amendments to Sec. 26-89-070 Design and Construction Standards

- I. Section 26-89-070(A)(3)(b) is amended to read as follows:
- b. The mix of unit sizes and numbers of bedrooms in the affordable units shall be similar to the mix of unit sizes and bedroom counts provided in the development as a whole; except that the affordable units may have less floor area than the market rate units to assist in achieving affordability, provided the units comply with the average floor area requirement in Subsection 26-89-070.A.3.a
~~Subparagraph A. 3. a,~~ above.

EXHIBIT FF

Amendments to Sec. 26-89-080 Ownership Unit Occupancy and Long-Term Restrictions

I. Section 26-89-080 is amended to read as follows:

Each affordable ownership unit constructed in compliance with this Article shall comply with all of the requirements of this Section.

A. Ownership unit occupancy requirements.

- 1. Eligibility requirements.** An affordable housing unit shall be sold, and to the extent required by Subsection 26-89-080.C ~~D~~ (Affordable Housing Agreement required), resold, only to a household certified by the CDC as extremely-low, very low-, low-, or moderate-income, and where applicable as a senior, disabled or large family household, as designated by the terms of project approval, and which also complies with all of the following requirements.
 - a. The purchaser shall be an eligible household as defined by the CDC and specified in the Sonoma County Affordable Housing Program Homeownership Policies, ~~available at the offices of the~~ maintained by CDC.
 - b. The purchaser shall reside in the unit as their principal residence and may not rent the unit in its entirety to another party.
- 2. Buyer certification and selection.** Affordable housing units shall be sold, and to the extent required by Subsection D. below resold, only to households certified by the CDC as satisfying eligibility requirements specified in Subsection 26-89-080.A.1 ~~Subparagraph A. 1.~~, above, and in compliance with all of the following procedures:
 - a. Initial buyers eligible to purchase affordable housing units shall be selected by the developer in compliance with a marketing program approved, in advance, by the Executive Director of the CDC. Subsequent buyers shall be selected by the CDC in compliance with the Sonoma County Affordable Housing Program Homeownership Policies, ~~available in the offices of the CDC.~~
 - b. The marketing program shall identify and detail an equitable selection process to be used for the marketing and sale of the affordable units.
 - c. Selection criteria may include household income and assets, household size, and, in cases where units are dedicated for low-income senior, disabled, or large family households, the size or special needs features of the available unit(s).
- 3. Preferences.** Preference in the sale of affordable housing units shall be given first to persons currently employed in the County, and then to current County residents, to the extent allowed by law.

-
- B. Ownership units - sales price restrictions.** Affordable ownership units as designated in the terms of project approval shall be offered at sales prices that are considered affordable to very low-, low-, or moderate-income households, as applicable, as defined in Article 04 (Glossary) Section 26-02-140. CDC shall calculate sales prices for each of these income categories in compliance with the Sonoma County Affordable Housing Program Homeownership Policies, ~~available at the offices of the CDC.~~
- C. Affordable Housing Agreement required.**
1. The CDC shall record an Affordable Housing Agreement with the eligible buyer concurrently with the recording of each grant deed transferring title to an affordable unit subject to this Section to an eligible household. The Affordable Housing Agreement shall provide the CDC, for the term specified in Subsection 26-89-080.C.5 Subparagraph D.5, below, with a first right to purchase the unit upon resale in compliance with the Sonoma County Affordable Housing Program Homeownership Policies, ~~available at the offices of the CDC.~~
 2. The Affordable Housing Agreement shall permit CDC to assign its rights to purchase the unit under the Agreement to an eligible buyer to purchase the unit.
 3. In all cases where the CDC exercises or assigns its rights to purchase the unit, the unit shall be conveyed to or purchased by an income-eligible buyer in compliance with the designation of the unit in project approvals and as determined by the CDC in compliance with the Sonoma County Affordable Housing Program Homeownership Policies, ~~available at the offices of the CDC.~~
 4. The Affordable Housing Agreement shall contain provisions further restricting the resale of an affordable ownership unit to the extent required by the Sonoma County Affordable Housing Program Homeownership Policies, available at the offices of the CDC.
 5. The Affordable Housing Agreement for each affordable ownership unit shall reserve the unit for purchase by the CDC or its assignee and for resale only to eligible households, as defined by this Section and the project approvals, for a minimum term of 30 years, or for a longer time if required by the project approvals, construction or mortgage financing assistance program, or mortgage insurance program. A new term shall commence on the recording date of each new Affordable Housing Agreement recorded concurrently with a grant deed transferring title of the designated unit to an eligible household.
- D. Alternative financing programs and affordability guarantees.**
1. Where the Executive Director of the CDC determines, after consultation with County Counsel, that one or more Federal, State, and/or local financing programs applicable to a project will achieve results that are equivalent to, or

more restrictive than the affordability and/or financing requirements of this Section and the Sonoma County Affordable Housing Program Homeownership Policies, and that the financing programs otherwise comply with applicable ~~F~~federal, State and local laws, the Executive Director may authorize the relevant provisions of those programs to replace or supersede the affordability and/or financing requirements of this Section and the Sonoma County Affordable Housing Program Homeownership Policies.

2. When authorized by the Executive Director of the CDC in compliance with Subsection 26-89-080.D.1 ~~Subparagraph D.1~~, the Affordable Housing Agreement required by Section 26-89-100 for a project shall incorporate the affordability and/or financing provisions of the relevant ~~F~~federal, State, and/or local programs, that will replace the corresponding or similar requirements of this Section and the Sonoma County Affordable Housing Program Homeownership Policies. The CDC shall record an Affordable Housing Agreement in compliance with Subsection 26-89-080.C, above, for each unit sold under this Subsection 26-89-080.D ~~(D)~~.
- E. **Administrative fees.** The CDC may collect an administrative fee, as the Board may establish from time to time, at close of escrow of the sale and resale of each affordable ownership unit, to recover the costs of its obligation under this Section.

EXHIBIT GG

Amendments to Sec. 26-89-090 Rental Unit Occupancy and Long-Term Restrictions

- I. Section 26-89-090(A) is amended only as indicated in underline and strikeout below:

Each affordable rental unit constructed in compliance with this Article shall comply with all of the requirements of this Section.

A. Rental unit - occupancy requirements.

1. Eligibility requirements.

- a. No household shall be allowed to occupy an affordable rental unit constructed in compliance with this Article unless the annual household income, adjusted for household size, is equal to or less than:

- (1) 30 percent of median income for the County, for units restricted to extremely low-income households;
- (2) 50 percent of median income for the County, for units restricted to very low-income households; and
- (3) 80 percent of median income for the County, for units restricted to low-income households.

- 2. Tenant certification and selection.** Affordable rental units shall be rented only to households meeting the eligibility requirements of Subsection 26-89-090.A.1 ~~Subparagraph A. 1,~~ above, and in compliance with all of the following procedures.

- a. Renters eligible to rent the affordable units shall be selected by the developer or owner in compliance with a tenant selection and marketing program approved, in advance, by the Executive Director of the CDC.
 - b. At least once annually and no more often than semi-annually, owners of affordable rental units shall provide to the CDC compliance reports on forms provided or approved by CDC, certifying that all tenants occupying the designated rental units are eligible under the terms of this Section and the Affordable Housing Agreement applicable to the development.
- 3. Preferences.** Preference in the rental of affordable housing units shall be given first to persons currently employed in the County, and then to current County residents, to the extent allowed by law.

- B. Affordable rental unit restrictions.** Each affordable rental unit shall be offered at a rent level that is considered affordable to extremely low-, very low- or low-income households, as established annually by the Executive Director of the CDC

based upon income limits that the U.S. Department of Housing and Urban Development (HUD) issues annually for the County. A utility allowance will be deducted from the maximum affordable rent so that monthly housing costs (rent plus tenant-paid utilities) are equal to or less than:

1. For units restricted to low-income households, 30 percent of 60 percent of median area income, as established annually by HUD, adjusted for assumed household size;
2. For units restricted to very low-income households, 30 percent of 50 percent of median area income, as established annually by HUD, adjusted for assumed household size; and
3. For units restricted to extremely low-income households, 30 percent of 30 percent of median area income, as established annually by HUD, adjusted for assumed household size.

CD. Term of rental restrictions - minimum term for continued affordability. Each required affordable rental unit shall be reserved for eligible extremely low-, very low- or low-income households, and as applicable to senior, disabled, and large family households, at the applicable affordable rent for a minimum of 55 years (30 years for a Government Code 65915 project without financing assistance), or for a longer time if required by the project approvals, construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program, or as otherwise allowed by law. The affordability term shall commence on the date of issuance of the Certificate of Occupancy for the affordable unit.

DE. Rental unit monitoring. The CDC shall monitor the rental of affordable units for compliance with the Affordable Housing Agreement and the provisions of this Article. On an annual basis, the owner shall pay to the CDC a fee for monitoring each unit subject to the Affordable Housing Agreement, which fee shall be established by resolution of the Board of Directors of CDC from time to time.