

# ORDINANCE NO. 6458

## AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING SONOMA COUNTY CODE CHAPTER 26 (ZONING REGULATIONS) TO IMPLEMENT THE 2023-2031 HOUSING ELEMENT AND ENSURE CONSISTENCY WITH STATE LAW

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

**Section I.** Sonoma County Code Section 26-04-020(L) is amended to add the following definition, to be inserted in alphabetical order:

**Low Barrier Navigation Center.** See Section 26-24-210 for definition and development standards.

**Section II.** Sonoma County Code Section 26-04-020(S) is amended to add the following definition, to be inserted in alphabetical order:

**State Regulated Small Employee Housing.** See Section 26-24-260 for definition and development standards.

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

Land Use	LIA Zone	LEA Zone	DA Zone	RRD Zone	TP Zone	Use Regulations
<u>State Regulated Small Employee Housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>26-24-260</u>

**Section IV.** 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
<u>Low-Barrier Navigation Center</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>P</u>	<u>P</u>	<u>26-24-210</u>
<u>State Regulated Small Employee Housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>26-24-260</u>

**Section V.** Section 26-10-030, Table 10-1 is amended to add uses as indicated in underline below:

Land Use	CO Zone	C1 Zone	C2 Zone	C3 Zone	LC Zone	CR Zone	AS Zone	K Zone	Use Regulations
<u>Low-Barrier Navigation Center</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>-</u>	<u>P</u>	<u>-</u>	<u>-</u>	<u>P</u>	<u>26-24-210</u>

Land Use	CO Zone	C1 Zone	C2 Zone	C3 Zone	LC Zone	CR Zone	AS Zone	K Zone	Use Regulations
<u>State Regulated Small Employee Housing</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>26-24-260</u>

**Section VI.** Section 26-14-030, Table 14-1 is amended to add uses as indicated in underline below:

Land Use	PCRR Zone	PCUR Zone	PCCOM Zone	PF Zone	Use Regulations
<u>State Regulated Small Employee Housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>-</u>	<u>26-24-260</u>

**Section VII.** Sonoma County Code is amended to insert the following text as Section 26-24-210, renumbering the current section 26-24-210 (Mixed-Use Development) and subsequent sections in Article 24 and making no amendments to the substance of the renumbered sections:

**Sec. 26-24-210. – Low-Barrier Navigation Center.**

- A. **Definition.** A housing-first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

“Low barrier” means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

1. The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
2. Pets.
3. The storage of possessions.
4. Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.
5. A low barrier navigation center is a use by right in zones where it is identified as a permitted use, provided that the use meets the requirements enumerated in Government Code Section 65662 or successor statute.

- B. **Standards.** A Low Barrier Navigation Center must meet the following requirements:

1. **Connected Services.** It offers services to connect people to permanent housing through a services plan that identifies services staffing.
2. **Coordinated Entry System.** It links to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. “Coordinated entry system” means a centralized or coordinated assessment system developed

pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.

3. **Code Compliant.** It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
4. **Homeless Management Information System.** It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System, as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.
5. **Lighting.** Exterior lighting must be fully shielded and downward facing. Flood lights and uplights are prohibited. Luminaries must not exceed 1000 lumens per fixture. Total illuminance beyond the property line must not exceed 1.0 lux. The color temperature of exterior lighting must not exceed 3000 Kelvin.
6. **Security and Management.** Onsite security shall be provided during hours of operation. The Low Barrier Navigation Center shall provide at least one onsite manager at all times.
7. **Common Facilities.** Low Barrier Navigation Centers are encouraged but not required to provide the following common facilities for the exclusive use of the residents:
  - (1)Central cooking and dining room(s);
  - (2)Common recreation room;
  - (3)Office with services for residents;
  - (4)Laundry facilities adequate for the number of residents.
8. **On-Site Parking.** On-site parking for Low Barrier Navigation Centers, including bicycle parking, shall be subject to requirements as set forth in Article 86.
9. **Secure Storage.** Low Barrier Navigation Centers are encouraged but not required to provide secure, locked storage facilities for residents' personal belongings.

**Section VIII.** Sonoma County Code Section 26-24-230 is amended as shown in underline and strikeout below:

**Sec. 26-24-230. - Permanent supportive housing.**

- A. **Definition.** Rental housing with no limit on length of stay, occupied by a special needs population as specified in the housing element, with on-site or off-site services assisting residents to retain their housing, improve their health status, and maximize their ability to live and, where possible, work in the community. Also "supportive housing."

**B. Standards.**

1. Permanent supportive housing is a use by right in zones where multifamily and mixed uses are permitted.
2. Subject to the same density limitations and to the same regulations applicable

to other residential dwellings of the same type (ex. Single-Family or Multi-Family Residential) in the same zone.

**Section IX.** Sonoma County Code Section 26-24-240 is amended as shown in underline and strikeout below:

**Sec. 26-24-240. – Residential Community Care.**

A. **Definition.** A facility that provides primarily nonmedical residential care for children and/or adults ~~A facility that provides primarily nonmedical residential care for children and/or adults. Housing with supportive services for persons or families in transition from a homelessness to permanent housing. The length of stay is typically six (6) months to two (2) years.~~

1. Includes: family home, group care facility or similar licensed facility for 24-hour care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.
2. Small residential care facility: facilities serving six (6) or fewer persons.
3. Large community care facility: facilities serving seven (7) or more persons.

B. **Standards.**

1. Not allowed on land subject to a Williamson Act contract.
2. Subject to the same density limitations and regulations applicable to other residential dwellings of the same type (ex. Single-Family Residential) in the same zone. Subject to the same density limitations and regulations applicable to other residential dwellings of the same type (ex. multifamily) in the same zone.

**Section X.** Sonoma County Code is amended to insert the following text as Section 26-24-260, renumbering the current section 26-24-260 (Temporary Occupancy of Travel Trailer) and subsequent sections in Article 24 and making no amendments to the substance of the renumbered sections:

**Sec. 26-24-240. – State-regulated small employee housing.**

A. **Definition.** Employee housing, as defined in California Health and Safety Code §17008 and as provided in Health and Safety Code §17021.5, for six or fewer employees in a single-family dwelling.

1. State-regulated small employee housing is not included within the definition of a boarding house, rooming house, hotel, dormitory, congregate housing or similar term that implies that the qualified employee housing is a business run for profit or differs in any other way from a single-family dwelling.
2. Consistent with California Health and Safety Code §17021.5, use of a single-family dwelling as State-regulated small employee housing does not constitute a change in occupancy for purposes of State Housing Law (California Health and Safety Code §17910, et seq.) and local building codes.

**B. Standards.**

1. Subject to the same density limitations, standards, regulations, permit requirements, taxes, and fees applicable to other single-family dwellings of the same type in the same zone.
2. State-regulated small employee housing shall be established and maintained in compliance with any applicable Williamson Act contract.

**C. Permits.**

1. A Use Permit is required if the applicable zoning district requires a Use Permit for single-family dwellings.
2. A permit to operate from the State Department of Housing and Community Development is required.

**Section XI.** Sonoma County Code Section 26-24-270 is amended as shown in underline and strikeout below:

**Sec. 26-24-270. – Transitional Housing.**

- A. **Definition.** Housing with supportive services for persons or families in transition from a homelessness to permanent housing. The length of stay is typically six (6) months to two (2) years.
- B. **Standards.**
1. CO, C1, C2, and C3, and LC zones: Transitional housing is allowed only when located in an existing, legal residential unit.
  2. Subject to the same density limitations and regulations applicable to other residential dwellings of the same type (ex. Multi-Family Residential) in the same zone.

**Section XII.** Sonoma County Code Section 26-63-030 is amended as shown in underline and strikeout below:

When Article 90 (Local Area Guidelines and Standards) establishes a new Local Area Development Guideline, the parcels within the boundary shall be added to the LG combining zone with an appropriate suffix to indicate the specific area. The following specific LG combining zone subareas have been established and are included within the Zoning Database:

- (1) Canon Manor West (LG/CMW), Section 26-90-050.
- (2) Glen Ellen Subareas 1 and 2 (LG/GE1)(LG/GE2), Section 26-90-060.
- (3) Highway 116 Scenic Corridor (LG/116), Section 26-90-070.
- (4) Penngrove Main Street (LG/PNG), Section 26-90-080.
- (5) Russian River Corridor (LG/RRC), Section 26-90-90.

- (6) Russian River Corridor & Highway 116 (LG/RRC116) Sections 26-90-070 and 26-90-090.
- (7) Sebastopol Road Urban Vision Plan (LG/SRV), Section 26-90-100.
- (8) The Springs Highway 12 Corridor (LG/SPR), Section 26-90-110.
- (9) Taylor/Sonoma/Mayacamas Mountains (LG/MTN), Section 26-90-120.
- (10) Lance Drive (LG/LAN), Section 26-90-130.

**Section XIII.** Sonoma County Code Section 26-86-010 is amended as shown in underline and strikeout below:

Use	Parking Spaces
<u>Low-Barrier Navigation Center</u>	<u>1 space for any management unit or office, 1 space/200 sq.ft. floor area of office space, and 1 space for each employee on maximum shift.</u>
Homeless shelters	<del>1 space for every 6 beds, plus</del> 1 space for any the management unit or office and 1 space for each employee, <del>if any,</del> on maximum shift.

**Section XIV.** Sonoma County Code Section 26-88-010(k) is amended as shown in underline and strikeout below:

(k) ~~Reserved.~~ Employee Housing Act compliance. Notwithstanding any other provision in this chapter, no discretionary approval shall be required under this chapter for employee housing, as defined in Cal. Health and Safety Code § 17008, that is deemed an agricultural land use for the purpose of Cal. Health and Safety Code § 17021.6. If any provision in this chapter conflicts with a mandate of the Employee Housing Act (Cal. Health and Safety Code Div. 13, Pt. 1,) as it relates to employee housing, the mandatory provision of the Employee Housing Act shall prevail. All citations in this section are to the identified statute or its successor statute as applicable.

**Section XV.** Sonoma County Code Section 26-88-060 is amended as shown in underline and strikeout below:

- (a) **Purpose.** This section implements the requirements of Government Code § 65852.2 and the provisions of the General Plan Housing Element that encourage the production of affordable housing by means of accessory dwelling units (ADUs).
- (b) **Definitions.** As used in this section:
  - (1) “Multifamily” means a structure with two or more attached dwellings on a single lot.
  - (2) “Objective standards” mean numeric and/or fixed standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the applicant and the public official prior to submittal.

- (3) "Primary residence" means an existing or proposed single-family dwelling or multifamily structure on the lot on which the ADU or ADUs is or are proposed to be established.
- (4) "Accessory structure" means a legally permitted structure that is accessory and incidental to a primary residence located on the same lot.
- (5) "Existing space" means floor area that is legally permitted or recognized as legal by the Director.
- (6) "Floor area" means the interior habitable area of the dwelling unit, including but not limited to basements and attics, but does not include a garage or any accessory structure. Floor area shall be calculated by measuring the exterior interior perimeter of applicable areas. ~~and the length of any common walls.~~
- (7) "Groundwater Availability Zone" means an area designated as Groundwater Availability Class 1, 2, 3, or 4 pursuant to the General Plan Water Resources Element and depicted on Sonoma County's Groundwater Availability Map maintained by the Permit and Resource Management Department.
- (8) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
- (9) "Studio" means a dwelling unit in which the living area is not separated from the sleeping area.
- (10) "Major transit stop" has the same definition as specified in Section 21155 of the Public Resources Code.
- (11) "High quality transit corridor" has the same definition as specified in Section 21155 of the Public Resources Code.

(c) **Applicability.**

- (1) ADUs shall be ministerially permitted in zoning districts that allow single-family or multifamily dwellings, in compliance with Government Code § 65852.2, the requirements of this section, and all other requirements of the applicable zoning district in which an ADU is permitted. The Department shall ~~act on~~ approve or deny an application to create an ADU within 60 days from the date it receives a completed application if there is an existing single-family or multifamily dwelling on the lot.
- (2) On lots in LIA, LEA, ~~and DA,~~ and RRD zoning districts, ADUs shall be permitted in conjunction with a primary residence, except where a lot is eligible for one or more agricultural ~~dwelling employee housing~~ units and an application has been filed for an ADU, that lot shall be eligible for one fewer agricultural dwelling unit. Where a lot contains the maximum agricultural dwelling units permitted on the lot, those units are deemed ADUs and no additional ADUs are permitted. ~~In this section, "agricultural dwelling unit"~~ Agricultural employee housing

includes farm family dwelling units, caretaker units, year-round farmworker housing, or agricultural employee dwelling units.

- (3) ADUs are prohibited in the Z (Accessory Dwelling Unit Exclusion) Combining District.
- (4) ADUs with water provided by a groundwater well or spring in Class 3 and 4 Groundwater Availability Zones shall be limited as follows:
  - (i) In Class 3 areas, ADUs shall be permitted only if:
    - (A) The domestic water source is located on the subject lot, or a mutual water source is available; and
    - (B) Groundwater yield is sufficient for the existing and proposed use, pursuant to Section 7-12 of the Sonoma County Code.
  - (ii) In Class 4 areas, or critical habitat areas as identified by the County and informed by State or Federal agency publications of critical habitat areas for fisheries, an ADU shall be permitted only if:
    - (A) Both requirements for Class 3 areas, above, are met; and
    - (B) The ADU can be shown to have a net zero increase in water usage on the lot, following the most recent guidance, policy, or procedure adopted by the Director of Permit Sonoma.
- (d) **Density.** As provided by Government Code § 65852.2, ADUs do not exceed the allowable density for the lot on which the ADU is located, and are consistent with the General Plan and zoning for the lot.
- (e) **Permit Requirements.** Construction permits (including, but not limited to, building, grading, well, septic, and sewer permits, as applicable) shall be required to establish an ADU. ADUs must comply with applicable building and fire codes, including providing evidence of adequate wastewater disposal capacity, water supply, access, and that any required permits have been obtained and all applicable fees have been paid. Water supply must be demonstrated pursuant to Section 7-12 of this Code.
- (f) **Fees.** Applicable development fees shall be charged proportionately by the square footage of the ADU in relation to the square footage of the primary residence. On a lot that contains a multifamily dwelling, the proportionality shall be based on the average square footage of the units within the multifamily dwelling structure. No fees shall be charged for ADUs of less than 750 square feet.
- (g) **Timing.** An ADU is allowed on a lot with an existing or proposed primary dwelling unit. A certificate of occupancy for an ADU shall not be issued prior to a certificate of occupancy for the primary residence. Existing dwellings meeting the standards of this ordinance may be re-designated as an ADU, when a new primary dwelling unit is proposed, and with the approval of a zoning permit.



(h) **Development Standards.**

- (1) **Unit Type.** An ADU may be attached to an existing primary residence, converted from a portion of the existing living area of the primary residence, detached and on the same legal lot as a primary residence, converted from the entirety of or a portion of an existing accessory structure, or attached to an existing or proposed accessory structure.
- (2) **Number of Units.** The number of ADUs allowed on a single lot shall be:
  - (i) **On a lot that contains an existing or proposed single-family dwelling:** ~~One ADU~~ One ADU attached to a proposed single family dwelling or within the existing space of a single family dwelling or accessory structure, and one detached, new construction ADU.
  - (ii) **On a lot that contains an existing multifamily dwelling:** Two ADUs, detached from the multifamily structure, ~~or~~ and up to 25 percent of the existing units in the multifamily dwelling, but at least one, converted from existing non-livable space in a multifamily structure.
  - (iii) **On a lot that contains a proposed multifamily dwelling:** ~~One ADU~~ Two ADUs, detached from the multifamily structure.
- (3) **Location.** ADUs shall be located subject to the following setbacks, and in conformance with any easements and building envelopes:
  - (i) **Front Yard Setback:** As established by the base zoning district, unless compliance with the setback would not permit an ADU of 800 square feet, meeting applicable height standards, with four-foot side and rear yard setbacks.
  - (ii) **Side and Rear Yard Setbacks:** Four feet.
  - (iii) No setback shall be required for an ADU converted from existing space within the primary residence or an accessory structure, or for an ADU constructed in the same location and to the same dimensions as an existing accessory structure.
  - (iv) **Riparian Corridor Setbacks.** ADUs shall observe applicable setbacks of the Riparian Corridor (RC) Combining District as provided in Article 65 of this Code. If the setback would not permit an 800 square foot ADU that ~~is no more than 16 feet in height meets applicable height standards,~~ then the ADU shall provide a minimum of four-foot side and rear yard setbacks and comply with applicable permit requirements for development within the Riparian Corridor setback. An application for an ADU proposed within the RC setback shall not be considered complete until the applicable permit for development within the Riparian Corridor setback is obtained.
  - (v) ADUs shall adhere to subsection (m), Construction Standards.

(4) **Height.**

(i) **Detached, new construction:**

- (A) On lots with an existing or proposed single-family residence, ADUs shall be limited to the height limit for accessory structures established by base zoning district, except that the maximum allowed height shall not be less than ~~16~~ 18 feet.
- (B) On lots with existing or proposed multifamily dwellings, ADUs shall be limited to ~~16~~ 18 feet in height.

(ii) **Attached to the primary residence, or converted from existing space in the primary residence:** The ADU shall comply with the height limit established by the base zoning district.

(iii) **Attached to or converted from the entirety of or a portion of an accessory structure:** On lots with single family or multifamily dwellings, the ADU shall be limited to the height limit for accessory structures established by the base zoning district, except that the maximum allowed height shall not be less than ~~16~~ 18 feet. An ADU created through the conversion of an existing accessory structure may include an expansion of no more than 150 square feet beyond the physical dimensions of the existing structure to accommodate ingress and egress. In General Plan-designated Urban Service Areas, and where the unit is proposed to be located above an accessory structure, the maximum height shall be that established for the primary dwelling in the base zoning district.

(5) **Unit Size.**

(i) **Detached or attached to the primary residence or an accessory structure, new construction:** The maximum floor area shall be 1,200 square feet.

~~(A) On lots with an existing or proposed single-family residence, the maximum floor area shall be 1,200 square feet.~~

~~(B) On lots with existing or proposed multifamily dwellings, the maximum floor area shall be 1,200 square feet.~~

~~(ii) **Attached to the primary residence or an accessory structure, new construction:** The maximum floor area shall be 1,200 square feet.~~

(iii) **Converted from existing space in a primary residence or an accessory structure:** The maximum size of an ADU created through the conversion of existing space shall be the dimensions of the structure plus an addition of no more than 150 square feet to accommodate ingress and egress. An expansion greater than 150 square feet may be permitted up to a maximum unit size of 1,200 square feet.

- (6) **Lot Size.** No minimum lot size shall be required.
- (7) **Lot Coverage.** The lot coverage limitation of the base zoning district shall be applied, unless ~~it~~ compliance with lot coverage would not permit an ADU of 800 square feet, 16 feet in height meeting applicable height standards, meeting with four-foot side and rear yard setbacks.
- (i) **Parking.** One parking space shall be provided. The parking space for an ADU may be located in an existing driveway as tandem parking.
  - (1) ~~These parking requirements do not apply if the ADU meets any of the following criteria in any of the following instances:~~
    - (i) ~~Where~~ The ADU is on a lot that is located within one-half mile walking distance to a transit stop.
    - (ii) ~~Where~~ The ADU is on a lot zoned within the HD (Historic District) Combining ~~Zone~~ District.
    - (iii) ~~Where~~ The ADU is part of a proposed or existing primary residence or an existing accessory structure.
    - (iv) ~~When~~ The ADU is located on a lot where on-street parking permits are required, but not offered to the occupantey of the ADU.
    - (v) ~~When~~ The ADU is on a lot located within one block of a car share vehicle.
    - (vi) The ADU is a studio.
    - (vii) When an application for an ADU is submitted with an application to create a new single-family or multifamily dwelling on the same lot.
  - (2) Replacement parking shall not be required when a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU. ~~is created by converting an existing garage that provides parking for the primary dwelling unit.~~
- (j) **Standards for Conversions of Legal Nonconforming Residential Accessory Structures.** ADUs converted from residential accessory structures determined to be Legal Nonconforming, pursuant to Article 94 of the Sonoma County Zoning Ordinance, shall be subject to the following requirements:
  - (1) A Legal Nonconforming residential accessory structure that is converted to an ADU, or reconstructed as an ADU to the same footprint and dimensions as the original structure shall not be subject to setback requirements.
  - (2) A ~~Legal Nonconforming~~ residential accessory structure that is converted to an ADU may be expanded to 1,200 square feet if the expansion will comply with

the height limit and setbacks for new detached ADUs, ~~except as provided in subsection (h)(5)(iii)(A).~~

- (3) Expansion of floor area within a nonconforming setback is limited to 10 percent, or at least 150 square feet if necessary to accommodate ingress and egress.
- (k) **Standards for ADUs Used to Meet the Affordable Housing Program Requirement.** In addition to the standards set forth above, an ADU that is proposed to be made available for rent to another household in compliance with Article 89 requirements shall meet the following additional standards:
  - (1) **Separate Parking and Pathway.** A designated parking space and a path of travel into the ADU that does not cross the private yard space of the main home.
  - (2) **Doorways.** No connecting doorways between the ADU and the main unit, except for a shared laundry room or vestibule; and
  - (3) **Yard.** Provision of a separate yard or open space area from that of the main dwelling. For ADUs located above other structures, this requirement may be met through the provision of a deck with no dimension of less than six feet.
- (l) **Design Standards.** ADUs involving addition of floor area shall meet all objective design standards that apply to the lot. No discretionary review or permits shall be required to establish an ADU.
- (m) **Construction Standards.** Not exclusive of other applicable State and local building and fire regulations, ADUs shall comply with the following requirements.
  - (1) Structures within the State Responsibility Area (SRA) must comply with applicable local and State regulations for setbacks and fire-resistive construction.
  - (2) Structures outside of the SRA must comply with building code regulations for fire-resistive construction, unless more restrictive standards are required pursuant to state law or regulation.
  - (3) Fire sprinklers shall not be required in the ADU if the primary residence is not required to have fire sprinklers. Fire sprinklers may be required if a structure containing an ADU is greater than 1,200 square feet.
- (n) **Use Restrictions.**
  - (1) **Ownership.** ADUs may be rented but shall not be sold or otherwise conveyed separate from the primary residence, except as specifically provided for by State law.
  - (2) **Duration of Tenancy.** ADUs may not be rented for periods of less than 30 days.

**Section XVI.** Sonoma County Code Section 26-88-127 is amended as shown in underline and strikeout below:

- (a) Purpose. This section establishes standards for the siting and operation of homeless shelters. The purpose of these standards is to ensure that the development and operation of small-scale and emergency homeless shelters do not adversely impact adjacent parcels or the surrounding residents and businesses. It is intended that these provisions protect the health, safety and welfare of the county's residents while ensuring that standards imposed on a shelter not serve as constraints, but rather serve to encourage and facilitate the development and operation of such facilities. The following performance standards shall apply to homeless shelters:
- (b) Permit Requirements. Homeless shelters may require a use permit, depending on their type and location, as provided in the regulations for the base districts in which they are allowed.
- (c) Property Development Standards. Homeless shelters shall conform to all property development standards of the zoning district in which they are located except as modified by these performance standards.
- (d) Maximum Number of Persons/Beds. Small-scale homeless shelters shall serve no more than ten (10) persons. Emergency homeless shelters shall be limited to not more than fifty (50) persons served on a year-round basis, but during seasonal or emergency events of flooding, extreme temperature, or natural disaster, such shelters shall not be limited with regard to number of persons served, subject to occupancy limits of the Building Code, so long as the operating conditions set forth in this section are met.
- (e) Lighting. Exterior lighting must be fully shielded and downward facing. Flood lights and uplights are prohibited. Luminaries must not exceed 1000 lumens per fixture. Total illuminance beyond the property line must not exceed 1.0 lux. The color temperature of exterior lighting must not exceed 3000 Kelvin. Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, downward cast and fully shielded, shall be directed away from adjacent properties and public rights-of-way, and shall be of an intensity compatible with the neighborhood.
- (f) Security and Management. Onsite security shall be provided during hours of operation. The shelter shall provide at least one onsite manager at all times. Parking facilities shall be designed to provide security for residents, visitors, and employees.
- (g) Common Facilities. Shelters are encouraged but not required to provide the following common facilities for the exclusive use of the residents:
  - (1) Central cooking and dining room(s);
  - (2) Common recreation room;
  - (3) Office with services for residents;
  - (4) Laundry facilities adequate for the number of residents.
- (h) On-Site Parking. On-site parking for homeless shelters, including bicycle parking, shall be subject to requirements set forth in Article 86.
- (i) Secure Storage. Shelters are encouraged but not required to provide secure, locked storage facilities for residents' personal belongings.

- (j) ~~Outdoor Activity. For the purposes of noise abatement in residential districts or adjacent to residential uses, outdoor activities may only be conducted between the hours of 8:00 a.m. to 10:00 p.m.~~
- (k) Concentration of Uses. No more than one emergency homeless shelter shall be permitted within a radius of ~~one thousand (1,000)~~ three hundred (300) feet from another such shelter.
- ~~(l) Health and Safety Standards. All homeless shelters must comply with all standards set forth in Title 25 of the California Administrative Code (Part 1, Chapter F, Subchapter 12, Section 7972).~~

**Section XVII.** Sonoma County Code Section 26-89-010 (Purpose) is amended as shown in underline and strikeout below:

The provisions of this Article are intended to:

- A. Implement the Housing Element of the General Plan and maintain consistency with the requirements of State Density Bonus Law (Government Code Section 65915 et seq.);
- B. Achieve a balanced community with a wide range of housing available for households of all income levels;
- C. Increase the supply of housing units available, accessible, and affordable for moderate-, low-, very low- and extremely low-income households who are most in need of housing, including housing for seniors, the disabled, large families, and other households with special housing needs, as defined in the Housing Element;
- D. Address the need for affordable housing related to employment growth associated with new or expanded market rate housing development;
- E. Address the need for affordable housing related to employment growth associated with new or expanded nonresidential development;
- F. Ensure that the remaining developable land within the County is utilized in a manner consistent with the County's affordable housing goals, objectives, policies, and programs;
- G. Provide affordable housing units to serve varying housing needs and income levels that are compatible in character and quality with their surrounding neighborhoods; and
- H. Maintain the physical condition and affordability of units produced through the provisions of this Article over time.

**Section XVIII.** Sonoma County Code Section 26-89-030 (Administration and General Requirements) is amended as shown in underline and strikeout below:

- A. Administrative responsibility.** The requirements and procedures of this Article shall be administered by the Department, and the Sonoma County Community Development Commission, hereafter referred to as the "CDC." The Board may adopt policies for the

purposes of administering the Affordable Housing Program which policies may be amended from time to time.

**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), 26.89.040.C.2 (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 (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) or 26.89.045.E (Alternative Equivalent Actions).

**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, except that calculations for a State law density bonus shall be as provided in the State Density Bonus Law.

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 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.
6. An Accessory Dwelling Unit 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 (1) single-family home on one (1) single parcel, as provided in Subsection 26-89-040.C.5.c, or if provided under an Affordable Housing Agreement and approved as an Alternative Equivalent Proposal consistent with Subsection 26-89-040.E and the requirements of Section 26-89-070 (Design and Construction Standards).

**D. Design and construction standards.** All affordable and senior housing units provided in compliance with this Article shall be designed and constructed in compliance with the standards in Section 26-89-070 (Design and Construction Standards).

**E. Affordable housing incentives.** A residential project that complies with the requirements of this Article through the construction of affordable units on-site may be entitled to incentives in compliance with Section 26-89-060 (Affordable Housing Incentives).

**F. Density bonus available.** A residential project that complies with the requirements of this Article through the construction of affordable units on-site may also qualify for a density bonus in compliance with Section 26-89-050 (Density Bonus Programs).

**G. Housing Proposal required.**

1. Applicants for residential projects shall submit, with the initial project application, an Affordable Housing Proposal, which shall include a site plan and a detailed proposal statement describing how the project will comply with the provisions of this Article (i.e., provision of units on-site, payment of fees, or alternative equivalent action).
2. The Affordable Housing Proposal shall include a listing of the number, type, size, tenure, number of bedrooms, and proposed affordability level for each and every unit within the development.
3. No application for any residential project shall be deemed complete until the Affordable Housing Proposal is submitted.
4. Modifications to an existing application shall be considered a new application for the purposes of permit streamlining.
5. The Affordable Housing Proposal shall be considered and acted upon by the review authority at the same time as the permit for the residential project that is the subject of the proposal.
6. Project approvals and conditions shall incorporate the provisions of the Affordable Housing Proposal, as approved or modified by the review authority.

**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 Section 26-89-040.E (Alternative Equivalent Actions) or Section 26-89-040.F (Affordable Housing Fee) before issuance of a no building 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) or under State law, no building 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 (Alternative Equivalent Actions).

**I. Timing of construction.** If a residential project will comply with the requirements of this Article through the construction of affordable housing units, whether on- or off-site, all



required affordable units shall be constructed concurrent with, or before, the construction of the market rate units. If the County approves a phased project, the required affordable units shall be provided within each phase of the residential project in the same proportion as in the project as a whole.

**J. Project approval.** ~~A residential project that provides at least 20 percent of the total units for extremely low, very low, or low income households or that provides 100 percent of the total units to either lower or moderate income households shall not be disapproved or conditioned in a manner that renders the project infeasible for development for use of lower or moderate income households unless any one of the following findings is first made:~~

- ~~1. The Housing Element has been revised in compliance with Government Code Section 65588 and is in substantial compliance with the Government Code, and the County has met or exceeded its share of the regional housing need for the income category proposed for the residential project;~~
- ~~2. The residential project as proposed would have a specific, adverse impact upon the public health or safety, and 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. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete;~~
- ~~3. The denial of the project or imposition of conditions is required in order to comply with specific State or Federal law, and there is no feasible method to comply without rendering the project unaffordable to low- and moderate-income households;~~
- ~~4. The residential project is proposed on land zoned for agriculture or resource preservation that is surrounded on at least two sides by land being used for agricultural or resource preservation purposes;~~
- ~~5. The proposed project does not have adequate water or wastewater facilities to serve the project; or~~
- ~~6. The residential project is inconsistent with both the zoning and General Plan land use designation as specified in any element of the General Plan as it existed on the date the application was deemed complete and the County has adopted a revised Housing Element in compliance with Government Code Section 65588 that is in substantial compliance with the Government Code, provided however that no residential project shall be denied based upon this finding if it is proposed on a site that is identified in the Housing Element as suitable or available for very low, low or moderate income households and is consistent with the density provided in the Housing Element.~~

**K. Limitations on development standards.** ~~Site development and design review standards shall not be applied to an affordable housing project that qualifies under State density bonus laws (Government Code Section 65915), if such standards would have the effect of physically precluding the construction of that project at the densities or with the concessions or incentives allowed by Section 65915, unless failure to apply the standard would result in one or more specific adverse impacts on public health or safety or the physical environment, and there is no other feasible method to mitigate the adverse impact(s).~~

**JK. 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 building 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.

**K. Conflicts with State law.** In any instance where a provision of this Article conflicts with State law, the State law shall govern.

**Section XIX.** Sonoma County Code Section 26-89-040.D.3.b is amended shown in underline and strikeout below:

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 affordable housing fee account;
- (2) Reasonable expenses for administering the process of calculating, collecting, and accounting for affordable housing fees authorized by this Section; and
- (3) County and CDC administrative costs for project development, permitting, post ~~dDevelopment Code~~ compliance, and the ongoing monitoring of affordable housing projects constructed with affordable housing fee trust funds.

**Section XX.** Sonoma County Code Section 26-89-050.C is amended shown in underline and strikeout below:

**C. State density bonus program.** The State density bonus program includes the density bonuses and other incentives and concessions that are provided by the state density bonus law (Government Code Section 65915 et seq.) Qualification requirements, the amount of density bonus and the number and type of incentives shall be determined as provided in the State density bonus law. 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 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 (5%) specified in Subsection 26-89-050.C.1.a above, the density bonus shall be increased by two and one-half percent (2.5%), up to a maximum of thirty-five percent (35%) 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 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 ten percent (10%) specified in Subsection 26-89-050.C.2.a, above, the density bonus shall be increased by one and one-half percent (1.5%), up to a maximum of thirty-five percent (35%) 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 ten percent (10%) specified in Subsection 26-89-050.C.4.a, above, the density bonus shall be increased by one percent (1%) up to a maximum of thirty-five percent (35%) 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 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 ten percent (10%) land donation described in Subparagraph Subsection 26-89-050.C.6.a, above, the density bonus shall be increased by one percent (1%) up to a maximum of thirty-five percent (35%) 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 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, 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 above, as applicable.~~
- ~~c. For purposes of this Subsection, 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 26-89-050C.1 through 26-89-050.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 thirty-five percent (35%) above the maximum density allowed by the General Plan and zone district.~~

**Section XXI.** Sonoma County Code Section 26-89-090.C is amended as shown in underline and strikeout below:

- C. **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.

**Section XXII.** Sonoma County Code Section 26-90-020 is amended as shown in underline and strikeout below:

- (a) Applicable Areas. The provisions of this division apply within the boundaries of the following local areas of the LG (Local Guidelines) combining zone in the Zoning Database:
- (1) Canon Manor West (LG/CMW).
  - (2) Glen Ellen (LG/GE1), (LG/GE2).
  - (3) Highway 116 Scenic Corridor (LG/116).
  - (4) Penngrove Main Street (LG/PNG).
  - (5) Russian River Corridor (LG/RRC).
  - (6) Sebastopol Road Urban Vision Plan (LG/SVP).
  - (7) The Springs, Highway 12 (LG/SPR).
  - (8) Taylor/Sonoma/Mayacamas Mountains (LG/MTN).
  - (9) Lance Drive (LG/LAN).
- (b) Applicable Projects. Within the LG zone, provisions of this division apply to the following types of projects:
- (1) Discretionary Projects. This division applies to each proposed development and new land use that is subject to a discretionary land use permit under this Development Code; and



- (2) Ministerial Projects. This division applies to each building permit or other ministerial permit, unless an exemption is contained in the section herein specific to that local area.

The table below summarizes the permit requirements of each area:

Local Area Development Guideline	Exempt Projects	Design Review Permit			Planning Clearance
		Ministerial Projects (building permits) for exterior modification or new structures	Discretionary Projects (use permits, subdivision, design review as otherwise required by code)	Public Projects	Building Permit for new dwelling or sewer/water connection
Canon Manor West		No	No		Yes
Glen Ellen Subarea 1		Yes	Yes		
Glen Ellen Subarea 2		No	Yes		
Highway 12/ The Springs		Yes	Yes	Yes	
Hwy 116	Discretionary projects not visible from hwy	No	Yes	Yes	
Penngrove Main Street		Yes	Yes	Yes	
Russian River Corridor	Dwellings of 3 or less units	Yes	Yes		
Sebastopol Road Urban Vision Plan		Yes	Yes	Yes	
Taylor/Sonoma/Mayacamas Mountains	-Accessory structures not requiring a building permit -Ag structures -Ag employee housing -Structures not visible from public roads	Yes	Yes		
<u>Lance Drive</u>		<u>No</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>

- (c) In the event of conflict. In the event of any conflict between the provisions of this Division and other requirements of this Development Code, the provisions of this Division shall control.

**Section XXIII.** Sonoma County Code Section 26-90-130 is amended as shown in underline and strikeout below:

- (a) Purpose. The purpose of the Lance Drive Local Guidelines is to implement the vision of the City of Santa Rosa's North Santa Rosa Station Area Specific Plan for a multi-modal, transit-oriented community and provide for development standards that are consistent with the Specific Plan and the City's pre-zoning for specified unincorporated island parcels adjacent to Lance Drive and Guerneville Road in the City of Santa Rosa. The site design for this area shall include:
- (1) New residential neighborhoods that feature sidewalks on both sides of the street;
  - (2) An urban plaza located at the corner of Lance Drive and Guerneville Road; and
  - (3) Community gardens incorporated into neighborhood design.
- (b) Definitions. The following definitions apply in this section:
- (1) Activity-generating use: a land use that is intended to attract a high volume of pedestrian traffic. An activity-generating use provides high customer turnover and social interaction, such as retail, entertainment and dining establishments, personal services, theaters, and galleries, and may include a lobby for upper-floor multi-family residential units.
  - (2) Encroachment: a portion of a building that extends beyond the limits determined by the setbacks.
  - (3) Stepback: the number of feet a building recedes from the build-to line of the floor below it.
- (c) Standards.
- (1) For properties designated as Medium Density Residential (R2) or High Density Residential (R3), the development standards in Table 1 apply in addition to the development standards of the applicable base zoning district. Where conflicts exist, the standards in this section shall control.

**Table 1. Development Standards - Residential**

<u>Development Standard</u>	<u>Medium Density Residential</u>	<u>High Density Residential</u>
<u>Building Height</u>	<u>Maximum 3 stories (35 feet)</u>	<u>Maximum 4 stories (45 feet)</u>
<u>Allowed Projections</u>	<u>Roof forms above fascia may project to a maximum of 10 feet above maximum height.</u>	<u>Roof height may project to a maximum of 10 feet above maximum height.</u>

<u>Building Setbacks</u>		
<u>Front property line</u>	<u>10 ft provided a 1-story portion may project up to 6 ft into the setback and required stairs and landings may project up to 10 ft into the setback.</u>	
<u>Street side property line</u>	<u>10 ft provided a 1-story portion may project up to 6 ft into the setback and required stairs and landings may project up to 10 ft into the setback.</u>	
<u>Interior side property line</u>	<u>For 1-story: 5 feet.</u> <u>For 2-story: 10 feet, or 7.5 feet if abutting a non-residential zone.</u> <u>For 3 story or more: 15 feet, or 10 feet if abutting a non-residential zone.</u>	
<u>Rear property line</u>	<u>15 feet, except that no setback is required if abutting a high-density residential zoning district.</u>	
<u>Building Stepbacks</u>	<u>=</u>	<u>Step back all floors above 3 stories a minimum of 6 feet.</u>
<u>Allowed Encroachments</u>	<u>Main entries may encroach up to 12 feet into setback. Secondary entries and balconies may encroach up to 2.5 feet into all setback areas.</u> <u>Bay windows, chimneys, and eaves may encroach a maximum of 2.5 feet into all setback areas.</u>	<u>Main entry may encroach up to 10 feet into front setback.</u> <u>Awnings and canopies (functional weather protection) may encroach up to 8 feet into public right-of-way.</u> <u>Balconies, bay windows, chimneys, and eaves may encroach a maximum of 2.5 feet into all setback areas</u>
<u>Access Standards</u>	<u>All main building entries shall face the street.</u> <u>Private surface parking lots are not permitted in front of buildings.</u> <u>Locate on-site parking to the rear or side of the property or internal to the block and provide access to parking through alleys and driveways, as possible.</u>	

- (2) For properties designated as Retail Business and Service (C2), the development standards in Table 2 apply in addition to the development standards of the applicable base zoning district. Where conflicts exist, the standards in this section shall control.

**Table 2. Development Standards – Commercial**

<b><u>Development Standard</u></b>	<b><u>Retail Business and Service</u></b>
<u>Land Use</u>	<u>Ground-floor uses at the street must be activity-generating uses.</u>
<u>Building Height</u>	<u>45 ft</u>
<u>Retail Ceiling Height (Ground Floor)</u>	<u>Minimum 15 feet</u>
<u>Building Setbacks</u>	
<u>Front</u>	<u>7.5 ft adjacent to a residential zone or use, or more as required by Design Review; none required elsewhere</u>
<u>Side</u>	<u>5 ft adjacent to a residential zone or use, or more as required by Design Review; none required elsewhere</u>
<u>Rear</u>	<u>10 ft adjacent to a residential zone or use, or more as required by Design Review; none required elsewhere</u>
<u>Building Stepbacks</u>	<u>Step back all floors above 3 stories a minimum of 6 feet.</u>
<u>Recessed Entries</u>	<u>Corners: Maximum depth 10 feet</u> <u>Front: Maximum depth 5 feet</u>
<u>Retail Frontage</u>	<u>Transparency minimum 80% of frontage on street (transparency to wrap corners up to 25% of side facade facing street).</u>
<u>Allowed Encroachments</u>	<u>Awnings and canopies (functional weather protection) may encroach up to 8 feet into the public right-of-way.</u> <u>Bay windows and eaves may encroach a maximum of 2.5 feet into any setback.</u>
<u>Access Standards</u>	<u>Public surface parking is not allowed in front setback.</u> <u>All other surface parking is to be located to the side or at the rear of the building.</u> <u>Provide access with driveways or through alley if practicable.</u>

(3) Parking Requirements. Notwithstanding conflicting requirements of Article 86 (Parking Regulations), the following parking requirements apply:

**Table 3. Parking Requirements**

<b><u>Parking Standard</u></b>	<b><u>Medium Density Residential</u></b>	<b><u>High Density Residential</u></b>	<b><u>Retail Business and Service</u></b>
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<u>Vehicle Parking</u>	<u>Residential: 1.5/DU minimum</u> <u>Affordable Residential: 1.0/DU minimum</u> <u>Senior Housing:0.5/DU minimum"</u>	<u>1 space for each</u> <u>250 sf</u>
<u>Bicycle Parking</u>	<u>1 space per 4 units if units do not have a private</u> <u>garage or private storage space for bike storage.</u>	<u>1 space per</u> <u>5,000 sf.</u>

- (1) In anticipation of annexation, developments should be guided by the Design Guidelines applicable to the sites as provided in the City of Santa Rosa's North Santa Rosa Station Area Specific Plan.
- (2) Development abutting the Northwest Community Park shall provide a direct pedestrian or bicycle connection to the park.
- (3) In anticipation of annexation, all multifamily and commercial development on these properties shall comply with the City of Santa Rosa's adopted Design and Construction Standards for Streets, Traffic, Street Lights, Storm Drains, Water, Sewer, and Landscaping, or successor standards.
- (d) Boundaries. The standards established by this Section apply to all properties within the boundary shown in the Zoning Database as being within the LG/LAN (Local Guidelines/Lance Drive) combining zone.

**Section XXIV.** 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 XXV.** This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, passed and adopted this 5th day of December, 2023, on regular roll call of the members of said Board by the following vote:

**SUPERVISORS:**

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

Ayes: 4                      Noes: 0                      Absent: 1                      Abstain: 0

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

**SO ORDERED.**

\_\_\_\_\_  
Chair, Board of Supervisors  
County of Sonoma

ATTEST:

\_\_\_\_\_  
M. Christina Rivera,  
Clerk of the Board of Supervisors