

Article 12.
RRDWA Resources and Rural Development
(Agricultural Preserve) District.

Sec. 26-12-005. Purpose.

Purpose: to implement the provisions of the resources and rural development land use category (Section 2.8.1) of the general plan in a manner consistent with the provisions of Section 51200 et seq. of the Government Code and the Land Conservation Act of 1965. (Ord. No. 4643, 1993.)

Sec. 26-12-010. Permitted uses.

Permitted uses include the following:

- (a) On parcels of two (2) acres or less, raising, feeding, maintaining and breeding of not more than one of the following per twenty thousand (20,000) square feet of area:
 - (1) Five (5) hogs or pigs,
 - (2) One (1) horse, mule, cow or steer,
 - (3) Five (5) goats, sheep or similar animals,
 - (4) Fifty (50) chickens or similar fowl,
 - (5) Fifty (50) ducks or geese or one hundred (100) rabbits or similar animals.
 - (6) The above limitations may be modified by the planning 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. The planning director may require the applicant to obtain a use permit if the director determines that the project might be detrimental to surrounding uses.
 - (7) 4-H and FFA animal husbandry projects are permitted without limitation of parcel size; provided, that the parcel contains at least twenty thousand (20,000) square feet and provided further a letter of project authorization is first submitted by the project advisor. The planning director may require the applicant to obtain a use permit when the director determines that the project might be detrimental to surrounding uses;
- (b) On parcels exceeding two (2) acres; raising, feeding, maintaining and breeding of horses, cattle, sheep, goats and similar animals;
- (c) Boarding of horses subject to issuance of a zoning permit;
- (d) The outdoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain and similar food and fiber crops, including wholesale nurseries. Except as noted below, agricultural cultivation shall not be permitted in the following areas:
 - (1) Within one hundred feet (100') from the top of the bank in the Russian River Riparian Corridor,

- (2) Within fifty feet (50') from the top of the bank in designated flatland riparian corridors,
- (3) Within twenty-five feet (25') from the top of the bank in designated upland riparian corridors.

Agricultural cultivation may be allowed as set out in subsections (d)(1) through (3) of this section upon approval of a management plan which includes appropriate mitigations for potential erosion, bank stabilization, and biotic impacts. This plan may be approved by the planning director or by use permit pursuant to Section 26-12-020(c);

- (e) The indoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain and similar food and fiber crops, provided that the greenhouse or similar structure for indoor growing is less than eight hundred (800) square feet;
- (f) Incidental cleaning, grading, packing, polishing, sizing or similar preparation of crops which are grown on the site, but not including agricultural processing;
- (g) Temporary or seasonal sales and promotion, and incidental storage, of crops or fuel wood which are grown on the site;
- (h) Temporary or seasonal sales and promotion of livestock which have been raised on the site;
- (i) Management of lands and forests for the use of commercial production and harvest of trees, including controlled burns;
- (j) Removal of timber, including uses integrally related to growing, harvesting, and on-site processing of forest products including, but not limited to roads, log landings, log storage areas and incidental logging camps;
- (k) 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;
- (l) Geotechnical studies involving no grading or construction of new roads or pads;
- (m) Residential uses include the following:
 - (1) Single-family detached dwelling units in accordance with the residential density shown in the general plan land use element or permitted by a "B" combining district, whichever is more restrictive.

These unit(s) may be manufactured homes, but only one (1) may be a manufactured home without a permanent foundation.

A manufactured home without a permanent foundation shall require prior approval of a zoning permit notice of which shall be posted at least ten (10) days prior to issuance, during which an appeal may be filed and processed pursuant to Section 26-92-040. Issuance of the zoning permit shall be subject, at a minimum, to the following conditions:

- (i) The manufactured home shall be at least twelve feet (12') in width except those that are owned and occupied on the effective date of the ordinance codified in this

chapter,

- (ii) The manufactured home shall be skirted. All skirting shall be of a type approved by the state of California,
 - (iii) The manufactured home shall have one patio awning with a minimum dimension of eight feet (8') by twenty feet (20') and either a garage, carport or awning with a minimum dimension of ten feet (10') by twenty feet (20') for covered parking,
 - (iv) All manufactured home sites shall be landscaped,
 - (v) The manufactured home shall be occupied by the owner of the property or a relative of the owner,
- (2) One (1) manufactured home for the housing of full-time agricultural employees may be permitted in the same manner provided in subsection (m)(1) of this section for each of the following agricultural uses conducted on the site:
- (i) At least fifty (50) mature cows or one hundred (100) beef cattle,
 - (ii) At least twenty (20) acres of grapes, apples, pears, prunes,
 - (iii) At least twenty thousand (20,000) broilers, fifteen thousand (15,000) egg-layers, or three thousand (3,000) turkeys,
 - (iv) At least two hundred fifty (250) sheep or goats, fifty (50) dairy goats or hogs,
 - (v) At least thirty (30) mature horses,
 - (vi) Wholesale nurseries with a minimum of either one (1) acre of propagating greenhouse or outdoor containers or three (3) acres of field-grown plant materials,
 - (vii) Any other agricultural use which the planning director determines to be of the same approximate agricultural value and intensity as subsections (m)(2)(i) through (vi) of this section.

Prior to issuance of zoning permits for such manufactured homes, the property owner shall place on file with the planning department an affidavit that the manufactured home(s) will be used to house persons employed on the premises for agricultural purposes and that the manufactured home(s) will be immediately removed from the site when such persons are no longer employed on the premises,

- (3) Self-contained recreational vehicles and/or travel trailers to house persons solely employed on the site for agricultural or resource-related purposes for less than ninety (90) days, subject to the following:

The property owner must submit a written affidavit to the planning department, stating that the recreational vehicle and/or travel trailer will only be used to house persons solely employed on the site of a bona fide agricultural enterprise. A "bona fide agricultural enterprise" is defined, for this purpose, as an operation which derives its primary and principal income from agricultural production. The recreational vehicle or trailer shall be

immediately removed from the site when it is no longer occupied by persons who are solely employed on the site,

- (4) Seasonal farmworker housing which meets the standards set forth in Section 26-88-010(l). Seasonal farmworker housing shall also conform to such public health, building and fire safety criteria as may be established by resolution or ordinance of the board of supervisors,
- (5) Year-round farmworker housing which meets the standards set forth in Section 26-88-010(p). Year-round farmworker housing shall also conform to such public health, building, and fire safety criteria as may be established by resolution or ordinance of the board of supervisors,
- (6) One (1) travel trailer per lot for use as temporary housing in accordance with Section 26-88-010(q) and provided that a travel trailer administrative permit is obtained and renewed annually;
- (n) One (1) guest house per lot;
- (o) Home occupations subject to the requirements of Section 26-88-121 and approval of a zoning permit. Any home occupation use on a parcel under a Williamson Act contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;
- (p) Small residential community care facility;
- (q) Accessory buildings and uses appurtenant to the operation of the permitted uses. Accessory buildings may be constructed on vacant parcels of two (2) acres or more in advance of a primary permitted use. 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;
- (r) Occasional cultural events, provided that a written notice stating "The Sonoma County Planning Department will issue a zoning permit for a cultural event (state nature and duration) on this property if a written appeal is not received within ten (10) days from the date of this notice." is posted on the property at least ten (10) days prior to issuance of a zoning permit, and no appeal pursuant to Section 26-92-040 has been received from any interested person, and provided that approval is secured from the following departments: sheriff, public health, fire services, building inspection and public works. In the event of an appeal, a hearing on the project shall be held pursuant to Section 26-92-040;
- (s) Small family day care;
- (t) Management of land for watershed, for fish and wildlife habitat, fish rearing ponds, hunting and fishing, beekeeping and grazing, where these uses are incidental to the primary use;
- (u) Contractor equipment storage incidental to the on-site growing and harvesting of forest products, including parking, repairing and storage of equipment so used. Construction of permanent structures will be subject to Article 82;
- (v) Beekeeping;

- (w) Pet fancier facilities, provided, that a pet fancier license is obtained from the division of animal regulation and renewed annually;
- (x) Craft sales and garage sales not exceeding two (2) sales days per calendar year provided that prior notification is given to the California Highway Patrol and that adequate off street parking is provided;
- (y) Attached commercial telecommunication facilities subject to the applicable criteria set forth in Section 26-88-130;
- (z) Minor freestanding commercial telecommunication facilities, subject to the applicable criteria set forth in Section 26-88-130, and subject to approval of a zoning permit, including environmental review, for which notice, including a site plan and one (1) elevation with dimensions for such facility, is mailed to adjacent property owners and posted on the subject property at least ten (10) days prior to issuance of the permit and provided that no appeal pursuant to Section 26-92-040 has been received from any interested person. In the event of an appeal, a hearing on the project shall be held pursuant to the above section;
- (aa) Noncommercial telecommunication facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26-88-130. Facilities between forty feet (40') and eighty feet (80') in height are subject to approval of a ministerial zoning permit for which notice is mailed to adjacent property owners and posted on the subject property at least ten (10) days prior to issuance of the permit and provided that no appeal pursuant to Section 26-92-040 has been received from any interested person. In the event of an appeal, a hearing on the project shall be held pursuant to the above section;
- (bb) Minor timberland conversions, subject to compliance with the requirements of Section 26-88-140;
- (cc) Small wind energy systems not located within a county-designated urban service area or within two thousand five hundred feet (2,500') of a county-designated urban service area, subject to zoning permit approval and the standards in Section 26-88-135;
- (dd) Other nonresidential uses which in the opinion of the planning director are of a similar and compatible nature to those uses described in this section. (Ord. No. 5569 § 7, 2005; Ord. 5435 § 2(j), 2003; Ord. No. 5361 § 2(e), 2002; Ord. No. 5342 § 4, 2002; Ord. No. 5016 § 1(E), 1997; Ord. No. 4985 § 1(b), 1996; Ord. No. 4973 § 4(a), 1996; Ord. No. 4723 § 1(f), 1993; Ord. No. 4653 § 1(g), 1993; Ord. No. 4643, 1993.)

Sec. 26-12-020. Uses permitted with a use permit.

- (a) Farm labor camps not permitted under Section 26-12-010(m);
- (b) The raising, feeding, maintaining and breeding of poultry, fowl, rabbits, fur-bearing animals or animals such as veal calves, dairy cows, pigs, hogs and the like, which are continuously confined in and around barns, corrals and similar areas for other than domestic purposes. Incidental processing of such animals which are raised on site. This subsection shall not be interpreted so as to require a use permit for animals allowed by Section 26-12-010(a) or (b);
- (c) Agricultural cultivation in the following areas for which a management plan has not been

approved pursuant to Section 26-12-010(d):

- (1) Within one hundred feet (100') from the top of the bank in the Russian River Riparian Corridor,
 - (2) Within fifty feet (50') from the top of the bank in designated flatland riparian corridors,
 - (3) Within twenty-five feet (25') from the top of the bank in designated upland riparian corridors;
- (d) Retail nurseries involving crops/plants which are not grown on the site;
 - (e) Tasting rooms for agricultural products which are grown or processed on site;
 - (f) Indoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay grain and similar food and fiber crops in greenhouses or similar structures of eight hundred (800) square feet or more;
 - (g) Processing of any agricultural product of a type grown or produced on site or in the immediate area, storage of agricultural products grown or processed on site, and bottling or canning of any agricultural product grown or processed on site;
 - (h) Livestock feed yards, animal sales yards;
 - (i) Commercial kennels;
 - (j) Commercial stables not permitted under Section 26-12-010(c), riding academies, equestrian riding and driving clubs, and hunting clubs;
 - (k) Commercial aquaculture, provided that, at a minimum, the use does not adversely affect biotic resources and does not take place on prime soils;
 - (l) Game preserves and refuges;
 - (m) Commercial mushroom farming;
 - (n) Slaughterhouses, animal processing plants, rendering plants, fertilizer plants or yards, which serve agricultural production in the immediate area;
 - (o) Noncommercial clubs and lodges, golf courses and driving ranges, but not including miniature golf courses;
 - (p) Intermediate and major freestanding commercial telecommunication facilities subject at a minimum to the applicable criteria set forth in Section 26-88-130;
 - (q) Noncommercial telecommunication facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26-88-130;
 - (r) Commercial and industrial uses permitted under Section 26-12-010 which involve significant quantities (over 100 kg/month) of hazardous materials as defined by Title 22, CAC;

- (s) Private landing strips;
- (t) Cemeteries, mausoleums, columbariums and crematoriums;
- (u) Minor public service uses or facilities (transmission and distribution lines and telecommunication facilities excepted), including but not limited to reservoirs, storage tanks, pumping stations, transformer stations, fire and police stations and training centers, service yards and related parking lots which, at a minimum, meet the criteria of general plan Policy PF-2s and which are not otherwise exempt by state law;
- (v) Large residential community care facility;
- (w) Day care center;
- (x) Large family day care;
- (y) Geotechnical studies which involve grading or construction of open roads or pads;
- (z) The development of natural resources with appurtenant structures, including exploration and development of geothermal resources, oil and gas wells and biomass energy projects. Geothermal energy wells, pipelines, transmission facilities and associated grading and construction, when conducted within the primary KGRA;
- (aa) One (1) manufactured home for the housing of full-time employees of resource related uses conducted on the site;
- (bb) Application of municipal sludge, from wastewater treatment plants subject, at a minimum, to the criteria of general plan Policies PF-2q and PF-2r;
- (cc) Art studios, arts and crafts centers not involving retail or wholesale sales. Such uses may be permitted only when conducted within an existing building;
- (dd) Craft sales and garage sales involving three (3) or four (4) sales day per year;
- (ee) Small wind energy systems located within a county-designated urban service area or within two thousand five hundred feet (2,500') of a county-designated urban service area, subject to the standards in Section 26-88-135;
- (ff) Other nonresidential uses which in the opinion of the planning director are of a similar and compatible nature to those uses described in this section. (Ord. No. 5569 § 7, 2005; Ord. No. 5435 § 2(k), 2003; Ord. No. 5361 § 2(m), 2002; Ord. No. 5342 § 5, 2002; Ord. No. 4973 § 1(b), (c), 1996; Ord. No. 4643, 1993.)

Sec. 26-12-030. Permitted residential density and development criteria.

The use of land and structures within this district is subject to this article, the general regulations of this chapter, and the provisions of any district which is combined herewith. Policies and criteria of the general plan and any applicable specific or area plan or local area development guidelines shall supersede the standards herein.

- (a) Density. Residential density shall be between twenty (20) and three hundred twenty (320) acres per dwelling unit as shown in the general plan land use element or permitted by a B combining district, whichever is more restrictive.
- (b) Minimum lot size shall be twenty (20) acres, except that a minimum lot size of as low as ten (10) acres may be considered in order to provide for clustering of residential development, provided that a protective easement is applied to the remaining large parcel(s) which indicates that density has been transferred to the clustered area. Any such subdivision must also comply with general plan Policy AR-8c.
- (c) Minimum Lot Width. The minimum average lot width within each lot is one hundred twenty-five feet (125').
- (d) Maximum Building Height.
 - (1) Thirty-five feet (35'). Additional height may be permitted provided that site plan approval in accordance with Article 82 is first secured.
 - (2) Maximum height for telecommunication facilities is subject to the provisions of this article and Section 26-88-130.
- (e) Maximum Lot Coverage. Thirty-five percent (35%). Lot coverage limitations may be waived by the planning director for commercial greenhouses and swimming pools.
- (f) Yard Requirements. The following shall apply except that if the subject property adjoins land which is zoned AR or is designated as agricultural land, the use is subject to the requirements of Section 26-88-040(g).
 - (1) Front Yard. Thirty feet (30') except where combined with any B district and in no case shall the setback be less than fifty-five feet (55') from the centerline of all roads and streets, except as may be otherwise indicated on the district maps.
 - (2) Side Yard. Minimum ten feet (10').
 - (3) Rear Yard. Twenty feet (20').
 - (4) Watering troughs, feed troughs and accessory buildings used for the housing or maintenance of farm animals, accessory buildings and runs used for the housing or maintenance of kennel animals shall be located at least fifty feet (50') from the front property line, twenty feet (20') from any side or rear property line and thirty feet (30') from any dwelling on the adjacent property.
 - (5) No garage or carport opening facing the street shall be located less than twenty feet (20') from any exterior property line, except that where twenty-five percent (25%) or more of the lots on any one (1) block or portion thereof in the same zoning district have been improved with garages or carports, the required front yard may be reduced to a depth equal to the average of the front yards of the such garages or carports. However, in no case shall the front yards be reduced to less than ten feet (10'). Further, the permit and resource management department director may require a use permit if the reduction might result in a traffic hazard.

Notwithstanding the above, if a residence is elevated to meet flood requirements, the space underneath the structure may be utilized for a garage or carport if it will meet building codes, even if the ten foot (10') to twenty foot (20') setback cannot be met, subject to approval of administrative design review.

- (6) Cornices, eaves, canopies, bay windows, fireplaces and/or other cantilevered portions of structures, and similar architectural features may extend two feet (2') into any required yard. The maximum length of the projections shall not occupy more than one-third of the total length of the wall on which it is located. Uncovered porches, fire escapes or landing places may extend six feet (6') into any required front or rear yard and three feet (3') into any required side yard.
 - (7) Where twenty-five percent (25%) or more of the lots on any one (1) block or portion thereof in the same zoning district have been improved with buildings, the required front yard may be reduced to a depth equal to the average of the front yards of the improved lots, subject to the limitations of subsection (f)(5) of this section.
 - (8) Accessory buildings may be constructed within the required yards on the rear half of the lot; provided, that such buildings shall not occupy more than thirty percent (30%) of the width of any rear yard. Such accessory buildings shall not be located closer than ten feet (10') to the main buildings on adjacent lots. Notwithstanding the foregoing, swimming pools may occupy more than thirty percent (30%) of the width of any rear yard. A minimum of three feet (3') shall be maintained between the wall of a pool and the rear and side property lines, and from the main building on the same lot. Conventional pool accessory equipment (pump, filters, etc.) shall be exempt from setback restrictions. Additional setbacks may be required under the Uniform Building Code. (Ord. No. 3932.)
- (g) Parking Requirements.
- (1) Residential Use. No less than one (1) covered off-street occupant parking space per dwelling unit. The requirements for covered parking may be waived for single-family dwellings if the lot on which the dwelling is to be placed is of such size, shape or location that the areas devoted to automobile parking will be visually screened from adjacent lots and from the common roadway(s) serving the property, provided that site plan approval in accordance with Article 86 is first secured.
 - (2) Any other use shall provide parking in accordance with the standards in Article 86.
- (h) In compliance with applicable sections of the State Subdivision Map Act and the subdivision ordinance, a two (2)-way division of a parcel of land that is currently subject to a Williamson Act contract may be allowed, if all of the following apply:
- (1) The resulting parcel is to be sold or leased for agricultural employee ("farmworker") housing, and is not more than five (5) acres in size. For the purpose of this section, "agricultural employee" shall have the same meaning as defined by subdivision (b) of Section 1140.4 of the Labor Code.
 - (2) The parcel shall be sold or leased to a nonprofit organization, a city, a county, a housing authority, or a state agency, for the sole purpose of the provision and operation of farmworker housing. A lessee that is a nonprofit organization shall not sublease that parcel without the written consent of the landowner, and shall notify the county of such

sublease.

- (3) The parcel to be sold or leased shall be subject to a deed restriction that limits the use of the parcel to farmworker housing facilities for not less than thirty (30) years. The deed restriction shall also provide, through reversionary or similar provision, that the parcel shall automatically revert to and be merged with the parcel from which it was subdivided when the parcel ceases to be used for farm worker housing for a period of more than one (1) year. The deed restriction shall be in a form satisfactory to county counsel.
- (4) There is a written agreement between the parties to the sale or lease of the parcel and their successors to operate the parcel to be sold or leased under joint management of the parties, subject to the terms and conditions and for the duration of the Williamson Act contract.
- (5) The parcel to be sold or leased is contiguous to one (1) or more parcels that are located within a designated urban service area, and which are zoned for and developed with urban residential, commercial, or industrial land uses.
- (6) The farmworker housing project is provided pursuant to Section 26-88-010(l) (Seasonal farmworker housing) or Section 26-88-010(o) (Year-round farmworker housing), and includes provisions designed to minimize potential impacts on surrounding agricultural and rural residential land uses.

A subdivision of land pursuant to this section shall not affect any Williamson Act contract executed pursuant to Article 3 (commencing with Section 51240) of the Government Code, and the parcel to be sold or leased shall remain subject to that contract. (Ord. No. 5569 § 9, 2005; Ord. No. 4973 § 4(d), 1996; Ord. No. 4927 §§ 1, 6, 11, 1996; Ord. No. 4643, 1993.)