

CITY OF SONOMA DEVELOPMENT CODE

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*B. R. L. Engrs.
of M. & W. Co. Sec. 2, 1854*



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Development Code

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Enactment and Applicability

This Article establishes the legal basis for the Sonoma Development Code. It describes how this Development Code establishes standards and guidelines for development and new land uses within the City. It also describes how this Development Code relates to the other provisions of the City of Sonoma Municipal Code, and provides general information on how its provisions are to be interpreted and administered.

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19.01—PURPOSE AND EFFECT OF DEVELOPMENT CODE

Sections:

- 19.01.010—Title
- 19.01.020—Purpose of Development Code
- 19.01.030—Authority, Relationship to General Plan
- 19.01.040—Applicability of the Development Code
- 19.01.050—Standards
- 19.01.060—Guidelines
- 19.01.070—Responsibility for Administration

19.01.010—Title

Title 19 of the Sonoma Municipal Code is and may be cited as the Sonoma Development Code, hereafter referred to as “this Development Code.”

19.01.020—Purpose of Development Code

This Development Code carries out the policies of the City of Sonoma General Plan by classifying and regulating the uses of land and structures within the City of Sonoma. This Development Code is adopted to protect and to promote the public health, safety, comfort, convenience, prosperity, and general welfare of residents, and businesses in the City. More specifically, the purposes of this Development Code are to:

- A. Implement the General Plan by encouraging the uses of land designated by the General Plan;
- B. Provide standards for the orderly growth and development of the City that will assist in protecting the unique character of the community and its neighborhoods;
- C. Conserve and protect the City’s natural beauty including, scenic views, hillside open space, and historic and environmental resources;
- D. Create a comprehensive and stable pattern of land uses upon which to plan transportation, water supply, sewerage and other public facilities and utilities;
- E. Minimize automobile use and congestion by promoting pedestrian and bicycle-oriented development, safe and effective traffic circulation, and adequate off-street parking facilities; and
- F. Ensure compatibility between residential and non-residential development and land uses through careful site planning and building design.

19.01.030—Authority, Relationship to General Plan

- A. This Development Code is enacted based on the authority vested in the City of Sonoma by the State of California, including but not limited to: the State Constitution; the Planning and

Zoning Law (Government Code Sections 65000 et seq.); the Subdivision Map Act (Government Code Sections 66410 et seq.); and the California Health and Safety Code.

- B. This Development Code is the primary tool used by the City of Sonoma to carry out the goals, objectives, and policies of the Sonoma General Plan, hereafter referred to as the “General Plan.”

19.01.040—Applicability of the Development Code

This Development Code applies to all land uses, structures, subdivisions, and development within the City of Sonoma, as provided by this Section.

- A. *New land uses or structures; and changes to land uses or structures.* In order to lawfully establish, construct, reconstruct, alter, relocate, or replace any use of land or structure, compliance shall be required with the applicable requirements of Article II (Community Design), Article III (Project Design) and Article IV (General Site Planning and Development Standards) or, where applicable, [Chapter 19.82 \(Nonconforming Structures, Uses and Parcels\)](#).
- B. *Issuance of Building or Grading Permits.* Building, grading, or other construction permits for new development and redevelopment or for the expansion or intensification of a building or use may be issued by the City when:
 - 1. The proposed land use and/or structure satisfy the requirements of Subsection A. above, and all other applicable statutes, ordinances and regulations; and
 - 2. The City Planner determines that the site was subdivided in compliance with Article VI of this Development Code (Subdivisions).

See [Section 19.03.030](#) for exemptions.

- C. *Subdivision of land.* Any subdivision of land proposed within the City after the effective date of this Development Code shall be consistent with the density and minimum lot size requirements of Article II (Community Design), the subdivision regulations of Article VI (Subdivisions) and all other applicable requirements of this Development Code.
- D. *Continuation of an existing land use.* An existing land use is lawful only when it was legally established in compliance with all applicable regulations, and when it is operated and maintained in compliance with all applicable provisions of this Development Code, including [Chapter 19.82 \(Nonconforming Structures, Uses and Parcels\)](#).
- E. *Existing violations.* Existing land uses that were in violation of City zoning regulations applicable before the effective date of this Development Code, are in violation of this Development Code. These uses shall continue to be in violation unless they conform to the current provisions of this Development Code.

- F. *Effect of Development Code changes on projects in progress.*** A land use permit application that has been accepted by the City as complete prior to the effective date of this Development Code or any amendment shall be processed according to the requirements in effect when the application was accepted as complete.

19.01.050—Standards

- A. *Minimum requirements.*** The standards of this Development Code shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. Whenever this Development Code provides discretion to a City official or body, that discretion may be exercised to impose more stringent requirements than those in this Development Code, as may be necessary to promote orderly land use development and the purposes of this Development Code.
- B. *Other requirements may still apply.*** Nothing in this Development Code eliminates the need for obtaining any permit, approval or entitlement required by other provisions of the Municipal Code or complying with the regulations of any City department, or any County, regional, State, or Federal agency.
- C. *Conflicting requirements.*** Any conflicts between different requirements of this Development Code, or between this Development Code and other regulations, shall be resolved in compliance with [Section 19.02.020. F. \(Conflicting requirements\)](#).

19.01.060—Guidelines

- A. *Suggestive.*** Although the guidelines of this Development Code are strongly recommended, they shall be considered suggestive in that the decision-making authority may approve a discretionary permit for a proposed project even though it fails to comply with one or more guidelines. Non-compliance with guidelines shall not be used as a basis to deny ministerial permits.
- B. *Role in discretionary review.*** The decision-making authority shall consider applicable guidelines in its review of applications for discretionary planning and subdivision permit approvals. The failure of a proposed project to comply with applicable guidelines may be used by the decision-making authority as a basis for denial. To approve a project that fails to comply with applicable guidelines, the decision-making authority must find that substantial reasons exist that justify the non-compliance.
- C. *Conflicting guidelines.*** Any conflicts between different guidelines of this Development Code shall be resolved at the discretion of the decision-making authority.

19.01.070—Responsibility for Administration

This Development Code shall be administered by the Sonoma City Council, the Planning Commission, the Design Review Commission, and relevant City officials, in compliance with Title 2 of the Munici-

pal Code (Administration and Personnel) and [Chapter 19.80](#)
[\(Administrative Responsibility\)](#) of this Development Code.

19.02—INTERPRETATION OF DEVELOPMENT CODE PROVISIONS

Sections:

19.02.010—Purpose of Chapter

19.02.020—Rules of Interpretation

19.02.030—Procedures for Interpretations

19.02.010—Purpose of Chapter

This Chapter provides rules for resolving questions about the meaning or applicability of any part of this Development Code. The provisions of this Chapter are intended to ensure the consistent interpretation and application of the provisions of this Development Code.

19.02.020—Rules of Interpretation

- A. **Authority.** The City Planner is assigned the responsibility and authority to interpret the requirements of this Development Code.
- B. **Language.**
 1. **Abbreviated titles and phrases.** For the purpose of brevity, the following phrases, personnel and document titles are shortened hereafter in this Development Code. The City of Sonoma is referred to hereafter as the “City.” The City of Sonoma Development Code is referred to hereafter as “this Development Code.” The City Council is referred to as the “Council.” “Buildings and structures” are referred to hereafter as “structures.”
 2. **Terminology.** When used in this Development Code, the words “shall,” “must,” “will,” “is to,” and “are to” are always mandatory. “Should” is not mandatory but is strongly recommended; and “may” is permissive. The present tense includes the past and future tenses; and the future tense includes the present. The singular number includes the plural number, and the plural the singular, unless the natural construction of the word indicates otherwise. The words “includes” and “including” shall mean “including but not limited to . . .”
 3. **Number of days.** Whenever a number of days is specified in this Development Code, or in any permit, condition of approval, or notice issued or given as provided in this Development Code, the number of days shall be construed as calendar days. Time limits will extend to the next working day where the last of the specified number of days falls on a weekend or holiday.
 4. **State law requirements.** Where this Development Code references applicable provisions of State law (for example, the

California Government Code, Subdivision Map Act, Public Resources Code, etc.), the reference shall be construed to be to the applicable State law provisions as they may be amended from time to time.

- C. **Zoning map boundaries.** If there is uncertainty about the location of any zoning district boundary shown on the official Zoning Map, the following rules are to be used in resolving the uncertainty:
1. Where district boundaries approximately follow lot, alley, or street lines, the lot lines and street and alley centerlines shall be construed as the district boundaries;
 2. If a district boundary divides a parcel and the boundary line location is not specified by distances printed on the zoning map, the location of the boundary will be determined by using the scale appearing on the zoning map; and
 3. Where a public street or alley is officially vacated or abandoned, the property that was formerly in the street or alley will be included within the zoning district of the adjoining property on either side of the centerline of the vacated or abandoned street or alley.
- D. **Allowable uses of land.** If a proposed use of land is not specifically listed in Article II, [Section 19.10.050 \(Allowable Land Uses and Permit Requirements\)](#), the use shall not be allowed, except as follows.
1. **Similar uses allowed.** The City Planner may determine that a proposed use not listed in Article II is allowable for the purposes of accepting an application for processing, and the review authority may approve an application for an unlisted use, if all of the following findings are made:
 - a. The characteristics of, and activities associated with, the proposed use are substantially similar in nature and intensity (particularly in terms of effects on the environment and on adjacent uses) to those of one or more of the uses listed in the zoning district as allowable, and will not involve a higher level of activity or population density than the uses listed in the district;
 - b. The proposed use will meet the purpose/intent of the zoning district that is applied to the site; and,
 - c. The proposed use will be consistent with the goals, objectives and policies of the General Plan and any Specific Plan.
 2. **Applicable standards and permit requirements.** When the City Planner determines that a proposed, but unlisted, use is equivalent to a listed use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required and what other

standards and requirements of this Development Code apply.

3. Planning Commission determination. The City Planner may forward questions about equivalent uses directly to the Planning Commission for a determination at a public meeting (a public hearing is not required).
- E. Standards as minimum requirements.** When interpreting and applying the regulations of this Development Code, all provisions shall be considered to be minimum requirements, unless stated otherwise (e.g., height limits and site coverage requirements for structures are maximums, not minimums).
- F. Conflicting requirements.**
1. **Development Code and Other Municipal Code provisions.** If conflicts occur between different requirements of this Development Code, or between this Development Code and other Municipal Code provisions, the most restrictive shall apply.
 2. **Specific Plans.** If conflicts occur between the requirements of this Development Code and standards adopted as part of any [Specific Plan](#), the requirements of the Specific Plan shall apply.
 3. **Private agreements.** The requirements of this Development Code shall not be interpreted as repealing, abrogating, or annulling any easement, covenant, or deed restriction imposed on private property. However, all land uses and development shall comply with the requirements of this Development Code, regardless of the provisions of any private covenant, deed restriction (including conditions, covenants, and restrictions). The City shall not enforce any private covenant, restriction, or agreement unless it is a party to the covenant, restriction, or agreement.

19.02.030—Procedures for Interpretations

Whenever the City Planner determines that the meaning or applicability of any of the requirements of this Development Code are subject to interpretation generally or as applied to a specific case, the City Planner may issue an official interpretation. Interpretations may also be requested in compliance with this Section.

- A. Request for interpretation.** A request shall be written, specifically state the provision(s) in question, and provide any information to assist in their review.
- B. Record of interpretations.** The City Planner will maintain a complete record of all official interpretations, available for public review, and indexed by the number of the Section that is the subject of the interpretation. Official interpretations shall be:
1. In writing, and shall quote the provisions of this Development Code being interpreted, and explain their meaning or

applicability in the particular or general circumstances that caused the need for interpretation;

2. Distributed to the Council, relevant Commission, City Attorney, City Clerk, and Department staff; and
3. Maintained in all copies of the Development Code used by the Department.

C. ***Appeals and referral.*** Any interpretations of this Development Code by the City Planner may be appealed to the Planning Commission as provided by [Chapter 19.84 \(Appeals\)](#). The City Planner may also refer any interpretation to the Planning Commission for a determination.

19.03—LAND USE PERMIT REQUIREMENTS

Sections:

19.03.010—Purpose of Chapter

19.03.020—Requirements for Development and New Land Uses

19.03.030—Exemptions from Land Use Permit Requirements

19.03.040—Temporary Uses

19.03.050—Additional Permits or Approvals May be Required

19.03.010—Purpose of Chapter

This Chapter describes the general requirements of this Development Code for the approval of proposed development and new land uses by the City. Land use permit requirements for specific land uses are instead established by [Section 19.10.050 \(Allowable Land Uses and Permit Requirements\)](#) and Article IV (General Site Planning and Development Standards).

19.03.020—Requirements for Development and New Land Uses

No use of land or structures shall be established, constructed, reconstructed, altered, allowed or replaced unless the use of land or structures complies with the following requirements.

- A. **Allowable use.** The land use shall be identified by [Section 19.10.050 \(Allowable Land Uses and Permit Requirements\)](#) as being allowable in the zoning district applied to the site. The City Planner may determine whether a particular land use is allowable, in compliance with [Section 19.02.020 \(Rules of Interpretation\)](#).
- B. **Land use permit requirement.** Any land use permit or other approval required by this Development Code shall be obtained before the proposed use is constructed, otherwise established or put into operation, unless the proposed use is listed in [Section 19.03.030 \(Exemptions from Land Use Permit Requirements\)](#). The land use permit requirements of this Development Code are established by [Section 19.02.020.D. \(Rules of Interpretation—Allowable uses of land\)](#).
- C. **Development standards.** The use and/or structures shall comply with all other applicable requirements of this Development Code, including the development standards of Article II (Community Design) and Article III (Project Design), and the requirements set forth in Article IV (General Site Planning and Development Standards).
- D. **Conditions of approval.** The use and/or structures shall comply with any applicable conditions imposed by any previously granted land use permit.
- E. **Legal parcel.** The use of land and/or structure shall only be established on a parcel of land which has been legally created in compliance with the Subdivision Map Act and Article VI of this

Development Code, as applicable at the time the parcel was created.

- F. **Development agreements.** The use and/or structures shall comply with all applicable [Development Agreements](#) approved by the City Council.

19.03.030—Exemptions from Land Use Permit Requirements

The land use permit requirements of this Development Code do not apply to the activities, and/or structures identified by this Section, which are allowed in all zoning districts subject to compliance with this Section.

- A. **General requirements for exemption.** The activities, uses of land and/or structures identified by Subsection B., below, are exempt from the land use permit requirements of this Development Code only when:
1. The activity or use is established and operated in compliance with all applicable standards of this Development Code;
 2. The activity or use is not part of a larger project for which a discretionary permit is required;
 3. The activity or use is not restricted or controlled by a previously granted discretionary permit;
 4. Any permit or approval required by regulations other than this Development Code is obtained in compliance with [Section 19.03.050 \(Additional Permits or Approvals May be Required\)](#).
- B. **Exempt activities and uses.** The following activities, uses of land and/or structures are exempt from the land use permit requirements of this Development Code when in compliance with Subsection A., above, except that a [Zoning Clearance \(Section 19.54.020\)](#) is required whenever a Building Permit is required for any of these activities or uses.
1. **Decks, paths and driveways.** Decks, platforms, on-site paths, and driveways that are:
 - a. Not required to have a Building Permit or Grading Permit by Title 14 (Buildings and Construction) of the Municipal Code;
 - b. Not over 30 inches above natural grade and not over any basement or story below; and
 - c. Unenclosed except for a safety railing with a maximum height of 42 inches.
 2. **Fences—Residential zoning districts.** Fences in the residential zoning districts are exempt from land use permit requirements as provided by [Chapter 19.46 \(Fences, Hedges and Walls\)](#).

3. **Interior remodeling.** Interior alterations that do not increase the gross floor area within the structure, or change the permitted use of the structure.
4. **Portable spas, hot tubs, and fish ponds.** Portable spas, hot tubs, and fish ponds, and similar structures, that do not: exceed 120 square feet in total area including related equipment; contain more than 2,000 gallons of water; or exceed three feet in depth, and are outside required front and street-side setbacks. These facilities shall be located at least three feet from side or rear property lines.
5. **Repairs and maintenance.** Ordinary repairs and maintenance, if:
 - a. The work does not change the approved land use of the site or structure, or add to, enlarge or expand the area occupied by the land use, or the floor area of the structure; and
 - b. Any exterior repairs employ the similar materials and design as the original construction (commercial uses, only).
6. **Small residential accessory structures (portable).** A single portable structure per lot or unit, including premanufactured storage sheds and other small structures in residential zoning districts that:
 - a. Are exempt from Building Permit Requirements in compliance with Title 14 of the Municipal Code and the Uniform Building Code;
 - b. Are less than 120 square feet in gross floor area and no more than eight feet in height; and
 - c. Are outside required front and street-side setbacks.
7. **Utilities.** The erection, construction, alteration, or maintenance by a public utility or public agency of underground or overhead utilities intended to service existing or nearby approved developments (i.e., water, gas, electric, telecommunication, supply or disposal systems, including wires, mains, drains, sewers, pipes, conduits, cables, fire-alarm boxes, police call boxes, traffic signals, hydrants, and similar facilities and equipment), but not including new transmission lines and structures. Satellite and cellular telephone antennas are subject to Chapter 5.32 of the Sonoma Municipal Code (Antennas and Wireless Communications Facilities).
8. **Walls, retaining walls.** Wooden, concrete and masonry walls less than 30 inches in height located in compliance with Subsection B.2 above, and retaining walls (retaining earth only) that result in grade changes of 30 inches or less and are not required to have a grading permit.

19.03.040—Temporary Uses

Requirements for establishing a temporary use and/or activity (e.g., construction yards, seasonal sales lots, special events, temporary office trailers, and similar uses and activities) are in [Section 19.54.030 \(Temporary Use Permits\)](#).

19.03.050—Additional Permits or Approvals May be Required

A land use that complies with the permit requirement or exemption provisions of this Development Code may still be subject to the permit requirements of other Municipal Code provisions, or other agencies, before the use is constructed, or otherwise established and put into operation. Nothing in this Development Code shall eliminate the need to obtain any permits or approvals required by:

- A. Sonoma Municipal Code.* Any other Municipal Code provisions, including: building, grading, or other construction permits if they are required by Title 14; or a business license if required by Title 5; or
- B. Other jurisdictions.* Any applicable County, or any regional, State or Federal agency regulations.

All necessary permits shall be obtained before starting work or establishing a new use. The applicant shall be responsible for determining whether any additional permits are necessary.

ARTICLE II

Community Design

This Article provides standards and guidelines for development that affect the overall character of the City and its pattern of land uses. This Article establishes the zoning districts within the City, determines how the zoning districts are applied to property by the Zoning Map, and establishes planning permit requirements for new land uses and development. This Article also establishes general community design standards for streetscapes and block structure for new subdivisions and other development. The standards and guidelines established by this Development Code for the planning of individual development projects are found in Articles III (Project Design) and IV (General Site Planning and Development Standards).



List of Chapters

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19.10—ZONES AND ALLOWABLE USES

19.10.010—Purpose of Chapter

19.10.020—Zoning Districts Established

19.10.030—Overlay Zoning Districts and Standards

19.10.040—Zoning Map Adopted

19.10.050—Allowable Land Uses and Permit Requirements

19.10.010—Purpose of Chapter

This Chapter establishes the zoning districts within the City, determines how the zoning districts are applied to property on the Zoning Map, and establishes planning permit requirements for new land uses and development.

19.10.020—Zoning Districts Established

The City of Sonoma shall be divided into the zoning districts described in this Section, to implement the City of Sonoma General Plan land use designations. The following zoning districts are hereby established, and are shown on the official Zoning Map (see [Section 19.10.040](#)). The uses of land allowed within each zoning district and the planning permit requirements applicable to the allowable uses are determined by [Section 19.10.050 \(Allowable Land Uses and Permit Requirements\)](#).

A. Residential zoning districts.

1. **R-HS (Residential—Hillside) District.** The R-HS zoning district is applied to hillside areas of the City that are suitable for very-low density single-family residential and agricultural land uses. The maximum allowable density is one dwelling unit per 10 acres. The R-HS zoning district is consistent with the Hillside land use designation of the General Plan.
2. **R-R (Residential—Rural) District.** The R-R zoning district is applied to areas where the City intends to preserve low density, single-family neighborhoods with rural character. The maximum allowable density is two dwelling units per acre. The R-R zoning district is consistent with the Rural Residential land use designation of the General Plan.
3. **R-L (Residential—Low Density) District.** The R-L zoning district is applied to areas primarily suitable for detached single-family dwellings and duplexes. Clustered housing, and other types of residential development may be allowed with a Planned Development Permit ([Section 19.54.070](#)). The minimum density for new residential construction is two dwelling units per acre and the maximum density is five dwelling units per acre. The R-L zoning district is consistent with the Low Density Residential land use designation of the General Plan.

4. **R-S (Residential—Sonoma) District.** The R-S zoning district is typically applied to parcels of three acres or more in size, and is intended to provide areas suitable for a broad range of housing types, including housing affordable to low and moderate income households. The R-S zoning district is intended to promote creativity in project design, variety in lot sizes and unit types, and development that will fit in with surrounding neighborhoods. The minimum density for new residential construction is three dwelling units per acre and the maximum density is eight dwelling units per acre. Subject to use permit review, limited neighborhood-serving commercial uses may be allowed, in accordance with [Section 19.14.030 \(Neighborhood Commercial Development\)](#). The R-S zoning district is consistent with the Sonoma Residential land use designation of the General Plan.
5. **R-M (Residential—Medium Density) District.** The R-M zoning district is applied to areas appropriate for medium density, multi-family residential development. The minimum density for new residential construction is seven dwelling units per acre and the maximum density is 11 dwelling units per acre. The R-M zoning district is consistent with the Medium Density Residential land use designation of the General Plan.
6. **R-H (Residential—High Density) District.** The R-H zoning district is applied to areas suitable for high density residential development, particularly in areas of transition between commercial or mixed use zoning districts. The minimum density for new residential construction is 11 dwelling units per acre and the maximum density is 15 dwelling units per acre. The R-H zoning district is consistent with the High Density Residential land use designation of the General Plan.
7. **R-O (Residential—Housing Opportunity) District.** The R-O zoning district is applied to areas appropriate for very high density residential development. The intent of this zoning district is to provide areas suitable for low and very-low income households and for high density attached housing types. The minimum density for new residential construction is 15 dwelling units per acre and the maximum density is 25 dwelling units per acre. The R-O zoning district implements the Housing Opportunity Site land use designation of the General Plan.
8. **R-P (Residential—Mobile Home Park) District.** The R-P zoning district is applied to the city's three mobile home parks. Only uses consistent with the continued operation of these sites as mobile home parks are allowed. The maximum residential density is seven dwelling units per

acre. The R-P zoning district is consistent with the Mobile Home Park land use designation of the General Plan.

B. Commercial zoning districts.

1. **C (Commercial) District.** The C zoning district is applied to areas appropriate for a range of commercial land uses including retail, tourist, office, and mixed-uses. The maximum residential density is 20 dwelling units per acre. The C zoning district is consistent with the Commercial land use designation of the General Plan.
2. **C-G (Commercial—Gateway) District.** The C-G zoning district is applied to the Four Corners and Verano Triangle areas, prominent commercial entrances into the City that require sensitive site design. The maximum residential density is 20 dwelling units per acre. The C-G zoning district is consistent with the Gateway Commercial land use designation of the General Plan.
3. **Residential Component.** In applications for new development on properties of one-half acre in size or larger for which a discretionary permit is required, a residential component is required, unless waived by the Planning Commission. A residential component should normally comprise at least 50% of the total proposed building area. Circumstances in which the residential component may be reduced or waived include, but are not limited to, the following:
 - a. The replacement of a commercial use within an existing tenant space with another commercial use.
 - b. The presence of uses or conditions incompatible with residential development on or adjacent to the property for which a new development is proposed.
 - c. Property characteristics, including size limitations and environmental characteristics, that constrain opportunities for residential development or make it infeasible.
 - d. Limitations imposed by other regulatory requirements, such as the Growth Management Ordinance.

C. Mixed-Use zoning district.

1. **MX (Mixed Use) District.** The MX zoning district is intended to allow for higher density housing types, such as apartments and condominiums, in conjunction with commercial and office development, in order to increase housing opportunities, reduce dependence on the automobile, and provide a pedestrian presence in commercial areas. Under this designation, long-standing commercial and industrial uses in otherwise residential areas may be preserved and, subject to use permit review, modified or intensified. The maximum residential density is 20 dwelling units per acre. The MX zoning district is consistent

with the Mixed Use land use designation of the General Plan.

2. **Residential Component.** In applications for new development for which a discretionary permit is required, a residential component is required, unless waived by the Planning Commission. A residential component should normally comprise at least 50% of the total proposed building area. Circumstances in which the residential component may be reduced or waived include, but are not limited to, the following:
 - a. The replacement of a commercial use within an existing tenant space with another commercial use.
 - b. The presence of uses or conditions incompatible with residential development on or adjacent to the property for which a new development is proposed.
 - c. Property characteristics, including size limitations and environmental characteristics, that constrain opportunities for residential development or make it infeasible.
 - d. Limitations imposed by other regulatory requirements, such as the Growth Management Ordinance.

D. Special purpose zoning districts.

1. **A (Agriculture) District.** The A zoning district is applied to existing agricultural areas within the City. The intent of the zoning district is to protect these parcels for productive agricultural uses. The maximum residential density is one dwelling unit per 10 acres. The A zoning district is consistent with the Agricultural land use designation of the General Plan.
2. **Pk (Park) District.** The Pk zoning district is applied to parkland of a variety of types, from intensively developed playing fields and recreational facilities (including museums and recreation centers), to natural open spaces where development is limited to trails. The P zoning district is consistent with the Park land use designations of the General Plan.
3. **P (Public Facilities) District.** The P zoning district applies to areas appropriate for a variety of public and quasi-public land uses. The P zoning district is consistent with the Public land use designations of the General Plan.
4. **W (Wine Production) District.** The W zoning district is applied to winery facilities. Only winery-related land uses are suitable for this designation. The W zoning district is consistent with the Wine Production land use designation of the General Plan.

19.10.030—Overlay Zoning Districts and Standards

- A. **Purpose.** Overlay zoning districts regulate new and existing land uses by providing guidance for development in addition to the standards and regulations of the primary zoning district and subarea. These overlay districts apply to areas where important site, environmental, cultural, and other compatibility issues require particular sensitivity in project planning.
- B. **Applicability.** The requirements of the overlay districts apply to proposed land uses and development in addition to all other applicable requirements of this Development Code. In the event of any perceived conflict between the requirements of the overlay districts and any other provision of this Development Code, the most restrictive shall control.
1. **Mapping of overlay districts.** The applicability of any overlay zoning district to a specific site is shown by the overlay Zoning Map symbol established by this Section being appended as a suffix to the symbol for the primary zoning district on the Zoning Map (for example, R-L/H) or by the use of shading and other graphical means as depicted on the Zoning Map.
 2. **Allowed land uses, permit requirements, development standards.** Except as may be provided by this Development Code for a specific overlay zoning district:
 - a. Any land use normally allowed in the primary zoning district by this Chapter may be allowed within an overlay district, subject to any additional requirements of the overlay district;
 - b. Development and new land uses within an overlay district shall obtain the land use permits required by this Chapter for the primary zoning district; and
 - c. Development and new land uses within an overlay district shall comply with all applicable development standards established by Articles III (Project Design) and IV (General Site Planning and Development Standards).
- C. **Overlay districts and their requirements.**
1. **/C (Creek Setback) District.** The /C overlay district is intended to preserve the environmental integrity and riparian habitat of the City's creeks, and to ensure that new land uses near the creeks are developed safely. Development within the /C overlay district shall be evaluated in accordance with the procedures, standards and guidelines set forth in [Section 19.40.020 \(Creekside Development\)](#).
 - a. **Applicability.** The /C overlay district applies to areas identified on the zoning map adjacent to Sonoma, Nathanson, and Fryer Creeks.
 - b. **Permit requirements.** Playgrounds, sports fields, erosion control projects, parking areas, and any other modifica-

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- c. *Special standards.* New construction within the /O overlay district shall only be allowed if it found that the natural character of the site and its value as open space will not be diminished. This designation is not intended to preclude environmental enhancement and restoration projects or the provision of public access, such as trails.

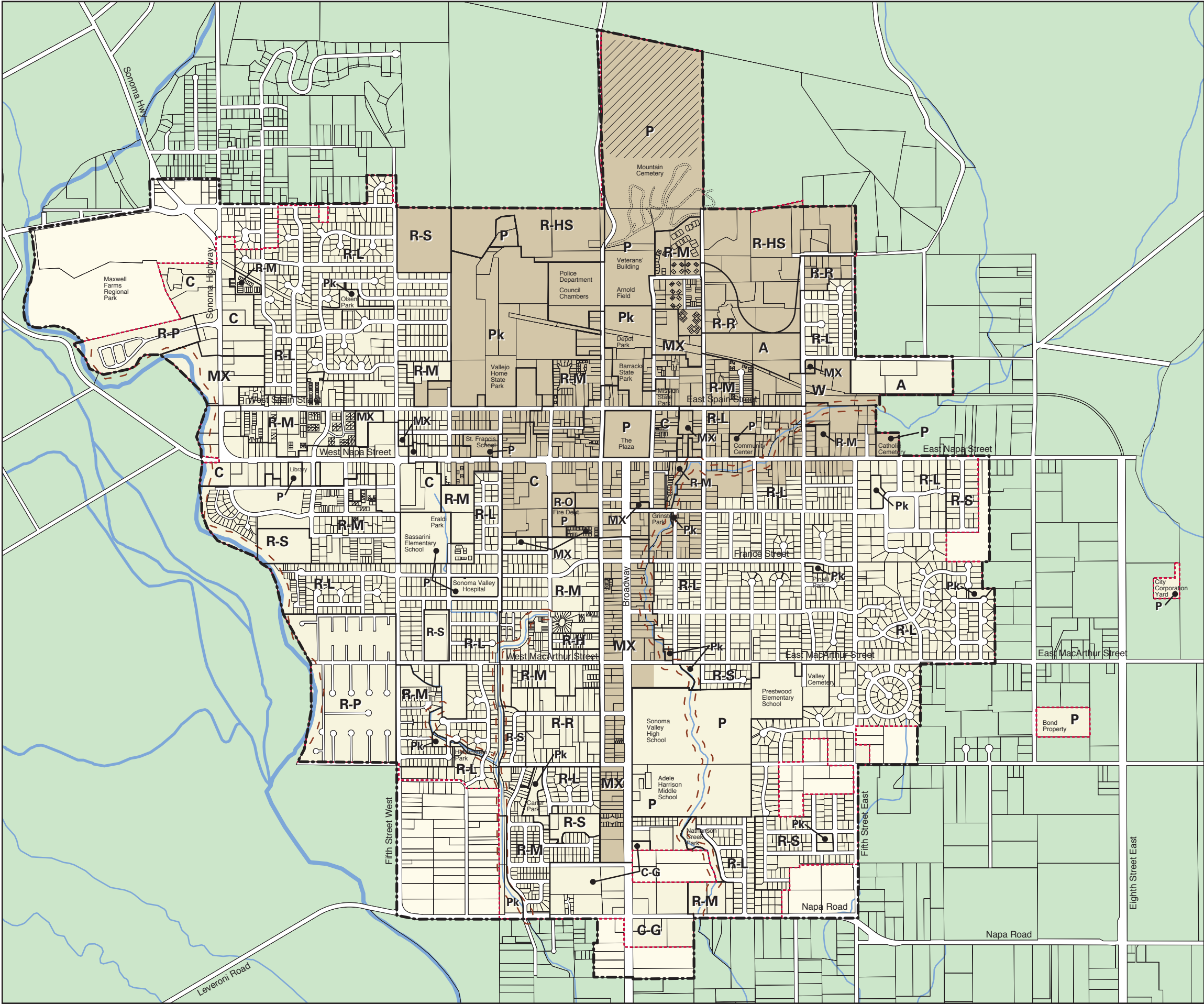
19.10.040—Zoning Map Adopted

The Council hereby adopts the City of Sonoma Zoning Map (incorporated herein by reference). The boundaries of the zoning districts and overlay zoning districts established by Sections 19.10.020 and 19.10.030 shall be shown upon the Zoning Map. The Zoning Map shall be interpreted in compliance with Section 19.02.020. C. (Zoning map boundaries).

19.10.050—Allowable Land Uses and Permit Requirements

- A. *Purpose.* This Section determines which land uses are allowed in each zoning district established by Section 19.10.020 (Zoning Districts Established), and the land use permit required to establish each use.
- B. *Allowed land uses.* The uses of land allowed by this Development Code in each zoning district are identified in Tables 2-1, 2-2, 2-3 and 2-4, along with the type of planning permit required for each use. These tables provide for land uses that are:
 - 1. Permitted subject to compliance with all applicable provisions of this Development Code, subject to first obtaining a Zoning Clearance (Section 19.54.020), and any Building Permit or other administrative permit required by the Municipal Code. These are shown as “P” uses in the tables;
 - 2. Allowed subject to the approval of a Use Permit (Section 19.54.040), and shown as “UP” uses in the tables.

Note: where the last column in the tables (“Specific Use Standards”) includes a Section number, the regulations in the referenced section apply to the use; however, provisions in other Sections of this Development Code may also apply.
- C. *Uses not listed.* Land uses that are not listed in the tables or are not shown in a particular zoning district are not allowed, except as otherwise provided by Section 19.02.020.D. (Rules of Interpretation—Allowable uses of land), or Section 19.03.030 (Exemptions from Land Use Permit Requirements).
- D. *Standards for parcels with multiple zoning districts.* Where an existing parcel is zoned in two or more zoning districts, each portion of the parcel in a separate district shall be developed/used in compliance with the requirements of the applicable district.



SONOMA DEVELOPMENT CODE

Zoning Map

- R-HS Hillside Residential (1 D.U./10 acres, maximum)
- R-R Rural Residential (2 D.U./acre, maximum)
- R-L Low Density Residential (2-5 D.U./acre)
- R-S Sonoma Residential (3-8 D.U./acre)
- R-M Medium Density Residential (7-11 D.U./acre)
- R-H High Density (11-15 D.U./acre)
- R-O Housing Opportunity (15-25 D.U./acre)
- R-P Mobile Home Park (7 D.U./acre, maximum)
- MX Mixed Use (20 D.U./acre, maximum)
- C Commercial (20 D.U./acre, maximum)
- C-G Commercial-Gateway (20 D.U./acre, maximum)
- W Wine Production
- Pk Park
- P Public Facility
- A Agriculture

- Protected Open Space
- Creek Setback Overlay
- Historic Overlay
- City Limit
- Sphere of Influence

Note: Pursuant to State law, residential density bonuses of up to 25% of maximum base density are possible in all commercial and residential land use designations for certain types of affordable housing development.

City of Sonoma Planning, Building, and Public Works

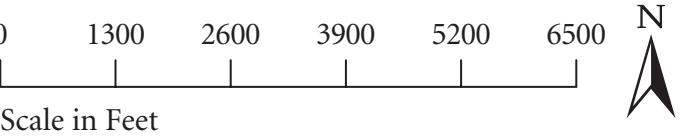


Table 2-1
Residential Uses and Permit Requirements

Allowed Uses and Permit Requirements for Residential Zoning Districts							P UP —	Use Permitted Use Permit required Use not allowed	
Land Use ¹	Permit Required by District						R-O	R-P	Specific Use Regulations
	R-HS	R-R	R-L	R-S	R-M	R-H			
AGRICULTURE, RESOURCE & OPEN SPACE USES									
Animal Keeping	P	P	UP	—	—	—	—	—	SMC 8.08
Crop Production and Horti- culture	P	P	UP	—	—	—	—	—	
Produce Stands for On-site Production	P	P	UP	—	—	—	—	—	19.50.070
MANUFACTURING AND PROCESSING USES									
Existing Uses	—	—	—	—	—	—	—	—	19.82.020
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES									
Equestrian Facilities	UP	UP	—	—	—	—	—	—	
Parks and Playgrounds	P	P	P	P	P	P	P	—	
Religious Facilities	—	—	UP	UP	UP	UP	—	—	
Schools—Public and private	—	—	UP	UP	UP	UP	—	—	
RESIDENTIAL USES ²									
Duplex	—	—	UP	P	P	UP	UP	—	
Emergency Shelters/transi- tional housing	—	—	UP	—	UP	UP	UP	—	
Home Occupation	P	P	P	P	P	P	P	P	19.50.040
Live/Work Facilities	—	—	—	UP	—	—	—	—	19.50.050
Mobile Home Park	—	—	—	—	—	—	—	UP	
Multi-Family Dwellings (four or fewer)	—	—	—	UP	P	P	P	—	
Multi-Family Dwellings (five or more)	—	—	—	UP	UP	UP	P	—	
Residential Accessory Uses and Structures	P	P	P	P	P	P	P	P	19.50.080
Residential Care Homes— 6 or fewer clients	—	—	—	UP	UP	—	—	—	
Secondary Residential Units	P	P	P	P	UP	UP	—	—	19.50.090
Single-Family Dwellings	UP	P	P	P	P	UP	—	—	

Table 2-1
Residential Uses and Permit Requirements (Continued)

Allowed Uses and Permit Requirements for Residential Zoning Districts							P UP —	Use Permitted Use Permit required Use not allowed		
Land Use ¹	Permit Required by District							Specific Use Regulations		
	R-HS	R-R	R-L	R-S	R-M	R-H	R-O	R-P		
RETAIL TRADE AND SERVICES										
Art, Antique, Collectible and Gift Sales	—	—	—	UP	—	—	—	—	19.50.030	
Artisan Shops	—	—	—	UP	—	—	—	—		
Bed and Breakfast Inns (B&Bs)	UP	UP	UP	—	—	—	—	—		
Child Day Care Center	—	UP	UP	UP	UP	UP	UP	—		
Child day care: Small Family Day Care Home	—	UP	UP	UP	UP	UP	—	—		
Child day care: Large Family Day Care Home	—	—	UP	UP	UP	UP	UP	—		
General Retail	—	—	—	UP	—	—	—	—		
Governmental and Public Facilities	—	UP	UP	UP	UP	UP	UP	—		
Libraries and Museums	—	—	—	UP	—	—	—	—		
Medical Services—Extended Care	—	—	—	UP	UP	—	—	—		
Offices, professional and administrative	—	—	—	UP	—	—	—	—		
Personal Services	—	—	—	UP	—	—	—	—		
Restaurant	—	—	—	UP	—	—	—	—		
Senior Residential Care Facilities	—	—	—	—	UP	—	—	—		
Telecommunications Facilities, commercial	See Chapter 5.32 of the Sonoma Municipal Code (Antennas and Wireless Communication Facilities)									
SPECIAL PURPOSE USES										
Public Utility Facilities	—	—	—	—	—	—	—	—		
Public Utility Equipment	P	P	P	P	P	P	P	P		

Notes:

1. See [Section 19.10.050.C](#) regarding uses not listed. See Article VIII for definitions of the listed land uses.
2. New residential developments subject to the City's Growth Management Ordinance (SMC 19.94).

Table 2-2
Commercial Uses and Permit Requirements

Allowed Uses and Permit Requirements for Commercial Zoning Districts	Permit Required by District		Specific Use Regulations
	C	C-G	
Land Use ¹			
MANUFACTURING & PROCESSING USES			
Artisans/Craft Product Manufacturing	UP	UP	
Food and Beverage Manufacturing	UP	UP	
Furniture/Fixtures Manufacturing, Cabinet Shops	UP	UP	
Recycling Facilities—Reverse vending machines	UP	P	
Recycling Facilities—Small collection facilities	UP	UP	
Research and Development (R&D)	UP	—	
Warehousing, Wholesaling and Distribution	UP	—	
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES			
Clubs, Lodges, and Private Meeting Halls	—	UP	
Community Centers	UP	UP	
Health/Fitness Facilities	P	UP	
Indoor Amusement/Entertainment Facilities	UP	UP	
Libraries and Museums	P	P	
Nightclubs and Bars	UP	UP	
Outdoor Commercial Recreation	UP	UP	
Religious Facilities	P	—	
Schools—Specialized education and training	UP	UP	
Studios for Art, Dance, Music, Photography, etc	P	UP	
Theaters and Auditoriums	UP	UP	
RESIDENTIAL USES²			
Emergency Shelters/transitional housing	UP	UP	
Live/Work Facilities	UP	UP	19.50.050
Multi-Family Dwellings (four or fewer units)	UP	UP	
Multi-Family Dwellings (five or more units)	UP	UP	

Table 2-2
Commercial Uses and Permit Requirements (Continued)

Allowed Uses and Permit Requirements for Commercial Zoning Districts	P UP —		Use Permitted Use Permit required Use not allowed
	Permit Required by District		Specific Use Regulations
Land Use ¹	C	C-G	
RETAIL TRADE			
Accessory Retail Uses	P	P	
Adult Business	UP	—	
Art, Antique, Collectible and Gift Sales	P	P	
Artisan Shops	P	UP	
Auto and Vehicle Sales/Rental	UP	—	
Building Material Stores	UP	UP	
Drive-in and Drive-through Sales	UP	—	
Furniture, Furnishings and Equipment Stores	P	P	
General Retail	P	P	
Grocery Store	P	P	
Outdoor Retail Sales and Activities	UP	UP	
Plant Nurseries and Garden Supply Stores	P	P	
Restaurant	UP	UP	
Restaurant, with live music	UP	UP	
Second Hand Stores	P	P	
Shopping Center	UP	UP	
SERVICES			
Banks and Financial Services	P	P	
Bed and Breakfast Inns (B&Bs)	UP	UP	19.50.030
Business Support Services	P	UP	
Child Day Care Facilities	P	P	
Drive-in and Drive-through Services	UP	—	
Equipment Rental	UP	—	
Governmental and Public Facilities	P	P	
Hotel or Motel	UP	UP	

Table 2-2
Commercial Uses and Permit Requirements (Continued)

Allowed Uses and Permit Requirements for Commercial Zoning Districts	P UP —		Use Permitted Use Permit required Use not allowed
	Permit Required by District		Specific Use Regulations
Land Use ¹	C	C-G	
SERVICES (Continued)			
Medical Services—Clinics, Offices, Laboratories	UP	UP	
Medical Services—Hospitals	UP	UP	
Mortuaries and Funeral Homes	UP	—	
Offices, professional and administrative	P	UP	
Personal Services	P	P	
Storage—Outdoor	UP	—	
Storage—Personal Storage Facility (Mini-Storage)	UP	—	
Telecommunications Facilities, commercial	See Chapter 5.32 of the Sonoma Municipal Code (Antennas and Wireless Communication Facilities)		
Auto Parts Sales	P	—	
Vacation Rental	UP	—	
Vehicle Services, car washes	UP	—	
Vehicle Services, repair and maintenance	UP	—	
Vehicle services, Service Station	UP	—	19.50.100
Repair Services for Consumer Products	P	UP	
SPECIAL CIRCUMSTANCES COMMERCIAL DEVELOPMENT			
Commercial Development, large	UP	UP	
Development adjacent to a residential zone ³	UP	UP	
Shopping Center, reconfiguration	UP	UP	
SPECIAL PURPOSE USES			
Public Utility Facilities	—	—	
Public Utility Equipment	P	P	

Notes:

1. See Section 19.10.050.C regarding uses not listed. See Article VIII for definitions of the listed land uses.
2. New residential developments subject to the City's Growth Management Ordinance (SMC 19.94).
3. Defined as new commercial construction or an addition to an existing commercial building, having an area of 1,000 square feet or greater.

**Table 2-3
Mixed Uses and Permit Requirements**

Allowed Uses and Permit Requirements for Mixed Use Zoning Districts		P UP —	Use Permitted Use Permit required Use not allowed
Land Use ¹	Permit Required by District ² MX		Specific Use Regulations
MANUFACTURING & PROCESSING USES³			
Artisans/Craft Product Manufacturing	UP		
Food and Beverage Manufacturing	UP		
Furniture/Fixtures Manufacturing, Cabinet Shops	UP		
Change in Existing Non-conforming Uses	UP		19.82.020
Recycling Facilities—Small collection facilities	—		
Research and Development (R&D)	UP		
Warehousing, Wholesaling and Distribution	—		
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES³			
Clubs, Lodges, and Private Meeting Halls	UP		
Community Centers	UP		
Health/Fitness Facilities	UP		
Indoor Amusement/Entertainment Facilities	UP		
Libraries and Museums	UP		
Nightclubs and Bars	UP		
Outdoor Commercial Recreation	—		
Religious Facilities	UP		
Schools—Specialized education and training	UP		
Studios for Art, Dance, Music, Photography, etc	UP		
Theaters and Auditoriums	UP		
RESIDENTIAL USES⁴			
Emergency Shelters/transitional housing	UP		
Live/Work Facilities	UP		19.50.050
Multi-Family Dwellings (four or fewer units)	P		
Multi-Family Dwellings (five or more units)	UP		
Single-Family Dwellings	p ⁵		

Table 2-3
Mixed Uses and Permit Requirements (Continued)

Allowed Uses and Permit Requirements for Mixed Use Zoning Districts		P UP —	Use Permitted Use Permit required Use not allowed
Land Use ¹	Permit Required by District ² MX		Specific Use Regulations
RETAIL TRADE³			
Accessory Retail Uses	UP		
Art, Antique, Collectible and Gift Sales	UP		
Artisan Shops	UP		
Auto and Vehicle Sales/Rental	—		
Building Material Stores	—		
Drive-in and Drive-through Sales	UP		
Farmers Market	UP		
Fueling Station	UP		
Furniture, Furnishings and Equipment Stores	UP		
General Retail	UP		
Grocery Store	UP		
Outdoor Retail Sales and Activities	UP		
Plant Nurseries and Garden Supply Stores	UP		
Restaurant	UP		
Restaurant, with live music	UP		
Second Hand Stores	UP		
Shopping Center	UP		
SERVICES³			
Auto Parts Sales	UP		
Banks and Financial Services	UP		
Bed and Breakfast Inns (B&Bs)	UP		
Business Support Services	UP		
Child Day Care Facilities	UP		
Drive-in and Drive-through Services	UP		
Equipment Rental	UP		

Table 2-3
Mixed Uses and Permit Requirements (Continued)

Allowed Uses and Permit Requirements for Mixed Use Zoning Districts		P UP —	Use Permitted Use Permit required Use not allowed
Land Use ¹	Permit Required by District ² MX		Specific Use Regulations
SERVICES (Continued)			
Governmental and Public Facilities	UP		
Hotel or Motel	UP		
Medical Services—Clinics, Offices, Laboratories	UP		
Medical Services—Hospitals	—		
Mortuaries and Funeral Homes	UP		
Offices, professional and administrative	UP		
Personal Services	UP		
Storage—Outdoor	—		19.50.070
Storage—Personal Storage Facility (Mini-Storage)	—		
Telecommunications Facilities, commercial	See Chapter 5.32 of the Sonoma Municipal Code (Antennas and Wireless Communication Facilities)		
Mortuaries and Funeral Homes	UP		
Vacation Rental	UP		
Vehicle Services, repair and maintenance	UP		
Vehicle Services, service stations	—		19.50.100
Repair Services for Consumer Products	UP		
SPECIAL PURPOSE USES			
Public Utility Facilities	—		
Public Utility Equipment	P		P

Notes:

1. See [Section 19.10.050.C](#) regarding uses not listed. See Article VIII for definitions of the listed land uses.
2. New development in the Mixed Use zone shall include a residential component unless waived by the Planning Commission through use permit review (see [Section 19.10.020.C](#)).
3. Uses within these categories are allowed only if the Planning Commission finds that the use will not result in the encroachment of incompatible commercial uses within an established residential area.
4. New residential developments subject to the City's Growth Management Ordinance.
5. Limited to a single residence on an existing lot of record; otherwise, Use Permit approval is required.

Table 2-4
Special Purpose Uses and Permit Requirements

Allowed Uses and Permit Requirements for Special Purpose Zoning Districts	Permit Required by District				Specific Use Regulations
	A	Pk	P	W	
Land Use¹					
AGRICULTURAL & OPEN SPACE USES					
Crop Production and Horticulture	P	—	—	P	
Livestock Raising	P	—	—	—	19.50.020
Produce Stands for On-site Production	P	—	—	—	19.50.070
Trails, Hiking and Bicycling	P	P	P	P	
MANUFACTURING & PROCESSING USES					
Agricultural or food processing	—	—	—	UP	
Wineries	—	—	—	UP	
Winery Accessory Uses	—	—	—	UP	19.50.020
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES					
Community Centers	—	—	UP	—	
Community Garden	—	UP	UP	—	
Equestrian Facilities	UP	UP	—	—	19.50.020
Libraries and Museums	—	UP	UP	—	
Parks and Playgrounds	—	P	P	—	
Recreational Facilities	—	UP	P	—	
Schools, public and private	—	—	P	—	
Theaters and Auditoriums	—	UP	P	—	
RESIDENTIAL USES²					
Caretaker and Employee Housing	UP	UP	UP	UP	
Emergency Shelters/Transitional Housing	—	—	UP	—	
Residential Accessory Uses and Structures	P	—	—	—	19.50.080
Single-Family Dwellings	P	—	—	—	
SERVICES					
Offices—Administrative	—	UP	UP	—	
Cemeteries	—	—	P	—	

Table 2-4
Special Purpose Uses and Permit Requirements (Continued)

Allowed Uses and Permit Requirements for Special Purpose Zoning Districts	P	Use Permitted			
	UP	Use Permit required			
	—	Use not allowed			
Land Use ¹	Permit Required by District				Specific Use Regulations
	A	Pk	P	W	
SERVICES (Continued)					
Child Day Care Facilities	—	—	P	—	
Corporation Yard	—	—	P	—	
Farmers Market	P	P	P	—	
Governmental and Public Facilities	—	UP	UP	—	
Kennel	—	—	UP	—	
Medical Services—Hospitals	—	—	UP	—	
Telecommunications Facilities, commercial	See Chapter 5.32 of the Sonoma Municipal Code (Antennas and Wireless Communication Facilities)				
SPECIAL PURPOSE USES					
Public Utility Facilities	—	—	UP	—	—
Public Utility Equipment	P	P	P	P	P

Notes:

1. See [Section 19.10.050.C](#) regarding uses not listed. See Article VIII for definitions of the listed land uses.
2. New residential developments subject to the City's Growth Management Ordinance (SMC 19.94).

19.12—STREETSCAPE

Sections:

[19.12.010—Purpose of Chapter](#)

[19.12.020—Streetscape Standards and Guidelines](#)

19.12.010—Purpose of Chapter

Streetscapes are the areas between buildings in Sonoma that are occupied by the public street right-of-way and related street, sidewalk, and landscaping improvements, and any setback and yard areas on private property. Sonoma's streetscapes are among the most important urban design features of Sonoma, because their appearance, character and the impressions they evoke, create the public image of the City. That image is significant to how residents and visitors think and feel about the City.

This Chapter provides standards and guidelines for the planning and design of the publicly-owned portions of the streetscape, as well as shared private facilities such as private streets and alleys. Standards and guidelines for the privately-owned portions of the streetscape (setbacks/yards, landscaping and buildings) are addressed in Article III (Project Design). The standards and guidelines of this Chapter establish appropriate requirements for the width and uses of public and private street rights-of-way (for traffic, parking, pedestrians, bicycles, and landscaping).

19.12.020—Streetscape Standards and Guidelines

The following standards and guidelines apply to the design and construction of public rights-of-way and right-of-way improvements in conjunction with proposed subdivisions, individual lot development where proposed projects are required to provide right-of-way dedications or improvements and public right-of-way improvements designed and constructed by the City.

Application and Examples

These sections apply to north Broadway. Since this area is largely built out, maintaining the section is the requirement.

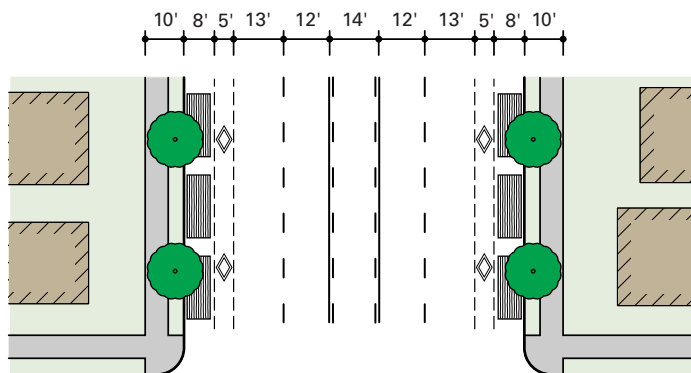
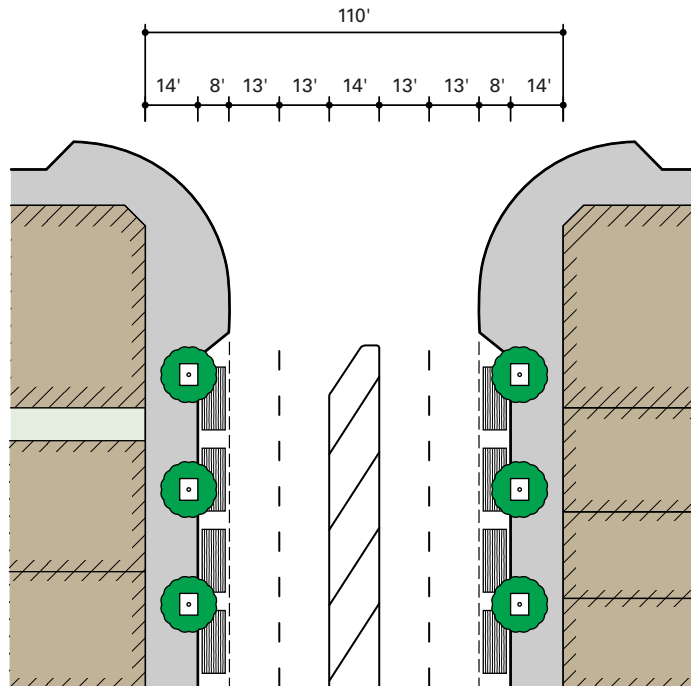
Napa Street to Maple Street:

In the downtown area, Broadway features wide sidewalks (14 feet) with tree wells planted with red oaks. Buildings typically have zero front and side setbacks, except for occasional alleys and pedestrian ways. Off-street parking is always behind buildings.

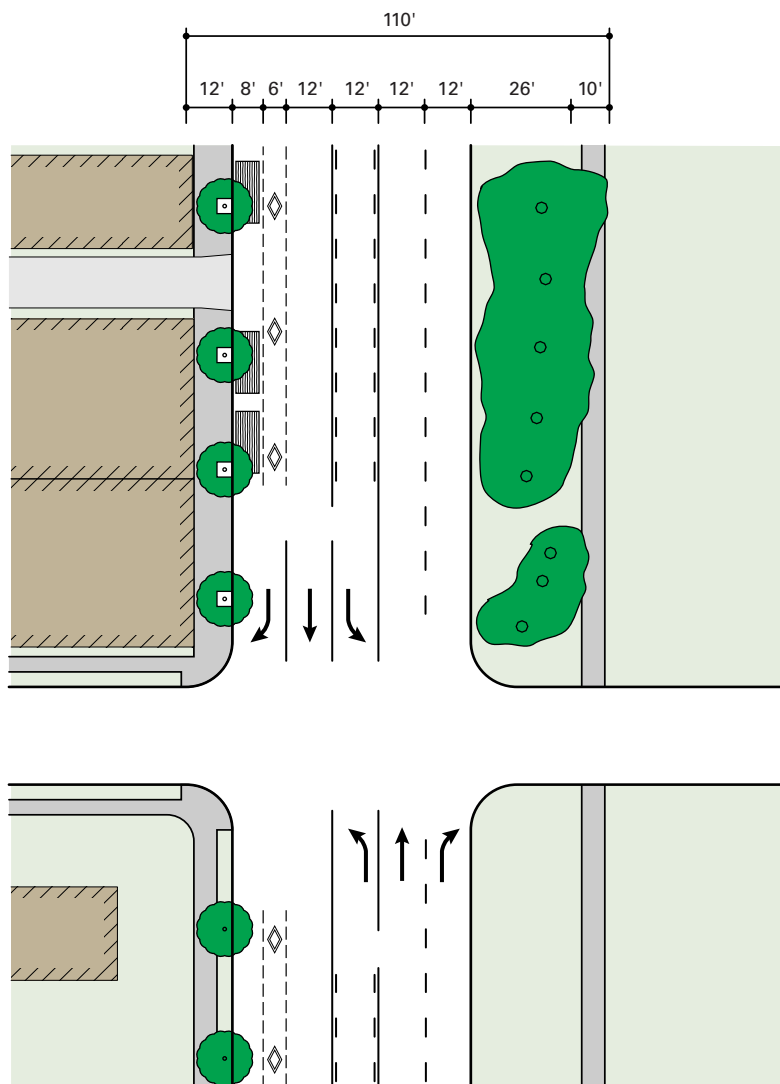
Maple Street to MacArthur Street:

This segment of Broadway features bike lanes and planter strips. Buildings are set back, typically 15-20 feet. Parking is mainly behind buildings, but small, informal parking areas are sometimes found in front.

Broadway Plan (North)



Type:	Commercial Corridor
Movement:	Free Movement
Vehicular Speed:	25 MPH
Traffic Lanes	Two Ways and Center Left-Turn
Parking Lanes:	Both Sides
R.O.W. Width:	110 feet
Pavement Width:	82-90 feet
Curb Type:	Raised
Curb Radius:	15 feet
Sidewalk Width:	6-14 feet
Planter Width:	0-4 feet
Planter Type:	Tree Wells/Continuous
Planting:	Allee 30 feet o.c.

Broadway Plan (Central)**Application and Examples**

These plans apply to central Broadway, an area in which street and sidewalk improvements are currently inconsistent.

MacArthur Street to Newcomb Street:

A second northbound lane will be added to facilitate turning movements in and out of the high school. Due to weaving traffic and the presence of students on foot and bicycle, a bike/pedestrian path with a substantial setback from Broadway is recommended on the east. This configuration will also preserve the eucalyptus trees.

High School/Elementary School Entrance:

A shared entrance to the high school and the the planned elementary school, properly aligned with Newcomb Street, is vital for student safety and safe traffic operation.

Newcomb Street to Clay Street:

The four-lane section should be continued in this segment. On the west, frontage improvements will require retrofitting to achieve consistency.

Commercial Corridor

Free Movement

25-35 MPH

Two Ways and Center Left-Turn

Both Sides

110 feet

82-90 feet

Raised

15 feet

6-14 feet

0-4 feet

Tree Wells/Continuous

Allee 30 feet o.c.

:Type

:Movement

:Vehicular Speed

:Traffic Lanes

:Parking Lanes

:R.O.W. Width

:Pavement Width

:Curb Type

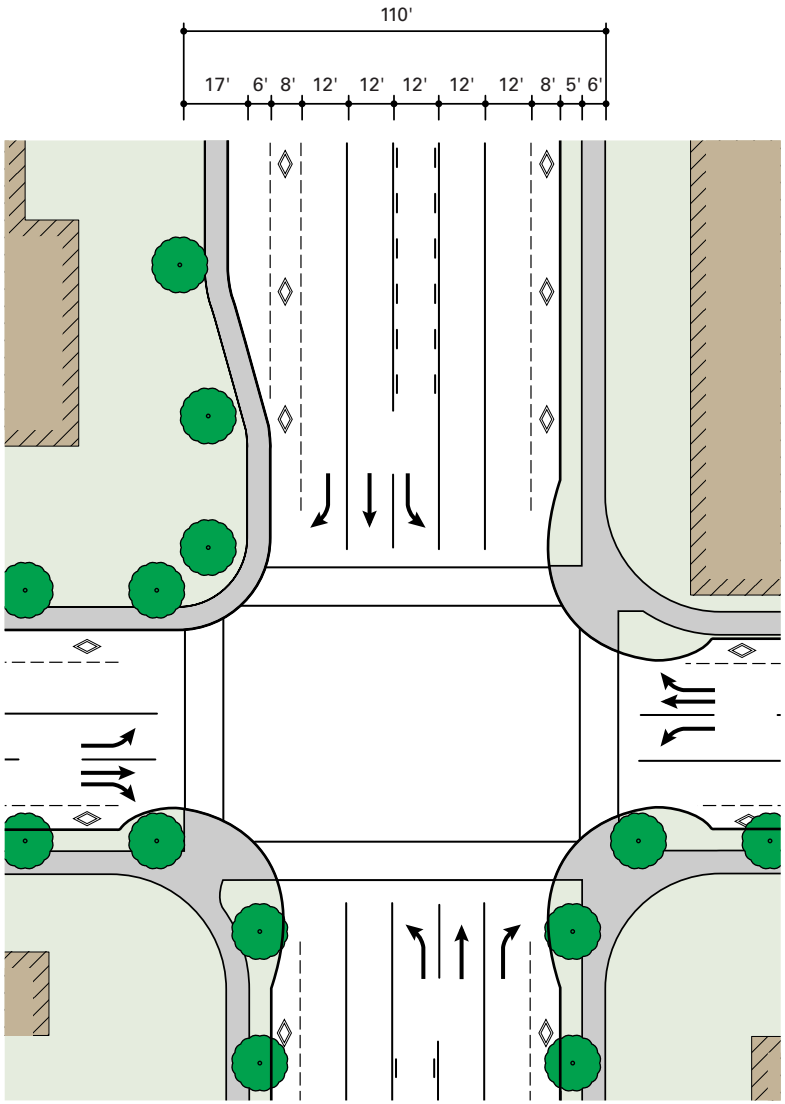
:Curb Radius

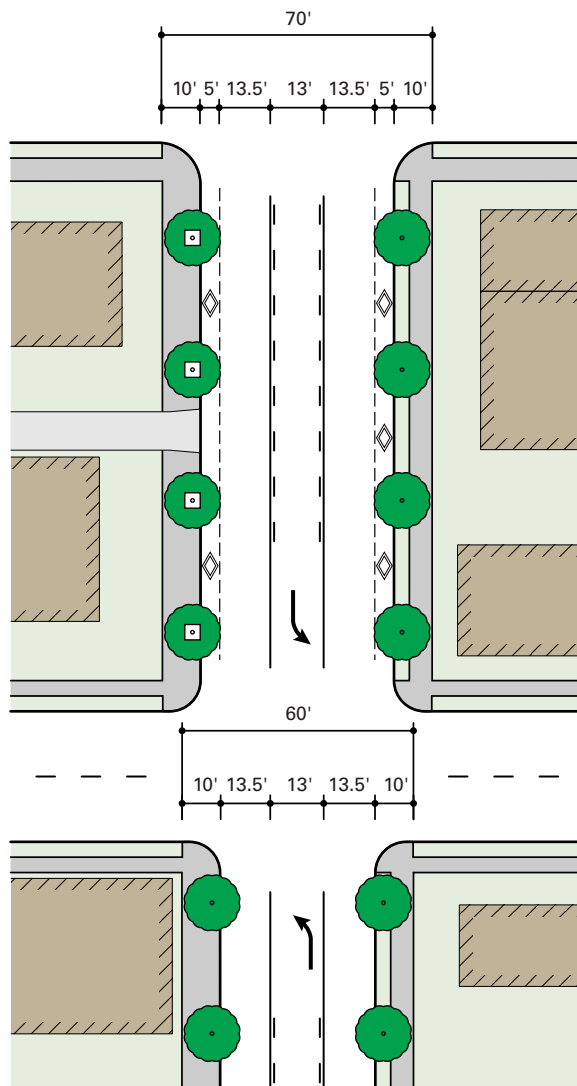
:Sidewalk Width

:Planter Width

:Planter Type

:Planting

Application and Examples	Broadway Plan (South)
<p>These plans apply to the Four Corners area of South Broadway, where frontage improvements are currently inconsistent.</p>	 <p>The diagram illustrates a cross-section of Broadway Plan (South) with a total width of 110 feet. The dimensions from left to right are: 17' (sidewalk), 6' (planter), 8' (curb), 12' (lane), 12' (lane), 12' (lane), 12' (lane), 12' (lane), 8' (curb), 5' (planter), and 6' (sidewalk). The plan shows a three-lane configuration with a center left-turn lane. Landscaping includes trees and planters along the sidewalks. Pedestrian and landscaping improvements are noted at the intersection with Napa/Leveroni Road.</p>
<p>Approaching Clay Street: A To the north, as it approaches Clay Street, Broadway transitions to a three-lane configuration.</p>	
<p>Pedestrian and Landscaping Improvements: At its intersection with Napa/Leveroni Road, cross-walk improvements and landscaping are needed to accommodate pedestrians and to mark the importance of the area as a gateway to Sonoma.</p>	
<p>South of Napa/Leveroni Road: South of the intersection, Broadway narrows to a three lane configuration.</p>	
<p>Type: Movement: Vehicular Speed: Traffic Lanes Parking Lanes: R.O.W. Width: Pavement Width: Curb Type: Curb Radius: Sidewalk Width: Planter Width: Planter Type: Planting:</p>	<p>Commercial Corridor Free Movement 30-35 MPH Two Ways and Center Left-Turn N.A. 110 feet 82-90 feet Raised 25 feet 6 feet 0-4 feet Tree Wells/Continuous Allee 30 feet o.c.</p>

Commercial Collector**Application and Examples**

This plan, with variations, is applicable to segments of West Napa Street, Sonoma Highway, Fifth Street East, and Fifth Street West.

Collector with Bike Paths:

This plan is envisioned for collector streets of the highest traffic volumes, where on-street parking is no longer appropriate. As an example, this section could work well on Sonoma Highway, between West Napa Street and Maxwell Village.

Tree Wells:

Tree wells should be installed in areas where the sidewalk has been developed without a planter strip.

Collector without Bikepaths:

This variation is suitable for high-volume collector streets with constrained rights-of-way, conditions which apply to most of West Napa Street.

Commercial Collector

Free Movement

25-35 MPH

Two Ways and Center Left-Turn

Both Sides

70 feet

60 feet

Raised

15 feet

4-10 feet

0-4 feet

Tree Wells/Continuous

Allee 30 feet o.c.

:Type

:Movement

:Vehicular Speed

:Traffic Lanes

:Parking Lanes

:R.O.W. Width

:Pavement Width

:Curb Type

:Curb Radius

:Sidewalk Width

:Planter Width

:Planter Type

:Planting

Application and Examples

This plan applies to new commercial streets and to the retrofit of existing commercial streets. It is based on design elements found in the downtown, except that parking is typically angled rather than parallel.

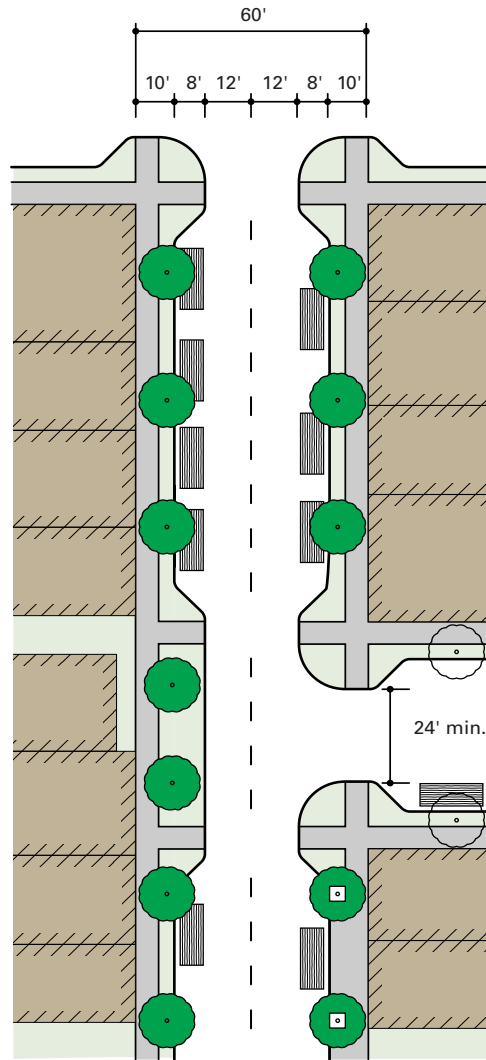
Pedestrian Scale:

While most people drive to a commercial center, upon arrival it becomes a pedestrian experience. Automobiles are accommodated, but are not allowed to overwhelm. Wide sidewalks are employed (6' minimum), along with street trees, benches, and small-scale light standards. At intersections, curb bowouts improve safety. Buildings are placed right on the sidewalk and form a continuous facade of small store fronts, broken by courts and pedestrian alleys. Parking is placed behind buildings.

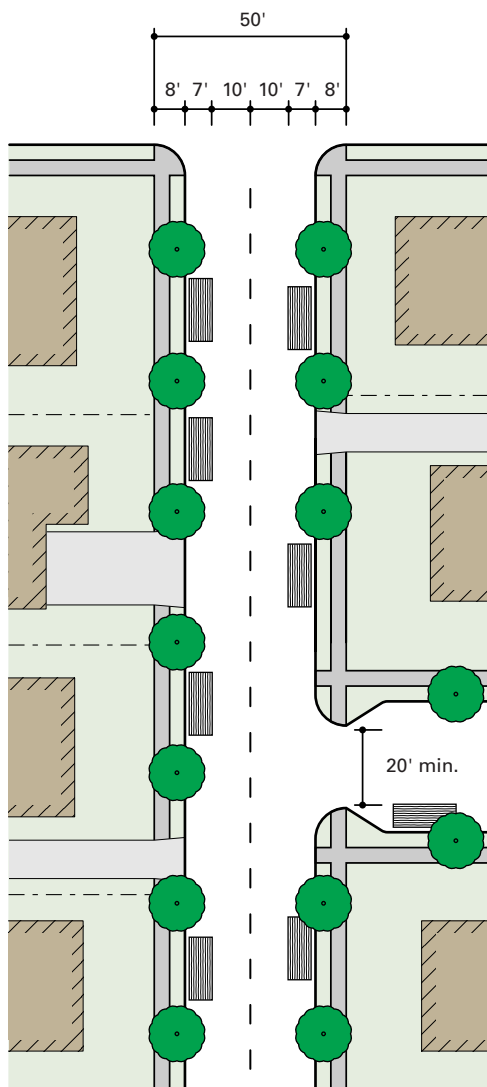
Tree Wells and Planter Strips:

Either may be used in a commercial setting, but care must be taken with planter strips to ensure that a safe surface is provided between the sidewalk and on street parking. Tree wells should be used to retrofit areas where street trees are lacking.

Commercial Center



Type:	Commercial Center
Movement:	Free Movement
Vehicular Speed:	20-25 MPH
Traffic Lanes:	Two Ways and Center Left-Turn
Parking Lanes:	Both Sides
R.O.W. Width:	60 feet
Pavement Width:	24-36 feet
Curb Type:	Raised
Curb Radius:	15 feet
Sidewalk Width:	6-10 feet
Planter Width:	0-4 feet
Planter Type:	Tree Wells/Continuous
Planting:	Allee 30 feet o.c.

Residential Street**Application and Examples**

This plan is the standard for new residential development and should be used in most circumstances.

Planter Strips and Tree Canopy:

An essential feature of a residential street is a tree canopy. Examples abound in Sonoma of tree-shaded residential streets. In many newer developments, however, monolithic curb, gutter, and sidewalk frontages are used, with no planter strip. Street trees placed behind the sidewalk are not as successful in establishing a tree canopy. For this reason, the planter strip configuration is preferred in new streets and street renovations.

Curb Bow-outs:

Where additional traffic calming is necessary or as a transition to narrower street configurations, curb bow-outs may be employed.

Residential Street

Free Movement

20-25 MPH

Two Ways

Both Sides

50 feet

34 feet

Raised

15 feet

4 feet

4 feet

Tree Wells/Continuous

Allee 30 feet o.c.

:Type

:Movement

:Vehicular Speed

:Traffic Lanes

:Parking Lanes

:R.O.W. Width

:Pavement Width

:Curb Type

:Curb Radius

:Sidewalk Width

:Planter Width

:Planter Type

:Planting

Application and Examples

These plans illustrate variations on the standard residential section that may be applicable under different circumstances.

Monolithic Sidewalks:

Compared with a planter strip, a monolithic sidewalk provides a diminished tree canopy and reduced buffering between pedestrians and adjacent traffic.

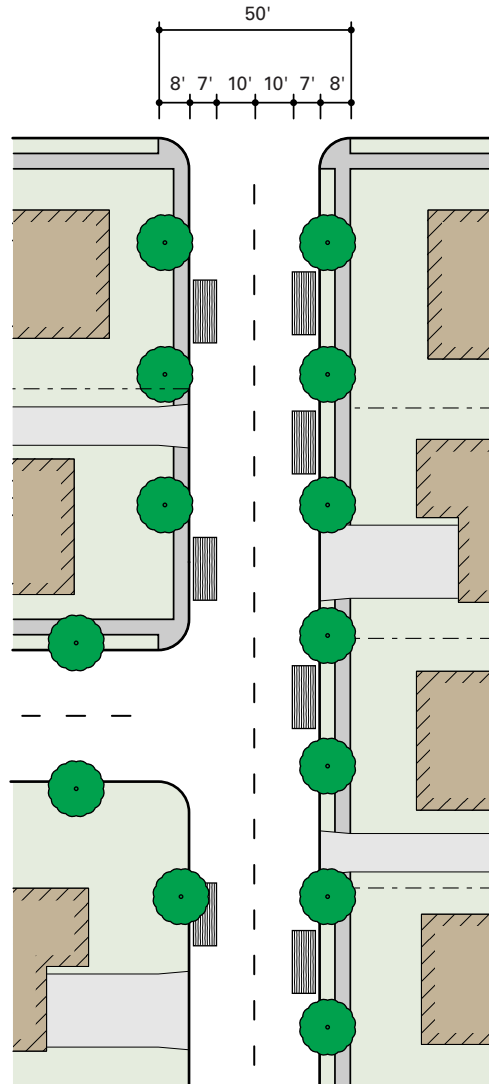
The monolithic configuration does reduce maintenance and may provide some extra convenience when stepping from the curb to the sidewalk.

However, the monolithic configuration should be normally avoided in new development. Its use may be required in areas of extremely limited right of way.

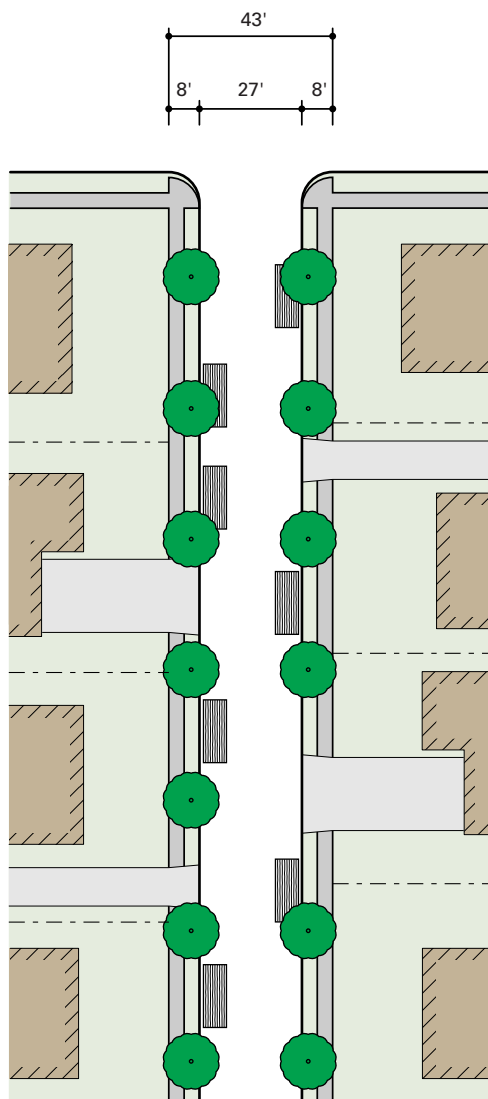
No Sidewalk:

There are limited circumstances where a sidewalk may be avoided altogether in a single-family residential setting. For example, a street frontage across from a block with sidewalks adjacent on all sides could be a candidate.

Residential Street (Variations)



Type:	Residential Street
Movement:	Free Movement
Vehicular Speed:	20-25 MPH
Traffic Lanes:	Two Ways
Parking Lanes:	Both Sides
R.O.W. Width:	50 feet
Pavement Width:	34 feet
Curb Type:	Raised
Curb Radius:	15 feet
Sidewalk Width:	4 feet
Planter Width:	0-4 feet
Planter Type:	Continuous/Within Yard
Planting:	Allee 30 feet o.c.

Residential Street (Constrained)**Application and Examples**

This plan should be used in low density settings or where extra traffic calming is desired. It should only be used in one-block segments which feed into a wider street section.

Yield Streets:

On a yield street, a driver may have to pause to make way for an on-coming vehicle with precedence, due to constrained right-of-way and the presence of on-street parking. This is acceptable and expected for short segments in residential settings. It may feel frustrating for longer segments (e.g. Patten Street) or in commercial and quasi-commercial settings (e.g., Second Street West between West Spain Street and West Napa Street). This street type has its place, but it should only be used where clearly appropriate and only in one block lengths. It is recommended that parking be limited to only one side of the street.

Yield can work well in combination with alleys, so that driveway cuts can be limited to one side of the street only.

Residential Street (Constrained)**Restricted Movement**

15-20 MPH

Two Ways

Both Sides/One Side (optional)

40 feet

24 feet

Raised

15 feet

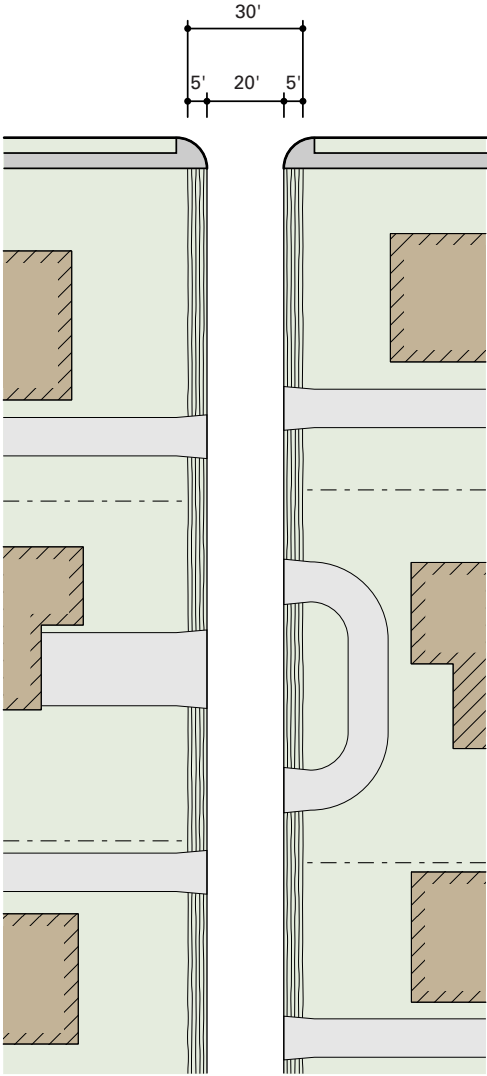
4 feet

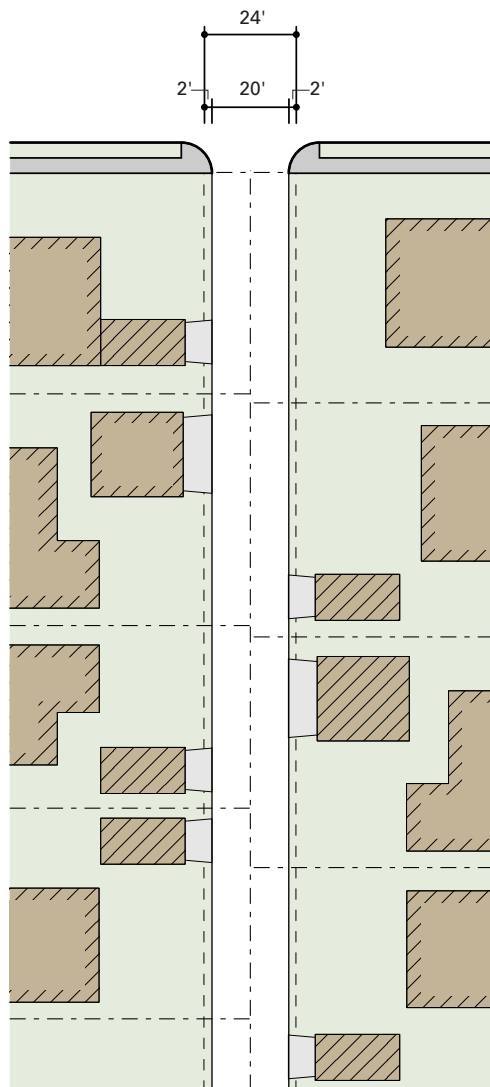
4 feet

Continuous

Allee 30 feet o.c.

:Type**:Movement****:Vehicular Speed****:Traffic Lanes****:Parking Lanes****:R.O.W. Width****:Pavement Width****:Curb Type****:Curb Radius****:Sidewalk Width****:Planter Width****:Planter Type****:Planting**

Application and Examples	Rural Lane
<p>This plan is applicable to only a few, specific areas, such as Malet Street and the Harrington tract. It is only appropriate in existing rural residential settings and may not be used in new development.</p> <p>A gravel shoulder can be useful in this setting to allow for on-street parking.</p>	 <p>The diagram illustrates a cross-section of a Rural Lane. At the top, a dimension line indicates a total width of 30 feet, divided into a 5-foot shoulder, a 20-foot travel lane, and another 5-foot shoulder. The travel lane features a center turn lane. On either side of the travel lane, there are parking areas and a gravel shoulder. The diagram also shows a cross-section of a road with a center turn lane, parking areas, and a gravel shoulder.</p>
Type:	Rural Lane
Movement:	Constrained
Vehicular Speed:	15-20 MPH
Traffic Lanes	Two Ways
Parking Lanes:	N.A.
R.O.W. Width:	30 feet
Pavement Width:	20 feet
Curb Type:	Rolled/.Asphalt
Curb Radius:	15 feet
Sidewalk Width:	N.A. (a gravel walkway may be used)
Planter Width:	N.A.
Planter Type:	N.A.
Planting:	Within Yards

Alley**Application and Examples**

Rear yard alleys are found in some older tracts in Sonoma and can be useful in new development as well, as a means of reducing driveway cuts. Alleys cannot be used in isolation and are not a substitute for a street.

Alleys can work well in combination with yield streets, where the road width is narrow and driveway cuts are limited to one side of the street only.

Garages along alleys should be set back a minimum of five feet from the curb.

As a safety measure, parking along alleys is prohibited.

Alley
Constrained
5-10 MPH

Two Ways

N.A.

24 feet

20 feet

Rolled

15 feet

N.A.

N.A.

N.A.

N.A.

:Type

:Movement

:Vehicular Speed

:Traffic Lanes

:Parking Lanes

:R.O.W. Width

:Pavement Width

:Curb Type

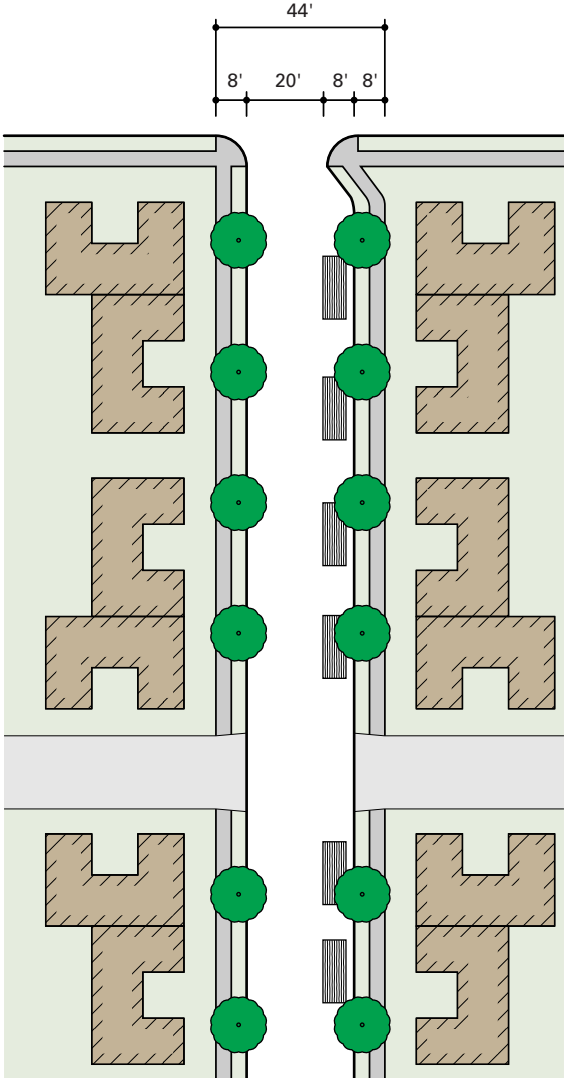
:Curb Radius

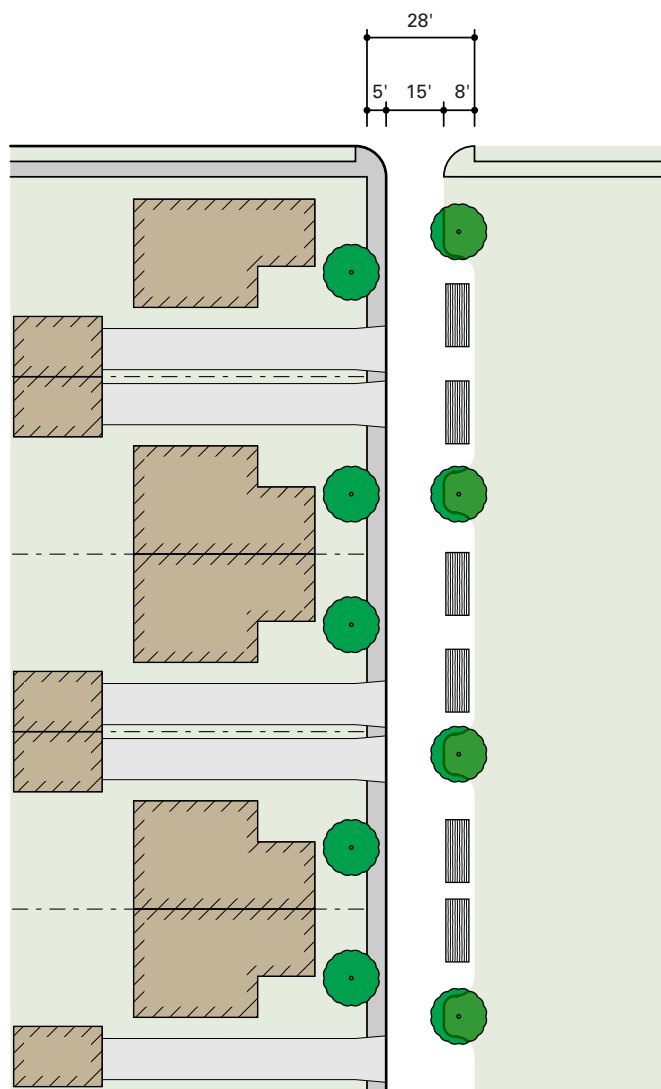
:Sidewalk Width

:Planter Width

:Planter Type

:Planting

Application and Examples	Private Street
<p>This plan may be used in private settings, such as Planned Developments and condominiums.</p>	
<p>Fire Safety: Private streets must be carefully designed to ensure adequate emergency access. A minimum width of 20 feet is usually required, along with an approved turn-around.</p>	
<p>Tree Canopy: A tree canopy is as important on a private street as it is on a public street.</p>	
<p>Guest Parking: Sufficient guest parking is sometimes difficult to come by in infill developments. Providing parallel parking along a private drive is one method of meeting this need.</p>	
<p>Type: Movement: Vehicular Speed: Traffic Lanes Parking Lanes: R.O.W. Width: Pavement Width: Curb Type: Curb Radius: Sidewalk Width: Planter Width: Planter Type: Planting:</p>	<p>Private Street Constrained 5-15 MPH Two Ways One Sides 44 feet 20-28 feet Raised/Rolled 15 feet 4 feet 4 feet Continuous Allee 30 feet o.c.</p>

Private Street**Application and Examples**

This plan represents the minimum width appropriate for most conditions. A narrower section should only be used in highly constrained settings or in developments involving four units or fewer.

Fire Safety:

By using a monolithic sidewalk with a rolled curb, the width of a private street can be minimized while still providing a travelway with an effective width of 20 feet.

Tree Canopy:

On a very narrow private street, a planter strip is not required to achieve a tree canopy. In this example, landscaped bow-outs are used to soften the parking lane.

Guest Parking:

The long driveways associated with detached garages provide for some additional parking, but it is still necessary to provide guest parking spaces that are not associated with individual units.

Private Street
Constrained
5-15 MPH

Two Ways
N.A.
28 feet
15-28 feet

Raised/Rolled
15 feet

0-4 feet
0-4 feet

Tree Wells/Continuous
Allee 30 feet o.c.

:Type

:Movement

:Vehicular Speed

:Traffic Lanes

:Parking Lanes

:R.O.W. Width

:Pavement Width

:Curb Type

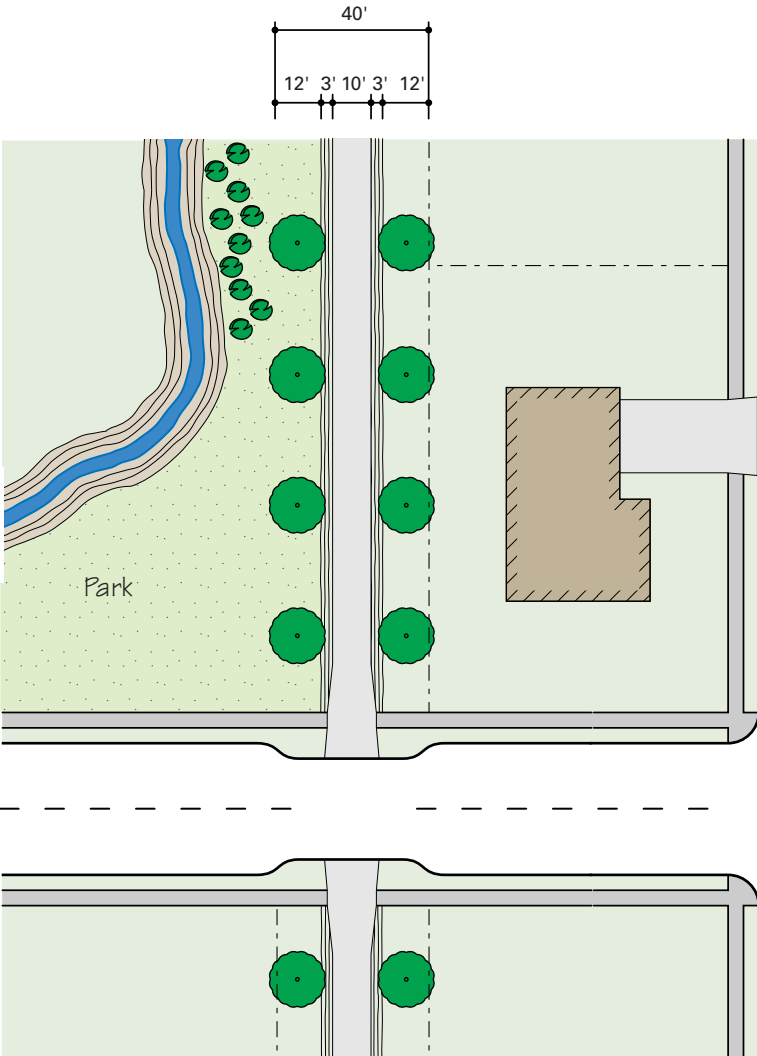
:Curb Radius

:Sidewalk Width

:Planter Width

:Planter Type

:Planting

Application and Examples	Bike Path
<p>This plan illustrates the typical conditions and requirements applicable to a Class 1 bike path.</p>	 <p>The diagram illustrates the typical conditions and requirements for a Class 1 bike path. It includes a plan view and a cross-section view. The plan view shows a 40-foot wide path with 12-foot shoulders, 3-foot tree wells, and a 10-foot travel lane. The path is shown running parallel to a creek, a park, and a building. The cross-section view shows the path profile, including the shoulders, tree wells, and the path itself. The path is shown crossing a street with a bow-out for safety and visibility.</p>
<p>Creeks: Class 1 paths work well along creeks, but should be set back sufficiently to avoid impacts on riparian habitat.</p>	
<p>Right-of-Way: A Class 1 path requires considerable right-of-way. This is especially true of alignments that abut residential properties as a wide buffer area is needed.</p>	
<p>Connections: Where appropriate, the City's Bicycle Plan identifies connections between parks and other community facilities via Class 1 paths.</p>	
<p>Crossings: Class 1 paths should be located so as to minimize street crossings. Where crossings do occur, bow-outs should be used for safety and visibility.</p>	
<p>Type: Movement: Vehicular Speed: Traffic Lanes Parking Lanes: R.O.W. Width: Pavement Width: Curb Type: Curb Radius: Sidewalk Width: Planter Width: Planter Type: Planting:</p>	<p>Bike Path Free Movement 5-15 MPH Two Ways N.A. 40 feet 8-10 feet N.A. N.A. N.A. (3-foot Gravel Shoulders) N.A. Tree Wells/Continuous As Appropriate</p>

19.14—BLOCK STRUCTURE

Sections:

19.14.010—Purpose of Chapter

19.14.020—Block Design Standards and Guidelines

19.14.030—Neighborhood Commercial Development

19.14.040—Lot Sizes

19.14.010—Purpose of Chapter

This Chapter provides City standards for the layout of proposed blocks within new subdivisions, including minimum lot size requirements. The guidelines and standards set forth in this chapter are intended to:

- A. Promote a connected community and ensure public safety by continuing the historic grid system;
- B. Ensure that new subdivisions emulate historic development patterns in terms of block sizes;
- C. Preserve significant natural features;
- D. Provide adequate parkland and other open space.
- E. Lessen traffic congestion through the creation of alternative routes and reduce traffic speeds in residential settings.

Technical standards for subdivision improvements and infrastructure are found in Article VI (Subdivisions).

19.14.020—Block Design Standards and Guidelines

Blocks within proposed subdivisions shall be designed in compliance with the following standards, except where different requirements are established for a particular Planning Area within the City by Article III (Project Design).

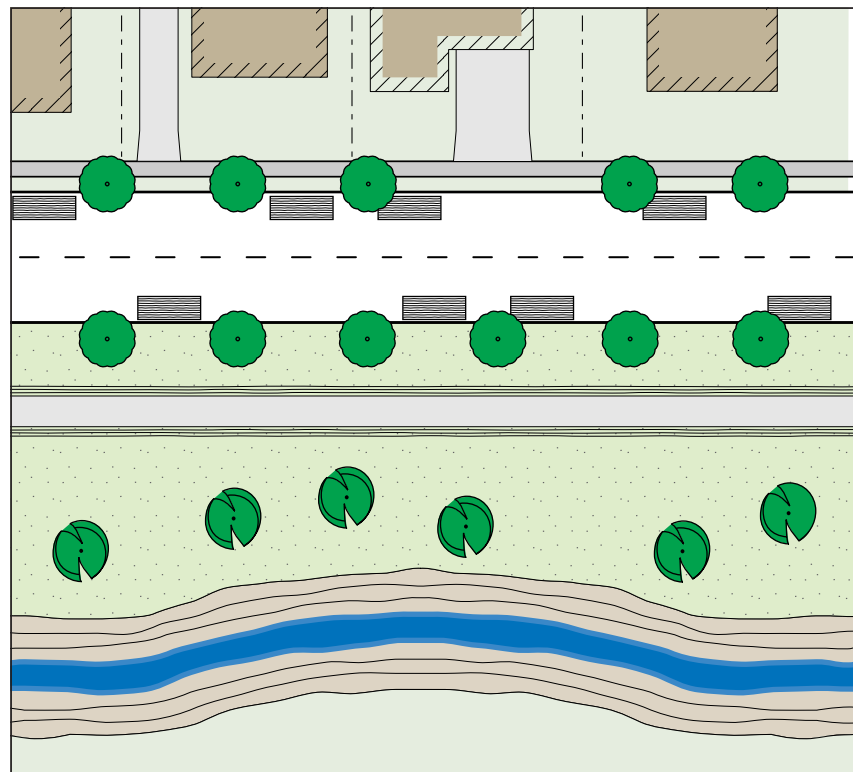
- A. **Street layout.** Streets within new subdivisions shall align with and connect to those of adjacent subdivisions, avoiding the tendency for the proposed subdivision to become an enclave apart from the rest of the community. Public streets should be planned to be continuous through adjacent residential developments, where permitted by terrain and other natural features, to weave the community together and simplify traffic circulation patterns. Requirements for street widths and other street cross-section features are established by [Chapter 19.12 \(Streetscape\)](#) and by Article III (Project Design) for the planning area applicable to the site.
- B. **Cul-de-sac streets.** The use of cul-de-sac streets is strongly discouraged, except where the location or configuration of the parcel to be subdivided will not permit a through street to be used, or a significant natural or cultural feature can be more effectively preserved through the use of a cul-de-sac. Where a cul-de-sac street is approved, the review authority shall require pedestrian connections from the cul-de-sac bulb to the next adjacent

through street wherever feasible. The length of a cul-de-sac street shall not exceed 500 feet.

- C. **Block length.** The block dimension between intersecting public streets should normally not exceed 300 feet, or be less than 200 feet.
- D. **Edge blocks.** Subdivisions proposed on sites with significant natural features (for example, creeks) shall be designed to provide a single-loaded “frontage road” adjacent to the natural feature, rather than “backing-up” development to the feature. Proposed subdivisions that are located adjacent to the City's corporate boundary should also be designed to provide the single-loaded frontage road at the edge. See Figure 2-2, below.

Creekside Edge Blocks

Creeks are excellent candidates for edge block treatment. Examples in Sonoma include Dewell Drive (Nathanson Creek) and Fryer Creek (Fryer Creek Drive, south of Newcomb Street). Where possible, a bike/walking path should also be a feature.



Edge Block Condition—Creek

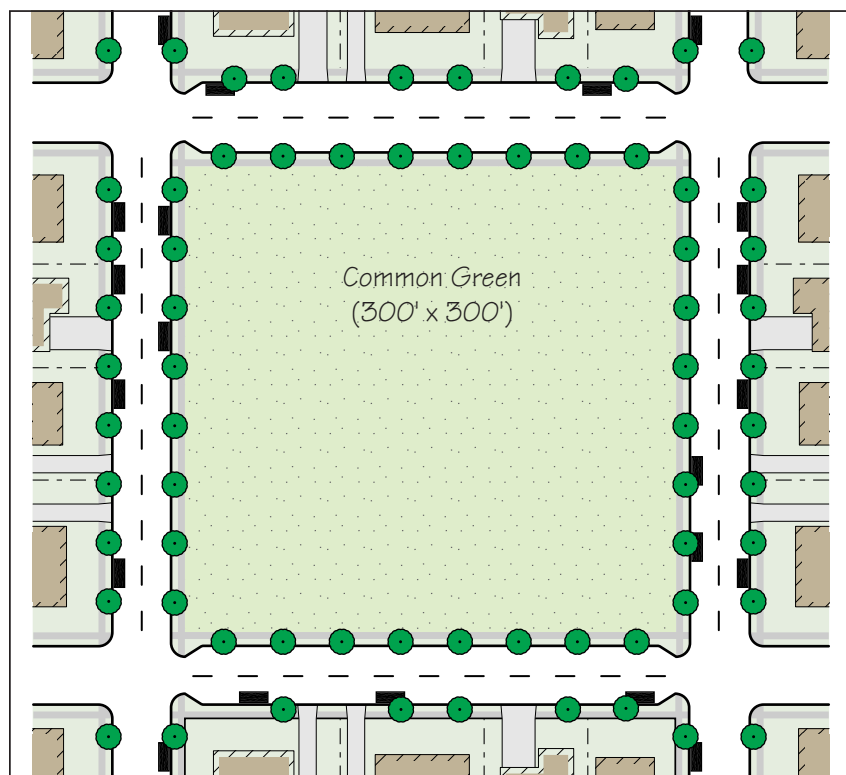
Figure 2-2

- E. **Alleys.** The use of alleys is encouraged in new subdivisions, in order to provide access to second units and parking and loading facilities and to improve the pedestrian orientation of primary streets by reducing or eliminating curb cuts. Suggested locations for the inclusion of alleys in future subdivisions and other developments may be established by Article III, within particular planning areas.
- F. **Gated neighborhoods.** Gated residential developments isolate parts of the community from others, and are strongly discouraged.

G. **Natural features.** Creeks, existing healthy mature trees, and other obvious natural features existing on a site proposed for subdivision, should be preserved and incorporated into the project and its landscaping elements to the greatest extent feasible. Additional requirements are established by Sections [Section 19.40.050 \(Hillside Development\)](#), [Section 19.40.060 \(Landscape Standards\)](#), and Chapter 12.08 of the Municipal Code (Tree Ordinance).

H. **Parks and neighborhood open space.** Residential subdivisions shall provide dedicated parkland or park in-lieu fees as provided in [Section 19.69.030 \(Park Land Dedications and Fees\)](#).

1. **Guidelines for park development.** The Planning Commission shall make use of the following guidelines in its review of any development within which dedicated parkland is proposed:
 - a. Such facilities should be centrally located within the development and should be located at street frontages rather than behind lot lines (although alternative locations may be considered in order to take advantage of significant natural features).



Park Location, Typical

Figure 2-3

The Neighborhood Square

This classic park configuration is exemplified in Sonoma's Plaza, and is quite suitable for smaller-scale spaces. As an option to the layout shown in this illustration, parking may be prohibited along the park edge.

- b. Where feasible, significant natural features should be incorporated into parks.

- c. Residential subdivisions should be designed to integrate and connect with proposed park and other open space elements (for example, creek corridors) and with existing and proposed trails and pedestrian ways in the site vicinity.

19.14.030—Neighborhood Commercial Development

This section establishes standards and guidelines for the size, location, design and other characteristics of neighborhood commercial development that may be allowed in the [R-S \(Residential—Sonoma\)](#) zone.

- A. **Development Standards.** The following standards shall be applied to any neighborhood commercial center proposed in the RS zone:
 1. Neighborhood commercial centers shall be allowed only in conjunction with new developments of 30 units or more.
 2. The land area devoted to a neighborhood commercial centers shall be confined to a single, defined area, that shall not exceed 5% of the total land area of the development.
 3. Uses within neighborhood commercial centers shall be limited to those set forth in [Table 2-1, “Residential Uses and Permit Requirements,”](#) for the R-S zone.
- B. **Guidelines.** The Planning Commission shall make use of the following guidelines in its review of any neighborhood commercial center proposed in the RS zone:
 1. Neighborhood commercial centers should be centrally located and should be easily accessible within the development to pedestrians and bicyclists.
 2. Neighborhood commercial centers should incorporate public uses, such as parks.
 3. Higher density residential development should be located within or adjacent to any neighborhood commercial center.

19.14.040—Lot Sizes

Proposed subdivisions shall be designed to provide parcels that comply with the minimum area and dimensional requirements of this Section, as set forth in [Table 2-5, “General Lot Size Requirements,”](#) , unless otherwise specified in the lot size requirements for individual Planning Areas provided in Article III (Project Design). Variances to the minimum lot size standards set forth in this section shall be governed by [Section 19.61.050 \(Exceptions to Subdivision Standards\)](#).

Table 2-5
General Lot Size Requirements¹

Zoning District	Minimum Lot Area	Minimum Lot Width	Minimum Lot Depth
R-HS	10 acres	100 ft.	100 ft.
R-R	0.5 acres	75 ft.	100 ft.
R-S	5,000 sq. ft.	N.A. ²	
R-L	8,500 square feet	65 ft. 75 ft. corner lots	90 ft.
R-M	5,000 square feet	55 ft. 70 ft. corner lots	90 ft.
R-H	4,500 square feet	50 ft. 70 ft. corner lots	90 ft.
R-O	4,500 square feet	50 ft. 70 ft. corner lots	90 ft.
MX	Commercial: 10,000 square feet	40 ft.	N.A.
C	Residential 5,000 square feet	40 ft.	
C-G		60 ft.	
W	10 acres	100 ft.	100 ft.
A	20 acres	100 ft.	100 ft.
P	Minimum lot area determined by the Planning Commission through the subdivision review process.		

Notes:

1. Lot size requirements do not apply to condominiums and may be modified through the Planned Development Permit process ([Section 19.54.070](#)).
2. Variations in lot size and width are required in new development. The minimum lot size and width shall be determined by the Planning Commission in the course of development review of individual projects.

ARTICLE III

Project Design

This Article provides standards and guidelines for the site layout and design of individual development projects, within the various areas of the community. Because Sonoma is comprised of distinct areas with individual character and features representing different periods in history, the provisions of this Article are organized by specific “Planning Areas” within the City. These standards and guidelines are intended to ensure that the appearance and function of proposed development preserves and enhances the desired character of each area.

■ ■ ■

List of Chapters

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19.16—PLANNING AREA STANDARDS

Sections

[19.16.010—Purpose of Chapter](#)

[19.16.020—Planning Areas Established](#)

[19.16.030—Organization and Intent of Planning Area Chapters](#)

[19.16.040—Applicability of Area Standards and Guidelines](#)

19.16.010—Purpose of Chapter

This Chapter establishes thirteen planning areas within the City, based on the time periods and types of development and land uses that characterize each area. This Chapter also establishes site planning and design standards for each area to ensure that proposed projects are designed to enhance and maintain the most desirable development and environmental characteristics of each unique area of the City. The Planning Areas are described in terms of three subtypes—areas, districts, and corridors—depending upon their function, their geography, and the range of land uses within them.

19.16.020—Planning Areas Established

The provisions of this Article are applicable to specific sites within the City based on the area where the site is located. The following Planning Areas are hereby established (see Table 3-1). The overall structure of the Planning Areas is depicted on Figure 3-1 and the location and boundaries of each area are shown on Figure 3-2.

Table 3-1
Planning Areas

Planning Area	See Chapter
Northeast Area	19.18
Central-East Area	19.20
Southeast Area	19.22
Northwest Area	19.24
Central-West Area	19.26
Southwest Area	19.28
Gateway District	19.30
Broadway Corridor	19.32
Downtown District	19.34
West Napa Street/Sonoma Highway Corridor	19.36
Open Space Districts	19.38

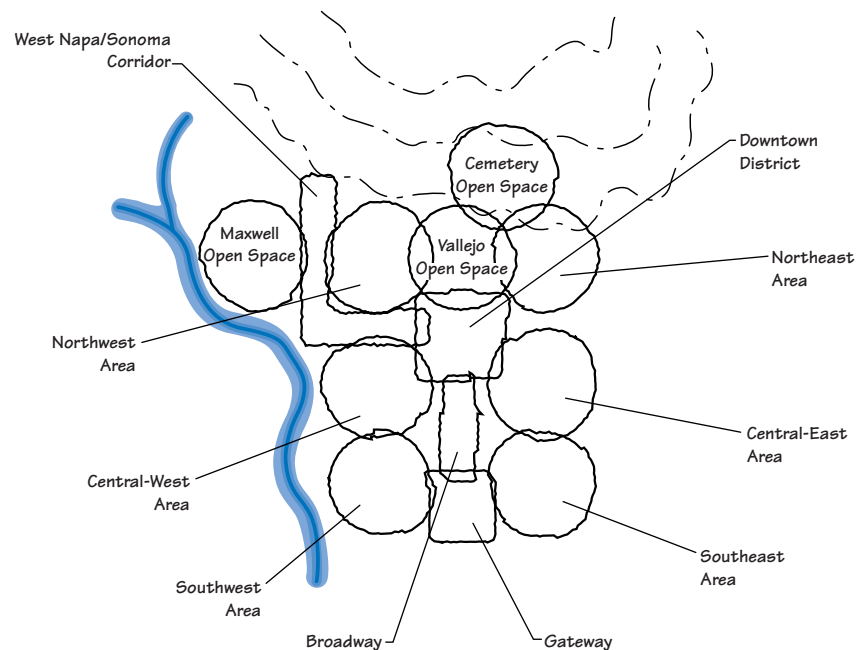


Figure 1: Planning Area Structure

19.16.030—Organization and Intent of Planning Area Chapters

Each Planning Area is the subject of a separate Chapter containing standards, guidelines, and background information specific to that area, divided between three sections.

- A. **Overview and objectives.** The first section (“Existing Conditions, Desired Future, Potential Changes”) contains a general overview of the Planning Area, a statement of broad planning objectives, and a description of likely public improvements and other potential changes, as follows:
1. **Existing conditions.** The discussion of existing conditions which opens each Chapter is intended to briefly set forth the unique characteristics of each Planning Area in terms of natural and built features. A primary purpose of this section is to provide a context for the regulations and guidelines that follow.
 2. **Desired future.** This subsection contains a discussion of the general planning objectives for the area as derived from relevant General Plan policies and the particular conditions of the Planning Area. It is to be used by decision-making bodies, including the City Council, the Architectural Review Commission, and the Planning Commission, as a reference to the larger intent of specific development regulations and as guidelines in the review of discretionary development applications within each Planning Area.

3. **Potential changes.** In this subsection, specific public improvements relevant to each Planning Area are described, including street extensions, new bicycle and pedestrian paths, drainage improvements, and street tree plantings. Also described are approved or anticipated private development projects of significance to the Planning Area. Projects and improvements are drawn from General Plan policies and implementation measures, the City's Five-Year Capital Improvement Program, other project objectives identified by the City Council, approved and anticipated development proposals, and projects identified by other agencies (e.g., the Sonoma Valley Unified School District). The purposes of this section are to:
 - a. Provide decision-makers and the general public with a common frame of reference as to potential public improvements and other changes relevant to development conditions;
 - b. Provide a basis for requiring new development to participate in the provision of public improvements when such participation is warranted due to the impacts of development;
 - c. Ensure that known and prospective public improvements are considered in the review of development applications.
- B. **Development standards and guidelines.** The second section ("Project Planning and Design Standards") sets forth specific development standards and guidelines applicable to new development. The specific provisions of this section are as follows:
 1. **Zoning map.** A zoning map is provided for each Planning Area depicting the zoning districts within it, as well as the zoning designations which would apply to areas outside of the city limits but within the sphere of influence.
 2. **Site planning.** The physical standards, requirements, and guidelines applicable to new development are set forth in this subsection, including limitations on density and regulations pertaining to building setbacks, coverage, open space and parking design. Environmental features and screening and buffering requirements are also addressed.
 3. **Building design.** In this subsection, standards and guidelines regarding building heights, types, and profiles are provided.
 4. **Design map and guidelines.** Concluding the chapter for each Planning Area is a design map and accompanying design guidelines. The map and guidelines are intended to highlight key planning issues facing each Planning Area.
- C. **Overview of conditions.** The concluding section is a map in which the major physical features of each Planning Area are identified, including streets, building envelopes, creeks, and

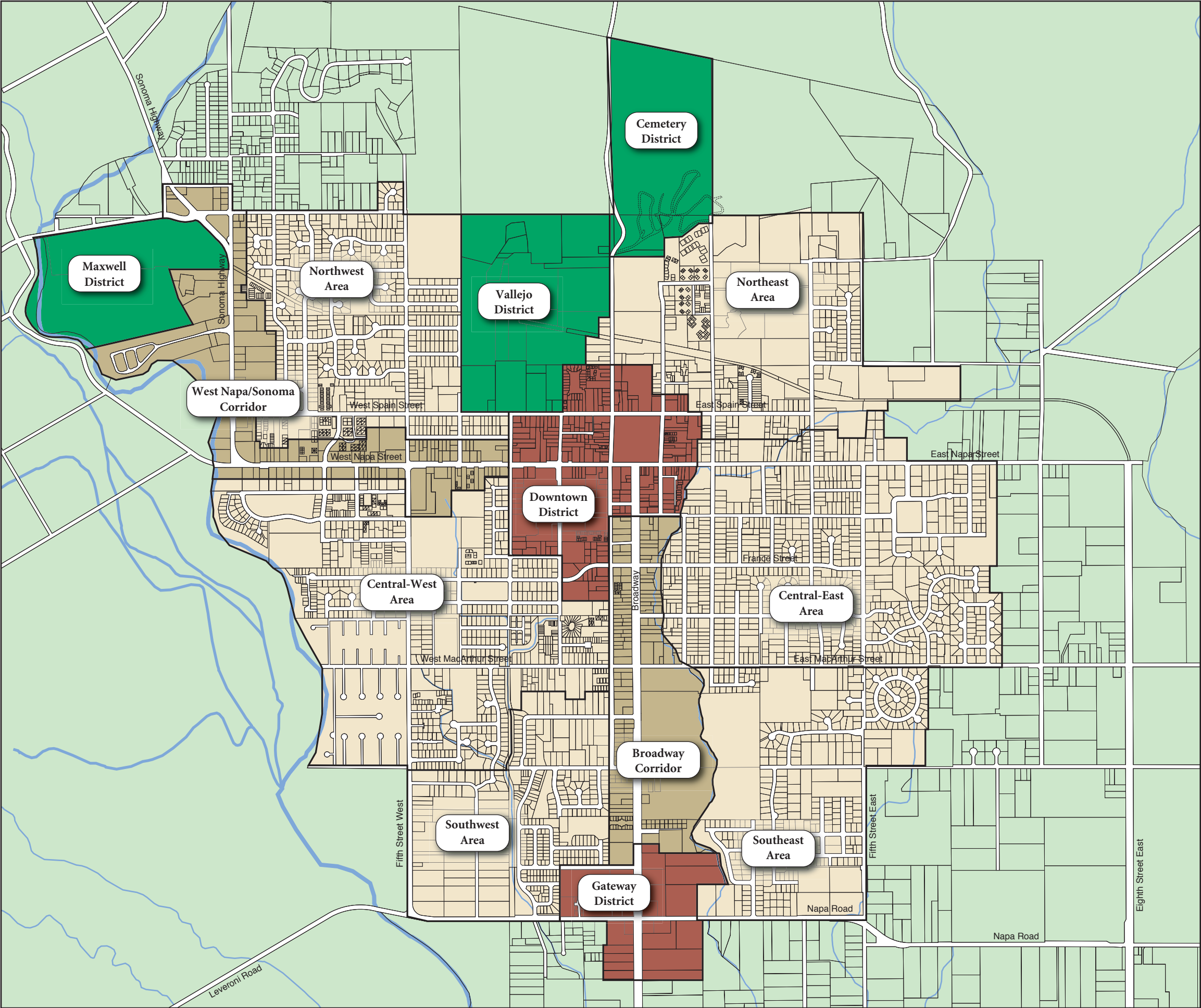
contour lines. The balance of land uses and the number of units within each Planning Area are summarized as well.

19.16.040—Applicability of Area Standards and Guidelines

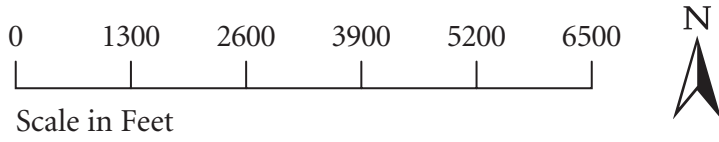
New land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and/or established in compliance with the requirements of this Article for the applicable Planning Area, in addition to the applicable development standards in [Article IV \(General Site Planning and Development Standards\)](#).

Planning Area Boundaries

- Residential Area
- Commercial District
- Commercial Corridor
- Open Space District



City of Sonoma
Planning, Building, and Public Works



19.18—NORTHEAST PLANNING AREA

Sections

19.18.010—Existing Conditions, Desired Future, Potential Changes

19.18.020—Project Planning and Design

19.18.010—Existing Conditions, Desired Future, Potential Changes

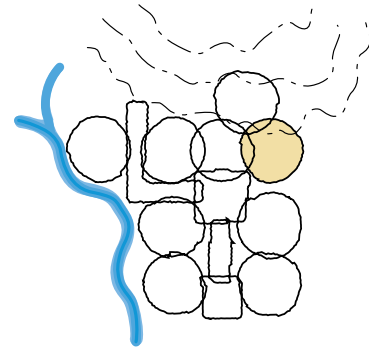
- A. **Existing conditions.** The Northeast planning area lies immediately to the north and east of the Plaza and downtown, and extends to the northeast City boundary. The planning area, which encompasses 230 acres, includes many historical structures and diverse land uses. Scenic vistas of the surrounding hillsides along four of the major north-south streets and a portion of the City's bike path are also important attributes of this area. Existing development is characterized by wide variety in architectural styles, site planning techniques, and street patterns, reflecting different periods in the City's history. Important natural features include Schocken Hill, which extends into the planning area from the north, and Nathanson Creek, which runs through the southeast edge of the area. Visually, this area is marked by the contrast of rural and urban elements.

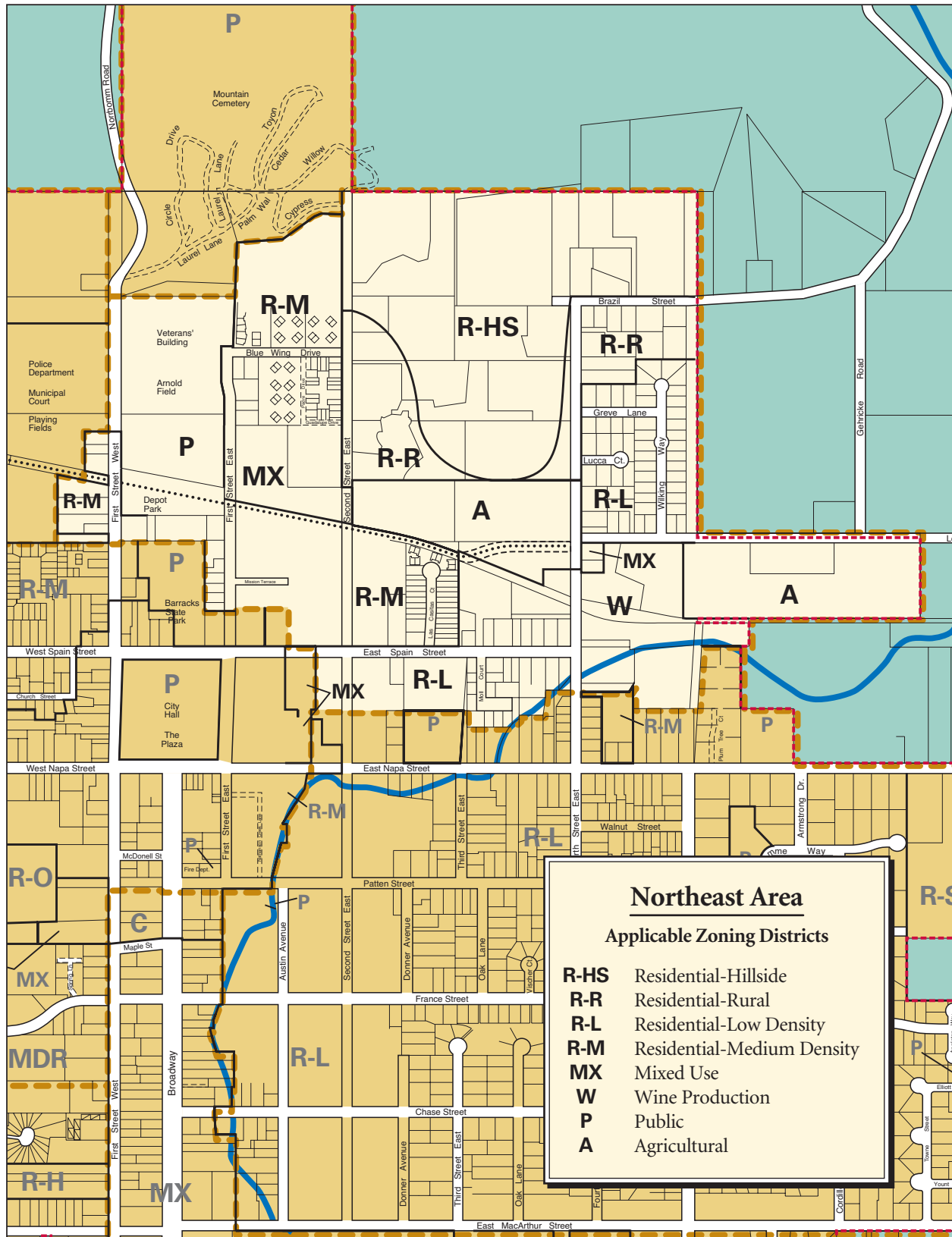
Existing land uses include:

- A scattering of commercial uses, including a restaurant, a small office building, the Vella Cheese company and a light industrial facility;
- Medium density residences, including a few small lot subdivisions and multi-family dwellings;
- Depot Park and a complex of County-owned recreational facilities including the Veterans' Building and Arnold Field;
- Sebastiani Winery and a small amount of vineyard land;
- Rural hillside residential areas;
- Low density single-family residences;
- Agricultural land; and
- Undeveloped open space areas zoned for other land uses.

The bicycle/walking path which runs east and west through the center of the Planning Area is an important recreational and social element of the Northeast planning area.

- B. **Desired future.** The general objective for this area, as expressed in [Section 19.18.020 \(Project Planning and Design\)](#), is to preserve the quality and context of land uses and buildings. Remodeling or additions to existing structures and infill development including intensification in mixed-use areas, will require careful attention to surrounding building form, site design, and land uses to preserve the quality of development in the Northeast planning area. The emphasis of mixed-use development should be residential, with some small-scale office, bed





and breakfast, or other compatible commercial land uses allowed subject to use permit review.

- C. **Potential changes.** Specific improvements contemplated in this area include improvements to the Maysonnave property and Depot Park, the creation of a pedestrian corridor linking the Plaza, Depot park and the Sonoma Overlook Trail, and landscaping improvements to public parking lots.

19.18.020—Project Planning and Design

A. *Site planning standards.*

1. **Residential density.** The following residential density and minimum lot size requirements apply to proposed subdivisions and multi-family developments within the Northeast Planning Area.

Table 3-2
Lot Size and Residential Density Requirements

Zoning District	Number of Dwellings Per Parcel ¹	Minimum Lot Size
R-HS (Residential—Hillside)	1 maximum; or, 1 per 10 acres	10 acres
R-R (Residential—Rural)	2 per acre maximum	20,000 sq. ft.
R-L (Residential—Low Density)	2 per acre minimum; 5 per acre maximum	7,500 sq. ft.
R-M (Residential—Medium Density)	7 per acre minimum; 11 per acre maximum	5,500 sq. ft.
MX (Mixed Use)	20 per acre maximum	7,000 sq. ft.
W (Wine Production)	None ²	5 acres
A (Agriculture)	1 maximum	10 acres

Notes:

1. Densities do not include density bonus. See [Chapter 19.44](#).
2. Residences are not allowed in the W zone, except for caretaker residences authorized through use permit approval.

2. **Setbacks, site coverage, and open space.** Proposed development shall be designed and constructed in compliance with the requirements set forth in Tables 3-3 and 3-4.

Table 3-3
Northeast Area: Infill and Additions

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>						
	W ¹	A	R-HS	R-R	R-L	R-M	MX
Setbacks	Minimum setbacks required for primary structures. Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.						
Front/ Streetside ²	30 ft.		30 ft		New construction: 20 ft or the same as the closest structure to the street on either side, whichever is more. Additions: 20 ft	New construction: 15 ft or the same as the closest structure to the street on either side, whichever is less. Additions: 15 ft	N.A.
Side: One-story	30 ft		20 ft min., 50 ft total		7 ft minimum, 18 feet total.	7 ft minimum, 18 feet total.	
Side: Two-story	30 ft		20 ft min., 50 ft total		7 ft minimum, 18 feet total.	7 ft minimum, 18 feet total.	
Rear	30 ft		30 ft		25 ft	20 ft	
Garage: Front	30 ft		30 ft		20 ft from primary structure		
F.A.R./ Coverage	Floor Area Ratio : Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages (up to 400 square feet), and underground parking. Coverage : Maximum site coverage as a percentage of site area, excluding porches and detached garages.						
F.A.R.	N.A.	0.05	0.10	0.20	0.35	0.50	0.60
Coverage	N.A.	10%	15%	25%	40%	60%	60%
Open Space	See Section 19.40.070 and Section 19.40.080 for design requirements.						
Commercial	No minimum requirement.					N.A.	7%-11% of site
Residential: Common	No minimum requirement.					300 sq. ft. per unit	
Residential: Private	No minimum requirement.					75-225 sq. ft.per unit	
Height	Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.						
Primary Structure	35 ft.		30 ft.				

Notes:

1. Setbacks in the W zoning district may be reduced where the review authority first finds that the reduced setback would not be detrimental to surrounding land uses.
2. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).

Table 3-4
Northeast Area: Subdivisions of 5+ Lots

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>	
	R-M	MX
Setbacks	<i>Minimum setbacks required for primary structures. See Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.</i>	
<i>Front/ Streetside¹</i>	15 ft., one story 20 ft., two-story	A variety of setbacks, consistent with neighborhood conditions, shall normally be required at the discretion of the Planning Commission.
<i>Side: One-story</i>	5 ft minimum, 15 feet total.	5 ft minimum, 15 feet total.
<i>Side: Two-story</i>	10 ft minimum on two-story side.	8 ft minimum on two-story side.
<i>Rear</i>	One-story: 20 ft; Two-story: 25 feet.	One-story: 15 ft; Two-story: 20 feet.
<i>Garage: Front</i>	20 ft from primary structure	20 ft from primary structure
F.A.R./ Coverage	<i>Floor Area Ratio: Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages (up to 400 square feet), and underground parking. Coverage: Maximum site coverage as a percentage of site area, excluding porches and detached garages.</i>	
<i>F.A.R.</i>	0.45	0.60
<i>Coverage</i>	50%	60%
Open Space	<i>Minimum open space required for residential development component only. See Section 19.40.070 and Section 19.40.080 for design requirements.</i>	
<i>Commercial</i>	7%-11% of site	7%-11% of site
<i>Residential: Common</i>	300 square feet per unit.	300 square feet per unit.
<i>Residential: Private</i>	75-225 sq. ft.per unit	75-225 sq. ft.per unit
Height	<i>Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.</i>	
<i>Primary Structure</i>	30 ft.	30 ft.

Notes:

1. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).

3. **Driveways and parking.** Parking areas for multi-family and mixed-use developments shall be not be located in a front setback, but shall be provided at the rear or along the side of the site. Nonresidential and multi-family parking areas shall be screened from adjacent residential zoning districts and land uses. See [Chapter 19.48 \(Parking and Loading Standards\)](#).
4. **Natural features.** Environmental amenities including creeks, streams and other drainage courses, mature trees, and rock outcrops shall be preserved and incorporated into the proposed site plan. Appropriate enhancement or protective measures shall be included in plans where determined necessary by the Planning Commission. See [Section 19.40.050 \(Hillside Development\)](#) and [Section 19.40.060 \(Landscape Standards\)](#), and the Tree Preservation Ordinance for specific hillside development and tree preservation requirements and guidelines.

Natural Features

Significant environmental features within the Northeast Planning Area include the following:

- Hillside areas, especially those areas with oak woodlands.
- Nathanson Creek. (It should be noted that within the Northeast Planning Area, Nathanson Creek has been effectively channelized. There is no public access to the creek, except at street crossings.)
- Mature trees, including street trees.



Nathanson Creek, at Fourth Street East

5. **Screening and buffering.** Multi-family and mixed-use development shall require screening and buffering of parking and driveway areas, and noise and light sources. See [Chapter 19.46 \(Fences, Hedges and Walls\)](#), and Landscape standards and guidelines ([Section 19.40.060](#)).

B. Building design.

1. **Height and profile.** Proposed structures shall not exceed a maximum height of two stories or 30 feet; provided that structures in the A and the W zoning districts may be allowed up to 35 feet in height. Second stories shall be set back an additional 10 feet from the front setback, and five feet on the sides and rear setbacks. See the following design guidelines, and [Section 19.40.040](#), for height measurement and exceptions.

2. **Building types—guidelines for residential structures.** Proposed dwellings should be placed on their sites so that the most narrow dimension of the structure is parallel to the most narrow dimension of the parcel, and so that the primary entrance to the dwelling faces the public street, or is accessible from a porch or other entry element which faces the street.
 3. **Building Types—guidelines for commercial structures.** Proposed commercial and mixed-use structures should be compatible in scale, massing height to residential development in the vicinity. Building architecture and design details should maintain a low-key, residential flavor.
- C. **Street and block layout.** It is intended that streets within the Northeast Planning Area will be maintained at their existing width and alignment.

Northeast Area: Summary of Guidelines and Recommendations

Circulation Improvements:

- Brazil Street should be retained as a rural road, although consideration should be given to improving drainage along it and to widening it somewhat, in order to improve safety.
- Although gaps in the sidewalk system should be closed when necessary for pedestrian safety and convenience, unique rural street sections within the Planning Area should be preserved (e.g., Brazil Street and Second Street East).

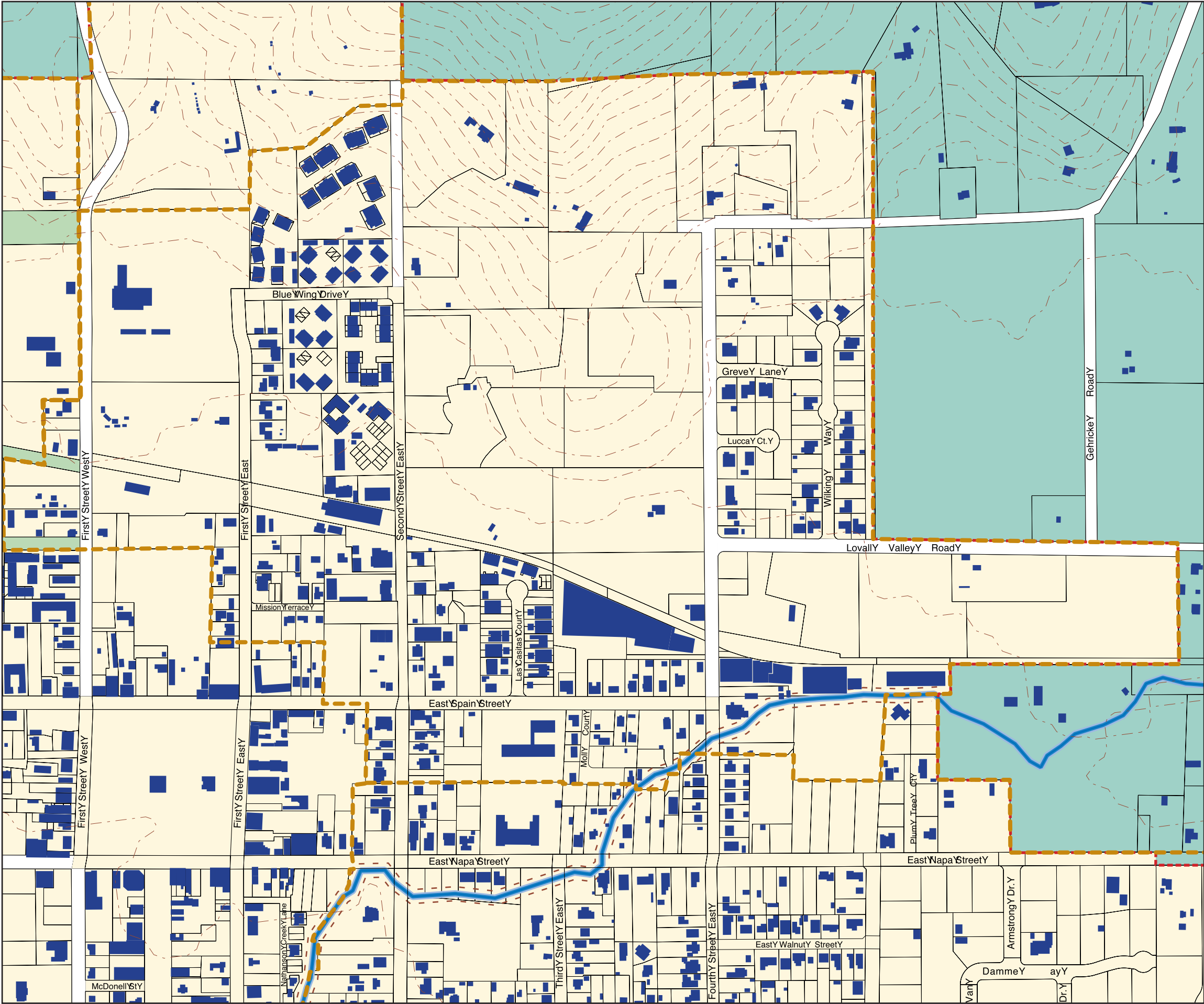
Development Guidelines:

- Significant historic structures should be preserved, restored and re-used.
- Infill development should contribute to the established character of the area through the use of varied setbacks and traditional building types.
- In the design of new subdivisions, consideration should be given to the use of alleys as a means of reducing driveway cuts, especially along collector streets.
- Hillside residences and related improvements should be carefully designed and placed in order to minimize impacts on views.
- Commercial and mixed-use development should be compatible to nearby residential development in scale, massing, and height.

Natural Features:

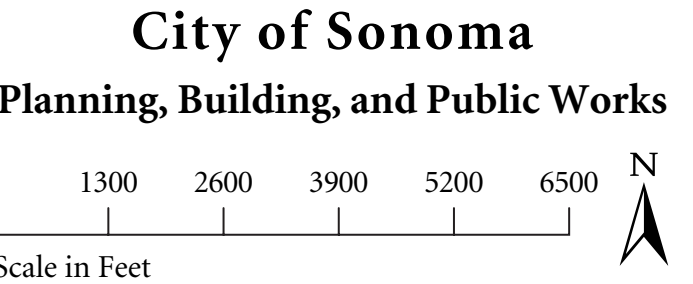
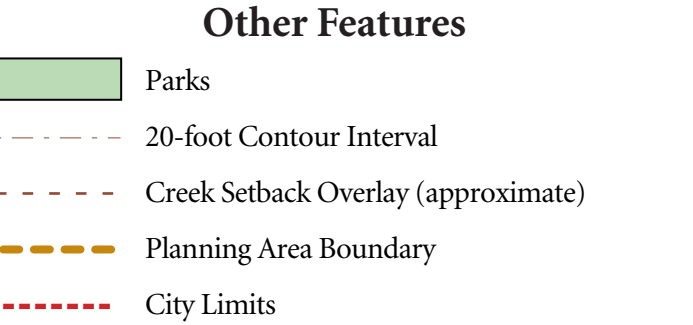
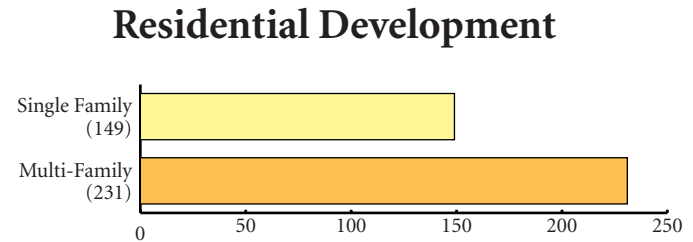
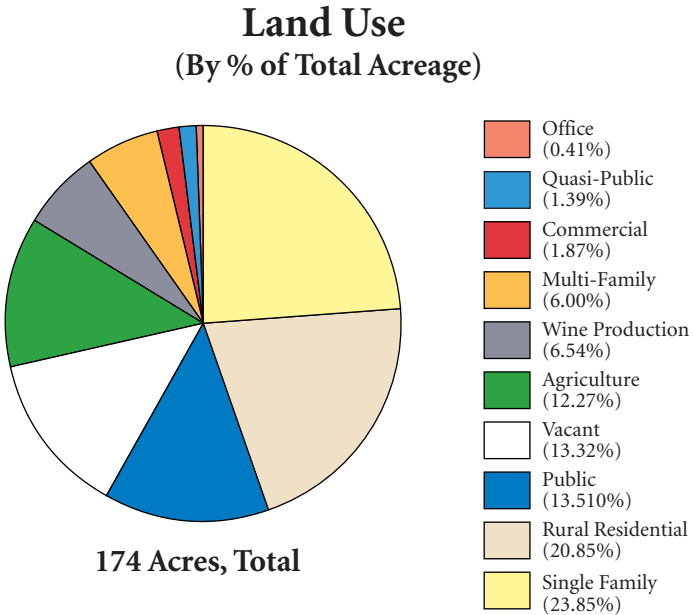
- Building setbacks along Nathanson Creek should be maintained in order to preserve riparian vegetation and prevent flood losses.
- If funds become available to do so, visually significant properties within the Planning Area should be preserved as open space.





SONOMA DEVELOPMENT CODE

Northeast Area
Overview of Conditions



19.20—CENTRAL-EAST PLANNING AREA

Sections

19.20.010—Existing Conditions, Desired Future, Potential Changes

19.20.020—Project Planning and Design

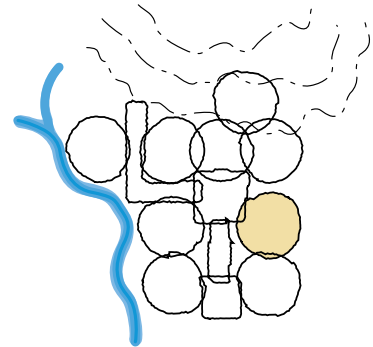
19.20.010—Existing Conditions, Desired Future, Potential Changes

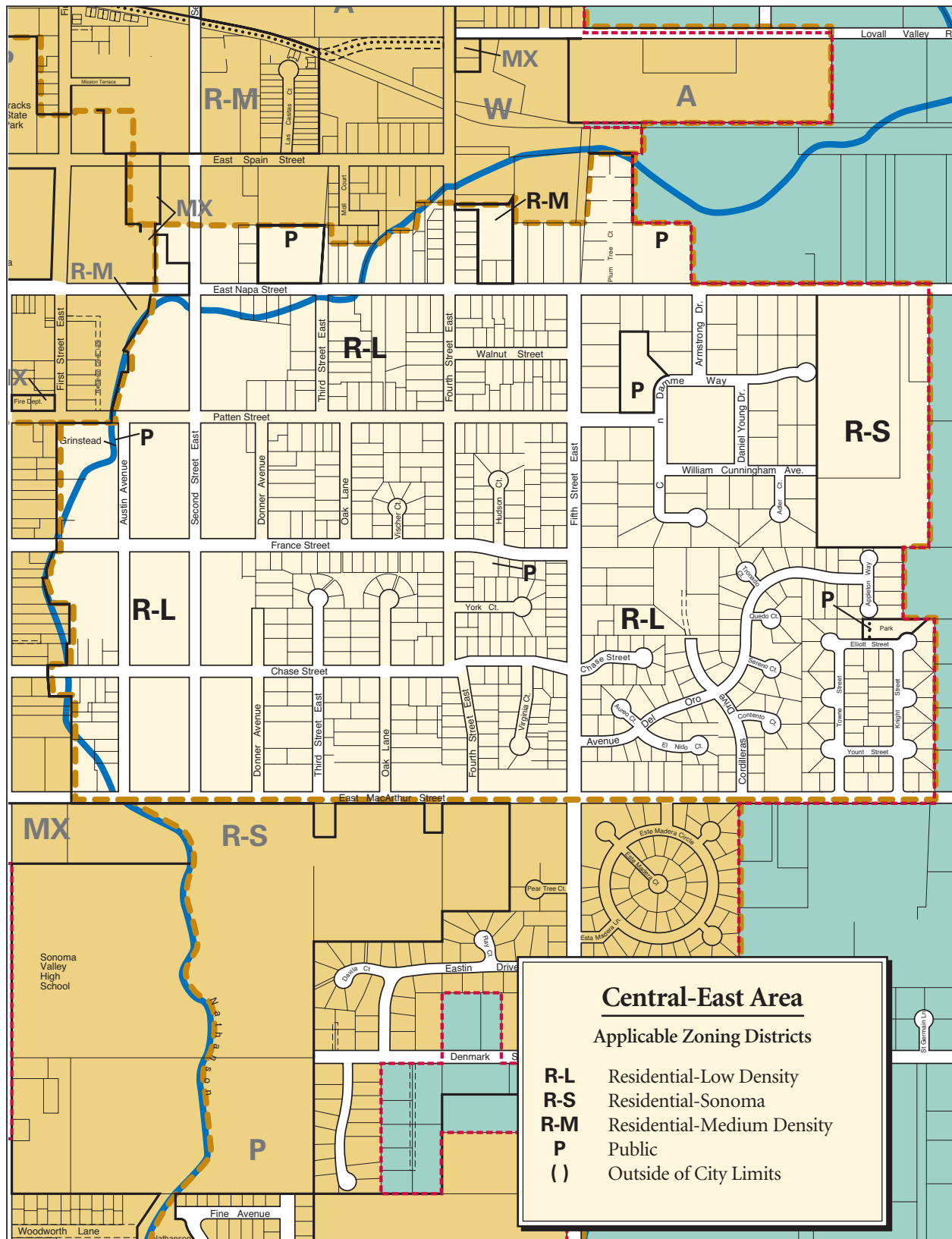
- A. **Existing conditions.** The Central-East planning area is located at the eastern edge of the City, between East Napa Street and East MacArthur Street, and includes some of the oldest residential areas in the community, with mature landscaping and street trees. The streets primarily follow a grid pattern with variable widths, supporting slower traffic. Some streets have sidewalks and/or parkway landscaping strips and many homes have tall, mature hedges along the front property line, which create well defined street edges. Setbacks tend to be large, but vary widely.

The area includes a variety of architectural styles, representative of individual home subdivision and construction. Nathanson Creek meanders from the northern boundary of the planning area along its west edge, where it crosses East MacArthur Street. The east edge of the planning area is adjacent to open fields outside of the City, and the Planning Area also has views of the hill-sides to the north.

Existing land uses include:

- Low density single-family homes;
 - Four neighborhood parks;
 - The Sonoma Community Center;
 - Undeveloped, Sonoma Residential property in the Sphere of Influence; and
 - A cemetery.
- B. **Desired future.** The general objective for this area, as expressed in [Section 19.20.020 \(Project Planning and Design\)](#), is to preserve the existing quality and fabric of residential neighborhoods in the Central-East planning area. Two key issues that could affect efforts to maintain the character of the area include a significant number of parcels that could be subdivided as infill lots, and the site planning and building design techniques employed in their development. Development of the potential infill parcels will mainly need to focus on visual compatibility with the adjacent patterns of site design, building scale, and architectural context.
- C. **Potential changes.** The future development of the parcels east of Armstrong Estates will lead to the extension of Charles Van Damme Way and William Cunningham Avenue, and perhaps to the connection of Appleton Way with East Napa Street. This area, portions of which are currently outside of city limits, has





an R-S designation, which calls for somewhat higher densities and a greater variety in lot sizes than what is found in the development to the west (Armstrong Estates), which features lots having a minimum area of 20,000 square feet.

19.20.020—Project Planning and Design

A. Site planning.

1. **Residential density.** The following residential densities and minimum lot size requirements apply to proposed subdivisions and multi-family projects within the Central-East planning area.

Table 3-5
Lot Size and Residential Density Requirements

Zoning District	Number of Dwellings Per Parcel ¹	Minimum Lot Size
R-L (Residential—Low Density)	2 per acre minimum; 5 per acre maximum	7,500 sq. ft.
R-S (Residential—Sonoma)	3 per acre minimum; 8 per acre maximum	5,000 sq. ft.
R-M (Residential—Medium Density)	7 per acre minimum; 11 per acre maximum	5,500 sq. ft.

Notes:

1. Densities do not include density bonus. See [Chapter 19.44](#).

2. **Setbacks, site coverage, and open space.** Proposed development shall be designed and constructed in compliance with the requirements set forth in Tables 3-6 and 3-7, following.
3. **Driveways and parking.** Driveways and parking areas for multi-family projects shall not be located in a front setback, but shall be provided at the rear or along the side of the site. Nonresidential and multi-family parking areas shall be screened from adjacent residential zoning districts and land uses. See [Chapter 19.48 \(Parking and Loading Standards\)](#).
4. **Natural features.** Significant environmental amenities including Nathanson Creek, related riparian areas, and mature trees, shall be preserved by being incorporated into site plan design and layout. Appropriate enhancement or protective measures shall be included in plans where determined necessary by the Planning Commission. See Landscaping standards and design guidelines ([Section 19.40.060](#)), and the Tree Preservation Ordinance for specific tree preservation requirements and guidelines. Environmental features of lesser significance should

Table 3-6
Central-East Area: Infill and Additions

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>		
	R-L	R-S	R-M
Setbacks	<i>Minimum setbacks required for primary structures. See Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.</i>		
<i>Front/ Streetside</i> ¹	<u>New structures on vacant parcels:</u> 25 ft or the same as the average of structures to the street on either side, whichever is greater. ² <u>Additions:</u> 20 ft. <u>Non-conforming replacement structures:</u> The same location as the original structure. ³		20 ft
<i>Side: One-story</i>	7 ft minimum, 18 feet combined.	5 ft minimum, 15 ft combined.	5 ft minimum, 15 ft combined.
<i>Side: Two-story</i>	3 feet for every 5 feet (or fraction thereof) of height above 15 feet, ⁴ in addition to the normal requirement for one story structures.	2 feet for every 5 feet (or fraction thereof) of height above 15 feet, ⁴ in addition to the normal requirement for one story structures.	8 ft minimum on two-story side.
<i>Rear</i>	20 ft		15 ft
<i>Garage: Front</i>	20 ft from the front of the primary structure.	20 ft from the front of the primary structure.	20 ft from the front of the primary structure.
F.A.R./ Coverage	<i>Floor Area Ratio: Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages (up to 400 square feet), and underground parking. Coverage: Maximum site coverage as a percentage of site area, excluding porches and detached garages.</i>		
<i>F.A.R.</i>	0.35	0.35	0.50
<i>Coverage</i>	40%	40%	60%
Open Space	<i>See Section 19.40.070 for design requirements.</i>		
<i>Residential: Common</i>	N.A.	N.A.	300 square feet per unit.
<i>Residential: Private</i>	N.A.	N.A.	75-225 sq. ft. per unit.
Height	<i>Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.</i>		
<i>Primary Structure</i>	35 ft. on parcels of 20,000 sq. ft. or greater; otherwise 30 ft.	30 ft.	30 ft.

Notes:

1. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).
2. Where averaging adjacent structures results in a setback of greater than 30 feet, a 30 foot setback shall be allowed.
3. A non-conforming replacement structure shall not exceed 10% of the height or area of the original structure, unless a use permit is obtained.
4. Measured at building wall, not ridge.

Table 3-7
Central-East Area: New Subdivisions of 5+ Lots

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>		
	R-L	R-S	R-M
Setbacks	Minimum setbacks required for primary structures. See Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.		
Front/ Streetside ¹	A variety of setbacks, compatible with neighborhood conditions, shall be normally be required at the discretion of the Planning Commission. An average setback of 25 feet shall be maintained.		20 ft
Side: One-story	7 ft minimum, 18 feet combined.	As approved by the Planning Commission, except that in no case shall a setback of less than 3 feet be allowed.	5 ft minimum, 15 feet combined.
Side: Two-story	3 feet for every 5 feet (or fraction thereof) of height above 15 feet, ² in addition to the normal requirement for one story structures.		8 ft minimum on two-story side.
Rear	20 ft		15 ft
Garage: Front	20 ft from the front of the primary structure.	20 ft from the front of the primary structure.	20 ft from the front of the primary structure.
F.A.R./ Coverage	<i>Floor Area Ratio: Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages (up to 400 square feet), and underground parking. Coverage: Maximum site coverage as a percentage of site area, excluding porches and detached garages.</i>		
F.A.R.	0.35	0.35	0.50
Coverage	40%	40%	60%
Open Space	See Section 19.40.070 for design requirements.		
Residential: Common	N.A.	500 sq. ft. per unit, any combination of shared or private.	300 square feet per unit.
Residential: Private	N.A.		75-225 sq. ft.per unit.
Height	Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.		
Primary Structure	35 ft. on parcels of 20,000 sq. ft. or greater; otherwise 30 ft.	30 ft.	30 ft.

Notes:

1. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).
2. Measured at building wall, not ridge.

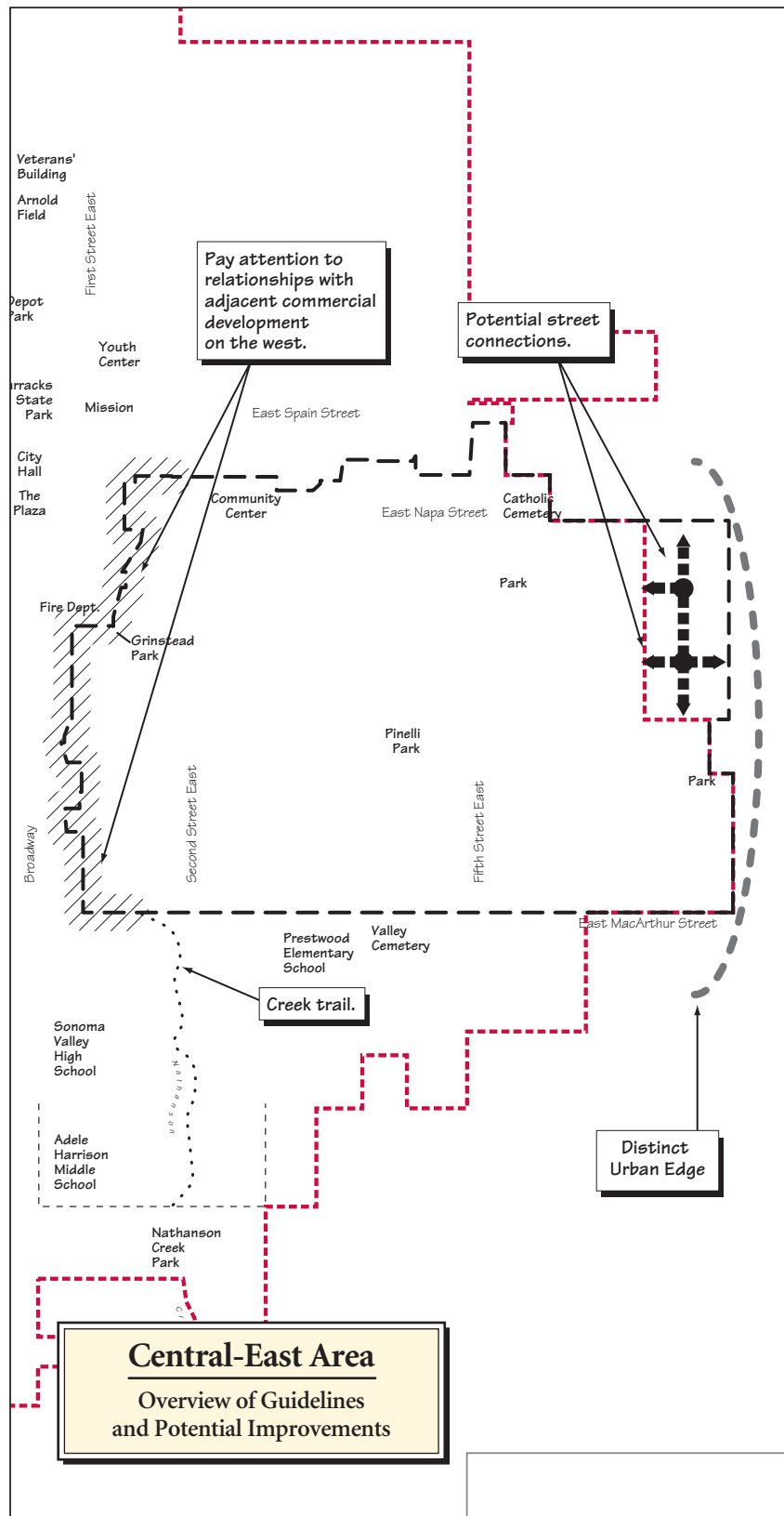
incorporated into project site plans when appropriate if justified by the quality of the feature and its relation to the site.

5. **Screening and buffering.** Multi-family developments shall require screening and buffering of parking and driveway areas, and noise and light sources. See [Chapter 19.46 \(Fences, Hedges and Walls\)](#) and landscape standards and guidelines ([Section 19.40.060](#)).

B. Building design.

1. **Height and profile.** Proposed structures shall not exceed a maximum height of 30 feet. Structures may exceed the height standard by increasing side and rear setbacks by two feet for each additional five feet in height. Second stories must be set back an additional 10 feet from the front setback, and five feet on the sides and rear setbacks. See the following design guidelines, and [Section 19.40.040](#) for height measurement and exceptions.
2. **Building types—Guidelines for residential structures.** Proposed dwellings should be placed on their sites so that most narrow dimension of the structure is parallel to the most narrow dimension of the parcel, and so that the primary entrance to the dwelling faces the public street, or is accessible from a porch or other entry element which faces the street.

- C. **Street and block layout.** It is intended that streets within the Central-East Planning Area will be maintained at their existing width and alignment.



Central-East Area: Summary of Guidelines and Recommendations

Circulation Improvements:

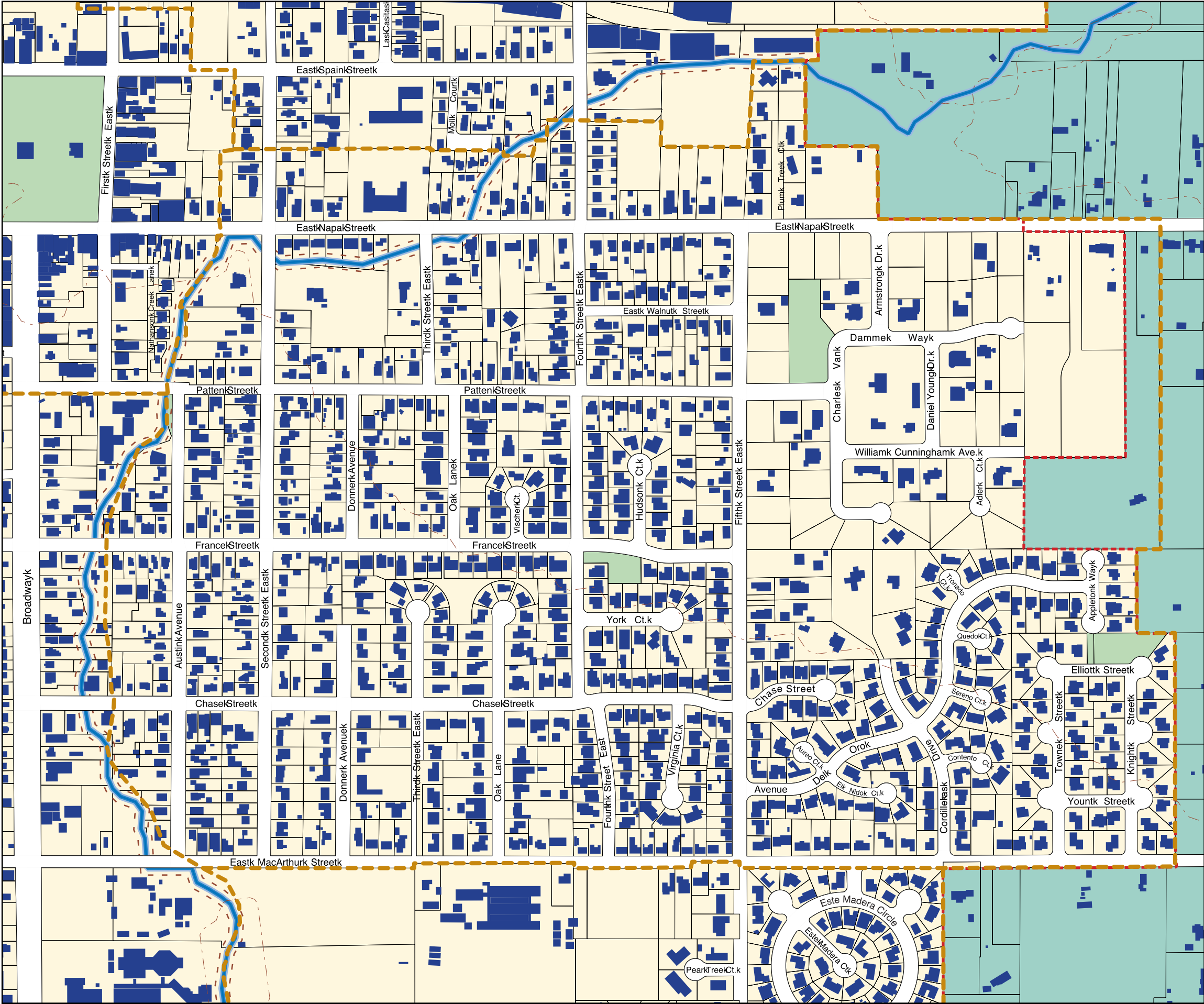
- In order to extend the grid system, Charles Van Damme Way and William Cunningham Way should be extended eastward and Appleton Way should be extended to connect with East Napa Street.
- Although gaps in the sidewalk system should be closed when necessary for pedestrian safety and convenience, unique rural street sections within the Planning Area should be preserved (e.g., Third Street East).

Development Guidelines:

- Significant historic structures should be preserved, restored and re-used.
- Development adjacent to commercial areas on Broadway should include appropriate buffering.
- Residential development immediately adjacent to the sphere of influence should be oriented outward.

Natural Features:

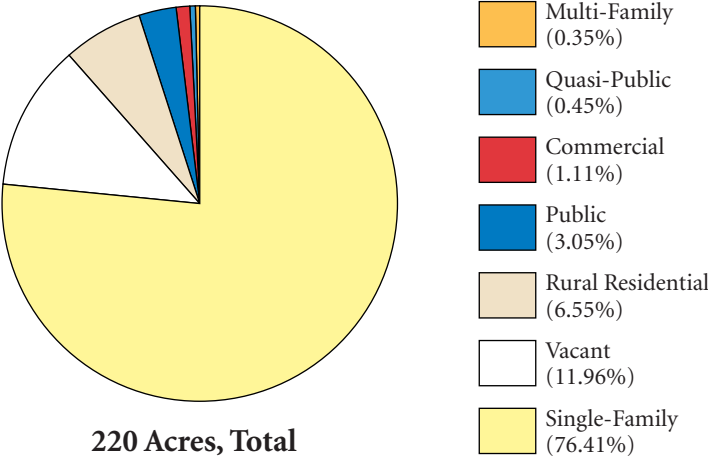
- Building setbacks along Nathanson Creek should be maintained in order to preserve riparian vegetation and prevent flood losses.



SONOMA DEVELOPMENT CODE

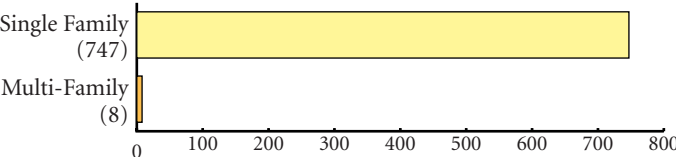
Central-East Area
Overview of Conditions

Land Use
(By % of Total Acreage)



220 Acres, Total

Residential Development

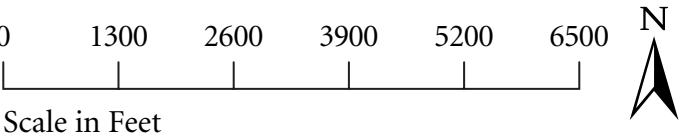


Other Features

- Parks
- 20-foot Contour Interval
- Creek Setback Overlay (approximate)
- Planning Area Boundary
- City Limits

City of Sonoma

Planning, Building, and Public Works



19.22—SOUTHEAST PLANNING AREA

Sections

19.22.010—Existing Conditions, Desired Future, Potential Changes

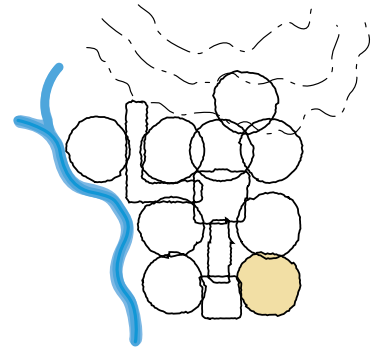
19.22.020—Project Planning and Design

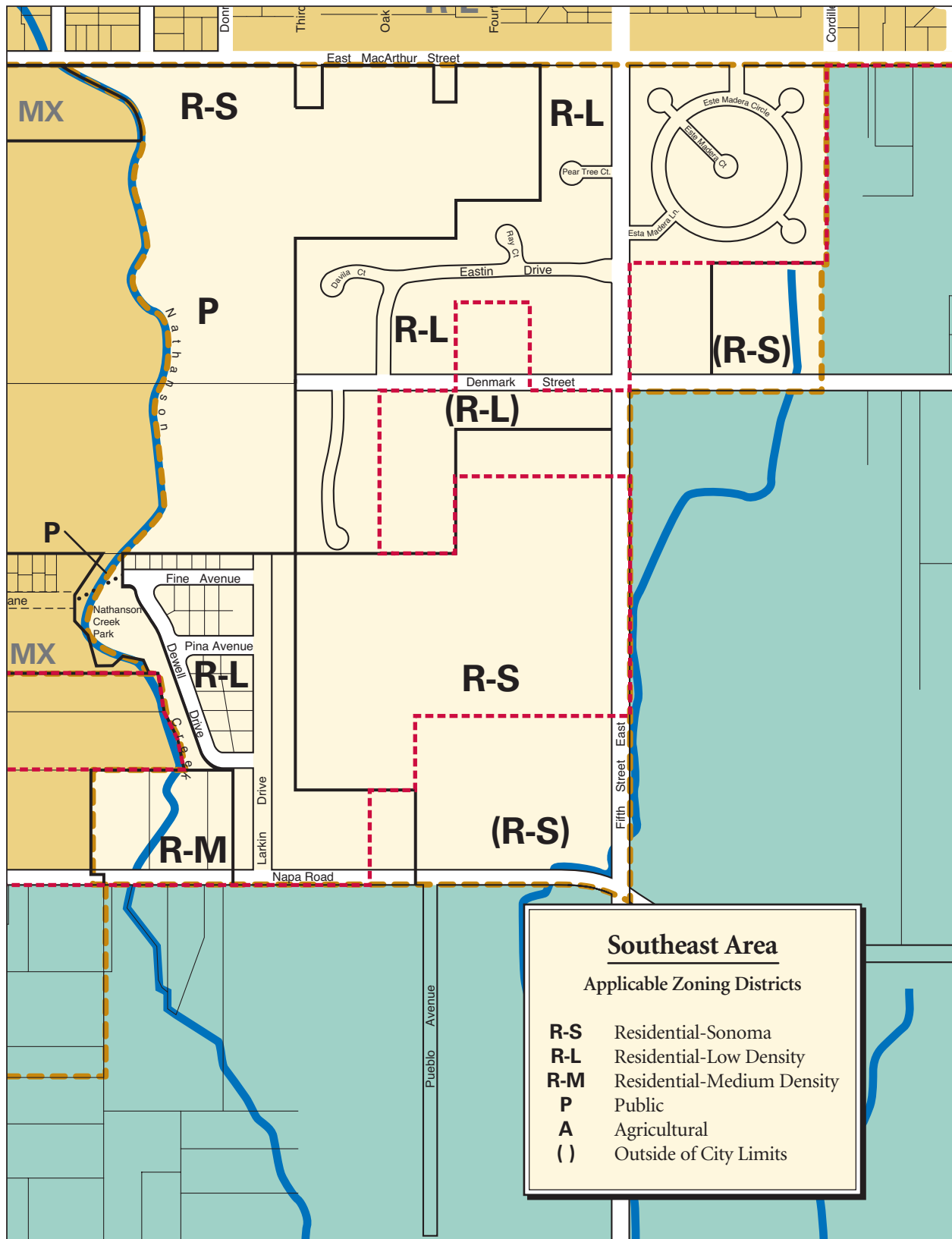
19.22.010—Existing Conditions, Desired Future, Potential Changes

- A. **Existing conditions.** The Southeast area is roughly bounded on three sides by major collector streets, with Nathanson Creek forming the western boundary. The smaller lot sizes and street improvements associated with the single-family subdivisions within the city contrast with the rural lands of the unincorporated sphere of influence, with little transition between the two. The three large single-family subdivisions within city limits are not characterized by any particular street or block pattern, except that all feature curb, gutter, and sidewalk, and none provide, at present, a connection to or continuation of the traditional grid pattern found to the north.

Existing land uses include:

- Low density single-family homes;
 - A large block of vacant or lightly developed Sonoma Residential and Low Density Residential properties in the Sphere of Influence;
 - A creekside neighborhood park;
 - The Sonoma Valley High School and its associated playing fields on the east;
 - A middle school;
 - An elementary school; and,
 - A cemetery.
- B. **Desired future.** The general objectives for this area, as expressed in [Section 19.22.020 \(Project Planning and Design\)](#), are as set forth below. The area along Fifth Street East, between Denmark Street and Napa Road represents the largest block of undeveloped residential land within the sphere of influence. Its development should be based on elements found in traditional Sonoma neighborhoods, including grid streets, a mix of lot sizes, and variation in the size and style of homes. The development of this area should result in a distinct edge to the city, rather than a “feathering” effect, and should connect to adjoining subdivisions.
- C. **Potential changes.** The development of the Sonoma Residential area will allow for additional grid street connections to Fifth Street East, Denmark Street, and, potentially, Napa Road. The extension of curb, gutter and sidewalk, and the undergrounding of drainage will be needed along the east side of Fifth Street East and the north side of Napa Road. In addition, the intersection of





Fifth Street East/Napa Road will ultimately need to be signalized.

The high school expansion and the recently-completed middle school on the property south of the high school have implications for the residential development adjacent to the east. The placement of buildings, playing fields, access and parking should support those neighborhoods, not diminish them. To provide convenient access to playing fields and other facilities on the east side of the creek, an access road (public or private) should be extended to connect Denmark Street with Newcomb Street. Opportunities for creek restoration should be pursued along the bicycle/pedestrian path recently developed on the east side of Nathanson Creek. Connections to this path should be made to the residential areas on the east.

19.22.020—Project Planning and Design

A. *Site planning standards.*

1. **Residential density.** The following residential density and minimum lot size requirements apply to proposed subdivisions and multi-family projects within the Southeast planning area.

Table 3-8
Lot Size and Residential Density Requirements

Zoning District	Number of Dwellings Per Parcel ¹	Minimum Lot Size
R-L (Residential—Low Density)	2 per acre minimum; 5 per acre maximum	7,500 sq. ft.
R-S (Residential—Sonoma)	5 per acre minimum; 8 per acre maximum	5,000 sq. ft.
R-M (Residential—Medium Density)	7 per acre minimum; 11 per acre maximum	5,500 sq. ft.

Notes:

1. Densities do not include density bonus. See [Chapter 19.44](#).

2. **Setbacks, site coverage, and open space.** Proposed development shall be designed and constructed in compliance with the requirements set forth in Tables 3-9 and 3-10, following.
3. **Driveways and parking.** Parking areas for multi-family projects shall be not be located in a front setback, but shall be provided at the rear or along the side of the site. Multi-family parking areas shall be screened from adjacent residential zoning districts and land uses. See [Chapter 19.48 \(Parking and Loading Standards\)](#). Driveways along collec-

Table 3-9
Southeast Area: Infill and Additions

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>		
	R-L	R-S	R-M
Setbacks	Minimum setbacks required for primary structures. See Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.		
Front/ Streetside ¹	<u>New structures on vacant parcels:</u> 20 ft or the same as the average of structures to the street on either side, whichever is greater. ² <u>Additions:</u> 20 ft. <u>Non-conforming replacement structures:</u> The same location as the original structure. ³		15 ft
Side: One-story	7 ft minimum, 18 feet combined.	5 ft minimum, 15 feet combined.	5 ft minimum, 15 feet combined.
Side: Two-story	3 feet for every 5 feet (or fraction thereof) of height above 15 feet, ⁴ in addition to the normal requirement for one story structures.	2 feet for every 5 feet (or fraction thereof) of height above 15 feet, ⁴ in addition to the normal requirement for one story structures.	8 ft minimum on two-story side.
Rear	20 ft		15 ft
Garage: Front	20 ft from the front of the primary structure.	20 ft from the front of the primary structure.	20 ft from the front of the primary structure.
F.A.R./ Coverage	Floor Area Ratio : Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages (up to 400 square feet), and underground parking. Coverage : Maximum site coverage as a percentage of site area, excluding porches and detached garages.		
F.A.R.	0.35	0.35	0.50
Coverage	40%	40%	60%
Open Space	See Section 19.40.070 for design requirements.		
Residential: Common	N.A.	500 sq. ft. per unit, any combination of shared or private.	300 sq. ft. per unit, any combination of shared or private.
Residential: Private	N.A.		
Height	Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.		
Primary Structure	30 ft.	30 ft.	30 ft.

Notes:

1. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).
2. Where averaging adjacent structures results in a setback of greater than 30 feet, a 30 foot setback shall be allowed.
3. A non-conforming replacement structure shall not exceed 10% of the height or area of the original structure, unless a use permit is obtained.
4. Measured at building wall, not ridge.

Table 3-10
Southeast Area: New Subdivisions of 5+ Lots

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>		
	R-L	R-S	R-M
Setbacks	Minimum setbacks required for primary structures. See Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.		
Front/ Streetside ¹	A variety of setbacks, to the extent compatible with neighborhood conditions, shall normally be required at the discretion of the Planning Commission. An average setback of 20 feet shall be maintained.		15 ft
Side: One-story	7 ft minimum, 18 feet combined.	As approved by the Planning Commission, except that in no case shall a setback of less than 3 ft. be allowed.	5 ft minimum, 15 feet combined.
Side: Two-story	3 feet for every 5 feet (or fraction thereof) of height above 15 feet, ² in addition to the normal requirement for one story structures.		8 ft minimum on two-story side.
Rear	20 ft		15 ft
Garage: Front	20 ft from the front of the primary structure.	20 ft from the front of the primary structure.	20 ft from the front of the primary structure.
F.A.R./ Coverage	<i>Floor Area Ratio: Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages (up to 400 square feet), and underground parking. Coverage: Maximum site coverage as a percentage of site area, excluding porches and detached garages.</i>		
F.A.R.	0.35	0.35	0.50
Coverage	40%	40%	60%
Open Space	See Section 19.40.070 for design requirements.		
Residential: Common	N.A.	500 sq. ft. per unit, any combination of shared or private.	300 sq. ft. per unit, any combination of shared or private.
Residential: Private	N.A.		
Height	Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.		
Primary Structure	30 ft.	30 ft.	30 ft.

Notes:

1. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).
2. Measured at building wall, not ridge.

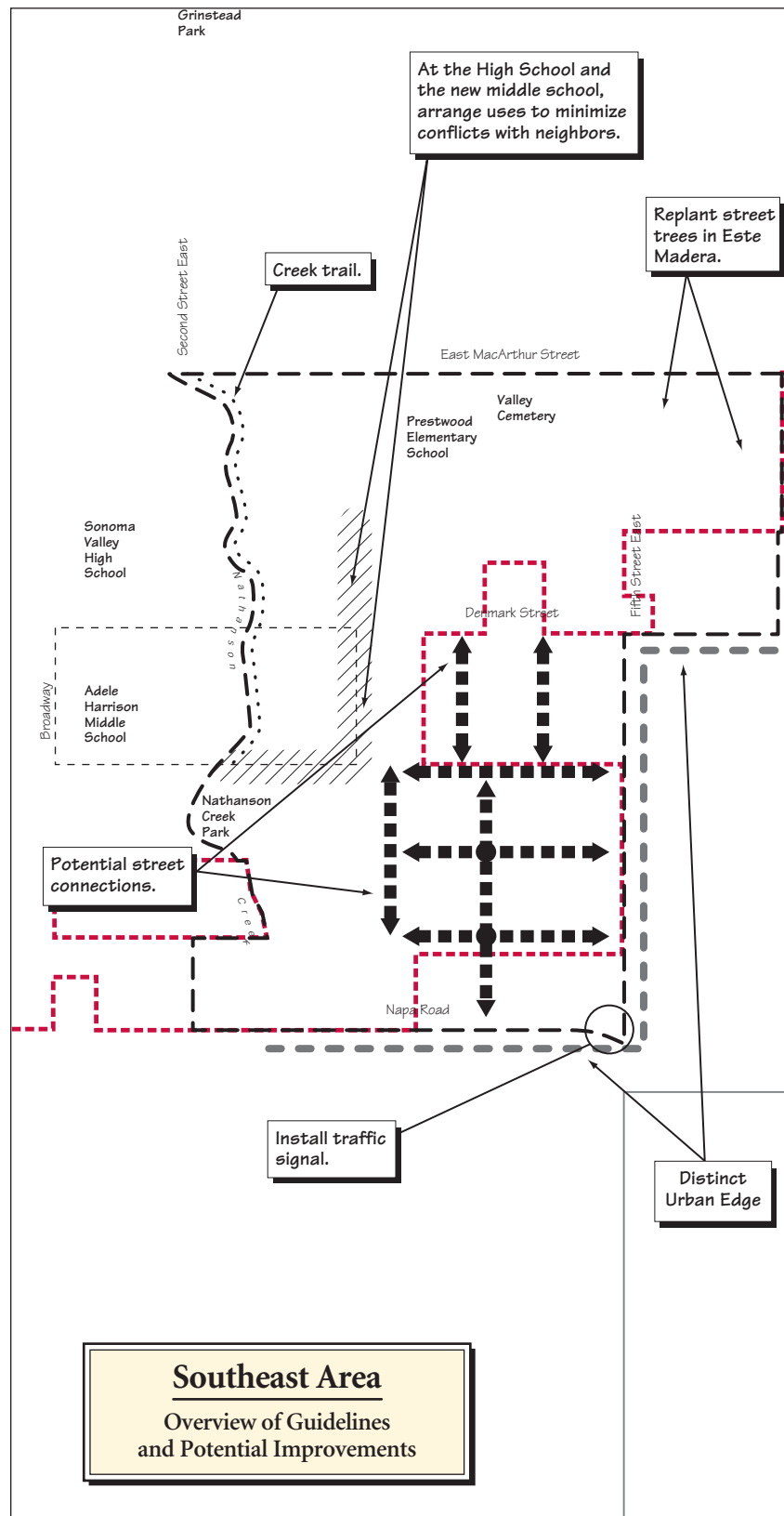
tor streets shall be minimized when possible, by combining driveways, using alleys, or designing development so that access is provided from local streets.

4. **Natural features.** Significant environmental amenities, including Nathanson Creek, related riparian areas, and mature oak trees, shall be preserved by being incorporated into site plan design and layout. Appropriate enhancement or protective measures shall be included in plans where determined necessary by the Planning Commission. See Landscaping standards and design guidelines ([Section 19.40.060](#)), and the Tree Preservation Ordinance for specific tree preservation requirements and guidelines. Environmental features of lesser significance should be incorporated into project site plans when appropriate if justified by the quality of the feature and its relation to the site.
5. **Screening and buffering.** Multi-family developments shall require screening and buffering of parking and driveway areas, and noise and light sources. See [Chapter 19.46 \(Fences, Hedges and Walls\)](#), and Landscape standards and guidelines ([Section 19.40.060](#)).

B. Building design.

1. **Height and profile.** Proposed structures shall not exceed a maximum height of 30 feet. For structures in excess of fifteen feet, side and rear setbacks shall be increased by two feet for each additional five feet in height. See the following design guidelines, and [Section 19.40.040](#) for height measurement and exceptions.
2. **Building types—Guidelines for Residential structures.** Proposed dwellings should be placed on their sites so that the most narrow dimension of the structure is parallel to the most narrow dimension of the parcel, and so that the primary entrance to the dwelling faces the public street, or is accessible from a porch or other entry element which faces the street.

- C. Street and block layout.** It is intended that streets within the Southeast Planning Area will be maintained at their existing width and alignment.



Southeast Area: Summary of Guidelines and Recommendations

Circulation Improvements:

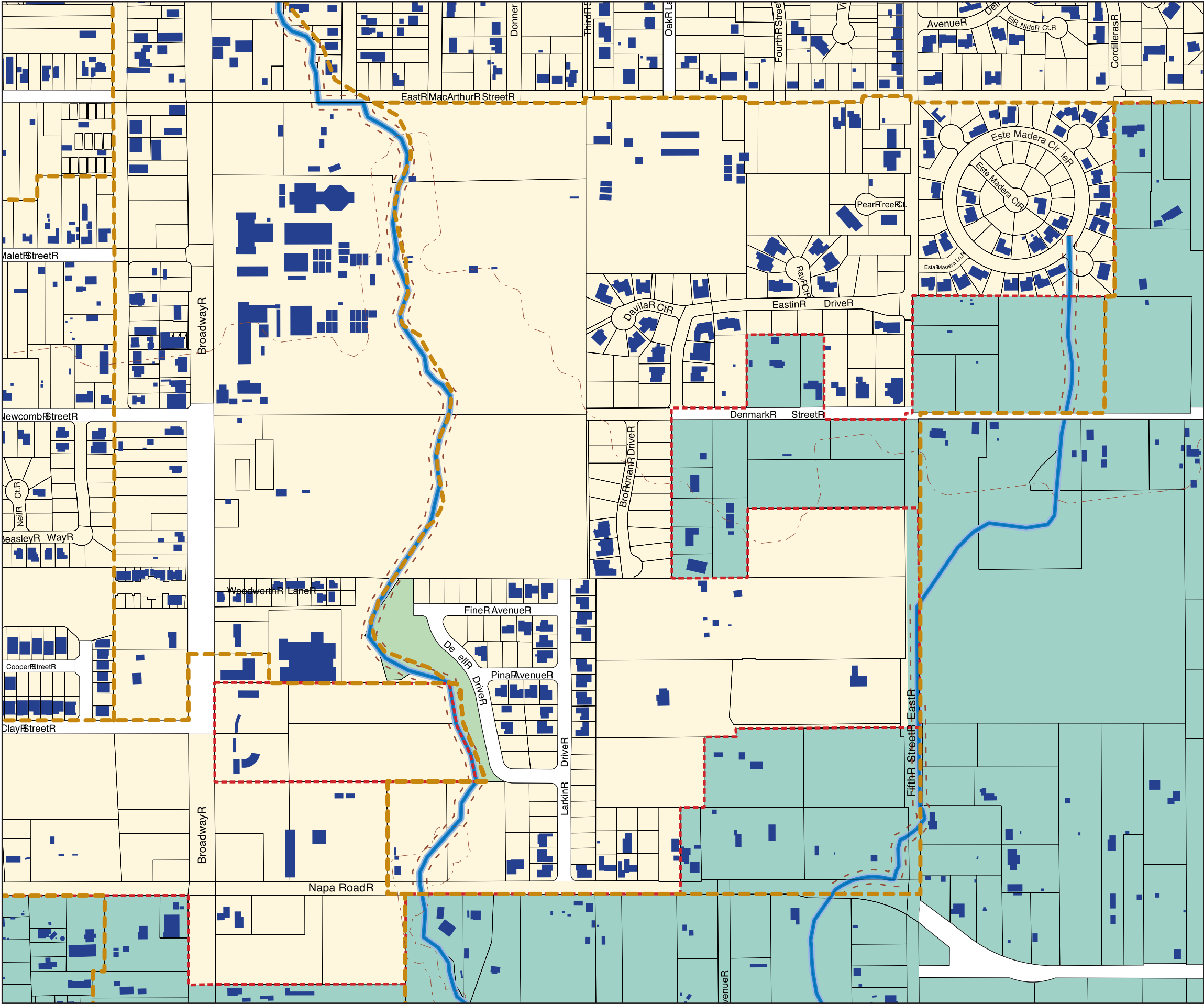
- In order to extend the grid system, street connections should be made from Denmark Street, Fifth Street East, and Napa Road.
- Gary Lane should be preserved as a rural street.
- New streets should implement traffic calming features, as deemed necessary through project review.
- Implement the creekside bike/walking path on the east side of Nathanson Creek. Look for opportunities to make connections to it.

Development Guidelines:

- Residential development immediately adjacent to the sphere of influence should be oriented outward.
- Development adjacent to commercial areas on Broadway should include appropriate buffering.

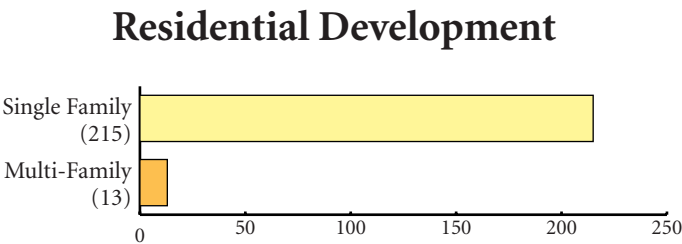
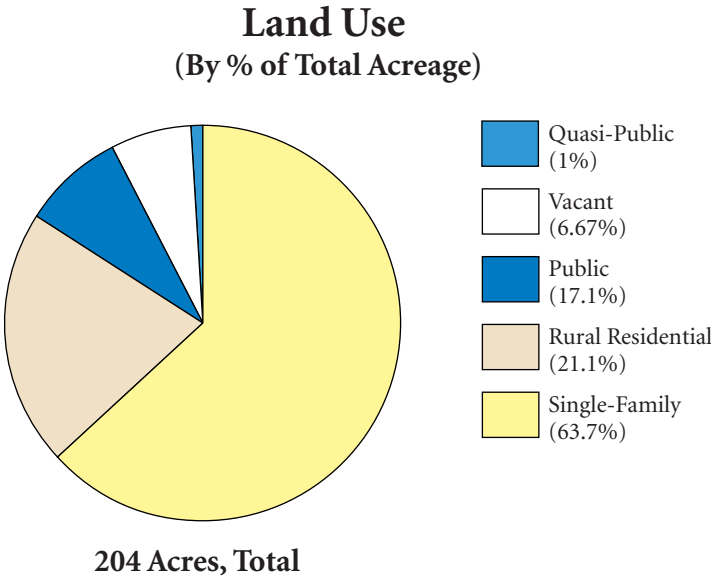
High School/Middle School:

- The high school and the new middle school should be integrated with the surrounding area, not set apart. Parking, fields, lights and buildings should be carefully placed to minimize conflicts with adjacent residences.



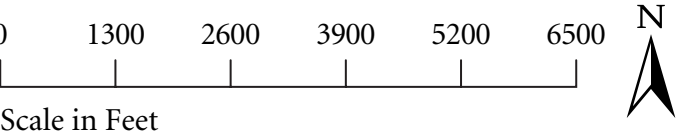
SONOMA DEVELOPMENT CODE

Southeast Area
Overview of Conditions



- Other Features
- Parks
 - 20-foot Contour Interval
 - Creek Setback Overlay (approximate)
 - Planning Area Boundary
 - City Limits

City of Sonoma
Planning, Building, and Public Works



19.24—NORTHWEST PLANNING AREA

Sections

19.24.010—Existing Conditions, Desired Future, Potential Changes

19.24.020—Project Planning and Design

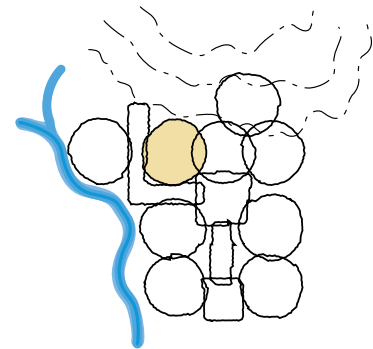
19.24.010—Existing Conditions, Desired Future, Potential Changes

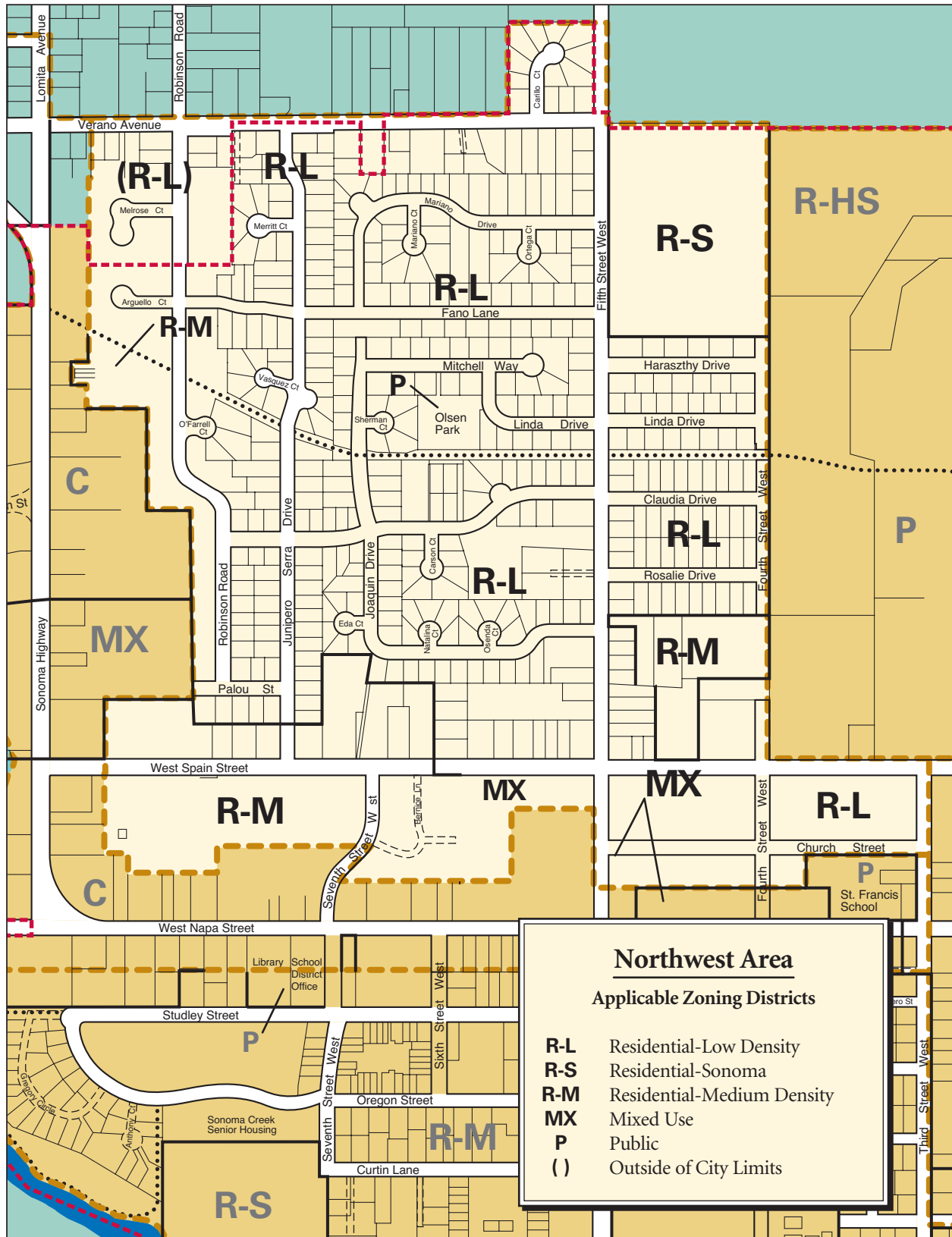
- A. **Existing conditions.** The Northwest planning area is a predominantly residential district bounded by the West Napa Street/Sonoma Highway commercial corridor on the west and south and the Vallejo Home State Park on the east. Verano Avenue forms the northern boundary. A class 1 bike/walking path crosses the planning area, providing local access to Olsen Park, as well as a route to Maxwell Regional Park on the west and the Plaza on the east. In general, residential development within the area is of three types: 1) older tracts of single-family residences on long, narrow blocks arranged in a grid pattern (east of Fifth Street); 2) newer tracts of single-family residences arranged on curvilinear streets and cul-de-sacs (west of Fifth Street); and, 3) multi-family development, in the form of condominiums and P.U.D.s, along West Spain Street.

Existing land uses include:

- Low density single-family homes;
 - Condominiums and Planned Developments;
 - A neighborhood park;
 - A restaurant and a cooking school;
 - A parking area and a small office building associated with the Sonoma Valley shopping center; and,
 - Scattered vacant parcels, some of them as large as 14 acres.
- B. **Desired future.** As expressed in [Section 19.24.020](#), the general objectives for the Northwest Planning Area are as follows: Within the single-family areas, additions and reconstruction will increase the architectural variety of the area, a trend which should be encouraged while preserving the generally small scale of the older tracts and avoiding the over-building of lots. The largest opportunity for new residential development is represented by the Montini property, a 14-acre parcel located at the northwest corner of the planning area, adjacent to the Vallejo Home State Park. Its development should contribute to the character of the area by extending the grid pattern of the older residential blocks to the south, while providing a greater variety of lot sizes and unit types as called for by its Sonoma Residential zoning designation.

New multi-family development along West Spain Street should emulate the good examples in the area by providing generous





street-side setbacks, maintaining low building profiles, and locating parking within the interior or the back of the lot.

- C. **Potential changes.** Views from Fifth Street West of the northern hills lost through the development of the Montini property will be regained by the extension of Fourth Street West and Verano Avenue. While Fourth Street West will also be extended from West Spain Street to connect with Rosalie Drive, no connection will be made across the bike path in order to preserve the safety of the path and to prevent Fourth Street from being used as a shortcut to Sonoma Highway. Pedestrian access to and from Sonoma Market will be improved by closing gaps in the sidewalk system, especially at the intersection of Fifth Street West and West Spain Street. This intersection may ultimately be signalized.

19.24.020—Project Planning and Design

A. *Site planning standards.*

1. **Residential density.** The following density and minimum lot size requirements apply to proposed subdivisions and multi-family projects within the Northwest planning area.

Table 3-11
Lot Size and Residential Density Requirements

Zoning District	Number of Dwellings Per Parcel ¹	Minimum Lot Size
R-L (Residential—Low Density)	2 per acre minimum; 5 per acre maximum	7,500 sq. ft.
R-S (Residential—Sonoma)	3 per acre minimum; 8 per acre maximum	5,500 sq. ft.
R-M (Residential—Medium Density)	7 per acre minimum; 11 per acre maximum	5,000 sq. ft.
MX (Mixed Use)	20 per acre maximum	7,000 sq. ft.

Notes:

1. Densities do not include density bonus. See [Chapter 19.44](#).

2. **Setbacks, site coverage, and open space.** Proposed development shall be designed and constructed in compliance with the requirements set forth in Tables 3-12 and 3-13.

Table 3-12
Northwest Area: Infill and Additions

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>			
	R-L	R-S	R-M	MX
Setbacks	Minimum setbacks required for primary structures. See Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.			
Front/ Streetside ¹	20 ft.	20 ft.	One-story: 15 ft. two-story: 20 ft.	15 ft.
Side: One-story	5 ft minimum, 15 feet combined.	5 ft minimum, 15 feet combined.	5 ft minimum, 15 feet combined.	None required, except when abutting a residential zone, in which case the corresponding setback in the residential zone shall apply.
Side: Two-story	2 feet for every 5 feet (or fraction thereof) of height above 15 feet, ² in addition to the normal requirement for one story structures.		2 feet for every 5 feet (or fraction thereof) of height above 20 feet, ² in addition to the normal requirement for one story structures.	
Rear	20 ft	20 ft	One-story: 15 ft. two-story: 20 ft.	
Garage: Front	5 ft from the front of the primary structure.	20 ft from the front of the primary structure.	20 ft from the front of the primary structure.	N.A.
F.A.R./ Coverage	Floor Area Ratio : Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages, and underground parking. Coverage : Maximum site coverage as a percentage of site area, excluding porches and detached garages.			
F.A.R.	0.35	0.35	0.50	0.70
Coverage	40%	40%	60%	60%
Open Space	See Section 19.40.070 and Section 19.40.080 for design requirements.			
Commercial	N.A.	N.A.	N.A.	7%-11% of site.
Residential: Common	N.A.	N.A.	300 sq. ft. per unit.	300 sq. ft. per unit, any combination of shared or provate.
Residential: Private	N.A.	N.A.	75-225 sq. ft. per unit.	
Height	Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.			
Primary Structure	30 ft.			

Notes:

1. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).
2. Measured at building wall, not ridge.

Table 3-13
Northwest Area: Subdivisions of 5+ Lots

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>			
	R-L	R-S	R-M	MX
Setbacks	Minimum setbacks required for primary structures. See Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.			
Front/ Streetside ¹	20 ft.	20 ft.	One-story: 15 ft. two-story: 20 ft.	15 ft.
Side: One-story	5 ft minimum, 15 feet combined.	5 ft minimum, 15 feet combined.	5 ft minimum, 15 feet combined.	None required, except when abutting a residential zone, in which case the corresponding setback in the residential zone shall apply.
Side: Two-story	2 feet for every 5 feet (or fraction thereof) of height above 15 feet, ² in addition to the normal requirement for one story structures.		2 feet for every 5 feet (or fraction thereof) of height above 20 feet, ² in addition to the normal requirement for one story structures.	
Rear	20 ft	20 ft	One-story: 15 ft. two-story: 20 ft.	
Garage: Front	5 ft from the front of the primary structure.	20 ft from the front of the primary structure.	20 ft from the front of the primary structure.	N.A.
F.A.R./ Coverage	<i>Floor Area Ratio: Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages, and underground parking. Coverage: Maximum site coverage as a percentage of site area, excluding porches and detached garages.</i>			
F.A.R.	0.35	0.35	0.50	0.70
Coverage	40%	40%	60%	60%
Open Space	See section Section 19.40.070 and Section 19.40.080 for design requirements.			
Commercial	N.A.	N.A.	N.A.	7%-11% of site.
Residential: Common	N.A.	N.A.	300 sq. ft. per unit.	300 sq. ft. per unit, any combination of shared or private.
Residential: Private	N.A.	N.A.	75-225 sq. ft. per unit.	
Height	Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.			
Primary Structure	30 ft.			

Notes:

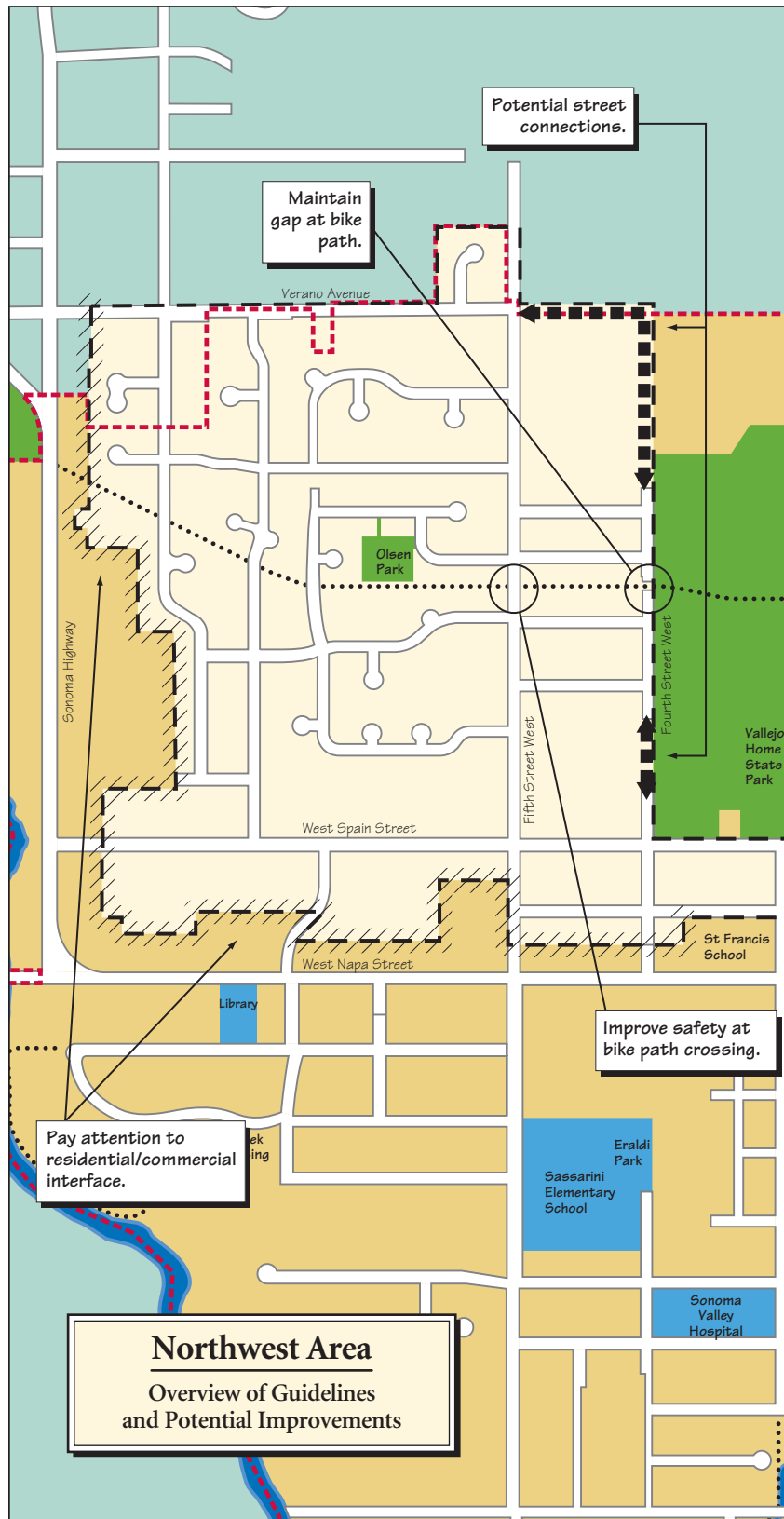
1. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).
2. Measured at building wall, not ridge.

3. **Driveways and parking.** Parking areas for multi-family projects shall be not be located in a front setback, but shall be provided at the rear or along the side of the site. Multi-family parking areas shall be screened from adjacent residential zoning districts and land uses. See [Chapter 19.48 \(Parking and Loading Standards\)](#). Driveways along collector streets (West Spain Street, Fifth Street West, and Verano Avenue) shall be minimized when possible, by combining driveways, using alleys, or designing development so that access is provided from local streets.
4. **Natural features.** Significant environmental amenities, including mature oak trees, shall be preserved by being incorporated into site plan design and layout. Appropriate enhancement or protective measures shall be included in plans where determined necessary by the Planning Commission. See Landscaping ([Section 19.40.060](#)) standards and design guidelines, and the Tree Preservation Ordinance for specific tree preservation requirements and guidelines. Environmental features of lesser significance should incorporated into project site plans when appropriate if justified by the quality of the feature and its relation to the site.
5. **Screening and buffering.** Multi-family developments shall require screening and buffering of parking and driveway areas, and noise and light sources. See [Chapter 19.46 \(Fences, Hedges and Walls\)](#), and Landscape standards and guidelines ([Section 19.40.060](#)).

B. Building design.

1. **Height and profile.** Proposed structures shall not exceed a maximum height of 30 feet. For structures in excess of fifteen feet, side and rear setbacks shall be increased by two feet for each additional five feet in height. See the following design guidelines, and [Section 19.40.040](#) for height measurement and exceptions.
2. **Building types—Guidelines for residential structures.** Proposed dwellings should be placed on their sites so that the most narrow dimension of the structure is parallel to the most narrow dimension of the parcel, and so that the primary entrance to the dwelling faces the public street, or is accessible from a porch or other entry element which faces the street.

C. Street and block layout. It is intended that streets within the Northwest Planning Area will be maintained at their existing width and alignment.



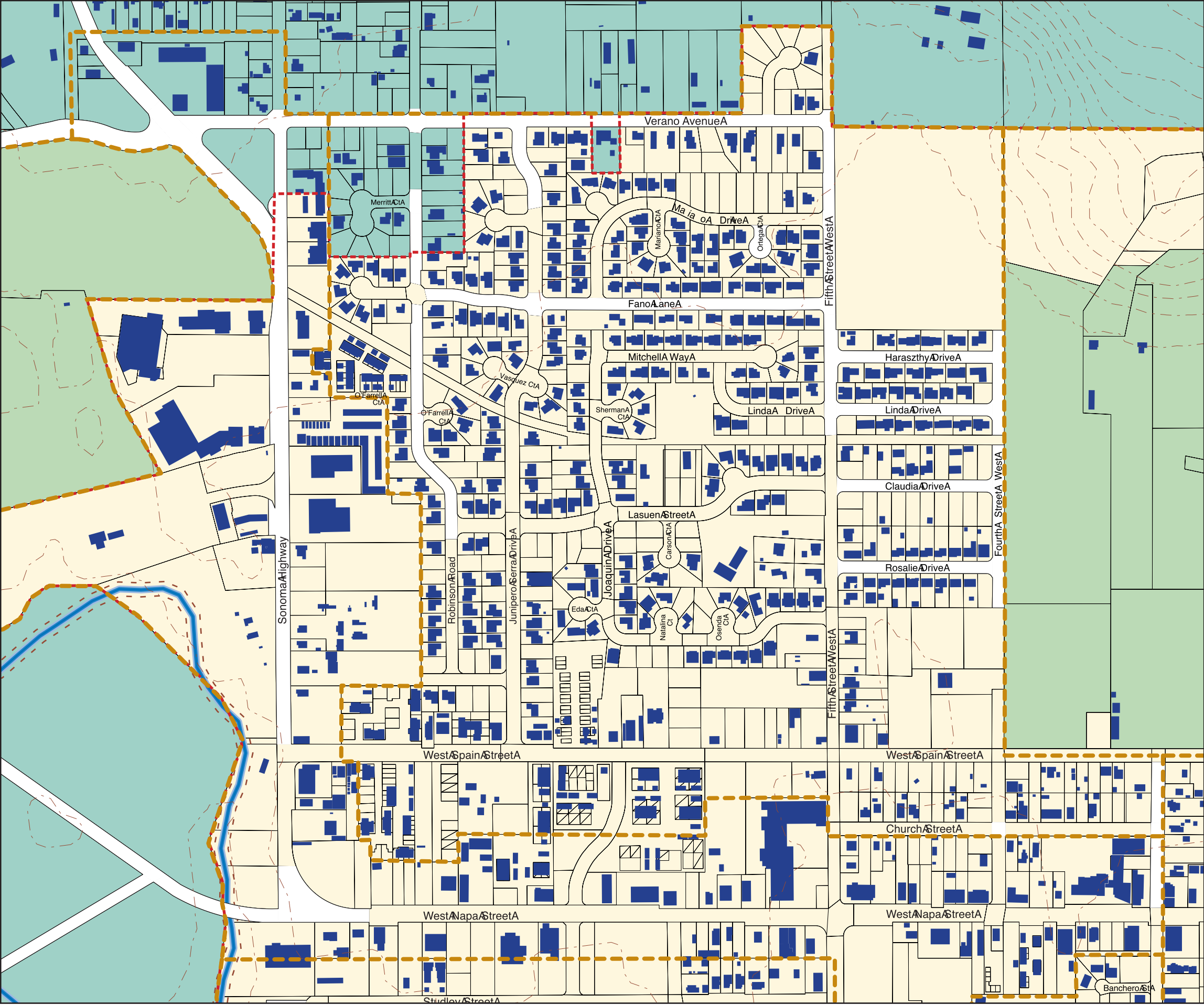
Northwest Area: Summary of Guidelines and Recommendations

Circulation Improvements:

- In order to extend the grid system, Fourth Street West should be extended and, north of the bike path, connected with Verano Avenue. However, in order to preserve the safety of the bike path, the existing gap at the bike path should be retained.
- Close gaps in the sidewalk system, especially along West Spain Street and at the intersection of Fifth Street West and West Spain Street.

Development Guidelines:

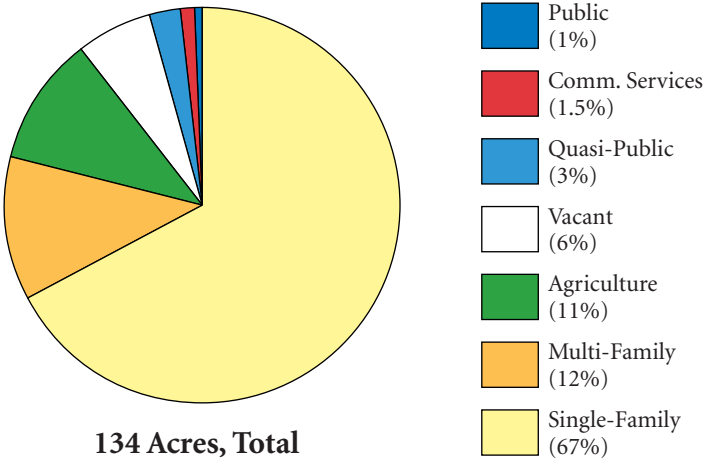
- Residential development immediately adjacent to the hillside edge should be oriented outward.
- Development adjacent to commercial areas on West Napa Street and Sonoma Highway should include appropriate buffering.



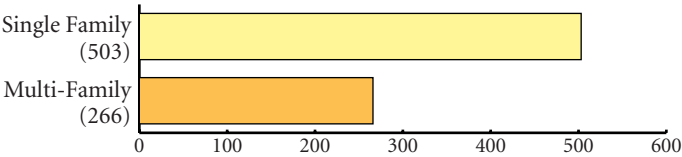
SONOMA DEVELOPMENT CODE

Northwest Area
Overview of Conditions

Land Use
(By % of Total Acreage)



Residential Development

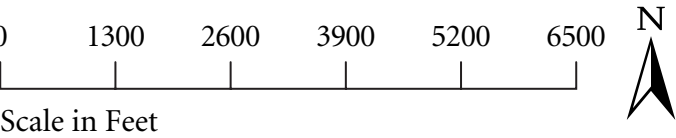


Other Features

- Parks
- 20-foot Contour Interval
- Creek Setback Overlay (approximate)
- Planning Area Boundary
- City Limits

City of Sonoma

Planning, Building, and Public Works



19.26—CENTRAL-WEST PLANNING AREA

Sections

19.26.010—Existing Conditions, Desired Future, Potential Changes

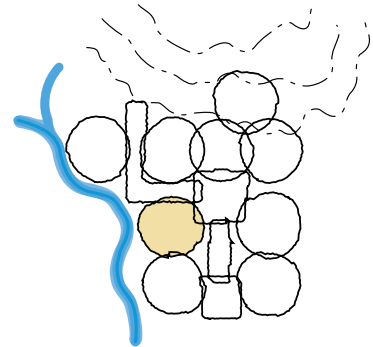
19.26.020—Project Planning and Design

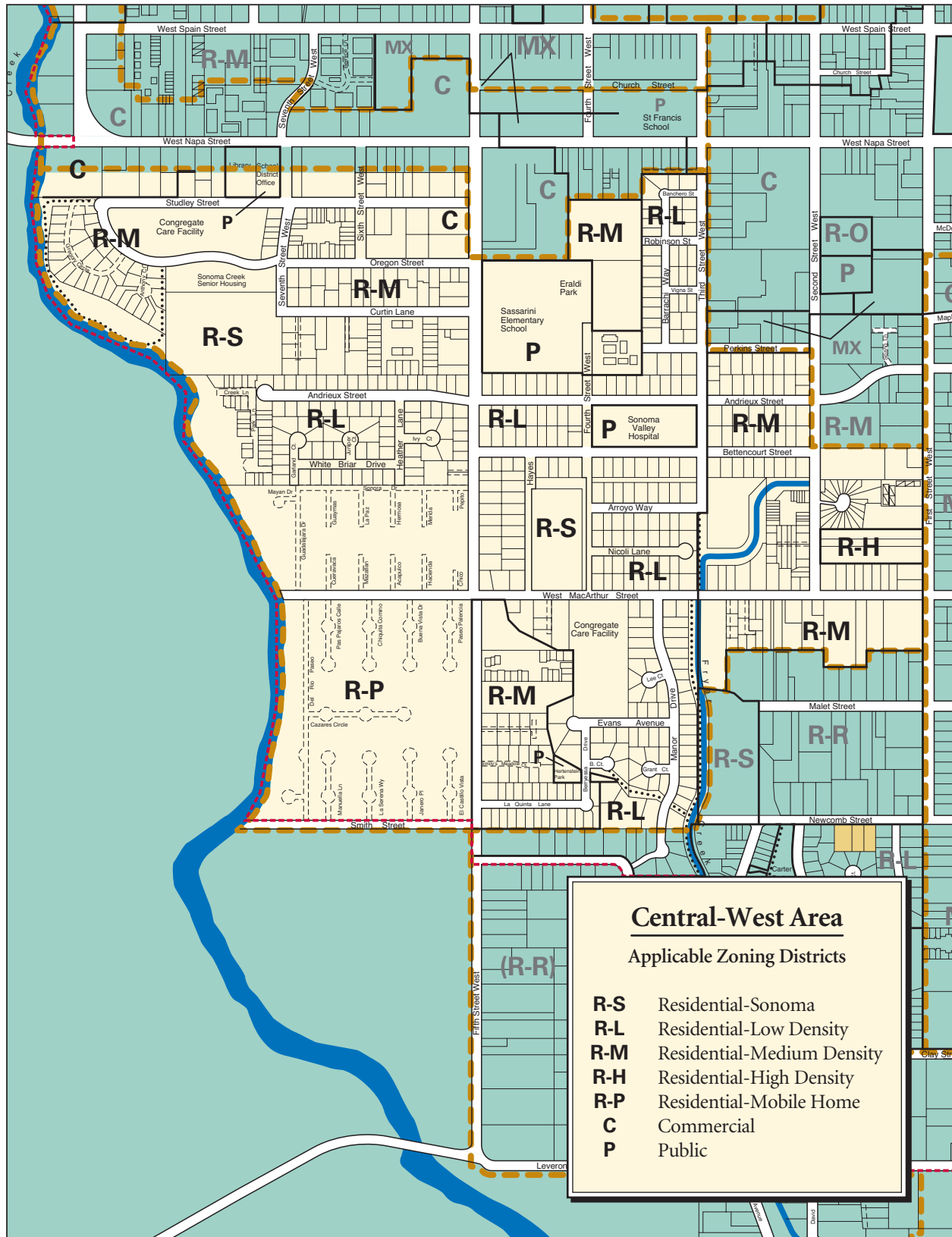
19.26.010—Existing Conditions, Desired Future, Potential Changes

- A. **Existing conditions.** The Central-West planning area is large, at 297 acres, and contains a variety of housing types, including low density single-family, mobile home parks, duplexes and four-plexes, as well as large-scale multi-family developments. Sonoma Creek, on the west, represents the area's most distinct boundary. The West Napa/Sonoma Highway commercial corridor lies to the north, the Downtown district and Broadway to the east, and rural development within the Southwest planning area to the south. The development of this area is recent in terms of the city's overall history, with the oldest tracts dating back to the 1950's. Within single-family areas, front setbacks tend to be quite consistent (20 ft, usually), less so in the multi-family sections. Most of the streets are developed with monolithic sidewalks rather than planter strips. The major streets within the Central-West area form a grid, continued by some local streets and ignored by others.

Existing land uses include:

- Low density single-family homes;
 - Two mobile home parks;
 - Multi-family development, including duplexes, triplexes and fourplexes, condominiums, and apartments;
 - Two congregate care facilities.
 - A neighborhood park (Hertenstein Park);
 - Sassarini Elementary School;
 - A hospital; and,
 - A small shopping center.
- B. **Desired future.** The general objective for this area, as expressed in [Section 19.26.020](#), is to ensure that new infill developments respect their immediate context. Single-family areas should remain single-family with regular setbacks and development in multi-family areas, while having greater flexibility in site design and massing, should clearly respond to conditions on adjacent parcels. Otherwise, the mini-neighborhoods within the planning area risk losing their distinctiveness. In the development or redevelopment of properties on the edge of the planning area, particularly adjacent to the West Napa Street corridor, uses should be laid out to minimize potential conflicts with adjacent commercial development, while maximizing appropriate connections. In order to preserve the city's largest stock of afford-





able senior housing, the regular maintenance of the mobile home parks' grounds and of the individual coaches should be encouraged.

- C. **Potential changes.** The need for street improvements within the area is limited mainly to traffic calming and pedestrian safety improvements, such as safety improvements to the bike path crossing on West MacArthur Street. Hayes Street, between Bettencourt Street and West MacArthur Street will ultimately be improved to a full width as adjoining properties develop. In the long term, intersection improvements may be needed at Fifth Street West/Andrieux Street and Fifth Street West/West MacArthur Street. Although a significant environmental feature, Sonoma Creek is largely inaccessible within the planning area, but a bike/pedestrian connection has been developed along it between Oregon Street and Napa Road. The Fryer Creek bike/walking path should be extended, if possible, to connect with Second Street West. Throughout the planning area, gaps in the sidewalks and in street tree plantings need to be filled.

19.26.020—Project Planning and Design

A. *Site planning standards.*

1. **Residential density.** The following residential densities and minimum lot sizes apply to new subdivisions within different zoning districts in the Central-West planning area.

Table 3-14
Lot Size and Residential Density Requirements

Zoning District	Number of Dwellings Per Parcel ¹	Minimum Lot Size
R-L (Residential—Low Density)	2 per acre minimum; 5 per acre maximum	7,500 sq. ft.
R-S (Residential—Sonoma)	3 per acre minimum; 8 per acre maximum	5,000 sq. ft.
R-P (Residential—Mobile Home Park)	7 per acre maximum	10 acres
R-M (Residential—Medium Density)	7 per acre minimum; 11 per acre maximum	4,500 sq. ft.
R-H (Residential—High Density)	15 per acre maximum	3,500 sq. ft.
C (Commercial)	20 per acre maximum	10,000 sq. ft.

Notes:

1. Densities do not include density bonus. See [Chapter 19.44](#).

Table 3-15
Central-West Area: Infill and Additions

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>					
	R-P	R-L	R-S	R-M	R-H	C
Setbacks	Minimum setbacks required for primary structures. See Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.					
Front/ Streetside ¹	20 ft.	20 ft.	20 ft.	One-story: 15 ft. Two-story: 20 ft.	15 ft.	One-story: 15 ft. Two-story: 20 ft.
Side: One-story	10 ft.	5 ft minimum, 15 feet combined.		5 ft minimum, 12 feet combined.		None required, except when abutting a residential zone, in which case the corresponding setback in the residential zone shall apply.
Side: Two-story	20 ft.	2 feet for every 5 feet (or fraction thereof) of height above 15 feet, ² in addition to the normal requirement for one story structures.		2 feet for every 5 feet (or fraction thereof) of height above 15 feet, ² in addition to the normal requirement for one story structures.		
Rear	20 ft	20 ft	20 ft.	One-story: 15 ft. Two-story: 20 ft.	One-story: 12 ft. Two-story: 15 ft.	
Garage: Front	N.A.	5 ft from the front of the primary structure.	20 ft from the front of the primary structure.	20 ft from the front of the primary structure.	20 ft from the front of the primary structure.	N.A.
F.A.R./ Coverage	Floor Area Ratio: Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages, and underground parking. Coverage: Maximum site coverage as a percentage of site area, excluding porches and detached garages.					
F.A.R.	0.30	0.35	0.35	0.45	0.70	0.80
Coverage	35%	40%	40%	50%	60%	60%
Open Space	See Section 19.40.070 for design requirements.					
Commercial	N.A.	N.A.	N.A.	N.A.	N.A.	7%-11%% of site
Residential: Common	N.A.	N.A.	N.A.	300 square feet per unit.	300 square feet per unit.	300 sq. ft. per unit, any combination of shared or private.
Residential: Private	N.A.	N.A.	N.A.	75-225 sq. ft.per unit.	75-225 sq. ft.per unit.	
Height	Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.					
Primary Structure	30 ft.					

Notes:

1. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).
2. Measured at building wall, not ridge.

Table 3-16
Central-West Area: Subdivisions of 5+ Lots

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>			
	R-L	R-S	R-M	R-H
Setbacks	Minimum setbacks required for primary structures. See Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.			
Front/ Streetside ¹	A variety of setbacks, compatible with neighborhood conditions, shall be normal be required at the discretion of the Planning Commission. An average setback of 25 feet shall be maintained.		One-story: 15 ft. Two-story: 20 ft.	15 ft.
Side: One-story	5 ft minimum, 15 feet combined.	As approved by the Planning Commission, except that in no case shall a setback of less than 3 feet be allowed.	5 ft minimum, 12 feet combined.	
Side: Two-story	2 feet for every 5 feet (or fraction thereof) of height above 15 feet, ² in addition to the normal requirement for one story structures.		2 feet for every 5 feet (or fraction thereof) of height above 15 feet, ² in addition to the normal requirement for one story structures.	
Rear	20 ft	20 ft.	One-story: 15 ft. Two-story: 20 ft.	15 ft.
Garage: Front	5 ft from the front of the primary structure.	20 ft from the front of the primary structure.	Parking areas (including carports and garages) should normally be located along the sides and to the rear of a property and should be minimized or avoided in front of buildings.	
F.A.R./ Coverage	<i>Floor Area Ratio: Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages, and underground parking. Coverage: Maximum site coverage as a percentage of site area, excluding porches and detached garages.</i>			
F.A.R.	0.35	0.35	0.45	0.70
Coverage	40%	40%	50%	60%
Open Space	See Section 19.40.070 for design requirements.			
Commercial	N.A.	N.A.	N.A.	N.A.
Residential: Common	N.A.	N.A.	300 sq. ft. per unit.	300 sq. ft. per unit.
Residential: Private	N.A.	N.A.	75-225 sq. ft.per unit.	75-225 sq. ft.per unit.
Height	Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.			
Primary Structure	30 ft.			

Notes:

1. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).
2. Measured at building wall, not ridge.

2. **Setbacks, site coverage, and open space.** Proposed development shall be designed and constructed in compliance with the requirements set forth in Tables 3-15 and 3-16, preceding.
3. **Driveways and parking.** Parking areas for multi-family projects shall be not be located in a front setback, but shall be provided at the rear or along the side of the site. Multi-family parking areas shall be screened from adjacent residential zoning districts and land uses. See [Chapter 19.48 \(Parking and Loading Standards\)](#). Driveways along collector streets (West Spain Street, Fifth Street West, and Verano Avenue) shall be minimized when possible, by combining driveways, using alleys, or designing development so that access is provided from local streets.
4. **Natural features.** Significant environmental amenities, including Sonoma Creek, Fryer Creek, the west fork of Fryer Creek, related riparian areas, and mature oak trees, shall be preserved by being incorporated into site plan design and layout. Appropriate enhancement or protective measures shall be included in plans where determined necessary by the Planning Commission. See landscaping standards and design guidelines ([Section 19.40.060](#)), and the Tree Preservation Ordinance for specific tree preservation requirements and guidelines. Environmental features of lesser significance should incorporated into project site plans when appropriate if justified by the quality of the feature and its relation to the site.
5. **Screening and buffering.** Multi-family developments shall require screening and buffering of parking and driveway areas, and noise and light sources ([Section 19.40.030](#)). See [Chapter 19.46 \(Fences, Hedges and Walls\)](#), and Landscape standards and guidelines ([Section 19.40.060](#)). A masonry wall may required of any new development whose rear yard abuts a commercially-zoned property.

B. Building design.

1. **Height and profile.** Proposed structures shall not exceed a maximum height of 30 feet. For structures in excess of fifteen feet, side and rear setbacks shall be increased by two feet for each additional five feet in height. See the following design guidelines, and [Section 19.40.040](#) for height measurement and exceptions.
2. **Building types—Guidelines for residential structures.** Proposed dwellings should be placed on their sites so that the most narrow dimension of the structure is parallel to the most narrow dimension of the parcel, and so that the primary entrance to the dwelling faces the public street, or is accessible from a porch or other entry element which faces the street.

- C. ***Street and block layout.*** It is intended that streets within the Central-West Planning Area will be maintained at their existing width and alignment.

Central-West Area: Summary of Guidelines and Recommendations

Circulation Improvements:

- Implement safety improvements at the Fifth Street West crossing to Sassarini Elementary School.
- In conjunction with new development, widen Hayes Street and Fourth Street West to full sections.
- Limit and, when possible, avoid commercial traffic and commercial driveway entrances on Studley Street.
- Extend the Fryer Creek bike path to connect with Second Street West.
- Provide pedestrian and bicycle links to commercial centers, such as the Safeway shopping center.

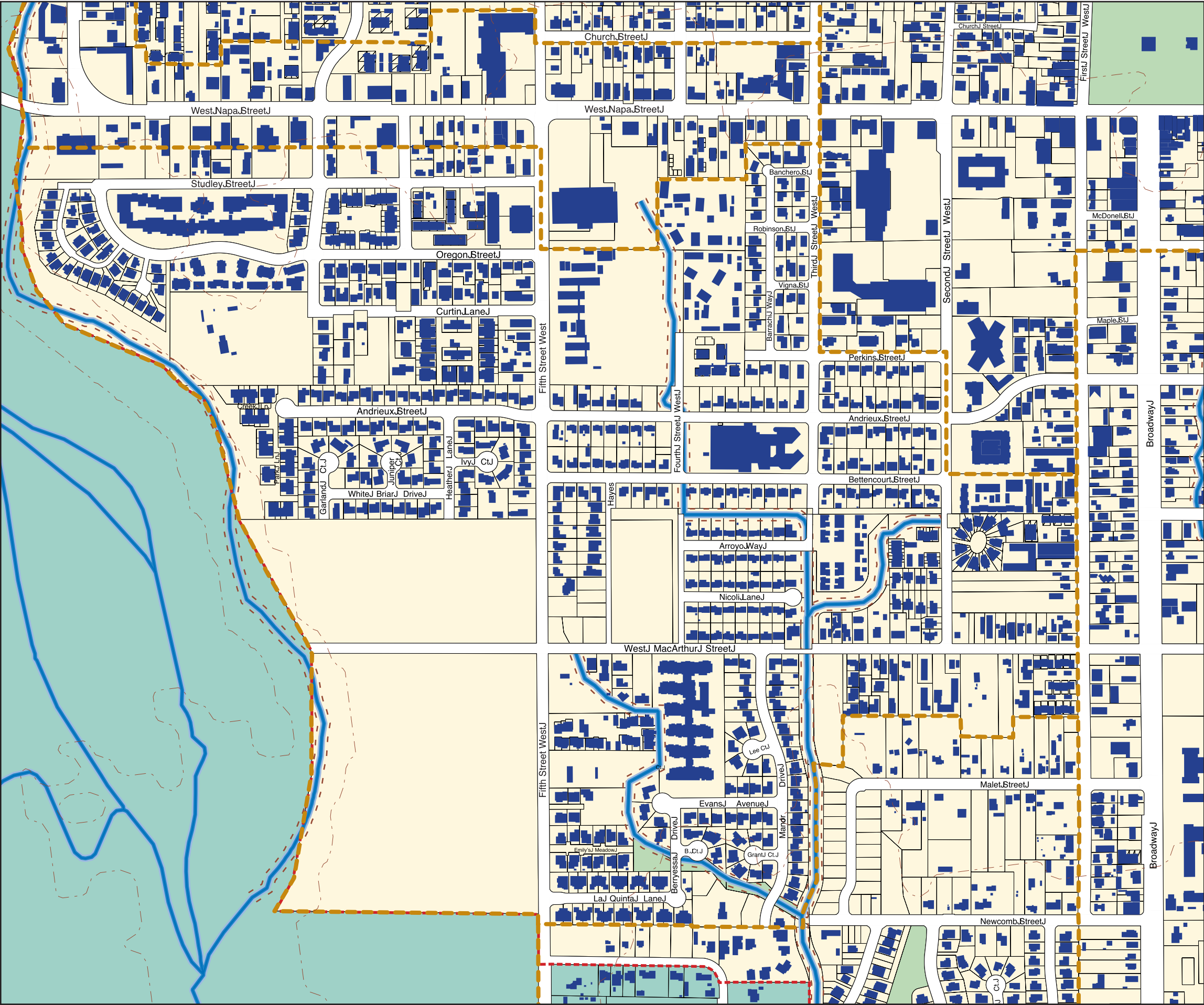
Development Guidelines:

- Significant historic structures should be preserved, restored and re-used.
- Development adjacent to commercial areas on West Napa Street should include appropriate buffering.

Natural Features:

- Building setbacks along the Fryer Creek Channel and the west fork of Fryer Creek should be maintained in order to preserve riparian vegetation and prevent flood losses.

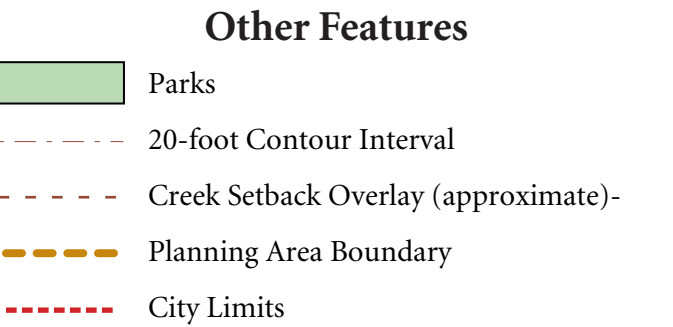
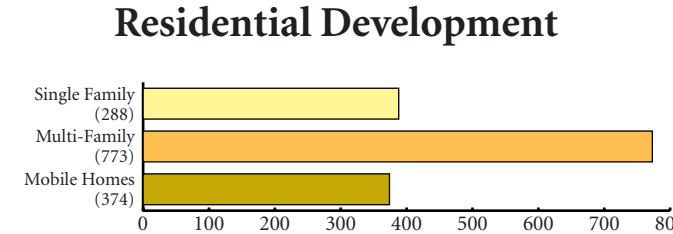
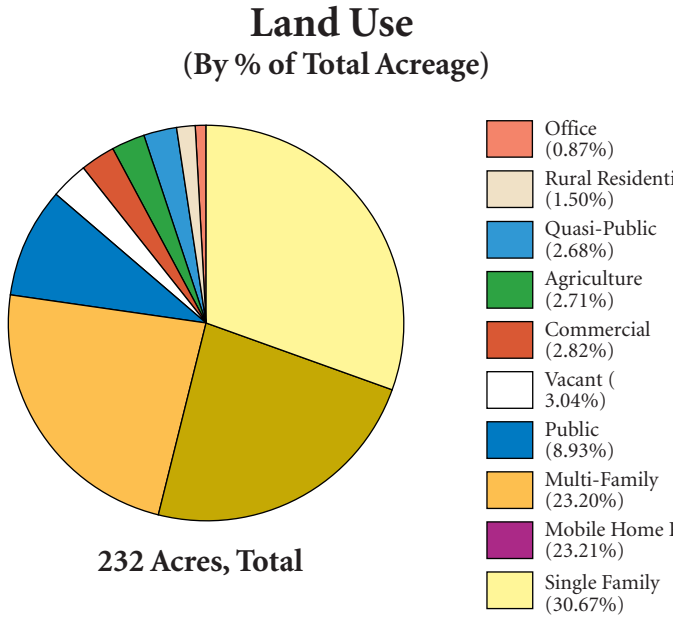




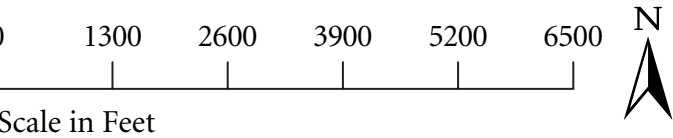
SONOMA DEVELOPMENT CODE

Central-West Area

Overview of Conditions



City of Sonoma
Planning, Building, and Public Works



19.28—SOUTHWEST PLANNING AREA

Sections

19.28.010—Existing Conditions, Desired Future, Potential Changes

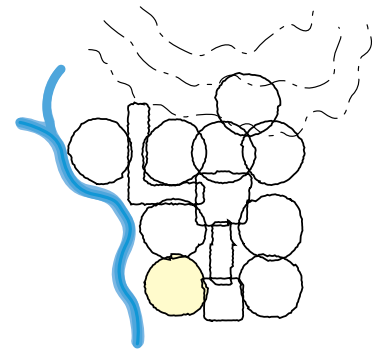
19.28.020—Project Planning and Design

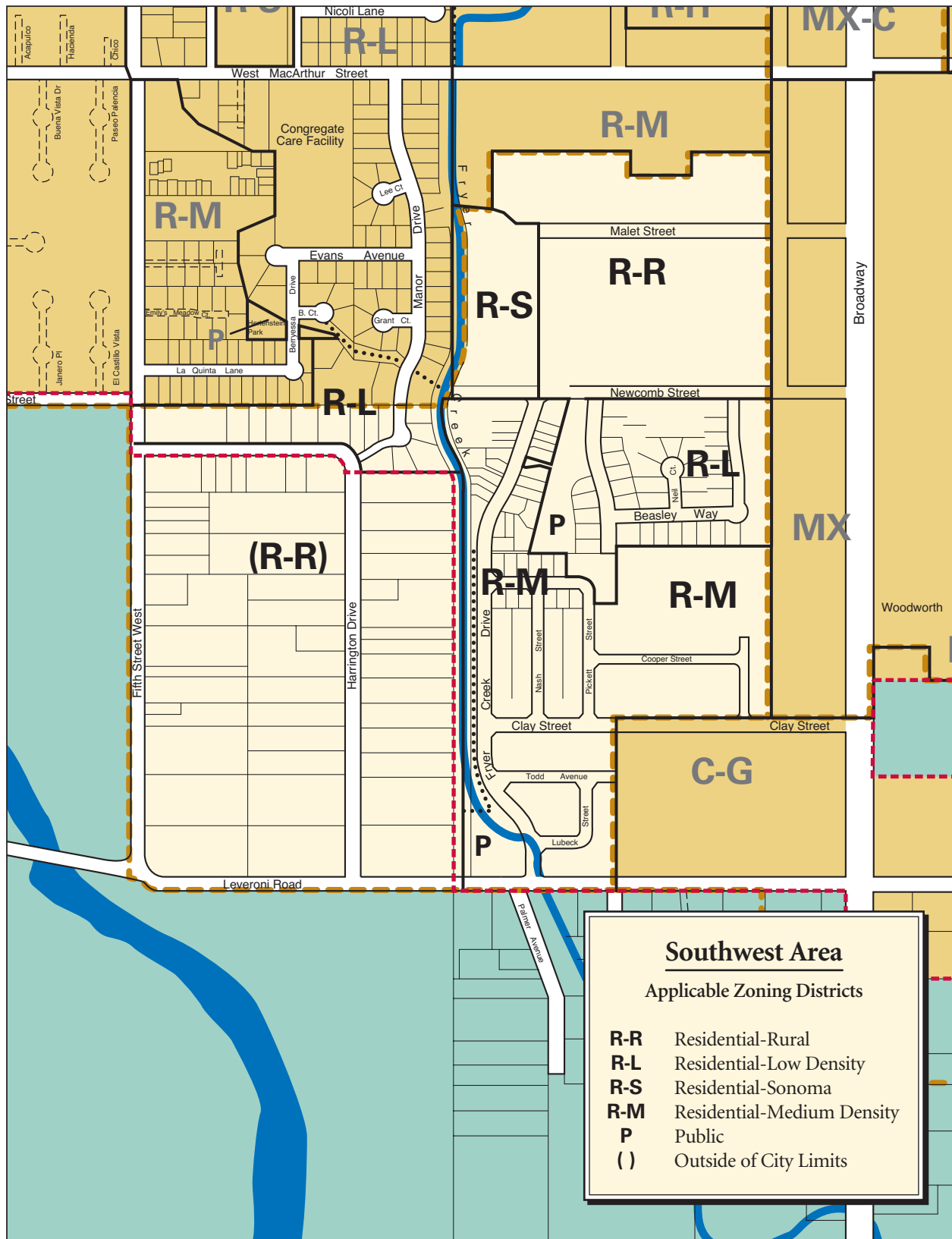
19.28.010—Existing Conditions, Desired Future, Potential Changes

- A. **Existing conditions.** The Southwest planning area, which is entirely residential, is marked by sharp contrasts between rural and urban development. Malet Street and Harrington Drive are rural enclaves, developed mainly with older residences. New residential development includes a single-family tract and a series of higher density tracts featuring detached units on small lots. The Southwest Area is bounded by rural and agricultural lands outside of the City's sphere of influence on the south and west, with the Broadway corridor and the gateway at Four Corners to the east, and urban residential development to the north. The Fryer Creek channel bisects the area. No east-west streets traverse the planning area (with the exception of Leveroni Road), due to the presence of the creek, but there is a bicycle/pedestrian connection at the southern end of the channel. This crossing connects bike/pedestrian pathways which run along either side of the channel, providing access to the two neighborhood parks within the planning area.

Existing land uses include:

- Older, rural density single-family homes;
 - Single-family tract development;
 - Several Planned Developments;
 - Two neighborhood parks and a wetland preserve; and,
 - Scattered vacant parcels, some of them relatively large.
- B. **Desired future.** The general objectives for this area are to preserve the Harrington and Malet Street areas as rural enclaves and to regulate additions and modifications to existing Planned Developments. Over time, the unincorporated areas of Malet Street and Harrington Drive will be annexed to the city so that the residents of those areas may have the benefit of reliable water and sewer service. However, these areas are intended to be preserved as pockets of rural development. New development within these areas and future public improvements should be consistent with that goal. Existing and planned single-family developments within the planning area will inevitably contrast with adjacent rural areas. While the general character of development within these areas will be that of urban density single-family residential, transitional design elements should be used, especially at street connections between urban and rural areas. The Planned Developments within the Southwest Area were designed with little room for change. Additions and renovations





will be greatly restricted due to the small lot sizes and narrow setbacks associated with these developments.

- C. **Intended changes.** Harrington Drive and Malet Street west of First Street West will require some level of upgrading, but street sections should reflect and reinforce the rural qualities of those areas. Elsewhere in the planning area, gaps in the sidewalk system need to be closed and, in the long-term, sidewalks (with planter strips) will probably be extended along Fifth Street West and Leveroni Road. Except for a connection between Newcomb Street and Malet Street and possible improvements to the intersection of Fifth Street West and Leveroni Road, no major street improvements are planned. For health and safety reasons, water and sewer lines will have to be extended along Malet Street and, in the long-term, along Fifth Street West and Leveroni Road.

19.28.020—Project Planning and Design

A. *Site planning standards.*

1. **Residential density.** The following residential densities and minimum lot sizes apply to new subdivisions within the different zoning districts of the Southwest planning area.

Table 3-17
Lot Size and Residential Density Requirements

Zoning District	Number of Dwellings Per Parcel ¹	Minimum Lot Size
R-R (Residential—Rural)	2 per acre maximum	20,000 sq. ft.
R-L (Residential—Low Density)	2 per acre minimum; 5 per acre maximum	7,500 sq. ft.
R-S (Residential—Sonoma)	3 per acre minimum; 8 per acre maximum	7,500 sq. ft.
R-M (Residential—Medium Density)	7 per acre minimum; 11 per acre maximum	6,000 sq. ft.

Notes:

1. Densities do not include density bonus. See [Chapter 19.44](#).

2. **Setbacks, site coverage, and open space.** Proposed development shall be designed and constructed in compliance with the requirements set forth in Table 3-18, following.
3. **Driveways and parking.** Parking areas for multi-family projects shall not be located in a front setback, but shall be provided at the rear or along the side of the site. Multi-fam-

Table 3-18
Southwest Area: Infill, Additions, and Replacement Structures

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>			
	R-R	R-L	R-S	R-M
Setbacks	<i>Minimum setbacks required for primary structures. See Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.</i>			
<i>Front/ Streetside</i> ¹	<u>One-story</u> : 20 ft. <u>Two-story</u> : ² 30 ft.	<u>One-story</u> : 20 ft. <u>Two-story</u> : ² 30 ft.	20 ft.	20 ft.
<i>Side: One-story</i>	15 ft.	15 ft.	5 ft minimum, 12 feet combined.	5 ft minimum, 12 feet combined.
<i>Side: Two-story</i>	15 ft.	15 ft.	2 feet for every 5 feet (or fraction thereof) of height above 15 feet, ² in addition to the normal requirement for one story structures.	
<i>Rear</i>	30 ft	30 ft	20 ft.	20 ft.
<i>Garage: Front</i>	20 ft. from the front of the primary structure.	20 ft. from the front of the primary structure.	5 ft. from the front of the primary structure.	20 ft. from the front of the primary structure.
F.A.R./ Coverage	<i>Floor Area Ratio: Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages, and underground parking. Coverage: Maximum site coverage as a percentage of site area, excluding porches and detached garages.</i>			
<i>F.A.R.</i>	0.20	0.35	0.35	0.45
<i>Coverage</i>	25%	40%	40%	50%
Open Space	<i>See Section 19.40.070 for design requirements.</i>			
<i>Residential: Common</i>	N.A.	N.A.	N.A.	N.A.
<i>Residential: Private</i>	N.A.	N.A.	N.A.	N.A.
Height	<i>Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.</i>			
<i>Primary Structure</i>	30 ft.			

Notes:

1. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).
2. Measured at wall, not ridge.

ily parking areas shall be screened from adjacent residential zoning districts and land uses. See [Chapter 19.48 \(Parking and Loading Standards\)](#). Driveways along collector streets (Fifth Street West, Leveroni Road) shall be minimized when possible, by combining driveways, using alleys, or designing development so that access is provided from local streets.

4. **Natural features.** Significant environmental amenities, including Fryer Creek and associated riparian areas, wetlands, and mature oak trees, shall be preserved by being incorporated into site plan design and layout. Appropriate enhancement or protective measures shall be included in plans where determined necessary by the Planning Commission. See Landscaping standards and design guidelines ([Section 19.40.060](#)), and the Tree Preservation Ordinance for specific tree preservation requirements and guidelines. Environmental features of lesser significance should be incorporated into project site plans when appropriate if justified by the quality of the feature and its relation to the site.
5. **Screening and buffering.** Multi-family developments shall require screening and buffering of parking and driveway areas, and noise and light sources. See [Chapter 19.46 \(Fences, Hedges and Walls\)](#), and landscape standards and guidelines ([Section 19.40.060](#)).

B. Building design.

1. **Height and profile.** Proposed structures shall not exceed a maximum height of 30 feet. For structures in excess of fifteen feet, side and rear setbacks shall be increased by two feet for each additional five feet in height. See the following design guidelines, and [Section 19.40.040](#) for height measurement and exceptions.
2. **Building types—Guidelines for residential structures.** Proposed dwellings should be placed on their sites so that the most narrow dimension of the structure is parallel to the most narrow dimension of the parcel, and so that the primary entrance to the dwelling faces the public street, or is accessible from a porch or other entry element which faces the street.

C. Street and block layout. It is intended that streets within the Southwest Planning Area will be maintained at their existing width and alignment with the following exceptions:

1. **Malet Street.** West of First Street West, Malet Street should be maintained in a rural configuration; however, for safety reasons, it will need to be widened in some areas to provide a consistent two-lane section.
2. **Harrington Drive.** Harrington Drive should be maintained as a rural street, but widening in some areas may be needed to achieve a safe two-lane section.



Southwest Area: Summary of Guidelines and Recommendations

Circulation Improvements:

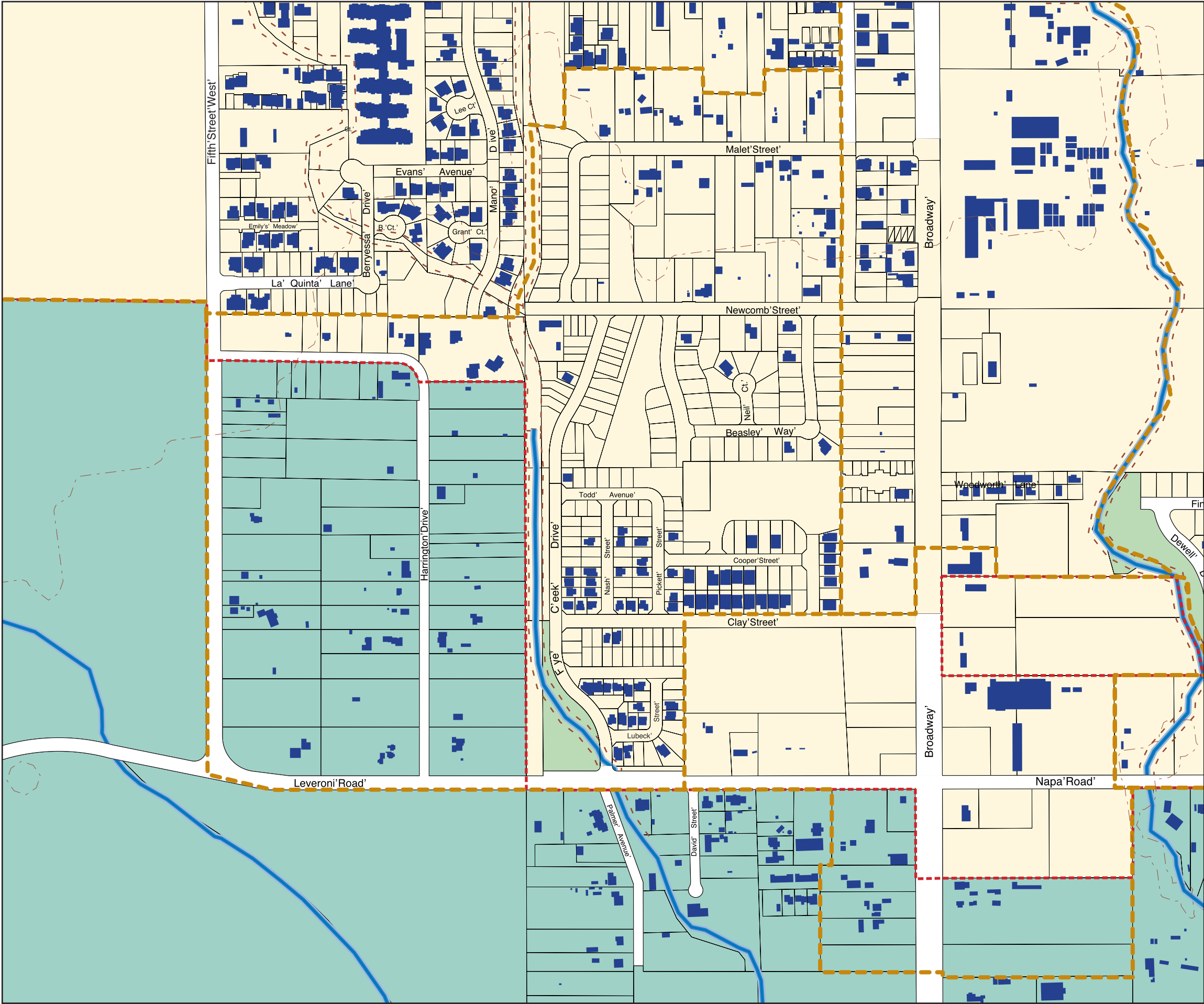
- Improvements to Harrington Drive and Malet Street should retain their character as rural roads.
- Work with the high school to reduce the impacts of student parking and traffic on residential streets within the Planning Area.
- Complete sidewalks on Newcomb Street and First Street West.

Development Guidelines:

- Significant historic structures should be preserved, restored and re-used.
- Development adjacent to commercial areas on First Street West/ Broadway should include appropriate buffering.

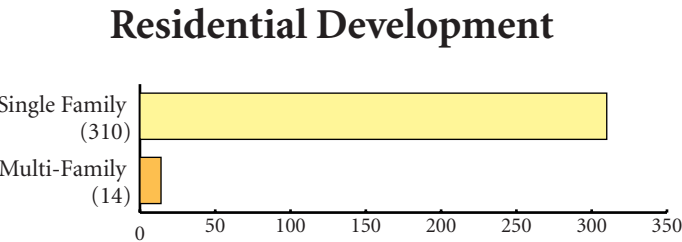
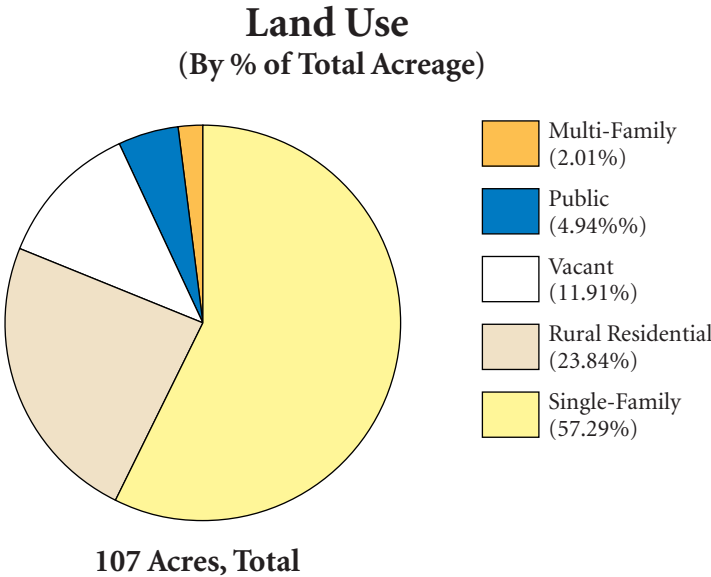
Natural Features:

- Building setbacks along Fryer Creek should be maintained in order to preserve riparian vegetation and prevent flood losses.



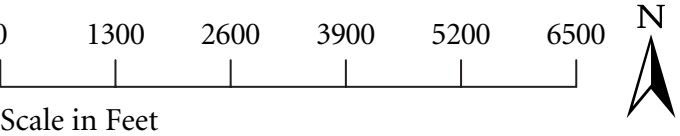
SONOMA DEVELOPMENT CODE

Southwest Area
Overview of Conditions



- Other Features**
- Parks
 - 20-foot Contour Interval
 - Creek Setback Overlay (approximate)
 - Planning Area Boundary
 - City Limits

City of Sonoma
Planning, Building, and Public Works



19.30—GATEWAY DISTRICT

Sections

19.30.010—Existing Conditions, Desired Future, Potential Changes

19.30.020—Project Planning and Design Standards

19.30.010—Existing Conditions, Desired Future, Potential Changes

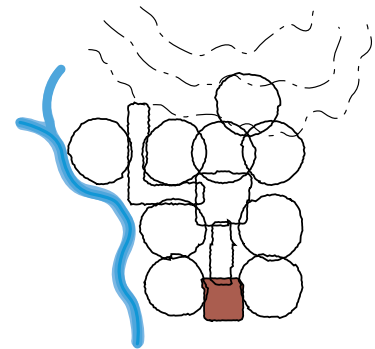
- A. **Existing conditions.** Although the Gateway commercial district encompasses only 59 acres, its future development is crucial to the identity of Sonoma. It forms the southern entrance to the city and marks the division between the rural and agricultural character of the unincorporated area and the urban features of the city. The district is bounded by existing and planned multi-family development to the west and north, rural residential, agricultural, and vacant parcels to the south, and Nathanson Creek to the east. Broadway and Napa/Leveroni Road divide the district into quarters.

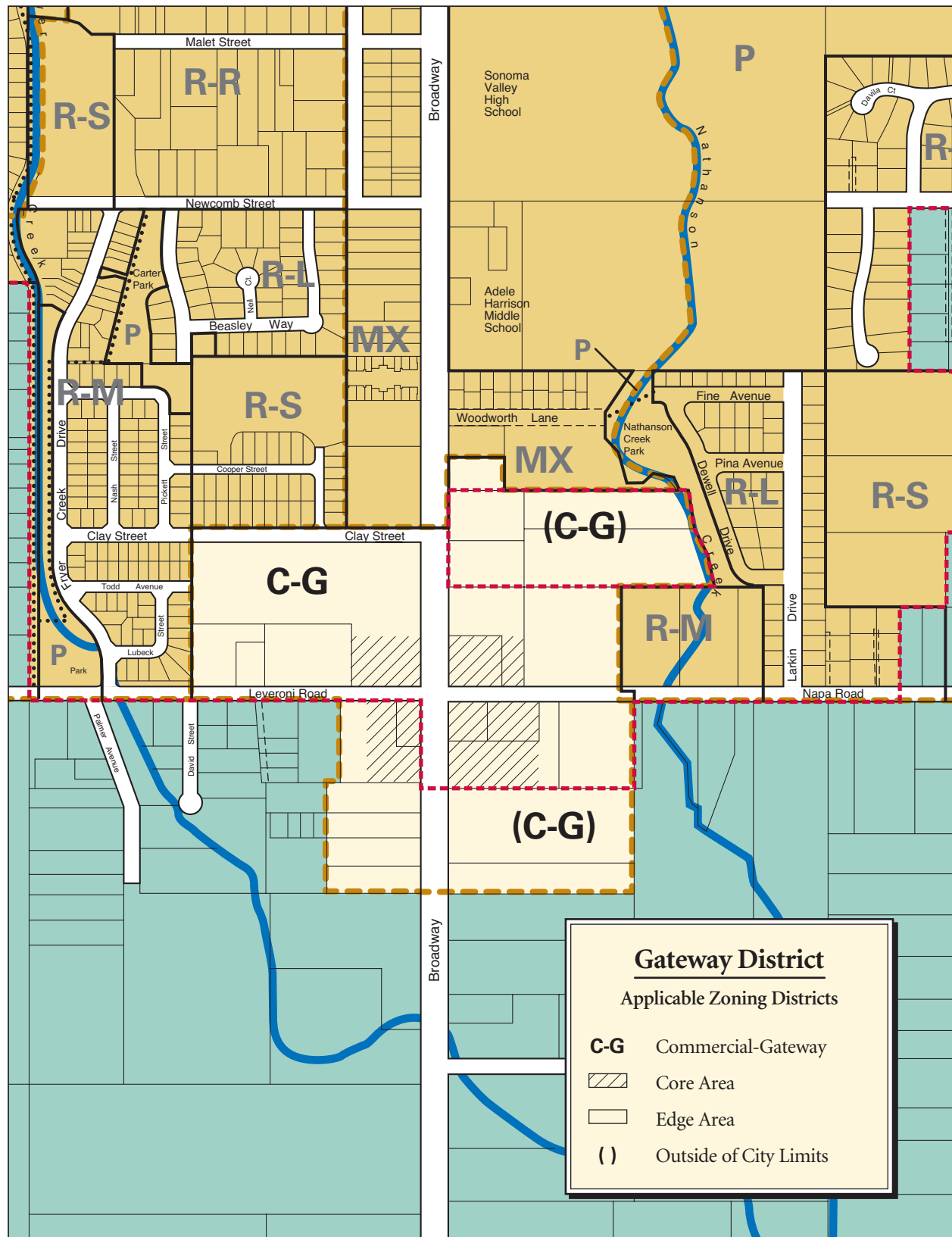
Existing land uses include:

- Single-family homes on large lots;
- A hardware and garden supply center;
- A hotel;
- A local market, and small car repair shop, a furniture store, and a mixed-use building;
- A PG&E substation;
- A vineyard;
- Taintown (a large, landscaped recreation facility); and,
- Vacant parcels, totaling more than 15 acres.

- B. **Desired future.** The Gateway District should provide an attractive and distinctive entrance to Sonoma. In terms of uses, the Gateway district should provide a mix of resident and visitor-serving uses, along with a substantial residential component. The district should complement, not compete with the Plaza, and should provide shopping and service opportunities for existing and future residential development in southern Sonoma. In terms of site planning, architecture, and landscaping, new development and redevelopment should draw from the best examples of Sonoma. Existing local serving uses within the district should be retained and encouraged to upgrade in keeping with the overall goals for the area.

The development of the Gateway District will contrast with the rural and agricultural lands of the unincorporated territory to the south, east and west. Design sensitivity will be needed to make this contrast pleasing rather than jarring. Larger setbacks and lower building heights are appropriate at the edge properties of the district, with smaller setbacks and higher buildings at the core. It is expected that the hotel at the northwest quadrant





of the district will anchor other visitor serving uses and encourage the improvement of other properties in the area.

Pedestrians must be better served—by extending sidewalks with planter strips along major roads, by reducing driveway cuts, and by requiring pedestrian pathways and connections in new development. A street tree planting program should be developed and implemented in conjunction with frontage improvements.

- C. **Potential Changes.** In terms of road improvements, the southernmost segment of Broadway within the Gateway District will ultimately be widened to three lanes. Napa and Leveroni Road may not need to be widened, but shoulder improvements will be necessary in some areas, as well as turn-pockets. The intersection of Broadway and Napa/Leveroni Road will need to be improved with landscaping, sidewalks, and cross-walks.

19.30.020—Project Planning and Design Standards

A. *Site planning standards.*

1. **Residential density.** The following residential densities and minimum lot sizes apply to new subdivisions within the Gateway District..

Table 3-19
Lot Size and Residential Density Requirements

Zoning District	Number of Dwellings Per Parcel ¹	Minimum Lot Size
C-G (Commercial—Gateway)	20 per acre maximum	10,000 sq. ft.

Notes:

1. Densities do not include density bonus. See [Chapter 19.44](#).

2. **Setbacks, site coverage, and open space.** Proposed development shall be designed and constructed in compliance with the requirements set forth in Tables 3-20 and 3-21, following.
3. **Driveways and parking.** Parking areas should located at the rear or along the side of properties and should be discouraged in front of buildings. Parking areas shall be screened from adjacent residential zoning districts and land uses. See [Chapter 19.48 \(Parking and Loading Standards\)](#). Driveways along collector streets (Broadway, Napa Road, Leveroni Road) shall be minimized when possible, by combining driveways, using alleys, or designing development so that access is provided from local streets.

Table 3-20
Gateway District: Additions and Renovations

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>	
	Edge Properties (C-G)	Core Properties (C-G)
Setbacks	<i>Minimum setbacks required for primary structures. See Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.</i>	
<i>Front/ Streetside</i> ¹	20 feet or consistent with existing structure	None required.
<i>Side</i>	None required, except 1) when abutting a residential zone, in which case the corresponding setback in the residential zone shall apply; 2) when abutting the sphere of influence, in which case a 20 ft. setback is required.	None required.
<i>Rear</i>	None required, except when abutting a residential zone or the sphere of influence, in which case a 20 ft. setback is required.	None required.
<i>Parking Areas</i>	Garages shall be set back 20 feet from the main structure. Parking areas should normally be located along the sides and to the rear of a property and should be minimized or avoided in front of buildings. For the expansion or renovation of existing parking areas subject to planning approval, the review authority may require additional landscaping and/or the consolidation of driveway cuts.	
F.A.R./ Coverage	<i>Floor Area Ratio: Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages (up to 400 square feet), and underground parking. Coverage: Maximum site coverage as a percentage of site area, excluding porches and detached garages.</i>	
<i>F.A.R.</i>	0.80	
<i>Coverage</i>	40%	
Open Space	<i>See section Section 19.40.070 and Section 19.40.080 for design requirements.</i>	
<i>Commercial</i>	7%-11% of site.	
<i>Residential</i>	300 square feet per unit (any combination of shared or private).	
Height	<i>Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.</i>	
<i>Primary Structure</i>	30 ft.	35 ft.

Notes:

1. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).

Table 3-21
Gateway District: New Development

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>	
	Edge Properties (C-G)	Core Properties (C-G)
Setbacks	<i>Minimum setbacks required for primary structures. Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.</i>	
<i>Front/ Streetside</i> ¹	Broadway:30 feet Napa/Leveroni:20 feet Interior drives:None required.	None required.
<i>Side</i>	None required, except 1) when abutting a residential zone, in which case the corresponding setback in the residential zone shall apply; 2) when abutting the sphere of influence, in which case a 20 ft. setback is required.	None required.
<i>Rear</i>	None required, except when abutting a residential zone or the sphere of influence, in which case a 20 ft. setback is required.	None required.
<i>Parking Areas</i>	Garages shall be set back 20 feet from the main structure. Parking areas should normally be located along the sides and to the rear of a property and should be minimized or avoided in front of buildings. For the expansion or renovation of existing parking areas subject to planning approval, the review authority may require additional landscaping and/or the consolidation of driveway cuts.	
F.A.R./ Coverage	<i>Floor Area Ratio: Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages (up to 400 square feet), and underground parking. Coverage: Maximum site coverage as a percentage of site area, excluding porches and detached garages.</i>	
<i>F.A.R.</i>	0.80	
<i>Coverage</i>	40%	
Open Space	<i>See Section 19.40.070 and Section 19.40.080 for design requirements.</i>	
<i>Commercial</i>	7%-11% of site.	
<i>Residential</i>	300 square feet per unit (any combination of shared or private).	
Height	<i>Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.</i>	
<i>Primary Structure</i>	30 ft.	35 ft.

Notes:

1. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).

4. **Natural features.** Significant environmental amenities, including Nathanson Creek, related riparian areas, and mature oak trees, shall be preserved by being incorporated into site plan design and layout. Appropriate enhancement or protective measures shall be included in plans where determined necessary by the Planning Commission. See landscaping standards and design guidelines ([Section 19.40.060](#)), and the Tree Preservation Ordinance for specific tree preservation requirements and guidelines. Environmental features of lesser significance should be incorporated into project site plans when appropriate if justified by the quality of the feature and its relation to the site.
5. **Screening and buffering.** Multi-family developments shall require screening and buffering of parking and driveway areas, and noise and light sources. See [Chapter 19.46 \(Fences, Hedges and Walls\)](#) standards and guidelines ([Section 19.40.060](#)).

B. Building design.

1. **Height and profile.** Proposed structures in the core area shall not exceed a maximum height of 35 feet. Outside of the core area the maximum building height shall be 30 feet. See [Section 19.40.040](#) for height measurement and exceptions.
2. **Building types—Guidelines for commercial, mixed-use and multi-family residential structures.** New construction and alterations to existing structures should be designed to establish the Four Corners area as a distinctive gateway to Sonoma. In reviewing proposals for new development and redevelopment, the review authority (the Planning Commission or the Design Review Commission, as applicable) shall make use of the following guidelines:
 - a. Site and building design should enhance the streetscape. Primary building entrances, especially for commercial uses, should be oriented toward the street and accessible from the sidewalk.
 - b. Allow existing uses to remain and, subject to use permit review, to expand or intensify, in conformance with the provisions of this Development Code (see [Chapter 19.82 \(Nonconforming Structures, Uses and Parcels\)](#)).
 - c. Encourage pedestrian connections between developments and to adjoining residential areas.
 - d. Site design and architectural features that contribute to pedestrian comfort and interest, such as awnings, recessed entrances, arcades, courtyards, paseos, alleys, and patios are encouraged.

- e. The massing of larger buildings (5,000 square feet or greater) should be broken down to an appropriate scale through the use of store-fronts and breaks in the facade.
- f. Architectural styles and details traditional to Sonoma should be used. The use of durable, high quality materials is encouraged. Industrial and strip building types and materials (e.g., concrete tilt-up structures) are not appropriate to the Gateway District.
- g. Encourage variety in building design features (e.g., height, articulation, shape, and mass) in order to enhance visual diversity, preserve scenic vistas, and avoid strip-style development.
- h. Building types, architectural details and signs having a generic or corporate appearance are strongly discouraged. Chain stores and franchises are not prohibited in the Gateway District, but such uses must respect and contribute to the importance of the area as the front door to Sonoma.
- i. Development along the sphere of influence should provide a clear and suitable transition to adjacent rural areas in terms of site design, architecture and landscaping. Buildings should take advantage of outward views.
- j. In the core area, promote high-intensity uses and place buildings close to the street (0 to 15 feet). Encourage the use of two-story buildings.

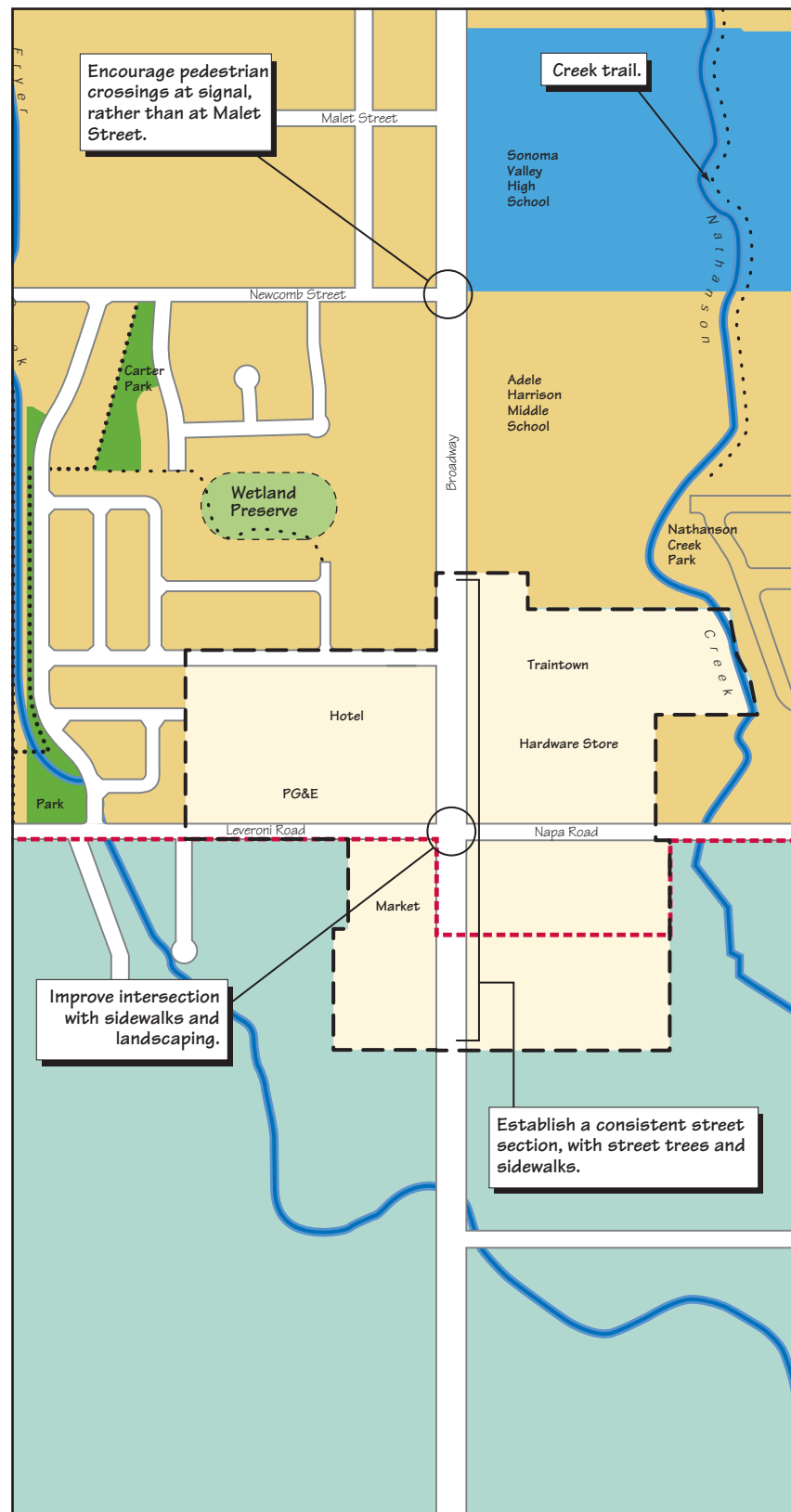
Gateway District: Summary of Guidelines and Recommendations

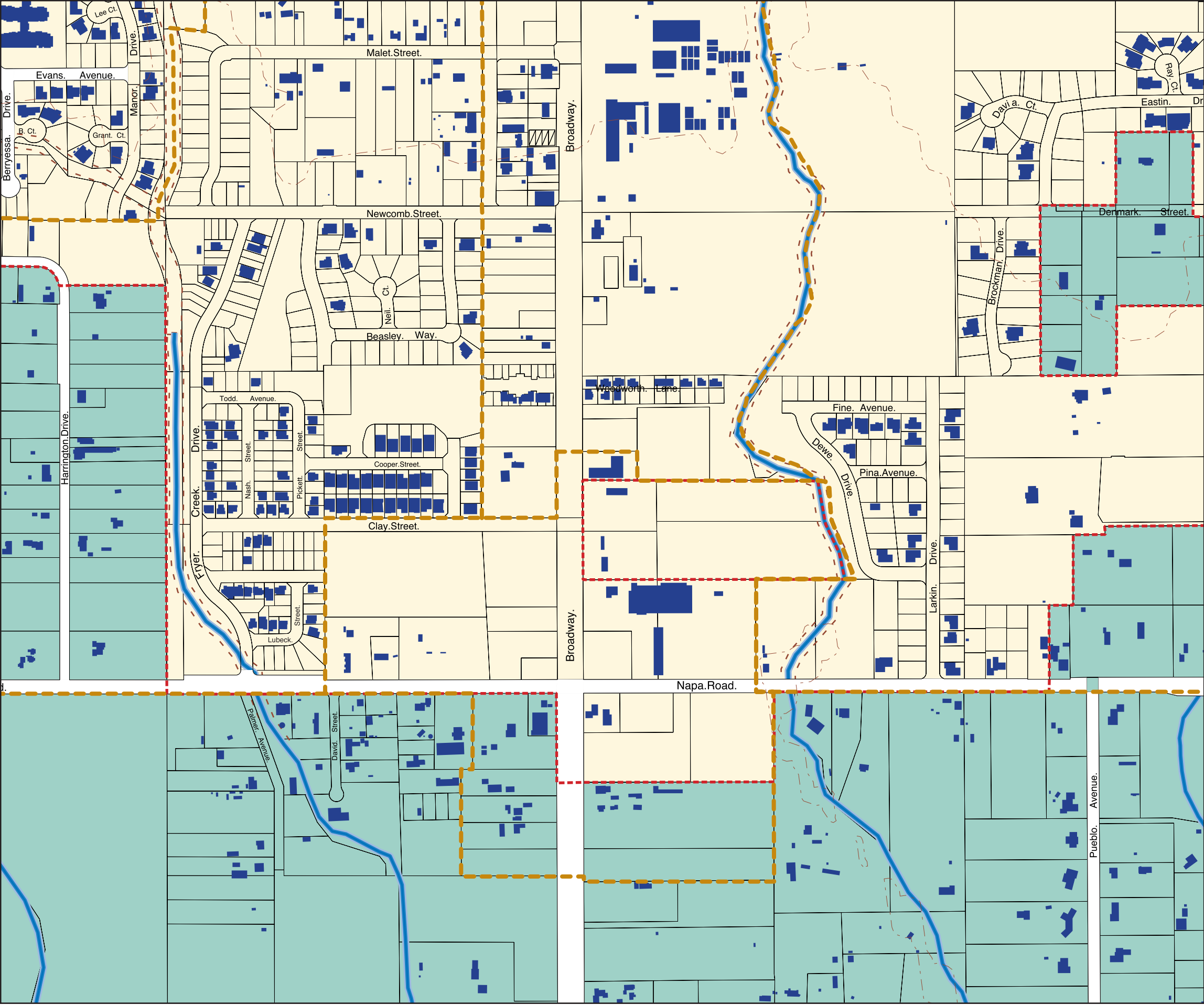
Circulation Improvements:

- Work toward establishing consistent street sections, with curbs, planting strips, sidewalks, and street trees.
- Provide access to interior parcels through the use of grid streets, private lanes, and pathways. Avoid the use of cul-de-sacs.
- Improve street crossings for pedestrians and bicyclists.
- In the redevelopment of existing commercial uses, consolidate driveway cuts and improve street-side landscaping.
- Encourage pedestrian connections between developments and to adjoining residential areas.

Development Guidelines:

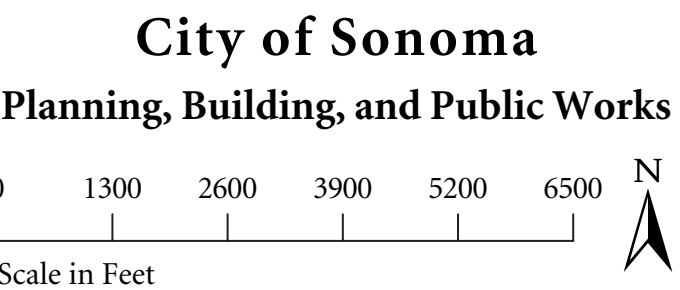
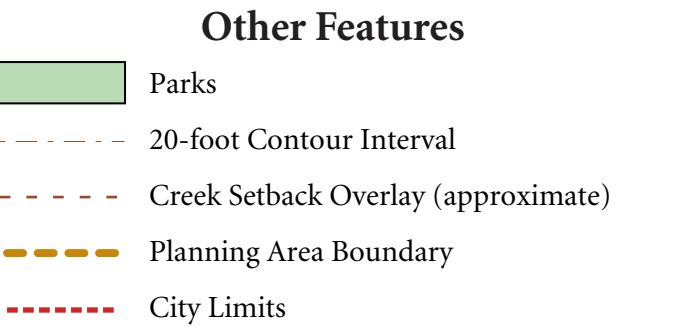
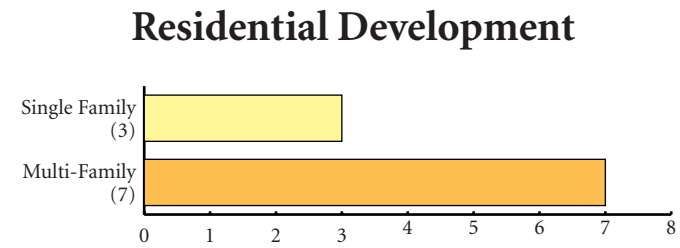
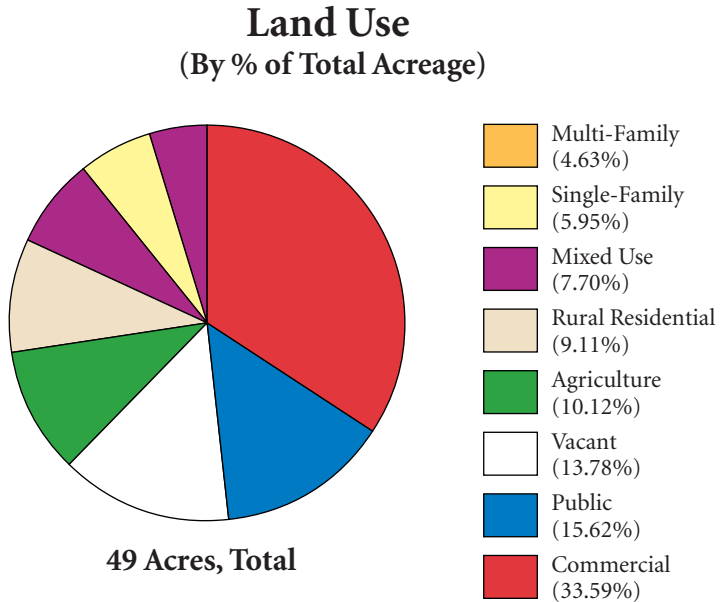
- Discourage the subdivision of larger parcels for purposes of creating stand-alone projects on separate sites.
- Allow existing uses to remain and, subject to use permit review, to expand or intensify.
- Encourage variety in building design features (e.g., height, articulation, shape, and mass) in order to enhance visual diversity, preserve scenic vistas, and avoid strip-style development.
- Site and building design should enhance the streetscape.
- Provide defined, pedestrian oriented open spaces, especially in new commercial development.
- Generous landscaping should be provided as an integral part of new development.
- Encourage mixed-use and residential developments.
- Require full architectural treatment of all building facades. This is especially import on properties adjacent to the Sphere of Influence.
- Use architectural styles traditional to Sonoma.





SONOMA DEVELOPMENT CODE

Gateway Area
Overview of Conditions



19.32—BROADWAY CORRIDOR

Sections

19.32.010—Existing Conditions, Desired Future, Potential Changes

19.32.020—Project Planning and Design Standards

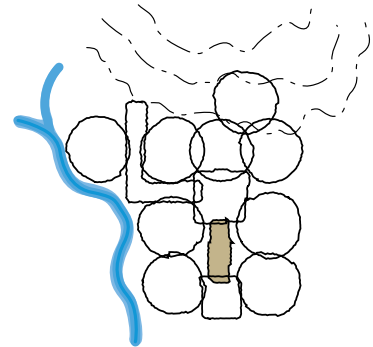
19.32.010—Existing Conditions, Desired Future, Potential Changes

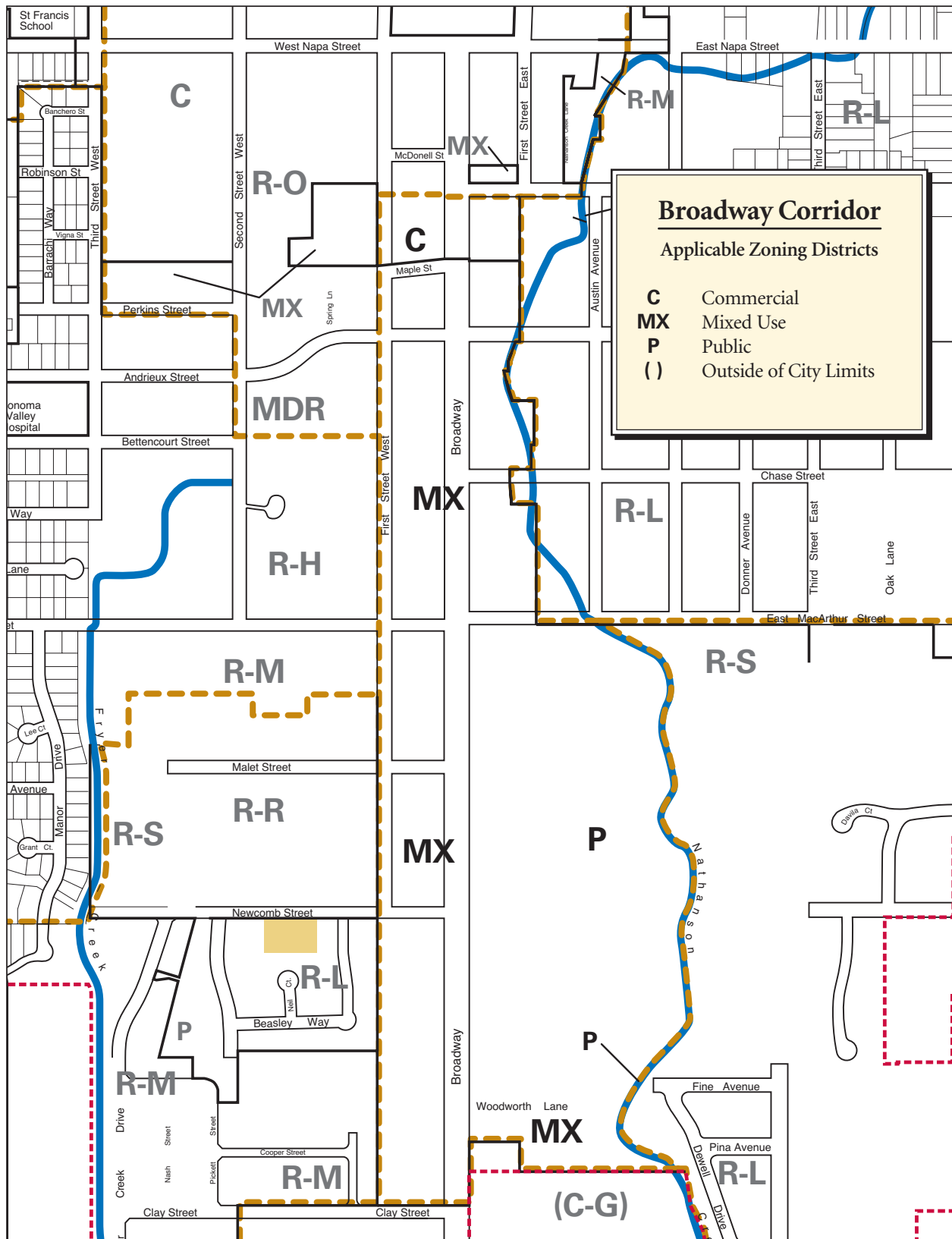
- A. **Existing conditions.** Connecting the southern gateway to the downtown, the Broadway corridor possesses considerable historic, visual, and functional significance. Historically, Broadway completes the Camino Real or “Royal Road” of Spanish/ Mexican mission settlements. Visually, Broadway provides a grand entrance to downtown Sonoma with its axial view of the Plaza, city hall, and the northern hills, its 110-foot right-of-way, and its procession of street trees. Functionally, Broadway is a segment of state route 12 and is a major traffic arterial. The Broadway corridor is flanked by residential areas, with Nathanson Creek forming its eastern edge and First Street West its western boundary. Parcels along Broadway tend to be long and narrow (to widths of 50 feet) and some have double frontages.

North of MacArthur Street, Broadway possesses a clear visual organization defined by historic structures with landscaped front yards and generally regular setbacks, street trees, and a consistent street width. South Broadway, in contrast, features a patchwork of older (but not historic) commercial buildings, new commercial and multi-family residential development, historic single-family homes and remnant agricultural buildings. These uses are interspersed with vacant parcels. However, the dominant use on north Broadway, in terms of area, appearance, and intensity, is the high school. Street improvements along South Broadway are inconsistent.

Existing land uses include:

- Retail, office and mixed-use, often in adaptively-reused historic buildings;
 - Single family residences;
 - Duplexes, apartments, and small multi-family development;
 - A hotel;
 - The Sonoma Valley High School and the Adele Harrison Middle School;
 - A nursing home; and
 - Scattered vacant parcels.
- B. **Desired future.** Historic structures on Broadway will be preserved, restored and re-used, while new development will respect and contribute to the character of the area. Mixed use development will be directed so as to retain the predominantly





residential character of First Street West while enlivening Broadway with small-scale retail, office, and residential uses. With respect to the High School and the Middle School, careful placement of playing fields, parking and school uses will be required in order to assure compatibility with neighboring residential areas.

- C. **Potential changes.** South of MacArthur Street, Broadway will be improved to a consistent configuration. Gaps in the sidewalk system and street tree plantings will be closed. Intersection improvements may ultimately be needed at Broadway/Andrieux Street. With the expansion of the high school, its main entrance has been aligned with Newcomb Street and a traffic signal has been installed at that intersection. The gains in pedestrian safety associated with this improvement will only be fully realized if the high school frontage is redesigned to prevent pedestrians from crossing at the Malet Street intersection.

19.32.020—Project Planning and Design Standards

A. *Site planning standards.*

1. **Residential density.** The following residential densities and minimum lot sizes apply to new subdivisions within the different zoning districts of the Broadway corridor..

Table 3-22
Lot Size and Residential Density Requirements

Zoning District	Number of Dwellings Per Parcel ¹	Minimum Lot Size
C (Commercial)	20 per acre, maximum	8,000 sq. ft.
MX (Mixed Use)	20 per acre maximum	8,000 sq. ft.

Notes:

1. Densities do not include density bonus. See [Chapter 19.44](#).

2. **Setbacks, site coverage, and open space.** Proposed development shall be designed and constructed in compliance with the requirements set forth in Table 3-23 and 3-24, following.
3. **Driveways and parking.** Parking areas should be located at the rear or along the side of properties and should be discouraged in front of buildings. Parking areas shall be screened from adjacent residential zoning districts and land uses. See [Chapter 19.48 \(Parking and Loading Standards\)](#). Driveways along Broadway shall be minimized when possi-

Table 3-23
Broadway Corridor: Additions and Replacement Structures

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>	
	C	MX
Setbacks	<i>Minimum setbacks required for primary structures. See Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.</i>	
<i>Front/ Streetside</i> ¹	<u>Replacement structures</u> : the same location as the original structure. ² <u>Additions to existing structures</u> : 15 ft.	<u>Replacement structures</u> : the same location as the original structure. ² <u>Additions to existing structures</u> : 20 ft.
<i>Side: One-story</i>		5 ft minimum, 15 feet combined.
<i>Side: Two-story</i>	None required, except when abutting a residential zone, in which case the corresponding setback in the residential shall apply.	2 feet for every 5 feet (or fraction thereof) of height above 15 feet, ³ in addition to the normal requirement for one story structures.
<i>Rear</i>		15 ft, except when abutting a residential zone, in which case the corresponding setback in the residential shall apply.
<i>Parking Areas</i>	Garages shall be set back 20 feet from the main structure. Parking areas should normally be located along the sides and to the rear of a property and should be minimized or avoided in front of buildings.	
F.A.R./ Coverage	<i>Floor Area Ratio: Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages (up to 400 square feet), and underground parking. Coverage: Maximum site coverage as a percentage of site area, excluding porches and detached garages.</i>	
<i>F.A.R.</i>	0.60	1.0
<i>Coverage</i>	60%	60%
Open Space	<i>See Section 19.40.070 for design requirements.</i>	
<i>Commercial</i>	7%-11% of site.	7%-11% of site.
<i>Residential</i>	300 square feet per unit (any combination shared or private).	300 square feet per unit (any combination shared or private).
Height	<i>Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.</i>	
<i>Primary Structure</i>	30 ft.	30 ft.

Notes:

1. A front porch may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).
2. A replacement structure shall not exceed 10% of the height or area of the original structure unless a use permit is obtained.
3. Measured at wall, not ridge.

Table 3-24
Broadway Corridor: New Development

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>	
	C	MX
Setbacks	<i>Minimum setbacks required for primary structures. See Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.</i>	
<i>Front/ Streetside</i> ¹	15 feet or within the range of adjacent structures on either side.	
<i>Side: One-story</i>	None required, except when abutting a residential zone, in which case the corresponding setback in the residential shall apply.	5 ft minimum, 15 feet combined.
<i>Side: Two-story</i>		2 feet for every 5 feet (or fraction thereof) of height above 15 feet, ² in addition to the normal requirement for one story structures.
<i>Rear</i>		15 ft, except when abutting a residential zone, in which case the corresponding setback in the residential shall apply.
<i>Parking Areas</i>	Garages shall be set back 20 feet from the main structure. Parking areas should normally be located along the sides and to the rear of a property and should be minimized or avoided in front of buildings.	
F.A.R./ Coverage	<i>Floor Area Ratio: Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages (up to 400 square feet), and underground parking. Coverage: Maximum site coverage as a percentage of site area, excluding porches and detached garages.</i>	
<i>F.A.R.</i>	0.60	1.0
<i>Coverage</i>	60%	60%
Open Space	<i>See Section 19.40.070 for design requirements.</i>	
<i>Commercial</i>	7%-11% of site.	7%-11% of site.
<i>Residential</i>	300 square feet per unit (any combination shared or private).	300 square feet per unit (any combination shared or private).
Height	<i>Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.</i>	
<i>Primary Structure</i>	30 ft.	30 ft.

Notes:

1. A front porch may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).
2. Measured at wall, not ridge.

ble, by combining driveways, using alleys, or designing development so that access is provided from local streets.

4. **Natural features.** Natural environmental amenities including creeks, streams and other drainage courses; and mature trees shall be preserved by being incorporated into site plan design and layout. Appropriate enhancement or protective measures shall be included in plans where determined necessary by the Planning Commission. See creek development ([Section 19.40.020](#)) and landscaping standards and design guidelines ([Section 19.40.060](#)), and the Tree Preservation Ordinance for specific tree preservation requirements and guidelines.
5. **Screening and buffering.** Multi-family developments shall require screening and buffering of parking and driveway areas, and noise and light sources. See [Chapter 19.46 \(Fences, Hedges and Walls\)](#), and landscape standards and guidelines ([Section 19.40.060](#)).

B. Building design.

1. **Height and profile.** Proposed structures shall not exceed a maximum height of 30 feet. For structures in excess of fifteen feet located within the MX zone, side setbacks shall be increased by two feet for each additional five feet in height. See [Section 19.40.040](#) for height measurement and exceptions.
2. **Building types—Guidelines for residential structures.** Proposed dwellings should be placed on their sites so that the narrow dimension of the structure is parallel to the narrow dimension of the parcel, and so that the primary entrance to the dwelling faces the public street, or is accessible from a porch or other entry element which faces the street.
3. **Building types—Guidelines for commercial and mixed-use structures.** New commercial and mixed use buildings and alterations to existing structures should contribute to the established Broadway streetscape. In reviewing proposals for commercial and mixed development and redevelopment, the review authority (the Planning Commission or the Design Review Commission, as applicable) shall make use of the following guidelines:
 - a. Proposed dwellings should be placed on their sites so that the narrow dimension of the structure is parallel to the narrow dimension of the parcel, and so that the primary entrance to the building faces the public street.
 - b. Buildings should reinforce the scale, massing, proportions and detailing established by other significant historic buildings in the vicinity (if any).
 - c. The massing of larger commercial and mixed use buildings (5,000 square feet or greater) should be broken

down to an appropriate scale through the use of storefronts and breaks in the facade.

- d. Architectural styles and details that reflect the Sonoma vernacular should be used. Along Broadway, Victorian and other residential architectural styles are more typical than purely commercial building types. The use of durable, high quality materials is encouraged.
- e. Site design and architectural features that contribute to pedestrian comfort and interest, such as awnings, recessed entrances, and alleys, are encouraged.
- f. In renovations involving historic buildings, authentic architectural details should be preserved and any new detailing and materials should be compatible with those of the existing structure. Pre-existing alterations that diminish a building's historic qualities should be removed when the opportunity arises. (See [Chapter 19.42—Historic Preservation and Infill in the Historic Zone.](#))
- g. Building types, architectural details and signs having a generic or corporate appearance are strongly discouraged. Chain stores and franchises are not prohibited along Broadway, but such uses must respect and contribute to the historic qualities of the area in terms of building design and signs.

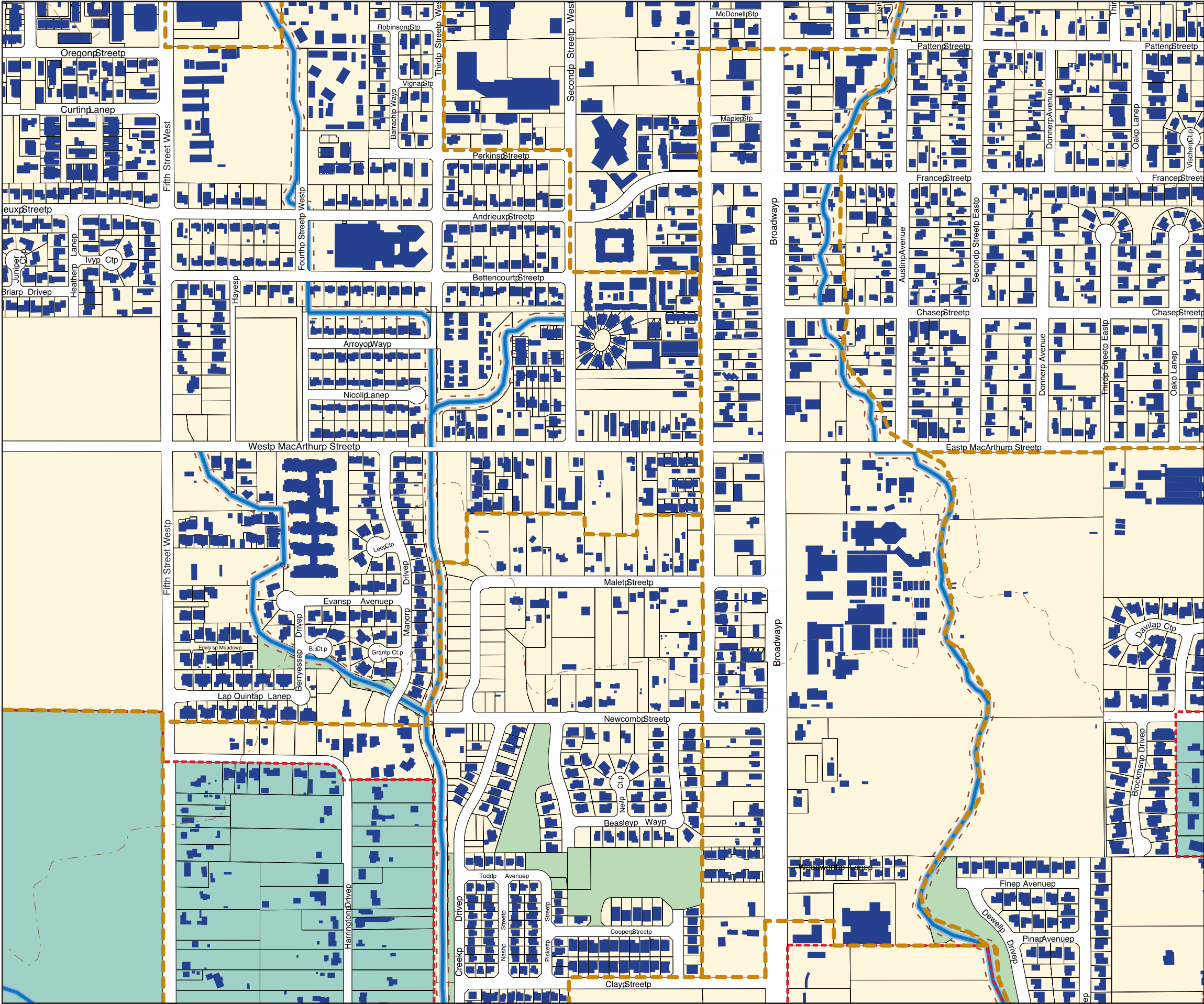
Circulation Improvements:

- ### Development Guidelines:

- High School:**

- The High School and the new Middle School should be integrated with the surrounding area, not set apart. Parking, fields, lights and buildings should be carefully placed to minimize conflicts with adjacent residences.



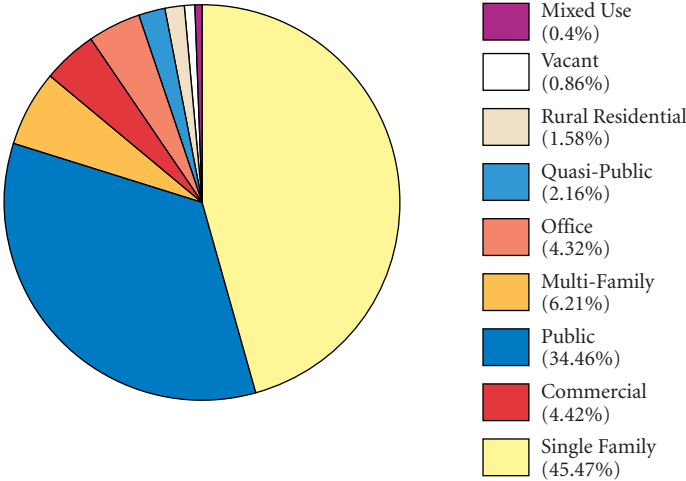


SONOMA DEVELOPMENT CODE

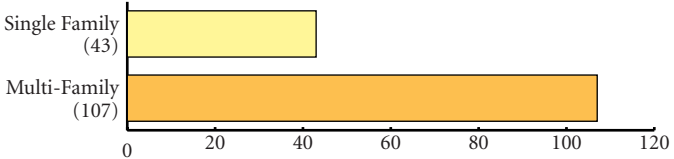
Broadway Area

Overview of Conditions

Land Use
(By % of Total Acreage)



Residential Development

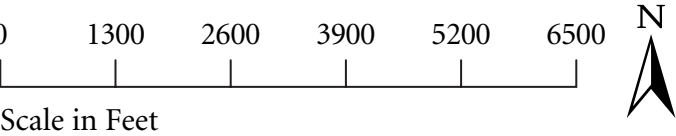


Other Features

- Parks
- 20-foot Contour Interval
- Creek Setback Overlay (approximate)
- Planning Area Boundary
- City Limits

City of Sonoma

Planning, Building, and Public Works



19.34—DOWNTOWN DISTRICT

Sections

19.34.010—Existing Conditions, Desired Future, Potential Changes

19.34.020—Project Planning and Design Standards

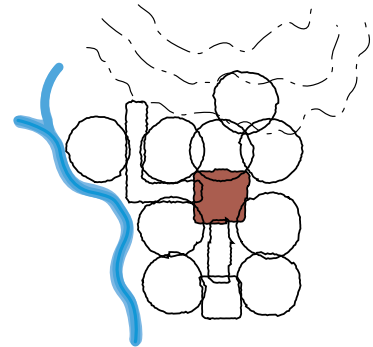
19.34.010—Existing Conditions, Desired Future, Potential Changes

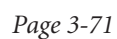
- A. *Existing conditions.* The Downtown district is the heart of Sonoma. The district centers on the Plaza and the historic downtown, collectively designated as a National Historic Landmark. The Sonoma Plaza is an eight-acre park, framed by historic buildings, with city hall at its center. The downtown encompasses a lively concentration of small businesses, including restaurants, bookstores, specialty retail, and offices. A cluster of historically significant buildings on the north side of the district, including the mission and the barracks, are managed as a State Park. Outside of the original downtown area, the western portion of the district contains a mix of single-family, multi-family, retail, and office development, including a modern shopping center. Multi-family development lies at the northwest and southeast edges of the district.

Existing land uses include:

- The Sonoma Plaza and city hall;
- Retail uses, offices and apartments in historic buildings;
- Restaurants, cafes, bakeries, and delicatessens;
- Hotels;
- A complex of historic buildings within a State park;
- Modern retail and office development;
- A shopping center;
- Condominiums, apartments, and P.U.D.s; and,
- Older single-family development.

- B. *Desired future.* The primary objectives for the Downtown district are to preserve and enhance its historic character and to retain and promote its economic vitality as a commercial, cultural, and civic center attractive to residents and visitors. New construction and new uses should build upon the established character of the downtown. High quality architecture, pedestrian-friendly design, and uses which draw locals as well as tourists are reasonable expectations for Sonoma's most distinctive district. While commercial uses will remain pre-eminent, the downtown's housing stock should be preserved and extended. Multi-family and live-work development in the town center provide customers for downtown businesses and reduce automobile dependence. Higher density residential development at the edges of the district confers similar benefits and establishes a transition to lower density residential areas.





Many locals prefer to walk to the Plaza rather than drive, a choice which should be made as convenient and enjoyable as possible. Pedestrian amenities and connections should be extended throughout the district. The continued development of readily accessible off-street parking is also needed, as by choice or necessity, many visitors, local shoppers, and those who live or work in the downtown area will drive. In developing new parking or renovating existing parking, the creation of driveway connections between parking areas and pedestrian connections to commercial destinations should be emphasized.

- C. **Potential changes.** Opportunities to create additional off-street parking should be pursued and interior connections between existing off-street parking lots should be created. A pedestrian path linking the Plaza with Depot Park and with the Sonoma Overlook Trail is planned in conjunction with improvements to the Casa Grande parking lot and the Maysonnave property. Additional plantings are needed to fill gaps in the layout of street trees. In terms of traffic improvements, West Napa Street between First Street West and Second Street West may need to be reconfigured as a three-lane street section. The re-use or other disposition of the former fire station property on Broadway and Patten Street will need to be considered.

19.34.020—Project Planning and Design Standards

A. *Site planning standards.*

1. **Residential density.** The following residential densities apply to the zoning districts within the Downtown District.

Table 3-25
Lot Size and Residential Density Requirements

Zoning District	Number of Dwellings Per Parcel ¹	Minimum Lot Size
R-L (Residential—Low Density)	2 per acre, minimum 5 per acre, maximum	7,500 sq. ft.
R-M (Residential—Medium Density)	7 per acre minimum 11 per acre maxi-	5,000 sq. ft.
R-O (Residential—Housing Opportunity)	25 per acre maxi- mum	4,500 sq. ft.
MX (Mixed Use)	20 per acre maxi- mum	7,000 sq. ft.
C (Commercial)	20 per acre maxi- mum	7,000 sq. ft.

Notes:

1. Densities do not include density bonus. See [Chapter 19.44](#).

Table 3-26
Downtown District: Additions and Replacement Structures

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>				
	R-L	R-M	R-O	MX	C
Setbacks	Minimum setbacks required for primary structures. See Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.				
Front/ Streetside ¹	In line with existing structure or 20 ft.	In line with existing structure or 15 ft.	None required.	In line with existing structure or 15 ft.	None required.
Side: One-story	5 ft minimum, 15 ft combined.	5 ft minimum, 15 ft combined.	8 ft.	None required, except when abutting a residential zone, in which case the corresponding setback in the residential zone shall apply.	
Side: Two-story	2 feet for every 5 ft (or fraction thereof) of height above 15 ft, ² in addition to the normal requirement for one story structures.		8 ft.		
Rear	20 ft	<u>One-story:</u> 15 ft. <u>Two-story:</u> 20 ft.	12 ft.	None required.	
Garage: Front	Garages shall be set back 20 feet from the main structure (residential development). Parking areas should normally be located along the sides and to the rear of a property and should be minimized or avoided in front of buildings. For the expansion or renovation of existing parking areas subject to planning approval, the review authority may require additional landscaping and/or the consolidation of driveway cuts.				
F.A.R./ Coverage	Floor Area Ratio : Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages, and underground parking. Coverage : Maximum site coverage as a percentage of site area, excluding porches and detached garages.				
F.A.R.	0.35	0.50	0.70	1.20	2.0
Coverage	40%	60%	65%	70%	100%
Open Space	See Section 19.40.070 and Section 19.40.080 for design requirements.				
Commercial	N.A.	N.A.	N.A.	25% of site	10% of site
Residential: Common	N.A.	300 sq. ft. per unit.	300 sq. ft. per unit, any combination of shared or private.	250 sq. ft. per unit, any combination of shared or private.	200 sq. ft. per unit, any combination of shared or private.
Residential: Private	N.A.	75-225 sq. ft. per unit.			
Height	Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.				
Primary Structure	30 ft.	30 ft.	30 ft.	30 ft.	35 ft.

Notes:

1. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).
2. Measured at building wall, not ridge.

Table 3-27
Downtown District: New Development

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>				
	R-L	R-M	R-O	MX	C
Setbacks	Minimum setbacks required for primary structures. See section Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.				
Front/ Streetside ¹	20 ft.	10 ft.	None required.	10 ft.	None required.
Side: One-story	5 ft minimum, 15 feet combined.	5 ft minimum, 15 feet combined.	8 ft.	None required, except when abutting a residential zone, in which case the corresponding setback in the residential zone shall apply.	
Side: Two-story	2 feet for every 5 feet (or fraction thereof) of height above 15 feet, ² in addition to the normal requirement for one story structures.		8 ft.		
Rear	20 ft	<u>One-story:</u> 15 ft. <u>Two-story:</u> 20 ft.	12 ft.	None required.	
Garage: Front	Garages shall be set back 20 feet from the main structure (residential development). Parking areas should normally be located along the sides and to the rear of a property and should be minimized or avoided in front of buildings. For the expansion or renovation of existing parking areas subject to planning approval, the review authority may require additional landscaping and/or the consolidation of driveway cuts.				
F.A.R./ Coverage	Floor Area Ratio : Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages, and underground parking. Coverage : Maximum site coverage as a percentage of site area, excluding porches and detached garages.				
F.A.R.	0.35	0.50	0.70	1.20	2.0
Coverage	40%	60%	65%	70%	100%
Open Space	See section Section 19.40.070 and Section 19.40.080 for design requirements.				
Commercial	N.A.	N.A.	N.A.	25% of site	10% of site
Residential: Common	N.A.	300 sq. ft. per unit.	300 sq. ft. per unit, any combination of shared or pro-vate.	400 sq. ft. per unit, any combination of shared or pro-vate.	300 sq. ft. per unit, any combination of shared or pro-vate.
Residential: Private	N.A.	75-225 sq. ft. per unit.			
Height	Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.				
Primary Structure	30 ft.	30 ft.	30 ft.	30 ft.	35 ft.

Notes:

1. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).
2. Measured at building wall, not ridge.

2. **Setbacks, site coverage, and open space.** Proposed development shall be designed and constructed in compliance with the requirements set forth in Tables 3-26 and 3-27, preceding.
3. **Driveways and parking.** Parking areas should be located at the rear or along the side of properties and should be discouraged in front of buildings. Parking areas shall be screened from adjacent residential zoning districts and land uses. See [Chapter 19.48 \(Parking and Loading Standards\)](#). Throughout the district, driveway cuts shall be minimized when possible, by combining driveways, using alleys, or designing development so that access is provided from local streets.
4. **Natural features.** Significant environmental amenities such as creeks, streams and other drainage courses, mature trees, should be preserved by being incorporated into site plan design and layout. Appropriate enhancement or protective measures shall be included in plans where determined necessary by the Planning Commission. See creek setback ([Section 19.40.020](#)) and landscaping standards and design guidelines ([Section 19.40.060](#)), and the Tree Preservation Ordinance for specific tree preservation requirements and guidelines.
5. **Screening and buffering.** Multi-family developments shall require screening and buffering of parking and driveway areas, and noise and light sources. See [Chapter 19.46 \(Fences, Hedges and Walls\)](#), and landscape standards and guidelines ([Section 19.40.060](#)).

B. Building design.

1. **Height and profile.** Proposed structures shall not exceed a maximum height of 30 feet in the Commercial, Mixed Use and R-O zoning districts, except that a 36 foot height may be allowed at the discretion of the Planning Commission for new developments that include a third floor residential component. Within the R-L, R-M, and P zoning districts, the maximum height shall be 30 feet. For structures in excess of fifteen feet in the R-M and R-O districts, side and rear setbacks shall be increased by two feet for each additional five feet in height. See the following design guidelines, and [Section 19.40.040](#) for height measurement and exceptions.
2. **Building types—Guidelines for residential structures.** Proposed dwellings should be placed on their sites so that the most narrow dimension of the structure is parallel to the most narrow dimension of the parcel, and so that the primary entrance to the dwelling faces the public street, or is accessible from a porch or other entry element which faces the street.

3. **Building types—Guidelines for commercial and mixed use structures.** New commercial and mixed use buildings and alterations to existing structures should reinforce the authentic historic character of the Downtown District. In reviewing proposals for commercial and mixed-use development and redevelopment, the review authority (the Planning Commission or the Design Review Commission, as applicable) shall make use of the following guidelines:
- a. Buildings should reinforce the scale, massing, proportions and detailing established by other significant historic buildings in the vicinity (if any).
 - b. The massing of larger commercial and mixed use buildings (5,000 square feet or greater) should be broken down to an appropriate scale through the use of storefronts and breaks in the facade.
 - c. Architectural styles and details that reflect the Sonoma vernacular should be used. In the Downtown District, examples include stone, stucco, pressed metal, transoms, base tile, and glass block. The use of durable, high quality materials is encouraged.
 - d. Site design and architectural features that contribute to pedestrian comfort and interest, such as awnings, recessed entrances, paseos, alleys, and patios are encouraged.
 - e. In renovations involving historic buildings, authentic details should be preserved and any new detailing and materials should be compatible with those of the existing structure. Pre-existing alterations that diminish a building's historic qualities should be removed when the opportunity arises. (See [Chapter 19.42 \(Historic Preservation and Infill in the Historic Zone\)](#)).
 - f. Building types, architectural details and signs having a generic or corporate appearance are strongly discouraged. Chain stores and franchises are not prohibited in the Downtown District, but such uses must respect and contribute to the historic qualities of the area in terms of building design and signs.

Downtown District: Summary of Guidelines and Recommendations

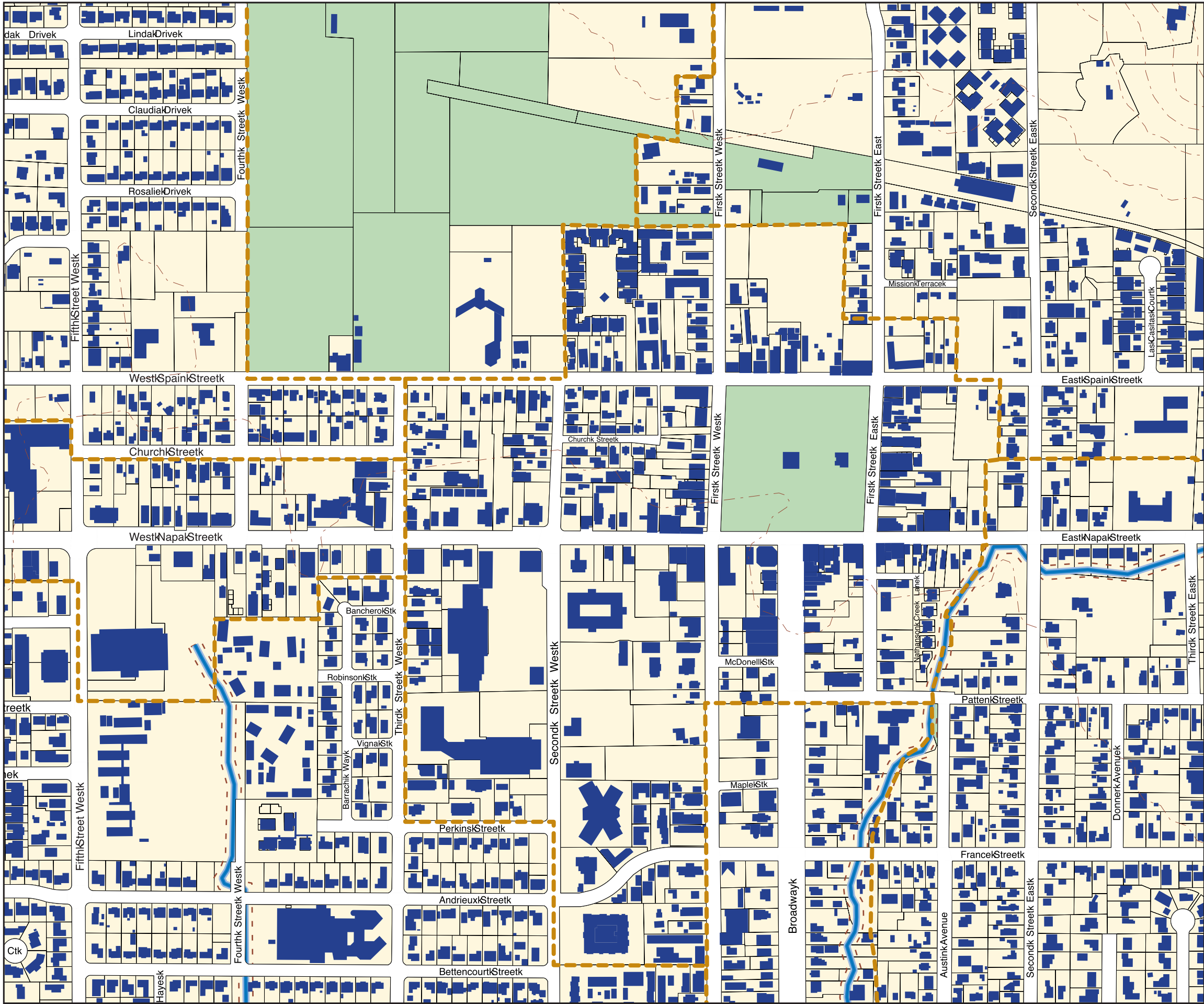
Circulation:

- Continue to improve the pedestrian experience by planting street trees and installing other pedestrian amenities.
- Establish a pedestrian connection between the Plaza and Depot Park.
- Continue to explore opportunities for the development of additional public parking and to make driveway and pedestrian connections between existing parking lots.

Development Guidelines:

- Historic structures should be preserved and restored (see Chapter 19.42 for standards relating to the use and reuse of historic buildings).
- Additions and modifications to historic structures should be compatible with the integrity of the original structure in terms of design and the quality and choice of materials.
- In the central Plaza area, new commercial construction should be placed toward the sidewalk, with any parking placed behind the building.
- The authentic historic character of the Downtown district should be respected in new development and redevelopment. Generic building types and corporate-style signs are strongly discouraged.
- Promote a pedestrian presence by encouraging ground floor retail in commercial development, requiring a residential component in new development in the Mixed Zone, and incorporating pedestrian amenities in the design of new development.
- Site and building design should enhance the streetscape. Primary building entrances, especially for commercial uses, should be oriented toward the street and accessible from the sidewalk.

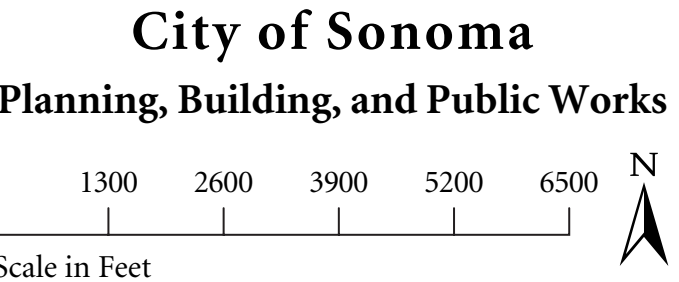
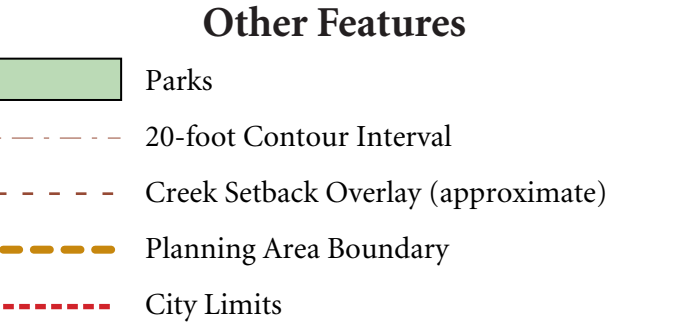
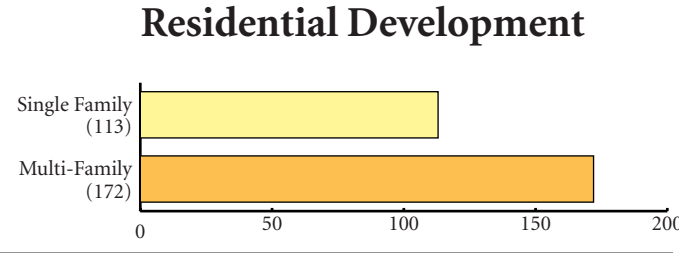
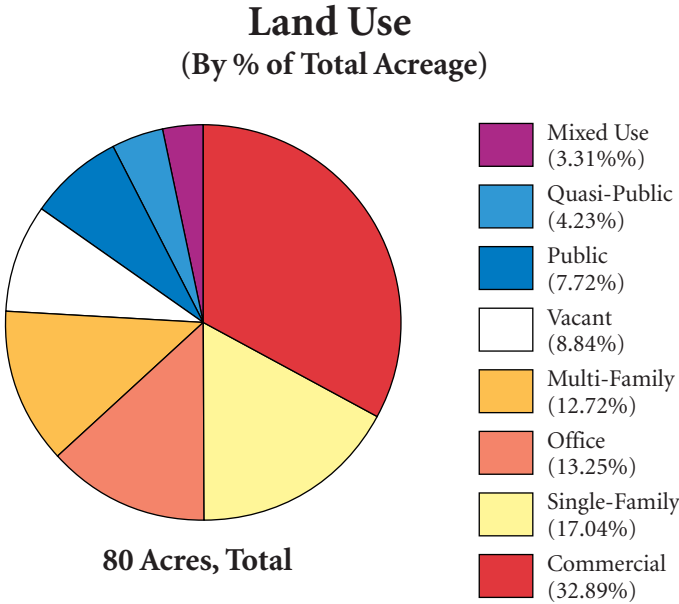




SONOMA DEVELOPMENT CODE

Downtown Area

Overview of Conditions



19.36—WEST NAPA STREET/SONOMA HIGHWAY CORRIDOR

Sections

19.36.010—Existing Conditions, Desired Future, Potential Changes

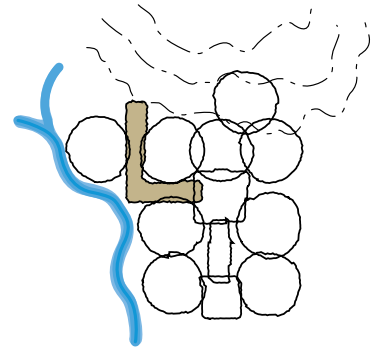
19.36.020—Project Planning and Design Standards

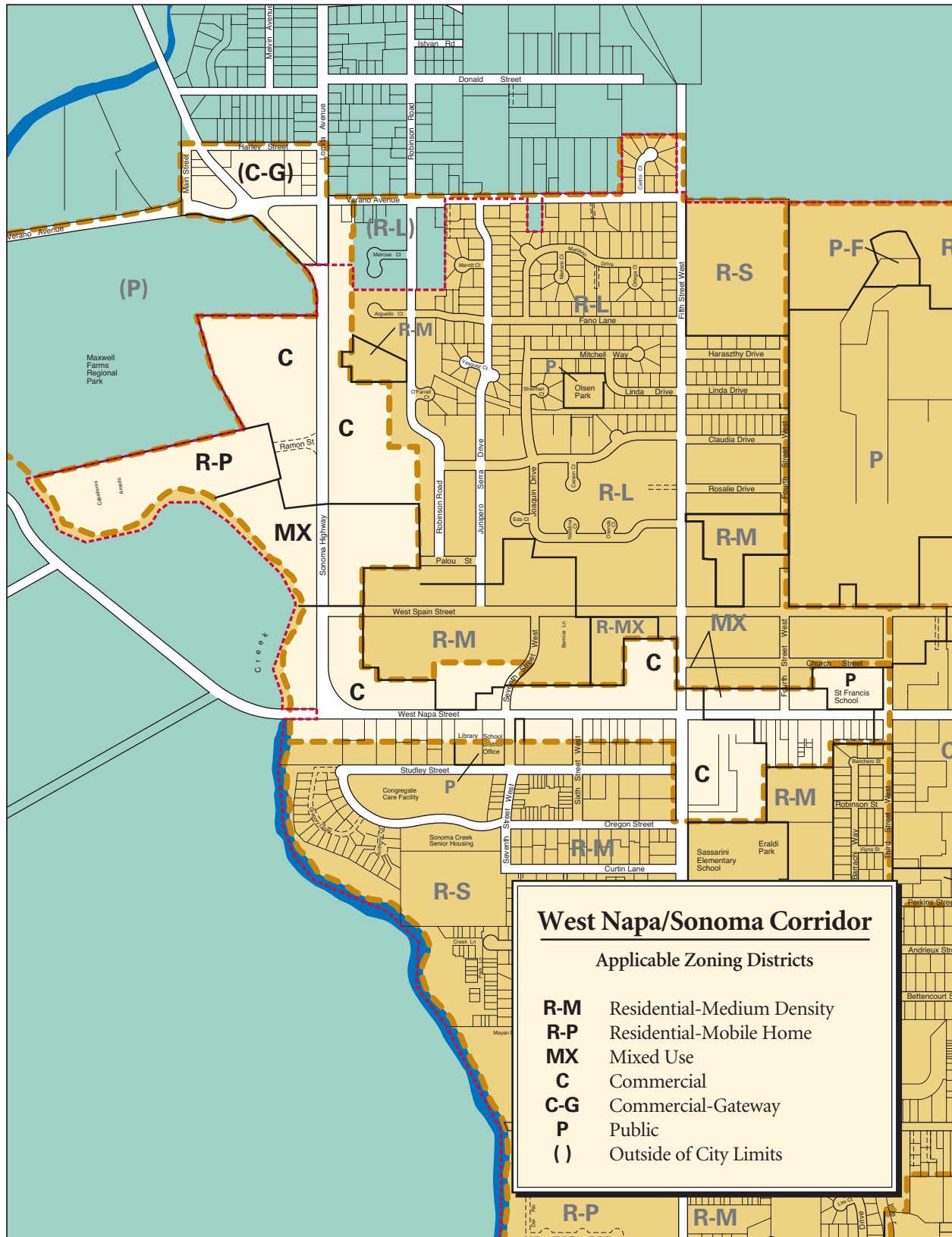
19.36.010—Existing Conditions, Desired Future, Potential Changes

- A. *Existing conditions.* Located in west and northwest Sonoma, the West Napa Street/Sonoma Highway corridor is a commercial strip comprised of segments of State Highway 12. Beginning at West Napa Street/Third Street West, it extends westward along West Napa Street to Riverside Drive, then northward along the Sonoma Highway to Harley Street. Although it contains a wide variety of uses and building types, many of the blocks within the corridor present a pleasing appearance and exhibit a high degree of visual organization. The corridor is also punctuated by shopping centers with expansive parking lots, some only lightly landscaped, which break the rhythm established by smaller-scale development. Still other segments are more notable for their natural features and present a distinctly rural appearance (Sonoma Creek is a significant, if underutilized, natural amenity). Throughout the corridor, there are axial views of the hills surrounding Sonoma. West Napa Street and the Sonoma Highway are the city's primary collectors and the corridor contains the most heavily-travelled streets in Sonoma.

Existing land uses include:

- Shopping centers of various sizes;
 - Smaller-scale modern commercial development, including banks and professional offices;
 - Small office and service uses in converted residences;
 - Three car dealerships and various other auto-related uses;
 - Restaurants, fast-food and otherwise;
 - Small multi-family developments and scattered single-family residences;
 - A mobile home park;
 - The Sonoma Valley Library; and
 - The St. Francis de Solano Church.
- B. *Desired future.* While fulfilling its role as a traffic artery, the West Napa Street/Sonoma Highway corridor should be upgraded visually and made kinder to pedestrians. Towards these ends, a program for filling gaps in the sidewalk and street tree system should be developed and implemented. When frontage improvements are required of new development and redevelopment, planter strips should be used rather than monolithic





sidewalk. New development and redevelopment should incorporate any desirable site features, especially trees and existing buildings having a street presence. Driveway cuts should be minimized, especially through the use of shared access, and new parking should be located in the back of properties. Because much of the corridor backs onto residential development, site plan relationships must be carefully evaluated. Ideally, new commercial uses should be designed to relate to the extent feasible with adjacent residential development; at a minimum, adequate screening and buffering are required.

- C. **Intended changes.** The improvement of West Napa/Seventh Street West is necessary for safe pedestrian access to the library. Safety improvements are also needed at Sonoma Highway, where the bike path ends in order to address unsafe pedestrian crossings in that area. It is projected that additional intersection improvements will be needed at West Napa Street/Fifth Street West and the County has expressed the intention of widening the Riverside Bridge and making adjustments to the West Napa/Sonoma Highway/Riverside intersection. Any improvements to that location should be viewed as an opportunity to beautify the intersection through additional landscaping.

19.36.020—Project Planning and Design Standards

A. *Site planning standards.*

1. **Residential density.** The following residential densities and minimum lot sizes apply to new subdivisions within different zoning districts in the West Napa/Sonoma Corridor:

Table 3-28
Lot Size and Residential Density Requirements

Zoning District	Number of Dwellings Per Parcel ¹	Minimum Lot Size
R-M (Residential—Medium Density)	7 per acre minimum 11 per acre maxi-	5,000 sq. ft.
R-P (Residential—Mobile Home Park)	7 per acre maximum	10 acres
MX (Mixed Use)	20 per acre maximum	8,000 sq. ft.
C (Commercial)	20 per acre maximum	10,000 sq. ft.
C-G (Commercial—Gateway)	20 per acre maximum	10,000 sq. ft.

Notes:

1. Densities do not include density bonus. See [Chapter 19.44](#).

Table 3-29
Napa/Sonoma Corridor: Additions and Replacement Structures

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>				
	R-P	R-M	MX	C	C-G
Setbacks	Minimum setbacks required for primary structures. See Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.				
Front/ Streetside ¹	20 ft.	<u>One-story:</u> 15 ft. <u>Two-story:</u> 25 ft.			
Side: One-story	10 ft.	5 ft minimum, 12 feet combined.	None required, except when abutting a residential zone, in which case the corresponding setback in the residential zone shall apply.		
Side: Two-story	20 ft.	2 feet for every 5 feet (or fraction thereof) of height above 15 feet, ² in addition to the normal requirement for one story structures.			
Rear	10 ft	15 ft., except when abutting the R-L zone, in which case a minimum 20 ft. setback is required.	None required.		
Garage: Front	N.A.	Garages shall be set back 20 feet from the main structure (residential development). Parking areas should normally be located along the sides and to the rear of a property and should be minimized or avoided in front of buildings. For the expansion or renovation of existing parking areas subject to planning approval, the review authority may require additional landscaping and/or the consolidation of driveway cuts.			
F.A.R./ Coverage	<i>Floor Area Ratio:</i> Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages (up to 400 square feet), and underground parking. <i>Coverage:</i> Maximum site coverage as a percentage of site area, excluding porches and detached garages.				
F.A.R.	0.20	0.45	0.70	0.80	0.80
Coverage	30%	50%	60%	70%	40%
Open Space	See Section 19.40.070 and Section 19.40.080 for design requirements.				
Commercial	N.A.	N.A.	7%-11% of site.	7%-11% of site.	7%-11% of site.
Residential: Common		300 sq. ft. per unit.	300 sq. ft. per unit, any combination of shared or pro-vate.	300 sq. ft. per unit, any combination of shared or pro-vate.	300 sq. ft. per unit, any combination of shared or pro-vate.
Residential: Private		75-225 sq. ft. per unit.			
Height	Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.				
Primary Structure	30 ft.				

Notes:

1. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).
2. Measured at building wall, not ridge.

Table 3-30
Napa/Sonoma Corridor: New Development

Development Feature	Requirements by Zoning District <i>Setbacks, Site Coverage, Open Space and Height</i>			
	R-M	MX	C	C-G
Setbacks	Minimum setbacks required for primary structures. See section Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.			
Front/ Streetside ¹	<u>One-story:</u> 15 ft. <u>Two-story:</u> 25 ft.			
Side: One-story	5 ft minimum, 12 feet combined.		None required, except when abutting a residential zone, in which case the corresponding setback in the residential zone shall apply.	
Side: Two-story	2 feet for every 5 feet (or fraction thereof) of height above 15 feet, ² in addition to the normal requirement for one story structures.			
Rear	15 ft., except when abutting the R-L zone, in which case a minimum 20 ft. setback is required.		None required.	
Garage: Front	Garages shall be set back 20 feet from the main structure (residential development). Parking areas should normally be located along the sides and to the rear of a property and should be minimized or avoided in front of buildings. For the expansion or renovation of existing parking areas subject to planning approval, the review authority may require additional landscaping and/or the consolidation of driveway cuts.			
F.A.R./ Coverage	<i>Floor Area Ratio:</i> Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages (up to 400 square feet), and underground parking. <i>Coverage:</i> Maximum site coverage as a percentage of site area, excluding porches and detached garages.			
F.A.R.	0.45	0.70	0.80	0.80
Coverage	50%	60%	70%	40%
Open Space	See Section 19.40.070 and Section 19.40.080 for design requirements.			
Commercial	N.A.	7%-11% of site.	7%-11% of site.	7%-11% of site.
Residential: Common	25%	300 sq. ft. per unit, any combination of shared or private.	300 sq. ft. per unit, any combination of shared or private.	300 sq. ft. per unit, any combination of shared or private.
Residential: Private	400 sq. ft. per unit			
Height	Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.			
Primary Structure	30 ft.			

Notes:

1. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).
2. Measured at building wall, not ridge.

2. **Setbacks, site coverage, and open space.** Proposed development shall be designed and constructed in compliance with the requirements set forth in Tables 3-29 and 3-30, preceding.
3. **Driveways and parking.** Parking areas for multi-family projects shall be not be located in a front setback, but shall be provided at the rear or along the side of the site. Multi-family parking areas shall be screened from adjacent residential zoning districts and land uses. See [Chapter 19.48 \(Parking and Loading Standards\)](#). Driveways along collector streets (West Spain Street, Fifth Street West, and Verano Avenue) shall be minimized when possible, by combining driveways, using alleys, or designing development so that access is provided from local streets.
4. **Natural features.** Significant environmental amenities such as creeks, streams and other drainage courses, mature trees, and other natural features shall be preserved by being incorporated into site plan design and layout. Appropriate enhancement or protective measures shall be included in plans where determined necessary by the Planning Commission. See creek setback ([Section 19.40.020](#)) and landscaping standards and design guidelines ([Section 19.40.060](#)), and the Tree Preservation Ordinance for specific tree preservation requirements and guidelines.
5. **Screening and buffering.** Multi-family and commercial developments shall require screening and buffering of parking and driveway areas, and noise and light sources. See [Chapter 19.46 \(Fences, Hedges and Walls\)](#), and Landscape standards and guidelines ([Section 19.40.060](#)).

B. Building design.

1. **Height and profile.** Proposed structures shall not exceed a maximum height of 30 feet. See [Section 19.40.040](#) for height measurement and exceptions.
2. **Building types—Residential structures.** Proposed dwellings should be placed on their sites so that most narrow dimension of the structure is parallel to the most narrow dimension of the parcel, and so that the primary entrance to the dwelling faces the public street, or is accessible from a porch or other entry element which faces the street.
3. **Building types—Commercial and mixed use structures.** Proposed dwellings should be placed on their sites so that the most narrow dimension of the structure is parallel to the most narrow dimension of the parcel, and so that the primary entrance to the dwelling faces the public street, or is accessible from a porch or other entry element which faces the street.
2. **Building types—Guidelines for residential structures.** Proposed dwellings should be placed on their sites so that

most narrow dimension of the structure is parallel to the most narrow dimension of the parcel, and so that the primary entrance to the dwelling faces the public street, or is accessible from a porch or other entry element which faces the street.

3. **Building types—Guidelines for commercial and mixed use structures.** New commercial and mixed use buildings and alterations to existing structures should enhance the character of the West Napa Street/Sonoma Highway corridor and preserve significant historic elements. In reviewing proposals for commercial and mixed development and redevelopment, the review authority (the Planning Commission or the Design Review Commission, as applicable) shall make use of the following guidelines:
 - a. Buildings should reinforce the scale, massing, proportions and detailing established by other significant historic buildings in the vicinity (if any).
 - b. The massing of larger commercial and mixed use buildings (5,000 square feet or greater) should be broken down to an appropriate scale through the use of storefronts and breaks in the facade.
 - c. Architectural styles and details that reflect the Sonoma vernacular should be used.
 - d. Site design and architectural features that contribute to pedestrian comfort and interest, such as awnings, recessed entrances, paseos, alleys, and patios are encouraged.
 - e. Potential impacts on adjacent residential uses shall be considered and addressed through the site planning of new commercial and mixed-use development.
 - f. In renovations involving historic buildings, authentic details should be preserved and any new detailing and materials should be compatible with those of the existing structure. Pre-existing alterations that diminish a building's historic qualities should be removed when the opportunity arises. (See [Chapter 19.42 \(Historic Preservation and Infill in the Historic Zone\)](#).)
 - g. Building types, architectural details and signs having a generic or corporate appearance are strongly discouraged. Chain stores and franchises are not prohibited in the West Napa Street/Sonoma Highway Corridor, but such uses must enhance appearance of the area in terms of building design, landscaping, and signs.

West Napa/Sonoma Highway Corridor: Summary of Guidelines and Recommendations

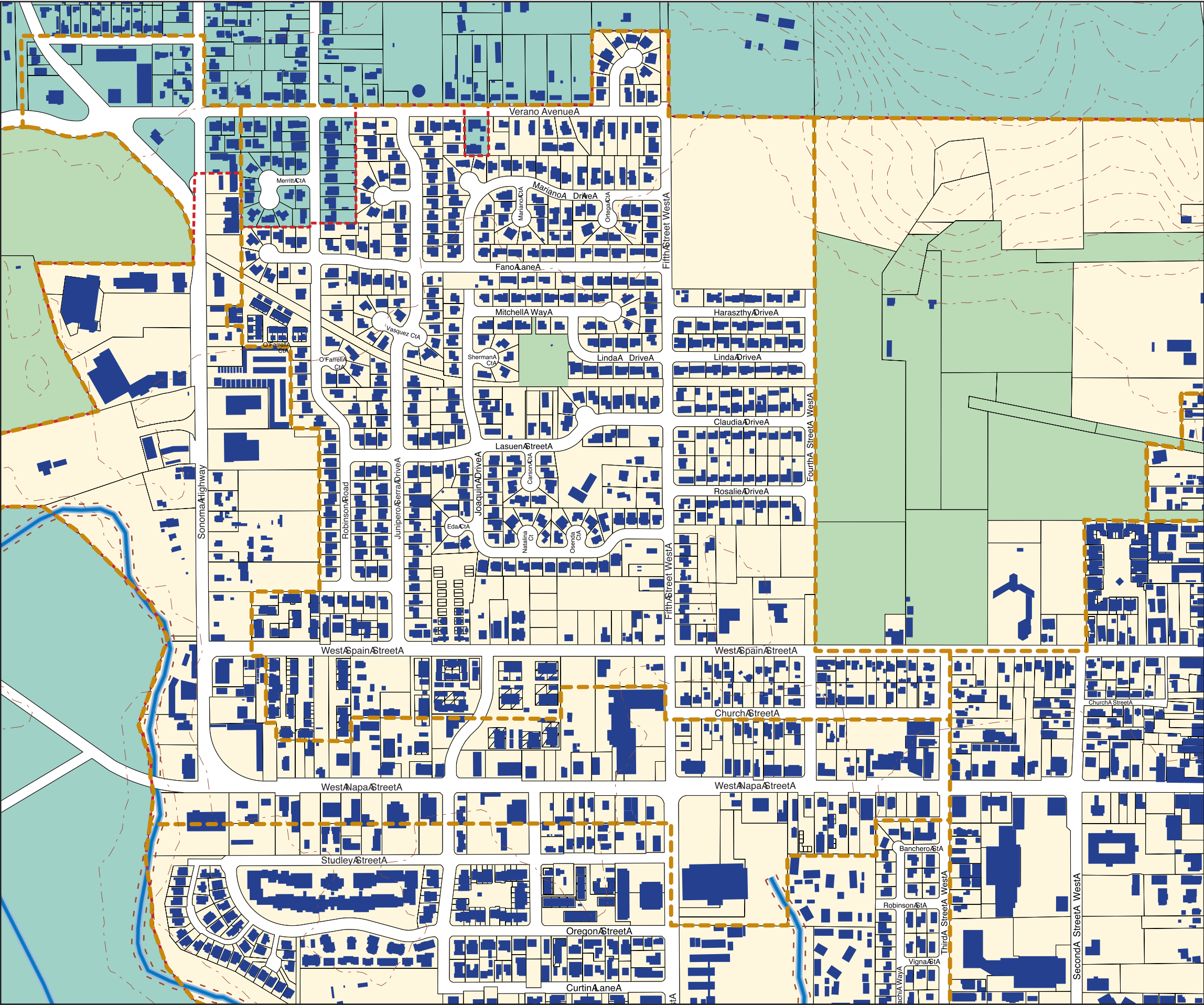
Circulation Improvements:

- Improve pedestrian safety at the West Napa Street/Seventh Street West intersection.
- Intersection improvements may be needed at the West Napa/Sonoma Highway intersection.
- Safety improvements are needed where the bike path meets Highway 12.
- Limit driveway cuts associated with new development along West Napa Street and Sonoma Highway. Where possible, consolidate entrances.
- Pursue the development of a bike/walking path extension along Eraldi Park to Safeway.
- Use street trees and other amenities to improve pedestrian conditions along West Napa Street and Sonoma Highway.

Development Guidelines:

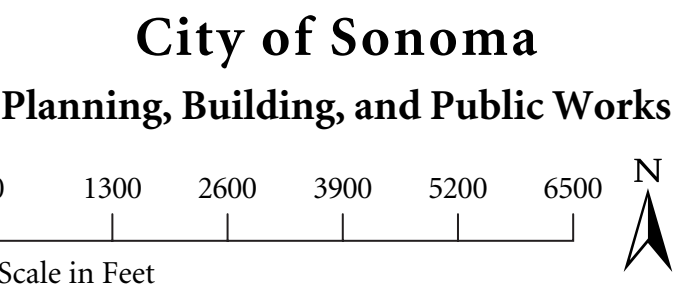
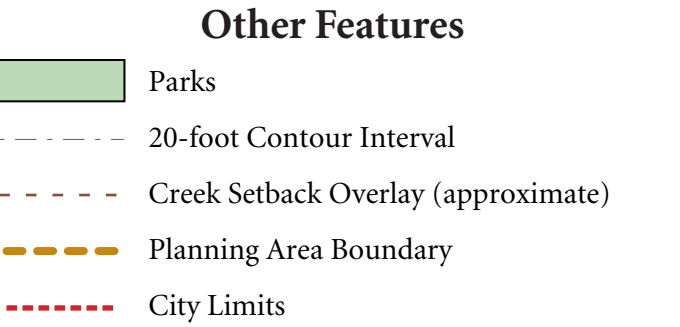
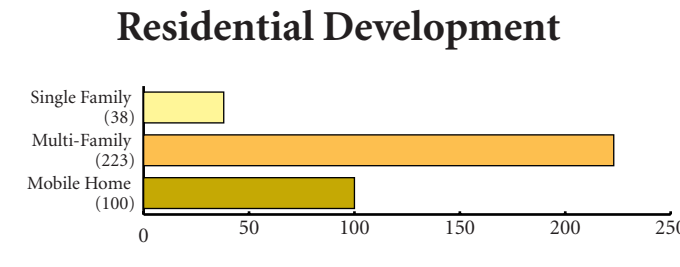
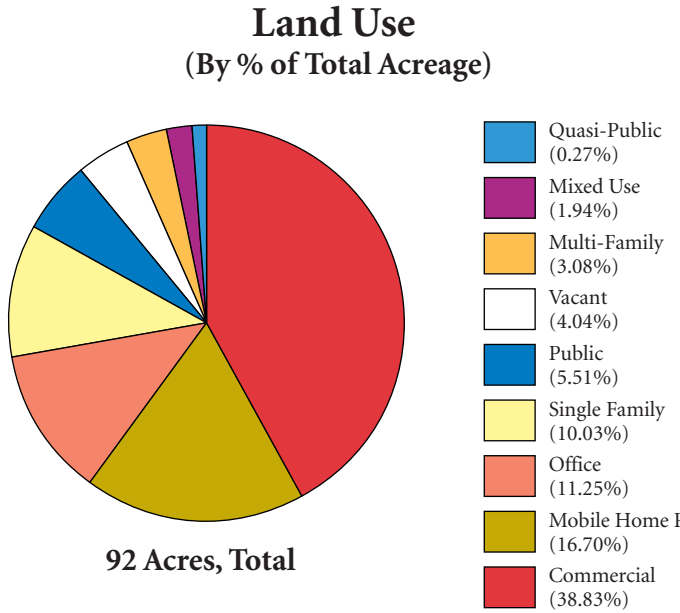
- In new development and redevelopment, protect and enhance residential conditions adjacent to commercial uses.
- Preserve smaller buildings on West Napa and Sonoma and incorporate into them into new commercial and mixed-use development.





SONOMA DEVELOPMENT CODE

West Napa/Sonoma Area
Overview of Conditions



19.38—OPEN SPACE DISTRICTS

Sections

19.38.010—Existing Conditions, Desired Future, Potential Changes

19.38.020—Project Planning and Design

19.38.010—Existing Conditions, Desired Future, Potential Changes

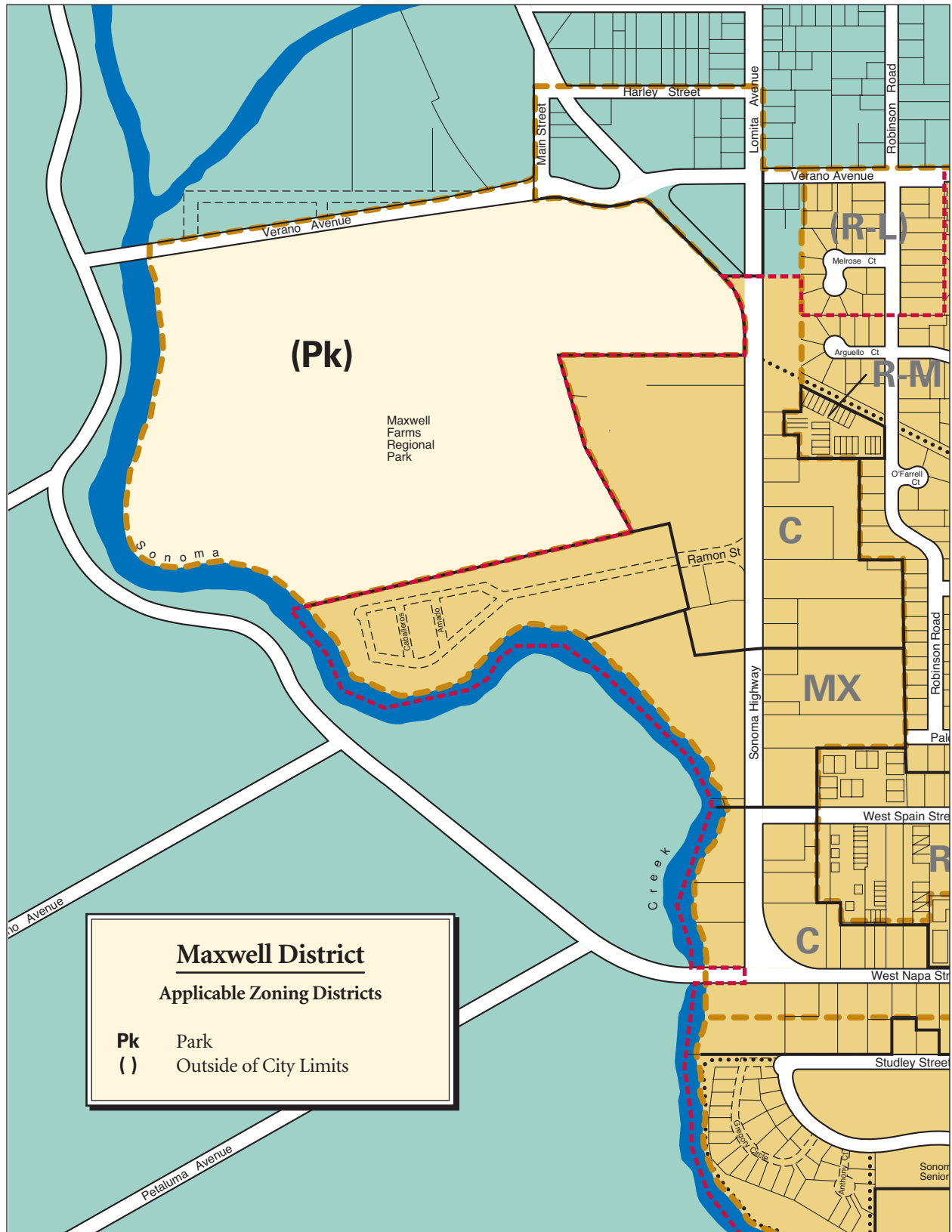
- A. *Existing conditions.* The three open space districts are characterized by large areas of land in public ownership devoted to open space and recreational uses. The Maxwell District has an area of approximately 89 acres, all of which is owned by Sonoma County and dedicated to use as a regional park. The Maxwell Farms Regional Park encompasses a range of recreational uses, including playing fields, a Boys and Girls Club, and natural hiking areas.

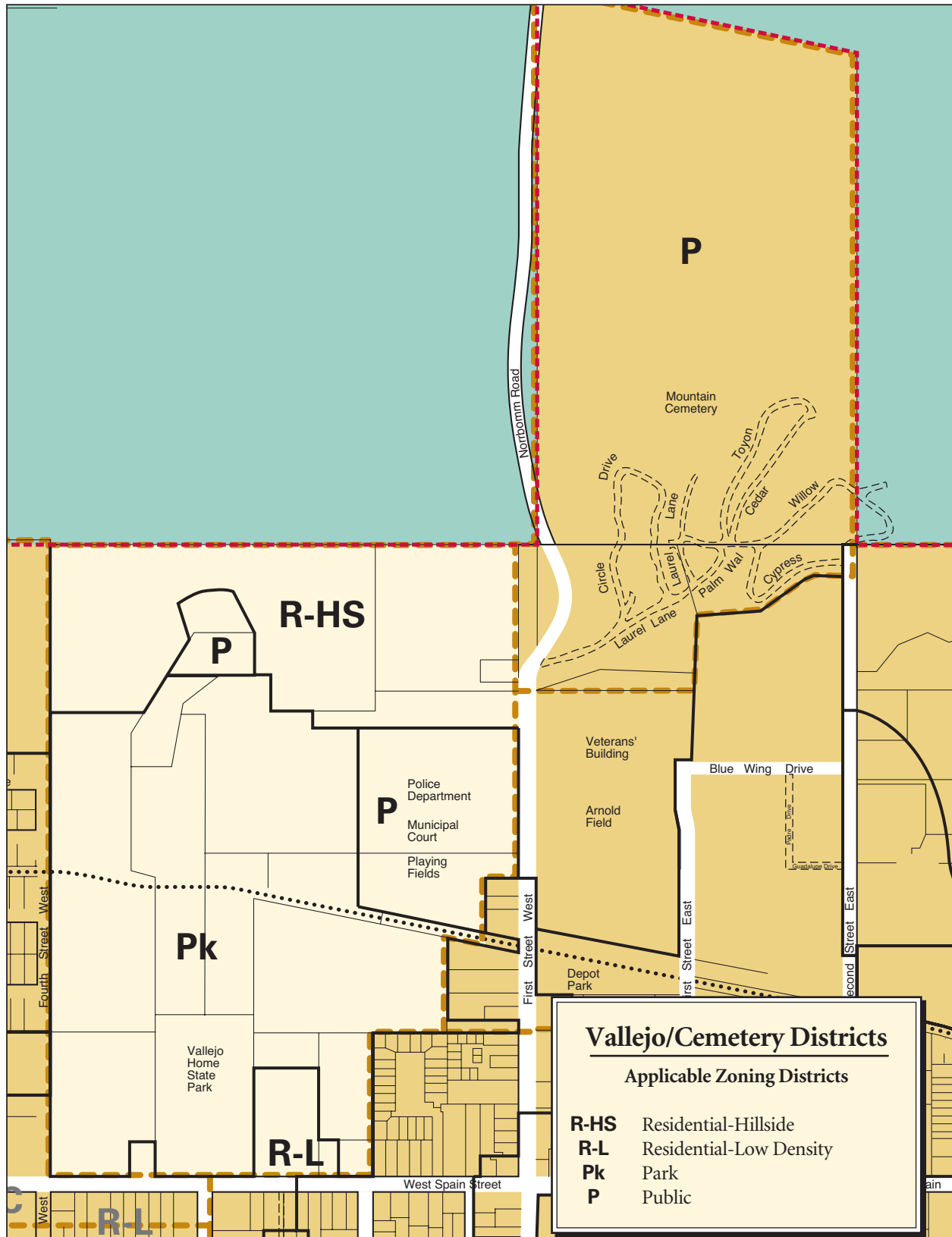
The Vallejo District is dominated by the 57-acre Vallejo Home State Park. The historic buildings within this park are set off by expansive vistas. North of the park are several large, vacant parcels, currently used for grazing but having a zoning of Hillside Residential. Other uses within the district include a complex of City buildings (the Police Station and the City Council Chambers) and playing fields, a church, and a small amount of residential development.

The third open space district is comprised of the Mountain Cemetery. This City-owned property, which has an area of approximately 60 acres, has been developed with a historic public cemetery on the lower portion, with the remainder devoted to oak woodlands. The property is a key part of the hillside backdrop north of the city.

- B. *Desired future.* The general objective for the three districts is to preserve and enhance their value as public open space and recreational resources.
- C. *Intended changes.* Maxwell Farms Regional Park will continue to be managed by the County Department of Parks and Recreation. The City will maintain its partnership with the County to ensure that future improvements address valley recreational needs while preserving the unique environmental features of the park. Similarly, the City will continue to work with the State Parks Department to ensure that historic resources and open space values associated with the Vallejo Home State Park are preserved. If the privately-owned hillside properties behind the park cannot be acquired as open space, the City will need to carefully monitor their development through its hillside regulations in order to minimize visual impacts on the backdrop.

Within the Cemetery District, the Old Mountain Cemetery will continue to be operated as a public cemetery and has recently been expanded to include a Veterans' component. The portion of the property that had been used as a landfill will be restored





to a natural condition. Within the property, off of Norrbom Road, the development of a water tank has recently been completed. The tank site has been carefully selected to minimize visual impacts. It is intended that the upper portion of the property, which encompasses approximately 60 acres, will be preserved in its natural condition as an oak woodland, with public access provided through a hiking trail. Portions of this area which have been damaged by illegal four-wheel drive activity, will be restored over time.

19.38.020—Project Planning and Design

A. Site planning standards.

1. **Residential density.** The following residential densities and minimum lot sizes apply to new subdivisions within the different zoning districts of the Open Space planning areas.

Table 3-29
Lot Size and Residential Density Requirements

Zoning District	Number of Dwellings Per Parcel ¹	Minimum Lot Size
Pk (Park)	N.A. ²	N.A.
P (Public Facilities)	N.A. ²	N.A.
R-HS (Residential—Hillside)	1 per 10 acres, maximum ³	10 acres
R-L (Residential—Low Density)	2 per acre minimum; 5 per acre maximum	7,500 sq. ft.

Notes:

1. Densities do not include density bonus. See [Chapter 19.44](#).
2. Caretaker's residence may be allowed by use permit.
3. Subject to use permit review, a single-family residence may be allowed on an existing legal lot of record, regardless of its size.

2. **Setbacks, site coverage, and open space.** Proposed development shall be designed and constructed in compliance with the requirements set forth in Table 3-30, following.
3. **Driveways and parking.** Parking areas public uses shall be appropriately landscaped and screened. See [Chapter 19.48 \(Parking and Loading Standards\)](#). Driveways along collector streets shall be minimized when possible, by combining driveways, using alleys, or designing development so that access is provided from local streets.

Table 3-30
Open Space Districts: Infill and Additions

Development Feature	Requirements by Zoning District ¹ <i>Setbacks, Site Coverage, Open Space and Height</i>	
	R-HS	R-L
Setbacks	<i>Minimum setbacks required for primary structures. See Section 19.40.110 for setback measurement, allowed projections into setbacks, exceptions, and design guidelines for setbacks.</i>	
<i>Front/ Streetside</i> ²	30 ft.	20 ft.
<i>Side: One-story</i>	30 ft.	7 ft. minimum, 18 feet total.
<i>Side: Two-story</i>	30 ft.	7 ft. minimum, 18 feet total.
<i>Rear</i>	30 ft.	20 feet.
<i>Garage: Front</i>	30 ft.	20 ft. from primary structure.
F.A.R./ Coverage	<i>Floor Area Ratio: Maximum building area as a ratio of site area, excluding porches, cellars, attics, detached garages (up to 400 square feet), and underground parking. Coverage: Maximum site coverage as a percentage of site area, excluding porches and detached garages.</i>	
<i>F.A.R.</i>	0.10	0.35
<i>Coverage</i>	10%	40%
Open Space	<i>Minimum open space required for residential development component only. See Section 19.40.070 and Section 19.40.080 for design requirements.</i>	
<i>Residential: Private</i>	No minimum requirement.	
Height	<i>Ridge height measured from finished grade. See Section 19.40.040 for applicability and exceptions.</i>	
<i>Primary Structure</i>	30 ft	30 ft

Notes:

1. In the **Pk** and **P** zoning districts, development standards are determined on a case-by-case basis through use permit review.
2. Front porches may extend up to 10 feet into front setback (or street-side setback for wrap-around porches).

4. **Natural features.** Significant environmental amenities, including Sonoma Creek and associated riparian areas, wetlands, hillsides, and mature oak trees, shall be preserved by being incorporated into site plan design and layout. Appropriate enhancement or protective measures shall be included in plans where determined necessary by the Planning Commission. See landscaping standards and design guidelines ([Section 19.40.060](#)), and the Tree Preservation Ordinance for specific tree preservation requirements and guidelines. Environmental features of lesser significance should be incorporated into project site plans when appropriate if justified by the quality of the feature and its relation to the site.

B. Building design.

1. **Height and profile.** Proposed residential structures shall not exceed a maximum height of 30 feet. For structures in excess of fifteen feet, side and rear setbacks shall be increased by two feet for each additional five feet in height. See the following design guidelines, and [Section 19.40.040](#) for height measurement and exceptions.
2. **Building types—Guidelines for residential structures.** Proposed dwellings should be placed on their sites so that most narrow dimension of the structure is parallel to the most narrow dimension of the parcel, and so that the primary entrance to the dwelling faces the public street, or is accessible from a porch or other entry element which faces the street.

C. Street and block layout. It is intended that streets within the Open Space districts will be maintained at their existing width and alignment.

*General Site Planning and Development
Standards*

This Article provides standards and guidelines for site planning, development, and the operation of specific land uses and components of development, that are intended to minimize the adverse effects and operating characteristics of land uses. These standards are, therefore, more related to specific types of land use and components of development (for example, parking and loading facilities, landscaping, etc.) than the zoning district or area of the community in which a proposed site may be located.



List of Chapters

19.40—General Property Development and Use Standards 4-1

19.42—Historic Preservation and Infill in the Historic Zone 4-27

19.44—Affordable Housing Requirements and Incentives 4-35

19.46—Fences, Hedges and Walls..... 4-39

19.48—Parking and Loading Standards..... 4-43

19.50—Special Use Standards 4-57

19.40—GENERAL PROPERTY DEVELOPMENT AND USE STANDARDS

Sections:

- 19.40.010—Purpose and Applicability
- 19.40.020—Creekside Development
- 19.40.030—Exterior Lighting
- 19.40.040—Height Measurement and Height Limit Exceptions
- 19.40.050—Hillside Development
- 19.40.060—Landscape Standards
- 19.40.070—Open Space for Multi-family Residential Projects
- 19.40.080—Open Space for Commercial and Mixed-Use Projects
- 19.40.090—Performance Standards
- 19.40.100—Screening and Buffering
- 19.40.110—Setback Regulations and Exceptions
- 19.40.120—Undergrounding of Utilities
- 19.40.130—Protection of Scenic Vistas

19.40.010—Purpose and Applicability

A. *Purpose.* The provisions of this Chapter are intended to ensure that new or modified uses and development produce an environment of stable and desirable character which is harmonious with existing and future development, and protects the use and enjoyment of neighboring properties, consistent with the General Plan.

B. *Applicability.*

1. **All zoning districts.** The standards of this Chapter apply to all zoning districts (e.g., residential, commercial, manufacturing, etc.), and therefore, are combined in this Chapter.
2. **Considered in combination.** These standards shall be considered in combination with the standards for each zoning district in Article II (Community Design), and for each sub-area in Article III (Project Design).
3. **In case of conflict.** Where there may be a conflict, the standards specific to the zoning district shall override these general standards.
4. **Compliance.** All new or modified structures and uses shall comply with the standards of this Chapter as determined applicable by the City Planner, except as specified in Chapter 19.82 (Nonconforming Structures, Uses and Parcels).

19.40.020—Creekside Development

- A. *Purpose.* Creek corridor habitats support plants and animals; recharge aquifers; and filter some pollutants. Creek corridors are valuable as open space areas, and are of recreational and scenic interest. For these reasons, it is the intent of the City to provide adequate buffer areas between creek corridors and adjacent

development in order to protect this valuable community resource as a natural, scenic, and recreational amenity.

- A. **Applicability.** The provisions of this Section apply to any property adjoining or including any of the following waterways:
1. Sonoma Creek;
 2. Nathanson Creek; and
 3. Fryer Creek.
- B. **Streambed analysis.** At the time of permit application, applicants with parcels adjoining any of the above specified waterways may be required to prepare a site-specific streambed analysis prepared by a hydrologist, civil engineer, or other qualified professional to determine the precise boundary/top of bank of the waterway. If required, a streambed analysis should normally include:
1. Detailed mapping of at least 1:100 scale;
 2. Identification of the direction and flow of material run-off from the site, or immediately adjacent to the site;
 3. The need for mitigation measures (e.g. rip-rap, energy dissipation structures or flow stabilizing devices) to keep flow velocities close to pre-development levels; and
 4. Other information that the City Planner determines is necessary to properly analyze and mitigate potential impacts of the proposed development on the waterway.

The requirement for a streambed analysis may be waived by the City Planner or the Planning Commission, as applicable, if it is determined that the project, because of its size, location, or design will not have a significant impact on the waterway, or that sufficient information already exists and that further analysis is not necessary.

- C. **Creekside development standards.** The following standards shall be implemented by the applicable review authority in the review of any planning permit involving development or other activity within the creek setback, as set forth below.
1. A minimum 30-foot wide setback from the top of bank shall be required for all zoning districts, except along Sonoma Creek, where a 50-foot setback shall be required. Additional setback area may be necessary to protect sensitive environmental resources (e.g., vernal pools). Setbacks adjacent to creekside paths or open spaces shall be measured from the outside boundary of the path or open space.
 2. No structure, parking access, parking space(s), paved areas, or swimming pool shall be constructed within a creek or creekside setback area, unless a Use Permit is obtained in compliance with [Section 19.54.040 \(Use Permits\)](#).

3. No grading or filling, planting of exotic/non-native or non-riparian plant species, or removal of native vegetation shall occur within a creek or creekside setback area.
 4. Where drainage improvements are required within the setback area, they shall be placed in the least visible locations and naturalized through the use of river rock, earthtone concrete, and landscaping with native plant materials.
 5. Within creek setback areas, the use of permeable surfaces (e.g., wood decks, sand-joined bricks, and stone walkways) shall be incorporated into a project's design, where feasible, in order to minimize off-site flows and to facilitate the absorption of water into the ground.
 6. Land use changes within the setback area that cause an increase in impervious surfaces or sedimentation may result in channel erosion. This may require measures to stabilize the creek's bank.
 - a. Creek rehabilitation is the preferred method of stabilization. The objective is to maintain the natural character of the creek and riparian area. The process may include enlarging the channel at points of obstruction, clearing obstructions at points of constriction, limitation of use in areas of excessive erosion, and restoration of riparian vegetation.
 - b. Concrete channels and other mechanical measures of stabilization shall not be used unless no other alternative exists.
 - c. If a creek bank stabilization other than rehabilitation or vegetative method is required, hand-placed stone or rock rip-rap are the preferred methods.
- D. *Modifications to creekside development standards.*** The Planning Commission may modify the creekside development standards outlined in subsection C in compliance with [Section 19.54.040 \(Use Permits\)](#).
- E. *Creekside development guidelines.*** The following guidelines shall be considered by the applicable review authority in the review of any discretionary planning permit involving development or other activity within the creek setback, as set forth below.
1. Setbacks may be required for all ministerial projects (e.g., Building Permits, etc.). Dedications, where consistent with the Circulation Element of the City's General Plan and the Bicycle Plan, may be required by the Planning Commission for all land use activities requiring a discretionary permit (e.g., Use Permits, Planned Development Permits, etc.), if warranted by the nature and intensity of the proposed use.
 2. Public access and visibility to creeks, and the separation of residences and other uses from creeks should be provided

through the use of single-loaded frontage roads in combination with multi-use trails.

3. Development should be oriented to creeks for access and visibility whenever possible. Developments that backup to creeks are discouraged.
4. The provision of multi-purpose creekside trails and public open space is strongly encouraged outside of the riparian habitat area. Open space areas should include planting for riparian enhancement with native shrubs and trees, paths and trails, lighting, benches, play and exercise equipment, and trash receptacles.
5. Creekside trails should link to other trail and open space systems that are existing or planned in the surrounding area as shown in the Circulation Element of the General Plan.

F. Findings and Decision. The following findings shall be made, in addition to those identified in [Section 19.54.040. E. \(Findings, decision\)](#), to approve a Conditional Use Permit for the modification of creekside development standards:

1. The creek bank in the vicinity of the modification has been demonstrated as being historically stable; and
2. Riparian resources will not be significantly diminished by the modification.

19.40.030—Exterior Lighting

The following standards and guidelines shall be administered by the Planning Commission and the Architectural Review Commission through the review of discretionary planning permits. These provisions shall not apply to ministerial permits, except for the standards set forth in subsection E, below.

- A. Exterior fixtures.** Lighting fixtures shall be architecturally compatible with the character of the surrounding structure(s) and shall be energy efficient. Fixtures shall be appropriate in height, intensity, and scale to the use they are serving. Generally, pole-mounted fixtures shall be low in height (up to 20 feet) and be equipped with light shields to reduce or eliminate light spillage beyond the project's boundaries.
- B. Intensity.** The level of parking lot light projected onto any ground or wall surface shall not be less than two footcandles nor more than five footcandles at the base of the light fixture. Pedestrian courts, plazas, and walkways shall have a light level at the ground surface of one footcandle. The electrical or lighting plan shall demonstrate the dispersal of light on the ground surface and compliance with the requirements of this Section. Building-mounted decorative lights shall not exceed five footcandles measured five feet from the light source.
- C. Security lighting.** Security lighting shall be provided in all non-residential zoning districts at building entrances/exits. Security

lighting shall provide a minimum of two footcandles and a maximum of three footcandles at the ground level of the entrance.

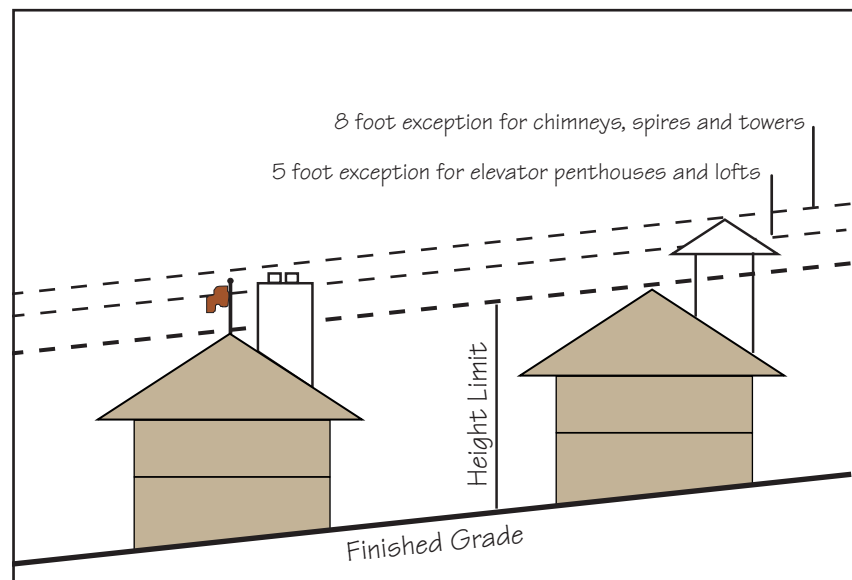
- D. **Shielding.** Where the light source is visible from outside the project boundary, shielding shall be required to reduce glare so that neither the light source nor its image from a reflective surface shall be directly visible from any point five feet or more beyond the property line. This requirement shall not apply to single-family residential uses, traffic safety lighting, or public street lighting.
- E. **Height.** Light standards should not normally exceed 15 feet in height, especially within and adjacent to residential developments. The review authority may allow taller standards in large parking lots that are not adjacent to residential uses or in other special settings.
- F. **Recreational court lighting.** The following standards shall apply to the lighting of outdoor recreational courts:
 - 1. **Type.** Fixtures shall be of a type that is rectangular on a horizontal plane. The outside of the fixture, arm, and supporting pole shall be coated with a dark, low reflectance material;
 - 2. **Location.** Light fixtures shall not be located closer than 10 feet to the nearest property line;
 - 3. **Height.** The maximum height of the light fixtures shall be 18 feet measured from the court surface;
 - 4. **Number.** Not more than one light fixture for each 900 square feet of court surface is allowed, with a maximum of eight poles and fixtures for each recreational court;
 - 5. **Supports.** Light fixtures shall be supported by an arm extending at least 4 feet from a support pole;
 - 6. **Design.** Light fixtures shall be designed, constructed, mounted, and maintained so that, with appropriate shielding, the light source is completely cut off when viewed from any point five feet or more beyond the property lines of the subject parcel. The incident light level at a property line shall not exceed one foot-candle measured from finished grade to a height of 12 feet. The incident light level upon any habitable structure on an adjoining property shall not exceed 0.05 foot-candle;
 - 7. **Hours of operation.** Recreational court lighting shall not be operated between 10:00 p.m. and 7:00 a.m. on weekdays and between 11:00 p.m. and 7:00 a.m. on Saturdays and Sundays;
 - 8. **Coating of surface.** In the event that an illuminated court surface is visible from another parcel, the court surface shall be treated with a low reflectance, dark-colored coating; and

9. **Wavier of provisions.** Provisions of this Subsection may be waived or modified by the Planning Commission through the approval of an Exception in compliance with Section 19.54.050.

19.40.040—Height Measurement and Height Limit Exceptions

All structures shall meet the following standards relating to height, except for fences and walls, which shall comply with [Chapter 19.46 \(Fences, Hedges and Walls\)](#).

- A. **Maximum height.** The height of structures shall not exceed the standards established by Article III (Project Design). The maximum height shall be measured as the vertical distance from the finished grade of the site to an imaginary plane located the allowed number of feet above and parallel to the grade. See Figure 4-1. Structures in hillside areas shall comply with the height regulations identified in [Section 19.40.050 \(Hillside Development\)](#).



Height Measurement and Exceptions

Figure 4-1

- B. **Exceptions to height limits.** Exceptions to the height limits for structures shall apply in the following manner:
 1. **Third-floor residential units.** Within the Commercial, Gateway Commercial, and Mixed Use zoning districts, a maximum height of 36 feet may be allowed in order to accommodate third-floor multi-family residential development. The allowance of this additional height shall be subject to Use Permit review, in compliance with [Section 19.54.050](#).
 2. **Elevator penthouses and other roof-mounted structures.** Roof-mounted structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment

shall be allowed, up to a maximum of 5 feet above the allowed structure height. The total square footage of all structures above the allowed height shall not exceed 25 percent of the total roof area of the main structure.

3. **Chimneys, spires, antennas, etc.** Chimneys, flag poles, antennas and similar structures shall be allowed, up to a maximum of 8 feet above the allowed structure height.
4. **Additional height.** Additional height or roof area may be allowed subject to the approval of an Exception in compliance with [Section 19.54.050](#).

19.40.050—Hillside Development

- A. **Purpose.** This Section establishes regulations and guidelines to preserve and protect views to and from the hillside areas within the City, to preserve significant topographical features and habitats, and to maintain the identity, character, and environmental quality of the City.
- B. **Applicability.**
 1. **Hillside areas and Hillside Zoning District.** The standards and guidelines contained in this Section apply to all uses and structures within areas that have a slope of 10% or greater, or areas with slopes that exceed 15% over 25% or more of the site and to all development within the Hillside Zoning District.
 2. **Basis for slope determinations.** For the purpose of this Section, slope shall be computed on the natural slope of the land before grading, as determined from a topographic map having a scale of not less than one inch equals 100 feet and a contour interval of not more than five feet.
 2. **Conditional Use Permit required.** New development within a hillside area shall be subject to the approval of a Conditional Use Permit in compliance with [Section 19.54.040](#).
- C. **Additional application requirements.** In addition to the standard application submittal requirements, the City Council may, by resolution, establish additional informational requirements for applications involving hillside development.
- D. **Development standards.**
 1. **Structure height.** The height of structures in a hillside area shall not exceed the maximum established by the applicable zoning district. Measurement of structure height shall be as provided in [Section 19.40.040 \(Height Measurement and Height Limit Exceptions\)](#).
 2. **Grading and drainage.**
 - a. Grading shall be designed to:
 - (1) Conserve natural topographic features and appearances by minimizing the amount of cut and fill and

- by means of land form grading to blend graded slopes and benches with the natural topography; and
- (2) Retain major natural topographic features (i.e., canyons, knolls, ridgelines, and prominent landmarks.)
- b. All graded areas shall be protected from wind and water erosion. Interim erosion control plans shall be required, certified by the project engineer, and reviewed and approved by the City Engineer.
- c. Slopes created by grading shall not exceed a ratio of 3:1, without a soils report and stabilization study indicating a greater permissible slope and shall not exceed 30 feet in height between terraces or benches.
- 3. **Street layout.** To the extent feasible based on property conditions, streets shall follow the natural contours of the terrain in order to minimize the need for grading. Cul-de-sacs and loop roads are encouraged where necessary to fit the natural topography subject to the approval of the City Engineer and Fire Department.
- E. **Design guidelines.** Within the hillside area and the Hillside Zoning District, the following design guidelines should be implemented whenever applicable.
 - 1. **Terrain alteration.** The project should be designed to fit the terrain rather than altering the terrain to fit the project. Development patterns that form visually protruding or steeply cut slopes for roads or lots shall be avoided.
 - 2. **Lot Pad Grading.** Lot pad grading should be limited to the boundaries of the structure's foundation, vehicle parking space and a yard area as shown on the approved grading plan. Pads should not exceed 5,000 square feet in total area.
 - 3. **Site and structure design.** Site design should utilize varying structure heights and setbacks, split-level foundations, and retaining walls to terrace structures with the direction of the slope.
 - 4. **Lot line locations.** Lot lines should be placed at the top of slope areas to help ensure that the slope will not be neglected by the up-hill owner.
 - 5. **Design and location of structures.**
 - a. The form, mass, and profile of the individual buildings and architectural features should be designed to blend with the natural terrain and preserve the character and profile of the natural slope. Techniques that should be considered include:
 - (1) Split pads, stepped footings, and grade separations to permit structure to step up the natural slope;

- (2) Detaching parts of a dwelling (e.g., garage); and
 - (3) Avoiding the use of gable ends on downhill elevations. The slope of the roof should be oriented in the same direction as the natural slope.
 - b. Excavate underground or utilize below grade rooms to reduce the visual bulk of a structure.
 - c. Use roofs on lower levels as open space decks for upper levels.
 - d. Exterior structural supports and undersides of floors and decks not enclosed by walls may be permitted provided fire safety and aesthetic considerations have been adequately addressed.
 - e. Building materials and color schemes should blend with the natural landscape of earth tones and natural vegetative growth.
6. **Retaining walls.** Retaining walls that result in large uniform planes shall be avoided. Retaining walls shall be divided into elements and terraces with landscaping to screen them from view. Generally, no retaining wall should be higher than five feet. When a series of retaining walls is required, each individual retaining wall should be separated from adjacent walls by a minimum of five feet.
7. **Slope restoration.** Transitional slopes shall be replanted with self-sufficient trees, shrubs, and ground cover that are compatible with existing surrounding vegetation in order to enhance the blending of manufactured and natural slopes.
8. **Reduced public street widths.** On-street parking lanes may be omitted from public streets when the result is a substantial decrease in cutting and/or filling. Where no on-street parking is provided, off-street parking areas shall be provided to yield a ratio of two additional spaces per dwelling unit. Streets may be reduced to 24 feet in width with no on-street parking, or 32 feet in width with on-street parking on one side.
9. **Preservation of ridgelines.** Ridgelines shall be preserved. Structures shall not be located closer to a ridgeline than 100 feet measured horizontally on a topographic map or 50 feet measured vertically on a cross section, whichever is more restrictive. In no case, shall the roofline or any other portion of a structure extend above the line of sight between a ridgeline and any public right-of-way, whether the ridgeline is above or below the right-of-way.
- F. **Evaluation of applications.** The Planning Commission shall evaluate a Conditional Use Permit application for hillside development based on the following objectives, in addition to the

findings for Conditional Use Permits required through [Section 19.54.040](#):

1. The preservation of natural topographic features and appearances by maintaining the natural topography to the greatest extent possible;
2. The protection of natural topographic features and appearances through limitations on successive padding and terracing of building sites and the preservation of significant ridgelines, steep slopes, natural rock outcroppings, drainage courses, prominent trees and woodlands, vernal pools, and other areas of special natural beauty;
3. The utilization of varying setbacks, building heights, foundation designs, and compatible building forms, materials, and colors that help blend buildings into the terrain;
4. The utilization of clustered sites and buildings on more gently sloping terrain to reduce grading alterations on steeper slopes;
5. The utilization of building designs, locations, and arrangements that protect views to and from the hillside area;
6. The preservation and introduction of plant materials so as to protect slopes from soil erosion and slippage and minimize the visual effects of grading and construction of hillside areas; and
7. The utilization of street designs and improvements that minimize grading alterations and harmonize with the natural contours of the hillsides.

19.40.060—Landscape Standards

- A. **Purpose.** The provisions of this Section are intended to enhance the aesthetic appearance of the City by providing standards related to the quality and functional aspects of landscaping and to increase the compatibility between abutting land uses and public rights-of-way by providing landscape screening and buffers.
- B. **Applicability.** All projects that require planning permit or subdivision approval by the City shall provide and maintain landscaping in compliance with the provisions of this Chapter, as applicable to the specific features of the project.
- C. **Areas required to be landscaped.** Landscaping shall be provided in the following locations:
 1. **Setbacks.** All setback and open space areas required by this Development Code shall be landscaped, except where a required setback is occupied by a sidewalk or driveway, or where a required setback is screened from public view and it is determined by the review authority that landscaping is not necessary to fulfill the purposes of this Chapter.

2. **Unused areas.** All areas of a project site not intended for a specific use (including pad sites in shopping centers held for future development) or designated as natural open space shall be landscaped unless it is determined by the review authority that landscaping is not necessary to fulfill the purposes of this Chapter.
 3. **Parking areas.** Parking areas shall be landscaped in compliance with [Chapter 19.48 \(Parking and Loading Standards\)](#).
- D. Landscape standards and guidelines.** Landscaping shall be designed and installed as follows.
1. **General design standards.** The following features shall be incorporated into the design of landscaped areas.
 - a. Landscaping shall be designed for water efficiency, in conformance with the requirements of the Low-Water Use Landscaping Ordinance.
 - b. Landscaping shall be planned as an integral part of the overall project design and not simply located in left over space after parking areas and structures have been planned.
 - c. Landscaped areas shall be provided with an automatic irrigation system.
 - d. Pedestrian access to sidewalks and structures shall be considered in the design of all landscaped areas.
 - e. Landscape planting shall be provided within adjacent public street rights-of-way, in compliance with [Chapter 19.62 \(Subdivision Design and Improvement Requirements\)](#).

Landscaping may include lawn, ground cover, trees, shrubs, and other live plant materials. Landscaping may also include small amounts of accessory decorative outdoor landscape elements (e.g., ponds, fountains, sculpture, and paved or decorated surfaces) excluding driveways, parking, and storage areas.

2. **Plant materials.** Plant materials shall be selected and installed to comply with the following requirements:
 - a. A mix of plant materials and sizes shall be provided consistent with the City's Low-Water Use Landscaping Ordinance. Variety is encouraged in order to provide visual interest as well as reduce the chance of landscape failure due to disease infestation. Trees shall not be smaller than 15-gallon container stock and shrubs shall not be smaller than 5 gallon container stock.
 - b. Trees and shrubs shall be planted so that at maturity they do not interfere with utilities and traffic safety sight areas.

- c. Trees and shrubs shall be planted and maintained in a manner that protects the basic rights of adjacent property owners. Street tree varieties shall be consistent with the City's adopted Street Tree List;
- d. Trees planted near public sidewalks or curbs shall be of a species and installed in a manner that prevents physical damage to sidewalks, curbs, gutters and other public improvements;
- e. Trees varieties planted within street rights-of-way shall be consistent with the City's street tree list and shall comply with street tree planting standards;
- f. Ground cover should normally be live plant material (exceptions include rocks placed around trees to prevent over-watering). Limited quantities (10% max.) of gravel, bark, or similar materials may be used in combination with a living ground cover;
- g. Turf areas should be designed to minimize water run-off onto hardscape.

E. Landscape plan requirements.

- 1. **Preliminary Landscape Plan.** A preliminary landscape plan shall be submitted in conjunction with or following the approval of an application for a land use entitlement (e.g., Conditional Use Permit, Tentative Map, Planned Unit Development), for new development, and the significant expansion or redevelopment of an existing use subject to review by the Architectural Review Commission.
- 2. **Content.** Preliminary landscape plans and final landscape plans shall contain information as specified in the instructions for preparing landscape plans, provided by the Department.
- 3. **Review and approval.** After initial application review in compliance with [Section 19.52.060 \(Initial Application Review\)](#), the Architectural Review Commission shall review each Preliminary Landscape Plan to verify its compliance with the provisions of this Section. The Architectural Review Commission may approve the submittal in compliance with this Section, or may disapprove or require changes to a submittal that is not in compliance.
- 4. **Final Landscape Plan.** Following approval of the land use entitlement, a final landscape plan shall be submitted as part of the application for a Building Permit. Final plans shall be approved by the City Planner prior to the start of on-site construction or soil disturbance and prior to the issuance of a Building Permit. Projects requiring Commission approval due to their size or use shall require plans be prepared by a licensed landscape architect or licensed contractor. Evidence shall also be provided that a licensed

landscape contractor will be responsible for plant and irrigation installation.

- F. *Maintenance required.*** Landscape areas shall be maintained in a healthful and sound condition at all times. Irrigation systems and their components shall be maintained in a fully functional manner. Regular maintenance shall include, but not be limited to, checking, adjusting, and repairing irrigation equipment; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning; and weeding in all landscaped areas.

19.40.070—Open Space for Multi-family Residential Projects

This Section provides requirements, guidelines, and incentives for the provision of private and common open spaces and related amenities for newly developed or redeveloped multi-family residential uses throughout the City. The intent of this section is to ensure that multi-family residential developments in the City are provided with high-quality private and common open space integral to the design of the development.

- A. *Open space required.*** All multi-family residential projects except duplexes shall provide permanently maintained outdoor open space for each dwelling unit (private open space) and for all residents (common open space). Unless different standards are applied through specific Planning Area regulations as set forth in Article III (Project Design), usable outdoor open space, not including required front or street-side yards, shall be provided as set forth in Table 4-1, below:

Table 4-1
Minimum Open Space Requirements for
Multi-family Development

Type	Area Required
<i>Common outdoor space:</i>	300 square feet per dwelling unit
<i>Private outdoor space:</i>	
Studio and one-bedroom units	75 square feet per dwelling unit
Two-bedroom units	150 square feet per dwelling unit
Three-bedroom units and larger	225 square feet per dwelling unit

Project proponents are encouraged to provide open space areas that exceed the minimum amount required. The City may offer incentives in compliance with Subsection E., below.

- B. *Configuration of open space.*** To ensure that required open space is well-designed, usable, and accessible, the review authority shall employ the following standards and guidelines in evaluating proposed open space:

1. Required open space shall be located on-site;
 2. Open space should be provided as continuous, usable site elements that reinforce or enhance other aspects of the site plan, such as pedestrian networks, view corridors, and environmental features.
 3. Common open space areas should be oriented to pedestrian circulation and should incorporate seating, enhanced paving materials, lighting, shade trees and/or trellises, and landscaping. Fountains, works of art, and similar features are also encouraged.
 4. Open space areas shall be easily accessible. Common open space areas should be readily accessible from the majority of units in the development. Private open space should be immediately accessible from a kitchen, dining room, family room or master bedroom within the unit it serves.
 5. All open space areas shall be of sufficient size to be usable by residents:
 - a. Private open space areas shall have a minimum dimension of seven feet and a configuration that would accommodate a rectangle of at least 100 square feet;
 - b. Common open space areas shall have a minimum dimension of 15 feet.
 6. The orientation of private and common open space should take advantage of natural sunlight and should be sheltered from the noise and traffic of adjacent street or incompatible uses.
- C. **Allowed uses.** Required common open space shall be available for passive and active outdoor recreational uses for the enjoyment of all residents of the multi-family development. These spaces shall not include driveways, public or private streets, utility easements where the ground surface cannot be appropriately used for open space, parking spaces, or other areas primarily intended for other functions.
- D. **Maintenance.** Required common open space shall be controlled and permanently maintained by the owner of the property or by project homeowners through a homeowners association or maintenance agreement.
- E. **Open space incentives.** Development incentives to encourage pedestrian-oriented open spaces that exceed the above requirements may be granted at the discretion of the Planning Commission. The types of incentives that may be available to eligible projects include:
1. Reduced parking requirements (for pedestrian-oriented open space and amenities of an especially high quality);
 2. Increased lot coverage;
 3. Reduced front and street-side setbacks.

19.40.080—Open Space for Commercial and Mixed-Use Projects

This Section provides requirements and guidelines for the provision of open spaces and related amenities for newly developed or redeveloped commercial uses, including mixed-use and live-work development, throughout the City. The intent is to make commercial and mixed-use environments more livable, pedestrian-oriented, and humane through the provision of public and private open spaces, including plazas, courtyards, and outdoor dining and seating areas.

- A. **Open space required.** All commercial and mixed-use projects shall provide permanently maintained outdoor open space, except as provided for in [Subsection F. \(Exemptions\)](#), below. Unless different standards are applied through Planning Area regulations found in Article III (Project Design), usable outdoor open space shall be provided as set forth in Table 4-2, below:

Table 4-2
Minimum Open Space Requirements for
Commercial and Mixed-Use Development

Type	Area Required
Commercial	
Change in use, with no increase in building area	N.A.
New development, on site <10,000 square feet	7%
New development, on site 10,000-20,000 square feet	9%
New development, on site >20,000 square feet	11%
Mixed-Use	
New Development	300 square feet per unit, any combination public and private
Live-Work¹	
New development	250 square feet per unit, any combination public and private.

Notes:

1. See [Section 19.50.050](#) for specific regulations pertaining to Live/Work development.

Project proponents are encouraged to provide open space areas that exceed the minimum amount required. The City may offer incentives in compliance with [Subsection E.](#), below.

- B. **Configuration of open space.** To ensure that required open space is well-designed, usable, and accessible, the review authority

shall employ the following standards and guidelines in evaluating proposed open space:

1. Required open space shall be located on-site;
 2. Open space should be provided as continuous, usable site elements that reinforce or enhance other aspects of the site plan, such as pedestrian networks, view corridors, and environmental features.
 3. Common open space areas should be oriented to pedestrian circulation and should incorporate seating, enhanced paving materials, lighting, shade trees and/or trellises, and landscaping. Fountains, works of art, and similar features are also encouraged.
 4. Private open space for residential and Live-Work units should be immediately accessible from a kitchen, dining room, family room or master bedroom within the unit it serves.
 5. Open space areas intended for residents shall be of sufficient size to be usable by residents:
 - a. Private open space areas should have a minimum dimension of seven feet and a configuration that would accommodate a rectangle of at least 100 square feet;
 - b. Common open space areas should have a minimum dimension of 15 feet.
 6. The orientation of private and common open space should take advantage of natural sunlight and should be sheltered from incompatible uses.
- C. **Allowed uses.** Required open space shall not include driveways, public or private streets, utility easements where the ground surface cannot be appropriately used for open space, parking spaces, or other areas primarily intended for other functions.
- D. **Maintenance.** Required common open space shall be controlled and permanently maintained by the owner of the property or by multiple project owners through a condominium association or maintenance agreement.
- E. **Open space incentives.** Development incentive bonuses to encourage pedestrian-oriented open spaces that exceed the above requirements may be granted at the discretion of the Planning Commission. The types of bonus incentives that may be available to eligible projects include:
1. Reduced parking requirements (for pedestrian-oriented open space and amenities of an especially high quality);
 2. Increased lot coverage;
 3. Reduced setbacks.
- F. **Exemptions.** The provision of required open space may be reduced or waived by the review authority (Planning Commis-

sion or Architectural Review Commission) under the following circumstances:

1. Minor commercial development or additions involving less than 500 square feet of new building area;
2. Infill or replacement development in the Downtown District.

19.40.090—Performance Standards

All land use activities shall comply with the following provisions regarding the prohibition of adverse impacts.

- A. **Adverse impacts prohibited.** Any use or activity that results in an adverse impact to the character and environment of a surrounding area by producing repeated and consistently intolerable levels of air pollution, electrical or electronic disturbance, hazardous materials, glare, noise, odor, vibration, waste products, or similar disturbances, shall be prohibited.
- B. **Determination of a public nuisance.** Upon discovery of the activity, the City shall investigate and utilize, where necessary, whatever instruments or consulting specialists that may be required to determine whether or not a public nuisance exists.
- C. **Abatement of a public nuisance.** An identified public nuisance shall be abated in compliance with Chapter 14.30 of the Municipal Code.

19.40.100—Screening and Buffering

This Section provides standards for the screening and buffering of adjoining land uses, equipment and outdoor storage areas, and trash storage areas.

- A. **Screening between different land uses.** Fences and walls shall be provided and maintained between different zoning districts in the following manner:
 1. **Wall height.** An opaque screen consisting of plant material and a solid masonry wall or wooden fence, a minimum of six feet in height, shall be installed along parcel boundaries whenever a commercial or industrial development adjoins a residential zoning district and whenever a multi-family zoning district adjoins a single-family residential zoning district. The maximum height of the walls shall comply with the provisions of [Chapter 19.46 \(Fences, Hedges and Walls\)](#).
 2. **Wall treatment.** The walls or fences shall be architecturally treated on both sides, subject to the approval of the City Planner or the Architectural Review Commission, as applicable.
 3. **Pedestrian access.** Pedestrian access may be provided between the commercial properties and adjoining common open area(s) within residential developments.

4. **Waiver by Planning Commission.** The Planning Commission may waive or modify the requirements for screening walls or fences if one or more of the following findings can be made:
 - a. The development plan adequately provides for the integration of different land uses (e.g., shared parking areas) in such a way that conflicts between the different uses will be avoided;
 - b. An existing wall or fence is in place that meets or would be modified to conform to the intent of this Section;
 - c. A lesser level of screening is appropriate due to the nature of the adjoining uses.

B. Mechanical equipment.

1. **Screened from public view.** Roof or ground mounted mechanical equipment (e.g., air conditioning, heating, ventilation ducts and exhaust, water heaters, etc.), loading docks, service yards, storage and waste areas, and utility services shall be screened from public view from adjoining public rights-of-way, and adjoining area(s) zoned for residential or open space uses, including views from above the subject project.
2. **Architectural compatibility.** The method of screening shall be architecturally compatible with other on-site development in terms of colors, materials, architectural style, and shall include appropriately installed and maintained landscaping subject to [Section 19.40.060 \(Landscape Standards\)](#) and the approval of the City Planner or the Architectural Review Commission, as applicable.

C. Solar equipment. The placement of solar heating or electrical generation equipment shall be regulated as follows:

1. **Roof-mounted equipment.** Roof-mounted solar collector panels shall be flat, matching the roof pitch, and placed as close as possible to the surface of the roof. All plumbing, piping, and other connections shall be suitably covered with metal flashing painted to match the color of the roof.
2. **Ground-mounted equipment.** Ground-mounted solar collector panels and related equipment shall be placed no closer than five feet to any property line and shall be screened from public view. The height of ground-mounted structures, including collector panels, shall not exceed seven feet.
3. **Appurtenant equipment.** Appurtenant equipment and fixtures shall be screened from public view.
4. **Use Permit requirements.** The placement of solar equipment shall be subject to Design Review as set forth in [Section 19.54.080](#) under the following circumstances:

- a. Roof-mounted solar panels proposed for any structure located in the Historic Overlay District.
 - b. Roof-mounted solar panels with an area of greater than 200 square feet.
 - c. The proposed placement of solar equipment that does not comply with the provisions set forth in sub-sections C.1 or C.2, above.
- D. **Outdoor storage and work yards.** Uses with outdoor storage of materials or operations shall comply with the following:
 1. **Solid sight-obscuring wall and gate(s).** Outside uses shall have a solid sight-obscuring masonry wall or wooden fence not less than six feet, or more than eight feet in height, of a type and design approved by the review authority. The wall shall include sight-obscuring gates. The wall and gate(s) shall be maintained to continuously conform to the satisfaction of the City Planner; and
 2. **All operations within walled area.** Site operations in conjunction with the outdoor uses, including the loading and unloading of materials and equipment, shall be conducted entirely within a walled area.
- E. **Outdoor building supply area(s).** Outdoor building supply areas shall be screened with walls, fencing, meshing, landscaping, or similar material to minimize visibility of the storage area(s), subject to the approval of the review authority.
- F. **Trash Enclosures.** Any outdoor storage of garbage cans, dumpsters, recycling bins or other similar containers shall be enclosed by a solid wooden fence, masonry wall, or other similar enclosure. The enclosure shall be located on the site so as to minimize potential noise, odor and visual impacts on adjacent properties.

19.40.110—Setback Regulations and Exceptions

This Section establishes standards to ensure the provision of open areas around structures for: access to and around structures; access to natural light, ventilation, and direct sunlight; separation of incompatible land uses; space for landscaping, privacy, and recreation; and visibility and traffic safety.

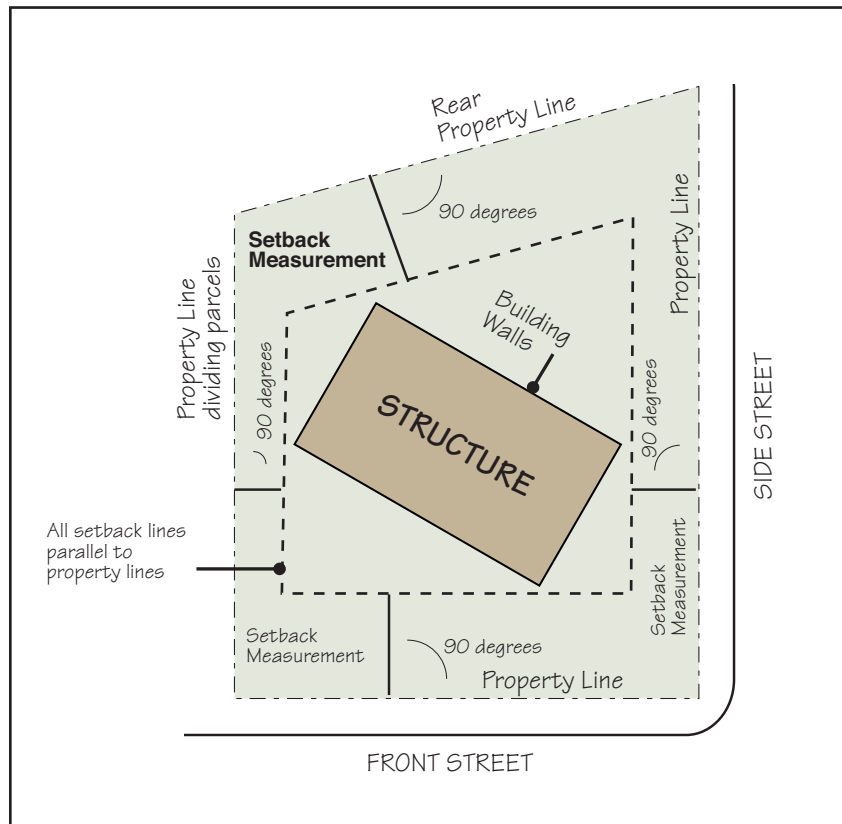
- A. **Setback Requirements.**
 1. **Compliance.** All structures shall comply with the setback requirements established by Article III (Project Design), and with any special setbacks established for specific uses by this Development Code and by the City's adopted Uniform Building Code.
 2. **Extending over property lines prohibited.** Portions of a structure, including eaves or roof overhangs, shall not extend beyond a property line or into an access easement or public right-of-way.

3. **Unobstructed.** Each required setback area shall be open and unobstructed from the ground upward, except as provided in this Section.

B. Measurement of setbacks. Setbacks shall be measured as follows.

1. **Front setback.** The required front setback shall be measured at right angles from the nearest point on the front property line to the nearest point of the wall of the structure, except as follows:
 - a. The measurement shall be taken from the nearest point of the structure to the nearest point of the property line adjoining the public right-of-way determined by the City Planner to constitute the front yard. (Whenever a future right-of-way line is officially established, required setbacks shall be measured from the established line(s));
 - b. For flag lots, the measurement shall normally be taken from a parallel line established where the access strip meets the buildable area of the parcel closest to the public right-of-way to the nearest point of the wall of the structure.
2. **Side setbacks.** The side setback shall be measured at right angles from the nearest point on the side property line of the parcel to the nearest point of the wall of the structure, establishing a setback line parallel to the side property line, which extends between the front and rear yards.
3. **Street side setback.** The side setback, on the street side of a corner parcel, shall be measured at right angles from the nearest point on the side property line adjoining the public right-of-way to the nearest point of the wall of the structure.
4. **Rear setback.** The rear setback shall be measured at right angles from the nearest point on the rear property line of the parcel to the nearest point of the wall of the structure, establishing a setback line parallel to the rear property line, which extends between the side yards, except:
 - a. The rear setback on the street side of a double frontage lot shall be measured from the nearest point of the rear property line adjoining the public right-of-way. If an access easement or public right-of-way line extends into or through a rear setback, the measurement shall be taken from the nearest point of the easement or right-of-way line; and
 - b. Where the side property lines converge to a point, a line five feet long within the parcel, parallel to and at a maximum distance from the front property line, shall be

deemed to be the rear property line for the purpose of determining the depth of the required rear setback.



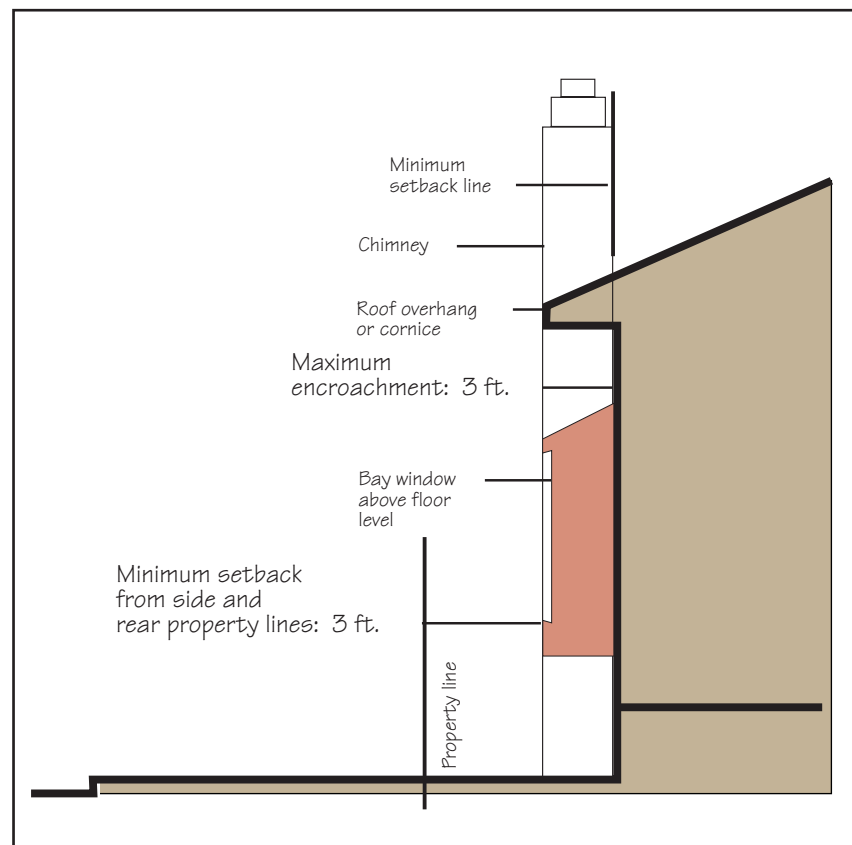
Typical Setbacks

Figure 4-2

C. **Allowed projections into setbacks.** The following architectural features may extend beyond the wall of the structure and into the front, side, and rear setbacks, only as follows:

1. **Balconies, porches, and stairways.** The following setback standards shall apply to balconies, porches, and stairways:
 - a. Balconies and similar open, uncovered features shall not project into any required setback unless the feature is three feet or less in height above finished grade, in which case it may extend into required setbacks in compliance with Subparagraph 1.c., below;
 - b. Covered, unenclosed porches, located at the same level as the entrance floor of the structure, may extend into required setbacks in compliance with Subparagraph 1.c., below;
 - c. Uncovered outside stairways and landings, that are not attached to a deck, are not enclosed, and do not extend above a ground floor entrance, may extend into required setbacks as follows:

- (1) Up to ten feet into a required front or street side setback, but not closer than 10 feet to a front or streetside property line;
 - (2) Up to three feet into a required side setback, but not closer than three feet to a side property line;
 - (3) Up to three feet into a required rear setback, but not closer than 10 feet to a rear property line.
 - d. These requirements shall not apply to uncovered landings, patios, or walkways constructed not more than six inches above finished grade.
2. **Canopies, chimneys/fireplaces, cornices, eaves, and roof overhangs.** Cantilevered architectural features on the main structure, including bay windows, canopies, chimneys/fireplaces up to eight feet in width, cornices, eaves, fireplaces, roof overhangs, and solar devices may extend up to three feet into a required setback, but not closer than three feet to a side or rear property line.



Architectural Projections into Setbacks

Figure 4-3

3. Setback requirements for specific structures and equipment:

- a. Decks, driveways, patio slabs, and walkways shall be allowed in required setbacks, provided they do not exceed a height of six inches above finished grade. This provision shall not exclude the use of steps providing access between areas of different elevation on the same property.
- b. An inner court providing access to a dwelling group (constructed and located face-to-face) shall provide a minimum width of 15 feet between rows for single-story structures with an additional five feet of width for each additional floor above the first floor.
- c. Ground-mounted equipment (e.g., air conditioners, fans, filters, heaters, swimming pool pumps, etc.) shall be allowed in required side or rear setbacks, provided:
 - (1) The equipment, including housing, is not closer than three feet to any side or rear property line; and
 - (2) The equipment does not exceed a height of four feet measured from the finished grade at the base of the unit.
- d. Guard railings or fences for safety protection around depressed ramps may be located in required setbacks provided:
 - (1) An open-work railing or fence is used; and
 - (2) The height of the railing or fence complies with the requirements of the City's adopted Uniform Building Code.
- e. Wooden and/or masonry planter boxes shall be allowed in all required setbacks when maintaining a maximum height of 42 inches.
- f. Patios.
 - (1) Attached covered patios having no enclosures, screening, or walls on at least three sides shall not project more than 10 feet into a required rear setback.
 - (2) Detached covered patios shall meet the requirements for residential accessory structures identified in [Section 19.50.080 \(Residential Accessory Uses and Structures\)](#).
- g. Retaining walls.
 - (1) Retaining walls up to 42 inches in height are exempt from setback requirements.
 - (2) Retaining walls up to six feet in height may be located within a required setback provided the exposed side of the wall faces into the subject par-

cel. If the exposed side of the retaining wall faces out of the subject parcel, the maximum height within the setback shall be four feet.

- h. Swimming pools and spas are allowed in side and rear setbacks provided they are not closer than five feet to a side or rear property line.

D. Projections into the public right-of-way. In commercial and mixed-use zoning districts, projections into the public right-of-way may be allowed as provided for below.

1. **Signs, awnings and canopies.** Subject to the approval of the Architectural Review Commission in accordance with [Section 19.54.080 \(Site Design and Architectural Review\)](#), signs, awnings, and similar non-permanent structures may project into the public right-of-way: The minimum clearance of such structures shall be seven feet and the minimum distance from an adjoining curb or street edge shall be three feet. Supporting posts or columns shall not be permitted under this provision.
2. **Balconies and building projections.** Subject to the approval of the Planning Commission in accordance with [Section 19.54.040 \(Use Permits\)](#), balconies and other permanent building features may project into a public right-of-way. The minimum clearance of such structures shall be eight feet and the minimum distance from an adjoining curb or street edge shall be three feet. Supporting posts or columns shall not be permitted under this provision.
3. **Posts, columns, and supports.** Subject to the approval of the City Council through the review of an encroachment permit, posts, columns and other permanent building features may be permitted within in the public right-of-way. Such features shall not impede pedestrian access and shall be set back a minimum of three feet from any adjoining public street.

E. Use and maintenance of setback areas. Setback areas and yards (defined as areas on a property not developed with a structure), including driveways and parking areas, shall be used and maintained in accordance with the following standards and requirements.

1. **Structures.** Yards and required setback areas shall not be occupied by structures other than:
 - a. Fences, as allowed under [Chapter 19.46 \(Fences, Hedges and Walls\)](#).
 - b. Accessory structures located within setback areas in compliance with [Section 19.50.090 \(Residential Accessory Uses and Structures\)](#).
 - c. Projections into setbacks as provided for under Subsection C, above.

- d. Structures for which a variance or an exception have been obtained, in accordance with the applicable provisions of Article V.
- e. Legal non-conforming structures.
- 2. **Use.** The use of yards and required setback areas shall be limited to the following:
 - a. Permitted uses under the applicable zoning district as set forth in Article II;
 - b. Conditionally permitted uses under the applicable zoning district as set forth in Article II for which a conditional use permit has been obtained;
 - c. Home occupations operated in conformance [Section 19.50.040](#);
 - d. Legal non-conforming uses.
- 3. **Storage.** Front or street side yards and setbacks shall not be used for the storage of garbage, rubbish, debris, parts, building materials (except in the course or permitted construction), or inoperable motor vehicles, except for screened storage facilities, such as building materials yards, allowed through a use permit in the Commercial and Mixed Use zones.
- 4. **Maintenance.** Setbacks and yards shall be maintained so as to be free from garbage and debris and accumulations of refuse and yard waste. No yard or setback area shall be maintained in a manner that supports or attracts concentrations of vermin or feral animals.

19.40.120—Undergrounding of Utilities

All on-site cable television, electric, and telephone facilities, fire alarm conduits, lighting wiring, and other wiring conduits and similar facilities shall be placed underground at the time of development.

19.40.130—Protection of Scenic Vistas

- A. **Purpose.** It is the purpose of this Section to provide standards for the protection of important scenic vistas throughout the City as identified in the General Plan, Community Development Element (Town Design).
- B. **Applicability.** The provisions of this Section apply to any new development for which a discretionary planning or subdivision permit is required that has the potential to affect any of the scenic vistas identified in the General Plan (see the “Town Design Elements” map in the Community Development Element).
- C. **Scenic vista defined.** For the purpose of this Section, a “scenic vista” means a public view, benefitting the community at large, of significant features, including hillside terrain, ridgelines, canyons, geologic features, and community amenities (e.g., parks, landmarks, permanent open space).

- D. Standards for view corridors.** New structures shall be constructed and located in a manner that preserves scenic vistas by maintaining view corridors, whenever possible. Examples of corridors include:
1. Unbuilt space between buildings;
 2. View opportunities created from undeveloped lots;
 3. Airspace created from public parks and open spaces; and
 4. Open spaces created from the deliberate spacing of buildings on the same lot or adjacent lots.
 5. Development in hillside areas, especially near ridgelines, shall comply with the standards in [Section 19.40.050 \(Hillside Development\)](#).

19.42—HISTORIC PRESERVATION AND INFILL IN THE HISTORIC ZONE

Sections:

19.42.010—Purpose

19.42.020—Adaptive Reuse

19.42.030—Guidelines for Preservation and Adaptive Reuse

19.42.040—Guidelines for Infill Development

19.42.010—Purpose

This Chapter is intended to safeguard the historic character of Sonoma by preserving historic buildings and ensuring that new development in the Historic Overlay zone is architecturally compatible.

- A. *Officially designated historic structures.* This Chapter establishes incentives, minimum standards, and guidelines for the preservation and adaptive reuse of officially designated historic structures to the greatest extent feasible.
- B. *Potentially historic structures.* This Chapter establishes guidelines for the preservation of historic structures within the City, using the League for Historic Preservation's inventory of historic structures as a guide for determining whether these provisions should be applied.
- C. *Infill development.* This Chapter establishes guidelines to be used in review of infill development within the Historic Overlay zone for which a discretionary permit is required.

19.42.020—Adaptive Reuse

The adaptive reuse of historic structures within the Historic Overlay District, involving uses not otherwise allowed through the base zone, may be allowed subject to the approval of a Conditional Use Permit, in compliance with [Section 19.54.040](#) and as set forth below.

- A. *Eligible Structures.* The following types of structures are eligible for adaptive reuse:
 - 1. **Officially designated structures.** Those structures of officially designated historical significance as indicated by listing with the State Office of Historic Preservation, regardless of whether they are located within the Historic Overlay zone.
 - 2. **Structures with potential historical value.** In addition to officially designated structures, there are other structures that may have historical value because of their age (usually more than 50 years old), and their contribution to the overall historic character of the community due to their unique architectural scale and style, use of design details, form, materials, proportion, as may be documented through listing on the Sonoma League for Historic Preser-

vation's inventory of historic structures. Such structures shall only be eligible for adaptive reuse if located within the Historic Overlay zone.

B. Allowable Uses. The following uses may be considered in an application for the adaptive reuse of a historic structure:

1. Residential uses and densities:

- a. Allowable residential uses. Single- and multi-family dwellings and residential condominiums.
- b. Allowable residential densities. The allowable residential density within the Historic Overlay District may exceed the normally allowable density under the subject General Plan designation and zoning district, subject to the approval of the Planning Commission.

2. Nonresidential uses:

- a. Bed and breakfast inns;
- b. Hotels;
- c. Limited retail;
- d. Mixed-use (residential over commercial) developments;
- e. Professional and service-oriented offices;
- f. Restaurants (with or without outdoor dining facilities); and
- g. Wine tasting facilities.

C. Retention of residential character, scale, and style. Adaptive reuse projects shall retain a residential character, scale, and style (e.g., off-street parking areas would be prohibited in the front and street side setbacks, new construction would have a residential appearance, signs would be limited, etc.). The guidelines set forth in [Section 19.42.030](#), below, shall be considered by the Planning Commission in applications for adaptive reuse.

D. Compliance with parking standards. The above listed uses shall be provided with suitable parking, in compliance with [Chapter 19.48 \(Parking and Loading Standards\)](#).

E. Findings and Decision. The Planning Commission shall approve, with or without conditions, the alteration or adaptive reuse of an historic structure, only if all of the following findings can be made, in addition to those identified in [Section 19.54.040 \(Use Permits\)](#). The alteration or adaptive reuse would:

1. Enhance, perpetuate, preserve, protect, and restore those historic districts, neighborhoods, sites, structures, and zoning districts which contribute to the aesthetic and cultural benefit of the City;
2. Stabilize and improve the economic value of historic districts, neighborhoods, sites, structures, and zoning districts;

3. Preserve diverse architectural design reflecting phases of the City's history, and encourage design styles and construction methods and materials that are compatible with the surrounding neighborhood(s); and
4. Promote and encourage continued private ownership and utilization of structures now so owned and used.

19.42.030—Guidelines for Preservation and Adaptive Reuse

- A. **Purpose.** The purpose of these guidelines is to implement General Plan policies related to the preservation and adaptive reuse officially designated historic structures throughout the City and of structures having potential historical value within the City's Historic Overlay zone.
- B. **Applicability.** These guidelines are to be utilized during the development/design review process as criteria against which to review new construction within the Historic Overlay District requiring discretionary approval and adaptive reuse projects.
- C. **Preservation and rehabilitation of existing structures.** In general, preservation and rehabilitation efforts should aim toward protecting the essential architectural features of a structure that help to identify its individual style and thereby further its contribution to the historic character of the surrounding neighborhood.
 1. **General rehabilitation principles.**
 - a. Historic structures should be recognized for their own time and style. Rehabilitation should not try to create a preconceived concept of history, but should reuse existing or appropriate features.
 - b. Rehabilitation of historic structures should try to retain and restore original elements first. If damage or deterioration is too severe, the element should be recreated using original materials to match the color, design, texture, and any other important design features.
 - c. When replacement is necessary and original material cannot be obtained, substitution material should incorporate the color, design, and texture that conveys the visual appearance of the original material.
 2. **Doors.**
 - a. Older structures almost always had solid wood doors that fit the particular style of the structure. The front door of the structure was the most ornate with secondary doors usually more utilitarian in appearance. The shape, size, and style of doors are an important feature of all historical architectural styles and the original design/type should be maintained.
 - b. Original doors should be repaired in-place whenever possible. When replacement is necessary, the replace-

ment door should match the original design and materials as close as possible.

- c. If the original door is missing, appropriate design and materials should be selected by studying the doors of similar structures in the surrounding neighborhood or consulting books on architectural styles. Many older style panel doors are still available from material suppliers and may match the original doors very closely.

3. Exterior materials.

- a. The original exterior building materials should be retained whenever possible. It is not desirable to use mismatched materials of different finishes, shapes, sizes, or textures.
- b. Structures with original wood siding should not be stuccoed in an attempt to modernize their appearance. Likewise, plastic shingles should not be used to replace wood siding or shingles.
- c. Replacing wood siding with aluminum siding of the same shape and size as the original siding can be an alternative, but care shall be taken to use siding of the appropriate size.
- d. Brick surfaces should not be sandblasted in an attempt to remove old paint. Sandblasting would damage the natural fired surface of the brick, and cause it to lose its water repellent qualities. Also, mechanical grinders should not be used to remove mortar as this can damage the brick surrounding the joint.

4. Ornamentation and trim.

- a. Most often it is the authentic decoration and trim on a structure that lends character and identifies the structure with its particular architectural style. Original ornamentation should be preserved whenever feasible.
- b. If the material needs to be removed to be repaired or copied, determine how the piece is attached and carefully plan the work to be sensitive to the material. Any prying action should be slow and careful, with a minimal amount of force.
- c. If the ornamentation or trim is comprised of several layers of materials, it is helpful to sketch the components as they come apart to ensure proper reassembly. If the pieces are beyond repair, a skilled finish carpenter should duplicate the original work.

5. Porches and stairs.

- a. During rehabilitation efforts, the design integrity of the front porch should not be compromised. Front porches should not be enclosed with walls or windows.

- b. If enclosing the porch is the only viable means of adding needed space, care should be taken to use decoration(s), doors, siding materials, trim details, and windows that match the facade of the structure surrounding the porch.

6. Roofs.

- a. Roofs are important both functionally and aesthetically. Great care should be taken to ensure that roofs are water-tight and that roofing materials are compatible with the original style of the structure. Often times roofs only need repairs but when replacement is necessary roofing materials should be selected that are appropriate to the structure's architectural style.
- b. It should be recognized that fire safety requirements may preclude re-roofing a structure in its original material. The determination of what material to use for the replacement of wood shingles or shakes in historic structures should be based on compatibility with the colors and materials used elsewhere on the structure.

7. Windows.

- a. Most older/historic structures had wood framed windows that were either casement, double hung, or fixed. The shape, size, and style of windows are an important feature of most architectural styles and the original type window should be maintained.
- b. When window replacement is necessary, it is preferred that the new window be an exact match of the original.
- c. An alternative to special milling may be the use of an "off-the-shelf" standard window that closely matches the original.
- d. Aluminum or plastic frame windows should not be used as replacements on any part of an historically valuable structure without justification. The use of such materials is highly visible and the contrast of materials and styles can permanently affect the architectural integrity of the structure. The use of traditional materials is preferred.

D. Additions to existing structures. Additions to historically valuable structures may be necessary to ensure their continued use. Modifications (e.g., additions, new entrances and exits, parking facilities, handicap facilities, and seismic strengthening) should be made with care so as not to compromise a structure's historically valuable features, finishes, or materials.

- 1. **Site plan considerations.** Additions should be carefully placed to minimize changes in the appearance of the structure from the public right-of-way. Whenever possible, additions should be placed to the side or rear of the struc-

ture and should not obstruct the appearance of the structure from the public right-of-way.

2. Architectural compatibility.

- a. Additions to historically valuable structures should incorporate the distinctive architectural features of the original structures including:
 - (1) Door and window shape, size, and type;
 - (2) Exterior materials;
 - (3) Finished floor height;
 - (4) Roof material, pitch, and style; and
 - (5) Trim and decoration.
- b. Refer to the rehabilitation guidelines Subsection D. (Preservation and rehabilitation of existing structures), above for discussion of appropriate exterior doors, porches, wall materials, windows, etc.

3. Roof pitch and style.

- a. The roof of a structure, especially its pitch and style, is an important architectural element that should be taken into consideration when planning an addition.
- b. Whenever possible, the pitch and style on the addition should match the original.
- c. Roof materials should also match as close as possible.

4. Second story additions.

- a. Because adding an additional story to an existing structure will always change the structure's proportions, such additions should be carefully designed to follow similar two-story examples of the particular style that may be found in the surrounding neighborhood.
- b. Integrating the new second story addition into the original design of the structure may be easier if the addition is set back from the front facade so that it is less noticeable from the public right-of-way.

19.42.040—Guidelines for Infill Development

- A. **Purpose.** These guidelines are intended to encourage new infill development in the Historic Overlay District to be compatible in scale and treatment with the existing, older development and to maintain the overall historic character and integrity of the community.
- B. **Guidelines for Compatibility.** The single most important issue of new infill development is one of compatibility, especially when considering larger structures. When new structures are developed adjacent to older single-family residences, there are concerns that the bulk and height of the infill structures may have a negative impact on the adjoining smaller-scale structures.

The following considerations are intended to address this concern.

1. Site plan considerations.

- a. New development should continue the functional, on-site relationships of the surrounding neighborhood. For example, common patterns that should be continued are entries facing the public right-of-way, front porches, and garages/parking areas located at the rear of the parcel.
- b. Front setbacks for new infill development should follow either of the following criteria:
 - (1) Equal to the average front setback of all residences on both sides of the street within 100 feet of the property lines of the new project; or
 - (2) Equal to the average front setback of the two immediately adjoining structures on each side of the new project.
- c. In cases where averaging between two adjoining existing structures is chosen, the new structure may be averaged in a stepping pattern. This method can work especially well where it is desirable to provide a large front porch along a portion of the front facade.

2. Architectural considerations.

- a. New infill structures should support the distinctive architectural characteristics of development in the surrounding neighborhood, including building mass, scale, proportion, decoration/detail, door and window spacing/rhythm, exterior materials, finished-floor height, porches, and roof pitch and style.
- b. Because new infill structures are likely to be taller than one story, their bulk and height can impose on smaller-scale adjoining structures. The height of new structures should be considered within the context of their surroundings. Structures with greater height should consider providing greater setbacks at the second story level, to reduce impacts (e.g., blocking or screening of air and light, privacy, etc.) on adjoining single-story structures.
- c. The incorporation of balconies and porches is encouraged for both practical and aesthetic reasons. These elements should be integrated to break up large front facades and add human scale to the structures.
- d. The proper use of building materials can enhance desired neighborhood qualities (e.g., compatibility, continuity, harmony, etc.) The design of infill structures should incorporate an appropriate mixture of the predominant materials in the surrounding neighborhood

whenever possible. Common materials are brick, horizontal siding, shingles, stone, stucco, and wood.

- e. Color schemes for infill structures should consider the color schemes of existing structures in the surrounding neighborhood in order to maintain compatibility and harmony. Avoid sharp contrasts with existing building colors.

3. Accessory structures.

- a. New accessory structures (e.g., garages, second units, sheds, etc.) that are visible from the public right-of-way should incorporate the distinctive architectural features (e.g., color, materials, roof pitch and style, etc.) of the main structure.
- b. Design features should be applied with less detail on the accessory structure so that it does not compete with the main structure and is clearly subordinate to it.

19.44—AFFORDABLE HOUSING REQUIREMENTS AND INCENTIVES

Sections:

- 19.44.010—Purpose
- 19.44.020—Inclusionary Units
- 19.44.020—Eligibility for Bonus and Incentives
- 19.44.030—Types of Bonuses and Incentives Allowed
- 19.44.040—Continued Availability
- 19.44.050—Location of Inclusionary and Bonus Units
- 19.44.060—Processing of Density Bonus/Incentive Requests

19.44.010—Purpose

This chapter delineates City requirements pertaining to inclusionary affordable units. In addition, as required by State law (Government Code Section 65915), this Chapter offers incentives to developers for providing housing that is affordable to the types of households and qualifying residents identified in [Section 19.44.020 \(Eligibility for Bonus and Incentives\)](#), below. The incentives include the ability to construct up to 25 percent more residential dwelling units than normally allowed by the applicable General Plan designation and zoning district, and other incentives provided by this Chapter. In offering these incentives, this Chapter is intended to implement the requirements of State law (Government Code Sections 65302, 65913, and 65915, et seq.)

19.44.020—Inclusionary Units

In order to ensure an appropriate variety of unit types and residential living opportunities in new development, inclusionary affordable units shall be provided as follows:

- A. ***Sonoma Residential District.*** In the Sonoma Residential zoning district:
 1. A development containing five or more parcels or units shall provide that at least 20% of the total parcels or units are affordable to households in the low and moderate income categories; and
 2. At least one-half of the affordable parcels or units of any residential development containing ten or more parcels or units shall be affordable to households in the low income category.
- B. ***In other residential Zoning Districts.*** A development containing five or more residential parcels or units shall provide that at least 20% of the total parcels or units are affordable to households in the low and moderate income categories.
- C. ***Affordable.*** Affordable shall be defined as “Affordable Housing Unit” in the 1995-2005 General Plan.

19.44.020—Eligibility for Bonus and Incentives

In order to be eligible for a density bonus and other incentives provided by this Chapter, a proposed residential development project shall comply with the following provisions.

A. Number of units. At least:

1. **Lower income.** Twenty percent of the total number of proposed dwelling units shall be for lower income households, as defined in Health and Safety Code Section 50079.5; or
2. **Very low income.** Ten percent of the total number of proposed dwelling units shall be for very low income households, as defined in Health and Safety Code Section 50105; or
3. **Other qualifying residents.** Fifty percent of the total number of proposed dwelling units shall be for qualifying residents as determined by Section 51.2 of the Civil Code.

B. Conformance. In order to qualify for the bonus and other incentives identified in this Chapter, the residential development project shall satisfy all other applicable provisions of this Chapter.

19.44.030—Types of Bonuses and Incentives Allowed

A qualifying residential development project shall be entitled to the following density bonus and other incentives. If a density bonus and/or other incentives cannot be accommodated on a parcel due to strict compliance with the provisions of this Development Code, the Planning Commission is authorized to waive or modify development standards as necessary to accommodate all bonus units and other incentives to which the development is entitled.

A. Density bonus.

1. **Minimum percentage required.** The density bonus allowed by this Chapter shall consist of a 25 percent increase in the number of dwelling units normally allowed by the General Plan designation and zoning district applicable to the parcel as of the date of filing for the development project application.
2. **Only one.** A single development project shall not be granted more than one density bonus in compliance with this Chapter.

B. Incentives. A qualifying residential development project shall be entitled to at least one of the following incentives identified by State law (Government Code Section 65915(b)):

1. **Reduction in standards.** A modification (reduction or increase) of the parcel development standards of this Development Code (e.g., parking requirements, setbacks, site coverage, zero lot line and/or reduced parcel sizes, etc.);
2. **Mixed-use zoning.** Approval of mixed-use zoning in conjunction with the residential development project if non-

residential land uses would reduce the cost of the project, and the nonresidential land uses would be compatible with the project and surrounding development; and

3. **Other incentives.** Other regulatory incentives or concessions proposed by the developer or the City that would result in identifiable cost reductions.
- C. **Approval of incentives.** Reductions in development standards for developments featuring density bonus units may be approved by the Planning Commission. The provision of any other incentives shall be subject to the approval of the City Council. The Council or Commission shall approve one or more of the above incentives, notwithstanding the other provisions of this Chapter, unless it makes a written finding that the additional concession or incentive is not required in order for the sales price or rent for the targeted dwelling units to be established in compliance with State law (Government Code Section 65915(c)). If no incentive is provided, then the term of affordability of the density bonus units shall be limited to 10 years.

19.44.040—Continued Availability

The land use permit application for the residential development project shall include the procedures proposed by the developer to maintain the continued affordability of the inclusionary and density bonus units in the following manner:

- A. **Development projects with City funding—40 Years.** Projects receiving a direct financial contribution or other financial incentives from the City, or a density bonus and at least one other concession or incentive, shall maintain the availability of the lower income density bonus units for a minimum of 40 years, as required by State law (Government Code Sections 65915(c) and 65916);
- B. **Private development projects—inclusionary and density bonus only—30 Years.** Privately-financed projects that receive a density bonus as the only incentive from the City shall maintain the availability of lower income density bonus units for a minimum of 30 years; and
- C. **Affordability agreement.** Affordability shall be guaranteed through an “Affordability Agreement” executed between the developer and the City in a form approved by the City Council and the City Attorney. The agreement shall be recorded on the subject property with the County Recorder’s Office before the issuance of Building Permits and shall become effective before final inspection of the first unit. The subject agreement shall be legally binding and enforceable on the property owner(s) and any subsequent property owner(s) for the duration of the agreement. The agreement shall include the following items:
 1. **Number and duration.** The number of, and duration of the affordability for, the affordable units;

2. **Monitoring affordability.** The method in which the developer and the City are to monitor the affordability of the subject affordable units and the eligibility of the tenants or owners of those units over the period of the agreement;
3. **Marketing of units.** The method in which vacancies would be marketed and filled;
4. **Location and type.** A description of the location and unit type (bedrooms, floor area, etc.) of the affordable units within the project; and
5. **Standards for incomes and rents/sales prices.** Standards for maximum qualifying household incomes and standards for maximum rents or sales prices.

19.44.050—Location of Inclusionary and Bonus Units

As required by State law (Government Code Section 65915(g)), the location of density bonus units within the qualifying project may be at the discretion of the developer. Normally, inclusionary affordable units should be reasonably dispersed throughout the development and should be compatible with the design or use of the market-rate units in terms of appearance, materials, and finish quality. The clustering of affordable units may be permitted by the Planning Commission, when consistent with the design and site planning characteristics of a particular development.

19.44.060—Processing of Density Bonus/Incentive Requests

Proposed density bonus/incentive requests shall require the approval of a Conditional Use Permit in compliance with [Section 19.54.040 \(Use Permits\)](#).

- A. **Initial review of bonus request.** The City Planner shall notify the developer within 90 days of the filing of the Conditional Use Permit application of whether the residential development project qualifies for the density bonus or incentive(s).
- B. **Criteria to be considered.** Criteria to be considered in analyzing the request shall include the availability and capacity of infrastructure (road, sewer, and water capacity, school capacity, etc.) to accommodate the proposed residential density.
- C. **Findings for approval.** The granting of a density bonus shall be subject to the findings required for the approval of a Conditional Use Permit ([Subsection 19.54.040.E.](#)).

19.46—FENCES, HEDGES AND WALLS

Sections:

- 19.46.010—Purpose
- 19.46.020—Applicability
- 19.46.030—General Height Limitations
- 19.46.040—Height Limitations for Retaining Walls
- 19.46.050—Measurement of Fence or Wall Height
- 19.46.060—Special Wall and Fencing Requirements
- 19.46.080—Restrictions on Fence Materials
- 19.46.090—Authority to Waive or Modify Requirements

19.46.010—Purpose

This Chapter establishes requirements for fences, hedges, and walls to ensure that these features do not block views and sunlight, provide adequate buffering between different land uses, provide screening of outdoor uses and equipment, and are designed and appropriately maintained to provide aesthetic enhancement of the City.

19.46.020—Applicability

The provisions of this Chapter apply to all fences, hedges, and walls unless otherwise stated.

19.46.030—General Height Limitations

- A. **Maximum heights.** Fences, hedges, and walls (except retaining walls) may be constructed to the heights shown in [Table 4-3](#) (following page). See also [Section 19.46.040 \(Height Limitations for Retaining Walls\)](#).
- B. **Modifications to fence height standards.** The Planning Commission may modify the fence height standards referenced in subsection A, subject to the approval of a Use Permit ([Section 19.54.040](#)) and in compliance with the provisions of this section.
- C. **Findings and decision.** The applicant shall demonstrate, to the satisfaction of the Planning Commission, that the following findings are met in addition to those required for all Conditional Use Permits ([Subsection 19.54.040.E.](#)):
 - 1. That the fence will be compatible with the design, appearance, and physical characteristics of the site and other existing structures in the surrounding neighborhood;
 - 2. That the height, orientation, and location of the fence is in proper relation to the physical characteristics of the site and surrounding properties.
 - 3. That the fence will be a planned architectural feature and would not dominate the site or overwhelm surrounding properties, structures, or passersby; and

4. That the fence will be of sound construction and located so as not to cause a safety hazard.

Table 4-3
Maximum Height of Fences, Hedges and Walls

Location	Maximum Height
Rear and interior side setbacks	7 feet ¹
Front and street-side setbacks ²	3.5 feet
At intersections of streets, alleys, and driveways within traffic safety sight areas	30 inches if solid; otherwise the maximum height normally allowed, if the fence material is 75% open (e.g., lattice).

Notes:

1. An additional one foot of height is allowed (to a maximum of 8 feet tall), but all fencing material above 7 feet in height shall be open grill or lattice-work, or a similar open design allowing light and air to pass through at least 40% of the fencing material.
2. Unless additional height is granted through a Conditional Use Permit (Section 19.54.040).

19.46.040—Height Limitations for Retaining Walls

- A. **Maximum height—six feet.** Retaining walls shall not exceed a height of six feet measured from the finished grade at the base of the wall. The City Planner may approve additional height up to one foot in consideration of varying topographical features.
- B. **Fence or wall topping.**
 1. **Wall for a cut in grade.** Where a retaining wall protects a cut below the finished grade and is located on a front, side, or rear property line, the retaining wall may be topped by a fence or wall of the same height that would otherwise be allowed if no retaining wall existed.
 2. **Wall for a fill of grade.** Where a retaining wall contains a fill, the height of the retaining wall shall be considered as contributing to (counting towards) the allowable height of a fence or wall.
 3. **Safety protection.** Regardless of the height of the retaining wall, an open-work, non-view-obscuring fence may be erected at the top of the retaining wall for safety protection to a maximum height of 42 inches.
- C. **Located within setback.**
 1. **Setback.** Where a wall or fence is located in a required setback area adjacent to a retaining wall containing a fill, in

compliance with [Section 19.40.110 \(Setback Regulations and Exceptions\)](#), the wall or fence shall be set back from the retaining wall a distance of one foot for each one foot in height.

2. **Landscaping.** The area between the wall or fence and the retaining wall shall be landscaped and continuously maintained in good condition.

19.46.050—Measurement of Fence or Wall Height

A. Determination of height. Where there is a difference in the ground level between two adjoining parcels of less than two feet, the height of a fence or wall constructed along the property line shall be determined by using the finished grade at the base of the fence or wall on the highest parcel.

B. Determination by Building Official. When there is a difference in the ground level between two adjoining parcels of two feet or more, the height of a fence or wall shall be determined by the Building Official.

C. Averaging.

1. **Variations.** To allow for variation in topography, the height of a fence or wall may vary up to six inches.
2. **Average finished grade.** The variation shall be dependent on the average finished grade which shall be determined by adding to the lowest grade adjacent to the fence or wall, one-half of the difference in elevation of the grade on each side of the fence.
3. **Maximum height.** The average height of a fence or wall shall not exceed the maximum height allowed.

19.46.060—Special Wall and Fencing Requirements

- A. Swimming pools, spas, and similar features.** Swimming pools, spas, and other similar features shall be fenced in compliance with requirements of the City's adopted Uniform Building Code.
- B. Outdoor equipment, storage, and work areas.** Screening of outdoor uses and equipment and activities shall be provided in compliance with [Section 19.40.100 \(Screening and Buffering\)](#) and [Section 19.50.060 \(Outdoor Dining, Display, and Sales Standards\)](#).
- C. Temporary fencing.** Temporary fencing used during site preparation and construction shall be subject to the approval of the City Planner.

19.46.070—Special Wall and Fencing Guidelines

- A. Fence and wall design.** In new development for which architectural review is required (see [Section 19.54.080](#)), the Architectural Review Commission shall make reference to the following guidelines:

1. **Uniformity required.** Fence or wall designs should be consistent throughout a multi-family or nonresidential development, or single-family subdivision, although multiple designs may be employed in large projects.
2. **Mix of materials required.** The design should include a mix of materials and finishes that are compatible with the overall design of the project.
3. **Articulation required.** Perimeter fences and walls adjoining public rights-of-way should be articulated.

19.46.080—Restrictions on Fence Materials

- A. **Security fences.** Barbed wire, electrified, or razor wire fences, and other similar types of security fences are prohibited in all residential zoning districts and on commercial properties adjoining a residential zoning district. The use of such fence materials on commercial properties that do not adjoin a residential zoning district shall be subject to use permit review, in compliance with [Section 19.54.040](#).
- B. **Chain-link.** Except for temporary fencing associated with construction, the use of chain-link fencing shall not be allowed on a residentially zoned or developed property within a required setback adjoining public rights-of-way.

19.46.090—Authority to Waive or Modify Requirements

The Planning Commission may waive or modify the requirements of [Section 19.46.080 \(Restrictions on Fence Materials\)](#), above in compliance with the provisions of [Section 19.54.040 \(Use Permits\)](#) for nonresidential projects where evidence is presented that a higher degree of security is required and that the security may only be achieved through the use of barbed wire or similar security-type fencing materials.

19.48—PARKING AND LOADING STANDARDS

Sections:

- 19.48.010—Purpose
- 19.48.020—Applicability
- 19.48.030—General Parking Regulations
- 19.48.040—Number of Parking Spaces Required
- 19.48.050—Adjustments to Parking Requirements
- 19.48.060—Disabled/Handicapped Parking Requirements
- 19.48.070—Development Standards for Parking Facilities
- 19.48.080—Development Guidelines for Parking Facilities
- 19.48.090—Landscaping of Parking Facilities
- 19.48.100—Driveways
- 19.48.110—Bicycle Parking Requirements
- 19.48.120—Loading Space Requirements

19.48.010—Purpose

This Chapter provides off-street parking and loading standards to:

- A. Provide for the general welfare and convenience of persons within the City by ensuring adequate off-street parking and loading facilities to meet the needs generated by specific uses;
- B. Increase public safety by reducing congestion on public streets;
- C. Ensure access and maneuverability for emergency vehicles; and
- D. Provide adequate loading facilities to reduce the use of public streets for loading purposes.

19.48.020—Applicability

Every use, including a change or expansion of a use or structure shall have off-street parking and loading facilities in compliance with the provisions of this Chapter. A use shall not be commenced and structures shall not be occupied until improvements required by this Chapter are satisfactorily completed.

19.48.030—General Parking Regulations

- A. ***Parking and loading spaces to be permanent.*** Required parking and loading spaces shall be permanently available, marked, and maintained for parking or loading purposes and shall be located on the site they are intended to serve unless otherwise approved by the Planning Commission. Parking facilities approved to be located off-site shall be located within 300 feet of the use they are intended to serve.
- B. ***Parking and loading to be unrestricted.*** Owners, lessees, tenants, or persons having control of operation of a premises for which parking or loading spaces are required by this Chapter shall not prevent, prohibit, or restrict authorized persons from using those spaces, except that temporary restrictions may be allowed subject to the approval of the City Planner.

- C. **Existing parking.** Existing parking or loading spaces shall not be reduced to an amount below that which is required by this Chapter. The City Planner may approve the temporary reduction of parking or loading spaces in conjunction with a seasonal or intermittent use for a period of not more than 30 days. Longer periods may be allowed with the approval of a Temporary Use Permit ([Section 19.54.030](#)).
- D. **Maintenance.** Parking spaces, driveways, maneuvering aisles, turnaround areas, and landscaped areas shall be kept free of dust, graffiti, and litter; and striping, paving, walls, light standards, and all other facilities shall be permanently maintained.
- E. **Use of commercial parking.** Parking developed under this Chapter for commercial uses shall be available for use by the general public during business hours without charge and without reservation by individual tenant space, unless otherwise authorized by the Planning Commission.

19.48.040—Number of Parking Spaces Required

Each land use shall provide at least the minimum number of off-street parking spaces found to be required by this Chapter, except where a greater number of spaces is required through approval of a discretionary permit or a parking reduction is granted in compliance with [Section 19.48.050 \(Adjustments to Parking Requirements\)](#).

- A. **Parking requirements by land use.** The minimum number of parking spaces to be provided for each use shall be in compliance with Table 4-4 and the following requirements. Additional spaces may be required for company-owned vehicles or through entitlement approval.
- B. **New developments.** All new developments, except an expansion of an existing structure (see subsection D below), shall provide parking and loading spaces as required by Table 4-4 or as may be modified by [Section 19.48.050.B. \(Adjustments to Parking Requirements—Shared use of parking facilities\)](#).
- C. **Change to similar use.** When the use of a structure changes to a use that requires the same number of parking spaces as the immediately previous use, the number of required parking spaces for the new use shall remain the same, regardless of the number of spaces actually provided by the previous use, provided that the previous use was legally established and no spaces were subsequently eliminated.
- D. **Expansion of structure or change in use.** When a structure is enlarged or increased in capacity, or when a change in use requires more parking than the previous use, additional parking spaces shall be provided in compliance with this Chapter. The number of parking spaces required for an addition to a structure shall be based on the parking requirement associated with the entire structure.

Table 4-4
Parking Requirements by Land Use

Land Use Type: Manufacturing, Processing, and Warehousing	Vehicle Spaces Required
General manufacturing, industrial and processing uses	One space for each 500 sq. ft. of gross floor area for the first 20,000 sq. ft.; and one space for each 1,000 sq. ft. thereafter. The gross floor area may include incidental office space comprising less than 20% of the total gross floor area. Parking requirements for additional office space shall be calculated separately as provided by this table for "Offices."
Recycling facilities	Determined by Use Permit.
Research and development, laboratories	One space for each 600 sq. ft. of gross floor area, plus one space for each company vehicle.
Warehouses and storage facilities.	One space for each 1,000 sq. ft. of gross floor area. The gross floor area may include incidental office space comprising less than 20% of the total gross floor area. Parking requirements for additional office space shall be calculated separately as provided by this table for "Offices."
Land Use Type: Recreation, Education, Public Assembly	Vehicle Spaces Required
Child day-care centers (nursery schools)	One space for each 10 children, plus permanent drop-off area as approved by the City Planner.
Large family day-care homes	One space for each employee, in addition to the required residential spaces.
Churches, other places of worship, and mortuaries, meeting halls, and performance theaters.	One space for each four seats or one space for each 75 sq. ft. of gross floor area, whichever is greater.
Indoor arcades, amusement centers	One space for each 250 sq. ft. of gross floor area
Health/fitness clubs	One space for each 300 sq. ft. of gross floor area.
Libraries, museums, art galleries, and similar non-assembly cultural uses.	Determined by Commission based on location, nature, and frequency of use.
Outdoor recreation, playgrounds, playing fields, and parks.	Determined by Commission based on location, nature, and frequency of use.
Schools (private) Elementary/Junior High	Two spaces for each classroom
High School	Two spaces for each classroom, plus one space for every seven students
Trade and business schools	Two spaces for each classroom, plus one space for every two students.
Studios for dance and art	One space for each 200 sq. ft. of gross floor area.

Table 4-4
Parking Requirements by Land Use

Land Use Type: Residential Uses	Vehicle Spaces Required
Group quarters (Including boarding houses, rooming houses, and dormitories)	One space for each bed, plus one space for each eight beds for guest parking, plus one space for each employee on largest shift.
Duplex housing units	One and one-half space for each unit.
Mobile homes (in M.H. parks)	One space for each mobile home, plus one guest parking space for each four units.
Multi-family dwellings, condominiums and other attached dwellings.	One and one-half spaces for each unit with one space for each unit covered, plus guest parking at the rate of 25% of total required spaces.
Mixed-use developments	Determined by Use Permit.
Live-Work developments	One space per 300 square feet of the area devoted to work space, plus one space for every four units.
Secondary residential units	Attached: One covered or uncovered space in addition to that required for a single-family unit. Detached: One covered space in addition to that required for a single-family unit.
Senior housing projects	One space for each two units with half the spaces covered, plus one guest parking space for each 10 units.
Senior congregate care facilities	0.5 space for each residential unit, plus one space for each four units for guests and employees.
Single-family housing	One space in a garage or carport per unit.
Land Use Type: Retail Trade	Vehicle Spaces Required
Appliance, building materials, furniture, bulk goods, and plant nurseries.	One space for each 600 sq. ft. of gross floor area and one space for each company vehicle, plus one space for each 1,000 sq. ft. of outdoor display area.
Automobile, construction equipment, mobile home, machinery, and parts sale	One space for each 600 sq. ft. of gross floor area, plus one space for each 3,000 sq. ft. of outdoor display, service area, plus one space for each 300 sq. ft. of gross floor area for a parts department, plus one space for each three employees.
Convenience stores	One space for each 200 sq. ft. of gross floor area.
Restaurants (except fast food), cafes, cafeterias, night-clubs, taverns, lounges or similar establishments for the consumption of food and beverages on the premises.	One space for each four seats. For outdoor seating, no off-street parking shall be required for up to 25% of the approved number of indoor seats.
Retail sales/General merchandise	One space for each 300 sq. ft. of gross sales area, plus one space for each company vehicle, plus one space for each 1,000 sq. ft. of outdoor display area.

Table 4-4
Parking Requirements by Land Use

Land Use Type: Service Uses	Vehicle Spaces Required
Banks and financial services	One space for each 300 sq. ft. of gross floor area.
Bed and breakfast establishment	One space for each guest room, plus one space for resident manager.
Copy and reproduction centers	One space for each 400 sq. ft. of gross floor area
Consumer products —repair and maintenance	One space for each 300 sq. ft. of gross floor area
Equipment rental	One space for each 300 sq. ft. of floor area, plus one space for each 1,000 sq. ft. of outdoor use area.
Hotels and motels	One space for each guest room, plus one space for each two employees on the largest shift, plus required spaces for accessory uses.
Medical services, clinics, medical/dental offices	One space for each 300 sq. ft. of gross floor area, plus one space for each employee/staff member.
Extended care (convalescent hospitals, nursing homes, and residential care homes)	One space for each four beds the facility is licensed to accommodate
Hospitals	One space for each patient bed the facility is licensed to accommodate, plus required spaces for ancillary uses as determined by the City Planner.
Medical/dental labs	One space for each 300 sq. ft. of gross floor area.
Offices, administrative, corporate	One space for each 300 sq. ft. of gross floor area.
Pet grooming	One space for each 400 sq. ft. of gross floor area.
Personal services: Barber/beauty shops (and other personal services)	One space for each 300 sq. ft. of gross floor area.
Dry cleaning pick-up facilities	One space for each 400 sq. ft. of activity area, plus one space for each 1,000 sq. ft. of storage area.
Laundromats	One space for each 300 sq. ft. of gross floor area.
Service stations	One space for each 300 sq. ft. of gross floor area; plus three spaces for each service bay, plus additional spaces for food service or convenience market.
Storage, personal storage facilities	Four spaces for manager office.
Vehicle repair and maintenance/repair garage	Four spaces for each service bay, plus adequate queuing lanes for each bay, plus one space for each two employees on the largest shift.
Full-service vehicle washing	4 spaces, plus 1 spaces for each wash lane for drying area, plus queuing area for vehicles ahead of each lane.
Vacation Rental	One space per bedroom.
Veterinary clinics and hospitals	One space for each 400 sq. ft. of gross floor area, plus one space for each 800 sq. ft. of boarding area.

- E. Structures demolished and replaced.** When a structure (or a portion of a structure) is intentionally demolished, any new use or structure shall provide the number of parking spaces required by this Chapter, except that if a designated unreinforced masonry building is demolished, the new structure or use shall be required to provide only the number of parking spaces that existed prior to the demolition.
- F. Existing unreinforced masonry structures and structures adjoining the Plaza.** For unreinforced masonry structures designated by the City in compliance with Government Code 8875 et seq. and existing structures that face the plaza, additional parking shall not be required for a new use unless the new use results in one of the following:
1. An increase in the square footage of the structure, or
 2. An off-street parking requirement that exceeds one parking space for each 300 square feet of floor area.
- Additional off-street parking shall only be required for the expansion in building area or as associated with the increased parking ratio, as applicable.
- G. Additional parking spaces not required.** An addition to a structure made solely for the purpose of increasing access for disabled persons shall not require the provision of additional parking spaces.
- H. Compact parking spaces.** A maximum of 30 percent of the required parking spaces for multi-family, commercial, and industrial uses may be compact spaces.
- I. Multi-tenant sites.** A site with multiple tenants or activities shall provide the aggregate number of parking spaces required by this Chapter for each separate use, except where shared parking may be allowed in compliance with [Section 19.48.050. B. \(Shared use of parking facilities\)](#).
- J. Uses not listed.** Land uses not specifically listed by [Subsection A.](#), above, shall provide parking as required by the applicable review authority. The requirements of Subsection A, shall be used as a guide in determining the minimum number of off-street parking spaces to be provided.
- K. Rounding of quantities.** When calculating the number of parking spaces required, fractional spaces equal to or greater than one-half shall be rounded up to the nearest whole number and fractions less than one-half shall be eliminated.
- L. Bench or bleacher seating.** Where fixed seating is provided in the form of benches or bleachers, a seat shall be construed to be 20 inches of continuous bench space for the purpose of calculating the number of required parking spaces.

19.48.050—Adjustments to Parking Requirements

- A. General reduction of requirements.**

1. **Modification of standards.** The Planning Commission may modify the off-street parking requirements outlined in this Chapter in compliance with [Section 19.54.050 \(Exceptions\)](#).
 2. **Second uses.** Parking requirements for a second use within a single building (e.g., a restaurant in a hotel or a shop within a sports facility), may be reduced by up to one-half the normal parking requirement upon the determination by the Planning Commission that a reduction is justified.
 3. **Mixed uses.** Parking requirements for commercial and residential mixed uses located in a commercial zone may be reduced upon determination by the Planning Commission that a reduction is justified. If required by the Planning Commission, a parking demand study, prepared by an independent licensed traffic engineer, shall be provided by the applicant which presents justification for the requested modification.
- B. Shared use of parking facilities.** Where two or more adjacent nonresidential uses have distinct and differing peak parking usage periods, (e.g. a theater and a bank), a reduction in the required number of parking spaces may be approved by the Planning Commission, provided that the most remote space is located within 300 feet of the use it is intended to serve. The amount of reduction may be up to the amount of spaces required for the least intensive of the uses sharing the parking. It shall be the responsibility of the applicant to provide sufficient data, including a parking study if required by the Planning Commission, to indicate that there is no conflict in the peak parking demand for the uses proposing to make joint use of the parking facilities. The property owners involved in the joint use of parking facilities shall record an agreement, approved by the City Attorney, with the County Recorder. A copy of the agreement shall be filed with the City Planner.
- C. In-lieu parking fee.** A portion or all of the parking spaces required for a commercial use need not be provided by the use if an in-lieu fee is approved by the Planning Commission and contributed by the developer to a parking improvement trust fund. The amount of the fee and time of payment shall be established by resolution of the City Council. As a result of participating in the support of a public parking facility, an owner or developer may receive a reduction in the total number of parking spaces required based on the number of spaces purchased in the public parking facility and subject to approval by the Commission.

19.48.060—Disabled/Handicapped Parking Requirements

Parking areas shall include parking spaces accessible to the disabled in the following manner:

- A. **Number of spaces, design standards.** Parking spaces for the disabled shall be provided in compliance with Section 1129B of the Uniform Building Code;
- B. **Reservation of spaces required.** Disabled access spaces required by this Chapter shall be reserved by the property owner/tenant for use by the disabled throughout the life of the approved land use;
- C. **Upgrading of markings required.** If amendments to State law change standards for the marking, striping, and signing of disabled parking spaces, disabled accessible spaces shall be upgraded in compliance with the new standards. Upgrading shall be completed by affected property owners within 60 days of being notified in writing by the City of new State standards.

19.48.070—Development Standards for Parking Facilities

Parking facilities shall be provided in the following manner:

- A. **Access.** Access to off-street parking areas shall be provided in the following manner:
 - 1. Parking areas shall provide suitable maneuvering room so that vehicles enter an abutting street or alley in a forward direction. The review authority may approve exceptions for single-family homes and duplexes, and for nonresidential uses where parking areas immediately adjoin a public alley.
 - 2. A minimum unobstructed clearance height of 14 feet shall be maintained above vehicle lanes and parking spaces.
- B. **Parking space and driveway dimensions.** Parking spaces and access driveways shall be dimensioned in compliance with current City standards on file with the City Clerk and made a part hereof. Two-way traffic aisles shall have a minimum width of 20 feet.
- C. **Drainage.**
 - 1. Surface water from parking lots shall not drain over sidewalks or adjacent parcels.
 - 2. Parking lots shall be designed in compliance with the storm water quality and quantity standards of the City's Best Management Practices.
- D. **Directional arrows and signs.**
 - 1. Parking spaces, driveways, circulation aisles, and maneuvering areas shall be clearly marked with directional arrows and lines to ensure the safe and efficient flow of vehicles.
 - 2. The City Planner may require the installation of the traffic signs in addition to directional arrows to ensure the safe and efficient flow of vehicles in a parking facility.
- E. **Location.** Off-street parking areas shall be located as follows:
 - 1. Required parking shall be located on the same parcel as the uses served, except that parking may be located on a parcel

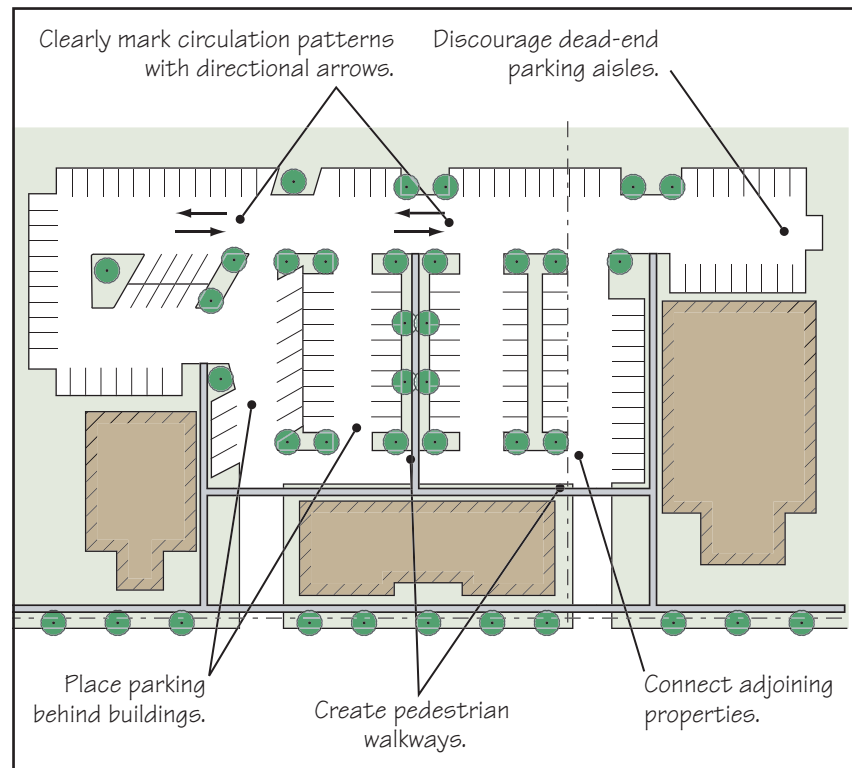
- adjacent to, or within 300 feet of, the use served subject to approval of the Commission and the recording of a covenant with the County Recorder guaranteeing that the required parking will be maintained exclusively for the use served. The agreement shall be approved by the City Attorney and a copy shall be filed with the Planning Division.
2. Uncovered parking spaces shall be set back from any street a minimum distance of five feet. The setback area shall be fully landscaped.
 3. Parking facilities shall be separated from buildings by either a raised walkway, landscape strip, or preferably a combination of both. Situations where parking aisles or spaces directly abut the building are prohibited.
 4. Parking for multi-family uses shall be located within 200 feet of the units they are intended to serve.
 5. Bicycle spaces shall be situated so that they do not obstruct the flow of pedestrians at entrances or sidewalks.
- F. **Striping and identification.** Parking spaces shall be clearly outlined with 4-inch wide lines painted on the surface of the parking facility. Parking spaces for the disabled shall be striped and marked according to the applicable State and Federal standards.
- G. **Surfacing.** Parking spaces and maneuvering areas shall be paved and permanently maintained with asphalt, concrete, or other all-weather surfacing in compliance with City standards. Alternative surfaces may be allowed subject to the review and approval of the Planning Commission.
- H. **Wheel stops/curbing.** In parking lots of more than 10 spaces, continuous concrete curbing at least six inches high and six inches wide shall be provided for parking spaces located adjacent to fences, walls, property lines, landscaped areas, and structures. Individual wheel stops may be provided in lieu of continuous curbing when the parking is adjacent to a landscaped area, and the drainage is directed to the landscaped area subject to the approval of the Architectural Review Commission. Wheel stops shall be placed to allow for two feet of vehicle overhang area within the dimension of the parking space.

19.48.080—Development Guidelines for Parking Facilities

The following guidelines shall be considered by the Planning Commission or the Architectural Review Commission, as applicable, in the review of discretionary planning applications involving the creation or modification of parking facilities.

- A. **Access to adjacent sites.** Applicants for nonresidential developments are encouraged to provide shared vehicle and pedestrian access to adjacent nonresidential properties for convenience, safety, and efficient circulation. Where parking facilities on adjoining parcels provide mutual access, a reduction in the number of required parking spaces may be considered in com-

pliance with [Section 19.48.050. B. \(Shared use of parking facilities\)](#). A joint access agreement guaranteeing the continued availability of the shared access between the properties and running with the land shall be recorded by the owners of the abutting properties, as approved by the City Planner.



Parking Design Guidelines

Figure 4-4

B. Access for pedestrians. New commercial or multi-family residential development, or any change of use or expansion of an existing commercial or multi-family development requiring the installation of additional parking, should provide pedestrian access as follows:

1. A minimum of one pedestrian walkway from the nearest public sidewalk through the parking lot to the commercial or residential use(s). Additional walkways should be considered on a case-by-case basis.
2. Walkways should be a minimum of four feet in width, designed to be clearly separate physically (e.g., raised sidewalk) or in appearance (e.g., enhanced paving) from parking or driveway areas, and located in a manner that provides convenient access between the public sidewalk and the use.
3. Pedestrian access should incorporate enhanced paving (e.g., special paving materials), trellis structures, and landscaping.

- C. **Circulation.** Within parking lots, vehicular circulation should be provided for as follows:
1. Parking facilities should be designed with a clear and efficient hierarchy of circulation: major access drives with no parking; circulation drives with little or no parking; and parking aisles for direct access to parking spaces.
 2. Parking layouts that necessitate a cul-de-sac or similar type of turning facility for reversing direction of travel in order to exit from the parking area are discouraged. Cul-de-sac, hammer heads, and similar direction-reversing facilities may be approved by the review authority when other alternatives are not feasible.

19.48.090—Landscaping of Parking Facilities

Landscaping of parking facilities shall be provided and maintained in compliance with the provisions of this Section.

- A. **Amount of landscaping required.** At a minimum, parking facilities shall provide landscaping in the amounts as set forth in Table 4-5.

Table 4-5
Required Landscaping for Parking Facilities

Parking Facility Size	Percent of Facility to be Landscaped
1-6 spaces	7%
7 or more spaces	12%

- B. **Landscape materials.** Landscaping materials shall be provided throughout the parking lot area using a combination of trees, shrubs and ground cover. Drought-tolerant landscape materials shall be emphasized, consistent with the City's Low Water Use Landscaping Ordinance. Trees shall be provided throughout the parking area at a rate of one tree for every 10 parking spaces. All trees within the parking area shall be a minimum one-inch caliper size at the time of planting.
- C. **Curbing, irrigation.** Landscaped areas shall be bordered by a concrete curb at least six inches high and shall be provided with an automatic irrigation system. Alternative barrier designs may be approved by the City Planner.
- D. **Bumper overhang areas.** To increase the parking lot landscaped area, a maximum of two feet of the parking stall depth may be landscaped with low-growth, hearty materials in lieu of paving, allowing a two-foot bumper overhang while maintaining the

required parking dimensions. Bumper overhang areas shall not encroach over the required width of a sidewalk.

- E. Parking lot screening.** Parking areas adjoining a public street should be designed to provide a five-foot wide landscaped planting strip between the street right-of-way and parking area. The landscaping should be designed and maintained to screen cars from view from the street to a height of 36 inches. Screening materials may include a combination of plant materials, earth berms, wood fences, masonry walls, raised planters, or other screening devices that meet the intent of this requirement. Plant materials, walls, or structures within a traffic safety sight area of a driveway shall not exceed 30 inches in height.
- F. Parking lots adjacent to residential uses.** Parking areas for non-residential uses adjoining residential uses shall provide a landscaped buffer yard between the parking area and the common property line bordering the residential use. A solid masonry wall or wooden fence and landscaping shall be provided along the property line. Trees shall be provided at a rate of one for each 30 linear feet of landscaped area.
- G. Larger projects.** Parking facilities with more than 50 spaces shall provide a concentration of landscape elements at primary entrances, including specimen trees, flowering plants, and enhanced paving. Additionally, larger parking facilities should be broken up into a series of small parking lots separated by landscaping and pedestrian walkways.
- H. Lighting.** Parking areas shall have lighting capable of providing adequate illumination for security and safety. Lighting standards shall be energy-efficient and in scale with the height and use of the on-site structure(s). All illumination, including security lighting, shall be directed downward, away from adjacent properties and public rights-of-way in compliance with [Section 19.40.030 \(Exterior Lighting\)](#).

19.48.100—Driveways

Driveways providing site access shall be from an improved street, alley, or other public and/or private right-of-way, and shall be designed, constructed, and maintained as follows.

- A. Number of driveways.** Up to two driveways shall be allowed for each parcel two acres or more in size unless the City Engineer determines that more than two driveways are required to accommodate traffic volumes on specific projects. Additional driveways shall not be allowed if it is determined to be detrimental to traffic flow on the adjacent street(s). Whenever a property has access to more than one street, access shall be generally limited to the lowest volume street where the impact of a new access will be minimized unless otherwise approved by the City Engineer.
- B. Distance from street corners.** Driveways to parking areas, except single family residential drives, shall be located a minimum of

150 feet from the nearest intersection, as measured from the centerline of the driveway to the centerline of the nearest travel lane of the intersecting street. For parcels with frontages less than 150 feet, the minimum distance shall be 100 feet unless a lesser distance is approved by the City Engineer.

- C. **Driveway spacing.** Driveways shall be separated along the street frontage as follows:
1. **Single-family and duplex residential development.** Driveways shall be separated by at least six feet, unless a shared, single driveway is approved by the City Engineer. The 6-foot separation does not include the transition or wing sections on each side of the driveway; and
 2. **Multi-family and nonresidential development.** Where two or more driveways serve the same or adjacent multi-family or nonresidential development, the centerlines of the driveways shall be separated by a minimum of 50 feet. Exceptions to this standard shall be subject to the approval of the City Engineer.
- D. **Clearance from obstruction.** The nearest edge of a driveway apron or curb return shall be at least five feet from the nearest property line, centerline of a fire hydrant, utility pole, traffic signal, light standards, or other similar facilities

19.48.110—Bicycle Parking Requirements

New multi-family residential and commercial development, and any change of a commercial use within an existing structure requiring approval of a Conditional Use Permit shall provide bicycle parking as follows:

- A. The amount and location of bicycle parking shall be determined on a case-by-case basis by the review authority;
- B. Bicycle parking areas shall have all-weather protection unless otherwise approved by the review authority;
- C. Each bicycle parking space shall include a stationary device to adequately secure and support the bicycle; and
- D. Bicycle parking spaces shall be conveniently located and generally within proximity to the main entrance to the structure.

19.48.120—Loading Space Requirements

- A. **Number of loading spaces required.** Nonresidential uses shall provide off-street loading space(s) in compliance with Table 4-6 below. Requirements for uses not listed shall be determined by the City Planner or the Planning Commission, as applicable, based upon the requirements for comparable uses.
- B. **Standards for loading areas.** Off-street loading areas shall be provided in the following manner:
 1. **Dimensions.** Loading spaces shall be a minimum of 12 feet in width, 40 feet in length, with 14 feet of vertical clearance;

2. **Lighting.** Loading areas shall have lighting capable of providing adequate illumination for security and safety. Lighting sources shall be shielded to prevent light spill beyond the property line. Lighting standards shall be energy-efficient and in scale with the height and use of adjacent structure(s);
3. **Loading ramps.** Plans for loading ramps or truck wells shall be accompanied by a profile drawing showing the ramp, ramp transitions and overhead clearances;
4. **Location.** Loading spaces shall be located and designed as follows:
 - a. As near as possible to the main structure and limited to the rear two-thirds of the parcel, if feasible;
 - b. Situated to ensure that the loading facility is screened from adjacent streets to the greatest degree possible;
 - c. Situated to ensure that loading and unloading takes place on-site and in no case within adjacent public rights-of-way or other on-site traffic circulation areas;
 - d. Situated to ensure that vehicular maneuvers occur on-site; and
 - e. Situated to avoid adverse impacts upon neighboring residential properties.
5. **Screening.** Loading areas shall be screened from abutting parcels and streets with dense landscaping or solid walls or fences with a minimum height of six feet; and
6. **Striping.** Loading areas shall be striped indicating the loading spaces and identifying the spaces for “loading only.” The striping shall be permanently maintained by the property owner/tenant in a clear and visible manner at all times.

Table 4-6
Loading Requirements

Type of Land Use	Loading Spaces Required
Commercial and other allowed uses	One space for each 10,000 square feet of gross floor area
Manufacturing, research and development, institutional, and service	One space for each 10,000 square feet of gross floor area
Office uses and public uses	One space for each 25,000 square feet of gross floor area
Multi-family residential uses	One space for each 25,000 square feet of gross floor area

19.50—SPECIAL USE STANDARDS

Sections:

19.50.010—Purpose and Applicability
19.50.020—Agricultural Structures
19.50.030—Bed and Breakfast Inns
19.50.040—Home Occupations
19.50.050—Live/Work Units
19.50.060—Outdoor Dining, Display, and Sales Standards
19.50.070—Produce Stands
19.50.080—Residential Accessory Uses and Structures
19.50.090—Second Dwelling Units
19.50.100—Service Stations
19.50.110—Vacation Rentals

19.50.010—Purpose and Applicability

- A. **Purpose.** This Chapter provides site planning and development standards for land uses that are allowed by [Section 19.10.050 \(Allowable Land Uses and Permit Requirements\)](#).
- B. **Applicability.**
1. **All zoning districts.** The standards of this Chapter apply to all zoning districts (e.g., residential, commercial, winery, etc.), and therefore, are combined in this Chapter.
 2. **Considered in combination.** These standards shall be considered in combination with the standards for each zoning district in Article II (Community Design), and for each sub-area in Article III (Project Design).
 3. **In case of conflict.** Where there may be a conflict, the standards specific to the zoning district shall override these general standards.
 4. **Compliance.** All new or modified structures and uses shall comply with the standards of this Chapter as determined applicable by the City Planner, except as specified in [Chapter 19.82 \(Nonconforming Structures, Uses and Parcels\)](#).

19.50.020—Agricultural Structures

This Section provides requirements for the location and establishment of agricultural structures (e.g., barns, corrals, greenhouses, sheds, stables, etc.) which shall be subject to the following criteria and standards:

- A. **Required setbacks.**
1. **Minimum setbacks.** All agricultural structures shall be located a minimum of 30 feet from any existing on-site dwelling, and 30 feet from any building line/site on an adjoining parcel.
 2. **Compliance.** Animal enclosures shall also comply with the accessory structure setbacks identified in [Section 19.50.090](#)

(Residential Accessory Uses and Structures), or side setbacks of 10 feet from interior property lines and 25 feet from a street side property line, whichever are more restrictive.

- B. Animal keeping standards.** In addition to the requirements set forth in 8.08 of the Sonoma Municipal Code, the following standards shall apply to the keeping of animals within agricultural structures:
1. **Minimum parcel size.** Animals shall be maintained only on parcels with a minimum area of one acre;
 2. **Agricultural structures with openings.** All agricultural structures with openings (e.g., doors, windows, etc.) shall:
 - a. Be located a minimum of 200 feet from the nearest church, dwelling used for human habitation (other than the residence of the owner of the animal), hospital, or school; and
 - b. Be set back at least 30 feet from any public right-of-way, except an alley.
- C. Additional livestock standards.** In addition to the requirements set forth in 8.08 of the Sonoma Municipal Code, the following standards shall apply to the keeping of livestock:
1. **Livestock corrals.** Livestock corrals, or any agricultural structures used for livestock, shall:
 - a. Not be located closer than 30 feet to:
 - (1) The public right-of-way upon which the parcel faces, except an alley;
 - (2) A dwelling on the same parcel;
 - b. Not be located in a required front setback; and
 - c. Be enclosed by a fence of suitable and durable corral-type materials, at least four feet in height.
 2. **Poultry and rabbits.** Poultry and/or rabbits may be kept and maintained in any residential zoning district, but only in compliance with the following provisions. Poultry and/or rabbits shall be kept:
 - a. To the rear of all front setbacks;
 - b. At least 20 feet back from any public right-of-way, except an alley; and
 - c. A minimum distance of 5 feet from all side and rear property lines, unless there is a solid fence or solid side of a structure (without openings), with a minimum height of 5 feet, between the poultry and/or rabbits and the adjoining property.
- D. Residential character and scale.** New agricultural structures, or additions to existing structures, shall maintain the established residential character and scale of existing on-site structures;

- E. *Processing agricultural products.*** Facilities that process agricultural products from the same site, or within a contiguous agricultural area, shall be located to provide convenient truck access with a minimum of interference to normal pedestrian or vehicular traffic;
- F. *Building Permit required.*** A Building Permit shall be required for all structures larger than 120 square feet;
- G. *Sale of agricultural products.***

 - 1. *Permanent structures.*** Permanent structures shall not be constructed, erected, or permanently maintained primarily for the sale of agricultural products; and
 - 2. *Temporary structures.*** A temporary structure may be erected with Temporary Use Permit approval, in compliance with 19.54.030, and the standards identified in [Section 19.50.070 \(Produce Stands\)](#).
- H. *Pre-existing uses.*** Any legally established noncommercial and nonconforming agricultural structure(s) that became nonconforming upon adoption of this Development Code, shall be allowed to continue subject to the provisions of [Section 19.82.020 \(Restrictions on Nonconforming Uses and Structures\)](#).

19.50.030—Bed and Breakfast Inns

This Section provides requirements for the establishment and operation of bed and breakfast inns.

- A. *Permit and operational requirements.*** The approval and operation of a bed and breakfast inn shall be subject to the following requirements:

 - 1. *Conditional use permit required.*** The establishment and operation of a bed and breakfast inn shall require the approval of a Conditional Use Permit in compliance with [Section 19.54.040](#);
 - 2. *Business License required.*** A Business License is required for the establishment and operation of a bed and breakfast inn;
 - 3. *Maximum number of rooms.*** Bed and breakfast inns shall be limited to five rental guest rooms plus accommodations for the manager/owner;
 - 4. *On-site management.*** An on-site manager shall maintain residence on the subject site;
 - 5. *Maximum length of stay.*** Visitor occupancy shall be limited to a maximum of twenty-nine consecutive days;
 - 6. *Provision of meals:***

 - a. *Limitations.*** Food service shall be limited to breakfast served to registered overnight guests only;

- b. Guestroom cooking facilities prohibited. Cooking facilities in individual rental guestrooms are prohibited;
 - 7. **Other uses.** Amplified music, lawn parties, outdoor weddings, or similar activities shall not occur on site unless specifically allowed by the required Conditional Use Permit;
 - 8. **Fence requirements.** Where the site of a proposed bed and breakfast inn adjoins a residential zoning district, a six-foot high solid decorative fence of masonry and wood or solid masonry shall be erected and permanently maintained along the side and rear property lines;
 - 9. **Signs.** Signs shall identify the establishment as an inn and not as a hotel, lodge, motel, or similar use. Signs shall be limited to two square feet, shall be subject to the approved of the City's Architectural Review Commission, and shall comply with the applicable standards of Title 18 (Signs and Display Advertising);
 - 10. **Waste collection and disposal.** Waste collection areas shall be clearly designated on the proposed site plan. Areas shall be clearly accessible for pickup and shall be screened from view with solid walls and landscape materials. Waste disposal pickup bins (dumpsters) shall not occupy any required parking space(s) or intrude into required access drives;
 - 11. **Lighting restrictions.** Low-intensity safety and security lighting for parking areas and structures shall be required as a security and safety measure, shall not reflect on adjoining properties, and shall be confined to ground lighting wherever possible;
 - 12. **County approvals required.** Applicants for bed and breakfast inns shall receive written approval of the County Public Health Department and Sanitation District before the business becomes operational.
- B. Neighborhood concentration.** In the review of a use permit application for a bed and breakfast inn, the Planning Commission shall consider the following guidelines:
- 1. Bed and breakfast inns on contiguous lots are discouraged.
 - 2. A concentration of bed and breakfast inns that would damage the residential character of a neighborhood is discouraged.
- C. Design and character compatibility.**
- 1. **Unique residential structures.** Bed and breakfast inns are limited to the adaptive conversion and reuse of, or reproductions of, architecturally or historically unique residential structures, which are compatible with the surrounding neighborhood.

2. **Residential character and scale.** New structures, or additions to existing structures, shall maintain the established residential character and scale, consistent with other on-site structures and the surrounding neighborhood.
3. **Accessory structures not for guests.** Accessory structures shall not be used for rental guest rooms.
4. **Increase in guest rooms prohibited.** Additions to existing structures which would increase the number of rental guest rooms shall not be allowed except through Conditional Use Permit review (see [Section 19.54.040](#)).

19.50.040—Home Occupations

- A. **Home occupation defined.** A home occupation is a limited activity customarily conducted entirely within an enclosed residential dwelling unit or accessory structure and conducted only by its residents.
- B. **Basic operating standards.** All home occupations shall comply with the following operating standards:
 1. **Main residence.** The location of the business shall be the main residence of the person(s) conducting the business and shall be clearly incidental and secondary to the use of the property for residential purposes;
 2. **Outdoor storage prohibited.** Storage shall not occur out-of-doors, within a carport, or within an accessory structure.
 3. **Exterior appearance.**
 - a. There shall be no exterior indication of the home occupation activity from the adjoining public rights-of-way or from surrounding properties; or
 - b. The home occupation shall not be an impairment to the residential appearance of the facility within which the home occupation is conducted.
 4. **Alterations prohibited.** The home occupation shall not require any alteration(s) or modification(s) to the dwelling incompatible with residential use or that would change its occupancy classification in compliance with the City's adopted Uniform Building Code;
 5. **Displays or signs prohibited.** The home occupation shall not display window or advertising sign(s), merchandise, products, or stock in trade, or other identification of the home occupation on the premises. One name plate, not exceeding one square foot in total area, may be allowed by the City Planner;
 6. **Equipment.** Mechanical or electrical equipment shall not be installed or maintained other than that which is compatible with domestic residential use;

7. **Articles offered for sale.** Articles offered for sale shall be limited to those produced on the premises;
8. **Only one vehicle.** Only one vehicle, with a capacity not exceeding one ton, may be used by the occupant directly or indirectly in connection with a home occupation;
9. **Fire safety.** Activities conducted and equipment or material used shall not change the fire safety or occupancy classifications of the premises.
10. **Nuisances.** The home occupation shall not cause or create offensive or objectionable levels of hazards or nuisances (e.g., cold, dirt, dust, electrical interference, fumes, heat, humidity, gas, glare, light, noise, odor, smoke, solid waste, toxic/hazardous materials, vibration, etc.), in excess of that customarily associated with similar residential uses.
11. **Traffic generation.** The home occupation shall not generate additional pedestrian or vehicular traffic substantially greater than that normally associated with residential uses in the surrounding area;
12. **Allowable deliveries.** The home occupation may receive up to two deliveries each day;
13. **Maximum hours of operation.** The home occupation shall not be conducted between the hours of 10:00 p.m. and 7:00 a.m. (except for child day-care facilities).

C. Home Occupation Permit Required.

Home occupations shall be allowed only through an administrative permit or a conditional use permit, as set forth in Subsections D and F, below.

D. Administrative Occupation Permit Procedures.

1. **Application review.** Upon receipt of a complete Administrative Home Occupation Permit application, the City Planner shall review the proposed home occupation for compliance with all applicable requirements of this Section.
2. **City Planner action.** The City Planner shall take action to approve, conditionally approve, or deny the Administrative Home Occupation Permit.
3. **Public notice not required.** A public notice or hearing shall not be required for the issuance of an Administrative Home Occupation Permit unless the City Planner determines that the proposed home occupation is of a type or intensity that requires review by the Planning Commission. In those cases the permit shall be reviewed in compliance with Subsection F, below.

E. Limitations on Administrative Home Occupations.

In addition to the basic requirements set forth in Subsection A, above, Home Occupations approved through an administrative permit shall be subject to the following limitations:

1. **Location.** Conduct of the home occupation shall be confined completely to the residential dwelling unit, and not within an accessory structure(s). A home occupation shall not impair the use of a garage in terms of providing required parking.
2. **Maximum allowable floor area.** A home occupation shall not be allowed which requires more than one room or 20 percent of the gross floor area of the main floor.
3. **Access.** Access to the space devoted to a home occupation shall only be from within the main residential dwelling unit.
4. **Employees prohibited.** A person(s) other than a resident of the residential dwelling unit shall not be employed in the conduct of the home occupation.
5. **Allowable on-site visits.** The home occupation may allow only one client, patient, or pupil to be present at any one time (except for child day-care facilities).

F. *Home occupations requiring a conditional use permit.* The following list identifies land use activities that may be allowable subject to the approval of a Conditional Use Permit, in compliance with [Section 19.54.050 \(Use Permits\)](#):

1. Use of an accessory structure;
2. Use requiring more than more than one room or 20 percent of the gross floor area of the main floor;
3. Uses which entail food handling, processing, or packing;
4. Teaching of organized classes with more than six persons at a time;
5. Specified additional uses: direct product distribution, pet grooming, or any other use or occupation which the City Planner determines is similar in nature to the previously listed uses; and
6. Having more than one home occupation in a dwelling unit.
7. Having an employee on-site who is not a resident.

G. *Terms of the home occupation permit.*

1. **Permit nontransferable.** A Home Occupation Permit shall only be in effect as long as the approved business is operated by the original resident applicant at the address of the property appearing on the application.
2. **Change(s) requires new permit.** Any change in ownership or tenancy from that appearing on the approved application shall result in the Home Occupation Permit being deemed void.

H. Business License required. A Business License is required for the establishment and operation of a home occupation;

I. Prohibited home occupations.

1. **Criteria.** A home occupation is prohibited if it would result in any of the following conditions:
 - a. Not comply with the standards and criteria identified in [Subsection B. \(Basic operating standards\)](#), above;
 - b. Be inconsistent with the General Plan and any applicable specific plan;
 - c. Threaten the health and safety of the citizens of the City;
 - d. Represent a use that would clearly conflict with the normal residential quality of the surrounding neighborhood.
2. **Examples of prohibited home occupation uses.** The following are examples of nonresidential uses that are not incidental to or compatible with residential activities, and are therefore prohibited as home occupations:
 - a. Adult businesses;
 - b. Animal hospitals or the boarding, caring, harboring, raising, training, or treatment of animals or birds for profit;
 - c. Dance or night clubs;
 - d. Maintenance and storage of equipment, materials, and other accessories for the construction and service trades;
 - e. Medical and dental offices, clinics, and laboratories (not including chiropractors and counselors/psychotherapists);
 - f. Mini self-storage;
 - g. Vehicle repair or storage (body or mechanical, including boats and recreational vehicles), upholstery, automobile detailing and painting and the display and sale of any vehicle(s);
 - h. Welding and machining; and
 - i. Other uses determined by the City Planner not to be incidental to or compatible with residential activities.

19.50.050—Live/Work Units

A. Live/Work defined. A Live/Work unit is defined as an area comprised of one or more rooms with cooking space and sanitary facilities in conformance with Building Code requirements and adequate working space available for and regularly used by persons residing therein. A Live/Work development is defined as one or more such units sharing a property or a building.

- B. **Conditional Use Permit required.** The establishment and operation of a Live/Work development shall require the approval of a Conditional Use Permit in compliance with [Section 19.54.040](#).
- C. **Business License required.** A Business License is required for each business conducted within a Live/Work development.
- D. **Residential density limitations not applicable.** The residential density limitations of the General Plan and this Development Code are not applicable to Live/Work developments due to their commercial nature. The number of Live/Work units allowed within a Live/Work development shall be subject to the discretion of the Planning Commission.
- E. **Design and operating standards.** Live/Work Developments shall comply with the following standards:
 - 1. **Minimum and average size.** The minimum size of a Live/Work unit shall be 700 square feet and the average unit size within a Live/Work development shall not exceed 1,200 square feet.
 - 2. **Work and residential areas.** The area within a Live/Work unit devoted to residential use (including sleeping area, kitchen, bathroom, and closet space) shall not exceed 70% of the area of the unit. A minimum work area of 300 square feet is required within a Live/Work unit.
 - 3. **Access.** Each Live/Work unit shall have a clearly identified, separate access from other Live/Work units within the building.
 - 4. **Limitation on outside employees.** No more than one person other than residents of the Live/Work unit shall be employed in the conduct of the work, except that additional employees may be allowed subject to the approval of a Conditional Use Permit in compliance with [Section 19.54.040](#).
 - 5. **Limitations on displays and signs.** A Live/Work development shall not display window or advertising sign(s), merchandise, products, or stock in trade. One directory or building identification sign may be allowed subject to the review and approval of the Architectural Review Commission.
 - 6. **Parking.** Parking shall be provided as required in [Chapter 19.48 \(Parking and Loading Standards\)](#) of the Development Code.
 - 7. **Open space.** For each Live/Work unit, a minimum of 250 square feet of open space shall be provided in any combination of public and private space approved by the Planning Commission.
 - 8. **Appropriate uses.** Live/Work units are appropriate for an individual or a household with at least one individual employed as an accountant, architect, artist, artisan, attor-

ney (or similar professional), consultant, counselor, designer, editor, financial planner, therapist, and other uses of a similar intensity.

9. **Limitations on outdoor uses.** Except for parking areas, only activities related to the residential component of a Live/Work development are allowed outside of the confines of the building.

F. Prohibited uses.

1. **Criteria.** No use shall be allowed within a Live/Work development if it would:
 - a. Not comply with the standards and criteria identified in [Subsection E. \(Design and operating standards\)](#), above;
 - b. Be inconsistent with the General Plan and any applicable specific plan;
 - c. Threaten the health and safety of residents of the development or the citizens of the City; or
 - d. Represent a use that would clearly conflict with other Live/Work activities or the character of the surrounding neighborhood.
2. **Examples of prohibited uses.** The following are examples of uses that are not compatible with residential activities, and are therefore prohibited as home occupations:
 - a. Adult businesses;
 - b. Animal hospitals;
 - c. Classroom instruction;
 - d. Dance or night clubs;
 - e. Day care (except to serve residents of the Live/Work development);
 - f. Maintenance and storage of equipment, materials, and other accessories for the construction and service trades;
 - g. Medical and dental offices, clinics, and laboratories (not including chiropractors and counselors/psychotherapists);
 - h. Vacation rentals.
 - i. Other uses determined by the City Planner to be incompatible with residential activities.

19.50.060—Outdoor Dining, Display, and Sales Standards

This Section provides development and operational requirements for the establishment of outdoor uses, including temporary outdoor displays and sales ([Subsection A.](#), below), permanent outdoor displays and sales ([Subsection B.](#), below), and outdoor dining and seating areas ([Subsection C.](#), below), which shall be subject to the following criteria and standards:

- A. **Temporary outdoor displays and sales.** Temporary outdoor displays and sales may be allowed subject to the approval of a Temporary Use Permit, in compliance with [Section 19.54.030](#) and the following standards. In approving an application for a Temporary Use Permit, the City Planner may impose conditions deemed necessary to ensure that the permit would be in compliance with the findings required by [Section 19.54.030. H. \(Findings, decision\)](#). These conditions may address any pertinent factors affecting the operation of the temporary use, and may include the following:
1. **Fixed period of time.** Provision for a fixed period of time as specified by the permit, or where not specified, not to exceed 10 consecutive days;
 2. **Landscaping.** Landscaping may be required to ensure that the use has a pleasing appearance and that the screening requirements identified in Subsection B.5., below, are satisfied, subject to the approval of the City Planner;
 3. **Nuisance factors.** Regulation of nuisance factors including prevention of glare or direct illumination on adjoining parcels, dirt, dust, gases, heat, noise, odors, smoke, waste, and vibration;
 4. **Operating hours.** Regulation of operating hours and days, including limitation of the duration of the temporary use, as identified in Subsection A.1., above;
 5. **Parking.** Provision for adequate temporary parking facilities, pedestrian and vehicular circulation, including vehicular ingress and egress and public transportation, if applicable, in compliance with [Chapter 19.48 \(Parking and Loading Standards\)](#);
 6. **Performance bond.** Submission of a performance bond or other surety measures, satisfactory to the City Planner, may be required to ensure that any temporary facilities would be removed from the site within a reasonable time following the activity, the property would be cleaned of debris, or other evidence of the activity, and the site restored to its former condition;
 7. **Sanitary and medical facilities.** Provision for sanitary and medical facilities, as appropriate;
 8. **Security.** Provision for security and safety measures, if applicable;
 9. **Setbacks.** Provision of appropriate setbacks to ensure separation from adjoining land uses and a safe environment for pedestrians and vehicles, subject to the approval of the City Planner;
 10. **Signs.** Regulation of signs, in compliance with [19.18 \(Signs and Display Advertising\)](#);

11. **Temporary structures.** Regulation of temporary structures and facilities, including placement, height and size, location of equipment and open spaces, including buffer areas and other yards;
 12. **Waste collection and disposal.** Provision for solid, hazardous, and toxic waste collection, recycling and/or disposal;
 13. **Development Code compliance.** A requirement that the approval of the requested Temporary Use Permit is contingent upon a finding, by the City Planner, that the activity would be in compliance with the applicable provisions of this Section, the Development Code, and successful approval of all required permits from another department(s) or governing agency; and
 14. **Other conditions.** Other conditions that would ensure the operation of the proposed temporary activity in an orderly and efficient manner.
- B. Permanent outdoor displays and sales.** The permanent outdoor display/sale of merchandise may be allowed subject to the approval of a Conditional Use Permit in compliance with [Section 19.54.040](#), and shall comply with the following standards and guidelines:
1. **Height of displayed materials.** The outdoor display/sale of merchandise shall not exceed a height of seven feet above finished grade.
 2. **Location.** Outdoor display/sale area(s) shall be located entirely on private property. They shall not encroach into required setbacks. In zoning districts where no setback is required, the outdoor area(s) shall be set back a minimum of 10 feet from adjoining property line(s) unless otherwise allowed through the approval of a Conditional Use Permit, in compliance with [Section 19.54.040](#).
 3. **Location of merchandise.** Displayed merchandise shall occupy a fixed, specifically approved, and defined location that does not disrupt the normal function of the site or its circulation, and does not encroach upon driveways, landscaped areas, parking spaces, or pedestrian walkways. Displays shall not obstruct traffic safety sight areas or otherwise create hazards for vehicle or pedestrian traffic.
 4. **Relationship to main use.** The outdoor display/sales area(s) shall be directly related to a business occupying a permanent structure on the subject parcel.
 5. **Screening required.** Outdoor display/sales area(s) shall be screened from adjoining public rights-of-way by decorative walls, fences, and/or landscaping in compliance with [Section 19.40.100 \(Screening and Buffering\)](#). Screening shall be provided to a height of one foot above the approved height of the merchandise and materials being displayed.

6. **Signs.** Additional signs, beyond those normally allowed for the subject use, shall not be provided as a result of the outdoor display/sales area(s).
- C. **Outdoor dining and seating areas.** Outdoor dining and seating area(s) shall be allowed in conjunction with legally established restaurants and other food service uses, in compliance with the following standards:
1. **Limitation on Seating.** The number of seats in the outdoor dining and seating area(s) shall not exceed 25% of the amount of approved indoor seats; otherwise, a Conditional Use Permit shall be required.
 2. **Alcoholic beverage sales.** Areas in which alcoholic beverages would be served shall comply with the standards established by the State Department of Alcoholic Beverage Control, and the following standards. The dining and seating area(s) shall be:
 - a. Accessible from inside the restaurant only, unless the City Planner waives or modifies this requirement in circumstances where this is not feasible or practical;
 - b. Clearly and physically defined. The area shall be clearly a part of the restaurant it serves; and
 - c. Supervised by a restaurant employee to ensure compliance with laws regarding on-site consumption of alcoholic beverages.
 3. **Parking requirements.** Outdoor dining and seating area(s) shall be calculated in compliance with [Chapter 19.48 \(Parking and Loading Standards\)](#).
 4. **Clean-up.** Outdoor dining area(s), whether part of a restaurant or seating in common, shall be cleaned on a continual basis for removal of litter and food items that constitute a nuisance to public health and safety.
 4. **Design compatibility.** To ensure compatibility with surrounding uses and a high standard of design quality, the following standards shall be implemented:
 - a. Associated structural elements, awnings, covers, furniture, umbrellas, or other physical elements that are visible from the public rights-of-way, shall be compatible with the overall design of the main structure(s);
 - b. Awnings, plants, umbrellas, and other human scale elements shall be provided as necessary to enhance the pedestrian experience;
 - c. The relation of the outdoor seating area to churches, hospitals, public schools, and residential uses shall be considered by the City Planner. Proper mitigation measures shall be applied to eliminate potential impacts related to glare, light, loitering, and noise;

- d. Pedestrian or vehicular traffic flow shall not be obstructed, nor shall existing pedestrian or vehicular movement areas be removed;
 - e. A minimum setback of five feet from adjoining property lines or parking lots shall be provided.
5. **Sidewalk seating permit.** A sidewalk seating permit shall be required pursuant to Chapter 12.06 of the Sonoma Municipal Code, for any new outdoor seating on a public right-of-way that is not subject to Use Permit review.

19.50.070—Produce Stands

This Section provides requirements for the establishment and operation of produce stands in zoning districts where they are allowed by [Section 19.10.050 \(Allowable Land Uses and Permit Requirements\)](#).

A. Accessory use.

- 1. **Agricultural production on-site.** A produce stand shall be allowed only as an accessory use to an agricultural production use on the same or immediately adjoining parcel.
- 2. **Area devoted to agriculture.** At least 50 percent of the area of the parcel shall be devoted to agricultural production.
- 3. **Operator of the stand.** The operator of the produce stand shall be the owner or lessee of the land where the agricultural production occurs.

B. Laws and regulations. Produce stand operations (including related agricultural operations) shall be subject to the laws and regulations administered by other City departments, the County Public Health Department, the County Agricultural Commissioner's Office, as well as the requirements of other applicable agencies.

19.50.080—Residential Accessory Uses and Structures

This Section provides standards for accessory uses and structures allowed in the zoning district applicable to a parcel (see [Section 19.10.050 \(Allowable Land Uses and Permit Requirements\)](#)). Accessory uses include any use that is customarily related to a residence, including carports, garages, greenhouses, storage sheds, studios, above ground swimming pools/spas, and workshops.

A. Relationship of accessory use to the main use. Accessory uses and structures shall be incidental to and not alter the residential character or scale of the parcel.

B. Attached accessory structures.

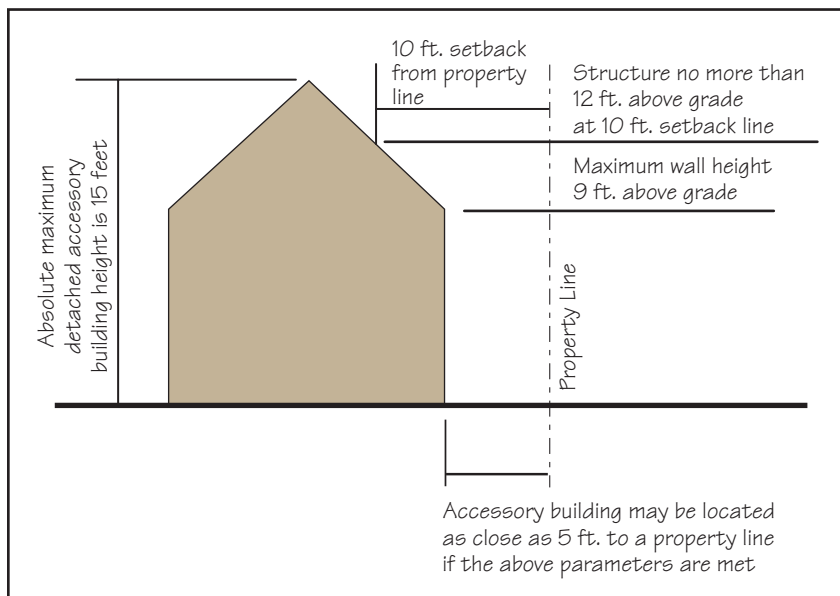
- 1. **Structurally part of the main structure.** An accessory structure that is attached to a main structure shall be compatible with, and made structurally a part of the main structure (e.g., share a common wall with the main structure, rely partially on the main structure for structural sup-

port, or be attached to the main structure at a minimum of four points within 20 feet).

2. **Compliance.** An attached accessory structure shall comply with the requirements of this Development Code applicable to the main structure, including heights, setbacks, and site coverage.
3. **Compatibility.** Construction and the use of materials and colors shall be compatible with the main structure whenever feasible.

C. Detached accessory structures.

1. **Minimum separation.** Detached accessory structures shall be separated from the main structure by a yard, open to the sky, having a minimum width of six feet;
2. **Side and rear setbacks.**
 - a. Detached accessory structures not exceeding 9 feet in height, measured at the exterior wall line, 13 feet in height within 10 feet of any property line, and 15 feet at the highest point of the roof shall not be placed closer than five feet to a side or rear property line.



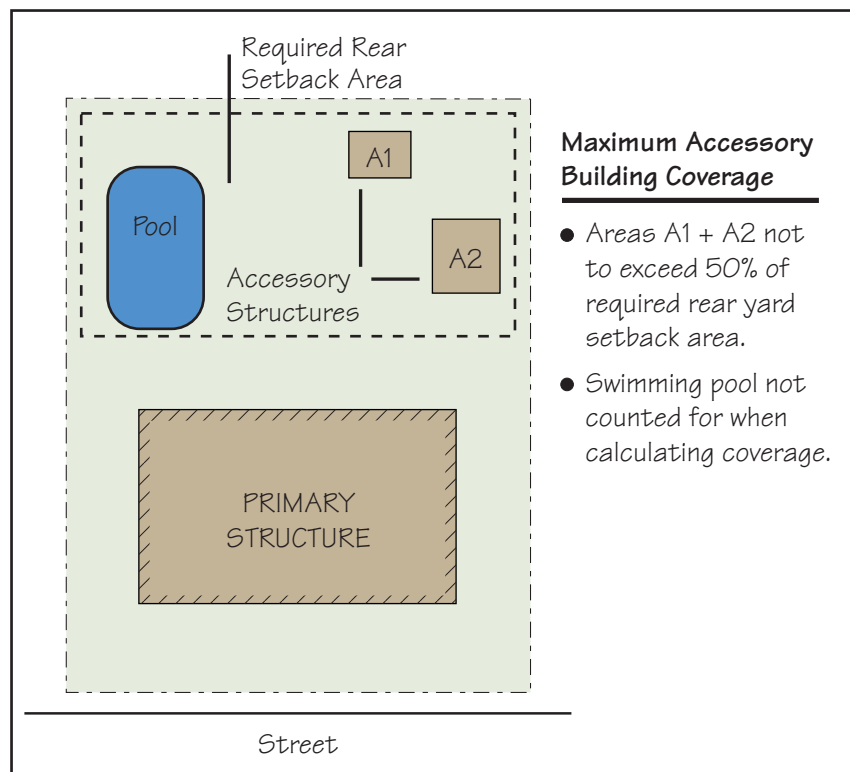
Accessory Building Height and Setback Requirements

Figure 4-5

- b. Detached accessory structures with an area of up to 120 square feet, and an overall height not exceeding eight feet, may be placed adjacent to a side or rear property line.
3. **Prohibited in specified setbacks.** Detached accessory structures are prohibited in required front and street side setbacks, and in designated creek setback areas except as may

be provided for in [Section 19.40.020 \(Creekside Development\)](#);

4. **Maximum coverage.** Within and in relation to the required rear yard area of a property, the coverage associated with detached accessory structures shall be limited as follows:
 - a. The total coverage of detached accessory structures shall not exceed 50 percent.
 - b. A swimming pool, covered patio or barbecue area shall not be deemed an accessory structure for the purpose of calculating coverage.



Accessory Building Coverage Limitations

Figure 4-6

5. **Height limit.** Detached accessory structures shall not exceed a height of 15 feet above finished grade.
6. **Compatibility.** Construction and the use of materials and colors shall be compatible with the main structure whenever feasible.
7. **Building Permit required.** A Building Permit shall be required for all accessory structures with an area larger than 120 square feet.
8. **Reconstruction.** Detached accessory structures that existed before the adoption date of this Development Code, but do not meet the setback requirements identified in Subsection C. 2., above, may be reconstructed in their exact location

provided the replacement structure is of the same size and height and there is no change of use. A Demolition Permit shall be issued before the demolition of the structure to be replaced ([Section 19.54.090](#)).

- D. **Antennas.** Antennas are subject to the provisions of Chapter 5.32 of the Sonoma Municipal Code (Antennas and Wireless Communications Facilities).
- E. **Garages.** A detached accessory garage shall not occupy more than 1,000 square feet for each dwelling unit (including any workshop or storage space within the garage) unless a larger area is authorized by the Planning Commission through an Exception, in compliance with [Section 19.54.050](#).
- F. **Guest rooms and pool houses.** Guest rooms and pool houses shall be allowed subject to the following limitations:
 - 1. No more than one guest room and one pool house shall be allowed on a single parcel unless a Use Permit is obtained.
 - 2. Kitchen facilities shall not be allowed within a guest room or pool house.
 - 3. Detached guest rooms and pool houses shall be limited to ground-floor construction, unless a Use permit allowing a second floor is obtained from the Planning Commission.
- G. **Swimming pools/spas/hot tubs.** Private swimming pools, spas, and hot tubs are allowed accessory to approved residential uses on the same parcel, subject to the following provisions:
 - 1. **Limitation on use.** The pool is to be used solely by occupants of the dwelling(s) on the same parcel and their invited guests; and
 - 2. **Fencing.** The swimming pool shall be secured by fencing and/or walls to prevent uncontrolled access by children, in compliance with the City's adopted Uniform Building Code.
- H. **Tennis and other recreational courts.** Noncommercial outdoor tennis courts and courts for other sports (e.g., racquetball, etc.) accessory to a residential use are subject to the following provisions:
 - 1. **Fencing.** Court fencing shall be subject to the height limits of [Chapter 19.46 \(Fences, Hedges and Walls\)](#).
 - 2. **Lighting.** Court lighting fixtures shall not exceed a maximum height of 20 feet, measured from the court surface. The lighting shall be directed downward, shall only illuminate the court, and shall not illuminate adjoining property, in compliance with [Section 19.40.030 \(Exterior Lighting\)](#).
- I. **Workshops or studios.** Any accessory structure intended solely or primarily for engaging in artwork, crafts, light hand manufacturing, mechanical work, etc. is subject to the following provisions when located in a residential zoning district:

1. **Limitation on use.** An accessory structure may be constructed or used as a studio or workshop in any residential zoning district solely for the following noncommercial activities:
 - a. Amusements or hobbies;
 - b. Artistic endeavors (e.g., painting, photography, or sculpture);
 - c. Maintenance of the main structure or yards;
 - d. Maintenance or mechanical work on vehicles owned or operated by the occupants; or
 - e. Other purposes deemed similar by the City Planner.
2. **Floor area.** A workshop shall not occupy an area larger than 25 percent of the floor area of the main structure, except where a workshop is combined with a garage. In this case [Subsection E. \(Garages\)](#), above shall apply.

19.50.090—Second Dwelling Units

This Section provides requirements for the establishment of second dwelling units which shall be subject to the following criteria and standards:

- A. **Conditional Use Permit required.** Second dwelling units may be allowed in the zoning districts identified in [Section 19.10.050 \(Allowable Land Uses and Permit Requirements\)](#) subject to the approval of a Use Permit ([Section 19.54.040](#)) and in compliance with the provisions of this Section;
- B. **Owner and resident.** The applicant shall be the owner of the property and shall reside on the property in either the main or second unit (upon construction).
- C. **Number of second dwelling units allowed.** Only one second dwelling unit shall be allowed on a single-family parcel.
- D. **Site requirements.** A minimum parcel size shall not be required, but all applicable residential zoning district requirements (e.g., setback and site coverage) shall be met.
- E. **Location of second dwelling unit.** A second dwelling unit may be within, attached to, or detached from the existing main dwelling unit. If detached, the second unit shall be separated from the main dwelling unit a minimum of 10 feet.
- F. **Design and development standards.**
 1. **Floor area.**
 - a. An attached unit may have a floor area not exceeding 30 percent of the existing living area of the main dwelling, and a minimum floor area of 400 square feet.
 - b. A detached unit may have a floor area not exceeding 850 square feet, and a minimum floor area of 550 square feet. Any second unit exceeding 650 square feet in area

shall not exceed 50 percent of the existing living area of the main dwelling.

2. **Maximum number of allowable residents.**
 - a. An attached unit may be occupied by up to two persons.
 - b. A detached unit may be occupied by up to three persons.
3. **Architectural compatibility.** The second dwelling unit shall be architecturally compatible with the main dwelling unit and subject to the approval of the City Planner.
4. **Compliance.** The second dwelling unit shall comply with the height and setback requirements for the main dwelling unit.
5. **Separate kitchen and bath.** The second dwelling unit shall contain separate kitchen and bathroom facilities and have a separate entrance from the main dwelling.
- G. **Parking.** Off-street parking shall be provided in compliance with [Chapter 19.48 \(Parking and Loading Standards\)](#).
- H. **Rental of unit.** A second dwelling unit may be rented, although rental is not required;
- I. **Sale of a unit prohibited.** Individual sale of either the main or the second dwelling unit is prohibited;
- J. **Manufactured homes.** A factory-manufactured second dwelling unit shall be allowed in compliance with all applicable requirements identified in this Section;
- K. **Findings and decision.** The following finding shall be made, in addition to those identified in [Section 19.54.040.E. \(Use Permits—Findings, decision\)](#), to approve a Conditional Use Permit for a second dwelling unit:
 1. The second dwelling unit will be compatible with the design of the main dwelling unit and the surrounding neighborhood in terms of exterior treatment, height, landscaping, scale, and setbacks;

19.50.100—Service Stations

This Section provides requirements for the establishment and operation of service stations which shall be subject to the following criteria and standards:

- A. **Applicability.** The Commission may approve the establishment of a new service station, or the enlargement or alteration of an established station, only through the granting of a Conditional Use Permit. The Commission shall make the following findings in addition to the findings required by [Section 19.54.040 \(Use Permits\)](#):
 1. The proposed use will not substantially increase vehicular traffic on any public rights-of-way in the immediate vicinity, especially those serving residential uses;

2. The proposed use will not create increased traffic hazards to pedestrians when located near a church, school, theater, or other place of assembly; and
 3. The products offered for sale will be displayed with consideration to their visual impacts.
- B. **New service stations.** New service stations shall comply with the following standards, in addition to those standards identified in [Subsection C. \(Enlargement or alteration of an existing service station\)](#), below, except number 6
1. **Major intersections.** Service stations shall be allowed only at the intersections of either two major streets or a major and a minor street;
 2. **Maximum at each intersection.** A maximum of two service stations shall be allowed at each intersection;
 3. **Minimum site area.** The minimum site area shall be 15,000 square feet;
 4. **Minimum frontage.** The minimum frontage shall be 150 feet on each street;
 5. **Minimum side and rear setbacks.** Structures shall be set back at least 10 feet from the side and rear property lines where the adjoining parcels are located in a residential zoning district;
 6. **Vehicular access points.** There shall be no more than two vehicular access points to/from each public right-of-way;
 7. **Distance between curb cuts.** There shall be a minimum distance of 30 feet between curb cuts along a public right-of-way;
 8. **Location of driveways.** Driveways shall not be located closer than 50 feet to the end of a curb corner nor closer than 25 feet to a common property line;
 9. **Driveway widths.** The width of a driveway shall not exceed 25 feet, measured at the sidewalk;
 10. **Parking.** On-site parking shall be provided at minimum a ratio of one space for each pump island, plus one space for each service bay in compliance with 19.48 (Parking and Loading);
 11. **Pump islands.**
 - a. Pump islands shall be set back a minimum of 20 feet from any property line to the nearest edge of the pump island. A canopy or roof structure over a pump island may encroach up to 10 feet within this distance, but no closer than 10 feet to the property line.
 - b. When the property line is a public right-of-way line, an area of at least four feet in width along the line shall be landscaped in compliance with [Section 19.40.060 \(Landscape Standards\)](#).

- c. The cashier location shall provide direct visual access to the pump islands and the vehicles parked adjacent to the islands.
- 12. **Canopies.**
 - a. Canopy height shall be limited to a maximum of 18 feet.
 - b. Signs shall be prohibited on the canopy roof structure.
- 13. **Landscaping.** Landscaping shall comprise a minimum of 10 percent of the service station site area, exclusive of required setbacks, and shall be provided and permanently maintained in compliance with the following regulations, as well as those identified in [Section 19.40.060 \(Landscape Standards\)](#):
 - a. A minimum four foot wide, inside dimension, and six inch high curbed landscaped planter area shall be provided along the front property lines, except for openings to facilitate vehicular circulation, and along side and rear property lines adjoining residentially zoned properties;
 - b. Where the planter area(s) is adjoining a peripheral wall, trees planted not more than 16 feet apart shall be included in the planter area(s) which shall be a minimum of six feet wide, inside dimension;
 - c. An on-site planter area of not less than 200 square feet shall be provided at the corner of the two intersecting streets. Landscaping shall not exceed a height of 42 inches at this location;
 - d. A minimum of 50 square feet of planter area shall be located along those portions of the main structure fronting on public rights-of-way; and
 - e. Additional landscaping may be required by the City Planner to screen the service station from adjoining public rights-of-way and properties, in compliance with [Section 19.40.100 \(Screening and Buffering\)](#).
- 14. **Exterior lighting.**
 - a. All exterior light sources, including canopy, flood, and perimeter shall be energy efficient, stationary, and shielded or recessed within the roof canopy to ensure that all light is directed away from adjoining public rights-of-way and properties.
 - b. Lighting shall not:
 - (1) Be of a high intensity to cause a traffic hazard;
 - (2) Be used as an advertising element; or
 - (3) Adversely affect adjoining properties, in compliance with [Section 19.40.030 \(Exterior Lighting\)](#).
- 15. **Service bays.**

- a. Openings of service bays shall be designed to minimize the visual intrusion onto adjoining public rights-of-way and properties.
- b. Service bay doors shall not directly face a public right-of-way, or an existing or proposed residential development or zoning district.

16. Peripheral wall.

- a. Where a service station adjoins property in a residential zoning district, a solid decorative masonry wall shall be constructed along the common property line. The height of the wall, which shall be at least six feet, shall be measured from the finished grade of the residential property. Colors, design, materials, and textures of the wall shall be compatible with on-site development and adjoining properties and subject to the approval of the City Planner.
- b. When the wall reaches the established front setback line of a residentially zoned parcel adjoining the service station, the wall shall decrease to a maximum height of 42 inches.

C. *Enlargement or alteration of an existing service station.* Any enlargement or alteration of an established service station shall comply with all of the following standards:

- 1. **Permit required to modify a service station.** A request to enlarge or alter an existing service station, where the proposed construction/alteration would cost more than 25 percent of the appraised value of the structure, as shown in the County Assessor's records, or \$25,000, whichever is less, shall require the approval of a Conditional Use Permit, in compliance with [Section 19.54.040](#);
- 2. **Location of activities.** All activities and operations shall be conducted entirely within the enclosed service station structure(s), except as follows:
 - a. The dispensing of petroleum products, air, and water from pump islands;
 - b. The provision of emergency service of a minor nature;
 - c. The sale of items via vending machines which may only be placed next to the main structure in a designated area not to exceed 32 square feet and which shall be screened from public view;
 - d. The display of allowed automotive merchandise on each pump island, provided that the aggregate display area on each island shall not exceed 12 square feet and that the products shall be located in a specially designed enclosed case; and
 - e. Motor vehicle products displayed along the front of the structure shall be within 36 inches of the structure, and

limited to five feet in height and not more than 10 feet in length.

3. Vehicle parking.

- a. Outside storage of motor vehicles is prohibited. For the purpose of this Section, outside storage shall mean the parking of a motor vehicle in an unenclosed area of the service station for longer than 24 hours, unless the vehicle is in the process of being serviced, in which case it may be parked for a maximum period of 72 hours.
- b. Vehicles shall not be parked on alleys, driveways, parkways, or sidewalks.
- c. Vehicles shall not be parked on the premises for the purpose of offering same for sale.
- d. Parking shall be located and screened to minimize visibility of parked vehicles from adjoining public rights-of-way.

4. Signs. All on-site signs shall be in compliance with Title 18 (Signs and Display Advertising);

5. Storage of parts or equipment. Used or discarded vehicle parts or equipment, or disabled, junked, or wrecked vehicles shall not be located in any open area outside of the main structure;

6. Masonry wall.

- a. Where an existing service station adjoins property in a residential zoning district, a six-foot high solid masonry wall shall be constructed along the common property line at the time the station receives an entitlement for any on-site enlargement or alteration costing more than 10 percent of the appraised value of the structure, as shown in the County Assessor's records, or \$10,000, whichever is less.
- b. The height of the wall, which shall be at least six feet, shall be measured from the finished grade of the residential property.
- c. When the wall reaches the established front setback line of the residentially property adjoining or directly across an alley from the service station, the wall shall decrease to a maximum height of 42 inches.
- d. Colors, design, materials, and textures of the wall shall be compatible with on-site development and adjoining properties and subject to the approval of the Architectural Review Commission.

7. Site maintenance.

- a. Used or discarded automotive parts or equipment, or permanently disabled junked or wrecked vehicles shall not be located outside of the main structure;

- b. A waste collection and disposal storage area, completely enclosed with a masonry wall not less than six feet high with a solid gated opening, and large enough to accommodate standard-sized commercial trash bins, shall be located on the rear portion of the property in a manner which is accessible to refuse collection vehicles.
 - c. Driveways and service areas shall be maintained and kept free of grease, oil, and other petroleum products in addition to litter. These areas shall be periodically cleaned with equipment that dissolves spilled grease, oil, and other petroleum products without washing them into the drainage, gutter, or sewer systems.
8. **Public service facilities.** All service stations:
- a. Shall provide restrooms on-site, at no charge, for public use during normal business hours. The restrooms shall be continuously maintained in compliance with the standards of the County Health Department;
 - b. Shall provide and maintain in usable and good working order, an air pump and radiator water hose for public use.
9. **Restroom screening.** Restroom entrances viewable from adjoining rights-of-way or properties shall be concealed from view by planters or decorative screening subject to the approval of the City Planner;
10. **Noise.** Service station noise (e.g., bells, loudspeakers, tools, etc.) shall not be audible from residentially zoned or occupied parcels between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and Saturdays, and before 10:00 a.m. and after 7:00 p.m. on Sundays and nationally recognized holidays;
11. **Oil collection centers.** All service stations shall:
- a. Provide petroleum and solvent waste dispensers, at no or a minimum charge, for use by customers to dispose of their used petroleum product liquids and shall accept used oil and containers during normal business hours.
 - b. Provide petroleum and solvent waste containers, at no or a minimal charge, for use by customers to return and to recycle their oil and other used petroleum product liquids.
 - c. Submit a plan describing the methods of collection, disposal, handing, and recycling.
 - d. Recycle all oil collected and make every effort to recycle the returned containers and other used petroleum product liquids.

19.50.110—Vacation Rentals

This Section sets forth requirements for the establishment and operation of [Vacation Rental](#) facilities.

- A. **Permit and operational requirements.** The approval and operation of a vacation rental shall be subject to the following requirements:
1. **Conditional use permit required.** The establishment and operation of a vacation rental shall require the approval of a Conditional Use Permit in compliance with [Section 19.54.040](#);
 2. **Maximum number of units.** A vacation rental shall consist of no more than two complete residential units;
 3. **Business License required.** A Business License is required for the establishment and operation of a vacation rental;
 4. **Transient Occupancy Tax.** A Transient Occupancy Tax Registration form shall be completed, and the owner or manager shall pay Transient Occupancy Tax;
 5. **Maximum length of stay.** Visitor occupancy shall be limited to a maximum of twenty-nine consecutive days;
 6. **Fire and life safety.** Fire and life safety requirements as required by the Fire Department and the Building Division shall be implemented. Minimum requirements shall include approved smoke detectors in each lodging room, installation of an approved fire extinguisher in the structure, and the inclusion of an evacuation plan posted in each lodging room;
 7. **Annual inspection.** Each vacation rental shall comply with the annual fire and life safety certification procedures of the Fire Department;
 8. **Signs.** One sign, with a maximum area of two square feet, shall be allowed subject to the approved of the City's Design Review Commission,;
 9. **Secondary use.** A vacation rental in the Commercial Zone shall be allowed only in conjunction with an approved commercial use.
- B. **Licensed vacation rentals.** Existing, licensed vacation rentals shall be allowed to continue as a legal, nonconforming use provided they comply with the requirements set forth in subsection A.4-A.8, above. For the purpose of this Section, "licensed" shall mean a vacation rental which as of November 3, 1999, has a valid business license and has registered to pay Transient Occupancy Tax pursuant to Section 3.16.060 of the Sonoma Municipal Code.

Planning Permit Procedures

This Article describes each type of land use and development permit required by the Development Code and the City's requirements for the preparation, filing, processing, and approval or disapproval of each permit application. The Article also sets time limits for the establishment of a land use or commencement of development as authorized by an approved permit, and provides for permit time extensions when needed.

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19.52—APPLICATIONS: FILING AND PROCESSING

Sections:

- 19.52.010—Purpose of Article
- 19.52.020—Authority for Land Use and Zoning Decisions
- 19.52.030—Concurrent Permit Processing
- 19.52.040—Application Preparation and Filing
- 19.52.050—Application Fees
- 19.52.060—Initial Application Review
- 19.52.070—Environmental Assessment
- 19.52.080—Staff Report and Recommendations

19.52.010—Purpose of Article

This Article provides procedures and requirements for the preparation, filing and processing of applications for the planning permits required by this Development Code.

19.52.020—Authority for Land Use and Zoning Decisions

Table 5-1 ([Review Authority for Planning Permits](#)) identifies the City official or body responsible for reviewing and making decisions on each type of application, planning permit and other approval required by this Development Code.

19.52.030—Concurrent Permit Processing

When a single project incorporates different land uses or features so that this Development Code requires multiple planning permit applications, all the applications shall be reviewed concurrently, to the extent feasible.

19.52.040—Application Preparation and Filing

- A. *Pre-application review.* Prospective applicants and agents are encouraged to request a pre-application review prior to completion of project design and the formal submittal of a permit application. A request by an applicant for pre-application review, accompanied by preliminary project plans and designs, will be reviewed by the City's Project Advisory Committee (PAC). The PAC will inform the applicant of City requirements as they apply to the proposed development project, provide a preliminary list of issues that will likely be of concern during formal application review, suggest possible alternatives or modifications to the project, based on identified development standards and other adopted policies and regulations, and identify technical studies that may be necessary for the environmental review process when a formal application is filed.
- B. *Planning Commission study session.* Prospective applicants and agents considering development applications that are large, complex, or potentially controversial, are encouraged to request

a study session with the Planning Commission prior to immediately following the submittal of a formal application. Such sessions are structured so as to provide an opportunity for a free dialog between an application and the Planning Commission in order to explore issues and alternatives related to site design, building massing and architecture, environmental mitigation, and other planning issues at an early stage of project review.

- C. **Application contents.** Applications for planning permits, amendments (e.g., General Plan, Zoning Map and Development Code) and other matters pertaining to this Development Code shall be filed with the Division using the forms provided by the Division. Applications shall include all information and materials required by the Application Content Requirements list provided by the Division for the specific type of application (i.e., Conditional Use Permit, Variance, or others).
- D. **Eligibility for filing.** Applications may be made by the owner of the subject property, or by a lessee or any other person, with the consent of the property owner.

19.52.050—Application Fees

The Council shall, by resolution, establish a schedule of fees for permits, amendments, and other matters pertaining to this Development Code. The schedule of fees may be changed or modified only by resolution of the Council. The City's processing fees are cumulative, unless otherwise specified in the City Fee Resolution. Processing shall not commence on any application until all required fees have been paid.

19.52.060—Initial Application Review

All applications filed with the City Planner in compliance with this Development Code shall be initially processed as follows:

- A. **Completeness review.** The City Planner shall review all applications for completeness and accuracy before they are accepted as being complete.
 - 1. **Notification of applicant.** The applicant shall be informed, as required by the Government Code, either that the application is complete and has been accepted for processing, or that the application is incomplete and that additional information shall be provided. All additional information needed shall be specified in the letter providing notice of an incomplete application.
 - 2. **Appeal of determination.** Where the City Planner has determined that an application is incomplete, and the applicant believes that the application is complete and/or that the information requested by the City Planner is not required, the applicant may appeal the determination in compliance with [Chapter 19.84 \(Appeals\)](#).
 - 3. **Environmental information.** The City Planner may require the applicant to submit additional information needed for

Table 5-1
Review Authority for Planning Permits¹

Type of Decision	Role of Review Authority ²			
	City Planner	Planning Commission	Design Review Commission	City Council
Administrative Approvals and Amendments				
Development Agreements	Recommend	Recommend		Decision
Interpretations	Decision ³	Appeal	Appeal	Appeal
General Plan Amendment ⁴	Recommend	Recommend		Decision
Development Code Amendment	Recommend	Recommend		Decision
Zoning Map Amendment	Recommend	Recommend		Decision
Planning Permits and Development Approvals				
Zoning Clearance	Decision	Appeal	Appeal	Appeal
Temporary Use Permits	Decision	Appeal		Appeal
Use Permits	Recommend	Decision		Appeal
Exceptions	Recommend	Decision		Appeal
Variances	Recommend	Decision		Appeal
Planned Development Permit	Recommend	Decision		Appeal
Site Design and Architectural Review	Recommend	Decision	Decision	Appeal
Demolition Permit	Recommend		Decision	Appeal

Notes:

1. The review authority for subdivision-related approvals is set forth in Table 6-1 (Article VI—Subdivisions).
2. “Recommend” means that the review authority makes a recommendation to a higher decision-making body; “Decision” means that the review authority makes the final decision on the matter; “Appeal” means that the review authority may consider and decide upon appeals to the decision of an earlier decision-making body, in compliance with [Chapter 19.84 \(Appeals\)](#).
3. The City Planner may refer any matter subject to his/her decision to the Planning Commission, so that the Commission may instead make the decision.
4. See [Chapter 19.86 \(General Plan and Development Code/Zoning Map Amendments\)](#).

the environmental review of the project in compliance with [Section 19.52.070 \(Environmental Assessment\)](#).

4. **Expiration of application.** If the applicant does not provide sufficient information to complete an application within six months after the first filing with the City Planner, the application shall be deemed withdrawn. A new application, including fees, plans, exhibits and other materials that are required to commence processing of any development project on the same property, must then be filed in compliance with this Article before processing will begin.
- B. **Referral of application.** At the discretion of the City Planner, or where otherwise required by this Development Code, State or Federal law, any application filed in compliance with this Development Code may be referred to any public agency that may be affected by or have an interest in the proposed land use activity.

19.52.070—Environmental Assessment

After acceptance of a complete application, the project shall be reviewed as required by the California Environmental Quality Act (CEQA), and City CEQA Guidelines to determine whether the proposed project is exempt from the requirements of CEQA, whether it is a project which requires review under CEQA and if so, whether a negative declaration may be issued, or an environmental impact report (EIR) must be required. These determinations and, where required, the preparation of EIRs shall be in compliance with the City's CEQA Guidelines.

19.52.080—Staff Report and Recommendations

- A. **Staff evaluation.** City Planner shall review all applications filed in compliance with this Chapter to determine whether they comply and are consistent with the provisions of this Development Code, other applicable provisions of the Municipal Code, and the General Plan, and shall provide a recommendation to the reviewing commission and/or Council (as applicable) on whether the application should be approved, approved subject to conditions, or disapproved.
- B. **Staff report preparation.** A staff report shall be prepared by the City Planner that describes their conclusions about the proposed land use and any development as to its compliance and consistency with the provisions of this Development Code, other applicable provisions of the Municipal Code, applicable Specific Plans, and the General Plan. The staff report shall include recommendations on the approval, approval with conditions, or disapproval of the application, based on the evaluation and consideration of information provided by an initial study or environmental impact report.
- C. **Report distribution.** Staff reports shall be furnished to applicants at the same time as they are provided to members of the Commission and/or Council prior to a hearing on the application.

19.54—PLANNING PERMIT APPROVAL OR DISAPPROVAL

Sections:

- 19.54.010—Purpose of Chapter
- 19.54.020—Zoning Clearance
- 19.54.030—Temporary Use Permits
- 19.54.040—Use Permits
- 19.54.050—Exceptions
- 19.54.060—Variances
- 19.54.070—Planned Development Permit
- 19.54.080—Site Design and Architectural Review
- 19.54.090—Demolition Permit

19.54.010—Purpose of Chapter

This Chapter provides procedures for the final review, and approval or disapproval of the planning permit applications established by this Development Code. Procedures and standards for the review and approval of subdivision maps and related applications are found in Article VI (Subdivisions). Where applicable, the procedures of this Chapter are carried out after those described in [Chapter 19.52 \(Applications: Filing and Processing\)](#), for each application.

19.54.020—Zoning Clearance

- A. **Purpose.** The issuance of a Zoning Clearance is the procedure used by the City to verify that a proposed structure or land use complies with the permitted list of activities allowed in the applicable zoning district, and the development standards applicable to the type of use. Where Article II (Zoning Districts and Allowable Land Uses) requires a zoning clearance as a pre-requisite to establishing a land use, the City Planner shall evaluate the proposed use to determine whether the clearance may be granted in compliance with this Section.
- B. **Applicability.** A Zoning Clearance shall be required at the time of Planning Division review of any building, grading or other construction permit, or other authorization required by this Development Code for the proposed use. Where no other authorization is required, a request for Zoning Clearance shall be filed with, and use the forms provided by the Division.
- C. **Criteria for clearance.** The City Planner may issue the Zoning Clearance after determining that the request complies with all Development Code provisions applicable to the proposed use.

19.54.030—Temporary Use Permits

- A. **Purpose.** A Temporary Use Permit allows short-term activities that might not meet the normal development or use standards of the applicable zoning district, but may be acceptable because of their temporary nature.

- B. Permitted temporary uses.** The following temporary uses may be permitted subject to the issuance of a Temporary Use Permit. Uses that do not fall within the categories defined below shall instead comply with the use and development restrictions and permit requirements that otherwise apply to the property, in compliance with Article II (Zoning Districts and Allowable Land Uses).
1. **Construction yards.** Off-site contractors' construction yards in conjunction with an approved construction project.
 2. **Seasonal sales lots.** Christmas tree sales lots or the sale of other seasonal products, and temporary residence/security trailers. A permit shall not be required when the sales are in conjunction with an established commercial business holding a valid business license, provided the activity does not consume more than 15 percent of the total parking spaces on the site and does not impair emergency vehicle access.
 3. **Special events on private property.** Carnivals, circuses, ethnic celebrations, festivals, and other similar special events on private property may be approved in commercial districts provided that they do not continue for more than five consecutive days, and do not occur more often than four times per year. These uses shall also comply with any requirements of other City departments.
 4. **Temporary offices and work trailers.** A trailer, coach or mobile home as a temporary office facility, or work site for employees of a business:
 - a. During construction or remodeling of a permanent commercial or industrial structure when a valid building permit is in force; or
 - b. Upon demonstration by the applicant that this temporary facility is a short-term necessity while a permanent facility is being obtained or constructed.
 5. **Similar temporary uses.** Similar temporary uses which, in the opinion of the City Planner, are compatible with the zoning district and surrounding land uses.
- C. Duration.** A Temporary Use Permit may be granted for up to one year. An extension may be authorized by the Planning Commission through Conditional Use Permit approval.
- D. Temporary uses regulated by other provisions of the Municipal Code.** The following temporary uses are subject to the referenced Municipal Code provisions instead of the requirements of this Section:
1. **Location filming.** Location filming is subject to the provisions of Chapter 7.40 of the Municipal Code.

- E. Development standards.** Standards for structure setbacks, heights, floor areas, parking and other structure and property development standards that apply to the type of use or the zoning district of the site may be applied to temporary uses, as deemed appropriate by the review authority.
- F. Application requirements.** A Temporary Use Permit application shall be filed with the Planning Division. The application shall be accompanied by the following:
1. **Illustrations.** Sketches or drawings of sufficient size and clarity to show without further explanation the following: size and location of the property, location of adjacent streets, location and size of all structures on the site, location of structures on adjacent lots, location and number of parking spaces, and location of any temporary fences, signs, or structures to be installed as part of the temporary use;
 2. **Statement of operations.** Letter describing the hours of operation, days that the temporary use will be on the site, number of people staffing the use during operation, anticipated number of people using the facility during commercial operation, and other information about the operation of the use that pertains to the impact of the use on the community or on adjacent uses; and
 3. **Notice to abutting property owners.** For uses proposed to last more than 30 consecutive days per calendar year, the applicant shall be responsible for providing notice to abutting property owners of the proposed use. This notice shall describe the proposed use, including dates and times of operation.
- G. Referral to Planning Commission.** At the discretion of the City Planner, a Temporary Use Permit may be referred to the Planning Commission for a hearing and decision.
- H. Findings, decision.** A Temporary Use Permit may be approved, modified, conditioned, or disapproved by the review authority (City Planner or Planning Commission, as applicable). The review authority may approve or conditionally approve a Temporary Use Permit application, only if all the following findings are made:
1. That the establishment, maintenance or operation of the use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use; and
 2. The use, as described and conditionally approved, will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

In making these determinations, the review authority shall take into consideration the limited duration of the proposed use.

- I. **Conditions of approval.** In approving an application for a Temporary Use Permit, the review authority may impose conditions deemed necessary to ensure that the permit will be in compliance with the findings required by Subsection H, above.
- J. **Condition of site following temporary use.** Each site occupied by a temporary use shall be cleaned of debris, litter, or any other evidence of the temporary use upon completion or removal of the use, and shall thereafter be used in compliance with the provisions of this Development Code. A bond may be required prior to initiation of the use to ensure cleanup after the use is finished.
- K. **Revocation.** A Temporary Use Permit may be revoked by the City Planner at any time for failure to comply with the conditions of approval.

19.54.040—Use Permits

- A. **Purpose.** Use permits are intended to allow for activities and uses which may be desirable in the applicable zoning district and compatible with adjacent land uses, but whose effect on the site and surroundings cannot be determined prior to being proposed for a particular location. The procedures of this Section provide for the review of the location, design, configuration, and potential impacts of the proposed use, to evaluate the compatibility of the proposed use with surrounding uses and the suitability of the use to the site.
- B. **Applicability.** A Use Permit is required to authorize proposed land uses and activities identified by Article II (Zoning Districts and Allowable Land Uses) as being allowable in the applicable zoning district subject to the approval of a Use Permit and to authorize modifications to previously approved Use Permits.
- C. **Application requirements.** An application for a Use Permit shall be filed and processed in compliance with [Chapter 19.52 \(Applications: Filing and Processing\)](#).
- D. **Project review, notice and hearing.** Each Use Permit application shall be analyzed by the City Planner to ensure that the application is consistent with the purpose and intent of this Section. The Planning Commission shall conduct a public hearing on an application for a Use Permit. Notice of the public hearing shall be provided, and the hearing shall be conducted in compliance with [Chapter 19.88 \(Public Hearings\)](#).
- E. **Findings, decision.** Following a public hearing, the Planning Commission may approve or disapprove an application for a Use Permit. The Planning Commission shall record the decision and the findings upon which the decision is based. The Planning Commission may approve a Use Permit only if the Planning Commission first finds that:
 - 1. The proposed use is consistent with the General Plan and any Specific Plan;

2. The proposed use is allowed with a conditional Use Permit within the applicable zoning district and complies with all applicable standards and regulations of this Development Code (except for approved Variances and Exceptions);
 3. The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity; and
 4. The proposed use will not impair the architectural integrity and character of the zoning district in which it is to be located.
- F. *Conditions of approval.*** In approving a Use Permit, the Planning Commission may adopt any conditions of approval deemed necessary to achieve consistency with the General Plan and any applicable Specific Plan, compliance with the provisions and purposes of this Development Code, and the protection of the public health, safety, and welfare.
- G. *Expiration.*** A Use Permit shall be exercised within one year from the date of approval or the permit shall become void, unless an extension is approved in compliance with [Chapter 19.56 \(Permit Implementation, Time Limits, Extensions\)](#).
- H. *Use Permits to run with the land.*** A Use Permit granted in compliance with this Section shall continue to be valid upon a change of ownership of the site, business, service, use or structure that was the subject of the permit application.

19.54.050—Exceptions

- A. *Purpose.*** The provisions of this Section allow for limited adjustments to the physical and quantified development standards of this Development Code in response to environmental features and site conditions, historic development patterns of the property or neighborhood, and in the interest in promoting creativity and personal expression in site planning and development.
- B. *Applicability.*** The Planning Commission may grant an Exception to the requirements of this Development Code governing only the following requirements of Articles II, III, and IV:
1. Dimensional standards (i.e., distance between structures, building area and coverage, landscape and paving requirements, setbacks, and structure heights);
 2. Number and dimensions of parking areas, loading spaces, landscaping or lighting requirements, except as otherwise provided in this Development Code.

The authority to grant Exceptions does not include allowed land uses, residential density regulations, subdivision standards, or fence heights. An exception may not exceed 30% of the standard from which relief is sought.

- C. **Application requirements.** An application for an Exception shall be filed in compliance with [Section 19.52.040 \(Application Preparation and Filing\)](#). It is the responsibility of the applicant to provide evidence in support of the findings required by Subsection E. (Findings, Decision).
- D. **Project review, notice and hearing.** Each Exception application shall be reviewed by the City Planner to ensure that the application is consistent with the purpose and intent of this Section. The Planning Commission shall hold a public hearing in compliance with [Chapter 19.88 \(Public Hearings\)](#), and may approve or disapprove the Exception in compliance with this Section.
- E. **Findings, decision.** Following a public hearing, the Planning Commission may approve, approve subject to conditions, or disapprove the Exception. The Planning Commission shall record the decision and the findings upon which the decision is based. The Planning Commission may approve an application, with or without conditions, only if the Planning Commission first finds that:
 - 1. The adjustment authorized by the Exception is consistent with the General Plan, any applicable Specific Plan, and the overall objectives of this Development Code;
 - 2. An exception to the normal standards of the Development Code is justified by environmental features or site conditions; historic development patterns of the property or neighborhood; or the interest in promoting creativity and personal expression in site planning and development;
 - 3. Granting the Exception will not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and in the same zoning district.
- F. **Conditions.** Any Exception granted shall be subject to conditions that will ensure that the Exception is compatible with adjacent properties.
- G. **Expiration.** An Exception shall be exercised within one year from the date of approval, or the Exception shall become void, unless an extension is approved in compliance with [Chapter 19.56 \(Permit Implementation, Time Limits, Extensions\)](#).

19.54.060—Variances

- A. **Purpose.** The provisions of this Section allow for variances from the development standards of this Development Code only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this Development Code denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts.

B. *Applicability.* The Planning Commission may grant a Variance from the requirements of this Development Code governing only the following development standards:

1. Dimensional standards (i.e., distance between structures, parcel area, building coverage, landscape and paving requirements, parcel dimensions, setbacks, and structure heights);
2. Number and dimensions of parking areas, loading spaces, landscaping or lighting requirements, except as otherwise provided in this Development Code.

The power to grant Variances does not include allowed land uses, or residential density regulations.

C. *Application requirements.* An application for a Variance shall be filed in compliance with [Section 19.52.040 \(Application Preparation and Filing\)](#). It is the responsibility of the applicant to provide evidence in support of the findings required by Subsection E. (Findings).

D. *Project review, notice and hearing.* Each Variance application shall be reviewed by the City Planner to ensure that the application is consistent with the purpose and intent of this Section. The Planning Commission shall hold a public hearing in compliance with [Chapter 19.88 \(Public Hearings\)](#), and may approve or disapprove the Variance in compliance with this Section.

E. *Findings, decision.* Following a public hearing, the Planning Commission may approve, approve subject to conditions, or disapprove the Variance. The Planning Commission shall record the decision and the findings upon which the decision is based. The Planning Commission may approve an application, with or without conditions, only if the Planning Commission first finds that:

1. The adjustment authorized by the Variance is consistent with the General Plan and any applicable Specific Plan.
2. There are special circumstances applicable to the property (i.e., size, shape, topography, location or surroundings), such that the strict application of the requirements of this Development Code deprives the property owner of privileges enjoyed by other property owners in the vicinity and within the same zoning district;
3. Granting the Variance is necessary for the preservation and enjoyment of substantial property rights possessed by other property owners in the same vicinity and zoning district and denied to the property owner for which the Variance is sought;
4. The adjustment authorized by the Variance will not constitute a grant of special privileges inconsistent with the limitations on other properties in the vicinity and in the same zoning district;

5. Granting the Variance will not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and in the same zoning district.
- F. **Conditions.** Any Variance granted shall be subject to conditions that will ensure that the Variance does not grant special privilege(s) inconsistent with the limitations upon other properties in the vicinity and same zoning district.
- G. **Expiration.** A Variance shall be exercised within one years from the date of approval, or the Variance shall become void, unless an extension is approved in compliance with [Chapter 19.56 \(Permit Implementation, Time Limits, Extensions\)](#).

19.54.070—Planned Development Permit

- A. **Purpose.** The Planned Development Permit is intended to provide a process for allowing greater flexibility in site planning and design than afforded by the general development standards of this Development Code, to encourage more innovative and desirable projects, and efficient use of land than may be possible through strict application of conventional zoning regulations. In general, Planned Development Permits are intended to address development under the following circumstances:
 1. Properties with unique, challenging, or valuable topographic or environmental features;
 2. Infill properties that are oddly-shaped, narrow, or otherwise difficult to design for using normal development standards;
 3. Site plans or building designs that are clearly responsive to the objectives of this Development Code, but which require variations from the normal development standards in order to achieve a useful innovation or a higher level of design quality than would otherwise be possible;
 4. Developments that include affordable housing, where departures from normal development standards are used to reduce development costs while maintaining design quality.

A Planned Development permit shall not be granted solely for the purpose of maximizing development potential.

- B. **Applicability.** Planned Development Permits may be requested for any development project in any residential or commercial zoning district. Flexibility in the application of development standards may only be authorized with regard to the following requirements of Articles II, III, and IV:
 1. Structure location and setbacks, yard areas, and open spaces;
 2. Parking and loading requirements, ingress and egress location;

3. Fences, walls and screening;
4. Landscaping requirements;
5. Lot area and dimensions.

The power to grant a Planned Development Permit does not include allowed land uses or residential density regulations.

- C. **Application requirements.** An application for a Planned Development shall be filed in compliance with [Section 19.52.040 \(Application Preparation and Filing\)](#). It is the responsibility of the applicant to provide evidence in support of the findings required by Subsection F. (Findings), below.
- D. **Project review, notice and hearing.** Each Planned Development application shall be reviewed by the City Planner to ensure that the application is consistent with the purpose and intent of this Section. The Planning Commission shall hold a public hearing in compliance with [Chapter 19.88 \(Public Hearings\)](#), and may approve, approve with conditions, or disapprove the Planned Development Permit in compliance with this Section
- E. **Objectives.** In the course of reviewing an application for a Planned Development Permit, the Planning Commission shall evaluate it in terms of the following objectives, as applicable:
 1. Integrating environmental features and other site characteristics into the development plan;
 2. Establishing appropriate relationships between the development and adjoining properties, in terms of setbacks, yard orientation, and building heights;
 3. Creating high quality common and/or private open space;
 4. Providing well-designed affordable units (if any);
 5. Appropriately relating building mass to lot size and to adjacent development.
 6. Providing or contributing toward variety in housing types, especially smaller, attached units, to the extent compatible with neighborhood conditions.

Any application for a Planned Development Permit shall be considered in relation to these objectives, the development standards and design guidelines of this Development Code, other applicable ordinances of the City, and applicable General Plan policies.

- F. **Findings, decision.** Following a public hearing, the Planning Commission may approve, approve subject to conditions, or disapprove the planned development permit. The Planning Commission shall record the decision and the findings upon which the decision is based. The Planning Commission may approve a Planned Development Permit application with or without conditions, only if the Planning Commission finds that:

1. The Planned Development Permit is consistent with the General Plan, any applicable Specific Plan, and the intent and objectives of this section;
 2. The design of the development is consistent with the intent of applicable regulations and design guidelines of the Development Code;
 3. The various use and development elements of the Planned Development relate to one another in such a way as to justify exceptions to the normal standards of the Development Code;
 4. The design flexibility allowed by the Planned Development Permit has been used to creatively address identified physical and environmental constraints; and
 5. The proposed development will be well-integrated into its setting, will relate appropriately to adjacent uses, and will retain desirable natural features of the site and the surrounding area.
- G. **Expiration.** A Planned Development Permit shall be exercised within one year from the date of approval or the permit shall become void, unless an extension is approved in compliance with [Chapter 19.56 \(Permit Implementation, Time Limits, Extensions\)](#).

19.54.080—Site Design and Architectural Review

- A. **Purpose.** This section establishes the review procedures necessary to ensure that all applicable development projects comply with the required standards, design guidelines and ordinances of the City; minimize potential adverse effects on surrounding properties and the environment; implement General Plan policies regarding community design; and promote the general health, safety, welfare, and economy of the residents of the City. Therefore, it is the purpose of this section to:
1. Protect and enhance historic buildings and the City's historic character;
 2. Encourage the orderly and harmonious appearance of structures and property within the City along with associated facilities, landscaping, parking areas, and streets;
 3. Recognize the interdependence of land values and aesthetics and provide a method by which the City may implement this interdependence; and
 4. Ensure that new developments, including residential, institutional, commercial, and industrial developments build on the City's character and do not have an adverse aesthetic impact upon existing adjoining properties, the natural environment, or the City in general.
- B. **Applicability.** The review of project site planning and architectural design is an integral part of the development approval pro-

cess. Therefore, each project that requires approval of a Building Permit, unless exempted by Subsection C, below, shall require review and approval by the Planning Commission and/or the Architectural Review Committee (DRC), as applicable, prior to the issuance of a Building Permit or the commencement of any work on a new structure, or improvements to alter, enlarge, remodel, repair, or otherwise change the exterior of an existing structure.

- C. **Exemptions.** Site design and architectural review shall not be required for the following:
1. New detached single-family dwellings, duplexes and accessory structures, including manufactured housing, except in conjunction with a Planned Development Permit or a new subdivision of five or more parcels;
 2. Alterations, repairs, or other changes to existing single-family residences, duplexes and accessory buildings, with the following exceptions:
 - a. Additions to residences within the Historic Zone which would result in an increase in floor area of 50% or greater.
 - b. The relocation of any primary structure within the Historic Overlay Zone.
 3. Alterations, repairs, or other changes to existing structures which do not increase floor area by more than 10% or result in changes to a primary or street-side building facade;
 4. Improvements to existing parking facilities with 10 or less spaces, in compliance with current landscape requirements.
 5. Maintenance projects and activities, except for the repainting or the placement of new siding or roofing on commercial buildings which involve the use of new colors or different materials.
 6. Demolitions. (Demolitions shall be regulated as provided for under [Section 19.54.090 \(Demolition Permit\)](#).)
 7. Signs. (Signs shall be regulated as provided for under Title 18 of the Sonoma Municipal Code.)
- D. **Application requirements.** Any person proposing to construct, alter, enlarge, remodel, or otherwise change a new or existing structure subject to Site Design and Architectural Review in compliance with this Chapter, shall make application for project review prior to the application for a Building Permit in compliance with [Section 19.52.040 \(Application Preparation and Filing\)](#). It is the responsibility of the applicant to provide evidence in support of the findings required by subsection H. (Findings, decision), following.

- E. Review responsibility.** Certain types of projects are subject to review by both the Planning Commission and the Design Review Commission, while other types of projects are subject to review by only one commission. The responsibilities the two commissions with regard to Site Design and Architectural Review are as follows:
- 1. Non-discretionary Projects.** Projects subject to Site Design and Architectural Review, as set forth in Subsection B., but which are not otherwise subject to discretionary review by the Planning Commission (e.g., Use Permit review), shall be reviewed by the Design Review Commission only.
 - 2. Discretionary projects.** For projects subject to discretionary review by the Planning Commission, the Planning Commission shall be responsible for reviewing and acting upon the project site plan, building massing and elevation concepts to the extent it deems necessary. Subsequent review by the Design Review Commission shall be limited to elevation details, colors and materials, landscaping (including fences and walls), lighting, site details (such as the placement of bike racks and trash enclosures), and any issues specifically referred to the DRC by the Planning Commission.
 - 3. Single-family development of five or more units.** For new single-family development of five or more units, except in conjunction with a Planned Development Permit, the Planning Commission shall be responsible for reviewing and approving design guidelines to ensure an appropriate variety of unit types and styles. Design guidelines may include building heights and mix of stories, setbacks, architectural concepts, elevation details, building materials, and landscaping. The topics and level of detail required for the review of a particular project shall be as deemed appropriate by the Planning Commission. Review by the Design Review Commission shall not be required, except as referred to the Design Review Commission by the Planning Commission.
- F. Review Procedures.** Each application for Site Design and Architectural Review shall be reviewed by the City Planner to ensure that the application is consistent with the purpose and intent of this Section and with applicable requirements of this Development Code. The review authority shall hold a public meeting, and may approve, approve with conditions, or disapprove the application for Site Design and Architectural Review in compliance with this Section.
- G. Factors to be considered.** In the course of Site Design and Architectural Review, the consideration of the review authority shall include the following factors:
- 1.** The historical significance, if any, of the site or buildings or other features on the site;

2. Environmental features on or adjacent to the site;
3. The context of uses and architecture established by adjacent development;
4. The location, design, site plan configuration, and effect of the proposed development.

These factors shall be considered in relation to the development standards and design guidelines of this Development Code, other applicable ordinances of the City, and applicable General Plan policies.

H. Findings, decision. The review authority may approve, approve subject to conditions, or disapprove the an application for Site Design and Architectural Review. The review authority may approve an application, with or without conditions, only if it first makes the findings set forth below.

1. **Basic findings.** In order to approve any application for Site Design and Architectural Review, the review authority must make the following findings:
 - a. The project complies with applicable policies and regulations, as set forth in this Development Code (except for approved Variances and Exceptions), other City ordinances, and the General Plan;
 - b. On balance, the project is consistent with the intent of applicable design guidelines set forth in this Development Code; and
 - c. The project responds appropriately to the context of adjacent development, as well as existing site conditions and environmental features.
2. **Projects within the Historic Overlay District.** In addition to the basic findings set forth in paragraph 1, above, the review authority must make the following additional findings for any project located within the Historic Overlay District:
 - a. The project will not impair the historic character of its surroundings; and
 - b. The project substantially preserves the qualities of any significant historic structures or other significant historic features on the site.

These findings shall not apply to demolitions associated with a project which have been approved under [Section 19.54.090 \(Demolition Permit\)](#).

I. Expiration. If a Building Permit has not been applied for and issued within one year of Site Design and Architectural Review approval, the approval shall become void, unless an extension is approved in compliance with [Chapter 19.56 \(Permit Implementation, Time Limits, Extensions\)](#).

19.54.090—Demolition Permit

- A. **Purpose.** Sonoma has a significant heritage of historic buildings, as exemplified by the designation of the Sonoma Plaza as a National Historic Landmark. These buildings provide a tangible link to the City's past, foster civic pride and a sense of community, and constitute an important aesthetic, cultural, and economic resource. In order to preserve this heritage while respecting the rights the property owners, this Chapter establishes provisions for the review of demolitions, including a requirement for Demolition Permits.
- B. **Applicability.** For any proposed demolition, a Demolition Permit shall be obtained prior to the issuance of a Building Permit, unless the demolition is exempted by Subsection C, below. Applications for a Demolition Permit shall be subject to the review and approval by the Design Review Commission (DRC).
- C. **Exemptions.** The following categories of demolition shall be exempt from DRC review:
 - 1. Structures that are less than 50 years of age and that are not identified on the inventory of historic structures prepared by the League for Historic Preservation; and
 - 2. Structures that the Building Official has determined present a clear and immediate threat to public safety.
- D. **Timing.** When an application for demolition is associated with a development proposal that requires a discretionary permit from the Planning Commission, the review of the demolition application shall be completed prior to commencing review of any other application for a discretionary permit.
- E. **Application requirements and procedures.** Any person seeking approval of a non-exempt demolition in compliance with this Chapter, shall make application for a Demolition Permit prior to an application for a Building Permit, in compliance with [Section 19.52.040 \(Application Preparation and Filing\)](#). It is the responsibility of the applicant to provide evidence in support of the findings required by Subsection F. (Findings, decision).
 - 1. **Commencement of review.** The review of an application for a Demolition Permit shall not be initiated until the Planning Division receives a complete application, including all required documentation as specified in the application form and any additional information required by the City Planner in order to conduct a thorough review of the proposed demolition.
 - 2. **Notice and hearing.** The Design Review Commission shall conduct a public hearing on an application for a Demolition Permit. Notice of the public hearing shall be provided, and the hearing shall be conducted in compliance with [Chapter 19.88 \(Public Hearings\)](#) and may approve, approve with conditions, or disapprove the Demolition Permit in compliance with this section.

3. **Factors to be considered.** In the course of Demolition Permit review, the consideration of the Design Review Commission shall include the following factors:
 - a. The relative historical significance, if any, of the structure proposed for demolition;
 - b. The contribution, if any, the structure makes to a historic context;
 - c. The cost of preserving or rehabilitating the structure;
 - d. The potential for adaptive re-use; and
 - e. The potential for re-locating the structure.
 4. **Cooling-off Period.** Prior to taking final action on an application for a Demolition Permit, the Design Review Commission may impose a cooling-off period of up to six months in order to allow an opportunity to investigate alternatives to demolition.
- F. **Determination of significance.** For purposes of requiring an application for a Demolition Permit, it shall be presumed that a structure possesses historic significance if said structure is identified in the inventory of historic structures prepared by the Sonoma League for Historic Preservation. However, in its review of an application for a Demolition Permit, the Design Review Commission may determine that a listed structure is not historically significant if, based on evidence in the record, it finds that:
1. The listing in the inventory is based on erroneous information; or
 2. The structure does not meet the criteria for historic significance as defined by the State Office of Historic Preservation.
- G. **Findings, decision.** Following the public hearing, the Design Review Commission may approve or approve with conditions, or disapprove a Demolition Permit application. In order to approve an application for a Demolition Permit, the Design Review Commission must find that:
1. The structure is not historically significant, based upon the criteria established by the State Office of Historic Preservation; or
 2. The structure does not represent a unique and irreplaceable historic or architectural resource;
 3. The community benefit of preserving the structure is outweighed by the cost of preservation and rehabilitation;
 4. The adaptive re-use of the structure is infeasible or inappropriate, due to economic considerations, structural conditions or land use incompatibility; and
 5. The relocation of the structure is infeasible due to cost, structural conditions or lack of an interested taker.

- H. Review of Replacement Structures.** Notwithstanding the limitations on the architectural review set forth in [Section 19.54.080.C. \(Site Design and Architectural Review—Exemptions\)](#), the DRC may require, as a condition of approval for a Demolition Permit issued within the Historic Overlay Zone, that any replacement structures, including single-family residences, be subject to architectural review in order to assure that the new construction is compatible with the historic context of the site.
- I. Expiration.** If a Building Permit has not been applied for and issued within one year of Demolition Permit approval, the approval shall become void, unless an extension is approved in compliance with [Chapter 19.56 \(Permit Implementation, Time Limits, Extensions\)](#).

19.56—PERMIT IMPLEMENTATION, TIME LIMITS, EXTENSIONS

Sections:

- 19.56.010—Purpose of Chapter
- 19.56.020—Effective Date of Permits
- 19.56.030—Performance Guarantees
- 19.56.040—Time Limits and Extensions
- 19.56.050—Changes to an Approved Project
- 19.56.060—Permits to Run with the Land

19.56.010—Purpose of Chapter

This Chapter provides requirements for the implementation or exercising of the permits required by this Development Code, including time limits, and procedures for extensions of time.

19.56.020—Effective Date of Permits

The approval of a planning permit shall become effective on the 16th day following the date of application approval by the appropriate review authority, where no appeal of the review authority's action has been filed in compliance with [Chapter 19.84 \(Appeals\)](#).

19.56.030—Performance Guarantees

A permit applicant may be required by conditions of approval or by action of the City Planner to provide adequate security to guarantee the faithful performance and proper completion of any approved work, and/or compliance with conditions of approval imposed by the review authority. The provisions of this Section apply to performance guarantees for projects authorized by any of the planning permits covered by this Article.

- A. **Form and amount of security.** The required security shall be in the form of a cash deposit, cashier's check or certified check deposited with the City Treasurer, or a performance bond approved by the City Planner. Also where approved by the City Planner, a certificate of deposit, instrument or letter of credit may be used, with the City named as beneficiary, where the security pledges that funds necessary to complete permitted work are on deposit and guaranteed for payment to the City when required by the City. The amount of security shall be as determined by the City Planner to be necessary to ensure proper completion of the work and/or compliance with conditions of approval.
- B. **Security for maintenance.** In addition to any improvement security required to guarantee proper completion of work, the City Planner may require security for maintenance of the work, in an amount determined by the City Planner to be sufficient to ensure the proper maintenance and functioning of improvements.

- C. **Duration of security.** Required improvement security shall remain in effect until final inspections have been made and all work has been accepted by the City Planner, or until any warranty period required by the City Planner has elapsed. Maintenance security shall remain in effect for one year after the date of final inspection.
- D. **Release or forfeit of security.** Upon satisfactory completion of work and the approval of a final inspection (or after the end of the required time for maintenance security), the improvement and/or maintenance deposits or bonds shall be released. However, upon failure to complete the work, failure to comply with all of the terms of any applicable permit, or failure of the completed improvements to function properly, the City may do the required work or cause it to be done, and collect from the permittee or surety all the costs incurred by the City, including the costs of the work, and all administrative and inspection costs. Any unused portion of the security shall be refunded to the funding source after deduction of the cost of the work by the City.

19.56.040—Time Limits and Extensions

- A. **Time limits.** Unless conditions of approval or other provisions of this Development Code establish a different time limit, any permit or approval not exercised within one year of approval shall expire and become void. The permit shall not be deemed “exercised” until the permittee has actually obtained a building permit and commenced construction, or has actually commenced the permitted use on the subject property in compliance with the conditions of approval.
- B. **Longest time controls.** For projects having multiple permit approvals, the longest time limit associated with any one permit shall apply to all of the other permits.
- C. **Extensions of time.** Upon request by the applicant, the City Planner may extend the time for an approved permit to be exercised for any permit approved by the City Planner, and the Planning Commission may grant an extension for any permit approved by the Planning Commission.
 - 1. The applicant shall file a written request for an extension of time with the Division at least 10 days before the expiration of the permit, together with the filing fee required by the City Fee Resolution.
 - 2. The City Planner or the Planning Commission shall then determine whether the permittee has attempted to comply with the conditions of the permit. The burden of proof is on the permittee to establish with substantial evidence that the permit should not expire.
 - 3. If the City Planner or the Planning Commission determines that the permittee has proceeded in good faith and has exercised due diligence in complying with the condi-

tions in a timely manner, the City Planner or the Planning Commission may renew the permit for up to an additional two years from the date of the decision.

- D. *Hearing on expiration.*** At the request of the applicant, the City Planner may hold a hearing on any proposed expiration of a permit, in compliance with [Chapter 19.88 \(Public Hearings\)](#).

19.56.050—Changes to an Approved Project

Development or a new land use authorized through a permit granted in compliance with this Development Code shall be established only as approved by the review authority and subject to any conditions of approval, except where changes to the project are approved in compliance with this Section.

- A. *Request in writing.*** An applicant shall request desired changes in writing, and shall also furnish appropriate supporting materials and an explanation of the reasons for the request. Changes may be requested either before or after construction or establishment and operation of the approved use.
- B. *Limits on administrative changes.*** The City Planner may approve one request for changes to an approved site plan, architecture, or the nature of the approved use, if the changes:
1. Are consistent with all applicable provisions of this Development Code;
 2. Do not involve a feature of the project that was specifically addressed in, or was a basis for findings in a negative declaration or environmental impact report for the project;
 3. Do not involve a feature of the project that was specifically addressed in, or was a basis for conditions of approval for the project or that was a specific consideration by the review authority in the approval of the permit;
 4. Do not expand the approved floor area or any outdoor activity area by 10 percent or more over the life of the project;
 5. Do involve the deletion of buildings or units, a reduction in building floors, or a reduction in total floor area of more than 20 percent; and
 6. Do not substantially change the approved site plan or architecture of the project.
- C. *Review Authority Approval Required.*** Changes to the project involving features described in subsections B.2 and B.3 above, or changes other than those described in subsection B., shall only be approved by the review authority through a new permit application or permit revision processed in compliance with this Development Code.
- D. *Exemptions.*** The substitution of equivalent plant varieties in project landscaping shall be exempt from the limitations otherwise set forth in this section.

19.56.060—Permits to Run with the Land

A planning permit granted in compliance with [Chapter 19.54 \(Applications: Filing and Processing\)](#) shall continue to be valid upon a change of ownership of the site, business, service, use or structure that was the subject of the permit application.

ARTICLE VI

Subdivisions

This Article comprises the City’s Subdivision Ordinance. This Article provides site planning and design regulations for new subdivisions, and the procedural requirements for subdivision approval, consistent with the mandates of the California Subdivision Map Act.

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19.60—APPLICABILITY AND ADMINISTRATION OF SUBDIVISION REGULATIONS

Sections:

- 19.60.010—Title
- 19.60.020—Purpose of Article
- 19.60.030—Authority
- 19.60.040—Applicability
- 19.60.050—Responsibility for Administration
- 19.60.060—Advisory Agency
- 19.60.070—Authority for Subdivision Decisions
- 19.60.080—Enforcement

19.60.010—Title

This Article shall be known as the City of Sonoma Subdivision Ordinance, hereafter referred to as “this Article.”

19.60.020—Purpose of Article

The provisions of this Article are intended to supplement, implement, and work with the Subdivision Map Act, Sections 66410 et seq. of the California Government Code (hereafter referred to as the “Map Act”). This Article is not intended to replace the Map Act, and must be used in conjunction with the Map Act in the preparation of subdivision applications, and the review, approval, and construction of proposed subdivisions.

19.60.030—Authority

This Development Code is adopted in compliance with the Map Act as a “local ordinance,” as the term is used in the Map Act. All provisions of the Map Act and future amendments to the Map Act not incorporated in this Article shall, nevertheless, apply to all subdivision maps and proceedings under this Article.

19.60.040—Applicability

- A. **Subdivision approval required.** All subdivisions within the City shall be authorized through the approval of a map or other entitlement in compliance with [Chapter 19.61 \(Subdivision Map Approval Requirements\)](#), and all other applicable provisions of this Title.
- B. **Conflicts with Map Act.** In the event of any conflicts between the provisions of this Title and the Map Act, the Map Act shall control.
- C. **Compliance with other regulations required.** The approval or conditional approval of a subdivision map shall not authorize or be deemed to authorize an exception or deviation from any zoning regulation in this Development Code, or as an approval to proceed with any development in violation of other applicable

provisions of the Municipal Code or other applicable ordinances or regulations of the City.

19.60.050—Responsibility for Administration

The City Planner and City Engineer are authorized and directed to administer and enforce the provisions of this Article and applicable provisions of the Map Act for subdivisions within the City, except as otherwise provided by this Article.

19.60.060—Advisory Agency

- A. *Composition of advisory agency.*** An advisory agency as described in the Map Act is hereby established. The advisory agency shall consist of: the City Planner; the City Engineer; and the City Manager.
- B. *Authority and duties.*** The advisory agency shall perform the following duties, and as further detailed in [Section 19.60.070 \(Authority for Subdivision Decisions\)](#).
1. Recommend to the Council the approval, conditional approval, or disapproval of requests for modification of the design and improvement standards of this Article in compliance with [Section 19.61.050 \(Exceptions to Subdivision Standards\)](#);
 2. Recommend modifications of the requirements of this Article;
 3. Review and make recommendations concerning proposed subdivisions in the unincorporated areas of Sonoma County in compliance with the provisions of the Map Act when the advisory agency has elected to do so;
 4. Approve, conditionally approve, or disapprove Parcel Map waiver applications in compliance with [Section 19.64.030 \(Waiver of Parcel Map\)](#); and
 5. Perform additional duties and exercise additional authorities as prescribed by law and by this Article.

19.60.070—Authority for Subdivision Decisions

Table 6-1 (Review Authority for Subdivision Permits) identifies the City official or authority responsible for reviewing and making decisions on each type of subdivision application and other decision required by this Article.

Table 6-1
Review Authority for Subdivision Permits¹

Type of Decision	Role of Review Authority ²			
	City Planner	City Engineer	Planning Commission	City Council
Certificates of Compliance	Decision	Recommend	Appeal	Appeal
Conditional Certificates of Compliance	Decision	Recommend	Appeal	Decision
Final Maps		Recommend		Decision
Lot Line Adjustments		Decision	Appeal	Appeal
Mergers		Decision	Appeal	Appeal
Parcel Map Waivers	Recommend		Decision	Appeal
Tentative Maps	Recommend		Decision	Appeal
Tentative Map Time Extensions	Recommend		Decision	Appeal
Parcel Maps	Recommend	Recommend	Decision	Appeal
Reversions to Acreage	Recommend			Decision
Exceptions	Recommend	Recommend	Decision	Appeal

Notes:

1. The review authority for planning permits is set forth in Table 5-1 (Article V—Planning Permit Procedures).
2. “Recommend” means that the review authority makes a recommendation to a higher decision-making body; “Decision” means that the review authority makes the final decision on the matter; “Appeal” means that the review authority may consider and decide upon appeals to the decision of an earlier decision-making body, in compliance with Chapter 19.54 (Appeals).

19.60.080—Enforcement

- Notification of City Planner.** Any City officer or employee who has knowledge that real property has been divided in violation of the Map Act or this Article, shall immediately notify the City Planner.
- Notice of violation.** Upon the City Planner receiving information from any source that real property has been divided in violation of the Map Act or this Article, the City shall take the actions described in Map Act Section 66499.36.

- C. ***Permit issuance prohibited.*** No commission, officer, or employee of the City shall issue any permit or certificate, or grant any approval necessary to develop any real property within the City if it is known or suspected that the property was divided, or resulted from a division, in violation of the provisions of the Map Act or this Article.

19.61—SUBDIVISION MAP APPROVAL REQUIREMENTS

Sections:

19.61.010—Purpose of Chapter

19.61.020—Type of Subdivision Approval Required

19.61.030—Exemptions from Subdivision Approval Requirements

19.61.040—Applications Deemed Approved

19.61.050—Exceptions to Subdivision Standards

19.61.010—Purpose of Chapter

This Chapter determines when City approval of a Tentative Map, Parcel or Final Map is required.

19.61.020—Type of Subdivision Approval Required

Any subdivision of an existing parcel into two or more parcels shall generally require approval by the City in compliance with the provisions of this Article. In general, the procedure for subdivision first requires the approval of a Tentative Map, and then the approval of a Parcel Map or Final Map to complete the subdivision process. The Tentative Map review process is used to evaluate the compliance of the proposed subdivision with the standards of this Article, and the appropriateness of the proposed subdivision design. Parcel and Final Maps are precise engineering documents that detail the location and dimensions of all parcel boundaries in an approved subdivision and, after approval, are recorded in the office of the County Recorder.

- A. **Tentative Map requirements.** Any subdivision or resubdivision of land shall require the filing and approval of a Tentative Map (see [Chapter 19.63 \(Tentative Map Filing and Processing\)](#)), except as otherwise provided by [Section 19.61.030 \(Exemptions from Subdivision Approval Requirements\)](#).
- B. **Parcel and Final Map requirements.** A Parcel or Final Map shall be required as follows:
 1. **Parcel Map.** The filing and approval of a Parcel Map ([Chapter 19.64](#)) shall be required for a subdivision creating four or fewer parcels, with or without a designated remainder in compliance with Map Act Article 2, Chapter 1, except for the following subdivisions:
 - a. Public agency or utility conveyances. Any conveyance of land, including a fee interest, an easement, or a license, to a governmental agency, public entity, public utility or a subsidiary of a public utility for rights-of-way, unless the City Planner determines based on substantial evidence that public policy necessitates a Parcel Map in an individual case;
 - b. Rail right-of-way leases. Subdivisions of a portion of the operating right-of-way of a railroad corporation as

defined by Section 230 of the California Public Utilities Code, which are created by short-term leases (terminable by either party on not more than 30 days' notice in writing); or

- c. **Waived Parcel Map.** A subdivision that has been granted a waiver of Parcel Map requirements in compliance with Section 19.64.030 (Waiver of Parcel Map).
2. **Final Map.** The filing and approval of a Final Map ([Chapter 19.64](#)) shall be required for a subdivision of five or more parcels.

19.61.030—Exemptions from Subdivision Approval Requirements

As provided by Map Act Article 1, Chapter 1, the following subdivisions do not require the filing or approval of Tentative, Parcel or Final Maps.

- A. **Agricultural leases.** Leases of agricultural land for the cultivation of food or fiber, or the grazing or pasturing of livestock.
- B. **Cellular antenna facilities.** The leasing or licensing of a portion of a parcel, or the granting of an easement, Use Permit, or similar right on a portion of a parcel, to a telephone corporation as defined in Public Utilities Code Section 234, exclusively for the placement and operation of cellular radio transmission facilities, including antenna support structures, microwave dishes, structures to house cellular communications transmission equipment, power sources, and other incidental equipment.
- C. **Cemeteries.** Land dedicated for cemetery purposes under the Health and Safety Code.
- D. **Commercial/industrial financing or leases.** The financing or leasing of:
 1. Offices, stores or similar spaces within commercial or industrial buildings; existing separate commercial or industrial buildings on a single parcel; or
 2. The financing or leasing of any parcel or portion of a parcel, in conjunction with the construction of commercial or industrial buildings on the same site, if Article II of this Development Code (Community Design) requires a Use Permit for the project.
- E. **Condominium conversions.** The conversion of:
 1. A community apartment project or a stock cooperative to condominiums, if the conversion satisfies the requirements of Map Act Sections 66412(g) or 66412(h), respectively; or
 2. The conversion of certain mobile home parks to condominiums in compliance with Map Act Section 66428(b).
- F. **Lot Line Adjustments.** A Lot Line Adjustment processed in compliance with [Chapter 19.66 \(Lot Line Adjustments and Parcel Mergers\)](#).

- G. **Mineral leases.** Mineral, oil or gas leases.
- H. **Public agency or utility conveyances.** Any conveyance of land, including a fee interest, an easement, or a license, to a governmental agency, public entity, public utility or a subsidiary of a public utility for rights-of-way.
- I. **Rail Right-of-Way leases.** Short-Term Leases (terminable by either party on not more than 30 days' notice in writing) of a portion of the operating right-of-way of a railroad corporation as defined by Section 230 of the California Public Utilities Code, unless the City Planner determines in an individual case, based on substantial evidence, that public policy necessitates the application of the subdivision regulations of this Article to the short-term lease.
- J. **Residential financing or leases.** The financing or leasing of: apartments, or similar spaces within apartment buildings, mobile home parks or trailer parks; or "granny" units or residential second units in compliance with Government Code Sections 65852.1 or 65852.2, respectively.
- K. **Separate assessments.** Any separate assessment under Section 2188.7 of the Revenue and Taxation Code.
- L. **Wind energy conversion systems (WECS).** The leasing of, or granting of an easement to a parcel or portion of a parcel in conjunction with the financing, installation, and sale or lease of a WECS, if the project is subject to discretionary action by the City.

19.61.040—Applications Deemed Approved

Any subdivision application deemed approved in compliance with Government Code Section 65956 or Map Act Article 2, Chapter 3 (Government Code Sections 66452 et seq.), shall be subject to all applicable provisions of this Article which shall be satisfied by the subdivider before any Building Permits or land use permits are issued. Parcel or Final Maps filed for record after their Tentative Map is deemed approved shall remain subject to all the mandatory requirements of this Article and the Map Act, including Map Act Sections 66473, 66473.5 and 66474.

19.61.050—Exceptions to Subdivision Standards

An exception to any of the provisions of this Article may be requested by a subdivider in compliance with this Section. An exception shall not be used to waive or modify provisions of the Map Act, or any provision of this Article that is duplicated or paraphrased from the Map Act.

- A. **Application.** An application for an exception shall be submitted on forms provided by the Department together with the required filing fee. The application shall include a description of each standard and requirement for which an exception is requested, together with the reasons why the subdivider believes the exception is justified.

- B. Filing and processing.** A request for an exception may be filed with the Tentative Map application to which it applies, or after approval of the Tentative Map. An exception shall be processed and acted upon in the same manner as the Tentative Map, concurrently with the Tentative Map if the exception request was filed at the same time; however, the decision on a request for an exception shall only be made by the City Council. The approval of an exception shall not constitute approval of the Tentative Map and shall not extend the time limits for the expiration of the map established by [Section 19.63.140 \(Expiration of Approved Tentative Map\)](#).
- C. Approval of exception.** The Council shall have the authority to approve or deny exception requests in compliance with this Section. The Council shall not grant an exception unless all the following findings are first made:
1. There are exceptional or extraordinary circumstances or conditions applicable to the proposed subdivision, including size, shape, topography, location, or surroundings;
 2. The exceptional or extraordinary circumstances or conditions are not due to any action of the subdivider subsequent to the enactment of this Article;
 3. The exception is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the vicinity and zoning district and denied to the proposed subdivision;
 4. Granting the exception will not be materially detrimental to the public welfare nor injurious to the property or improvements in the vicinity and zoning district in which the property is located; and
 5. The exception will not affect the consistency of the proposed subdivision with the General Plan or any applicable Specific Plan.

In granting an exception, the Council shall secure substantially the same objectives of the regulations for which the exception is requested and shall impose whatever conditions it deems necessary to protect the public health, safety, general welfare and convenience, and to mitigate any environmental impacts in compliance with CEQA.

19.62—SUBDIVISION DESIGN AND IMPROVEMENT REQUIREMENTS

Sections:

19.62.010—Purpose of Chapter
19.62.020—Applicability of Design and Improvement Standards
19.62.030—Access, Circulation, Streets
19.62.040—Energy Conservation
19.62.050—Fire Hydrants
19.62.060—Grading, Erosion and Sediment Control
19.62.070—Landscaping
19.62.080—Monuments
19.62.090—Parcel Design
19.62.100—Public Utilities and Utility Easements
19.62.110—Sewage Disposal
19.62.120—Street Lighting
19.62.130—Street Names and Signs
19.62.140—Storm Drainage
19.62.150—Water Supply

19.62.010—Purpose of Chapter

This Chapter establishes standards for the design and layout of subdivisions, and the design, construction or installation of public improvements within subdivisions. The purpose of these standards is to ensure, through careful site evaluation and design, the creation of new usable parcels that are consistent with the General Plan and any applicable Specific Plan.

19.62.020—Applicability of Design and Improvement Standards

The requirements of this Chapter apply to subdivisions, and Conditional Certificates of Compliance, in addition to all applicable requirements of this Development Code, as follows:

- A. *Extent of required improvements.* All subdivisions shall provide the improvements required by this Chapter, and any additional improvements required by conditions of approval.
- B. *Applicable design standards, timing of installation.* The subdivider shall construct all on- and off-site improvements according to standards approved by the City Engineer. No final or Parcel Map shall be presented to the Council or Parcel Map to the City Engineer for approval until the subdivider either completes the required improvements, or enters into an agreement with the City for the work, except as provided in Section 19.07.030.A.2 of this Development Code.
- C. *Subdivision improvement standards—conditions of Tentative Map approval.* The applicable subdivision improvement and dedication requirements of this Chapter and any other improvements and dedications required by the review authority in compliance with [Section 19.63.070 \(Tentative Map Approval or](#)

[Disapproval](#)), shall be described in conditions of approval adopted for each approved Tentative Map ([Section 19.63.080](#)). The design, construction or installation of all subdivision improvements shall comply with the requirements of the City Engineer.

- D. **Conflicting provisions.** In the event of any conflict between the provisions of this Chapter and other provisions of this Development Code, or other provisions of the Municipal Code, the most restrictive provisions shall control. In the event of any conflict between the provisions of this Chapter and the Map Act, the Map Act shall control.
- E. **Extent of improvements required—four or fewer parcels.** As required by Map Act Section 66411.1, improvements required for subdivisions of four or fewer parcels shall be limited to the dedication of rights-of-way, easements, and the construction of reasonable offsite and onsite improvements for the parcels being created.
- F. **Oversizing of Improvements.** At the discretion of the review authority, improvements required to be installed by the subdivider for the benefit of the subdivision may also be required to provide supplemental size, capacity, number, or length for the benefit of property not within the subdivision, and may be required to be dedicated to the City, in compliance with Article 6, Chapter 4 of the Map Act. In the event that oversizing is required, the City shall comply with all applicable provisions of Map Act Sections 66485 et seq., including the reimbursement provisions of Map Act 66486.
- G. **Exceptions.** Exceptions to the provisions of this Chapter may be requested and considered in compliance with [Section 19.61.050 \(Exceptions to Subdivision Standards\)](#).

19.62.030—Access, Circulation, Streets

Proposed subdivisions shall be designed to provide adequate access from each new parcel to a City street, in compliance with this Section, and with the requirements of Article II (Community Design).

- A. **General access and circulation requirements.** The subdivider shall provide a comprehensive street system, designed and constructed in compliance with this Section the City's improvement standards, and with the Circulation Element of the General Plan.
 - 1. Street design shall provide for safe vehicular operation at a specified design speed.
 - 2. Public streets shall be required when:
 - a. The street is shown as an arterial or collector in the Circulation Element of the General Plan, or any other specific or precise plan;
 - b. The street will be used by the general public as a through access route; or

- c. A public street is necessary for special needs including bus routes, public service access, bicycle routes and pedestrian access.
 - d. When necessary to assure fire safety.
- Private streets are allowed only in compliance with Subsection F., following.
- B. *Alternative standards.*** The review authority may consider and approve proposed access and street design solutions that differ from the provisions of this Section, and the City's improvement standards where deemed necessary to properly address the characteristics of adjacent land uses and/or anticipated traffic volumes, or to maintain neighborhood character. The use of alternative standards shall be authorized through the exception procedure in [Section 19.61.050](#).
- C. *Access to subdivision.*** Every subdivision shall be designed to have access to a City street. Access shall be provided by:
 - 1. The subdivision abutting a City street, where the length of the subdivision along the street, the street right-of-way, and the width of the right-of-way will accommodate the construction of all road improvements required by this Section; or
 - 2. The subdivision being connected to a City street by a non-exclusive right-of-way easement for street, utility, and appurtenant drainage facilities purposes, where the easement shall be:
 - a. Offered for dedication;
 - b. Unencumbered by any senior rights that might serve to restrict its proposed use; and
 - c. Of a width and location to accommodate the construction of all improvements required by this Section and the City's improvement standards.
- D. *Access to new parcels.*** Parcels within a proposed subdivision shall be provided access as follows.
 - 1. **City street access required.** Each parcel within a proposed subdivision shall be provided access by being located on an existing City street or a new City street designed and improved in compliance with Subsection C. of this Section, or to a private street if allowed by Subsection F. of this Section.
 - 2. **Access denial.** When a State highway or a street classified as a major arterial in the Circulation Element of the General Plan passes through or abuts a proposed subdivision, direct access to the highway or arterial shall not be permitted from proposed parcels. Reservation strips shall be dedicated to the State or City, as appropriate, where required to control access over certain lot lines over the ends of street stubs.

3. Frontage roads. When lots are proposed to front on a major arterial or State highway, the review authority may require the subdivider to dedicate and improve a service or frontage road separate from the arterial or highway.
4. Alleys. Alleys may be proposed as part of residential and non-residential subdivisions. The use of alleys shall be subject to the review and approval of the Planning Commission.

E. Design and improvement of proposed streets. New streets proposed or required within a new subdivision or adjacent to a new subdivision shall be located and designed as follows, and in compliance with the City's improvement standards.

1. **Alignment, intersections, curves.** The alignment of streets shown on a Tentative Map shall be:
 - a. Consistent with the Circulation Element of the General Plan and Article II of this Development Code, where applicable;
 - b. Located to be in alignment with existing adjacent streets by continuation of their centerlines, or by adjustments by curves; and
 - c. Located so that all streets intersect at an angle as near to 90 degrees as feasible.

The centerline curve radii of all proposed streets shall be subject to approval by the City Engineer.

2. **Right-of-way and surfaced width.** The width of the right-of-way and improved surface of streets shown on a Tentative Map shall be as generally provided by [Chapter 19.12 \(Streetscape\)](#), except where other standards are approved by the Council.
3. **Corners.** All block corners and "T" alley intersections shall be rounded or cut off as approved by the City Engineer.
4. **Access to unsubdivided property.** When a proposed subdivision abuts vacant land that is designated by the General Plan for future subdivision and development, the review authority may require that streets to be constructed with the proposed subdivision be extended to the boundary of the property to provide access to the future development.
5. **Improvements to existing streets.** When an existing City street provides access to, passes through, or is contiguous with a proposed subdivision, the review authority may require dedication of additional right-of-way and/or improvements in compliance with the General Plan, if it determines that the proposed subdivision will create the need for the improvements.
6. **Curbs and sidewalks.** Concrete curbs and sidewalks shall be constructed upon all streets in compliance with the City's improvement standards and specifications unless

specifically waived in the conditions of approval. The location of sidewalks shall conform to that of adjacent areas and shall be at the discretion of the review authority.

- F. Private roads.** Private roads are allowed as provided in this Section. Private roads shall not be permitted except where the Planning Commission determines that a private street system will adequately serve the proposed subdivision, will not be a substantial detriment to adjoining properties and will not disrupt or prevent the establishment of an orderly circulation system in the vicinity of the subdivision.
- 1. Maintenance requirements.** Provisions satisfactory to the City Engineer and City Attorney shall be made for lot owners association or other organization to assume responsibility for the maintenance of private roads and ownership of the street right-of-ways of any subdivision.
 - 2. Design and improvement standards.** Private roads shall be designed and improved as set forth in Subsections B. and C.
 - 3. Security and conditions.** The review authority may require any guarantees and conditions it deems necessary to carry out the provisions of this Development Code pertaining to private roads. Private roads and easements providing access to parcels within a subdivision shall be located and shown on the Parcel or Final Map.
 - 4. Offer of dedication.** The review authority may require that proposed private roads be subject to irrevocable offers of dedication to the City on the applicable Parcel or Final Map, or separate instrument submitted to the City along with the Parcel or Final Map.
- G. Alternative circulation systems.** Proposed subdivisions shall be designed to provide rights-of-way for pedestrian paths, bike-ways and multiple use trails consistent with the Circulation Element of the General Plan, and/or other applicable General Plan provisions.

19.62.040—Energy Conservation

The design of a subdivision for which a Tentative and Final Map are required by this Development Code shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivisions, in compliance with Map Act Section 66473.1.

19.62.050—Fire Hydrants

The subdivider shall install fire hydrants at locations approved by the Fire Chief. Fire hydrants shall be constructed per applicable City Standard Plans.

19.62.060—Grading, Erosion and Sediment Control

New subdivisions shall be designed so that all proposed grading incorporates appropriate erosion and sediment control measures as approved by the City Engineer.

19.62.070—Landscaping

- A. *Landscaping requirements.* Landscaping shall be provided as follows, and in compliance with [Chapter 19.12 \(Streetscape\)](#), and [Section 19.40.060 \(Landscape Standards\)](#), of this Development Code, where applicable.
- B. *Deferral of installation.* The installation of required landscaping may be deferred until the development of the subdivided lots through the provisions of [Section 19.70.040 \(Improvement Agreements and Security\)](#), provided that interim erosion and sediment control measures are first installed in compliance with [Section 19.62.060 \(Grading, Erosion and Sediment Control\)](#).

19.62.080—Monuments

The subdivider shall install monuments in compliance with [Chapter 19.71 \(Surveys and Monuments\)](#), and the Map Act.

19.62.090—Parcel Design

The size, shape and arrangement of proposed parcels shall comply with this Section, and with [Chapter 19.14 \(Block Structure\)](#), and with any applicable Specific Plan requirement, other Development Code provision, or other Municipal Code provision applicable to a proposed subdivision.

- A. *Parcel area.* The minimum area for new parcels shall be as required by Article II (Community Design), except as otherwise provided by this Section.
- B. *Minimum lot area requirements for common interest projects.* The minimum lot area requirements of Article II shall not apply to condominiums and condominium conversions, planned developments, townhouses, zero lot-line, and similar projects, but shall apply to the creation of the original parcel or parcels that are the location of the common interest development.
- C. *Dimensions.* The dimensions of new parcels and blocks shall comply with the applicable provisions of Article II (Community Design) or as otherwise required by the review authority.
- D. *Driveway Standards.* Proposed parcels shall be designed to accommodate driveways designed in compliance with [Section 19.48.100 \(Driveways\)](#) of this Development Code.

19.62.100—Public Utilities and Utility Easements

Each approved parcel shall be provided connections to public utilities, including electricity, gas, water, sewer, and telecommunications services, which shall be installed as part of the subdivision improve-

ments as provided by this Section, and by [Section 19.62.110 \(Sewage Disposal\)](#) and [Section 19.62.150 \(Water Supply\)](#).

- A. ***Underground utilities required.*** Utilities in new subdivisions shall be installed underground, as follows. These requirements do not apply to utility lines which do not serve the area being subdivided.

1. ***When undergrounding is required.*** All existing and proposed utility distribution facilities (including electric, telecommunications and cable television lines) installed in and for the purpose of supplying service to any subdivision shall be installed underground. Equipment appurtenant to underground facilities, including surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts, shall also be underground, unless otherwise approved by the City Engineer.

The subdivider is responsible for complying with the requirements of this Section and shall make the necessary arrangements with the affected utility companies for facility installation. The review authority may waive the requirements of this Section if topographical, soil, or any other conditions make underground installation unreasonable or impractical.

2. ***Location of installation.*** Underground utility lines may be installed within street rights-of-way or along a lot line, subject to appropriate easements being provided if necessary. When installed within street rights-of-way, their location and method of installation, insofar as it affects other improvements within the street right-of-way, shall be subject to the approval of the City Engineer.

- B. ***Utility easements.***

1. ***Minimum width.*** The minimum width of easements for public or private utilities, sanitary sewers, or water distribution systems shall be determined by the review authority based on the recommendations of the City Engineer for City facilities, and the recommendations of the applicable utility company, for public or private utilities.
2. ***Overhead lines.*** When overhead utility lines are approved by the review authority, easements shall be located at the rear of lots where practical, and along the side of lots where necessary. Where practical, the poles supporting overhead lines shall not be installed within any street, alley, or easement designated exclusively for drainage purposes.

- C. ***Timing of installation.*** All underground utilities, water lines, sanitary sewers, and storm drains installed in streets, shall be constructed before the streets are surfaced. Connections to all underground utilities, water lines, and sanitary sewers shall be laid to sufficient lengths to avoid the need for disturbing the street improvements when service connections are made.

19.62.110—Sewage Disposal

Each parcel within an approved subdivision shall be provided a connection to the Sonoma Valley County Sanitation District's sewage collection, treatment, and disposal system, in compliance with the District's improvement standards and specifications.

19.62.120—Street Lighting

All proposed subdivisions shall provide street lighting facilities designed and constructed in compliance with the City's improvement standards and specifications.

19.62.130—Street Names and Signs

- A. *Street name requirements.* All streets within a proposed subdivision shall be named, and the names shall be approved by the review authority. Duplication of existing names within the same area shall not be allowed in a new subdivision unless the street is an obvious extension of an existing street.
- B. *Street name signs.* The subdivider shall provide a minimum of two street name signs in compliance with the City's improvement standards and specifications at each street intersection. The signs shall be located on the diagonally opposite sides of the intersection. One street name sign shall be provided at each "T" intersection.

19.62.140—Storm Drainage

Storm water run off from the subdivision shall be collected and conveyed by an approved storm drain system. The storm drain system shall be designed for ultimate development of the drainage area. The storm drain system shall provide for the protection of abutting and off-site properties that would be adversely affected by any increase in runoff attributed to the development; off-site storm drain improvements may be required to satisfy this requirement. Any easement for drainage or flood control shall be improved as specified by the City Engineer. All storm drainage facilities shall be designed in accordance with the Sonoma County Water Agency "Flood Control Design Criteria."

19.62.150—Water Supply

Each approved parcel shall be served by the City's water system.

19.63—TENTATIVE MAP FILING AND PROCESSING

Sections:

- 19.63.010—Purpose of Chapter
- 19.63.020—Tentative Map Preparation, Application Contents
- 19.63.030—Tentative Map Filing, Initial Processing
- 19.63.040—Evaluation of Application
- 19.63.050—Review and Decision
- 19.63.060—Tentative Map Public Hearings
- 19.63.070—Tentative Map Approval or Disapproval
- 19.63.080—Conditions of Approval
- 19.63.090—Effective Date of Tentative Map Approval
- 19.63.100—Changes to Approved Tentative Map or Conditions
- 19.63.110—Completion of Subdivision Process
- 19.63.120—Vesting Tentative Maps
- 19.63.130—Tentative Map Time Limits
- 19.63.140—Expiration of Approved Tentative Map
- 19.63.150—Extensions of Time for Tentative Maps
- 19.63.160—Applications Deemed Approved

19.63.010—Purpose of Chapter

This Chapter establishes requirements for the preparation, filing, approval or disapproval of Tentative Maps, consistent with the requirements of the Map Act.

19.63.020—Tentative Map Preparation, Application Contents

Tentative Map submittal shall include the application forms, and all information and other materials prepared as required by the Department.

19.63.030—Tentative Map Filing, Initial Processing

- A. *General filing and processing requirements.* Tentative Map applications shall be submitted to the Department for processing, be reviewed for completeness and accuracy, referred to affected agencies, reviewed in compliance with the California Environmental Quality Act (CEQA) where applicable, and evaluated in a staff report in compliance with [Chapter 19.52 \(Applications: Filing and Processing\)](#) of this Development Code.
- B. *Referral to affected agencies.* In addition to the procedures outlined in [Chapter 19.52](#) of this Development Code, a Tentative Map application shall be referred to the agencies outlined in this Subsection as required by the Map Act, as well as any other City department, County, State or Federal agency, or other individual or group that the City Planner believes may be affected by the subdivision, or may have information useful to the City about issues raised by the proposed subdivision.

1. **Time limits for referrals.** As required by Map Act Sections 66453 through 66455.7, referral shall occur within five days of the Tentative Map application being determined to be complete in compliance with [Section 19.63.040 \(Evaluation of Application\)](#) of this Development Code. An agency wishing to respond to a referral shall provide the Department with its recommendations within 15 days after receiving the Tentative Map application.
2. **Required referrals.** The City Planner shall refer Tentative Map applications for review and comment to each of the following agencies, which will be expected to provide service to the proposed subdivision.
 - a. Caltrans. The California Department of Transportation shall be referred any Tentative Map located within an area shown on a territorial map filed with the City in compliance with Map Act Section 66455.
 - b. Other cities and local agencies. Other cities and other local agencies, shall be referred any Tentative Map or Conditional Certificate of Compliance application that is located within the area shown on a territorial map filed with the City in compliance with Map Act Section 66453, and within three miles of their official boundaries.
 - c. Public utilities. Public utility companies and other service agencies which will be expected to provide service to the proposed subdivision, including providers of gas, electrical, telephone, and cable television services, shall be referred any Tentative Map or Conditional Certificate of Compliance within their respective jurisdictions.
 - d. School districts. Tentative Maps shall be referred to the governing board of any elementary, high school, or unified school district within which the property to be subdivided is located.
 - e. State Department of Education. The State Department of Education shall be notified of any Tentative Map that includes a proposed public school site. Along with the subdivision application referral, the Department shall include notification that if no written response to the referral is received within 15 calendar days of receipt by the Department, the City shall presume that no recommendations or comments are forthcoming.

19.63.040—Evaluation of Application

- A. After completion of the initial processing and the application being deemed complete in compliance with [Section 19.63.030 \(Tentative Map Filing, Initial Processing\)](#) of this Development Code, the City Planner shall:

- B. Review and evaluate each Tentative Map as to its compliance and consistency with applicable provisions of this Development Code, the General Plan, any applicable Specific Plan, and the Map Act;
- C. Determine the extent to which the proposed subdivision complies with the findings in [Section 19.63.070 \(Tentative Map Approval or Disapproval\)](#); and
- D. Prepare a staff report to the review authority in compliance with [Section 19.63.060 \(Tentative Map Public Hearings\)](#), describing the conclusions of the evaluations of the map, and recommending to the review authority the approval, conditional approval, or denial of the Tentative Map.

19.63.050—Review and Decision

After review of a Tentative Map in compliance with [Section 19.63.040](#), the Planning Commission shall:

- A. Conduct a public hearing on a proposed Tentative Map in compliance with [Section 19.63.060 \(Tentative Map Public Hearings\)](#), and consider the recommendations of the City Planner, any agency comments on the map, and any public testimony; and
- B. Review and evaluate each Tentative Map as to its compliance and consistency with applicable provisions of this Development Code, the General Plan, any Specific Plan, and the Map Act. The review authority's evaluation shall be based on the staff report ([Section 19.63.040](#)), information provided by an initial study or environmental impact report (EIR), where applicable, and any public testimony received; and
- C. Within 30 days after the filing of the report and recommendation of the City Planner with the review authority, approve, conditionally approve or deny the Tentative Map.

Approval or conditional approval of a Tentative Map shall be granted only after the Commission has first made all findings required by [Section 19.63.070 \(Tentative Map Approval or Disapproval\)](#). The Commission may impose conditions of approval in compliance with [Section 19.63.080 \(Conditions of Approval\)](#).

19.63.060—Tentative Map Public Hearings

When a public hearing is required by this Development Code for a Tentative Map, the hearing shall be scheduled and conducted in compliance with this Section, with public notice being provided in compliance with [Chapter 19.88 \(Public Hearings\)](#) of this Development Code.

- A. *Scheduling of hearing, action.* A public hearing on a Tentative Map shall be scheduled, and action shall be taken, within 50 days after the Tentative Map application has been deemed complete.

- B. *Distribution of staff report.*** The staff report on the Tentative Map shall be mailed to the subdivider (and each tenant of the subject property, in the case of a condominium conversion ([Chapter 19.65](#))) at least three days before any hearing or action on the Tentative Map by the Commission.

19.63.070—Tentative Map Approval or Disapproval

In order to approve a Tentative Map and conditions of approval, or to disapprove a Tentative Map, the Commission shall first make the findings required by this Section. In determining whether to approve a Tentative Map, the City shall apply only those ordinances, policies, and standards in effect at the date the Department determined that the application was complete in compliance with [Section 19.63.030 \(Tentative Map Filing, Initial Processing\)](#), except where the City has initiated General Plan, Specific Plan or Development Code changes, and provided public notice as required by Map Act Section 66474.2.

- A. *Required findings for approval.*** The Commission may approve a Tentative Map only when it shall first find that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, and any applicable Specific Plan, and that none of the findings for denial in Subsection C. can be made. The findings shall apply to each proposed parcel as well as the entire subdivision, including any parcel identified as a designated remainder in compliance with Map Act Section 66424.6.
- B. *Supplemental findings.*** In addition to the findings required for approval of a Tentative Map by Subsection A. above, the Commission shall not approve a Tentative Map unless it can also make the following findings, when they are applicable to the specific subdivision proposal.
- 1. *Construction of improvements.*** It is in the interest of the public health and safety, and it is necessary as a prerequisite to the orderly development of the surrounding area, to require the construction of public improvements within a specified time after recordation of the Parcel Map, where public improvements are required.
 - 2. *Condominiums.*** Any applicable findings required by Section 19.65.030.F for condominium conversions.
 - 3. *Dedications or exactions.*** Any applicable findings required by [Section 19.69.020 \(Findings Required for Dedications and Exactions\)](#), if dedications or exactions are required.
 - 4. *Waiver of Parcel Map.*** The findings required by [Section 19.64.030 \(Waiver of Parcel Map\)](#), if waiver of a Parcel Map has been requested with the Tentative Map application.
- A. *Findings requiring denial.*** A Tentative Map shall be denied if the Commission makes any of the following findings:

1. The proposed subdivision including design and improvements is not consistent with the General Plan or any applicable Specific Plan;
2. The site is not physically suitable for the type or proposed density of development;
3. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or injure fish or wildlife or their habitat;
4. The design of the subdivision or type of improvements is likely to cause serious public health or safety problems;
5. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large for access through or use of, property within the proposed subdivision. This finding may not be made if the Commission finds that alternate easements for access or use will be provided, and that they will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record, or to easements established by judgement of a court of competent jurisdiction, and no authority is hereby granted to the review authority to determine that the public at large has acquired easements of access through or use of property within the proposed subdivision;
6. The discharge of sewage from the proposed subdivision into the community sewer system would result in violation of existing requirements prescribed by the California Regional Water Quality Control Board;
7. A preliminary soils report or geological hazard report indicates adverse soil or geological conditions and the subdivider has failed to provide sufficient information to the satisfaction of the City Engineer or the Commission that the conditions can be corrected in the plan for the development; or
8. The proposed subdivision is not consistent with all applicable provisions of this Development Code, the Development Code, any other applicable provisions of the Municipal Code, and the Subdivision Map Act.

19.63.080—Conditions of Approval

Along with the approval of a Tentative Map, the adoption of conditions of approval shall occur in compliance with this Section, provided that all conditions shall be consistent with the requirements of the Map Act.

- A. **Mandatory conditions.** The Commission shall adopt conditions of approval that will:
 1. Require that parcels, easements or rights-of-way be provided for streets, water supply and distribution systems, sewage disposal systems, storm drainage facilities, solid

waste disposal, and public utilities providing electric, gas and communications services, as may be required to properly serve the subdivision. Easements for public utilities shall be limited to those needed to provide service to present and future development;

2. Mitigate or eliminate environmental problems identified through the environmental review process, except where a Statement of Overriding Consideration has been adopted in compliance with CEQA;
3. Carry out the specific requirements of [Chapter 19.62 \(Subdivision Design and Improvement Requirements\)](#) and [Chapter 19.70 \(Improvement Plans and Agreements\)](#) of this Development Code;
4. Secure compliance with the requirements of this Development Code and the General Plan; and
5. Require that any designated remainder parcels not be subsequently sold or further subdivided unless a certificate or conditional certificate of compliance ([Chapter 19.67](#)) is obtained in compliance with this Development Code.
6. Require the dedication of additional land for bicycle paths, local transit facilities, (including bus turnouts, benches, shelters, etc.), sunlight easements, and school sites, in compliance with Map Act Chapter 4, Article 3, where required by the General Plan;

B. *Optional conditions.* The Commission may also require as conditions of approval:

1. The waiver of direct access rights to any existing or proposed streets;
2. The reservation of sites for public facilities, including schools, and fire stations, libraries, and other public uses in compliance with Map Act Chapter 4, Article 4;
3. Time limits or phasing schedules for the completion of conditions of approval, when deemed appropriate; or
4. Any other conditions deemed necessary by the review authority to achieve compatibility between the proposed subdivision, its immediate surroundings, and the community, or to achieve consistency with City ordinances or state law.

19.63.090—Effective Date of Tentative Map Approval

The approval of a Tentative Map shall become effective for the purposes filing a Parcel or Final Map, including compliance with conditions of approval, immediately after the adoption of the resolution of decision by the Council.

19.63.100—Changes to Approved Tentative Map or Conditions

A subdivider may request changes to an approved Tentative Map or its conditions of approval before recordation of a Parcel or Final Map in compliance with this Section. Changes to a Parcel or Final Map after recordation are subject to [Section 19.64.130 \(Amendments to Recorded Maps\)](#).

- A. **Limitation on allowed changes.** Changes to a Tentative Map that may be requested by a subdivider in compliance with this Section include minor adjustments to the location of proposed lot lines and improvements, and reductions in the number of approved lots (but no increase in the number of approved lots), and any changes to the conditions of approval, consistent with the findings required by Subsection D. of this Section. Other changes shall require the filing and processing of a new Tentative Map.
- B. **Application for changes.** The subdivider shall file an application and filing fee with the Department, using the forms furnished by the Department, together with the following additional information:
 - 1. A statement identifying the Tentative Map number, the features of the map or particular conditions to be changed and the changes requested, the reasons why the changes are requested, and any facts that justify the changes; and
 - 2. Any additional information deemed appropriate by the Department.
- C. **Processing.** Proposed changes to a Tentative Map or conditions of approval shall be processed in the same manner as the original Tentative Map, except as otherwise provided by this Section.
- D. **Findings for approval.** The Commission shall not modify the approved Tentative Map or conditions of approval unless it shall first find that the change is necessary because of one or more of the following circumstances, and that all of the applicable findings for approval required by Subsections [19.63.070.A.](#) and [19.63.070.B.](#) can still be made:
 - 1. There was a material mistake of fact in the deliberations leading to the original approval;
 - 2. There has been a change of circumstances related to the original approval; and
 - 3. A serious and unforeseen hardship has occurred, not due to any action of the applicant subsequent to the enactment of this Development Code.
- E. **Effect of changes on time limits.** Approved changes to a Tentative Map or conditions of approval shall not be considered as approval of a new Tentative Map, and shall not extend the time limits provided by [Section 19.63.140 \(Expiration of Approved Tentative Map\)](#).

19.63.110—Completion of Subdivision Process

- A. *Compliance with conditions and improvement plans.*** Following the approval of a Tentative Map pursuant to this Chapter, the subdivider shall proceed to fulfill the conditions of approval within any time limits specified by the conditions and the expiration of the map and, where applicable, shall prepare, file and receive approval of improvement plans in compliance with [Chapter 19.70 \(Improvement Plans and Agreements\)](#), before constructing any required improvements.
- B. *Parcel or final map preparation, filing and recordation.***
1. A Parcel Map for a subdivision of four or fewer parcels shall be prepared, filed, processed and recorded in compliance with [Chapter 19.64 \(Parcel Maps and Final Maps\)](#), to complete the subdivision, unless a Parcel Map has been waived in compliance with [Section 19.64.030 \(Waiver of Parcel Map\)](#).
 2. A Final Map for a subdivision of five or more parcels shall be prepared, filed, processed and recorded as set forth in [Chapter 19.64 \(Parcel Maps and Final Maps\)](#), to complete the subdivision.

19.63.120—Vesting Tentative Maps

This Section establishes procedures to implement the Vesting Tentative Map requirements of state law, Sections 66498.1 et seq. of the Map Act.

- A. *Applicability.*** Whenever this Development Code requires that a Tentative Map be filed, a Vesting Tentative Map may instead be filed, provided that the Vesting Tentative Map is prepared, filed and processed in compliance with this Section. A Vesting Tentative Map may be filed for either residential, commercial or industrial developments.
- B. *Processing of a vesting tentative map.*** A Vesting Tentative Map shall be filed in the same form, have the same contents and accompanying data and reports and, shall be processed in the same manner as set forth by this Chapter as a Tentative Map, except as follows.
1. **Application content.** The Vesting Tentative Map shall include the following information in addition to that required by [Section 19.63.020 \(Tentative Map Preparation, Application Contents\)](#):
 - a. Title. The Vesting Tentative Map shall be prepared with the words “Vesting Tentative Map” printed conspicuously on its face; and
 - b. Intended development. The Vesting Tentative Map application shall include accurately drawn, preliminary floor plans and architectural elevations for all buildings and structures intended to be constructed on the property after subdivision.

- c. The Vesting Tentative Map application shall include plans prepared by a registered Civil Engineer showing all off-site improvements necessary to carry out the specific requirements of [Chapter 19.62 \(Subdivision Design and Improvement Requirements\)](#) of this Development Code.
2. **Findings for approval.** The approval of a Vesting Tentative Map shall not be granted unless the Commission first determines that the intended development of the subdivision is consistent with the zoning regulations applicable to the property at the time of filing, in addition to all other findings required for Tentative Map approval by [Section 19.63.070 \(Tentative Map Approval or Disapproval\)](#).
- C. **Expiration of Vesting Tentative Map.** An approved Vesting Tentative Map shall be subject to the same time limits for expiration as are established for Tentative Maps by [Section 19.63.130 et seq. \(Tentative Map Time Limits\)](#).
- D. **Changes to approved map or conditions.** The subdivider may apply for an amendment to the Vesting Tentative Map or conditions of approval at any time before the expiration of the Vesting Tentative Map. An amendment request shall be considered and processed through the same procedures as a new application, in compliance with this Section and pursuant to the provisions of the Subdivision Map Act Section 66498.2.
- E. **Development rights vested.**
 1. The approval of a Vesting Tentative Map shall confer a vested right to proceed with development of the subdivided lots in substantial compliance with the ordinances, policies and standards (excluding fees) as provided in Map Act Section 66498.1.
 2. If Map Act Section 66474.2 is repealed, approval of a Vesting Tentative Map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies and standards in effect at the time the map is approved or conditionally approved.
 3. Subsequent land use permits, building permits, extensions of time or other entitlements filed on parcels created by the subdivision may be conditioned or denied only if the Commission determines that:
 - a. A failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both; or
 - b. The condition or denial is required, in order to comply with state or federal law.
 4. Fees charged for building or land use permits, filed after the approval of a Vesting Tentative Map shall be as required at the time the subsequent permit applications are filed,

including any related utility or development impact fees (e.g., sewer/water hookup fees, traffic mitigation fees, etc.). Application contents shall be as required by ordinance requirements in effect at the time the subsequent application is filed.

F. Duration of vested rights. The development rights vested by this Section shall expire if a Parcel Map or Final Map is not approved before the expiration of the Vesting Tentative Map in compliance with [Section 19.63.130](#) et seq. (Tentative Map Time Limits). If the Parcel or Final Map is approved and recorded, the development rights shall be vested for the following periods of time.

1. An initial time period of 24 months from the date of recordation of the Parcel or Final Map. Where several Final Maps are recorded on various phases of a project covered by a single Vesting Tentative Map, this initial time period shall begin for each phase when the Final Map for that phase is recorded.
2. The initial 24 months shall be automatically extended by any time used for processing a complete application for a grading permit or for design or architectural review, if processing exceeds 30 days from the date the application is accepted for processing as complete.
3. The subdivider may apply for a one-year extension at any time before the initial 24 months expires. Application for an extension shall be submitted to the Department and shall be accompanied by the required fee. The Planning Commission shall approve or deny any request for extension.
4. If the subdivider submits a complete application for a building permit during the periods of time specified in Subsections F.1 and F.2 above, the vested rights shall continue until the expiration of the building permit, or any extension of that permit.

19.63.130—Tentative Map Time Limits

The processing of a Tentative Map shall be completed, and an approved Tentative Map shall be subject to the time limits for expiration and procedures for extension in compliance with Sections [19.63.140](#) through [19.63.150](#).

19.63.140—Expiration of Approved Tentative Map

An approved Tentative Map is valid for 24 months after its effective date, except as otherwise provided by Map Act Sections 66452.6, 66452.11, 66452.13, or 66463.5. At the end of 24 months, the approval shall expire and become void unless:

- A. A Parcel or Final Map, and related bonds and improvement agreements, have been filed with the City Engineer in compliance with [Chapter 19.64 \(Parcel Maps and Final Maps\)](#); or

- B. An extension of time has been granted in compliance with [Section 19.63.150 \(Extensions of Time for Tentative Maps\)](#).

Expiration of an approved Tentative Map or vesting Tentative Map shall terminate all proceedings. The application shall not be reactivated unless a new Tentative Map application is filed.

19.63.150—Extensions of Time for Tentative Maps

When a subdivider has not completed all Tentative Map conditions of approval and filed a Parcel or Final Map with the City within the time limits established by [Section 19.63.130](#), time extensions may be granted in compliance with this Section. Extension requests shall be in writing and shall be filed with the Department on or before the date of expiration of the approval or previous extension, together with the required filing fee.

- A. ***Tentative Maps and Vesting Tentative Maps—findings for extensions.*** The Planning Commission may grant extensions to the initial time limit up to a maximum total of three years, only after finding that:
1. There have been no changes to the provisions of the General Plan, any applicable Specific Plan or this Development Code applicable to the project since the approval of the Tentative Map;
 2. There have been no changes in the character of the site or its surroundings that affect how the policies of the General Plan or other standards of this Development Code apply to the project; and
 3. There have been no changes to the capacities of community resources, including but not limited to water supply, sewage treatment or disposal facilities, roads or schools so that there is no longer sufficient remaining capacity to serve the project.
- B. ***Tentative Maps with multiple Final Maps.*** Where a subdivider is required to expend more than \$125,000 on improvements as specified in Map Act Section 66452.6 and multiple Final Maps are filed covering portions of a single approved Tentative Map, each filing of a Final Map shall extend the expiration of the Tentative Map by an additional 36 months from the date of its expiration, or the date of the previously filed Final Map, whichever is later. Provided that the total of all extensions shall not extend the approval of the Tentative Map more than 10 years from its approval.

19.63.160—Applications Deemed Approved

Any subdivision application deemed approved in compliance with Government Code Section 65956, or Map Act Sections 66452 et seq., shall be subject to all applicable provisions of this Development Code, which shall be satisfied by the subdivider before any Building Permits or other land use entitlements are issued. Parcel or Final Map filed for record after the automatic approval of their Tentative Map

shall remain subject to all the mandatory requirements of this Development Code and the Map Act, including, but not limited to Map Act Sections 66473, 66473.5 and 66474.

19.64—PARCEL MAPS AND FINAL MAPS

Sections:

19.64.010—Purpose of Chapter
19.64.020—Parcel Maps
19.64.030—Waiver of Parcel Map
19.64.040—Parcel Map Form and Content
19.64.050—Filing and Processing of Parcel Maps
19.64.060—Parcel Map Approval
19.64.070—Final Maps
19.64.080—Final Map Form and Content
19.64.090—Filing and Processing of Final Maps
19.64.100—Final Map Approval
19.64.110—Supplemental Information Sheets.
19.64.120—Recordation of Maps
19.64.130—Amendments to Recorded Maps

19.64.010—Purpose of Chapter

This Chapter establishes requirements for the preparation, filing, approval and recordation of Parcel and Final Maps, consistent with the requirements of the Map Act.

19.64.020—Parcel Maps

As required by Sections 19.61.020 (Type of Subdivision Approval Required), and 19.63.120 (Completion of Subdivision Process), a Parcel Map shall be filed and approved to complete the subdivision process for a subdivision of four or fewer parcels, except when the requirement for a Parcel Map is waived as set forth in Section 19.64.030. A Parcel Map shall be prepared, filed and processed as set forth in Sections 19.64.040 through 19.64.060.

19.64.030—Waiver of Parcel Map

A subdivider may request waiver of a Parcel Map, and the waiver may be granted, in compliance with this Section.

- A. *When waiver is allowed.* Waiver of a Parcel Map may be requested by a subdivider and granted by the Commission for an approved subdivision where the following circumstances exist, and the boundaries of the original parcel have been previously surveyed and a map recorded, and are certain as to location.
1. Until January 1, 2003, the land being subdivided is solely for the creation of an environmental subdivision in compliance with Map Act Section 66418.2; or
 2. The subdivision or interests in the subdivision have been created by probate, eminent domain procedures, partition, or other civil judgments or decrees; or
 3. The subdivision results from the conveyance of land or interest to or from the City, public entity or public utility for a public purpose, such as school sites, public building

sites, or rights-of-way or easements for streets, sewers, utilities, drainage, etc.

- B. Application processing and approval.** A request for waiver of Parcel Map shall be submitted with the Tentative Map application, together with the required filing fee. The waiver request shall be processed and acted upon concurrently with the Tentative Map application. The Commission may grant a requested waiver if:
1. The proposed Tentative Map satisfies all findings required for approval by [Section 19.63.070 \(Tentative Map Approval or Disapproval\)](#); and
 2. The proposed subdivision complies with all applicable requirements of the Map Act and this Development Code as to lot area, improvement and design, drainage, flood control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection.
- C. Expiration of waiver.** An approved waiver of Parcel Map shall be subject to the same time limits and opportunities for extension of time as the accompanying Tentative Map, in compliance with [Section 19.63.140 \(Expiration of Approved Tentative Map\)](#) and [Section 19.63.150 \(Extensions of Time for Tentative Maps\)](#), and Subsection D. of this Section, following.
- D. Completion of subdivision.** A subdivision for which a Parcel Map has been waived shall be completed by the subdivider satisfying any Tentative Map conditions of approval, including any conditions providing for the payment of fees, and by the City Engineer filing with the County Recorder a certificate of compliance for the land to be divided and a plat map showing the division.

19.64.040—Parcel Map Form and Content

A Parcel Map shall be prepared by or under the direction of a qualified, registered civil engineer or licensed land surveyor, registered or licensed by the State of California. Parcel Map submittal shall include all information and other materials prepared as required by the Department and Section 66444 et. seq. of the Map Act.

19.64.050—Filing and Processing of Parcel Maps

- A. Filing with the City Engineer.** The Parcel Map, together with all data, information and materials required by Section 19.64.040 above shall be submitted to the City Engineer. The Parcel Map shall be considered submitted when it is complete and complies with all applicable provisions of this Development Code and the Map Act.
- A. Review of Parcel Map.** The City Engineer shall:
1. Determine whether all applicable provisions of this Development Code and the Map Act have been complied with,

that the map is technically correct, and that it is in substantial compliance with the approved Tentative Map; and

2. Obtain verification from the Department that the Parcel Map conforms to the approved Tentative Map and that any conditions of approval for which that office is responsible have been completed.

If the Parcel Map does not conform as required above, the subdivider shall be notified, and given the opportunity to make necessary changes and resubmit the Parcel Map, together with all required data if the Tentative Map has not expired.

19.64.060—Parcel Map Approval

- A. *Map without dedications.* After determining that the Parcel Map is technically correct in compliance with [Section 19.64.050](#), the City Engineer shall approve the Parcel Map and execute the City Engineer's Certificate. The map shall then be transmitted by the City Engineer to the County Recorder for filing in compliance with Section 66450 of the Map Act.
- B. *Map with dedications.* After determining that the Parcel Map is technically correct in compliance with [Section 19.64.050](#), the City Engineer shall refer the Parcel Map to the City Council to accept or reject offers of dedications. The Council shall accept, accept subject to improvement, or reject with or without prejudice any or all offers of dedication, at the same time as it takes action to approve the Parcel Map. Following Council action on offers of dedication, the City Engineer shall execute the City Engineer's Certificate. The map shall then be transmitted by the City Engineer to the County Recorder for filing in compliance with Section 66450 of the Map Act.

19.64.070—Final Maps

As required by [Section 19.61.020 \(Type of Subdivision Approval Required\)](#), a Final Map shall be filed and approved to complete the subdivision process for a subdivision of five or more parcels. A Final Map shall be prepared, filed and processed as set forth in [Sections 19.64.080 through 19.64.120](#).

19.64.080—Final Map Form and Content

A Final Map shall be prepared by or under the direction of a qualified registered civil engineer or licensed land surveyor, registered or licensed by the State of California. Final Map submittal shall include all information and other materials prepared as required by section 66433 et. seq. of the Map Act. A Final Map submittal shall also include a digital copy of the Final Map, prepared using computer software and standards specified by the City Engineer.

19.64.090—Filing and Processing of Final Maps

- A. *Filing with City Engineer.* The Final Map, together with all data, information and materials required by [Section 19.64.080](#), above shall be submitted to the City Engineer. The Final Map shall be

considered submitted when it is complete and complies with all applicable provisions of this Development Code and the Map Act.

- B. *Review of Final Map.*** The City Engineer shall review the Final Map and all accompanying materials, and shall:
1. Determine whether all applicable provisions of this Development Code and the Map Act have been complied with, that the map is technically correct, and that it is in substantial compliance with the approved Tentative Map; and
 2. Obtain verification from the Department that the Final Map conforms to the approved Tentative Map and that any conditions of approval for which that office is responsible have been completed.

If the Final Map does not conform as required above, the subdivider shall be notified, and given the opportunity to make necessary changes prior to Tentative Map expiration and resubmit the Parcel Map, together with all required data.

- C. *Multiple Final Maps.*** The subdivider may file multiple Final Maps on the approved Tentative Map if the subdivider either included a statement of intention with the Tentative Map or, if after the filing of the Tentative Map, the City Engineer approved the request.

19.64.100—Final Map Approval

After determining that the Final Map is in compliance and is technically correct in compliance with [Section 19.64.080](#), the City Engineer shall execute the City Engineer's certificate on the map in compliance with Map Act Section 66442, and forward the Final Map to the Council for action, as follows.

- A. *Review and approval by Council.*** The Council shall approve or disapprove the Final Map at its next regular meeting after the City Clerk receives the map, or at its next regular meeting after the meeting at which it receives the map, unless that time limit is extended with the mutual consent of the City Engineer and the subdivider.
1. **Criteria for approval.** The Council shall approve the Final Map if it conforms to all the requirements of the Map Act, all provisions of this Development Code that were applicable at the time that the Tentative Map was approved, and is in substantial compliance with the approved Tentative Map.
 2. **Waiver of errors.** The Council may approve a Final Map that fails to meet any of the requirements of this Development Code or the Map Act applicable at the time of approval of the Tentative Map, when the Council finds that the failure of the map is a technical or inadvertent error which, in the determination of the Council does not materially affect the validity of the map.

3. **Approval by inaction.** If the Council does not approve or disapprove the map within the prescribed time or any authorized extension, and the map conforms to all applicable requirements and rulings, it shall be deemed approved, and the City Clerk shall certify its approval on the map.
- B. **Map with dedications.** If a dedication or offer of dedication is required on the Final Map, the Council shall accept, accept subject to improvement, or reject with or without prejudice any or all offers of dedication, at the same time as it takes action to approve the Final Map. If the City Council rejects the offer of dedication, the offer shall remain open and may be accepted by the City Council at a later date pursuant to Section 66477.2 of the Map Act. Any termination of an offer of dedication shall be processed in compliance with Section 66477.2 of the Map Act and the street vacation procedure.
- C. **Map with incomplete improvements.** If improvements required by this Development Code, conditions of approval or by law have not been completed at the time of approval of the Final Map, the Council shall require the subdivider to enter into an agreement with the City as specified in Map Act Section 66462, and [Section 19.70.040 \(Improvement Agreements and Security\)](#), as a condition precedent to the approval of the Final Map.
- D. **Transmittal to Recorder.** After action by the Council, and after the required signatures and seals have been affixed, the City Clerk shall transmit the Final Map to County Recorder for filing, in compliance with [Section 19.64.120 \(Recordation of Maps\)](#).

19.64.110—Supplemental Information Sheets.

In addition to the information required to be included in Parcel Maps and Final Maps (Sections [19.64.040](#) and [19.64.080](#), respectively), additional information may be required to be submitted and recorded simultaneously with a Final Map as required by this Section.

- A. **Preparation and form.** The additional information required by this Section shall be presented in the form of additional map sheets, unless the City Engineer determines that the type of information required would be more clearly and understandably presented in the form of a report or other document. Unless otherwise directed by the City Engineer, the additional map sheet or sheets shall be prepared in the same manner and in substantially the same form as required for Parcel Maps by [Section 19.64.040 \(Parcel Map Form and Content\)](#).
- B. **Content of information sheets.** Supplemental information sheets shall contain the following statements and information:
 1. **Title.** A title, including the number assigned to the accompanying Parcel or Final Map by the City Engineer, the words “Supplemental Information Sheet;”

2. **Explanatory statement.** A statement following the title that the supplemental information sheet is recorded along with the subject Parcel or Final Map, and that the additional information being recorded with the Parcel or Final Map is for informational purposes, describing conditions as of the date of filing, and is not intended to affect record title interest;
3. **Location map.** A location map, at a scale not to exceed one inch equals 2,000 feet. The map shall indicate the location of the subdivision within the City;
4. **Areas subject to flooding.** Identification of all lands within the subdivision subject to periodic inundation by water;
5. **Soils or geologic hazards reports.** When a soils report or geological hazard report has been prepared, the existence of the report shall be noted on the information sheet, together with the date of the report and the name of the engineer making the report; and
6. **Information required by conditions of approval.** Any information required by the approval body to be included on the supplemental information sheet(s) because of its importance to potential successors in interest to the property, including any other easements or dedications.

19.64.120—Recordation of Maps

- A. At the time of filing of a Parcel or Final Map with the County Recorder, the subdivider shall present to the County Recorder evidence that, at the time of filing the map, the parties consenting to the filing are all parties having vested fee interest in the property being subdivided and are parties required to sign the certificate described in Map Act Section 66445(e).
- B. The County Recorder will review and act upon Parcel and Final Maps filed with that office as set forth in Article 6, Chapter 3 of the Map Act and other applicable provisions of state law.

19.64.130—Amendments to Recorded Maps

A recorded Parcel or Final Map shall be modified to correct errors in the recorded map or to change characteristics of the approved subdivision only as set forth in this Section.

- A. **Corrections.** In the event that errors in a Parcel or Final Map are discovered after recordation, or that other corrections are necessary, the corrections may be accomplished by either the filing of a certificate of correction or an amending map, in compliance with Article 7, Chapter 3 of the Map Act. For the purposes of this Section, “errors” include errors in course or distance (but not changes in courses or distances from which an error is not ascertainable from the Parcel or Final Map), omission of any course or distance, errors in legal descriptions, or any other map error or omission as approved by the City Engineer that does not affect any property right, including but not limited to lot

numbers, acreage, street names, and identification of adjacent record maps. Other corrections may include indicating monuments set by engineers or surveyors other than the one that was responsible for setting monuments, or showing the proper character or location of any monument that was incorrectly shown, or that has been changed.

- B. *Changes to approved subdivision.*** In the event that a subdivider wishes to change the characteristics of an approved subdivision, including but not limited to the number or configuration of parcels, location of streets or easements, or the nature of required improvements, the construction of which has been deferred through the approval of an agreement in compliance with [Section 19.70.040 \(Improvement Agreements and Security\)](#), a new tentative and Parcel or Final Map shall be filed and approved as required by [Section 19.61.020 \(Type of Subdivision Approval Required\)](#).

19.65—CONDOMINIUMS AND CONDOMINIUM CONVERSIONS

Sections:

[19.65.010—Purpose of Chapter](#)

[19.65.020—Condominiums](#)

[19.65.030—Condominium Conversions](#)

19.65.010—Purpose of Chapter

This Chapter establishes requirements for applications for the creation of a condominium or other common interest development (including a community apartment project, planned development or stock cooperative, as provided by California Civil Code Section 1351) simultaneously with the construction of a new structure, and the conversion of an existing structure to a condominium, consistent with the requirements of the Map Act.

19.65.020—Condominiums

When a residential structure is proposed at the time of construction as a condominium or other common interest development, a Tentative Map for the project shall be filed in the same form, have the same contents and accompanying data and reports and shall be processed, approved or denied in the same manner in compliance with [Chapter 19.63 \(Tentative Map Filing and Processing\)](#). [Chapter 19.64 \(Parcel Maps and Final Maps\)](#) determines whether a Parcel or Final Map shall also be filed.

19.65.030—Condominium Conversions

A condominium conversion is the conversion of real property to a common interest development as defined by Section 1351 of the California Civil Code.

- A. **Approvals required.** A conversion shall require the approval of a Tentative Map, and Parcel or Final Map, except where a Parcel Map, or Tentative and Final Map are waived in compliance with Map Act Sections 66428(b) or 66428.1, for the conversion of a mobile home park. If a Parcel Map is waived, a Tentative Map shall still be required.
- B. **Application filing and processing.** A Tentative Map for a condominium conversion shall be filed in the same form, have the same contents and accompanying data and reports and shall be processed, approved or disapproved in the same manner as set forth in [Chapter 19.63 \(Tentative Map Filing and Processing\)](#), except as otherwise provided by the following provisions of this Section.
- C. **Application contents.** Condominium conversion applications shall include the same information and materials as Tentative Map applications, except for conversions of residential projects,

which shall also include the following information and materials.

1. **Tentative Map.** The Tentative Map for a condominium, community apartment project, or the conversion of five or more existing dwelling units to a stock cooperative need not show the manner in which the airspace above the property shown on the map are to be divided. However, the applicant shall provide an illustration of how division will occur to enable verification of the accuracy of the legal descriptions on deeds for the transfer of ownership of the units.
 2. **Verification of stock cooperative vote.** If the development being converted to a condominium is a stock cooperative, the application shall also include verification of the vote required by Map Act Section 66452.10.
 3. **Relocation assistance program.** A program proposed by the applicant that will assist tenants displaced through the conversion in relocating to equivalent or better housing.
 4. **Vacancy rate assessment.** An assessment of the vacancy rate in multi-family rental housing within the City.
 5. **Mobile home park conversion impact report.** If the development being converted to a condominium is a mobile home park, the application shall also include the report required by Map Act 66427.4.
- D. **Staff report.** The staff report on the Tentative Map for the condominium conversion ([Section 19.63.040](#)) shall be provided the subdivider and each tenant of the subject property at least three days before any hearing or action on the Tentative Map by the Commission or Council.
- E. **Public notice.** The following notice shall be provided in addition to that required by Chapter 19.88 (Public Hearings):
1. **Tenant notice.** The subdivider shall give notice to all existing or prospective tenants as set forth in Map Act Sections 66452.8 and 66452.9, and shall provide the Department satisfactory proof that the notice was given; and
 2. **Public hearing notice.** Notice of the public hearing(s) on the Tentative Map shall be provided to all tenants of the subject property, as required by Map Act Section 66451.3.
- F. **Approval of conversion, required findings.**
1. **Time limit, stock cooperatives.** The approval or disapproval of the conversion of an existing building to a stock cooperative shall occur within 120 days of the application being found complete in compliance with [Section 19.63.030 \(Tentative Map Filing, Initial Processing\)](#). The 120-day time limit may be extended by mutual consent of the subdivider and the City.

2. Conversion findings, residential projects. Approval of a tentative or Final Map for a subdivision to be created from the conversion of residential real property into a condominium project, community apartment project or stock cooperative shall not be granted unless the findings set forth in Map Act Section 66427.1 are first made.
- G. **Completion of conversion.** The filing, approval and recordation of a Parcel Map or Final Map in compliance with [Chapter 19.64 \(Parcel Maps and Final Maps\)](#) shall be required to complete the subdivision process, except where a Parcel Map, or tentative and Final Map are waived for the conversion of a mobile home park in compliance with Map Act Section 66428(b).

19.66—LOT LINE ADJUSTMENTS AND PARCEL MERGERS

Sections:

- 19.66.010—Purpose of Chapter
- 19.66.020—Applicability
- 19.66.030—Adjustment Application and Processing
- 19.66.040—Approval or Denial of Adjustment
- 19.66.050—Completion of Adjustment
- 19.66.060—Parcel Mergers

19.66.010—Purpose of Chapter

This Chapter provides procedures for the preparation, filing, processing, and approval or denial of Lot Line Adjustment applications, consistent with the policies of the General Plan and the requirements of Map Act Section 66412(d). This Chapter also provides procedures for voluntary parcel mergers.

19.66.020—Applicability

- A. As provided by Map Act Section 66412(d), the Lot Line Adjustment procedure is for the purpose of relocating lot lines between two or more existing adjacent parcels, where land taken from one parcel is added to an adjacent parcel and where no more parcels are created than originally existed. For the purposes of this Chapter, an “adjacent parcel” is one that directly touches at least one of the other parcels involved in the adjustment.
- B. Parcels combined by encumbrances or encroachments of existing structures shall be considered a single original parcel for purposes of an adjustment in compliance with this Chapter.

19.66.030—Adjustment Application and Processing

A Lot Line Adjustment application shall be prepared, filed and processed as provided by this Section.

- A. **Application content.** A Lot Line Adjustment application shall include all information and other materials required by the Department.
- B. **Processing.** Lot Line Adjustment applications shall be submitted to the Department and shall be processed in compliance with the procedures specified by [Chapter 19.52 \(Applications: Filing and Processing\)](#) of this Development Code. No environmental review shall be required, in compliance with the CEQA Guidelines.

19.66.040—Approval or Denial of Adjustment

The City Engineer shall determine whether the parcels resulting from the adjustment will conform with the applicable provisions of this Development Code. The City Engineer may approve, conditionally

approve, or deny the Lot Line Adjustment in compliance with this Section. Decisions made by the City Engineer may be appealed to the Commission in compliance with [Chapter 19.84 \(Appeals\)](#) of this Development Code.

- A. *Required findings.*** A proposed Lot Line Adjustment shall be denied if the City Engineer finds any of the following:
1. The adjustment will have the effect of creating a greater number of parcels than exist before adjustment;
 2. Any parcel resulting from the adjustment will conflict with any applicable regulations of this Development Code; or
 3. The adjustment will result in an increase in the number of nonconforming parcels.
- B. *Conditions of approval.*** In approving a Lot Line Adjustment, the City Engineer shall adopt conditions only as necessary to conform the adjustment and proposed parcels to the requirements of this Development Code and Title 14 (Building and Construction) of the Municipal Code, or to facilitate the relocation of existing utilities, infrastructure, or easements.

19.66.050—Completion of Adjustment

Within 12 months after approval, the Lot Line Adjustment process shall be completed in compliance with this Section through the recordation of a deed, after all conditions of approval have been satisfied.

- A. *Completion by deed.*** A Lot Line Adjustment shall not be effective or finally completed until recordation of a grant deed or deeds signed by the record owners. The applicant shall submit deeds to the City Engineer for review and approval in compliance with Subsection B. below, before recordation of the grant deed. The legal descriptions provided in the deeds shall be prepared by a qualified registered civil engineer, or a licensed land surveyor licensed or registered in the State.
- B. *Review and approval by City Engineer.*** The City Engineer shall:
1. Examine the deeds to ensure that all record title owners and lien holders have consented to the adjustment;
 2. Verify that all conditions of approval have been satisfactorily completed and that the deeds are in substantial compliance with the Lot Line Adjustment as approved by the review authority;
 3. Verify that the property owners have either obtained partial reconveyances from any mortgagor or other lien holder for any portion of a parcel being transferred to an adjacent parcel, and that any liens covering the adjacent property have been modified to cover the newly created larger parcel;
 4. If satisfied that the deeds comply with the above requirements, place an endorsed approval upon the deeds; and

5. After approval of the legal descriptions, assemble the deeds and return them to the applicant's title company for recordation.
- C. **Expiration.** The approval of a Lot Line Adjustment shall expire and become void if the adjustment has not been completed as required by this Section within 12 months of approval.

19.66.060—Parcel Mergers

- A. **Merger not required.** Two or more contiguous parcels or units of land which have been subdivided under the provisions of this Development Code or the Map Act shall not merge by virtue of the fact that the contiguous parcels are held by the same ownership. No further proceedings under this Development Code shall be required for the purpose of sale, lease or financing, except as provided by this Chapter.
- B. **Processing of requested merger.** Upon request of the legal owner of contiguous parcels, the City may approve the merger of the property in compliance with Map Act Section 66499.20 3/4. The request shall be in writing and shall be accompanied by data and documents as required by the Department.
 1. **Review authority.** The City Engineer shall have the authority to review and approve proposed parcel mergers, except that Council review and approval shall be required for a proposed merger associated with a project that has not been previously considered by the Commission.
 2. **Conditions of approval.** In approving a merger, the City Engineer may impose reasonable conditions. The reasonableness of conditions imposed by the City Engineer may be appealed within 10 days of written notice of the conditions to the Council in compliance with Chapter 19.84 (Appeals).
 3. **Completion of merger.** Upon approval, a Notice of Lot Merger shall be filed with the County Recorder. The form and content of the notice shall be as required by the City Engineer.

19.67—CERTIFICATES OF COMPLIANCE

Sections:

19.67.010—Purpose of Chapter

19.67.020—Applicability

19.67.030—Application Contents

19.67.040—Review and Approval

19.67.050—Conditional Certificates of Compliance

19.67.010—Purpose of Chapter

This Chapter provides procedures for the filing, processing, and approval or denial of Certificates of Compliance and Conditional Certificates of Compliance, consistent with the requirements of the Map Act.

19.67.020—Applicability

A Certificate of Compliance is a document recorded by the County Recorder, which acknowledges that the subject parcel is considered by the City to be a legal lot of record. A Conditional Certificate of Compliance is used instead of a Certificate of Compliance to validate a parcel that was not legally subdivided. Any person owning real property, or a purchaser of the property in a contract of sale of the property, may request a Certificate of Compliance.

19.67.030—Application Contents

A Certificate of Compliance application shall include the form provided by the Department, the required filing fee, and a chain of title, consisting of copies of all deeds beginning before the division and thereafter, unless the parcels were created through a recorded subdivision map.

19.67.040—Review and Approval

- A. **City Engineer review.** The City Engineer shall review all available information and make a determination whether the real property was divided in accordance with the Map Act, this Development Code, and other applicable provisions of the Municipal Code. Upon making the determination, the City Engineer shall cause a Certificate of Compliance to be filed with the County Recorder. In the event that the City Engineer determines that the real property does not comply with the provisions of this Development Code or the Map Act, the application shall instead be processed as a Conditional Certificate of Compliance [Section 19.67.050 \(Conditional Certificates of Compliance\)](#).
- B. **Form of Certificate.** The Certificate of Compliance shall identify the real property, shall state that the division complies with the provisions of the Map Act and this Development Code, and shall include all information required by Map Act Section 66499.35.

- C. **Effective date of Certificate.** A Certificate of Compliance shall not become final until the document has been recorded by the County Recorder.

19.67.050—Conditional Certificates of Compliance

A Conditional Certificate of Compliance is used to validate a parcel that was not legally divided. If the current owners are the original subdividers, conditions may be based on current standards. The preparation, filing and processing of a Conditional Certificate of Compliance application shall occur in compliance with this Section.

- A. **Application.** An application for a Conditional Certificate of Compliance shall be prepared and include the same materials as a Certificate of Compliance ([Section 19.67.030](#)).
- B. **Review and approval.** Upon making a determination that the real property does not comply with the provisions of this Development Code or the Map Act, the City Engineer shall grant a Conditional Certificate of Compliance, imposing conditions as provided by Subsection C. (Conditions of Approval).
- C. **Conditions of approval.** If the owners of the property for which a certificate is requested are the original subdividers, the City Engineer may impose any conditions that would be applicable to a current subdivision, as provided by the Map Act and this Development Code, regardless of when the property was divided. If the owners had no responsibility for the subdivision that created the parcel, the City Engineer may only impose conditions that would have been applicable at the time the property acquired by the current owners.
- D. **Appeal.** A decision to issue a Conditional Certificate of Compliance and/or the conditions imposed by the City Engineer may be appealed to the Commission in compliance with [Chapter 19.84 \(Appeals\)](#) of this Development Code.
- E. **Completion of process.** Following expiration of the 10-day appeal period after the determination and imposition of conditions by the City Engineer, the City Engineer shall file a Conditional Certificate of Compliance with the County Recorder. The certificate shall identify the property, and serve as notice to the property owner or purchaser who applied for the certificate, a grantee of the owner, or any subsequent transferee or assignee of the property that the fulfillment and implementation of the conditions shall be required before subsequent issuance of a permit or other approval for the development of the property.
- F. **Effective date of Certificate.** A Conditional Certificate of Compliance shall not become effective until the document has been recorded by the County Recorder.

19.68—REVERSIONS TO ACREAGE

Sections:

19.68.010—Purpose of Chapter

19.68.020—Applicability

19.68.030—Initiation of Reversion, Application Requirements

19.68.040—Application Filing and Processing

19.68.050—Council Action

19.68.010—Purpose of Chapter

This Chapter provides procedures for the filing, processing, and approval or denial of reversions to acreage, in compliance with Map Act Sections 66499.11 et seq.

19.68.020—Applicability

Subdivided property may be reverted to acreage in compliance with this Chapter and the Map Act.

19.68.030—Initiation of Reversion, Application Requirements

A reversion to acreage may be initiated by the property owner or the Council in compliance with this Section.

- A. **Initiation by owners.** Proceedings to revert subdivided property to acreage may be initiated by the filing of an application by all of the record owners of the property. The application shall be in a form prescribed by the City Engineer, and shall contain the information required by Subsection C. and any other information as required by the City Engineer.
- B. **Initiation by Council.** The City Council may, by resolution, initiate proceedings to revert property to acreage at the request of any person or on its own motion. The Council shall direct the City Engineer to obtain the necessary information to initiate and conduct the proceedings.
- C. **Application requirements.** An application for reversion to acreage submitted by the property owners shall include the application forms and all information and materials required by the Department, the required filing fee, and the following additional information:
 1. Evidence of title to the real property; and
 2. Evidence of the consent of all of the owners of an interest in the property; or
 3. Evidence that none of the improvements required to be made have been made within two years from the date the Final or Parcel Map was filed for record, or within the time allowed by an agreement for completion of the improvements, whichever is later; or

4. Evidence that no lots shown on the Final or Parcel Map have been sold within five years from the date the Final or Parcel Map was filed for record.
5. A Tentative Map in the form prescribed by [Section 19.63.030](#).
6. A Final or Parcel Map in the form prescribed by Sections [19.63.040](#) and [19.64.080](#), respectively, which delineates dedications which will not be vacated and dedications required as a condition of reversion. The Final or Parcel Map shall be conspicuously designated with the title, “The Purpose of This Map is a Reversion to Acreage.”

19.68.040—Application Filing and Processing

- A. *Submittal to City Engineer.* The Final or Parcel Map for the reversion together with all other required application materials shall be submitted to the City Engineer for review.
- B. *Recommendation to Council.* Upon finding that the proposed reversion meets with all the requirements of this Development Code and the Map Act, the City Engineer shall submit the Final or Parcel Map, together with a report and recommendations of approval or conditional approval of the reversion to acreage to the Council for their consideration.

19.68.050—Council Action

- A. *Notice and hearing.* The Council shall hold a public hearing on an application for reversion to acreage after providing notice in compliance with [Chapter 19.88 \(Public Hearings\)](#).
- B. *Findings for approval.* The Council may approve a reversion to acreage only if it finds and records by resolution that dedications or offers of dedication to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes; and either:
 1. All owners of an interest in the real property within the subdivision have consented to reversion; or
 2. None of the improvements required to be made have been made within two years from the date Final or Parcel Map was filed for record, or within the time allowed by agreement for completion of the improvements whichever is later; or
 3. No lots shown on the Final or Parcel Map have been sold within five years from the date the Final or Parcel Map was filed for record.
- C. *Conditions of approval.* The Council may require as condition of the reversion:
 1. The owners dedicate or offer to dedicate streets, public rights-of-way or easements; and

2. The retention of all or a portion of previously paid subdivision fees, deposits or improvement securities if the same are necessary to accomplish any of the provisions of this Development Code.
- D. *Completion of process.*** Upon approving the reversion to acreage, the City Engineer will transmit the Final or Parcel Map, together with the Council resolution approving the reversion, to the County Recorder for recordation. Reversion shall be effective upon the map being filed for record by the County Recorder. Upon filing, all dedications and offers of dedication not shown on the Final or Parcel Map for reversion shall be of no further force and effect.

19.69—DEDICATIONS AND EXACTIONS

Sections:

- 19.69.000—Purpose of Chapter
- 19.69.010—Applicability
- 19.69.020—Findings Required for Dedications and Exactions
- 19.69.030—Park Land Dedications and Fees
- 19.69.040—Reservations of Land
- 19.69.050—Right-of-Way Dedications
- 19.69.060—School Site Dedications

19.69.000—Purpose of Chapter

This Chapter establishes standards for subdivider dedications of land or payment of fees, in conjunction with subdivision approval.

19.69.010—Applicability

- A. **Compliance required.** All proposed subdivisions shall comply with the requirements of this Chapter for dedications, reservations, or the payment of fees.
- B. **Conditions of approval.** The requirements of this Chapter as they apply to a specific subdivision shall be described in conditions of approval adopted by the review authority for the Tentative Map.

19.69.020—Findings Required for Dedications and Exactions

The review authority may require any of the dedications or exactions described in this Chapter through conditions of approval of a proposed Tentative Map only after first making findings which:

- A. Identify the purpose for the dedication or exaction; and
- B. Demonstrate that there is a reasonable relationship between the need for the dedication or exaction and the characteristics and impacts of the subdivision from which the dedication or exaction is required.

19.69.030—Park Land Dedications and Fees

- A. **Purpose.** This Section provides for the dedication of land and/or the payment of fees to the City for park and recreational purposes as a condition of the approval of a Tentative Map. This Section is enacted as authorized by the provisions of Article 3, Chapter 4 of the Map Act, also known as the “Quimby Act.”
- B. **Applicability.**
 - 1. **Land dedication and/or fee payment required.** As a condition of Tentative Map approval, the subdivider shall dedicate land and/or pay a fee in compliance with this Section for the purpose of developing new or rehabilitating existing park or recreation facilities to serve the subdivision.

2. **Exemptions.** The provisions of this Section do not apply to industrial or commercial subdivisions, condominium projects or stock cooperatives which consist of the subdivision of airspace in an existing apartment building which is more than five years old when no new dwelling units are added, or to any other subdivisions exempted by Map Act Section 66477.
- C. ***Amount of Parkland Required.*** The amount of acreage required to be dedicated by a residential subdivider for park and recreational purposes shall be based upon the number of dwelling units expected in the subdivision. The required dedication shall be computed using the following formula:
$$X = .005(UP)$$

Where:

X = Amount of parkland required, in acres.

U = Total number of approved dwelling units in the subdivision.

P = The projected average number of residents per dwelling unit in the proposed subdivision, as determined by the City Planner.
- D. ***Formula for Fees in Lieu of Land.*** If the entire parkland obligation for a proposed residential subdivision is not satisfied by dedication in compliance with Subsection C. above, the subdivider shall pay a fee to the City in lieu of dedication, as a condition of Tentative Map approval. The fee shall equal the parkland obligation derived from the formula in Subsection C., less the amount of parkland, if any, offered for dedication by the subdivider, times the average per-acre fair market value for the appropriate park planning area. For purposes of determining the required fee, the term “fair market value” shall mean the market value of the land as determined by the City, and approved by the Commission, prior to or at Tentative Map approval. If the subdivider objects to the valuation, the subdivider, at his/her own expense, may obtain an appraisal of the property by a qualified real estate appraiser approved by the City whose appraisal may be accepted by the City if found reasonable. Fair market value may be determined by mutual agreement of the City and subdivider; however, decisions of the City as to fair market value shall be final and conclusive.
- E. ***Criteria for Requiring Dedication and Fees.*** In subdivisions of over 50 lots, the City may require the subdivider to dedicate both land and pay a fee, as follows:
 1. **Determination of land or fee.** Whether the City accepts land dedication or elects to require payment of a fee in lieu thereof, or a combination of both, shall be determined by consideration of the following:

- a. The provisions of the General Plan, and any applicable Specific Plans, and the compatibility of dedication with those plans;
 - b. Access, size, shape and the location of land in the subdivision available for dedication;
 - c. Feasibility of dedication; and
 - d. Availability of previously acquired park property.
2. **Fees only.** Only the payment of fees shall be required in subdivisions of 50 parcels or less, except that when a condominium project, stock cooperative, or community apartment project exceeds 50 dwelling units, dedication of land may be required even though the number of actual parcels may be less than 50.
3. **Procedure for determining land or fee.** The review authority shall determine whether the subdivider shall dedicate land, pay in-lieu fees, or provide a combination of both, at the time of Tentative Map approval. The determination of the review authority shall be based on a report and recommendation from the City Planner. The recommendation by the City Planner and the action of the review authority shall consider the factors in Subsection E.1 above, and shall include the following:
 - a. The amount of land required;
 - b. Whether a fee shall be charged in lieu of land;
 - c. Whether land and a fee shall be required, and/or that a stated amount of credit be given for private recreation facilities;
 - d. The location and suitability of the park land to be dedicated or use of in-lieu fees; and
 - e. The approximate time when development of the park or recreation facility shall commence.

The determination of the City as to whether land shall be dedicated, or whether a fee shall be charged, or a combination thereof, shall be final and conclusive.
4. **Formula for land and fees.** When both land dedication and fee payment are required, they shall be subject to the following formula:
 - a. When only a portion of the land to be subdivided is proposed in the General Plan or applicable Specific Plan as the site for a local park, that portion shall be dedicated for local park purposes, and a fee computed as provided by Subsection D. shall be paid for any additional land that would have been required to be dedicated by Subsection C.
 - b. When a major part of the local park or recreational site has been acquired by the City and only a small portion

of land is needed from the subdivision to complete the site, the remaining portion shall be dedicated, and a fee computed as provided by Subsection D. shall be paid in an amount equal to the value of the land that would otherwise have been required to be dedicated by Subsection C. The fees shall be used for the improvement of the existing park or recreational facility serving the subdivision.

5. **Credit for improvements.** If the subdivider provides park and recreational improvements on dedicated land, the value of the improvements together with any installed equipment shall be a credit against the required fees or land.
 6. **Credit for private recreation or open space.** Where a substantial private park and recreational area is provided in a proposed subdivision, and will be privately owned and maintained by the future residents of the subdivision, partial credit, not to exceed 75 percent, may be given against the requirement of land dedication or payment of fees in lieu thereof if the review authority finds all of the following:
 - a. Yards, court areas, setbacks, and other open areas required to be maintained by the zoning and building ordinances and regulations shall not be included in the computation of the private open space;
 - b. The private ownership and maintenance of the open space is adequately provided for by recorded written agreement, conveyances, or restrictions;
 - c. The use of the private open space is restricted for park and recreational purposes by recorded covenants, which run with the land in favor of the future owners of property and which cannot be defeated or eliminated without the consent of the City;
 - d. The proposed private open space is usable for active recreation; and
 - e. Facilities proposed for the open space are in substantial compliance with the provisions of the Resource Management Element and Master Plan of Parks.
- F. ***Suitability of land to be dedicated.*** Each park site proposed for dedication in compliance with this Section shall be physically suited for the intended use.
1. Land which is made part of a park site for subdivision design purposes, but which is physically unsuited for park use, shall not be considered when calculating the area of the park site provided in compliance with this Section. The park space provided shall be calculated from the road rights-of-way and interior property lines abutting the site, and not from any abutting roadway centerline.

2. If the Council determines that any of the land proposed to be dedicated is not suitable for park use, it may reject all or any portion of the land offered, and in that event the subdivider shall instead pay a fee in compliance with Subsection D., above.
- G. *Conveyance of land, payment of fees.*** Real property being dedicated for park purposes shall be conveyed by the Parcel or Final Map in fee simple absolute, to the City by the subdivider, free and clear of all encumbrances except those which, in the opinion of City Attorney, will not interfere with use of the property for park and recreational purposes, and which the Council agrees to accept. The amount of required fees shall be deposited with the City at the time of submittal of a Parcel or Final Map. The fees shall be held by the City until the map is recorded, or the time for recordation expires. The subdivider shall provide all fees and instruments required to convey the land, and title insurance approved by the City Attorney in favor of the City in an amount equal to the value of the land.
- H. *Use of collected fees.*** Fees collected in compliance with this Section shall be used only for the purpose of providing new or rehabilitating existing park or recreational facilities reasonably related to serving the proposed subdivision. Any fees collected shall be committed within five years after payment, or issuance of building permits on one-half of the lots created by the subdivision, whichever occurs later. If the fees are not committed, they shall be distributed and paid to the then record owners of the subdivision in the same proportion that the size of their lot bears to the total area of all lots within the subdivision.

19.69.040—Reservations of Land

As a condition of approval of a Tentative Map, the City may require the subdivider to reserve sites appropriate in area and location for parks, recreational facilities, fire stations, libraries or other public uses, in compliance with this Section.

- A. *Standards for reservation of land.***
1. **Location of land.** Where a park, recreational facilities, fire station, library, or other public use is shown in the General Plan or applicable Specific Plan, the subdivider may be required by the City to reserve sites as determined by the City in compliance with the standards in the applicable plan.
 2. **Configuration.** The reserved area shall be of a size and shape that will permit the balance of the property to develop in an orderly and efficient manner. The amount of land to be reserved shall not make development of the remaining land held by the subdivider economically infeasible. The land to be reserved shall be in multiples of streets and parcels that will permit an efficient division of the reserved area if it is not acquired within the period deter-

mined by Subsection B. following (Procedure for Reservation of Land).

- B. *Procedure for reservation of land.*** The public agency for whose benefit an area has been reserved shall at the time of approval of the Parcel or Final Map enter into a binding agreement with the subdivider to acquire the reserved area within two years after the completion and acceptance of all improvements, unless a longer time is authorized by mutual agreement.
- C. *Purchase price of reserved land.*** The purchase price shall be the market value of the land at the time the Tentative Map is filed, plus the property taxes against the reserved area from the date of the reservation, and any other costs incurred by the subdivider in maintaining the reserved area, including interest costs incurred on any loan covering the reserved area.
- D. *Termination of reservation.*** If the public agency for whose benefit an area has been reserved does not enter into a binding agreement as described in Subsection B. above (Procedure for Reservation of Land), the reservation shall automatically terminate.

19.69.050—Right-of-Way Dedications

- A. *Offers of dedication required.*** As a condition of Tentative Map approval, the subdivider shall dedicate or make an irrevocable offer of dedication in fee simple of all land within the subdivision that is determined by the review authority to be needed for public and private streets and alleys, including access rights and abutters' rights; drainage; public and private greenways; scenic easements, public utility easements; and any other necessary public and private easements.
- B. *Improvements.*** The subdivider shall construct or agree to construct all improvements approved or required for the subdivision, including access rights and abutters' rights, in compliance with the City's improvement standards.
- C. *Rights-of-Way, generally.*** Rights-of-way shall be of sufficient size to accommodate the required improvements. In addition, where parcels front on a City-maintained road of insufficient width, or when the existing right-of-way is not deeded, the subdivider shall dedicate right-of-way sufficient for the ultimate facility.
- D. *Bicycle paths.*** Any subdivider who is required to dedicate roadways to the public, may be required to dedicate additional land for bicycle paths for the use and safety of the residents of the subdivision, if necessary to offset impacts otherwise associated with the subdivision.
- E. *Transit facilities.*** Dedications in fee simple or irrevocable offers of dedication of land within the subdivision will be required for local transit facilities including bus turnouts, benches, shelters,

landing paths and similar items that directly benefit the residents of the subdivision if:

1. The subdivision as shown on the Tentative Map has the potential for 200 dwelling units or more if developed to the maximum density shown in the General Plan; and
2. The review authority finds that transit services are or will, within a reasonable time period, be available to the subdivision.

F. *Alternative transportation systems.* Whenever the subdivision falls within an area designated for the development of bikeways, hiking or equestrian trails in the General Plan, Parks and Recreation or Bikeways Master Plans, applicable Specific Plan, or implementing legislation, the subdivider shall dedicate land as is necessary to provide for these ways.

19.69.060—School Site Dedications

- A. *Dedication requirement.*** In compliance with Map Act Section 66478, a subdivider may be required to dedicate land as the review authority determines to be necessary for adequate elementary school facilities for the residents of the subdivision. Dedication may be required only if the subdivider and/or successors in interest to the property:
1. Have owned the land being subdivided for less than 10 years before filing the Tentative Map; and
 2. Develop, or complete the development, of a subdivision of more than 400 dwelling units within a single school district, within a period of three years or less.
- B. *Tentative Map approval.*** If the school district responds to the referral of the Tentative Map application (Section 19.63.030) with a report to the City describing the land the district deems necessary and suitable to provide adequate elementary school service to residents of the proposed subdivision, the review authority shall require the dedication of land as a condition of approval of the Tentative Map. As required by Map Act Section 66478, the dedication requirement shall not make development of the remaining land held by the subdivider economically infeasible, or exceed the amount of land ordinarily allowed under the procedures of the State Allocation Board.
- C. *Timing of dedication.*** The required dedication may occur before, concurrently with, or up to 60 days after the filing of a Final Map on any portion of the subdivision. If the school district accepts the dedication, the district shall pay the subdivider the amounts required by Map Act Section 66478, and shall record the certificate required by Map Act Section 66478.
- D. *Termination of dedication requirement.*** The requirement of dedication shall automatically terminate unless, within 30 days after the requirement is imposed by the review authority, the school district makes a binding commitment to the subdivider

agreeing to accept the dedication at any time before the construction of the first 400 dwelling units. Upon acceptance of the dedication, the school district shall repay to the subdivider and/or successors the costs specified in Business and Professions Code Section 11525.2.

- E. **Judicial review.** Any person who is aggrieved by or fails to agree to the reasonableness of any requirement imposed in compliance with this Section may bring a special proceeding in the Superior Court in compliance with Map Act Section 66499.37.
- F. **Reversion of land—repurchase.** Should the school district find itself unable to accept the dedication for reasons other than specified in the commitment with the subdivider, the dedicated land shall revert to the subdivider. If the dedication is accepted and the school district within 10 years from the date of acceptance offers the property or any substantial part thereof for public sale, the subdivider shall have the first option to repurchase the property for the price paid by the district, plus a sum equal to the amount of property taxes which would have been paid during the period of public ownership.

19.70—IMPROVEMENT PLANS AND AGREEMENTS

Sections:

- 19.70.010—Purpose of Chapter
- 19.70.020—Improvement Plans
- 19.70.030—Installation of Improvements
- 19.70.040—Improvement Agreements and Security
- 19.70.050—Soils Reports

19.70.010—Purpose of Chapter

This Chapter establishes procedures and requirements for the review and approval of improvement plans, the installation of improvements, agreements and guarantees for their installation, and dedications.

19.70.020—Improvement Plans

After the approval of a Tentative Map, the subdivider shall diligently proceed to complete any improvements necessary to fulfill the conditions of approval. Improvement shall be defined as any infrastructure including streets, storm drains, sewers, water facilities, utilities, site grading and the like. Before the construction of any improvements, the subdivider shall submit plans to the City as follows:

- A. **Preparation and content.** Improvement plans shall be prepared by a California registered civil engineer. Improvement plan submittals shall include the following information:
 1. Any drawings, specifications, calculations, design reports and other information required by the City Engineer;
 2. Grading, drainage, erosion and sediment control;
 3. The improvement plan checking fees required by the City Fee Resolution;
 4. The final map of the subdivision.
- B. **Submittal of plans.** Improvement plans shall be submitted to the City Engineer and other reviewing agencies for review and approval. Upon the approval of improvement plans in compliance with Subsection C. following, the subdivider shall also submit to the City Engineer a detailed cost estimate of all improvements, based on guidelines provided by the City.
- C. **Review and approval.** Improvement plans shall be reviewed and approved by the City Engineer, within the time limits provided by Map Act Section 66456.2.
- D. **Effect of approval.** The final approval of improvement plans shall be required before approval of a Parcel or Final Map. The approval of improvement plans shall not bind the City to accept the improvements nor waive any defects in the improvements as installed.

19.70.030—Installation of Improvements

Subdivision improvements required as conditions of approval of a Tentative Map in compliance with this Chapter (see [Subsection 19.70.020.B.](#)) shall be installed as provided by this Section.

- A. **Timing of improvements.** Required improvements shall be constructed or otherwise installed only after the approval of improvement plans in compliance with Subsection B., and before the approval of a Parcel or Final Map in compliance with [Section 19.64.060 \(Parcel Map Approval\)](#) or [Section 19.64.100 \(Final Map Approval\)](#), except where:
1. Improvements are deferred in compliance with [Section 19.70.040 \(Improvement Agreements and Security\)](#); or
 2. Improvements are required as conditions on the approval of a subdivision of four or fewer lots, in which case construction of the improvements shall be required:
 - a. Only when a permit for development of an affected parcel is issued by the Department; or
 - b. At the time the construction of the improvements is required in compliance with an agreement between the subdivider and the City, as set forth in [Section 19.70.040 \(Improvement Agreements and Security\)](#); or
 - c. At the time set forth in a condition of approval, when the review authority finds that fulfillment of the construction requirements by that time is necessary for public health and safety, or because the required construction is a necessary prerequisite to the orderly development of the surrounding area.
- B. **Inspection of Improvements.** The construction and installation of required subdivision improvements shall occur as follows.
1. **Supervision.** Before starting any work, the contractor engaged by the subdivider shall designate in writing an authorized representative who shall have the authority to represent and act for the contractor in contacts with the City. The designated representative shall be present at the work site at all times while work is in progress. At times when work is suspended, arrangements acceptable to the City Engineer shall be made for any emergency work that may be required.
 2. **Inspection procedures.**
 - a. Inspections required. The City Engineer shall make any inspections as he/she deems necessary to ensure that all construction complies with the approved improvement plans. The developer shall pay the full cost of any contract inspection services determined to be necessary by the City Engineer. The City shall invoice the developer

- for inspection services at appropriate times during the period of construction of the improvements.
- b. Access to site and materials. The City Engineer shall have access to the work site at all times during construction, and shall be furnished with every reasonable facility for verifying that the materials and workmanship are in accordance with the approved improvement plans.
 - c. Authority for approval. The work done and all materials furnished shall be subject to the inspection and approval of the City Engineer. The inspection of the work or materials shall not relieve the contractor of any obligations to fulfill the work as prescribed.
 - d. Improper work or materials. Work or materials not meeting the requirements of the approved plans and specifications may be rejected, regardless of whether the work or materials were previously inspected by the City Engineer. In the event that the City Engineer determines that subdivision improvements are not being constructed as required by the approved plans and specifications, he or she shall order the work stopped and shall inform the contractor of the reasons for stopping work and the corrective measures necessary to resume work. Any work done after issuance of a stop work order shall be a violation of this title.
3. **Notification.** The subdivider shall notify the City Engineer upon the completion of each stage of construction as outlined in this Chapter, and shall not proceed with further construction until authorized by the City Engineer.

19.70.040—Improvement Agreements and Security

A subdivider may file a Parcel or Final Map before completion of all the improvements required by this Development Code and conditions of approval of the Tentative Map, only when the subdivider first obtains Council approval of a subdivision improvement agreement executed and submitted for Council review by the subdivider, and provides the City performance security as required by this Section. Improvement agreements and required security shall also comply with Chapter 5 of the Map Act.

- A. **Contents of improvement agreement.** A subdivision improvement agreement shall be submitted on a form provided by the City Engineer and approved by the City Attorney and shall include the following provisions.
1. **Description of improvements.** A description of all improvements to be completed by the subdivider, with reference to the approved subdivision improvement plans.
 2. **Time limit for construction.** The period within which all required improvements will be completed to the satisfaction of the City Engineer.

3. **Completion by City.** Provide that if the subdivider fails to complete all required improvements within the specified time, the City may elect to complete the improvements and recover the full cost and expenses thereof from the subdivider or the surety, including any attorney and legal fees associated with enforcement of the agreement.
 4. **Surety requirement.** Require the subdivider to secure the agreement by furnishing security to insure full and faithful performance and to insure payment to laborers and material suppliers, as specified in Subsection B. of this Section. The amount of surety shall be based on an engineer's cost estimate submitted by the subdivider as provided by [Section 19.70.030. B. \(Inspection of Improvements\)](#) and approved by the City Engineer. The total cost of improvements to be guaranteed shall be as provided in the approved engineer's cost estimate.
 5. **Phased construction.** Provisions for the construction of improvements in units, at the option of the subdivider.
 6. **Time extensions.** Provisions for an extension of time under conditions specified therein, at the option of the subdivider, consistent with the requirements of Subsection D. following.
- B. Security required to guarantee improvements.** A subdivision improvement agreement or a subdivision road maintenance and repair agreement shall be secured by adequate surety in a form approved as to form and sufficiency by the City Attorney, as follows:
1. **Type of security.** Subdivision improvement agreements shall be secured by all of the following:
 - a. A guarantee for "Faithful Performance," in the amount of 100 percent of the engineer's estimate;
 - b. A guarantee for "Materials and Labor," in the amount of 100 percent of the engineer's estimate;
 - c. A one-year guarantee and warranty for work in the amount of 10 percent of the engineer's estimate.
 2. **Form of security.** The required surety shall consist of one or more of the following forms selected by the City Engineer for the full amounts specified in Subsection B.1 above.
 - a. A deposit, either with the City or a responsible escrow agent or trust company, at the option of the City, of money or negotiable bonds of the kind approved for securing deposits of public moneys.
 - b. A bond or bonds executed by one or more duly authorized corporate sureties;
 - c. An instrument of credit from an agency of the state, federal, or local government when any said agency provides at least 20 percent of the financing for the portion of the

- act or agreement requiring security, or from one or more financial institutions subject to regulation by the State or Federal government pledging that funds necessary to carry out the act or agreement are on deposit and guaranteed for payment; or a letter of credit issued by such a financial institution;
- d. A lien upon the property to be divided, created by contract between the owner and the City, where the review authority finds that it would not be in the public interest to require the installation of the required improvement sooner than two years after the recordation of the Map, or
 - e. Any form of security, including security interests in real property, which is acceptable to the City.
- C. **Time extensions.** An extension of time for completion of improvements under a subdivision improvement agreement shall be granted by the Council only as follows:
- 1. **Public Works report.** The City Engineer notifies the Council that either the subdivider is proceeding to do the work required with reasonable diligence or is not yet ready to develop the subdivision, and has given satisfactory evidence of being able and willing to complete all required work within the time of the requested extension.
 - 2. **Agreement by sureties.** The sureties agree in writing to extend for the additional period of time at the original amount of the bond or other surety, or if recommended by the City Engineer, at an increased amount.
 - 3. **Council action.** The Council approves the extension by at least a four-fifths vote. As a condition of granting a time extension, the Council may impose whatever additional requirements the Council deems reasonable to protect the public interest.
- D. **Acceptance of improvements.** Before acceptance for maintenance or final approval by the Council of subdivision improvements, the City Engineer shall verify that the improvement work has been completed in substantial compliance with the approved plans and specifications.

19.70.050—Soils Reports

Soils reports shall be provided by the subdivider as required by this Section.

- A. **Preliminary soils report.** A preliminary soils report based upon adequate test borings and prepared by a registered civil engineer shall be required for every subdivision. The preliminary soils report shall be submitted with the improvement plans for review and approval by the City Engineer and Building Official.
- 1. **Form of report.** The preliminary soils report shall include a complete description of the site based on a field investiga-

tion of soils matters. The soils matters reviewed shall include stability, erosion, settlement, feasibility of construction of the proposed improvements, description of soils related hazards and problems and proposed methods of eliminating or reducing these hazards and problems. The investigation and report shall include field investigation and laboratory tests with detailed information and recommendations relative to all aspects of grading, filling and other earthwork, foundation design, pavement design and subsurface drainage.

The report shall also recommend any required corrective action for the purpose of preventing structural damages to the subdivision improvements and the structures to be constructed on the lots. The report shall also recommend any special precautions required for erosion control, and the prevention of sedimentation or damage to off-site property.

If the preliminary soils report indicates the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, or environmental impacts, a subsequent soils investigation of each parcel in the subdivision may be required and submitted to the City Engineer before approval of a Parcel or Final Map.

2. **Preliminary soils report waiver.** The preliminary soils report may be waived if the City Engineer and the Building Official determine that existing available information on the qualities of the soils of the subdivision makes no preliminary analysis necessary.
- B. Final soils report.** A final soils report prepared by a registered civil engineer shall be required.
1. The report shall contain sufficient information to ensure compliance with all recommendations of the preliminary soils report and the specifications for the project.
 2. The report shall also contain information relative to soils conditions encountered which differed from that described in the preliminary soils reports, along with any corrections, additions or modifications not shown on the approved plans.
- C. Geologic investigation and report.** If the City Engineer determines that conditions warrant, a geologic investigation and report may also be required.

19.71—SURVEYS AND MONUMENTS

Sections:

19.71.010—Purpose of Chapter

19.71.020—Survey Procedure and Practice

19.71.030—Monuments

19.71.040—Survey Information on Final or Parcel Map

19.71.010—Purpose of Chapter

This Chapter provides requirements for subdivision survey work, and the placement of subdivision monuments.

19.71.020—Survey Procedure and Practice

The procedure and practice of all survey work done on any subdivision, whether for preparation of a Final Map or Parcel Map shall conform to the standard practices and principles of land surveying, the California Land Surveyor's Act, and the provisions of this Chapter. All related documents shall be executed by a California-registered civil engineer or licensed land surveyor. Whenever the City Engineer has established a system of coordinates and/or monuments which is within a reasonable distance of the subdivision boundary, as determined by the City Engineer, the field survey shall be tied into the system.

19.71.030—Monuments

In surveying a subdivision, the engineer or surveyor shall set sufficient permanent monuments so that any part of the survey may be readily retraced. Survey monuments shall be set by the engineer or surveyor for all new subdivisions requiring a Parcel Map or Final Map, unless waived by the City Engineer, in compliance with this Section.

A. *Boundary monuments.*

1. Boundary monuments shall be set on the exterior boundary of the subdivision at all corners, angle points, beginnings and ends of curves and at intermediate points approximately 1,000 feet apart. The locations of inaccessible points may be established by ties and shall be so noted on the Final Map or Parcel Map.
2. All exterior boundary monuments shall be set prior to recordation of the Final Map or Parcel Map or as certified on the Final Map.

B. *Interior monuments.* Whenever interior monuments are required, the monuments shall be set at:

1. All block and lot corners and angle points;
2. The beginnings and ends of curves;
3. Points of intersection with centerlines of other existing and proposed streets and alleys; and

4. The points of intersection with the exterior boundary lines.
- C. **Monument type and positioning.** All monuments set in the course of the survey shall be as specified by the City Engineer and shall be set to the depth and in the manner prescribed by the City Engineer.
- D. **Identification marks.** All monuments shall be permanently and visibly marked or tagged with the registration or license number of the engineer or surveyor who signs the engineer's or surveyor's certificate and under whose supervision the survey is made.
- E. **Replacement of destroyed monuments.** Any monument which is disturbed or destroyed before acceptance of all improvements by the City shall be replaced by the subdivider.
- F. **Timing of monument installation.** The exterior boundary of the subdivision shall be completely monumented or referenced before the Final Map or Parcel Map is submitted to the City Engineer for filing. Interior monuments need not be set at the time the Final Map or Parcel Map is filed if the engineer or surveyor certifies on the map that the monuments will be set on or before a specified later date, and if the subdivider furnishes the City a bond, instrument of credit, or cash deposit in a sufficient amount to guarantee payment of the cost of setting the monuments in compliance with Map Act Section 66496.
- G. **Notice of Completion.** Within five days after all monuments have been set, the engineer or surveyor shall give written notice to the subdivider and the City Engineer that the final monuments have been set. Verification of payment to the engineer or surveyor shall be filed as required by Article 9, Chapter 4 of the Map Act. The cost of setting monuments shall be included in the engineer's estimate for improvements in compliance with [Section 19.70.040 \(Improvement Agreements and Security\)](#). If requested, this amount of the bond may be released upon verification of the setting of the monuments by the City Engineer.
- H. **Inspection and approval.** All monuments shall be subject to the inspection and approval of the City Engineer.

19.71.040—Survey Information on Final or Parcel Map

The following survey information shall be shown on each Final Map or Parcel Map for which a field survey was made in compliance with this Development Code.

- A. Stakes, monuments (together with their precise position) or other evidence found on the ground, to determine the boundaries of the subdivision;
- B. Corners of all adjoining properties identified by lot and block numbers, subdivision names, numbers and pages of record, or by section, township and range, or other proper designation;
- C. All information and data necessary to locate and retrace any point or line without unreasonable difficulty;

- D. The location and description of any required monuments to be set after recordation of the Final Map, and the statement that they are “to be set”;
- E. Bearing and length of each lot line, block line and boundary line and each required bearing and distance;
- F. Length, radius and angle of each curve and the bearing of each radial line to each lot corner on each curve;
- G. The centerlines of any street or alley in or adjoining the subdivision which have been established by the City Engineer, together with reference to a map showing the centerline and the monuments which determine its position. If determined by ties, that fact shall be so stated;
- H. Any other survey data or information as may be required to be shown by the City Engineer or by the provisions of this Chapter.

Development Code Administration

This Article provides information on the City’s administrative framework and procedures that relate to land use. Information on review bodies, public hearings, and appeals is included along with other provisions on administering, amending, and enforcing the Development Code.



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19.80—ADMINISTRATIVE RESPONSIBILITY

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- 19.80.010—Purpose of Chapter
- 19.80.020—Planning Agency Defined
- 19.80.030—City Planner
- 19.80.040—Project Advisory Committee
- 19.80.050—Planning Commission
- 19.80.060—Design Review Commission

19.80.010—Purpose of Chapter

This Chapter describes the authority and responsibilities of City staff and official bodies in the administration of this Development Code, in addition to the Council.

19.80.020—Planning Agency Defined

The functions of a Planning Agency shall be performed by the Sonoma City Council, Planning Commission, Design Review Commission and Department of Planning, Building and Public Works, in compliance with State law (Government Code Section 65100).

19.80.030—City Planner

- A. *Appointment.* The City Planner shall be appointed by the City Manager.
- B. *Duties and authority.* The City Planner shall:
 - 1. Have the responsibility to perform all of the functions designated by State law (Government Code Section 65103—Planning Agency Functions);
 - 2. Have the responsibility and authority to grant applications for all administrative permits and approvals issued by the Planning Division;
 - 3. Perform other responsibilities assigned by the City Council and the City Manager;
 - 4. Perform the duties and functions prescribed in this Development Code, including the review of development projects, in compliance with State law (Government Code Section 65901 et seq.), [Section 19.52.020 \(Authority for Land Use and Zoning Decisions\)](#), [Table 5-1 \(Review Authority for Planning Permits\)](#), and the California Environmental Quality Act (CEQA).

19.80.040—Project Advisory Committee

- A. *Establishment.* The Project Advisory Committee is hereby established.
- B. *Composition.* The Project Advisory Committee shall be composed of representatives of the Department of Planning and Public Works (including the City Planner, the Building Official

and the City Engineer), the Police Department, and the Fire Department; and shall also include a public member, who is not already an appointed City commissioner, representing the community-at-large and appointed by the City Council.

- C. **Duties and authority.** The Project Advisory Committee shall meet with prospective applicants, as requested, to review development proposals prior to the submittal of a formal application, in order to provide comments and suggestions on issues related to site planning, environmental impacts, public services and infrastructure, and potential conditions of approval, subject to the limitations set forth in [Section 19.52.040.A.\(Pre-application review\)](#).

19.80.050—Planning Commission

- A. **Establishment.** The Sonoma Planning Commission is established by Chapter 2.44 (Planning Commission) of the Municipal Code, which identifies the membership, terms of office, removal, rules of order, and general responsibilities.
- B. **Duties and authority.** The Commission shall perform the duties and functions prescribed in this Development Code, including:
1. The review of and determination on applications for development projects and subdivisions filed with the Planning Division as described in Articles V and VI; and
 2. The recommendation, to the Council for final determinations, on development agreements, General Plan Amendments, specific plans, Development Code Amendments, Zoning Map Amendments, environmental documents, and other applicable policy or ordinance matters related to the City's planning process.

The above listed duties and functions shall be performed in compliance with [Section 19.52.020 \(Authority for Land Use and Zoning Decisions\)](#), [Table 5-1 \(Review Authority for Planning Permits\)](#), and the California Environmental Quality Act (CEQA).

19.80.060—Design Review Commission

- A. **Establishment.** The Sonoma Design Review Commission is established by Chapter 2.60 (Design Review Commission) of the Municipal Code, which identifies the membership, terms of office, removal, rules of order, and general responsibilities.
- B. **Duties and authority.** The Design Review Commission shall perform the duties and functions prescribed in this Development Code, including:
1. The review of and determination of sign applications in accordance with Chapter 18 of the Municipal Code;
 2. The review of applications for the demolition or relocation of structures within the Historic Overlay zone and of potentially historic structures located outside of the His-

toric Overlay zone, in accordance with [Section 19.54.090 \(Demolition Permit\)](#);

3. Architectural review, in accordance with [Section 19.54.080 \(Site Design and Architectural Review\)](#).

The above listed duties and functions shall be performed in compliance with [Section 19.52.020 \(Authority for Land Use and Zoning Decisions\)](#), [Table 5-1 \(Review Authority for Planning Permits\)](#), and the California Environmental Quality Act (CEQA).

19.82—NONCONFORMING STRUCTURES, USES AND PARCELS

Sections:

19.82.010—Purpose of Chapter

19.82.020—Restrictions on Nonconforming Uses and Structures

19.82.030—Loss of Nonconforming Status

19.82.040—Nonconforming Signs

19.82.050—Nonconforming Parcels

19.82.010—Purpose of Chapter

This Chapter establishes uniform provisions for the regulation of nonconforming land uses, structures, and parcels. Within the zoning districts established by this Development Code, there exist land uses, structures, and parcels that were lawful before the adoption, or amendment of this Development Code, but are prohibited, regulated, or restricted differently under the terms of this Development Code or future amendments. It is the intent of this Development Code to discourage the long-term continuance of these nonconformities, but to permit them to exist under limited conditions.

19.82.020—Restrictions on Nonconforming Uses and Structures

Nonconformities may be continued subject to the following provisions, except as otherwise provided by [Section 19.82.030 \(Loss of Nonconforming Status\)](#).

- A. **Nonconforming uses of land.** A nonconforming use of land, or within a structure, may be continued, transferred, or sold, provided that:
 1. The use shall not be enlarged, increased, or extended to occupy a greater floor area or portion of the site than it lawfully occupied before becoming a nonconforming use, except as otherwise provided by Subsection C., below; and
 2. Additional uses on the site shall not be allowed unless the nonconforming use is first discontinued, and any replacement use complies with all applicable provisions of this Development Code.
- B. **Nonconforming structures.** A nonconforming structure may continue to be used as follows.
 1. **Changes to structure.** The enlargement, extension, reconstruction, or structural alteration of a structure that is nonconforming only as to height and setback regulations, may be allowed with Conditional Use Permit approval if:
 - a. The additions or improvements conform to all other applicable provisions of this Development Code;
 - b. The exterior limits of new construction do not exceed the applicable height limit or encroach any further into

- the setbacks than the comparable portions of the existing structure;
 - c. Changes involving the replacement/reconstruction do not include the replacement of more than 50 percent of the original floor area, or more than 50 percent of the total length of all exterior walls of the original structure; and
 - d. The enlargement of the structure will not accommodate the expansion or enlargement of a nonconforming use of land.
 - 2. **Maintenance and repair.** A nonconforming structure may undergo normal maintenance and repairs, provided no structural alterations are made (exception: see Subsection B.3, following), and the work does not exceed 50 percent of the assessed value of the structure in any one year period, unless the Commission allows more extensive work through Conditional Use Permit approval.
 - 3. **Seismic retrofitting/Building Code compliance.** Repairs or alterations otherwise required by law shall be allowed in the following circumstances:
 - a. Unreinforced masonry structures. Reconstruction required to reinforce unreinforced masonry structures shall be permitted without cost limitations, provided the retrofitting is limited exclusively to compliance with earthquake safety standards; and
 - b. Building Code requirements. Reconstruction required to comply with Building Code requirements shall be allowed without cost limitations, provided the retrofitting/Code compliance is limited exclusively to compliance with earthquake safety standards, as identified in Subsection B.3.a, above and other applicable Building Code requirements, including State law (e.g., Title 24, California Code of Regulations, etc.).
 - 4. **Site Plan and Architectural Review required.** Any alteration which exceeds 1,000 square feet in gross floor area shall require Site Plan and Architectural Review, in compliance with [Section 19.54.080](#).
- C. **Nonconforming use of a conforming structure.** The nonconforming use of a structure that otherwise conforms with all applicable provisions of this Development Code may be continued, transferred, and sold, as follows:
 - 1. **Expansion of use.** The nonconforming use of a portion of a structure may be extended throughout the structure, subject to Use Permit approval ([Section 19.54.040](#)).
 - 2. **Substitution of use.** The nonconforming use of a conforming structure may be changed to another nonconforming use of the same or less intensive/more restricted nature.

However, the replacement use shall serve as the “new bench mark” in terms of establishing the acceptable level of non-compliance.

- D. *Destroyed structure.*** The reconstruction, restoration, and reuse of a nonconforming structure verified to have been involuntarily damaged by fire or calamity to the extent of more than 50 percent of the appraised value of the structure as determined by a qualified appraiser, may be allowed, provided the reconstruction, restoration, and reuse:
1. Shall occur within one year after the date of the damage/destruction;
 2. Has no greater floor area than the one damaged/destroyed; and
 3. A single-family dwelling may be rebuilt on its original foundation, to its original footprint, by only the owner at that time of destruction, within a period of one year from the time of destruction, regardless of the extent/percentage of destruction.

19.82.030—Loss of Nonconforming Status

If a nonconforming use of land or a nonconforming use of a conforming structure is discontinued for a continuous period of one year, it shall be concluded that the use has been abandoned. Without further action by the City, further use of the site or structure shall comply with all the regulations of the applicable zoning district and all other applicable provisions of this Development Code.

19.82.040—Nonconforming Signs

Requirements for nonconforming signs are addressed in Title 18 (Sign Ordinance).

19.82.050—Nonconforming Parcels

- A. *Determination of nonconforming status.*** A nonconforming parcel of record that does not comply with the access, area, or width requirements of this Development Code for the zoning district in which it is located, shall be considered to be a legal building site if it meets one of the criteria specified by this Section. It shall be the responsibility of the applicant to produce sufficient evidence to establish the applicability of one or more of the following.
1. **Approved subdivision.** The parcel was created through a subdivision approved by the City or the County of Sonoma.
 2. **Individual parcel legally created by deed.** The parcel is under one ownership and of record, and was legally created by a recorded deed before the effective date of the zoning amendment that made the parcel nonconforming.

3. **Variance or lot line adjustment.** The parcel was approved through the Variance procedure ([Section 19.54.060](#)) or resulted from a lot line adjustment.
 4. **Partial government acquisition.** The parcel was created in conformity with the provisions of this Development Code, but was made nonconforming when a portion of the parcel was acquired by a governmental entity so that the parcel size was decreased not more than 20 percent and the yard facing any road was decreased not more than 50 percent.
- B. **Limitations on the use of nonconforming parcels.** Nonconforming parcels shall be developed and used only as follows.
1. **Use of contiguous parcels.** Until such time as contiguous nonconforming parcels are merged, no structure shall be constructed on any nonconforming contiguously owned, residentially-zoned parcels that are less than 30 feet wide, or less than 5,000 square feet in area, or on slopes more than 20 percent, if the current owner(s) acquired or were transferred the parcels after October 12, 1976.
 2. **Further subdivision prohibited.** Where structures have been erected on a nonconforming parcel, the area where structures are located shall not be later subdivided, nor shall lot lines be altered through lot line adjustment, so as to reduce the building site area and/or frontage below the requirements of the applicable zoning district or other applicable provisions of this Development Code, or in any way that makes the use of the parcel more nonconforming.

19.84—APPEALS

Sections:

19.84.010—Purpose of Chapter

19.84.020—Appeal Subjects and Jurisdiction

19.84.030—Filing of Appeals

19.84.040—Processing of Appeals

19.84.010—Purpose of Chapter

Determinations or actions of the City Planner and City Commissions may be appealed as provided by this Chapter.

19.84.020—Appeal Subjects and Jurisdiction

Determinations and actions that may be appealed, and the authority to act upon an appeal shall be as follows.

- A. **Code administration and interpretation.** The following determinations and actions of the City Planner and Department staff may be appealed to the Planning Commission or the Design Review Commission, as applicable, and then to the Council:
 1. Determinations on the meaning or applicability of the provisions of this Development Code that are believed to be in error, and cannot be resolved with staff;
 2. Any determination that a permit application or information submitted with the application is incomplete, in compliance with State law (Government Code Section 65943); and
 3. Any enforcement action in compliance with [Chapter 19.90 \(Enforcement of Development Code Provisions\)](#).
- B. **Land use permit and hearing decisions.** Decisions of the City Planner on Zoning Clearances may be appealed to the Planning Commission or the Design Review Commission, as applicable. Decisions by a Commission may be appealed to the Council.

19.84.030—Filing of Appeals

- A. **Eligibility.** An appeal may be filed by:
 1. Any person affected by an administrative determination or action by the City Planner, as described in Section 19.84.020.A, above;
 2. In the case of a land use permit or hearing decision described in Section 19.84.020.B, above by anyone who, in person or through a representative, appeared at a public hearing in connection with the decision being appealed, or who otherwise informed the City in writing of the nature of their concerns before the hearing.
 3. Except as otherwise provided by law or ordinance of this City, any member of the City Council may, at his/her discretion, appeal any final decision of any City Commission

board or official, to the City Council. If an appeal is made by a Council member, there shall be a presumption applied that the reason for the appeal is because the appealed decision or interpretation has significant and material effects on the quality of life within the City of Sonoma. No inference of bias shall be made because of the appeal and no other reason need be stated by the Council person in his/her notice of appeal.

Appeals made according to this subsection shall not be subject to any fees.

- B. *Timing and form of appeal.*** All appeals shall be submitted in writing on a City application form, and shall specifically state the pertinent facts of the case and the basis for the appeal. Appeals shall be filed in the office of the City Clerk within 15 days following the final date of the determination or action being appealed.
- C. *Fee.*** Appeals shall be accompanied by the filing fee set by the City Council's Fee Resolution, except as provided for in Subsection A.3, above.
- D. *Scope of land use permit appeals.*** An appeal of a decision by the City Planner or Commission on a land use permit shall be limited to issues raised at the public hearing, or in writing before the hearing, or information that was not known at the time of the decision that is being appealed.
- E. *Effect of filing an appeal.*** The filing of a valid appeal shall have the effect of staying the issuance of any permit until such time as the matter on appeal is resolved.

19.84.040—Processing of Appeals

- A. *Scheduling of hearing.*** After an appeal has been received in compliance with the procedures listed in [Section 19.84.030. B. \(Timing and form of appeal\)](#), above, the appeal shall be transmitted to the City Planner who shall place the item on the next available Commission agenda, or the City Clerk shall schedule the matter for the next available Council agenda, as applicable to the appeal.
- B. *Report.*** After the appeal hearing has been scheduled, the City Planner shall prepare a report on the matter, and forward the report to the appropriate appeal body.
- C. *Joining an appeal.*** Only those persons who file an appeal within the 15-day appeal period in compliance with [Section 19.84.030. A. \(Eligibility\)](#)., above, shall be considered the appellants of the subject permit. Any person who wishes to join an appeal shall follow the same procedures for an appellant in compliance with Subsection A., above. No person shall be allowed to join an appeal after the end of the 15-day appeal period.
- D. *Action and findings.***

1. **General procedure.** The appeal body shall conduct a public hearing in compliance with [Chapter 19.88 \(Public Hearings\)](#). At the hearing, the appeal body may consider any issue involving the matter that is the subject of the appeal, in addition to the specific grounds for the appeal.
 - a. The appeal body may affirm, affirm in part, or reverse the action, decision, or determination that is the subject of the appeal, based upon findings of fact about the particular case. The findings shall identify the reasons for the action on the appeal and verify the compliance or non-compliance of the subject of the appeal with the provisions of this Development Code.
 - b. When reviewing a decision on a land use permit, the appeal body may adopt additional conditions of approval that may address other issues or concerns than the subject of the appeal.
 2. **Appeals to the City Council.**
 - a. By an appellant. A decision by a Commission may be appealed to the City Council as provided by [Section 19.84.030 \(Filing of Appeals\)](#), above.
 - b. Council's decision is final. The decision of the Council on an appeal shall be final.
 - c. Tie vote. A tie vote by the City Council with regard to an appeal shall result in the affirmation of the decision of the body whose decision was appealed.
- E. Effective date of appeal decision.* A decision by the Commission is effective on the 16th day after the decision, when no appeal to the decision has been filed with the Council. A decision by the Council is effective as of the date of the decision. A final decision by the City Council with regard to an appeal shall take the form of a Resolution.

19.86—GENERAL PLAN AND DEVELOPMENT CODE/ZONING MAP AMENDMENTS

Sections:

- 19.86.010—Purpose of Chapter
- 19.86.020—Applicability
- 19.86.040—Initiation of Amendments
- 19.86.040—Hearings and Notice
- 19.86.050—Planning Commission Action on Amendments
- 19.86.060—City Council Action on Amendments
- 19.86.070—Findings
- 19.86.080—Rezoning

19.86.010—Purpose of Chapter

The following provisions allow for the amendment of the General Plan, this Development Code, or the official Zoning Map whenever required by public necessity and general welfare.

19.86.020—Applicability

A General Plan Amendment may include revisions to text, goals, policies, actions, or land use designations. Amendments to this Development Code may modify any standards, requirements, or procedures applicable to the subdivision, development, and/or use of property within the City. Zoning Map amendments have the effect of rezoning property from one zoning district to another.

19.86.040—Initiation of Amendments

An amendment to the General Plan or this Development Code shall be initiated in compliance with this Section.

- A. *Who may initiate an amendment.* An amendment may be initiated by:
 - 1. The filing with the Planning Commission of a resolution of intention by the City Council;
 - 2. The passage of a resolution of intention by the Planning Commission; or
 - 3. The filing with the Planning Commission of a petition or application by the record owners of property which is the subject of a proposed amendment or by their authorized agents.
- B. *Application requirements.* An application for amendment shall be on the forms and accompanied by all information required by the City, and shall also be accompanied by the filing fee established by the City's Fee Resolution.

19.86.040—Hearings and Notice

Upon receipt of a complete application to amend the General Plan, this Development Code, or the Zoning Map, or upon initiation by

the City Planner, Planning Commission, or City Council, and following Department review, public hearings shall be set before the Commission and Council. Notice of the hearings shall be given in compliance with [Chapter 19.88 \(Public Hearings\)](#).

19.86.050—Planning Commission Action on Amendments

The Planning Commission shall make a written recommendation to the Council whether to approve, approve in modified form, or disapprove the proposed amendment, based upon the findings contained in Section 19.86.070 (Findings).

19.86.060—City Council Action on Amendments

Upon receipt of the Planning Commission's recommendation, the City Council shall, approve, approve in modified form, or disapprove the proposed amendment based upon the findings in Section 19.86.070 (Findings), below.

If the Council proposes to adopt any substantial modification(s) to the amendment not previously considered by the Commission during its hearings, the proposed modification shall be first referred back to the Commission for its recommendation. Failure of the Commission to report back to the Council within 45 days after the referral, or within any longer time set by the Council, shall be deemed a recommendation for approval of the modification(s).

19.86.070—Findings

A. Findings for General Plan amendments. An amendment to the General Plan may be approved only if all of the following findings of fact can be made in a positive manner:

1. The proposed amendment is internally consistent with the General Plan;
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;
3. The site is physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested/ anticipated land use development(s); and
4. The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).

B. Findings for Development Code/Map amendments. An amendment to the text of this Development Code or the Official Zoning Map may be approved only if all of the following findings of fact can be made in a positive manner, as applicable to the type of amendment.

1. **Findings required for all Development Code/ Map amendments:**
 - a. The proposed amendment is consistent with the goals, policies, and actions of the General Plan;

- b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
 - c. The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).
- 2. **Additional finding for Development Code amendments:** The proposed amendment is internally consistent with other applicable provisions of this Development Code.
 - 3. **Additional finding for Zoning Map amendments:** The site is physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land use(s)/development(s).

19.86.080—Prezoning

- A. **Purpose.** An unincorporated property within the City's sphere of influence may be prezoned for the purpose of determining the zoning that will apply to the property in the event of subsequent annexation to the City. The initiation and the procedures for the prezoning shall be the same procedures which govern the rezoning of property within the City.

Upon the effective date of annexation of property which has been prezoned in compliance with this Section, the zoning designation shall become the official zoning designation for the property and shall be so designated on the City's Official Zoning Map.

- B. **Planning Commission action on prezoning.** The Planning Commission shall make a written recommendation to the City Council whether to approve, approve in modified form, or disapprove the proposed prezoning, based on the findings contained in 19.86.080.D (Findings for prezoning).
- C. **City Council action on prezoning.** Upon receipt of the Planning Commission's recommendation, the City Council shall approve, approve in modified form or disapprove the proposed prezoning based on the findings contained in 19.86.080.D (Findings for prezoning), below.

If the Council proposes to adopt any substantial modification(s) to the prezoning not previously considered by the Commission during its hearings, the proposed modification(s) may be first referred back to the Commission for its recommendation, in compliance with State law (Government Code Section 65857) and [Section 19.86.060 \(City Council Action on Amendments\)](#), above.

- D. **Findings for prezoning.** A prezoning may be approved only if all of the following findings of fact can be made in a positive manner:

1. The proposed rezoning is consistent with the land use designation of the General Plan, as well as applicable General Plan goals and policies;
2. The proposed rezoning would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
3. The site is physically suitable (including access, provision of utilities, compatibility with adjoining land uses and absence of physical constraints) for the requested/ anticipated land use(s)/development(s).
4. That the rezoning and proposed annexation represent a logical extension of City Boundaries;
5. That essential public utilities (sewer, water, storm drainage, etc.) are in the vicinity and can be extended to the area to be annexed;
6. That all applicable public services have the capacity to serve the area being annexed.

19.88—PUBLIC HEARINGS

Sections:

- 19.88.010—Purpose of Chapter
- 19.88.020—Notice of Hearing
- 19.88.050—Scheduling of Hearing
- 19.88.060—Hearing Procedure
- 19.88.070—Recommendation by Commission
- 19.88.080—Decision and Notice
- 19.88.090—Effective Date of Decision

19.88.010—Purpose of Chapter

This Chapter provides procedures for public hearings before the Commission and Council. When a public hearing is required by this Development Code, public notice shall be given and the hearing shall be conducted as provided by this Chapter.

19.88.020—Notice of Hearing

When a land use permit, or other matter requires a public hearing, the public shall be provided notice of the hearing in compliance with State law (Government Code Sections 65090 et. seq.), and as required by this Chapter.

- A. **Contents of notice.** Notice of a public hearing shall include:
1. **Hearing information.** The date, time, and place of the hearing and the name of the hearing body; and the phone number and street address of the Planning Division, where an interested person could call or visit to obtain additional information;
 2. **Project information.** The name of the applicant; a general explanation of the matter to be considered; a general description, in text and/or by diagram, of the location of the property that is the subject of the hearing; and, any proposed CEQA determination;
- B. **Minimum method of notice distribution.** Notice of a public hearing required by this Chapter for a land use permit, amendment, or appeal shall be given as follows, as required by State law (Government Code Sections 65090 and 65091), by all of the following methods:
1. **Publication.** Notice published at least once in a newspaper of general circulation in the City at least 20 days before the hearing, with an additional publication thereafter.
 2. **Mailing.** Notice mailed or delivered at least 20 days before the hearing to the following:
 - a. Owner(s) of proposed site. The owner(s) of the property being considered in the application, or the owner's agent, and the applicant;

- b. Local agencies. Each local agency expected to provide schools, water, or other essential facilities or services to the project, whose ability to provide the facilities and services may be significantly affected;
 - c. Affected owners. All owners of real property as shown on the latest Sonoma County equalized assessment roll, within a radius of 500 feet of the exterior boundaries of the parcel that is the subject of the hearing; and any other person whose property might, in the judgement of the City Planner, be affected by the proposed project;
 - d. Persons requesting notice. Any person who has filed a written request for notice with the City Planner and has paid the required fee for the notice.
- 3. **Posting.** Notice posted in at least four public places within the boundaries of the local agency, including one public place on the site (if applicable) directly affected by the proceeding and including the notice board at City Hall.
- C. **Additional notice to tenants.** The City Planner shall endeavor to provide mailed notice to commercial and residential tenants within 500 feet of the exterior boundaries of the parcel that is the subject of the hearing at least 20 days before the hearing.
- D. **Alternative to mailing.** If the number of property owners to whom notice would be mailed in compliance with Subsection B.2 above is more than 1,000, the City Planner may choose to provide the alternative notice allowed by State law (Government Code Section 65091(a)(3)).
- E. **Large project posting.** In addition to the types of notice required above, posting shall be required for specified projects, as follows:
 - 1. **Applicable projects.** Provisions for a large project posting shall apply to the following types of projects:
 - a. Applications for residential development that would result in five or more new units or parcels;
 - b. Applications for commercial or mixed use development that would result in the creation of 2,500 square feet or more of new commercial building area.
 - 2. **Size and placement.** A large project posting shall consist of a minimum 24-inch by 36-inch sign board, securely mounted on posts with a minimum clearance of three feet, placed on the property that is the subject of the application. The posting shall be placed so that it is clearly visible and readable from a public right-of-way.
 - 3. **Content.** Information provided on the posting shall include the following: the name of the applicant; a general description of the application; the property address; a telephone number for a project contact; and the phone number and street address of the Planning Division, where an

interested person could call or visit to obtain additional information. In addition, the words “Proposed Development Project” shall appear at the top of the sign, with a minimum letter height of three inches.

4. **Maintenance on property.** The placement of a large project posting consistent with the provisions of this section shall be considered an application submittal requirement. The posting shall occur upon submittal of an application for a planning or subdivision permit and the posting shall be maintained in good order until such time as the application has been decided.
 5. **Responsibility of applicant.** The fabrication, placement and maintenance of a large project posting shall be the sole responsibility of the project applicant.
- F. Applications for drive-through facilities.* Whenever a hearing is held on a permit for a new drive-through facility or the modification of an existing drive-through facility, the City shall incorporate, where necessary, notice procedures for the blind, aged and disabled communities in order to facilitate their participation in any hearing on, or appeal of the denial of, the permit application.
- G. Additional notice.* In addition to the types of notice required above, the City Planner may provide any additional notice with content or using a distribution method as the City Planner determines is necessary or desirable.
- H. Resolution of conflicting requirements.* In situations where noticing requirements established by the State or Federal government require public notice in a manner that conflicts with the provisions of this section, the applicable State or Federal requirements shall prevail.

19.88.050—Scheduling of Hearing

After the completion of any environmental documents required by the California Environmental Quality Act (CEQA) and a Department staff report, the matter shall be scheduled for public hearing on the next available Commission or Council agenda (as applicable), but no sooner than 20 days after the posting of a proposed Negative Declaration.

19.88.060—Hearing Procedure

Hearings shall be held at the date, time, and place described in the public notice required by this Chapter. Any hearing may be continued from time to time, provided that before the adjournment or recess of the hearing, a public announcement is made specifying the date, time, and place to which the hearing will be continued.

19.88.070—Recommendation by Commission

At the conclusion of any public hearing on a proposed amendment to the General Plan, this Development Code, or the Zoning Map, the

Commission shall forward a recommendation, including all required findings, to the Council for final action.

Following the hearing, a copy of the Commission's recommendation shall be mailed to the applicant at the address shown on the application.

19.88.080—Decision and Notice

- A. *Decision.* The hearing body (Commission or Council, as applicable) may announce and record their decision on the matter being considered at the conclusion of a scheduled hearing, or defer action and continue the matter to a later meeting agenda in compliance with [Section 19.88.060 \(Hearing Procedure\)](#). The decision of the Council on any matter is final.
- B. *Notice of decision.* The notice of decision shall contain applicable findings, any conditions of approval, and reporting/monitoring requirements deemed necessary to mitigate any impacts and protect the public convenience, health, interest, safety, or general welfare of the City. Following the hearing and decision, a notice of the decision and any conditions of approval shall be provided.

19.88.090—Effective Date of Decision

The decision of the City Planner or Commission is final and effective on the 15th day following the decision unless an appeal is filed in compliance with [Chapter 19.84 \(Appeals\)](#). The decision of the City Council is effective upon the adoption by the Council of a resolution implementing its decision.

19.90—ENFORCEMENT OF DEVELOPMENT CODE PROVISIONS

Sections:

- 19.90.010—Purpose of Chapter
- 19.90.020—Building Permits and Business Licenses
- 19.90.030—Official Duty to Enforce
- 19.90.040—Violations
- 19.90.050—Remedies are Cumulative
- 19.90.060—Inspection
- 19.90.070—Initial Enforcement Action
- 19.90.080—Legal Remedies
- 19.90.090—Permit Revocation or Modification
- 19.90.100—Recovery of Costs
- 19.90.110—Additional Permit Processing Fees

19.90.010—Purpose of Chapter

The provisions of this Chapter are intended to ensure compliance with the requirements of this Development Code and any conditions of land use permit or subdivision approval, to promote the City's planning efforts and for the protection of the public health, safety, and welfare.

19.90.020—Building Permits and Business Licenses

- A. **Compliance.** All departments, officials, and public employees of the City which are vested with the authority or duty to issue permits or licenses shall comply with the provisions of this Development Code.
- B. **Permits or licenses in conflict with code.** Permits or licenses for uses or structures that would be in conflict with the provisions of this Development Code shall not be issued.
- C. **Permits or licenses deemed void.** Any permit or license issued in conflict with the provisions of this Development Code shall be deemed void.

19.90.030—Official Duty to Enforce

- A. **City Planner.** It shall be the duty of the City Planner to enforce the provisions of the Development Code and any use of land or structures and the addition, alteration, construction, erection, moving, or reconstruction of or to any structure.
- B. **Police Department.** During non-office hours, it shall be the responsibility of the Police Department to monitor and enforce the provisions of this Development Code.

19.90.040—Violations

Any structure constructed or maintained contrary to the provisions of the Development Code and any use of land or structures operated

or maintained contrary to the provisions of this Development Code is hereby declared to be a public nuisance(s).

- A. **Public nuisance.** Any structure or use which is altered, constructed, converted, enlarged, established, erected, maintained, moved, or operated, contrary to the provisions of this Development Code or any applicable condition of approval imposed on a permit, is hereby declared to be unlawful and a public nuisance, and shall be subject to the remedies and penalties identified in this Chapter and Chapter 1.12 (General Penalty) of the Municipal Code.
- B. **Misdemeanor.** Except where otherwise provided by this Development Code, any person, partnership, firm, or corporation, whether as principal, agent, employee, or otherwise, violating or failing to comply with any provision(s) of this Development Code or any condition imposed on any development permit, map, or license, shall be guilty of a misdemeanor.
- C. **Stop Work Order.** Any construction in violation of this Development Code or any condition(s) imposed on a permit shall be subject to the issuance of a “Stop Work Order.” Any violation of a Stop Work Order shall constitute a misdemeanor.

19.90.050—Remedies are Cumulative

All remedies contained in this Development Code for the handling of violations or enforcement of the provisions of this Development Code shall be cumulative and not exclusive of any other applicable provisions of City, County, or State law. Should a person be found guilty and convicted of a misdemeanor for the violation of any provision of this Development Code, the conviction shall not prevent the City from pursuing any other available remedy to correct the violation(s).

19.90.060—Inspection

Every applicant seeking a permit or any other action in compliance with this Development Code shall allow the City officials handling the application access to any premises or property which is the subject of the application (Government Code Section 65105). If the permit or other action in compliance with this Development Code is approved, the owner or applicant shall allow appropriate City officials access to the premises in order to determine continued compliance with the approved permit and/or any conditions of approval imposed on the permit.

19.90.070—Initial Enforcement Action

This Section describes the procedures for initiating enforcement action in cases where the City Planner has determined that real property within the City is being used, maintained, or allowed to exist in violation of the provisions of this Development Code. It is the objective of these provisions to encourage the voluntary cooperation of responsible parties in the prompt correction of violations, so that the

other enforcement measures provided by this Chapter may be avoided.

- A. **Notice to responsible parties.** The City Planner shall provide the record owner of the subject site and any person in possession or control of the site with a written Notice of Violation, which shall include the following information:
1. A time limit for correcting the violation in compliance with Subsection B, below;
 2. A statement that the City intends to charge the property owner for all administrative costs associated with the abatement of the violation(s) in compliance with [Section 19.90.100 \(Recovery of Costs\)](#), and/or initiate legal action as described in Section 19.90.080 (Legal Remedies);
 3. A statement that the property owner may request and be provided a meeting with the City Planner to discuss possible methods and time limits for the correction of the violations.
- B. **Time limit for correction.** The Notice of Violation shall state that the violation shall be corrected within 30 days from the date of the notice to avoid further enforcement action by the City, unless the responsible party contacts the City Planner within that time to arrange for a longer period for correction. The 30-day time limit may be extended by the City Planner upon determining that the responsible party will likely correct the violation within a reasonable time. The City Planner may also require through the Notice that correction occur within less than 30 days if the City Planner determines that the violation constitutes a hazard to public health or safety.
- C. **Use of other enforcement procedures.** The enforcement procedures of Section 19.90.080 (Legal Remedies) may be employed by the City Planner after or instead of the provisions of this Section where the City Planner determines that this Section would be ineffective in securing the correction of the violation within a reasonable time.

19.90.080—Legal Remedies

The City may choose to undertake any of the following legal actions to correct and/or abate nuisances or violations of this Development Code.

- A. **Civil actions.**
1. **Injunction.** The City Attorney or the City Prosecutor, upon order of the Council, may apply to the Superior Court of Sonoma County for injunctive relief to terminate a violation of this Development Code.
 2. **Abatement proceedings.** Where any person, firm, or corporation fails to abate a violation after being provided a Notice of Violation in compliance with Subsection 19.90.070.A., above and the opportunity to correct or end

the violation, the City Attorney, upon order of the Council, shall apply to the Superior Court of Sonoma County for an order authorizing the City to undertake actions necessary to abate the violation and require the violator to pay for the cost of the actions.

3. **Nuisance abatement.** The City may pursue nuisance abatement in compliance with Chapter 14.30 of the Municipal Code (Nuisances).

B. *Civil remedies and penalties.*

1. **Civil penalties.** Any person who willfully violates the provisions of this Development Code or any permit issued in compliance with this Development Code, shall be liable for a civil penalty in compliance with the Council's Fee Resolution for each day that the violation continues to exist.
2. **Costs and damages.** Any person violating any provisions of this Development Code or any permit issued in compliance with this Development Code, shall be liable to the City for the costs incurred and the damages suffered by the City, its agents, and agencies as a direct result of the violations.
3. **Procedure.** In determining the amount of the civil penalty to impose where no fee has been established, the Court should consider all relevant circumstances, including the extent of the harm caused by the conduct constituting a violation, the nature and persistence of the conduct, the length of time over which the conduct occurred, the assets, liabilities, and net worth of the defendant, whether corporate or individual, and any corrective action taken by defendant.

C. *Criminal actions and penalties.*

1. **Misdemeanor.** Any person, whether as agent, principal, or otherwise, violating or causing the violation of any of the provisions of this Development Code shall be guilty of a misdemeanor and upon conviction, shall be punishable by:
 - a. **Fine.** A fine of not more than \$1,000.00; or
 - b. **Imprisonment.** Imprisonment in the County jail for up to six months; or
 - c. **Both fine and imprisonment.**
2. **Separate offense.** Any violation of this Development Code which is committed and continues from day-to-day constitutes a separate offense for each and every day during which the violation is committed or continued.
3. **Prosecution.** Criminal prosecutions shall make use of the procedures set forth in Section 1.12.010 of the Municipal Code (General Penalty).

19.90.090—Permit Revocation or Modification

The review authority shall hold a public hearing in order to revoke or modify any permit granted in compliance with the provisions of this Development Code. Ten days before the public hearing, notice shall be delivered in writing to the applicant and/or owner of the property for which the permit was granted. Notice shall be deemed delivered two days after being mailed, first class postage paid, to the owner as shown on the current tax rolls of the City of Sonoma, and/or the project applicant.

- A. *Permit revocation or modification.*** A permit may be revoked or modified by the review authority if any one of the following findings of fact can be made in a positive manner:
1. That circumstances have changed so that one or more of the findings contained in [Section 19.54.030.H. \(Temporary Use Permits—Findings, decision\)](#) or [Section 19.54.040.E. \(Use Permits—Findings, decision\)](#) can no longer be made;
 2. That the permit was obtained by misrepresentation or fraud;
 3. That one or more of the conditions of the permit have not been met;
 4. That the improvement authorized in compliance with the permit is in violation of any statute, ordinance, law, or regulation; or
 5. That the improvement authorized in compliance with the permit is detrimental to the public health, safety, or welfare or constitutes a nuisance.
- B. *Variance revocation or modification.*** A Variance may be revoked or modified by the review authority if any one of the following findings of fact can be made in a positive manner, in addition to those outlined in Subsection A., above:
1. That circumstances have changed so that one or more of the findings contained in [Section 19.54.060.E. \(Variances—Findings, decision\)](#) can no longer be made, and the grantee has not substantially exercised the rights granted by the Variance; or
 2. That one or more of the conditions of the Variance have not been met, and the grantee has not substantially exercised the rights granted by the Variance.

19.90.100—Recovery of Costs

This Section establishes procedures for the recovery of administrative costs, including staff and City Attorney time expended on the enforcement of the provisions of this Development Code in cases where no permit is required in order to correct a violation. The intent of this Section is to recover City administrative costs reasonably related to enforcement.

- A. **Record of costs.** The Department shall maintain records of all administrative costs, incurred by responsible City departments, associated with the processing of violations and enforcement of this Development Code, and shall recover the costs from the property owner in compliance with this Section. Staff time shall be calculated at an hourly rate as established and revised from time to time by the Council.
- B. **Notice.** Upon investigation and a determination that a violation of any of the provisions of this Development Code is found to exist, the City Planner shall notify the record owner or any person having possession or control of the property by mail, of the existence of the violation, the Department's intent to charge the property owner for all administrative costs associated with enforcement, and of the owner's right to a hearing on any objections they may have. The notice shall be in a form approved by the City Attorney.
- C. **Summary of costs and notice.**
 - 1. At the conclusion of the case, the City Planner shall send a summary of costs associated with enforcement to the owner and/or person having possession or control of the property by certified mail.
 - 2. The summary shall include a notice in a form approved by the City Attorney, advising the responsible party of their right to request a hearing on the charges for City cost recovery within 10 days of the date of the notice, and that if no request for hearing is filed, the responsible party will be liable for the charges.
 - 3. In the event that no request for hearing is timely filed or, after a hearing the City Planner affirms the validity of the costs, the property owner or person in control shall be liable to the City in the amount stated in the summary or any lesser amount as determined by the City Planner.
 - 4. The costs shall be recoverable in a civil action in the name of the City, in any court of competent jurisdiction.
- D. **Request for hearing on costs.** Any property owner, or other person having possession and control of the subject property, who receives a summary of costs shall have the right to a hearing before the City Planner on their objections to the proposed costs.
 - 1. A request for hearing shall be filed with the Department within 10 days of the service by mail of the Department's summary of costs, on a form provided by the Department.
 - 2. Within 30 days of the filing of the request, and on 10 days written notice to the owner, the City Planner shall hold a hearing on the owner's objections, and determine their validity.

3. In determining the validity of the costs, the City Planner shall consider the circumstances of the case. Factors to be considered include: whether the present owner created the violation; whether there is a present ability to correct the violation; whether the owner moved promptly to correct the violation; the degree of cooperation provided by the owner; and whether reasonable minds can differ as to whether a violation exists.
4. The City Planner's decision shall be appealable to the Council as provided by [Chapter 19.84 \(Appeals\)](#).

19.90.110—Additional Permit Processing Fees

Any person who establishes a land use, or alters, constructs, enlarges, erects, maintains, or moves any structure without first obtaining any permit required by this Development Code, shall pay the additional permit processing fees established by the Council's Fee Resolution for the correction of the violations, before being granted a permit for a use or structure on the site.

ARTICLE VIII
Definitions

This Article contains definitions of the specialized and technical terms and phrases used in the Development Code, as well as definitions of each type of land use allowed in the various zoning districts by Article II (Community Design).

■ ■ ■

19.92—DEFINITIONS

Sections:

[19.92.010—Purpose of Article](#)

[19.92.020—Definitions of Specialized Terms and Phrases](#)

19.92.010—Purpose of Article

This Article provides definitions of terms and phrases used in this Development Code that are technical or specialized, or that may not reflect common usage. If any of the definitions in this Article conflict with definitions in other provisions of the Municipal Code, these definitions shall control for the purposes of this Development Code. If a word is not defined in this Article, or in other provisions of the City of Sonoma Code, the most common dictionary definition is presumed to be correct.

19.92.020—Definitions of Specialized Terms and Phrases

As used in this Development Code, the following terms and phrases shall have the meaning ascribed to them in this Section, unless the context in which they are used clearly requires otherwise.

A. *Definitions, “A.”*

Adult Business. Any business operated at a fixed location by whatever name, which specializes in sales, services or showings that appeal to prurient interests, sexual appetites, fantasies and curiosities, including but not limited to: the sale of sexually-oriented and adult-restricted books, magazines, videotapes and other devices; the showing of sexually-oriented and adult restricted movies and videos; and, the live performance of actual, simulated or suggested sexual activities.

Accessory Retail Uses. The retail sales of various products (including food service) in a store or similar facility that is located within a health care, hotel, office, or industrial complex. These uses include pharmacies, gift shops, and food service establishments within hospitals; convenience stores and food service establishments within hotel, office and industrial complexes.

Accessory Structure. A structure that is physically detached from, secondary and incidental to, and commonly associated with the primary structure. For the purposes of this Development Code, accessory structures and uses include: detached garages, greenhouses, artist's studios, and workshops; hot tubs, jacuzzis, spas, and swimming pools, together with any enclosures; and any other open air enclosures, including gazebos and detached patio covers.

Accessory Use. A use customarily incidental to, related and clearly subordinate to a principal use established on the same parcel, which does not alter the principal use nor serve property other than the parcel where the principal use is located.

Agent. A person authorized in writing by the property owner to represent and act for a property owner in contacts with City employees, committees, Commissions, and the Council, regarding matters regulated by this Development Code.

Alley. A public or private roadway, generally not more than 30 feet wide that provides vehicle access to the rear or side of parcels having other public street frontage, that is not intended for general traffic circulation.

Allowed Use. A use of land identified by [Chapter 19.10 \(Zones and Allowable Uses\)](#) as a permitted or conditional use that may be established with land use permit and, where applicable, site plan and site plan and design review and/or Building Permit approval, subject to compliance with all applicable provisions of this Development Code.

Alteration. Any construction or physical change in the internal arrangement of rooms or the supporting members of a structure, or a change in the external appearance of any structure, not including painting.

Animal Keeping. The keeping of animals and/or poultry, other than household pets, as defined and regulated under Chapter 8.08 of the Sonoma Municipal Code.

Apartment. See “[Multi-Family Dwellings](#).”

Approval. Includes both approval and approval with conditions.

Area, Net. The portion of a parcel which is:

1. Not subject to any easement or included as a proposed public or private facility, such as an alley, highway, street, or other necessary public site within a proposed development project; or
2. Subject to an easement where the owner of the underlying fee has the right to use the entire surface except the portion where the owner of the easement may place utility poles or minor utility structures.

Except as provided above, portions of a parcel to a highway easement or any other private or public easement shall not be counted as part of the net area.

Art, Antique, Collectible and Gift Sales. Retail sales uses including antique shops, art galleries, curio, gift, and souvenir shops, and the sales of collectible items including sports cards and comic books. Stores selling handcrafted items that are produced on the site are instead defined as “Artisan Shops.”

Artisans/Craft Product Manufacturing. Establishments manufacturing and/or assembling small products primarily by hand, including jewelry, pottery and other ceramics, as well as small glass and metal art and craft products.

Artisan Shops. Retail stores selling art glass, ceramics, jewelry, and other handcrafted items, where the facility includes an area for the crafting of the items being sold.

Attic. The area located between the uppermost plate and the roof or ridge of a structure.

Auto and Vehicle Sales/Rental. Retail establishments selling and/or renting automobiles, trucks and vans. May also include repair shops and the sales of parts and accessories, incidental to vehicle dealerships. Does not include: the sale of auto parts/accessories separate from a vehicle dealership (see “Auto Parts Sales”); bicycle and moped sales (see “[General Retail](#)”); tire recapping establishments (see “[Vehicle Services](#)”); businesses dealing exclusively in used parts; or “[Service Station](#),” which are separately defined.

Auto Parts Sales. Stores that sell new automobile parts, tires, and accessories. May also include minor parts installation (see “[Vehicle Services](#)”). Does not include tire recapping establishments, which are found under “Vehicle Services” or businesses dealing exclusively in used parts, which are included under “[Recycling Facilities](#)—Scrap and Dismantling Yards.”

Automated Teller Machines (ATM). Computerized, self-service machines used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without contact with financial institution personnel. The machines may be located at or within banks, or in other locations.

Automobile Repair. See “Vehicle Services.”

B. Definitions, “B.”

Banks and Financial Services. Financial institutions including:

- banks and trust companies

- credit agencies
- holding (but not primarily operating) companies
- lending and thrift institutions
- other investment companies
- securities/commodity contract brokers, and dealers
- security and commodity exchanges
- vehicle finance (equity) leasing agencies

See also, “Automated Teller Machine,” above.

Bed and Breakfast Inns (B&Bs). Residential structures with one family or resident-manager in permanent residence with up to five bedrooms rented for overnight lodging, where meals may be provided subject to [Section 19.50.030 \(Bed and Breakfast Inns\)](#), and applicable Health Department regulations. A Bed and Breakfast Inn with more than five guest rooms is considered a hotel or motel, and is included under the definition of “[Hotel or Motel](#).”

Broadcasting Studios. Commercial and public communications uses including radio and television broadcasting and receiving stations and studios, with facilities entirely within buildings. Transmission and receiving apparatus, including antennas and towers, are included under the definition of “[Telecommunications Facilities](#).”

Building. See “[Structure](#).”

Building Material Stores. Retail establishments selling lumber and other large building materials, where most display and sales occur indoors. Includes paint, wallpaper, glass, fixtures. Includes all these stores selling to the general public, even if contractor sales account for a major proportion of total sales. Includes incidental retail ready-mix concrete operations, except where excluded by a specific zoning district. Establishments primarily selling electrical, plumbing, heating, and air conditioning equipment and supplies are classified in “[Warehousing, Wholesaling and Distribution](#).” Hardware stores are listed in the definition of “[General Retail](#),” even if they sell some building materials.

Business Support Services. Establishments primarily within buildings, providing other businesses with services including maintenance, repair and service, testing, rental, etc., also includes:

- blueprinting
- business equipment repair services (except vehicle repair, see “Vehicle Services”)
- commercial art and design (production)
- computer-related services (rental, repair)
- copying, quick printing, and blueprinting services
- equipment rental businesses within buildings (rental yards are “Storage Yards and Sales Lots”)
- film processing laboratories
- heavy equipment repair services where repair occurs on the client site
- janitorial services
- mail advertising services (reproduction and shipping)
- other “heavy service” business services
- outdoor advertising services
- photocopying

- photo finishing
- protective services (other than office related)
- soils and materials testing laboratories
- window cleaning

C. Definitions, “C.”

Cabinet Shop. See “[Furniture, Furnishings and Equipment Stores](#) (Cabinet Shops)”

California Environmental Quality Act (CEQA). State law (California Public Resources Code Sections 21000 et seq.) requiring public agencies to document and consider the environmental effects of a proposed action, prior to allowing the action to occur.

Car Washes. Permanent, self-service and/or attended car washing establishments, including fully mechanized facilities. May include detailing services. Temporary car washes are fund-raising activities, typically conducted at a service station or other automotive-related business, where volunteers wash vehicles by hand, and the duration of the event is limited to one day.

Caretaker and Employee Housing. A residence that is accessory to a nonresidential primary use of the site, where needed for security, or 24-hour care or supervision.

Cemeteries. Internment establishments engaged in subdividing property into cemetery lots and offering burial plots or air space for sale. Includes animal cemeteries; cemetery, mausoleum, crematorium and columbarium operations, and on-site funeral homes accessory to these uses.

Child Day Care Facilities. Facilities that provide nonmedical care and supervision of minor children for periods of less than 24 hours. These facilities include the following, all of which are required to be licensed by the California State Department of Social Services.

1. **Child Day Care Center.** Commercial or non-profit child day care facilities designed and approved to accommodate 15 or more children. Includes infant centers, preschools, sick-child centers, and school-age day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use.
2. **Large Family Day Care Home.** A day care facility located in a single-family residence where an occupant of the residence provides care and supervision for seven to 14 children. Children under the age of 10 years who reside in the home count as children served by the day care facility.
3. **Small Family Day Care Home.** A day care facility located in a single-family residence where an occupant of the residence provides care and supervision for eight or fewer children. Children under the age of 10 years who reside in the home count as children served by the day care facility.

City. The City of Sonoma, State of California, referred to in this Development Code as the “City.”

City Council. The Sonoma City Council, referred to in this Development Code as the “Council.”

City Planner. The City of Sonoma City Planner, or designee of the City Planner.

Clubs, Lodges, and Private Meeting Halls. Permanent, headquarters-type and meeting facilities for organizations operating on a membership basis for the promotion of the interests of the members, including facilities for:

- business associations
- civic, social and fraternal organizations
- labor unions and similar organizations
- political organizations

- professional membership organizations
- other membership organizations

Commercial Development, large. For purposes of determining whether use permit review is required, large commercial development is defined as follows:

- New construction of a commercial building with an area of 10,000 square feet or greater.
- An addition to an existing commercial building of 10,000 square feet or greater.
- An addition to an existing commercial building that would result in a building area of 10,000 square feet or greater.

Commission. See “[Design Review Commission](#)” and “[Planning Commission](#).”

Common Interest Development. Any residential condominium, community apartment house, or stock cooperative.

Community Centers. Multi-purpose meeting and recreational facilities typically consisting of one or more meeting or multi-purpose rooms, kitchen and/or outdoor barbecue facilities, that are available for use by various groups for such activities as meetings, parties, receptions, dances, etc.

Community Garden. A site used for growing plants for food, fiber, herbs, flowers, which is shared and maintained by nearby residents.

Condominium. As defined by Civil Code Section 1315, a development where undivided interest in common in a portion of real property is coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded final map or parcel map. The area within the boundaries may be filled with air, earth, or water, or any combination thereof, and need not be physically attached to any land except by easements for access and, if necessary, support.

Community Care Facility. A residential care facility serving six or fewer persons as provided for under Section 1566.3 of the California Health and Safety Code.

Convenience Stores. Retail stores of 3,500 square feet or less in gross floor area, which carry a range of merchandise oriented to convenience and travelers' shopping needs. These stores may be part of a service station or an independent facility.

Corporation Yard. A publicly-owned and operated facility used for public works operations, including: equipment storage, staging, and repair; vehicle storage, staging, and repair, materials storage, and related office uses.

County. The County of Sonoma, State of California.

Coverage. The portion of a site covered by building footprints, usually expressed as a percentage of site area.

Crop Production and Horticulture. Land devoted to growing commercial crops, in the form of orchards, vineyards, row crops, truck gardens, and other plantings.

D. Definitions, “D.”

Density. The number of housing units per net acre, unless otherwise stated, for residential uses.

Density Bonus. A density increase over the otherwise maximum allowable residential density provided in [Section 19.44.030 \(Types of Bonuses and Incentives Allowed\)](#).

Department. The Sonoma Community Development Department, referred to in this Development Code as “Department.”

Design Review Commission. The City of Sonoma Design Review Commission, appointed by the Sonoma City Council in compliance with Government Code Section 65101 and Chapter 2.60 of the Sonoma Municipal Code.

Detached. Any structure that does not have a wall or roof in common with another structure.

Development. Any construction activity or alteration of the landscape, its terrain contour or vegetation, including the erection or alteration of structures. New development is any construction, or alteration of an existing structure or land use, or establishment of a land use, after the effective date of this Development Code.

Development Agreement. A contract between the City and an applicant for a development project, in compliance with Government Code Sections 65864 et seq. A development agreement is intended to provide assurance to the applicant that an approved project may proceed subject to the policies, rules, regulations, and conditions of approval applicable to the project at the time of approval, regardless of any changes to City policies, rules, and regulations after project approval. In return, the City may be assured that the applicant will provide infrastructure and/or pay fees required by a new project.

Development Code. The City of Sonoma Development Code, Title 19 of the Sonoma Municipal Code, referred to herein as “this Development Code.”

District. See “[Zoning District](#).”

Drive-in and Drive-through Sales. Facilities where food or other products may be purchased by motorists without leaving their vehicles. These facilities include fast-food restaurants, pharmacies, and stores specializing in coffee, dairy products, photo finishing, etc.

Drive-in and Drive-through Services. Facilities where services may be obtained by motorists without leaving their vehicles. These facilities include drive-up bank teller windows, dry cleaners, etc. Does not include: automatic teller machines (ATMs) or automobile service stations, or car washes, which are separately defined.

Duplex. A residential structure under single ownership containing two dwellings.

Dwelling, dwelling unit, or housing unit. A room or group of internally connected rooms that have sleeping, cooking, eating, and sanitation facilities, but not more than one kitchen, which constitute an independent housekeeping unit, occupied by or intended for one household on a long-term basis.

E. Definitions, “E.”

Easement. A grant of one or more of the property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.

Emergency Shelters. Facilities for the temporary shelter and feeding of indigents or disaster victims, operated by a public or non-profit agency. (See also “[Transitional Housing](#).”)

Enlargement of Use. The expansion of a land use activity on a site or within a structure so that the use/activity occupies more floor or site area.

Environmental Impact Report (EIR). An informational document used to assess the physical characteristics of an area and to determine what effects will result if the area is altered by a proposed action, prepared in compliance with the California Environmental Quality Act (CEQA).

Equestrian Facilities. Commercial horse, donkey, and mule facilities including horse ranches, boarding stables, riding schools and academies, horse exhibition facilities (for shows or other competitive events), pack stations, and barns, stables, corrals and paddocks accessory and incidental to these uses.

Equipment Rental. Service establishments with outdoor storage/rental yards, which may offer a wide variety of materials and equipment for rental, including construction equipment.

F. Definitions, “F.”

Farmers Market. A temporary outdoor gathering of individual retailers, primarily focused on the sale of fresh produce, but also including other foods, beverages, handicrafts, art objects, and other items.

Feasible. Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

Floor Area. The total of the gross horizontal areas of all floors, excluding basements, cellars, attics, and below-grade parking, within the outer surfaces of the exterior walls of buildings, or the center lines of party walls separating buildings or portions thereof.

Floor Area Ratio. The maximum gross floor area of a building (or buildings) permitted on a lot divided by the gross area of the lot. When calculating Floor Area Ratio, the following shall be excluded: 1) porches, cellars, attics, and underground parking; 2) detached garages (up to 400 square feet); 3) second units; 4) accessory structures with an area of 120 square feet or less.

Food and Beverage Manufacturing. Manufacturing establishments producing or processing foods and beverages for human consumption, and certain related products. Includes:

- bakeries
- bottling plants
- breweries
- candy, sugar and confectionery products manufacturing
- catering services separate from stores or restaurants
- coffee roasting
- dairy products manufacturing
- fats and oil product manufacturing
- fruit and vegetable canning, preserving, related processing
- grain mill products and by-products
- meat, poultry, and seafood canning, curing, by-product processing
- soft drink production
- miscellaneous food item preparation from raw products

May include tasting and accessory retail sales of items produced on site. A tasting facility separate from the manufacturing facility is included under the definition of “[Nightclubs and Bars](#)” if alcoholic beverages are tasted, and under “[Restaurant](#)” if beverages are non-alcoholic.

Does not include: bakeries which sell all products on-site, which are included in the definition of “[General Retail](#),” or beer brewing as part of a brew pub, bar or restaurant (see “[Nightclubs and Bars](#)”).

Fueling Station. Fuel dispensers and related equipment, available on a restricted basis rather than for general use.

Furniture/Fixtures Manufacturing, Cabinet Shops. Definition needed.

Furniture, Furnishings and Equipment Stores. Stores engaged primarily in selling the following products and related services, including incidental repair services:

- draperies
- floor coverings
- furniture
- glass and china

- home appliances
- home furnishings
- home sound systems
- interior decorating materials and services
- large musical instruments
- lawn furniture
- movable spas and hot tubs
- office furniture
- other household electrical and gas appliances
- outdoor furniture
- refrigerators
- stoves
- televisions

G. Definitions, “G.”

Garage, or Carport. Parking space and shelter for automobiles or other vehicles, where the size of the parking space complies with the provisions of [Chapter 19.48 \(Parking and Loading Standards\)](#).

1. A garage is an attached or detached accessory structure with a door, enclosed on at least three sides.
2. A carport is an attached or detached accessory structure enclosed on no more than two sides.

Garage Sale. Any sale held for the purpose of selling, trading or otherwise disposing of unwanted household furnishings, personal goods or other tangible properties of a resident of the premises on which the sale is conducted in a residential zone.

General Plan. The City of Sonoma General Plan, including all its elements and all amendments to the General Plan, as adopted by the City Council under the provisions of Government Code Sections 65300 et seq., and referred to in this Development Code as the “General Plan.”

General Retail. Stores and shops selling many lines of merchandise. These stores and lines of merchandise include:

- art galleries
- artists’ supplies
- bakeries (all production in support of on-site sales)
- bicycles
- books
- cameras and photographic supplies
- clothing and accessories
- collectibles (cards, coins, comics, stamps, etc.)
- department stores
- drug and discount stores
- dry goods

- fabrics and sewing supplies
- florists and houseplant stores (indoor sales only—outdoor sales are “Plant Nurseries”)
- furniture, home furnishings and equipment
- general stores
- gift and souvenir shops
- hardware
- hobby materials
- jewelry
- luggage and leather goods
- musical instruments, parts and accessories
- newsstands
- orthopedic supplies
- pet stores and pet supplies
- religious goods
- small wares
- specialty shops
- sporting goods and equipment
- stationery
- toys and games
- variety stores

Governmental and Public Facilities. Facilities operated by public agencies including government offices, parks and preserves, corporation yards, fire stations, other fire prevention and fire fighting facilities, police and sheriff substations and headquarters, including interim incarceration facilities

Grade. The ground surface immediately adjacent to the exterior base of a structure, typically used as the basis for measurement of the height of the structure.

Grocery Store. A retail business where the majority of the floor area open to the public is occupied by food products packaged for preparation and consumption away from the site of the store.

Guest House. A detached structure of 400 square feet or more, accessory to a single-family dwelling, accommodating living/sleeping quarters, but without kitchen or cooking facilities.

Guideline. A recommended course of action. A guideline may be qualitative—in contrast to a quantified standard—and is aimed at retaining and enhancing desired design characteristics. Although not mandated, guidelines are typically used by decision makers as a factor in evaluating development proposals.

H. Definitions, “H.”

Health/Fitness Facilities. Fitness centers, gymnasiums, health and athletic clubs including any of the following: indoor sauna, spa or hot tub facilities; indoor tennis, handball, racquetball, archery and shooting ranges and other indoor sports activities.

Heliport. A designated, marked area on the ground or the top of a structure where helicopters may land at any time.

Home Occupation. The conduct of a business within a dwelling unit or residential site, employing occupants of the dwelling, with the business activity being subordinate to the residential use of the property.

Hotel or Motel. Facilities with guest rooms or suites, provided with or without kitchen facilities, rented to the general public for transient lodging (less than 30 days). Hotels provide access to most guest rooms from an interior walkway, and typically include a variety of services in addition to lodging; for example, restaurants, meeting facilities, personal services, etc. Motels provide access to most guest rooms from an exterior walkway. Also includes accessory guest facilities such as swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, etc.

Household Pets. The keeping/raising of birds, cats, dogs, or other common household pets, as determined by the City Planner accessory to a residential use.

I. Definitions, “I.”

Illegal Building or Use. A building or use that does not conform to one or more of the provisions of this Development Code, and did not lawfully exist on the effective date of applicable provisions of this Development Code.

Indoor Amusement/Entertainment Facilities. Establishments providing indoor amusement and entertainment services for a fee or admission charge, including:

- bowling alleys
- coin-operated amusement arcades
- dance halls, clubs and ballrooms
- electronic game arcades
- ice skating and roller skating
- pool and billiard rooms as primary uses

Four or more electronic games or coin-operated amusements in any establishment, or a premises where 50 percent or more of the floor area is occupied by amusement devices, are considered an electronic game arcade as described above, three or less machines are not considered a land use separate from the primary use of the site.

Intensification of Use. A change in the use of a structure or site, where the new use is required by [Chapter 19.48 \(Parking and Loading Standards\)](#) to have more off-street parking spaces than the former use; or a change in the operating characteristics of a use (for example, hours of operation), which generate more activity on the site.

J. Definitions, “J.” No specialized terms beginning with the letter “J” are used at this time.

K. Definitions, “K.”

Kennel. The keeping or boarding of more than three dogs or three cats on a property, subject to the limitations and exceptions set forth in section 8.08.101 of the Sonoma Municipal Code.

Kitchen. A room or space within a building intended to be used for the cooking or preparation of food.

L. Definitions, “L.”

Land Use Permit. Authority granted by the City to use a specified site for a particular purpose, including Use Permits, Minor Use Permits, Temporary Use and Temporary Event Permits, and Variances, as established by [Article V \(Planning Permit Procedures\)](#) of this Development Code.

Large Family Day Care Home. See “[Child Day Care Facilities](#).”

Libraries and Museums. Public or quasi-public facilities including aquariums, arboretums, art exhibitions, botanical gardens, historic sites and exhibits, libraries, museums, and planetariums, which are generally non-commercial in nature.

Live/Work Facilities. An integrated housing unit and working space, occupied and utilized by a single household in a structure, either single-family or multi-family, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes:

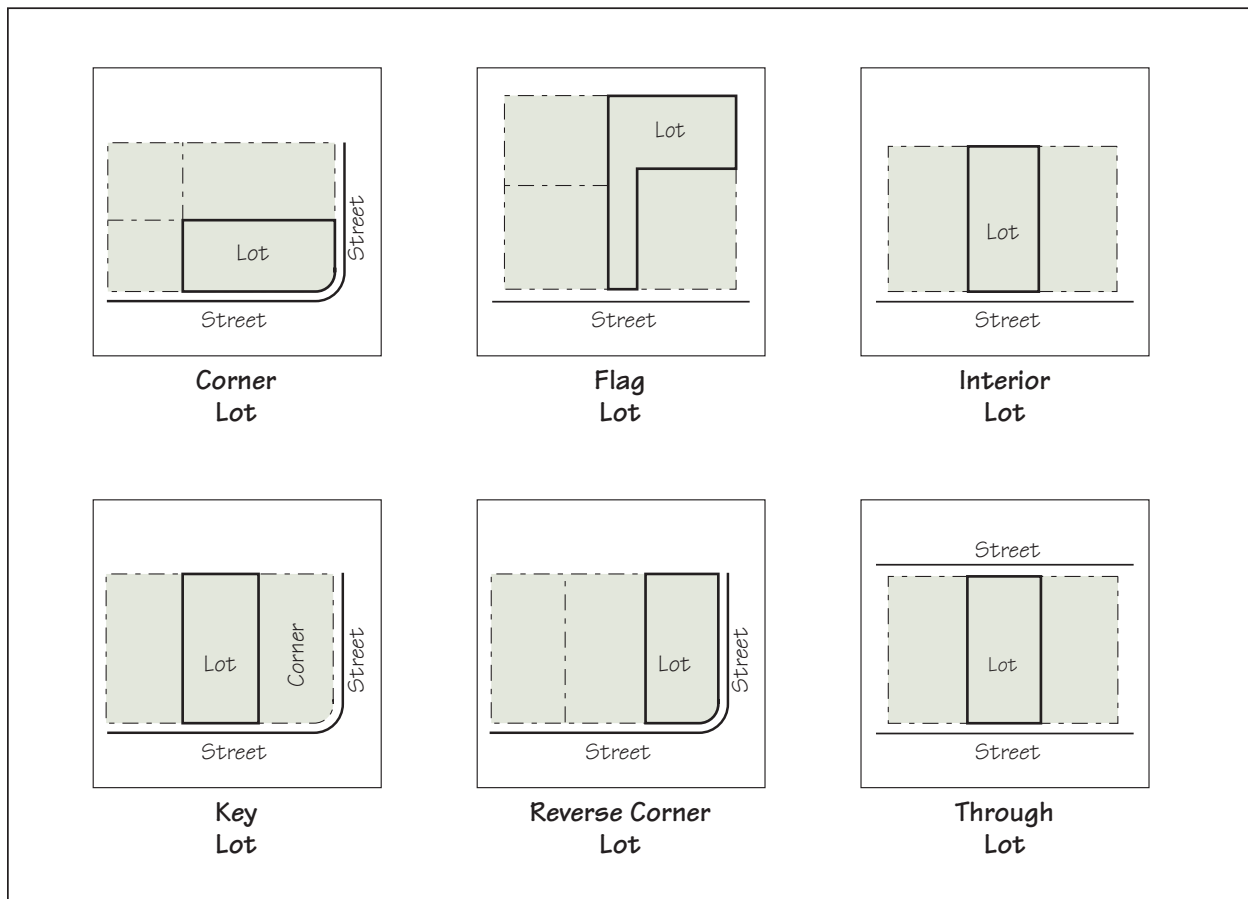
1. Complete kitchen space and sanitary facilities in compliance with the City building code; and
2. Working space reserved for and regularly used by one or more occupants of the unit.

Livestock Raising. The breeding, and keeping of farm animals, whether for commercial or hobby purposes.

Lot or Parcel. A recorded lot or parcel of real property under single ownership, lawfully created as required by the Subdivision Map Act and City ordinances, including this Development Code. Types of lots include the following. See [Figure 8-4 \(Lot Types\)](#).

1. **Corner lot.** A lot located at the intersection of two or more streets, where they intersect at an interior angle of not more than 135 degrees. If the intersection angle is more than 135 degrees, the lot is considered an interior lot.
2. **Flag lot.** A lot having access from the building site to a public street by means of private right-of-way strip that is owned in fee.
3. **Interior lot.** A lot abutting only one street.
4. **Key lot.** An interior lot, the front of which adjoins the side property line of a corner lot.
5. **Reverse corner lot.** A corner lot, the rear of which abuts a key lot.

6. **Through lot.** A lot with frontage on two generally parallel streets.



Lot Types

Figure 8-4

Lot Area. Gross lot area is the total area included within the lot lines of a lot, exclusive of adjacent dedicated street rights of way. Net lot area is exclusive of easements, including those for utilities or flood control channels, which limit the use of the lot.

Lot Coverage. See “[Site Coverage](#).”

Lot Depth. The average linear distance between the front and the rear lot lines or the intersection of the two side lot lines if there is no rear line. The City Planner shall determine lot depth for parcels of irregular configuration.

Lot Frontage. The boundary of a lot adjacent to a public street right-of-way.

Lot Line or Property Line. Any recorded boundary of a lot. Types of lot lines are as follows:

1. **Front lot line.** On an interior lot, the property line separating the parcel from the street. The front lot line on a corner lot is the line with the shortest frontage. (If the lot lines of a corner lot are equal in length, the front lot line shall be determined by the City Planner.) On a through lot, both lot lines are front lot lines and the lot is considered to have no rear lot line.
2. **Interior lot line.** Any lot line not abutting a street.

3. **Rear lot line.** A property line that does not intersect the front lot line, which is most distant from and most closely parallel to the front lot line.
4. **Side lot line.** Any lot line that is not a front or rear lot line.

Lot Width. The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines. The City Planner shall determine lot width for parcels of irregular shape.

M. Definitions, “M.”

Map Act. See “[Subdivision Map Act](#), or [Map Act](#).”

Medical Services—Clinics, Offices, Laboratories. Facilities primarily engaged in furnishing out-patient medical, mental health, surgical and other personal health services, but which are separate from hospitals, including:

- health management organizations (HMOs)
- medical and dental laboratories
- medical, dental and psychiatric offices
- out-patient care facilities
- other allied health services
- Counseling services by other than medical doctors or psychiatrists are included under “[Offices](#).”

Medical Services—Extended Care. Residential facilities providing nursing and health-related care as a primary use with in-patient beds, such as: board and care homes; convalescent and rest homes; extended care facilities; skilled nursing facilities. Long-term personal care facilities that do not emphasize medical treatment are included under “[Residential Care Homes](#).”

Medical Services—Hospitals. Hospitals and similar facilities engaged primarily in providing diagnostic services, and extensive medical treatment, including surgical and other hospital services. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care. May include on-site accessory clinics and laboratories, accessory retail uses and emergency heliports (see the separate definition of “[Heliport](#)”).

Microbrewery. A facility where beer brewed on the premises is sold for on-site consumption.

Mixed-Use Project. A project which combines both commercial and residential uses, where the residential component is typically located above the commercial.

Mobile Home. A trailer, transportable in one or more sections, that is certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, which is over eight feet in width and 40 feet in length, with or without a permanent foundation and not including recreational vehicle, commercial coach or factory-built housing. A mobile home on a permanent foundation is included under the definition of “[Single-Family Dwellings](#).”

Mobile Home Park. Any site that is planned and improved to accommodate two or more mobile homes used for residential purposes, or on which two or more mobile home lots are rented, leased, or held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate mobile homes used for residential purposes.

Mortuaries and Funeral Homes. Funeral homes and parlors, where deceased are prepared for burial or cremation, and funeral services may be conducted.

Mounted. Attached or supported.

Multi-Family Dwellings. A building or a portion of a building used and/or designed as residences for three or more families living independently of each other. Includes: triplexes, fourplexes (buildings under one ownership with three or four dwelling units, respectively, in the same structure) and apartments (five or more units under one ownership in a single building); townhouse development (three or more attached single-family dwellings where no unit is located over another unit); and senior citizen multi-family housing; see also “[Common Interest Development](#).”

N. Definitions, “N.”

Negative Declaration. A statement describing the reasoning that a proposed action will not have a significant adverse effect on the environment, in compliance with the California Environmental Quality Act (CEQA).

Nightclubs and Bars. Any bar, cocktail lounge, discotheque, or similar establishment which provides live entertainment (music and/or dancing, comedy, etc.) in conjunction with alcoholic beverage sales, which are not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May also include beer brewing as part of a microbrewery.

Nonconforming Parcel. A parcel that was legally created prior to the adoption of this Development Code and which does not conform to current Code provisions/standards (e.g., access, area or width requirements, etc.) prescribed for the zoning district in which the parcel is located.

Nonconforming Sign. A sign which lawfully existed prior to the effective date of this Development Code, or any amendment thereto, but which fails by reason of such adoption or amendment to conform to all of the standards and regulations of the adopted or amended provision.

Nonconforming Structure. A structure that was legally constructed prior to the adoption of this Development Code and which does not conform to current Code provisions/standards (e.g., open space, distance between structures, etc.) prescribed for the zoning district in which the structure is located.

Nonconforming Use. A use of a structure (either conforming or nonconforming) or land that was legally established and maintained prior to the adoption of this Development Code and which does not conform to current Code provisions governing allowable land uses for the zoning district in which the use is located.

O. Definitions, “O.”

Occupancy. All or a portion of a structure occupied by one tenant.

Offices. This Development Code distinguishes between the following types of office facilities. These do not include: medical offices (see “[Medical Services—Clinics, Offices, Laboratories](#)”); or offices that are incidental and accessory to another business or sales activity that is the primary use. Incidental offices that are customarily accessory to another use are allowed as part of an approved primary use.

1. **Administrative/Business.** Establishments providing direct services to consumers, such as insurance agencies, real estate offices, utility company offices, etc.
2. **Government.** City, and other local, state, and federal government agency or service facilities. Includes post offices, but not bulk mailing distribution centers.
3. **Production.** Office-type facilities occupied by businesses engaged in the production of intellectual property. These uses include:
 - advertising agencies
 - architectural, engineering, planning and surveying services

- computer software production and programming services
 - educational, scientific and research organizations
 - media postproduction services
 - photography and commercial art studios
 - writers and artists offices
4. **Professional.** Professional offices including:
- accounting, auditing and bookkeeping services
 - attorneys
 - counseling services
 - court reporting services
 - data processing services
 - detective agencies and similar services
 - employment, stenographic, secretarial and word processing services
 - literary and talent agencies
 - management and public relations services
5. **Temporary.** A mobile home, recreational vehicle or modular unit used as a temporary office facility. Temporary Offices may include: construction supervision offices on a construction site or off-site construction yard; a temporary on-site real estate office for a development project; or a temporary business office in advance of permanent facility construction.
6. **Temporary Real Estate.** The temporary use of a dwelling unit within a residential development project as a sales office for the units on the same site, which is converted to residential use at the conclusion of its office use.

Off-site. An activity or accessory use that is related to a specific primary use, but is not located on the same site as the primary use.

On-site. An activity or accessory use that is related to a specific primary use, which is located on the same site as the primary use.

Open Fencing. A barrier constructed of material which is transparent, such as glass, plastic panels or wrought iron, used in conjunction with recreation and seating areas.

Outdoor Commercial Recreation. Facilities for various outdoor participant sports and types of recreation where a fee is charged for use, including:

- amphitheaters
- amusement and theme parks
- health and athletic club outdoor facilities
- miniature golf courses
- skateboard parks
- stadiums and coliseums
- swim and tennis clubs
- tennis courts
- water slides
- zoos

May also include commercial facilities customarily associated with the above outdoor commercial recreational uses, including bars and restaurants, video game arcades, etc. Does not include parks and playgrounds, which are separately defined.

Outdoor Retail Sales and Activities. Permanent outdoor sales and rental establishments not classified under another land use definition where the business is not conducted entirely within a structure.

Outdoor Retail Sales, Temporary. Temporary outdoor retail operations including:

Christmas trees, pumpkins or the sale of other seasonal items

farmers' markets

semi-annual sales of art/handcrafted items in conjunction with community festivals or art shows

sidewalk or parking lot sales longer than one weekend

retail sales from individual vehicles in temporary locations outside the public right-of-way

P. Definitions, "P."

Parcel. See "[Lot or Parcel](#)."

Parks and Playgrounds. Public parks, play lots, playgrounds, and athletic fields for non-commercial neighborhood or community use, including tennis courts.

Pedestrian Orientation. Any physical structure or place with design qualities and elements that contribute to an active, inviting and pleasant place for pedestrians including but not limited to:

1. Street furniture;
2. Design amenities related to the street level such as awnings, paseos, arcades;
3. Visibility into buildings at the street level;
4. Highly articulated facades at the street level with interesting uses of material, color, and architectural detailing;
5. Continuity of the sidewalk with a minimum of intrusions into pedestrian right-of-way;
6. Continuity of building facades along the street with few interruptions in the progression of buildings and stores;
7. Signage oriented and scaled to the pedestrian rather than the motorist; and
8. Landscaping.

Pedestrian Oriented Use. A use which is intended to encourage walk-in customers and which generally does not limit the number of customers by requiring appointments or otherwise excluding the general public. A pedestrian oriented use provides spontaneous draw from sidewalk and street due to intense and surprising visual interest, high customer turnover and intense social interaction.

Pedestrian Scale. A relationship of buildings, streets, and other improvements which results in a high level of comfort for pedestrians.

Permitted Use. Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

Person. Any individual, firm, co-partnership, corporation, company, association, joint stock association; city, county, state, or district; and includes any trustee, receiver, assignee, or other similar representative thereof.

Personal Services. Establishments providing non-medical services as a primary use, including:

- barber and beauty shops

- clothing rental
- dry cleaning pick-up stores with limited equipment
- home electronics and small appliance repair
- laundromats (self-service laundries)
- psychic readers
- shoe repair shops
- spas and hot tubs
- tailors
- tanning salons
- tattoo parlors

These uses may also include accessory retail sales of products related to the services provided.

Planning Commission. The City of Sonoma Planning Commission, appointed by the Sonoma City Council in compliance with Government Code Section 65101 and Chapter 2.44 of the Sonoma Municipal Code.

Plant Nurseries and Garden Supply Stores. Commercial agricultural establishments engaged in the production of ornamental plants and other nursery products, grown under cover or outdoors. Includes stores selling these products, nursery stock, lawn and garden supplies, and commercial scale greenhouses. The sale of house plants or other nursery products entirely within a building is also included under “[General Retail](#).” Home greenhouses are included under “[Residential Accessory Uses and Structures](#).”

Policy. A general direction that the City will follow in order to meet its goals and objectives be undertaking specific action programs. A specific statement of principle or guiding actions which implies clear commitment but is not mandatory.

Primary Structure. A structure that accommodates the primary use of the site.

Primary Use. The main purpose for which a site is developed and occupied, including the activities that are conducted on the site a majority of the hours during which activities occur.

Primary Zoning District. The zoning district applied to a site by the Zoning Map, to which an overlay zoning district may also be applied.

Principle. A basic truth or value on which other values are based and from which more detailed standards or guidelines may be derived. A principle is used to generate guidelines, standards, and regulations, but is not itself used to evaluate specific development proposals.

Produce Stands for On-site Production. An accessory structure used for the display and sale of vegetables and other produce grown on the site which it serves, with no space within the structure for customers.

Property Line. The recorded boundary of a parcel of land.

Proposed Project. A proposed new structure, new addition to an existing structure, or area of other new site development; these do not include the alteration of any portion of an existing structure other than an addition.

Public Utility Facilities. Fixed-base structures and facilities serving as distribution or processing centers for the provision of utilities. These uses include any of the following facilities that are not exempted from land use permit requirements by Government Code Section 53091:

- corporation and maintenance yards.
- electrical substations and switching stations

- natural gas regulating and distribution facilities
- public water system wells, treatment plants and storage
- wastewater treatment plants, settling ponds and disposal fields

These uses do not include office or customer service centers (classified in “[Offices](#)”), or equipment and material storage yards.

Public Utility Equipment. Transmission points, junction boxes, vaults and other small structures used for the local distribution of utility services.

Q. Definitions, “Q.”

No specialized terms beginning with the letter “Q” are used at this time.

R. Definitions, “R.”

Recreational Facilities. Open-air and indoor facilities used for public recreation, including skate parks and rinks, swimming pools, tennis courts, golf courses, and other similar facilities.

Recreational Vehicle (RV). A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, originally designed for human habitation for recreational, emergency, or other occupancy, which meets all of the following criteria:

1. It contains less than 320 square feet of internal living room area, excluding built-in equipment, including wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms;
2. It contains 400 square feet or less of gross area measured at maximum horizontal projections;
3. It is built on a single chassis; and
4. It is either self-propelled, truck-mounted, or permanently towable on the highways without a towing permit.

Recreational Vehicle Park. A site where one or more lots are used, or are intended to be used, by campers with recreational vehicles or tents. Recreational vehicle parks may include public restrooms, water, sewer, and electric hookups to each lot and are intended as a higher density, more intensively developed use than campgrounds. May include accessory retail uses where they are clearly incidental and intended to serve RV park patrons only.

Recycling Facilities. This land use type includes a variety of facilities involved with the collection, sorting and processing of recyclable materials.

1. **Collection facility.** A center where the public may donate, redeem or sell recyclable materials, which may include the following, where allowed by the applicable zoning district:
 - a. Reverse vending machine(s);
 - b. Small collection facilities which occupy an area of 350 square feet or less and may include:
 - (1) A mobile unit;
 - (2) Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet; and
 - (3) Kiosk-type units which may include permanent structures.
 - c. Large collection facilities which occupy an area of more than 350 square feet and/or include permanent structures.
2. **Mobile recycling unit.** An automobile, truck, trailer, or van used for the collection of recyclable materials, carrying bins, boxes, or other containers.

3. **Processing facility.** A structure or enclosed space used for the collection and processing of recyclable materials for shipment, or to an end-user's specifications, by such means as baling, briquetting, cleaning, compacting, crushing, flattening, grinding, mechanical sorting, remanufacturing and shredding. Processing facilities include the following types, both of which are included under the definition of "Scrap and Dismantling Yards," below:
 - a. Light processing facility occupies an area of under 45,000 square feet of collection, processing and storage area, and averages two outbound truck shipments each day. Light processing facilities are limited to baling, briquetting, compacting, crushing, grinding, shredding and sorting of source separated recyclable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers; and
 - b. A heavy processing facility is any processing facility other than a light processing facility.
4. **Recycling facility.** A center for the collection and/or processing of recyclable materials. A "certified" recycling or processing facility is certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986. A recycling facility does not include storage containers located on a residentially, commercially or industrially designated site used solely for the recycling of material generated on the site. See "Collection Facility" above.
5. **Recycling or recyclable material.** Reusable domestic containers and other materials which can be reconstituted, remanufactured, or reused in an altered form, including glass, metals, paper and plastic. Recyclable material does not include refuse or hazardous materials.
6. **Reverse vending machine.** An automated mechanical device which accepts at least one or more types of empty beverage containers and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value, as determined by State law. These vending machines may accept aluminum cans, glass and plastic bottles, and other containers.

A bulk reverse vending machine is a reverse vending machine that is larger than 50 square feet, is designed to accept more than one container at a time, and issues a cash refund based on total weight instead of by container.
7. **Scrap and dismantling yards.** Outdoor establishments primarily engaged in assembling, breaking up, sorting, and the temporary storage and distribution of recyclable or reusable scrap and waste materials, including auto wreckers engaged in dismantling automobiles for scrap, and the incidental wholesale or retail sales of parts from those vehicles. Includes light and heavy processing facilities for recycling (see the definitions above). Does not include: places where these activities are conducted entirely within buildings; pawn shops, and other secondhand stores; the sale of operative used cars; or landfills or other waste disposal sites.

Regulation. A mandated process; a development or design standard.

Religious Facilities. Facilities operated by religious organizations for worship, or the promotion of religious activities, including churches, mosques, synagogues, temples, etc., and religious schools; and accessory uses on the same site, such as living quarters for ministers and staff, and child day care facilities where authorized by the same type of land use permit required for the religious facility itself. Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals and other potentially related operations (such as a recreational camp) are classified according to their respective activities.

Repair Services for Consumer Products. Commercial repair of consumer items such as televisions, audio equipment, computers, lamps, vacuum cleaners, and other portable household appliances.

Research and Development (R&D). Indoor facilities for scientific research, and the design, development and testing of electrical, electronic, magnetic, optical and mechanical components in advance of product manufacturing, that are not associated with a manufacturing facility on the same site. Includes chemical and biotechnology research and development. Does not include computer software companies (see “[Offices \(Production\)](#)”), soils and other materials testing laboratories (see “[Business Support Services](#)”), or medical laboratories (see “[Medical Services—Clinics, Offices, Laboratories](#)”).

Residential Accessory Uses and Structures. Any use and/or structure that is customarily a part of, and clearly incidental and secondary to, a residence and does not change the character of the residential use. These uses include the following detached accessory structures, and other similar structures normally associated with a residential use of property:

- garages
- gazebos
- greenhouses
- spas and hot tubs
- storage sheds
- studios
- swimming pools
- tennis and other on-site sport courts
- workshops

Also includes the indoor storage of automobiles (including their incidental restoration and repair), personal recreational vehicles and other personal property, accessory to a residential use. Includes home satellite dish and other receiving antennas for earth-based TV and radio broadcasts.

Residential Care Homes. Facilities providing residential social and personal care for children, the elderly, and people with limited ability for self-care, but where medical care is not a major element. Includes: children's homes; transitional houses; orphanages; rehabilitation centers; self-help group homes. Convalescent homes, nursing homes and similar facilities providing medical care are included under the definition of “[Medical Services—Extended Care](#).”

Residential District or Zone. Any of the residential zoning districts established by [Chapter 19.10 \(Zones and Allowable Uses\)](#).

Restaurant. A retail business selling food and beverages prepared on the site, for on- or off-premise consumption. These include eating establishments where customers are served from a walk-up ordering counter for either on- or off-premise consumption, and establishments where most customers are served food at tables for on-premise consumption, but may include providing food for take-out. Also includes coffee houses.

Review Authority. The individual or official City body (the City Planner, Planning Commission, or City Council) identified by this Development Code as having the responsibility and authority to review, and approve or disapprove the permit applications described in [Article V \(Planning Permit Procedures\)](#).

S. Definitions, “S.”

Schools. Public and private educational institutions, including:

- boarding schools
- business, secretarial, and vocational schools

- community colleges, colleges and universities
- elementary, middle, and junior high schools
- establishments providing courses by mail
- high schools
- military academies
- professional schools (law, medicine, etc.)
- seminaries/religious ministry training facilities
- Also includes specialized schools offering instruction in the following:
 - art
 - ballet and other dance
 - computers and electronics
 - cooking
 - drama
 - driver education
 - language
 - music

Also includes facilities, institutions and conference centers that offer specialized programs in personal growth and development, such as fitness, environmental awareness, arts, communications, and management. Does not include pre-schools and child day care facilities (see “[Child Day Care Facilities](#)”). See also the definition of “[Studios for Art, Dance, Music, Photography, etc](#)” for smaller-scale facilities offering specialized instruction.

Second Hand Stores. Retail sales of used consumer items, including furniture.

Secondary Residential Units. A second permanent dwelling that is accessory to a primary dwelling on the same site. A secondary residential unit provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, sanitation, and parking.

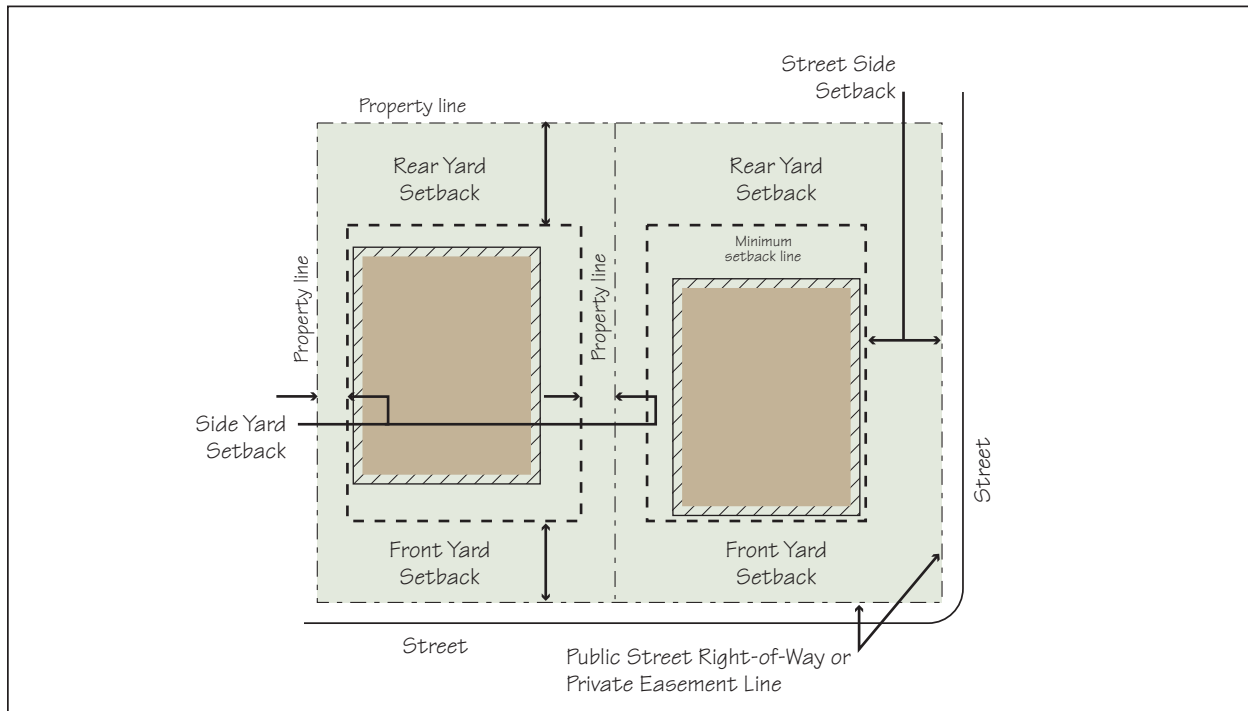
Senior Citizen. An adult 60 years or older.

Senior Residential Care Facilities. See “[Residential Care Homes](#).”

Service Station. A retail business selling gasoline or other motor vehicle fuels, which may also provide services which are incidental to fuel services. These secondary services may include vehicle engine maintenance and repair, towing and trailer rental services. Does not include the storage or repair of wrecked or abandoned vehicles, vehicle painting, body or fender work, or the rental of vehicle storage or parking spaces.

Setback. The distance by which a structure, parking area or other development feature must be separated from a lot line, other structure or development feature, or street centerline. Setbacks

from private streets are measured from the edge of the easement. See also “Yard.” Figure 8-4 (Setbacks) shows the location of front, side, street side, rear, and interior setbacks.



Setbacks

Figure 8-5

Shopping Center. Primarily retail commercial sites with three or more separate businesses sharing common pedestrian and parking areas.

Shopping Center, reconfiguration. The modification of an existing shopping in one or more of the following ways:

- Combining or dividing tenant spaces having a total area of 5,000 square feet or greater.
- Modifying parking areas by relocating driveway entrances or adding ten or more parking spaces.
- Modifying building footprints involving a total building area of 1,000 square feet or greater, whether or not there is any net increase in building area.

Single-Family Dwellings. A building designed for and/or occupied exclusively by one family. Also includes factory-built, modular housing units, constructed in compliance with the Uniform Building Code (UBC), and mobile homes/manufactured housing on permanent foundations. May include the rental of rooms within a dwelling also occupied by the property owner or a primary tenant.

Site. A parcel or adjoining parcels under single ownership or single control, considered a unit for the purposes of development or other use.

Site Coverage. The percentage of total site area occupied by structures, and paving for vehicle use. Structure/building coverage includes the primary structure, all accessory structures (e.g., carports, garages, patio covers, storage sheds, trash dumpster enclosures, etc.) and architectural features (e.g., chimneys, balconies, decks above the first floor, porches, stairs, etc.). Structure/

building coverage is measured from exterior wall to exterior wall. Pavement coverage includes areas necessary for the ingress, egress, outdoor parking, and circulation of motor vehicles.

Small Family Day Care Homes. See “[Child Day Care Facilities](#).”

Specific Plan. A plan that addresses a defined geographic area and that specifies land use, transportation, and other infrastructure, development criteria, and implementation measures, prepared in accordance with Article 8 of the California Planning and Zoning Law.

Stand. A structure for the display and sale of products with no space for customers within the structure itself.

Standard. A rule or basis for comparison, typically expressed in quantitative terms. A quantified measure or criterion which must be met.

Storage—Indoor. The storage of various materials entirely within a structure, as the primary use of the structure. The storage of materials accessory and incidental to a primary use is not considered a land use separate from the primary use.

Storage—Outdoor. The storage of various materials outside of a structure other than fencing, either as an accessory or principal use.

Storage—Personal Storage Facility (Mini-Storage). A structure or group of structures containing generally small, individual, compartmentalized stalls or lockers rented as individual storage spaces and characterized by low parking demand.

Street. A public thoroughfare accepted by the City, which affords principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare except an alley as defined in this Subsection.

Street Line. The boundary between a street right-of-way and property.

Structure. Anything constructed or erected, the use of which requires attachment to the ground or attachment to something located on the ground. For the purposes of this Development Code, the term “structure” includes “buildings.”

Structure, Primary. See “[Primary Structure](#).”

Studios for Art, Dance, Music, Photography, etc. Small scale facilities, typically accommodating one group of students at a time, in no more than one instructional space. Larger facilities are included under the definition of “Schools—specialized education and training.” These include facilities for: individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment.

Subdivision. The division, by any subdivider, of any unit or portion of land shown on the latest equalized Sonoma County assessment roll as a unit or contiguous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad rights-of-way. Subdivision includes the following, as defined in Civil Code Section 1315: a condominium project; a community apartment project; or the conversion of five or more existing dwelling units to a stock cooperative.

Subdivision Map Act, or Map Act. Division 2, Title 7 of the California Government Code, commencing with Section 66410 as presently constituted, and any amendments to those provisions.

T. Definitions, “T.”

Telecommunications Facilities. Public and commercial electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, tele-

phone, data network, and wireless communications, including commercial earth stations for satellite-based communications. Includes antennas, commercial satellite dish antennas, and equipment buildings. Does not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections (see “[Public Utility Facilities](#)”).

Temporary Structure. A structure without any foundation or footings, and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

Temporary Use. A use of land that is designed, operated and occupies a site for a limited period of time, typically less than 12 months.

Theaters and Auditoriums. Indoor facilities for public assembly and group entertainment, other than sporting events, including:

- civic theaters, and facilities for “live” theater and concerts
- exhibition and convention halls
- motion picture theaters
- public and semi-public auditoriums
- similar public assembly uses

Does not include outdoor theaters, concert and similar entertainment facilities, and indoor and outdoor facilities for sporting events.

Trails, Hiking and Bicycling. Paved and unpaved trails, paths and ways available for public use by pedestrians or bicyclists.

Transitional Housing. Any dwelling unit or group living accommodation designed or operated as temporary living quarters or residence for homeless persons or victims of abuse. This definition does not include any facility licensed as a [Community Care Facility](#) by the California Department of Social Services or defined as such in this Chapter.

U. **Definitions, “U.”**

Unit. See “[Dwelling, dwelling unit, or housing unit.](#)”

Use. The purpose for which land or a structure is designed, arranged, intended, occupied, or maintained.

Use, Primary. See “[Primary Use.](#)”

V. **Definitions, “V.”**

Variance. A discretionary entitlement that may waive or relax the development standards of this Development Code, in compliance with [Section 19.54.060 \(Variances\)](#).

Vacation Rental. The rental or letting of up to two complete residential units, containing bedrooms, kitchens, and bathrooms, for a period of less than 30 days. Typically, no on-site manager is present.

Vehicle Services. The repair, alteration, restoration, towing, painting, cleaning (including self-service and attended car washes), or finishing of automobiles, trucks, recreational vehicles, boats and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This use includes the following categories.

1. **Major Repair/Body Work.** Repair facilities dealing with entire vehicles. These establishments provide towing, collision repair, other body work, and painting services; and also include tire recapping establishments.
2. **Maintenance/Minor Repair.** Minor facilities specialize in limited aspects of repair and maintenance (e.g., muffler and radiator shops, quick-lube, etc.).

3. Service Stations. See “Service Stations.”

Does not include automobile parking (see “Parking Facilities/Vehicle Storage”), repair shops that are part of a vehicle dealership on the same site (see “[Auto and Vehicle Sales/Rental](#)”); [Service Stations](#), which are separately defined; or automobile dismantling yards, which are included under “[Recycling Facilities](#) (Scrap and Dismantling Yards).”

Veterinarians, Animal Hospitals, Kennels, Boarding. Office and indoor medical treatment facilities used by veterinarians, including large and small animal veterinary clinics, and animal hospitals. Kennels and boarding operations are commercial facilities for the keeping, boarding or maintaining of four or more dogs four months of age or older, or four or more cats, except for dogs or cats in pet shops.

W. Definitions, “W.”

Warehousing, Wholesaling and Distribution. These facilities include:

1. **Warehousing.** Facilities for the storage of furniture, household goods, or other commercial goods of any nature. Includes cold storage. Does not include: warehouse, storage or mini-storage facilities offered for rent or lease to the general public (see “Storage, Personal Storage Facilities”); warehouse facilities in which the primary purpose of storage is for wholesaling and distribution.
2. **Wholesaling and Distribution.** Establishments engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm, or professional business users; or to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Includes such establishments as:
 - agents, merchandise or commodity brokers, and commission merchants
 - assemblers, buyers and associations engaged in the cooperative marketing of farm products
 - merchant wholesalers
 - stores primarily selling electrical, plumbing, heating and air conditioning supplies and equipment.

Wineries. A commercial facility used for the production and distribution of wine.

Winery Accessory Uses. Uses and activities conducted in conjunction with a winery, including wine tasting, food service and restaurants, gift sales, and special events.

X. Definitions, “X.”

No specialized terms beginning with the letter “X” are used at this time.

Y. Definitions, “Y.”

Yard. An area between a lot line and a setback, unobstructed and unoccupied from the ground upward, except for projections permitted by this Development Code. See [Section 19.40.110 \(Setback Regulations and Exceptions\)](#) and [Figure 8-5 \(Setbacks\)](#).

1. **Front yard.** An area extending across the full width of the lot between the front lot line and the required setback.
2. **Rear yard.** An area extending the full width of the lot between a rear lot line and the required setback.
3. **Side yard.** An area extending from the front yard to the rear yard between the nearest side lot line and the required setback.

Z. Definitions, “Z.”

Zero Lot Line. The location of a building on a lot in such a manner that one or more building sides rests directly on a lot line.

Zoning Clearance. A ministerial certificate issued by the Department prior to issuance of any building permit to ensure that the proposed use and/or construction complies with all of the provisions of this Development Code.

Zoning District. Any of the residential, commercial, special purpose, or overlay districts established by [Chapter 19.10 \(Zones and Allowable Uses\)](#), within which certain land uses are allowed or prohibited, and certain site planning and development standards are established (e.g., setbacks, height limits, site coverage requirements, etc.).