

Code of Ordinances



Sonoma County, California - Code of Ordinances / CHAPTER 7A - REGULATIONS FOR LIMITED DENSITY...



Sonoma County, CA Code of Ordinances

SONOMA COUNTY, CALIFORNIA - MUNICIPAL CODE Amended modified

SUPPLEMENT HISTORY TABLE modified

■ CHAPTER 1 - GENERAL PROVISIONS

■ CHAPTER 2 - ADMINISTRATION

■ CHAPTER 3 - AIRPORT

■ CHAPTER 4 - AMUSEMENTS

■ CHAPTER 5 - SONOMA COUNTY ANIMAL REGULATION ORDINANCE

CHAPTER 6 - (Repealed. Ord. No. 2035)

■ CHAPTER 7 - BUILDING REGULATIONS

■ CHAPTER 7A - REGULATIONS FOR LIMITED DENSITY OWNER-BUILT RURAL DWELLINGS

Sec. 7A-1. - Title.

Sec. 7A-2. - Purpose.

Sec. 7A-3. - Intent and application.

Sec. 7A-4. - Existing buildings.

Sec. 7A-5. - Amendments to insure compliance.

Sec. 7A-6. - Abatement of substandard buildings.

Sec. 7A-7. - Board of appeals for limited density owner-built dwelling regulations.

Sec. 7A-8. - Recordation of owner-built rural dwelling.

Code of Ordinances



Sec. 7A-9. - Constitutional and statutory validity.

Sec. 7A-10. - Violations.

Sec. 7A-11. - Permits.

Sec. 7A-12. - Issuance.

Sec. 7A-13. - Application.

Sec. 7A-14. - Plans.

Sec. 7A-15. - Waiver of plans.

Sec. 7A-16. - Modifications.

Sec. 7A-17. - Permit validity.

Sec. 7A-18. - Inspections.

Sec. 7A-19. - Required inspections.

Sec. 7A-20. - Special inspections.

Sec. 7A-21. - Inspection waivers.

Sec. 7A-22. - Inspection requests and notice.

Sec. 7A-23. - Certificate of occupancy.

Sec. 7A-24. - Temporary occupancy.

Sec. 7A-25. - Fees.

Sec. 7A-26. - Definitions.

Sec. 7A-27. - General requirements.

Sec. 7A-28. - Intent of general requirements.

Sec. 7A-29. - California Model Codes to be a basis of approval.

Sec. 7A-30. - Construction requirements.

Sec. 7A-31. - Sanitation requirements.

Code of Ordinances ~~Sec. 7A-32.~~ - Plumbing specifications.



Sec. 7A-33. - Sanitation facilities.

Sec. 7A-34. - Domestic water supply.

■ CHAPTER 7B - FLOOD DAMAGE PREVENTION

■ CHAPTER 7C - WOOD-BURNING APPLIANCES

■ CHAPTER 7D3 - WATER EFFICIENT LANDSCAPE

■ CHAPTER 7D4 - SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM REVIEW
PROCESS

■ CHAPTER 7D5 - ELECTRIC VEHICLE CHARGING STATION PERMITTING PROCESS

■ CHAPTER 8 - CABLE TELEVISION

■ CHAPTER 9 - CEMETERIES

■ CHAPTER 10 - CIVIL DEFENSE AND DISASTER

■ CHAPTER 11 - GRADING, DRAINAGE, AND VINEYARD AND ORCHARD SITE
DEVELOPMENT

■ CHAPTER 11A - STORMWATER QUALITY

■ CHAPTER 11B - VINEYARD AND ORCHARD FROST PROTECTION

■ CHAPTER 12 - FINANCE AND TAXATION

■ Chapter 13 - SONOMA COUNTY FIRE SAFETY ORDINANCE






■ CHAPTER 13A - ABATEMENT OF HAZARDOUS VEGETATION AND COMBUSTIBLE
MATERIAL

■ CHAPTER 14 - HEALTH AND SANITATION

■ CHAPTER 15 - HIGHWAYS, ROADS AND BRIDGES

■ CHAPTER 16 - JUNK AND JUNK DEALERS

■ CHAPTER 17 - MOBILE YOUTH CAMP

Code of Ordinances  CHAPTER 18 - MOTOR VEHICLES AND TRAFFIC   CHAPTER 19 - OFFENSES—MISCELLANEOUS CHAPTER 19A - SMALL ARM DEVICE ORDINANCE CHAPTER 20 - PARKS AND RECREATION CHAPTER 21 - PERSONNEL CHAPTER 22 - REFUSE CHAPTER 23 - RIVERS AND STREAMS CHAPTER 23A - ENVIRONMENTAL QUALITY ACT OF 1970 IMPLEMENTATION CHAPTER 24 - SEWERS AND SEWAGE DISPOSAL CHAPTER 25 - SUBDIVISIONS CHAPTER 25A - UNDERGROUND UTILITIES CHAPTER 25B - WATER WELL CONSTRUCTION STANDARDS CHAPTER 25C - SCHOOL FACILITIES FEE/DEDICATION ORDINANCE CHAPTER 25D - ALTERNATIVE SCHOOL FACILITIES FEES DEDICATION ORDINANCE CHAPTER 26 - SONOMA COUNTY ZONING REGULATIONS CHAPTER 26A - SURFACE MINING CHAPTER 26C - COASTAL ZONING RESOURCE DISTRICTS CHAPTER 26D - HERITAGE OR LANDMARK TREES CHAPTER 27 - TRANSPORT OF WATER FOR DOMESTIC USE CHAPTER 28 - EMERGENCY AND PRE-HOSPITAL MEDICAL SERVICES SYSTEM CHAPTER 29 - HAZARDOUS MATERIALS MANAGEMENT CHAPTER 30 - AGRICULTURE CHAPTER 31 - ON-SHORE FACILITIES SUPPORTING OFF-SHORE OIL AND GAS
EXPLORATION AND DEVELOPMENT

Code of Ordinances **CHAPTER 32 - ORDINANCE REGULATING SMOKING AND SECONDHAND SMOKE** 🔍 ⋮

■ CHAPTER 32A - LICENSURE OF TOBACCO RETAILERS

■ CHAPTER 33 - SONOMA COUNTY TOURISM BUSINESS IMPROVEMENT AREA

■ CHAPTER 34 - COUNTY ORGANIZED HEALTH SYSTEM

■ CHAPTER 35 - CANNABIS BUSINESS TAX ORDINANCE

CROSS-REFERENCE TABLE FOR ZONING CH. 26

ORDINANCE LIST AND DISPOSITION TABLE modified

< Sec. 7-22. - Severability.

CHAPTER 7B - FLOOD DAMAGE PREVENTION >

CHAPTER 7A - REGULATIONS FOR LIMITED DENSITY OWNER-BUILT RURAL DWELLINGS ⋮

Sec. 7A-1. - Title. ⋮

This section shall be known and may be cited as the Regulations for Limited Density Owner-Built Rural Dwellings.

(Ord. No. 2875.).

Sec. 7A-2. - Purpose. ⋮

The purpose of this chapter is to provide minimum requirements for the protection of life, limb, health, property, safety, and welfare of the general public and the owners and occupants of limited density owner-built rural dwellings and appurtenant structures.

(Ord. No. 2875.)

Sec. 7A-3. - Intent and application. ⋮

The provisions of this chapter shall apply to the lawful construction, enlargement, conversion, alteration, repair, use, maintenance, and occupancy of limited density owner-built rural dwellings and appurtenant structures.

Code of Ordinances It is the intent of this chapter that the requirements contained herein shall apply to seasonally or permanently occupied dwellings, hunting shelters, guest cottages, private vacation homes and recreational shelters located in rural areas. The intent of this chapter shall not apply to transient vacation rentals.

Owner-built rural dwellings shall be permitted only in conformance with the allowable general plan residential density on parcels of at least twenty (20) acres in size which parcels are designated in the Sonoma County General Plan as RRD, LEA, LIA, or DA. Construction shall be limited to one (1) rural dwelling unit per legally established parcel of land.

(Ord. No. 5904, § II, 11-2-2010; Ord. No. 2875.)

Sec. 7A-4. - Existing buildings.

The provisions of this chapter regulating the erection and lawful construction of dwellings and appurtenant structures shall not apply to existing structures as to which lawful construction is commenced or approved prior to the effective date of this chapter. Requirements relating to use, maintenance, and occupancy shall apply to all dwellings and appurtenant structures approved for construction or constructed before or after the effective date of this chapter.

Existing structures shall be issued a certificate of occupancy by the building inspection department upon meeting the requirements of this section.

(Ord. No. 5904, § II, 11-2-2010; Ord. No. 2875.)

Sec. 7A-5. - Amendments to insure compliance.

For the purposes of this chapter the sale, lease, renting or employee occupancy of owner-built structures shall not occur within three (3) years of the issuance of a certificate of occupancy.

(Ord. No. 5904, § II, 11-2-2010; Ord. No. 2875.)

Sec. 7A-6. - Abatement of substandard buildings.

All structures or portions thereof which are determined by the enforcing agency to constitute a substandard building shall be declared to be a public nuisance and shall be abated by repair, rehabilitation, or removal in accordance with Sonoma County Code, Chapter

1. Section 1-7.1, and Health and Safety Code Sections 17980 through 17995. In cases of extreme hardship to owner-occupants of the dwellings, the appropriate local body should provide for deferral of the effective date of orders of abatement.

(Ord. No. 5904, § II, 11-2-2010; Ord. No. 2875.)

Sec. 7A-7. - Board of appeals for limited density owner-built dwelling regulations.

Requirements for the board of appeals and the appeal process shall be consistent with Chapter 7, Section 7-3 and 7-13 of the county code.

(Ord. No. 6185, § II(a), 11-15-2016; Ord. No. 5904, § II, 11-2-2010; Ord. No. 2875.)

Sec. 7A-8. - Recordation of owner-built rural dwelling.

The enforcing agency shall record with the county recorder a "certificate of occupancy" for limited density owner-built rural dwelling upon approval of final inspection.

(Ord. No. 6185, § II(b), 11-15-2016; Ord. No. 2875.)

Sec. 7A-9. - Constitutional and statutory validity.

It is the express purpose of this chapter to conform the regulations regarding the construction and use of limited density rural owner-built dwellings and appurtenant structures to the requirements of Article 1, Section 1, of the California State Constitution, and the statutes of the State of California. If any section, subsection, sentence, clause, or phrase of this chapter is, for any reason, held to be unconstitutional or contrary to California statutes, such ruling shall not affect the validity of the remaining portions of this chapter.

(Ord. No. 2875.)

Sec. 7A-10. - Violations.

The critical concern in the promulgation of this chapter is to provide for health and safety while maintaining respect for the law and voluntary compliance with the provisions of this chapter, and therefore, in the event that an order to correct a substandard condition is ignored, it is the intent of this section that civil abatement procedures should be the first remedy pursued by the enforcement agency.

(Ord. No. 2875.)
Code of Ordinances



Sec. 7A-11. - Permits.

Permits shall be required for the construction of rural dwellings and appurtenant structures.

Exemptions: Permits shall not be required for small or unimportant work, or alterations or repairs that do not present a health or safety hazard, and which are in conformance with local zoning requirements or property standards. For the purposes of this exemption, small or unimportant work shall be that which meets the criteria for an "A-BLD" permit.

(Ord. No. 5904, § II, 11-2-2010; Ord. No. 2875.)

Sec. 7A-12. - Issuance.

The application, plans, and other data filed by an applicant for a permit shall be reviewed by the appropriate enforcement agency to verify compliance with the provisions of this article. Where the enforcement agency determines that the permit applications and other data indicates that the structure(s) will comply with the provisions of this article, the agency shall issue a permit therefore to the applicant.

(Ord. No. 2875.)

Sec. 7A-13. - Application.

To obtain a permit, the applicant shall first file an application therefore with the designated enforcement agency. Permit applications shall contain the following information: (1) name and mailing address of the applicant; (2) address and location of the proposed structure(s); (3) a general description of the structure(s) which shall include mechanical installations with all clearances and venting procedures detailed, electrical installations, foundation, structural, and construction details; (4) a plot plan indicating the location of the dwelling in relation to property lines, other structures, sanitation and bathing facilities, water resources, and water ways; (5) approval for the installation of a private sewage disposal system or alternate waste disposal means from the permit and resource management department; (6) a stipulation by the applicant that the building or structure is to be owner-built; (7) the signature of the owner or authorized agent; (8) the use or occupancy for which the work is intended; (9) and any other data or information as may be required by statute or regulation.

(Ord. No. 5904, § II, 11-2-2010; Ord. No. 2875.)
Code of Ordinances



Sec. 7A-14. - Plans.

Plans shall consist of a general description of the structure(s), including all necessary information to facilitate a reasonable judgment of conformance by the enforcing agency. This may include a simplified diagram of the floor plan, structural cross-section and site elevation in order to determine the appropriate dimensions of structural members. Architectural drawings and structural analyses shall not be required except for structures of complex design, or non-conventional construction, or unusual conditions for which the enforcement agency cannot make a reasonable judgment of conformance to this chapter based upon the general description and simplified plan(s).

(Ord. No. 5904, § II, 11-2-2010; Ord. No. 2875.)

Sec. 7A-15. - Waiver of plans.

The enforcement agency may waive the submission of any plans if the agency finds that the nature of the work applied for is such that the reviewing of plans is not necessary to obtain compliance with this chapter.

(Ord. No. 2875.)

Sec. 7A-16. - Modifications.

Modifications to the design, materials, and methods of construction are permitted, provided that the structural integrity of the building or structure is maintained, the building continues to conform to the provisions of this chapter and the enforcement agency is notified in writing of the proposed modification. The determination of structural integrity and conformance of the proposed modifications to the provisions of this chapter shall be made by the Chief Building Official.

(Ord. No. 5904, § II, 11-2-2010; Ord. No. 2875.)

Sec. 7A-17. - Permit validity.

Permits shall be valid, without renewal, for a minimum period of three (3) years.

(Ord. No. 2875.)

Code of Ordinances

Conventional construction. "Conventional construction" shall mean structures of simple design and construction with no unusual conditions that conform with Chapter 23 of the California Building Code.

4. Graywater. "Graywater" shall include all domestic waste water obtained from the drainage of showers, bathtubs, lavatories, and laundry facilities, exclusive of kitchen sinks, toilets, bidets, dishwashers, or any waste water utilized for the transport and disposal of body eliminations.
5. Limited density rural dwelling. "Limited density rural dwelling" is any structure consisting of one (1) or more habitable rooms intended or designed to be occupied by one (1) family with facilities for living and sleeping, with use restricted to rural areas that fulfills the requirements of this chapter.
6. Non-conventional construction. "Non-conventional construction" shall mean structures of complex design and construction which may contain unusual conditions, as determined by the chief building official, and do not conform with the conventional construction requirements of Chapter 23 of the California Building Code.
7. Owner-built.
 - (a) "Owner-built" shall mean constructed by any person or family who acts as the general contractor for, or as the provider of part or all of the labor necessary to build housing to be occupied as the principal residence of that person or family, and not intended for sale, lease, rent or employee occupancy.
 - (b) For the purposes of this chapter, the sale, lease, renting or employee occupancy of owner-built structures shall not occur within three (3) years of the issuance of a certificate of occupancy.
8. Rural. For the purposes of this chapter only, "rural" shall mean those unincorporated areas of counties designated and zoned by the enforcing agency for the application of this chapter. Suitable areas may include those wherein the predominant land usage is agricultural and undeveloped.
9. Sound structural condition. A structure shall be considered to be in "sound structural condition" when it is constructed and maintained in substantial conformance with the California Model Codes, accepted construction principles, or performance criteria (engineering analysis) which provide minimum requirements for the stressing of structural members; footing sizes when related to major load-bearing points; proper support of load-bearing members; nailing schedules where essential to general structural integrity; and provisions for adequate egress, ventilation, sanitation, and fire safety.

Code of Ordinances Conditions which would not render a structure unsound are; ceiling heights, size or arrangement of rooms, heating, plumbing, and electrification requirements, alternative materials, appliances or facilities, or methods of construction, or building designs that perform to protect health and safety for the application and purpose intended, and any other provisions of this chapter regulating the construction, use and occupancy of dwellings and appurtenant structures.

10. Substandard building. A "substandard building" is a structure or portion thereof in which there exists any hazardous condition, as determined by the chief building official, to an extent that endangers the life, limb, health, or safety of the occupants. Except as amended by the provisions of this chapter, Health and Safety Code Section 17920.3 shall be the determining criteria for compliance with the standards of this chapter and the defining of a substandard building.

(Ord. No. 5904, § II, 11-2-2010; Ord. No. 4906, § 4(A), 1995; Ord. No. 2875.)

Sec. 7A-27. - General requirements.

Each structure shall be constructed and maintained in a sound structural condition to be safe and sanitary, and to shelter the occupants from the elements.

(Ord. No. 2875.)

Sec. 7A-28. - Intent of general requirements.

It shall be the purpose and intent of this chapter to permit the use of ingenuity and preferences of the builder, and to allow and facilitate the use of alternatives to the specifications prescribed by the California Model Codes to the extent that a reasonable degree of health and safety is provided by such alternatives, and that the materials, methods of construction, and structural integrity of the structure shall perform in application for the purpose intended. To provide for the application of this chapter, it shall be necessary for the enforcement agency to determine the compliance of appropriate structures with the general and specific requirements of this article.

(Ord. No. 5904, § II, 11-2-2010; Ord. No. 2875.)

Sec. 7A-29. - California Model Codes to be a basis of approval.

Code of Ordinances Except as otherwise required by this chapter, dwellings and appurtenant structures constructed pursuant to this part shall conform with the latest applicable editions of the California Building, Residential, Electrical, Plumbing, Mechanical, Energy, Fire and Green Building Standards Codes. Such codes shall be a basis for approval.

(Ord. No. 5904, § II, 11-2-2010; Ord. No. 2875.)

Sec. 7A-30. - Construction requirements.

1. Structural requirements. Buildings or structures constructed pursuant to this chapter may be of any type of construction which will provide for a sound structural condition. Structural hazards which result in an unsound condition and which may constitute a substandard building are delineated by Section 1001(c), Uniform Housing Code (most recent edition).
2. Foundations. Pier foundations, stone masonry footings and foundations, pressure treated lumber, poles, or equivalent foundation materials or designs may be used provided that the bearing and lateral stability as documented by engineering analysis, is sufficient for the purpose intended.
3. Materials. Owner-produced or used materials and appliances may be utilized unless found not to be of sufficient strength or durability to perform the intended function; owner-produced and/or used lumber that has been graded, or shakes and shingles may be utilized unless found to contain dry rot, excessive splitting, or other defects obviously rendering the material unfit in strength or durability for the intended purpose.
4. Mechanical requirements. Heating and cooking appliances and gas piping installed in buildings constructed pursuant to this chapter shall be installed and vented in accordance with the requirements of the latest applicable editions of the California Mechanical and Plumbing Codes. Alternate materials and methods of venting shall be permitted if substantially equivalent in safety and durability. The latest edition of the various codes shall apply.
5. Heating capacity. When a heating facility or appliance is installed, it shall be subject to the provisions of this chapter; however, there shall be no specified requirement for heating capacity or temperature maintenance. The use of a solid fuel or solar heating device may be deemed as complying with the requirements of this section. Conditioned space shall be in accordance with the requirements of the latest applicable edition of the California Energy Code. Wood burning appliances shall be in conformance with Chapter 7C of the Sonoma County Code.

6. Electrical requirements. No dwelling or appurtenant structure constructed pursuant to this chapter shall be required to be connected to a source of electrical power, or wired, or otherwise fitted for electrification, except as set forth below in Section 7A-30(7) of this section.

7. Installation requirements. Where electrical wiring or appliances are installed, they shall be installed in accordance with the provisions of the latest applicable edition of the California Electrical Code.

Exceptions to installation requirements. In structures where electrical usage is confined to one (1) or more rooms of a structure, the remainder of the structure shall not be required to be wired or otherwise fitted for electrification unless the enforcement agency determines otherwise for conformance to this chapter.

It is the intent of this subsection to apply to buildings in which there exists a workshop, kitchen, or other single room which may require electrification, and where there is no expectation of further electrical demand.

Service limit. The main service equipment shall be limited in size to the intended load capacity of the installed electrical facilities.

8. Room requirements. There shall be no requirements for room dimensions provided that there is adequate light and ventilation and adequate means of egress in conformance with the latest applicable editions of the California Model Codes. In single family dwellings not exceeding two (2) stories in height where, due to the location or to the surrounding terrain, emergency rescue from the exterior is not feasible, egress windows from sleeping spaces may be omitted when an additional doorway or an approved exit escape hatch is provided for egress from such rooms. The doorways provided shall open directly to the exterior of the building or shall open onto corridors or passageways which lead to individual exterior exits. The corridors or passageways provided shall not cross nor shall they follow the same route in whole or in part of the building exterior. Approved exit escape hatches shall be installed in accordance with the terms of their approval.

Exception: Openable windows or exterior doors for emergency egress or rescue from sleeping rooms of a single-family dwelling may be omitted when such rooms are located on a mezzanine floor or loft area which is at least fifty (50) percent open to the floor below. Such mezzanine or loft area shall have at least two (2) means of evacuation acceptable to the enforcing authority and may include stairways, ladders, escape hatches, or any other design or arrangement which will allow egress in the event of an emergency.

(Ord. No. 5904, § II, 11-2-2010; Ord. No. 275.)
Code of Ordinances



Sec. 7A-31. - Sanitation requirements.

Sanitation facilities, including the type, design, and number of facilities, as required and approved by the chief building official of permit and resources management department, shall be provided to the dwelling sites. It shall not be required that such facilities be located within the dwelling.

(Ord. No. 5904, § II, 11-2-2010; Ord. No. 4906, § 4(B) (part), 1995; Ord. No. 2875.)

Sec. 7A-32. - Plumbing specifications.

Where conventional plumbing, in all or in part, is installed within the structure, it shall be installed in accordance with the latest applicable edition of the California Plumbing Code. Alternative materials and methods shall be permitted provided that the design complies with the intent of the code, and that such alternatives shall perform to protect health and safety for the intended purpose.

(Ord. No. 5904, § II, 11-2-2010; Ord. No. 2875.)

Sec. 7A-33. - Sanitation facilities.

A water closet shall not be required when an alternate system is provided and has been approved by the chief building official of permit and resources management department. Where an alternative to the water closet is installed, a system for the disposal or treatment of waste water shall be provided to the dwelling. Graywater systems shall be designed according to water availability, use and discharge in accordance with Ch. 16A of the latest applicable edition of the California Plumbing Code.

A bathtub or shower and a lavatory, or alternate bathing and washing facility approved by the chief building official of permit and resources management department, shall be provided to the dwelling site.

(Ord. No. 5904, § II, 11-2-2010; Ord. No. 4906, § 4(B) (part), 1995; Ord. No. 2875.)

Sec. 7A-34. - Domestic water supply.

1.

Code of Ordinances Domestic water supply shall be available on the dwelling site, although such water need not be pressurized. Where water delivery is pressurized, appropriate piping shall be installed in accordance with the provisions of this chapter. Quantity of water shall be in accordance with Chapter 7, Section 7-12 of the Sonoma County Code.

2. Supply for firefighting. A minimum storage of two thousand five hundred (2,500) gallons shall be available. Storage may be in tanks, swimming pools, ponds or other similar storage facilities.
3. Where pressurized water delivery system is incorporated into a structure greater than six hundred forty square feet (640' ²), and are located a minimum of one hundred feet (100') from all other buildings, fire sprinklers shall be installed. An automatic fire sprinkler system shall be also be required when additions or alterations are made to existing limited density owner-built rural dwellings in accordance with county code Section 7-13(B) (40) Table 903.6.

(Ord. No. 6185, § II(f), 11-15-2016; Ord. No. 5904, § II, 11-2-2010; Ord. No. 4906, § 4(B) (part), 1995; Ord. No. 2875.)

< Sec. 7-22. - Severability.

CHAPTER 7B - FLOOD DAMAGE PREVENTION >

