

DISCUSSION PAPER  
RURAL RESIDENTIAL ENCLAVES

**BACKGROUND**

On March 15, 2022, the Board of Supervisors adopted the Cannabis Program Update Framework to direct and guide staff in its preparation of a draft ordinance supported by a Programmatic Environmental Impact Report to amend the Cannabis Land Use Ordinance and related regulations.

Item 7 of the Cannabis Program Update Framework summarizes the County’s intent to increase compatibility between cannabis land uses and the neighborhoods they are located within or near. Specifically, Item 7b states:

*Criteria to determine what constitutes a “rural neighborhood enclave” shall be developed and shall consider, at minimum, residential density, and community character. If designated rural neighborhood enclaves are adopted, the cannabis land use ordinance shall include maps of all such enclaves.*

These interfaces typically occur where clustered residential development comprised of subdivisions of smaller parcels create a comparatively dense residential landscape bordered by larger agricultural parcels with a much lower residential density. Setbacks are often used to establish a buffer between dissimilar land uses and to mitigate impacts generated by a particular land use, such as odor or noise, where such impacts can be decreased through distance from the source. Setbacks are an effective way to mitigate such impacts as they are applied to site design elements rather than regulating ongoing behaviors. Setback requirements from rural residential enclaves would ensure space between cultivation sites and densely developed residential areas.

**OBJECTIVES**

- Develop a data driven, quantitative set of criteria aimed at identifying rural residential enclaves throughout unincorporated Sonoma County to ensure neighborhood compatibility with cannabis operations located at the interface where predominantly residential land uses transition to predominantly agricultural and resource land uses (including commercial land uses allowed on these lands).
  
- Input criteria into a geographic information systems (GIS) data model to create enclave maps.

Staff considered various criteria and combinations of criteria, as outlined below, to determine the most effective pathway to develop a data driven method to identify rural residential enclaves.

**ENCLAVE DEVELOPMENT**

**FINAL CRITERIA**

The following criteria were input into a GIS data model to determine rural residential enclaves:

- General Plan Land Use Designation: Urban Residential (UR), Rural Residential (RR), Land Intensive Agriculture (LIA), Land Extensive Agriculture (LEA), Diverse Agriculture (DA), and Resources and Rural Development (RRD)

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- Residential Density Combining District: B6 2, B6 1.5, B6 1, all B6 combining districts with “DU”, B7, and B8
- Maximum Parcel Size: 2 acres
- Minimum Contiguous Parcel Number: 50

**GIS MODEL**

The above criteria were input into the GIS model in a hierarchical order.

- Residential Density Combining District was REQUIRED as an exact data match; the model output could only include parcels which have one of the combining districts identified above.
- General Plan Land Use Designation was input as an exact data match but was not required; the model output could include parcels with alternate land use designations ONLY if the density above was met. This hierarchy was set after staff ran an initial model and discovered that some mobile home parks are located in areas with commercial or industrial land use designations.
- Maximum parcel size was input as a target for the model but is not a hard maximum; the model can include parcels that are greater than two acres if the calculated average in the enclave meets the two-acre maximum. However, the further away from the enclave “core” a parcel is, the lower the probability it meets the input criteria. Many of the draft enclaves do include parcels, often on the fringes, that are greater than 2 acres in size.
- Minimum contiguous parcel number was input as a target for the model but is not a hard minimum; the model can include parcel clusters that contain fewer than 50 parcels. As with maximum parcel size, the more parcel number deviates below the target of 50, the lower the probability it meets the input criteria. None of the proposed enclaves have less than 50 parcels.

Because the GIS data model requires a numerical input for both maximum parcel size and minimum contiguous parcel number in order to run, staff selected more conservative thresholds that would be most inclusive (i.e., would return the largest possible datasets). The model works by mathematically creating subsets of parcels that meet the above four criteria, where the first two criteria are required, and the second two criteria are mathematical targets. This means that the model could generate enclaves with parcels that are greater than two acres or that contain less than 50 parcels. The model sets a “geospatial core” for the center of each data subset it identifies and calculates the probability that each parcel it includes in the subset meets the criteria for inclusion. For example, parcels in the center of a mapped enclave would have a probability of 1.0, whereas parcels further from the center along the enclave boundaries may have a lower probability less than 1.0, depending on how much variation there is in the data for that particular enclave.

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**STAFF ANALYSIS**

**DEFINITIONS**

The term “neighborhood” is not defined by the Sonoma County Zoning Code nor by the Sonoma County General Plan. Merriam-Webster defines a “neighborhood” as: the people living near one another, or a section lived in by neighbors and usually having distinguishing characteristics.

The term “community” is not defined by the Sonoma County Zoning Code nor by the Sonoma County General Plan. Merriam-Webster defines a “community” as: a group of people with common interests living in a particular area or, more broadly, as the area itself.

The terms “rural” and “urban” are not defined by the Sonoma County Zoning Code nor are they defined by the Sonoma County General Plan. The US Census Bureau defines an “urban area” as a geographical area which must encompass at least 2,000 housing units or have a population of at least 5,000. The US Census Bureau defines “Rural” as a geographical area which encompasses all population, housing, and territory not included within an urban area.

The term “enclave” is not defined by the Sonoma County Zoning Code nor is it defined by the Sonoma County General Plan. Merriam-Webster defines “enclave” as: a distinct territorial cultural or social unit enclosed within or as if within foreign territory.

**CRITERIA DEVELOPMENT**

**GENERAL PLAN LAND USE DESIGNATION**

The Land Use Element of the General Plan identifies the distribution, location, and extent of uses of land, includes allowed density and building intensity, and provides policies to guide growth, development, and use of land in accordance with specific land use designations. Considering the Land Use as a criterion is imperative as it reflects intended and projected development throughout the unincorporated County.

Related to development of residential enclaves, staff focused on land use designations where residential uses are a primary or a principally permitted use. Although residences may be located on land with a commercial, industrial, or public facilities land use designation, residential uses allowed in such areas are intended to be secondary to and supportive of the primary use (e.g., a live/work unit associated with a commercial land use, or a caretaker unit associated with an industrial or public land use). In some areas of the County, existing residential development may occur on land with a commercial or industrial land use designation. Such areas are often located adjacent to existing commercial or industrial development around urban fringes or city limits where the General Plan projects that residential uses will convert to another use over time, typically associated with an expansion of urban services or annexation into a city. For the purposes of identifying residential enclaves, industrial, commercial, and public land use designations were not included in the criteria.

For agricultural land use designations, the General Plan states that the primary use of the land must be agricultural and that residential uses, while allowed as principally permitted uses, must recognize that primary agricultural uses may create nuisance situations. Similarly, the General Plan states that the

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primary purpose of the Resources and Rural Development land use designation is natural resource conservation, although low density residential uses are also allowed as principally permitted uses.

The General Plan Land Use Designations included as criteria in the development of enclaves are: Urban Residential (UR), Rural Residential (RR), Land Intensive Agriculture (LIA), Land Extensive Agriculture (LEA), Diverse Agriculture (DA), and Resources and Rural Development (RRD).

**ZONING DISTRICT**

Parcel zoning is made up of multiple components, including the base zoning district, residential density, and combining districts. For example:

LIA B6 60 Z, SR VOH

LIA (Land Intensive Agriculture) is the base zoning district

B6 60 is the density, which allows one primary dwelling per 60 acres

This zoning includes multiple combining districts, which further define or restrict allowed uses of the base zoning district:

Z – Accessory Dwelling Unit Exclusion

SR – Scenic Resources

VOH – Valley Oak Habitat

LC, TS

LC (Limited Commercial) is the base zoning district

No density because residences are not a primary or principally permitted use in LC

TS (Traffic Sensitive) is the only combining district

Staff considered including specific base zoning districts as criteria for rural residential enclaves. However, the application of zoning districts did not provide an additional determining factor, as they generally coincide with the land use designation.

Although considered, zoning districts were not included in the criteria to develop rural residential enclaves.

**RESIDENTIAL DENSITY COMBINING DISTRICTS**

The General Plan Land Use Element includes standards for density and building intensity for each land use category. The Zoning Code then implements the General Plan’s residential density for a particular parcel according to the residential density combining district portion of the parcel zoning.

Density is included in the zoning district by a combining district, including B6, B7, and B8. The B6 district specifies the maximum permitted density determined by gross acreage for all residential uses. For example, B6 20 allows one primary dwelling per 20 acres. In general, all legal parcels which allow residences as a primary or principally permitted use are allowed one primary dwelling per parcel, even if the parcel size is less than the zoning density (i.e., a parcel less than 20 acres in size with a B6 20 density is still allowed one primary residence). In areas where the General Plan has designated a higher level of residential density, the zoning density may include “DU” after the number, for example, B6 10 DU,

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which allows 10 primary dwelling units per one acre, including multi-family structures such as apartment buildings.

The B7 and B8 combining districts signify that the lot has been frozen and cannot be further subdivided, usually as a result of a previous residential subdivision. Subdivision potential relates to residential density because parcels are generally allowed one primary dwelling per parcel, unless a recorded parcel map specifies a different residential development allotment. For B7 and B8, residential density can be inferred by parcel size, since no additional parcels can be created and each parcel would generally be allowed one primary dwelling (i.e., in most cases, a subdivided 2-acre parcel with a B7 would have a functional density of one primary dwelling per 2 acres).

Staff applied a B6 density of 2 or less, which equates to one or more dwelling units per two acres, to represent enclaves of more dense residential development in what is overall a very rural county. Residential density combining districts included as criteria in the development of enclaves are: B6 2 (one primary dwelling per 2 acres), B6 1.5 (one primary dwelling per 1.5 acres), B6 1 (one primary dwelling per 1 acre), and all combining districts with “DU” which indicate one or more dwellings per acre. B7 and B8 combining districts were also included in order to capture previous subdivisions that no longer have a B6 density in the parcel zoning.

**PARCEL SIZE**

The intent of the development of rural residential enclaves is to identify pockets of clustered residential development which exist amongst larger agricultural parcels to apply protections to parcels located near the boundaries of these residential clusters at the agricultural/residential interface. This pattern of development often results from the subdivision process. Residential subdivisions occur primarily on land designated for residential or agricultural uses to allow separate ownership of individual dwelling units and sometimes also to increase residential density through density bonuses or other mechanisms. Because the General Plan protects agricultural land for agriculture, subdivisions on agricultural land often employ a clustering design, where a number of smaller parcels intended primarily for residential uses are proposed along with one or more much larger parcels which are intended primarily to maintain agricultural uses. In many cases, a B7 or B8 density is then applied to subdivided parcels to prohibit additional residential development and preserve any larger parcels for agricultural uses.

As noted previously, the County does not have discrete definitions for a “neighborhood” or a “community;” however, both terms are generally accepted to describe groups of people living in a particular geographical area which may have distinguishing characteristics. Most residential subdivisions would fit this general definition. Furthermore, because residential subdivisions are intended for residential use, metrics related to parcel size and contiguous parcel number provide meaningful data to help identify common characteristics of clustered residential development within the unincorporated County.

Staff initially considered various parcel sizes, ranging from one to five acres. In order to determine the most appropriate maximum parcel size for enclaves, staff researched 44 clusters of residential development located throughout the unincorporated County. Many of these clusters were created through a formal subdivision process; others are within a “Census Designated Place” or CDP identified

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by the US Census Bureau. For CDPs, staff delineated cluster research boundaries by grouping contiguous parcels of a similar size. This review found that the average parcel size was under one acre (0.89 acre) and the median parcel size was about half an acre (0.57 acre) in the sample areas.

If the parcel size criterium was set at one acre, the model would generate fewer and smaller enclaves with less variation in size between individual parcels. Conversely, a larger parcel size criterium (e.g., two acres) would generate more and larger enclaves with greater variability in size between individual parcels. Because the model uses parcel size as a target but includes parcels larger than the target size due to averaging, the larger the target parcel size is, the greater the amount of variation between parcels within the enclave. For example, a maximum parcel size of 3 acres could generate enclaves with parcels ranging in size from less than one acre up to 6 or 7 acres. Whereas a maximum parcel size of 5 acres could generate enclaves with parcels ranging in size from less than one acre up to greater than 10 acres. Enclaves generated using a larger minimum parcel size would restrict cannabis development in areas of lower residential density (i.e., parcels at the larger end of the size range) where the use may not be incompatible.

To be more inclusive, while also minimizing potential size deviation from the target, staff used two acres as the maximum parcel size in the development of enclaves.

*Note: Using the two-acre maximum as the model target, parcel size ranges from 0.01 acre to 5.0 acres across most of the draft enclaves. Five enclaves contain mobile home parks on significantly larger parcels, ranging from 8.22 to 36.73 acres. Excluding the mobile home park sites, the average parcel size is 0.72 acre, and the median parcel size is 0.59 acre across all enclaves, very similar to the initial subdivision research numbers identified by staff.*

**CONTIGUOUS PARCEL NUMBER**

During the clustered development review described above, staff also compiled metrics related to contiguous parcel number. Clusters evaluated varied greatly in parcel number, ranging from 3494 parcels to 25 parcels, with an average number of 397 and a median of 142. However, staff noted that looking at a subset of clusters with 200 or fewer parcels, the average (77) and median (68) parcel numbers were similar and that 75 parcels would likely represent a typical enclave in Sonoma County.

A larger contiguous parcel number target would exclude smaller pockets of development and therefore generate fewer enclaves. To be more inclusive, staff selected 50 parcels as the minimum number for development of enclaves.

*Note: Using a 50-parcel minimum as the model target, the number of parcels per enclave across all draft enclaves ranges from 47 parcels to 4,637 parcels, with an average number of 566 parcels and a median of 328 parcels.*

**URBAN SERVICE AREA**

Referencing 2023 population projections, 76 percent of the County's population (371,161) lives in the nine City Urban Service Areas (USAs) and the remaining 24 percent (115,605) lives in the unincorporated

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area, outside of the City USAs. USAs also occur within the unincorporated County, generally bordering incorporated Cities with the exception of the Russian River area.

Staff considered including USAs in the criteria, as residential density is higher where urban services (i.e., public water and sewer) are available. However, staff determined that this criterion would not capture the pockets of rural development located away from cities. Therefore, Urban Service Areas were not included in the criteria to develop rural residential enclaves.

**CENSUS INFORMATION**

**CENSUS DESIGNATED PLACE**

The US Census Bureau defines a CDP (Census Designated Place) as a statistical equivalent of incorporated places to represent unincorporated communities that do not have a legally defined boundary or an active functioning governmental structure. Examples of CDPs include unincorporated communities, planned communities, military installments, and resort towns. A single location cannot be part of both an incorporated place and a CDP. Sonoma County's inland CDPs include the following: Geyserville, Cazadero, Guerneville, Monte Rio, Occidental, Forestville, Graton, Bodega, Valley Ford, Bloomfield, Petaluma Center, Penngrove, Temelec, El Verano, Boyes Hot Springs, Eldridge, Fetters Hot Springs – Agua Caliente, Glen Ellen, Kenwood, Fulton, and Larkfield-Wikiup. Staff used Census Bureau CDPs during the research phase to help identify residential clusters for review (described above in Parcel Size and Contiguous Parcel Number). However, staff noted that CDP boundaries often extended far beyond the residential core to include much larger parcels, and also that CDPs excluded areas surrounding Sebastopol and West Petaluma. Therefore, US Census Bureau Census Designated Places were not included in the criteria to develop rural residential enclaves.

**URBAN DESIGNATION**

The US Census Bureau defines Urban Areas as areas which represent densely developed territory and encompass residential, commercial, and other nonresidential urban land uses that encompass at least 2,000 housing units or at least 5,000 people. Urban Areas identified in Sonoma County generally follow the borders of incorporated Cities. Therefore, US Census Bureau Urban Areas were not included in the criteria to develop rural residential enclaves.

**POPULATION DENSITY INFORMATION**

US Census Bureau data for population density is collected and reported by Census Block. However, Census Block boundaries are not delineated based on population. In more rural areas, a single Census Block can contain parcels which vary substantially in size and underlying residential density. Conversely, a single city or residential community can be split into numerous Census Blocks. In addition, population data is reported as either a total for the block or averaged across the block; census data is not available per individual parcel. Therefore, neither Census Block boundaries nor census population data were useful in identifying specific clusters of parcels by population density. This led staff to instead incorporate residential density determined by zoning as a determining criterion (as described above in Residential Density Combining Districts). US Census Bureau population density information was not included in the criteria to develop rural residential enclaves.

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**COMMUNITY CHARACTER**

A “community” is generally defined as a group of people living in a particular geographical area which may have distinguishing characteristics. Such characteristics might include a specific design aesthetic (e.g., similar architectural style or landscaping continuity, like street trees) or development orientation (e.g., residences laid out around a public space or in a series of cul-de-sacs). When present, these characteristics are specific to the residential development in which they are found as opposed to being common among residential developments in general, making it difficult to identify features that could be applied uniformly to all residential areas. In addition, data related to architectural design and various development features is generally not available from existing GIS or permitting data sources. Therefore, although staff did consider community character, the criteria developed instead relied on various datasets described above, and community character was not included in the criteria to develop rural residential enclaves.

**ENCLAVE IMPLEMENTATION**

**APPLICATION**

The GIS model identified 43 enclaves which met the criteria; maps of proposed enclaves are attached, separated by Supervisory District. All of the enclaves are located within areas with a General Plan designated Residential Land Use. None are located within Agricultural or Resource Land Use areas, although many enclaves abut agricultural areas and some in the Russian River area abut Resource Land Use areas. The staff recommendation for implementation of Rural Residential Enclaves is to require a 1,000-foot sensitive use setback between enclaves and cannabis uses located on rural lands. Rural Residential Enclaves will only apply to cannabis uses on Agricultural and Resource Zoned Lands (not Commercial or Industrial). Rural Residential Enclaves will require a 1,000-foot setback surrounding the identified enclaves measured from the border of the enclave. Parcels which are partially located within an enclave 1,000-foot setback may be eligible for cannabis permits if the cannabis operation can be located greater than 1,000 feet from the enclave boundary. The setback is not proposed to apply on Commercial or Industrial zoned parcels because cannabis uses in those zoning districts are generally fully contained and do not present the same sorts of compatibility concerns as cannabis uses on Agricultural and Resource zoned parcels.

**NONCONFORMING USES:**

Adoption of any new or expanded sensitive use setbacks is likely to result in existing operations and proposed projects already in the permit process being located within new setback boundaries. Policy options to address these nonconforming uses and pipeline permit applications will be developed for Board consideration later in the process. However, the types of options the Board could consider include but are not limited to: allowing existing operations to continue subject to limitations imposed on Nonconforming Uses in Zoning Code Sec 26-94-010 through 26-94-040; setting a sunset date for existing permits, after which the operations must be relocated on the property or ceased; allowing in-process permit applications to continue, either as proposed or with restrictions, or requiring in-process permit applications to withdraw or modify the project to meet current code requirements.

**POLICY ALTERNATIVE TO ENCLAVES**



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**Residential Zoning Setback:** A 1,000-foot setback could be applied from all residentially zoned parcels instead of just residential enclaves. All enclaves are located in residential areas, where cannabis uses (other than personal use) are already prohibited, though not all residential zoning is within a mapped enclave. Standard setbacks are proposed to be 300 feet from property lines. The enclave setback of 1,000 feet would provide additional protection to certain residential areas. Alternatively, a 1,000-foot sensitive use setback could be applied between all residentially zoned parcels (not just those located in enclaves), and cannabis uses located on Agricultural or Resource Zoned lands. Cannabis uses located in Commercial or Industrial areas would not be subject to this setback. This policy option would provide greater protection for all residentially zoned parcels but would also further restrict cannabis development in areas of lower residential density where the use may not be incompatible.