

## 26.88.202 - BIOENERGY FACILITIES SPECIAL USE STANDARDS

- A. Purpose.** This section establishes the minimum standards for bioenergy production facilities including ethanol, biodiesel and biogas, and related power generation and cogeneration facilities where allowed by the base zone. Bioenergy refers to power or fuels produced from any biomass material derived from plants, animals and organic waste streams.
- B. Applicability.** These standards apply to all bioenergy facilities as allowed by the base zone as shown in *Table 1: Allowed Uses and Permit Requirements Renewable Energy Systems and Facilities* in Section 26-88-200.
- C. Limitations on Uses.** Commercial bioenergy facilities are allowed as a compatible use on agricultural lands under Land Conservation Act (Williamson Act) contract only in areas that are not classified in the State Farmland Mapping and Monitoring Program as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland.

**D. Accessory Bioenergy Production.**

Bioenergy and cogeneration facilities serving up to 125 percent of the on-site energy demand for a legally established use are permitted as an accessory use when feedstocks are produced on-site or the feedstocks are the by-product of on-site agricultural processing, subject to the standards of Subsection E. Where feedstocks are imported from another site or where biofuels are exported off-site, a use permit shall be required.

Oversized accessory bioenergy systems located on or within existing structures or existing developed areas are not subject to the 125 percent threshold when producing electricity for a feed-in tariff or Community Choice Aggregation Program, but shall be limited to existing developed area of the site, as determined by the Director.

- E. Development Standards.** The following standards shall apply to bioenergy production and cogeneration facilities, in addition to the General Development standards of Section 26.88.200 Renewable Energy Facilities.
- 1. Setbacks.** Bioenergy facilities shall comply with all setbacks of the underlying zone district, except that on parcels adjacent to a residential zone or off-site residential use, bioenergy production facilities shall maintain a minimum setback of 200 feet from the residential use or zone district. Greater setbacks may be established for large facilities.
  - 2. Storage.** The bioenergy production facility shall include sufficient storage for both raw materials and fuel production. On-site storage shall also be provided for all additional by-products resulting from bioenergy production, unless those additional products are used on-site through land application, livestock consumption, or similar as a part of the approved land use permit.
  - 3. Regulatory Compliance.** Buildings, facilities, and equipment used in the production and/or storage of bioenergy shall comply with all local, State, and Federal laws. The owner or operator of the biofuel production facility shall provide Sonoma County PRMD with proof that all necessary approvals had been obtained from State and Federal agencies involved in permitting any of the following aspects of biofuel production:

- a. Air pollution emissions;
- b. Transportation of biofuel, or additional products resulting from biofuel production;
- c. Use or reuse of additional products resulting from biofuel production;
- d. Storage of raw materials, fuel, and additional products used in, or resulting from, biofuel production.