



County of Sonoma

State of California

Date: December 6, 2022

Item Number: _____

Resolution Number: _____

☐ 4/5 Vote Required

Resolution of the Board of Supervisors of the County of Sonoma, State of California, Approving the Request by Cort Munselle, on behalf of the Property Owner, Chalk Vista Vineyards, LLC, for a Minor Subdivision of 38+/- acres into Three Parcels 11.92 +/- Acres, 10.78 +/- Acres, and 15.34 +/- Acres in Size Subject to a Land Conservation Act Contract for Property Located at 1276 Jensen Lane, Windsor; APN 162-020-007.

Whereas, Cort Munselle, on behalf of the property owner, Chalk Vista Vineyards, LLC, filed a Minor Subdivision application with the Sonoma County Permit and Resource Management Department to subdivide 38+/- acres into three parcels 11.92 +/- acres, 10.78 +/- acres, and 15.34 +/- acres in size for property located at 1276 Jensen Lane, Windsor; APN 162-020-007; Zoned DA (Diverse Agriculture) B6 10, and combining districts for Z (Accessory Unit Exclusion), F (Geologic Hazard Area), SR (Scenic Resource), and VOH (Valley Oak Habitat); Supervisorial District No 4.; and

Whereas, the purpose of the Minor Subdivision is to create three parcels for residential and agricultural use; and

Whereas, a subdivision of land under a Land Conservation contract(s) can be approved provided the subdivided land conforms to the *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones* and meets the findings set forth in the State Subdivision Map Act, Government Code Section 66474.4; and

Whereas, a Mitigated Negative Declaration was prepared and circulated on February 7, 2022 – March 8, 2022; and

Whereas, under Rule 10 of the *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones*, no land subject to a Land Conservation Contract shall be subdivided unless the Board of Supervisors finds the Tentative Map to be in substantial conformance with the provisions of the State Subdivision Map Act; and

Whereas, Section 66474.4 of the Subdivision Map Act requires a final decision by the Board of Supervisors because the land is under a California Land Conservation Contract; and

Whereas, in accordance with the provisions of law, the Board of Supervisors held a public hearing on December 6, 2022 at which time all interested persons were given an opportunity to be heard; and

Whereas, the Board of Supervisors makes the following findings:

1. The subdivision creates three parcels 11.92 +/- acres, 10.78 +/- acres, and 15.34 +/- acres in size, from a 38+/- acre parcel which is consistent with the General Plan land use designation of Diverse Agriculture with a maximum allowable density of 10 acres per dwelling unit. The subdivision is consistent with General Plan goals, policies and objectives, specifically General Plan policy AR 8c which requires the lots to meet certain minimum parcel size as noted in #4 below.
2. The subdivision is consistent with the Diverse Agriculture Zoning Designation and minimum parcel size requirement of the zoning district.
3. The subdivision complies with the adopted Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones because it has been demonstrated that:
 - a. A minimum of 50 percent of the land must be continuously used or maintained for agricultural uses. For less than 12 acres of prime agricultural land, a minimum of 6 acres must be planted in a permanent crop.
 - i. Parcel 1 (11.92 acres in size) proposes a building envelope 0.33 acres in size and a driveway 0.16 acres in size (4.1% of Parcel). Approximately 0.49 acres of vineyard would be removed to develop the parcel's driveway and building envelope, reducing the 9.22-acre vineyard to 8.73 acres, or 73% of the parcel. Parcel 1 proposes a 0.2-acre standard septic area which will remain in vineyard production and is a compatible use occupying 1.7% of the parcel.
 - ii. Parcel 2 (10.78 acres in size) proposes a building envelope 0.31 acres in size and a driveway 0.13 acres in size (4.1% of Parcel). Approximately 0.44 acres of vineyard would be removed to develop the parcel's driveway and building envelope, reducing the 6.44-acre vineyard to 6 acres, or 55% of the parcel. Parcel 2 proposes a 0.37-acre standard septic area which will remain in vineyard production and is a compatible use occupying 3.4% of the parcel.

- iii. Parcel 3 (15.34 acres in size) proposes a building envelope 0.42 acres in size, a driveway 0.24 acres in size and a non-standard septic area 0.2 acres in size (7.4% of Parcel). Approximately 0.86 acres of vineyard would be removed to develop the parcel's driveway, septic area and building envelope, reducing the 13.36-acre vineyard to 12.5 acres, or 81% of the parcel.
- b. Each parcel will meet the minimum parcel size of 10 acres for Prime Contracts. Proposed Parcel 1 is 11.92+/- acres, proposed Parcel 2 is 10.78+/- acres, and proposed Parcel 3 is 15.34+/- acres in size and each parcel will be eligible for new Prime contracts;
- c. Each parcel will exceed the minimum gross income requirement of \$1,000 per planted acre per year, as the land currently generates an annual average income of \$16,978.00 per planted acre of vineyard.
- d. Each parcel will remain under a Land Conservation Act Contract and complies with the restrictions to agricultural and compatible uses.
- e. No land would be removed from the Land Conservation Act program.
- 4. The subdivision complies with Section 66474.4 of the Subdivision Map Act pertaining to land under an existing California Land Conservation Act Contract, referred to as a Williamson Act contract, because (1) the resulting parcels would be large enough to sustain continued agricultural use, (2) each parcel meets or exceeds the minimum lot size, (3) the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones do not require minimum annual income for properties under Open Space contracts, and (4) the subdivision would not result in residential development that is not incidental to the agricultural use of the parcels.
- 5. Uniform Rule 9.0 of the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones requires that the owner of the contracted land apply for rescission of the existing contract and simultaneous replacement of that contract with a separate new contract for each parcel resulting from the subdivision. The conditions of approval include this requirement.
- 6. Based upon the information contained in the Initial Study included in the project file, it has been determined that there will be no significant environmental effect resulting from this project, provided that the Mitigation Measures and Conditions of Approval are incorporated into the project. The Mitigated Negative Declaration has been completed in compliance with CEQA State and County guidelines, and the information contained therein has been reviewed and considered.

Be It Further Resolved The subdivision complies with the Subdivision Map Act (Government Code Sections 66410 through 66499.58). Specifically, the tentative map complies with Section 66474 of the Subdivision Map Act because (1) the subdivision design is consistent with the applicable objectives, goals, and policies of the General Plan, (2) the site is physically suitable for the development, (3) the subdivision will not cause substantial environmental damage or injure fish or wildlife or their habitat, (4) the subdivision is not likely to cause serious public health problems, and (5) the design of the subdivision will not conflict with public easements.

Now, Therefore, Be It Further Resolved, that the Board of Supervisors hereby finds, declares, and determines that all of the foregoing recitals are true and correct and adopts the Mitigated Negative Declaration. The Board of Supervisors certifies that the Mitigated Negative Declaration has been completed, reviewed, and considered, together with comments received during the public review process, in compliance with CEQA State and County guidelines, and finds that the Negative Declaration reflects the independent judgment of the Board of Supervisors.

Be It Further Resolved that the Board of Supervisors hereby approves the requested Tentative Map to subdivide 38+/- acres into three parcels 11.92 +/- acres, 10.78 +/- acres, and 15.34 +/- acres in size, based on findings consistent with this Resolution, and subject to the Conditions of Approval in Attachment "A," which includes a condition to rescind and replace the existing Land Conservation Act Contract.

Be It Further Resolved that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

Supervisors:

Gorin:	Rabbitt:	Coursey:	Hopkins:	Gore:
Ayes:	Noes:	Absent:	Abstain:	

So Ordered.

ATTACHMENT A: SONOMA COUNTY BOARD OF SUPERVISORS

Conditions of Approval

Staff:	Hannah Spencer	Date:	December 6, 2022
Applicant:	Cort Munselle	File No.:	MNS18-0004
Owner:	Chalk Vista Vineyards, LLC	APN:	162-020-007
Address:	1276 Jensen Lane, Windsor		

Project Description: Request for a Minor Subdivision of a 38-acre property into three parcels: Lot 1 at 11.92 acres, Lot 2 at 10.78 acres and Lot 3 at 15.34 acres in size. Additional project elements include construction of two septic lines and one culvert upgrade associated with development of a 650-ft private roadway to provide access to each of the three parcels.

GENERAL:

1. Within five working days after project approval, the applicant/operator shall pay a mandatory Notice of Determination filing fee of \$2,404.75 (or the latest fee in effect at the time of payment) for County Clerk processing, made payable to Sonoma County Clerk and submitted to the Permit Sonoma project planner, unless the applicant requests an alternate payment method in advance of the fee due date. NOTE: If the fee is not paid within five days after approval of the project, it will extend time frames for CEQA legal challenges.
2. The Board of Supervisor decisions shall be final on the eleventh (11th) day after final Board of Supervisors action.
3. Permit Processing and Development Fees. This "At Cost" entitlement is not vested until all permit processing costs and development fees are paid in full. No grading or building permits shall be issued until all permit processing costs and development fees are paid in full.
4. These conditions must be met and the application validated within 24 months (December 6, 2024) unless a request for an extension of time is received before the expiration date.
5. Staff contact information is provided under each appropriate sub-heading of conditions. Contacts are in effect at the time of project approval and are subject to change.
6. FOR RESULTING LOTS: Prior to Permit Sonoma recording the final subdivision map, the property owner shall submit a complete application(s) and applicable filing fees to rescind and replace the existing Prime Land Conservation Act Contract with three, new Prime Land Conservation Contracts. Once the final subdivision map is recorded, the property owner will submit to Permit Sonoma an updated preliminary title report for each resulting lot within 30 days or upon Permit Sonoma's request, and provide any other information to Permit Sonoma required to bring replacement contracts to the Board of Supervisors for action.

PERMIT SONOMA PLANNING:

"The conditions below have been satisfied" BY _____ DATE _____

7. The applicant shall include these Conditions of Approval on a separate sheet of plan sets to be submitted for building and grading permit applications.
8. The Director of Permit Sonoma is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to PRMD demonstrating that the conditions is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. PRMD shall consult with affected departments and agencies and may require an application for modification of the approved Tentative Map. Changes to conditions that may be authorized by PRMD are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval letter from Permit Sonoma, and shall not affect the original permit approval date or the term for expiration of the permit.
9. The owner/operator and all successors in interest, shall comply with all applicable provisions of the Sonoma County Code and all other applicable local, state and federal regulations.
10. Prior to submitting the subdivision check print maps to the County Surveyor, the applicant shall submit, to Permit Sonoma - Project Review Division, a Condition Compliance Review Fee deposit (amount to be determined consistent with the ordinance in effect at that time). This "At Cost" fee is a minimum deposit and condition compliance is charged on an actual cost basis. Should the actual costs exceed the amount of the fee, the applicant will be billed for additional costs. In addition, the applicant shall also pay any application processing fees that have exceeded the initial deposit fee to process the subdivision application.
11. Prior to recording the map, the property owner shall execute and record a Right-to-Farm declaration on a form provided by PRMD.
12. **NOTE ON MAP:** "Agricultural uses occur in this area and pesticide applications, dust, odor and other nuisances associated with agricultural activities may occur."
13. Dedication of parkland or payment of fees, in lieu of dedication, shall be paid prior to recordation of the Parcel Map. Alternatively, at the request of the subdivider, fees may be paid prior to issuance of building permits for new residential construction on each lot. If fees are intended to be paid prior to issuance of building permits, the following NOTE shall be placed on the Parcel Map:

NOTE ON MAP: "New residential construction on these parcels is subject to payment of parkland fees in accordance with Section 25-58 et. seq. of the Sonoma County Subdivision Ordinance. Evidence that fees are paid shall be provided to the Regional

Parks Department prior to the issuance of building permits.”

14. **NOTE ON MAP:** “Affordable housing requirements apply to each residential lot pursuant to Section 26-89-040 F of the Sonoma County Code. Each nonexempt residential unit shall pay an in-lieu affordable housing fee at the time of issuance of the building permit, unless a building permit for a qualifying affordable unit is approved prior to or concurrent with the building permit for the nonexempt residential unit.”
15. All construction-related work, including earthwork, grading, trenching, backfilling and compaction operations, shall be conducted in accordance with the Sonoma County Code Chapter 11. All construction activities shall meet the California Building Code regulations for seismic safety. Construction plans shall be subject to review and approval of Permit Sonoma prior to the issuance of a building permit. All work shall be subject to inspection by Permit Sonoma and must conform to all applicable code requirements and approved improvement plans prior to the issuance of a certificate to occupancy.
16. Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the notes included in these Conditions of Approval are printed on applicable building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about California Building Code regulations for seismic safety.
17. **Mitigation Measure GEO-1:** The following note shall be printed on the parcel map:
NOTE ON MAP: “As specific construction plans are developed for each parcel, site specific geotechnical reports shall be developed for each property addressing surface fault rupture, seismic ground shaking, liquefaction, landslides and soils. The design of all earthwork, cuts and fills, drainage, pavements, utilities, foundations, and structural components shall conform with the specifications and criteria contained in the project geotechnical report which may include structural setbacks from unstable areas. The geotechnical engineer shall submit an approval letter for the engineered grading plans prior to issuance of the grading permit. Prior to final of the grading permit, the geotechnical engineer shall also inspect the construction work and shall certify to Permit Sonoma, prior to the acceptance of the improvements or issuance of a certificate of occupancy that the improvements have been constructed in accordance with the geotechnical specifications.”

Mitigation Monitoring GEO-1: Building/grading permits shall not be approved for issuance by Permit Sonoma staff until the above note is printed on the building, grading, and improvement plans.
18. The Applicant shall submit an Erosion and Sediment Control Plan prepared by a registered professional engineer as an integral part of the grading plan. The Erosion and Sediment Control Plan shall be subject to review and approval of the Permit Sonoma prior to the issuance of a grading permit. The Plan shall include temporary erosion control measures to be used during construction of cut and fill slopes, excavation for foundations, and other grading operations at the site to prevent discharge of sediment and contaminants into the drainage system. The Erosion and Sediment Control Plan shall include the following measures as applicable:

- a) Throughout the construction process, ground disturbance shall be minimized,

and existing vegetation shall be retained to the extent possible to reduce soil erosion. All construction and grading activities, including short-term needs (equipment staging areas, storage areas and field office locations) shall minimize the amount of land area disturbed. Whenever possible, existing disturbed areas shall be used for such purposes.

- b) All drainage ways, wetland areas and creek channels shall be protected from silt and sediment in storm runoff through the use of silt fences, diversion berms and check dams. Fill slopes shall be compacted to stabilize. All exposed surface areas shall be mulched and reseeded and all cut and fill slopes shall be protected with hay mulch and /or erosion control blankets as appropriate.
 - c) All erosion control measures shall be installed according to the approved plans prior to the onset of the rainy season but no later than October 15th. Erosion control measures shall remain in place until the end of the rainy season, but may not be removed before April 15th. The applicant shall be responsible for notifying construction contractors about erosion control requirement.
19. The construction contract shall require that any storage of flammable liquids be in compliance with the Sonoma County Fire Code and section 7-1.01G of the Caltrans Standard Specification (2006) (or the functional equivalent) for the protection of surface waters. In the event of a spill of hazardous materials, the Contractor shall immediately call the emergency number 9-1-1 to report the spill and shall take appropriate actions to contain the spill to prevent further migration of the hazardous materials to storm water drains or surface waters.
20. The County shall be contacted in the event of an accidental hazardous materials spill and shall verify that appropriate clean-up procedures have been completed.
21. Pursuant to Public Resource Code 4442, the Applicant shall include a note on all construction plans that internal combustion engines shall be equipped with an operational spark arrester, or the engine must be equipped for the prevention of fire.
22. Pursuant to Sonoma County Code Chapter 13 and Board of Forestry Fire Safety Regulations, the project shall meet emergency access, minimum emergency water supply, fuel modification and defensible space, sprinklers, and road naming and addressing.
23. Prior to Final Plan approval, applicant must submit to Permit Sonoma for review and approval of all project construction drawings to ensure compliance with the Sonoma County Fire Code, including requirements for wildland-urban interface fire areas.
24. **Mitigation Measure VIS-1:** The following note shall be printed on the parcel map:
NOTE ON MAP: "No building construction (residential or agricultural) shall occur outside the building envelopes. Modification of the building envelopes can only be accomplished through a Certificate of Modification which addresses visual, biotic, and archeological resources."
- Mitigation Monitoring VIS-1:** The Project Planner shall ensure that the above note appears on the Final Map/Parcel Map Check Print prior to recordation.
25. **Mitigation Measure VIS-2:** The following note shall be printed on the parcel map:

NOTE ON MAP: “All new structures, lighting and signs shall require final design review by (PRMD or Design Review Committee) prior to issuance of building permits. Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. All parking lot and street lights shall be full cut-off fixtures. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated.”

Mitigation Monitoring VIS-2: The Project Review Planner shall review the map to ensure that the note is shown correctly on the map. Permit Sonoma Staff shall not issue the Building Permit until design review is completed and an exterior night lighting plan has been submitted that is consistent with the approved plans and County standards. The Permit and Resource Management Department shall not sign off final occupancy on the Building Permit until it is demonstrated that improvements have been installed according to the approved plans and conditions. If light and glare complaints are received, the Permit and Resource Management Department shall conduct a site inspection and require the property be brought into compliance or initiate procedures to revoke or modify the permit.

26. **Mitigation Measure AIR-1:** The following note shall be printed on the parcel map:

NOTE ON MAP: All construction shall implement the following dust control measures:

- a. Water or alternative dust control method shall be sprayed to control dust on construction areas, soil stockpiles, and staging areas during construction as directed by the County.
- b. Trucks hauling soil, sand and other loose materials over public roads will cover the loads, or will keep the loads at least two feet below the level of the sides of the container, or will wet the load sufficiently to prevent dust emissions.
- c. Paved roads will be swept as needed to remove soil that has been carried onto them from the project site.

Mitigation Monitoring AIR-1: Permit Sonoma staff shall ensure that the note is on the map prior to recordation and that the measures are listed on all site alteration, grading, building or improvement plans prior to issuance of grading or building permits.

27. **Mitigation Measure BIO-1:** The following note shall be printed on the parcel map:

NOTE ON MAP: “Prior to the initiation of project activities, the project proponent shall conduct botanical surveys for special-status plants at the project site, and adjacent to the project if indirect offsite impacts may occur, in conformance with CDFW’s 2018 *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities* (see: <https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) to determine if special-status plants are present or substantiate absence of these species. Previous surveys of the site indicate that the following are the target species due to potentially suitable habitat: Napa false indigo (flowering period April – July), Bent-flowered fiddleneck (flowering period March – June), Big-scale balsamroot (flowering period March – June), Large-flowered mariposa lily (flowering period April – July), Johnny-nip (flowering period March – August), Streamside daisy (flowering period June – October), Nodding harmonia (flowering period March – May), Hayfield tarplant (flowering period April – November), Harlequin lotus (flowering

period March – July), Mt. Diablo cottonweed (flowering period March – May), Marsh microseris (flowering period April – July) or Oval-leaved viburnum (flowering period May – June).

Surveys shall be conducted during appropriate conditions and more than one year of surveys may be necessary per the protocol. If non-CESA listed special-status plants, including but not limited to California Rare Plant Rank plants, are detected and may be impacted by project activities, the project proponent shall mitigate offsite for impacts at a 3:1 mitigation to impact ratio. Mitigation lands shall be occupied by the impacted species, protected in perpetuity under a conservation easement, and managed in perpetuity through an endowment with an appointed land manager.

To avoid impacts to CESA listed plants including Sebastopol meadowfoam, Burke's goldfields and Sonoma Sunshine, the project shall avoid direct impacts to on-site and off-site wetlands by implementing a clearly marked minimum 50-foot non-disturbance buffer. Prior to the initiation of project activities, the project shall provide CDFW with a hydrological assessment of the site to determine if on-site and off-site wetlands may be indirectly impacted by project activities, and obtain CDFW's written acceptance of the assessment. If indirect impacts to wetlands cannot be avoided, botanical surveys shall be expanded to encompass all impacted wetlands on-site and off-site, and shall be conducted for at least two years to be consistent with the Santa Rosa Plain Conservation Strategy Appendix D (see: <https://www.fws.gov/sacramento/es/Recovery-Planning/Santa-Rosa/santa-rosa-strategy.php>). If CESA listed plants are detected or if CDFW is unable to accept the survey results, the project shall obtain a CESA ITP from CDFW prior to construction and comply with all requirements of the ITP, including but not limited to providing compensatory habitat mitigation. In addition, the project shall obtain authorization from the U.S. Fish and Wildlife Service (USFWS) for impacts to federally listed plant species.

Impacts to unoccupied suitable habitat for federally listed plant species shall be mitigated according to the Santa Rosa Plain Conservation Strategy and 2020 USFWS programmatic Biological Opinion for projects on the Santa Rosa Plain, which requires a 1:5:1 ratio for mitigation within the same core area as the impact, and a 3:1 ratio if within a different core area. Impacts to occupied habitat requiring an ITP may require a different mitigation ratio."

Mitigation Monitoring BIO-1: Prior to approval of the map for recordation, Permit Sonoma staff shall ensure the note is shown correctly on the map. Prior to issuance of grading or building permits, Permit Sonoma staff shall ensure that minimization measures are listed on all site alteration, grading, building or improvement plans. Prior to construction and through completion of initial site disturbance, Permit Sonoma staff shall verify that all surveys have been conducted according to applicable protocols and shall review the results of all pre-construction surveys and any measures recommended by the biologist to avoid sensitive habitat or species and ensure compliance.

28. **Mitigation Measure BIO-2a:** The following note shall be printed on the parcel map:

NOTE ON MAP: "The following measures shall be taken to avoid potential inadvertent destruction or disturbance of nesting birds on and near the project site as a result of construction-related vegetation removal and site disturbance:

- (a) To avoid impacts to nesting birds, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) shall occur outside the avian nesting season (generally prior to February 1 or after August 31). Active nesting is present if a bird is sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest.
- (b) If construction-related activities are scheduled to occur during the nesting season (generally February 1 through August 31), a qualified biologist shall conduct a habitat assessment and preconstruction nesting survey for nesting bird species no more than seven (7) days prior to initiation of work. In addition, the qualified biologist conducting the surveys shall be familiar with the breeding behaviors and nest structures of birds known to nest on the project site. Surveys shall be conducted at the appropriate times of day during periods of peak activity (e.g., early morning or dusk) and shall be of sufficient duration to observe movement patterns. Surveys shall be conducted on the project site and within 100 feet of the construction limits for nesting non-raptors and 500 feet for nesting raptors, as feasible. If the survey area is found to be absent of nesting birds, no further mitigation would be required. However, if project activities are delayed by more than seven (7) days, an additional nesting bird survey shall be performed.
- (c) If pre-construction nesting bird surveys result in the location of active nests, no site disturbance (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading), shall take place within 100 feet of non-raptor nests and 500 feet of raptor nests. Monitoring by a qualified biologist shall be required to ensure compliance with the relevant California Fish and Game Code requirements. Monitoring dates and findings shall be documented. Active nests found inside the limits of the buffer zones or nests within the vicinity of the project site showing signs of distress from project construction activity, as determined by the qualified biologist, shall be monitored daily during the duration of project construction for changes in breeding behavior. If changes in behavior are observed (e.g., distress, disruptions), the buffer shall be immediately adjusted by the qualified biologist until no further interruptions to breeding behavior are detected. The nest protection buffers may be reduced if the qualified biologist determines in coordination with CDFW that construction activities would not be likely to adversely affect the nest. If buffers are reduced, twice-weekly monitoring may need to be conducted to confirm that construction activity is not resulting in detectable adverse effects on nesting birds or their young. The qualified biologist and CDFW may agree upon an alternative monitoring schedule depending on the construction activity, season, and species potentially subject to impact. Construction shall not commence within the prescribed buffer areas until a qualified biologist has determined that the young have fledged or the nest site is otherwise no longer in use. Following completion of pre-construction nesting bird surveys (if required), a report of the findings shall be prepared by a qualified biologist and submitted to the County prior to the initiation of construction related activities that have the potential to disturb any active nests during the nesting season.”

Mitigation Monitoring BIO-2a: Prior to approval of the map for recordation, Permit Sonoma staff shall ensure the note is shown correctly on the map. Permit Sonoma staff

will not issue permits for ground disturbing activities between February 1st and August 31st until the site has been surveyed by a qualified biologist to ensure proper fencing and buffers are in place prior to issuance.

29. **Mitigation Measure BIO-2b:** The following note shall be printed on the parcel map:

NOTE ON MAP: “The following measures shall be taken to avoid potential inadvertent destruction or disturbance of burrowing owls on and near the project site as a result of construction-related vegetation removal and site disturbance:

A qualified biologist shall conduct a habitat assessment, and surveys if habitat is present, following the California Department of Fish and Game (now CDFW) 2012 Staff Report on Burrowing Owl Mitigation (CDFW 2012 Staff Report) habitat assessment and survey methodology (see <https://wildlife.ca.gov/Conservation/Survey-Protocols#377281284-birds>) prior to project activities occurring during the burrowing owl wintering season from September 1 to January 31. The habitat assessment and surveys shall encompass the project site and a sufficient buffer zone (up to 500 meters or 1,640 feet) to detect owls nearby that may be impacted. Time lapses between surveys or project activities shall trigger subsequent surveys, as determined by a qualified biologist, including but not limited to a final survey within 24 hours prior to ground disturbance before construction equipment mobilizes to the Project area. The qualified biologist shall have a minimum of two years of experience implementing the CDFW 2012 survey methodology resulting in detections.

Detected burrowing owls shall be avoided pursuant to the buffer zone prescribed in the CDFW 2012 Staff Report, unless otherwise approved in writing by CDFW, and any eviction plan shall be subject to CDFW review. CDFW does not consider eviction of burrowing owls (i.e., passive removal of an owl from its burrow or other shelter) as a “take” avoidance, minimization, or mitigation measure; therefore, offsite habitat compensation shall be included in the eviction plan. Habitat compensation acreages shall be approved by CDFW, as the amount depends on site-specific conditions, and completed before project construction. It shall also include placement of a conservation easement.”

Mitigation Monitoring BIO-2b: Prior to approval of the map for recordation, Permit Sonoma staff shall ensure the note is shown correctly on the map. Prior to construction and site disturbance, Permit Sonoma staff shall verify that all surveys have been conducted according to applicable protocols and shall review the results of all pre-construction surveys and any measures recommended by the biologist to avoid sensitive habitat or species and ensure compliance.

30. **Mitigation Measure BIO-2c:** The following note shall be printed on the parcel map:

NOTE ON MAP: “The following measures shall be taken to avoid potential inadvertent destruction or disturbance of American badger on and near the project site as a result of construction-related vegetation removal and site disturbance:

A qualified biologist shall conduct a survey for American badger including adjacent habitat prior to construction, avoiding occupied burrows including a sufficient buffer approved by CDFW, and preparing and implementing a CDFW approved relocation plan if badgers are found on or adjacent to the project site.”

Mitigation Monitoring BIO-2c: Prior to approval of the map for recordation, Permit Sonoma staff shall ensure the note is shown correctly on the map. Prior to construction and site disturbance, Permit Sonoma staff shall verify that all surveys have been conducted according to applicable protocols and shall review the results of all pre-construction surveys and any measures recommended by the biologist to avoid sensitive habitat or species and ensure compliance.

31. **Mitigation Measure BIO-3:** The following note shall be printed on the parcel map:

NOTE ON MAP: “The Applicant shall obtain all required permits for working in and/or near Waters of the U.S. and Waters of the State prior to construction of the two septic lines and culvert upgrade. The applicant shall submit an LSA Notification to CDFW pursuant to Fish and Game Code section 1602 prior to project construction. If CDFW determines that an LSA Agreement is warranted, the project shall comply with all required measures in the LSA Agreement, including but not limited to requirements to mitigate impacts to stream and riparian habitat and protect special-status and other species that may be impacted. Permanent impacts to stream and riparian habitat shall be mitigated by restoration of riparian habitat at a minimum 3:1 mitigation to impact ratio based on acreage and linear distance as close to the project site as possible and within the same watershed. Temporary impacts shall be restored on-site in the same year as the impact.

Other required permits are likely to include Section 404 Nationwide Permit with the Corps, Section 401 Water Quality Certification with the Regional Water Quality Control Board (RWQCB). Any mitigation measures or Best Management Practices (BMPs) recommended by resource agencies as part of that permitting shall be followed.

Grading shall occur during the dry season (April 1 through October 15) and should be suspended during unseasonable rainfalls of greater than one-half inch over a 24-hour period. If rainfall is in the forecast, standard erosion control measures (e.g., straw waddles, bales) should be deployed within the active working area.

Construction personnel should be informed of the location of the site’s aquatic resources with high visibility flagging or staking prior to construction. No materials or equipment shall be lain down in or near the aquatic resources, and spill prevention materials shall be deployed for all construction equipment.”

Mitigation Monitoring BIO-3: Prior to approval of the subdivision map for recordation, Permit Sonoma staff shall ensure the note is shown correctly on the map. Prior to issuance by Permit Sonoma of a grading and/or building permit, Permit Sonoma shall verify all required resource agency permits have been obtained and ensure all recommended mitigation or protection measures are followed. All measures shall be noted on the final project plans.

32. **Mitigation Measure CUL-1:** The following note shall be printed on the parcel map:

NOTE ON MAP: All building and/or grading permits shall not be approved for issuance by Permit Sonoma staff unless the following note is printed on the building, grading and improvement plans and grading or earthwork plan sheets:

“If paleontological resources or prehistoric, historic or tribal cultural resources are encountered during ground-disturbing work, all work in the immediate vicinity shall be

halted and the operator must immediately notify the Permit and Resource Management Department (PRMD) – Project Review staff of the find. The operator shall be responsible for the cost to have a qualified paleontologist, archaeologist or tribal cultural resource specialist under contract to evaluate the find and make recommendations to protect the resource in a report to PRMD. Paleontological resources include fossils of animals, plants or other organisms. Prehistoric resources include humanly modified stone, shell, or bones, hearths, firepits, obsidian and chert flaked-stone tools (e.g., projectile points, knives, choppers), midden (culturally darkened soil containing heat-affected rock, artifacts, animal bone, or shellfish remains), stone milling equipment, such as mortars and pestles, and certain sites features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe. Historic resources include all by-products of human use greater than fifty (50) years of age including, backfilled privies, wells, and refuse pits; concrete, stone, or wood structural elements or foundations; and concentrations of metal, glass, and ceramic refuse.

If human remains are encountered, work in the immediate vicinity shall be halted and the operator shall notify PRMD and the Sonoma County Coroner immediately. At the same time, the operator shall be responsible for the cost to have a qualified archaeologist under contract to evaluate the discovery. If the human remains are determined to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification so that a Most Likely Descendant can be designated and the appropriate measures implemented in compliance with the California Government Code and Public Resources Code.”

Mitigation Monitoring CUL-1: Building/grading permits shall not be approved for issuance by Permit Sonoma staff until the above notes are printed on the building, grading, and improvement plans.

33. Mitigation Measure NOISE-1: The following note shall be printed on the parcel map:

NOTE ON MAP: All plans and specifications or construction plans shall include the following notes:

- (a) “All internal combustion engines used during construction of this project will be operated with mufflers that meet the requirements of the State Resources Code, and, where applicable, the Vehicle Code. Equipment shall be properly maintained and turned off when not in use.
- (b) Except for actions taken to prevent an emergency, or to deal with an existing emergency, all construction activities shall be restricted to the hours of 7:00 a.m. and 7:00 p.m. (use this if no nearby receptors, or 5:00 pm if nearby receptors) on weekdays and 9:00 a.m. and 7:00 p.m. (same note as above) on weekends and holidays. If work outside the times specified above becomes necessary, the applicant shall notify the PERMIT SONOMA Project Review Division as soon as practical.
- (c) There will be no start up of machines nor equipment prior to 7:00 a.m., Monday through Friday or 9:00 am on weekends and holidays; no delivery of materials or equipment prior to 7:00 a.m. nor past 7:00 p.m., (same note as above) Monday through Friday or prior to 9:00 a.m. nor past 7:00 p.m. on weekends and holidays and no servicing of equipment past 7:00 p.m., Monday through Friday, or weekends and holidays. A sign(s) shall be posted on the site regarding the

allowable hours of construction, and including the developer- and contractors mobile phone number for public contact 24 hours a day or during the hours outside of the restricted hours.

- (d) Pile driving activities shall be limited to 7:30 a.m. to 7:00 p.m. weekdays only.
- (e) Construction maintenance, storage and staging areas for construction equipment shall avoid proximity to residential areas to the maximum extent practicable. Stationary construction equipment, such as compressors, mixers, etc., shall be placed away from residential areas and/or provided with acoustical shielding. Quiet construction equipment shall be used when possible.
- (f) The developer shall designate a Project Manager with authority to implement the mitigation prior to issuance of a building/grading permit. The Project Managers 24-hour mobile phone number shall be conspicuously posted at the construction site. The Project Manager shall determine the cause of noise complaints (e.g. starting too early, faulty muffler, etc.) and shall take prompt action to correct the problem."

Mitigation Monitoring NOISE-1: Permit Sonoma Project Review staff shall ensure the Note is on the Map prior to recordation, and that the measures are listed on all site alteration, grading, building or improvement plans, prior to issuance of grading or building permits. Permit Sonoma staff shall inspect the site prior to construction to assure that the signs are in place and the applicable phone numbers are correct. Any noise complaints will be investigated by Permit Sonoma staff. If violations are found, Permit Sonoma shall seek voluntary compliance from the permit holder, or may require a noise consultant to evaluate the problem and recommend corrective actions, and thereafter may initiate an enforcement action and/or revocation or modification proceedings, as appropriate.

PERMIT SONOMA SURVEYOR:

"The conditions below have been satisfied" BY _____ DATE _____

- 34. A Parcel Map, as defined in the State Subdivision Map Act and prepared by a licensed surveyor or civil engineer, showing all easements and parcels shall be filed with the Sonoma County Surveyor. Upon recording of the map, the Subdivision is valid.
- 35. This subdivision was approved and a finding of site suitability was made based on the representation of the subdivider that he has, or is currently negotiating for and will acquire, the property rights necessary to (1) provide legal access, with a minimum width of 25 feet from a County maintained road to the subdivision, (2) provide the necessary Public Utility easements and (3) make all required offsite improvements. Without this representation, the subdivision would not have been approved. If the subdivider is unable to provide such proof, he shall be deemed to have failed to meet the condition and no subdivision map shall be recorded. The subdivider understands and agrees that the County will not exercise its power of eminent domain to condemn any of the above-described property rights.
- 36. The County acknowledges that there may be an existing private access roadway for this proposed subdivision. However, the project/subdivision is being conditioned for access

from the nearest public road to the furthest proposed lot. Conditions allowing mitigation of some or all of that requirement follow the conditions requiring the improved access.

37. The subdivider shall retain a registered civil engineer to prepare road construction and drainage plans for submittal to the County Surveyor's Office in accordance with the current adopted Fire Safe Standards Ordinance, Sonoma County Subdivision Ordinance and the following:
- a) Construct, or provide, a private road from Parcel 2 to Jensen Lane as shown on the tentative map. The road shall have an Asphaltic Concrete surface at least 0.20 feet thick and be 18 feet wide, with one foot shoulders. The structural section of the road improvements shall be designed using a soils investigation which provides the basement soils R-value and expansion pressure test results. A copy of the soils report shall be submitted with the first set of improvement plan check prints. The traffic index to be used for the design is "4". The designer may use an R-value of "5" and a T.I. of "4" if he wishes to waive the soils investigation for the road section design. After plan approval, the subdivider shall construct the required improvements as shown on said plans. These requirements are the minimum. It is the design engineer's responsibility to design an adequate road for its intended use.
 - b) All engineering plans shall be drawn to a scale no smaller than 1" = 40 feet, shall show contours and cross-sections at a minimum of every 50 feet and extend at least 50 feet each side of the road.
 - c) The easement shall be widened as necessary to contain the road base, all cuts and fills and the required side drainage.
 - d) A grading permit shall be obtained prior to the start of any earthwork.
 - e) Any roadway structure plans approved by the PRMD shall be attached to, and become a part of, the subdivision's improvement plans.
38. If a reduced width road is approved, in order to provide emergency two-way access, passing turnouts shall be constructed at intervals not exceeding 300 feet or at locations approved by the County Fire Chief. The turnouts shall be constructed per the current adopted Fire Safe Standards Ordinance.
39. To ensure adequate emergency vehicle circulation, a turnaround shall be constructed subject to County Fire Marshal/Fire Warden clearance. Turnarounds may be circular or may be constructed as a hammerhead. The turnarounds shall be constructed per the current adopted Fire Safe Standards Ordinance. This condition may be altered or waived with written approval of the County Fire Marshal/Fire Warden and the County Surveyor. Any alteration or waiver of this condition may require other conditions to mitigate the required road standards.
40. A report prepared by a civil engineer which provides sufficient information to demonstrate that the existing on-site private road does meet the Conditions of Approval may be submitted for approval by the County Surveyor. The report shall contain

information regarding condition, width, alignment, grade, structural section, subgrade, base rock and asphalt compaction, surfacing and any other relevant information necessary to approve the report. If this cannot be demonstrated, the subdivider shall retain a registered civil engineer to prepare road and drainage plans showing how the road is to be up-graded to meet the above stated standards. This condition cannot be mitigated by the Fire Marshal/Fire Warden.

41. The subdivider shall either complete all required private and public construction or enter into an Improvement Agreement and post security with the County of Sonoma, prior to the filing of the Subdivision Map, agreeing to complete the required construction within 24 months after the preparation of the agreement. If the required construction is completed prior to the filing of the Subdivision Map, the subdivider shall enter into an Improvement Maintenance Agreement and post security with the County of Sonoma, to guarantee the improvements for a period of one year.
42. The width of this road may be altered with written approval of the County Fire Marshal and the County Surveyor. Approval of a reduced width road will require an inspection by the County Fire Marshal and may require other conditions to mitigate the required road standards. Among those mitigations is the requirement for the design and construction of a minimum of three (3) turn outs to current County Standards along Jensen Lane (Road Identifier 89027) from post mile 10.83 to postmile 11.13. The placement of these turnouts will be to the satisfaction of the County Surveyor, County Fire Marshal and the Department of Transportation and Public Works. This mitigation is for width only and cannot mitigate any other road conditions.
43. These conditions are not required to be included in the Improvement Plans with the exceptions of those entitled "NOTE ON MAP" and "NOTE ON PLANS".

PERMIT SONOMA FIRE PREVENTION:

"The conditions below have been satisfied" BY _____ DATE _____

44. **Fire apparatus access roads.** The applicant shall provide evidence that on each parcel including bridges and gate access, to buildings and building envelopes are in compliance with the California Fire Code, as adopted and amended by Sonoma County Code, subject to the review and approval of the Fire Marshal prior to filing the Parcel/Final Map at PRMD. This condition shall be met by providing Sonoma County Fire Prevention a scale plan-view drawing that graphically illustrates that the fire apparatus access roads, including gate access and bridges are in compliance with the California Fire Code, as adopted and amended by Sonoma County Code.
 - a) Roadway grades greater than 15% are not permitted without mitigation. Any mitigation for roadway grades greater than 15% is limited to 300 lineal feet of roadway within each 1000 lineal feet of roadway.
 - b) Roadways that provide vehicular access to more than one (1) parcel, to a commercial building or agricultural operation on a single parcel, or to more than two (2) residential buildings or two (2) residential buildings, containing more than three (3) dwelling units, on a single parcel are required to be two-way roads with a width of at least 18 feet plus shoulders. Unless otherwise approved to be reduced per code.

- c) A minimum of a 25-0 foot wide fire right of way easement shall be provided and recorded as a deed restriction per 13-34 (a) of the Fire Safe Standards. Unless otherwise approved to be reduced per code by the fire code official and the county surveyor.
45. **Addressing, signing and building numbering** is in compliance with the California Fire Code, as adopted and amended by Sonoma County Code, subject to the review and approval of the Fire Marshal prior to filing the Parcel/Final Map at PRMD. This condition shall be met by providing Sonoma County Fire Prevention appropriate documentation that includes a scale plan-view drawing that graphically illustrates that the signing and building numbers are in compliance with the California Fire Code, as adopted and amended by Sonoma County Code.
46. **Names of roads.** All roads serving more than two (2) parcels shall be identified by a road name. All private roads requiring a road name shall be named by the director of Permit and Resource Management pursuant to procedures established by resolution or ordinance of the Board of Supervisors. Any private road having a road name may be renamed using the procedures for naming a private road.
47. **Emergency water supplies.** The applicant shall provide evidence that on each parcel are in compliance with Chapter 5 and Appendix-B of the California Fire Code, as adopted and amended by Sonoma County Code, subject to the review and approval of the Fire Marshal prior to filing the Parcel/Final Map at PRMD. This condition shall be met by providing Sonoma County Fire Prevention sufficient documentation which proves that the emergency water supplies are in compliance with Chapter 5 and Appendix-B of the California Fire Code, as adopted and amended by Sonoma County Code.
48. **Setbacks for buildings.** For new parcels larger than 1 acre in size, the applicant shall provide evidence that on each parcel; (or building envelopes) will be in compliance with Section 13-55 of the Sonoma County Code, subject to the review and approval of the Fire Marshal prior to filing the Parcel/Final Map at PRMD.
49. **Fuel modification and defensible space clearances.** The applicant shall provide evidence that on each parcel for buildings (or building envelopes) are in compliance with Chapter 49 of the California Fire Code as adopted and amended by Sonoma County Code, subject to the review and approval of the Fire Marshal prior to filing the Parcel/Final Map at PRMD. This condition shall be met by providing Sonoma County Fire Prevention a scale plan-view drawing that graphically illustrates that the fuel modification and defensible space clearances for buildings (or building envelopes) are in compliance with Chapter 49 of the California Fire Code as adopted and amended by Sonoma County Code.
50. **Affirmative covenant, Covenants or Deed Restriction,** which shall run with the land in perpetuity, shall be created that includes: an agreement to maintain commonly shared roadways in compliance with fire regulations; an agreement to maintain vegetative fuels along commonly shared roadways and in commonly shared areas in compliance with fire regulations; and an agreement to maintain the commonly shared emergency water supply system in compliance with fire regulations. This condition shall be met by providing Sonoma County Fire Prevention and the County Surveyor a copy of a

recorded covenant or deed restriction which includes the noted items.

- a) Minor or Major subdivisions shall have a recorded maintenance agreement for the preservation, maintenance or repairs for all access roads subject to the Sonoma County Fire Safety Code Chapter 13.

51. **NOTE ON MAP:** Under local agency required information shall be provided and indicate the following language.

- a) Development on this parcel or parcels is subject to the Sonoma County Fire Safe Standards and shall be reviewed and approved by the County Fire Marshal or Local Fire District when requested. Said plan shall include but not limited to: Emergency vehicle access, easements, turnarounds at building sites, addressing, water storage for fire protection, vegetation management. Prior to occupancy, written approval that the required improvements have been installed shall be provided to PRMD from the county fire marshal.
- b) All existing and newly created private roads shall be considered a Fire Emergency Vehicle Access Route (EVA) to facilitate emergency response and shall not be altered or obstructed without approval of the County Surveyor and Sonoma County Fire.

PERMIT SONOMA GRADING AND STORM WATER:

"The conditions below have been satisfied" BY _____ DATE _____

52. **NOTE ON MAP:** "Prior to issuance of a grading or building permit, the property owner shall submit any and all required grading/site plans and drainage reports for proposed work to the Permit and Resource Management Department (Permit Sonoma) for review. Grading/site plans shall clearly indicate the nature and extent of the proposed work including earthwork, drainage improvements, erosion prevention/sediment control measures, details, notes, and specifications to prevent damages or minimize adverse impacts to the surrounding properties and the environment. Grading, drainage improvements, and erosion prevention/sediment control measures shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations."

53. **NOTE ON MAP:** "All structures requiring a building permit or an agricultural exemption shall adhere to a building setback line measured, from the toe of the stream bank outward, a distance of 2.5 times the height of the stream bank plus 30 feet, or 30 feet outward from the top of the stream bank, whichever distance is greater. If the top of the stream bank cannot be determined by visual analysis, then the building setback line shall be determined by hydraulic analysis."

54. **NOTE ON MAP:** "Grading and land disturbance shall be setback from streams a minimum of 25 feet from the top of stream bank."

55. **NOTE ON MAP:** "Each lot must consider and incorporate the off-site drainage from adjacent lands. Concentrated flow shall be converted to sheet flow to the maximum extent practicable."

56. **NOTE ON MAP:** "The lots shown hereon are subject to storm water Low Impact Development (LID) regulations. Post-construction storm water features to mitigate impacts to the quality and quantity of storm water discharges from the private road have

been incorporated into the development of the subdivision. These post-construction storm water features shall not be altered or removed in any manner that may compromise their intended design. Prior to any changes to the location or design of the approved post-construction storm water features, the property owner(s) shall submit a revised Storm Water Low Impact Development Submittal (SW LIDS) to the Permit and Resource Management Department (Permit Sonoma) - for review. If any changes to the locations of the approved post-construction storm water features are proposed then the property owner(s) shall revise the subdivision map through a certificate of modification to incorporate the approved changes of the revised SW LIDS."

57. **NOTE ON MAP:** "The lots shown hereon are subject to storm water Low Impact Development (LID) regulations. Post-construction storm water features to mitigate impacts to the quality and quantity of post-construction storm water discharges must be incorporated as part of the development of each individual lot. Prior to issuance of a grading or building permit, the property owner shall submit a Storm Water Low Impact Development Submittal (SW LIDS) to the Permit and Resource Management Department (Permit Sonoma) - for review."
58. Grading and/or building permits require review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (Permit Sonoma) prior to issuance. Grading permit applications shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations.
59. A drainage report for the proposed project shall be prepared by a civil engineer, currently registered in the State of California, be submitted with the improvement plans, and be subject to review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (Permit Sonoma). The drainage report shall include, at a minimum, a project narrative, on- and off-site hydrology maps, hydrologic calculations, hydraulic calculations, pre- and post-development analysis for all relevant existing and proposed drainage facilities. The drainage report shall abide by and contain all applicable items in the *Drainage Report Required Contents* (DRN-006) handout.
60. The proposed project is subject to storm water Low Impact Development (LID) regulations. Post-construction storm water LID best management practices (BMP's) to mitigate impacts to the quality and quantity of storm water discharges from the project site shall be incorporated into the drainage design of the project. A final Storm Water Low Impact Development Submittal (SW LIDS), based upon the approved initial SW LIDS dated **01/13/2020**, shall be submitted with the improvement plans, and be subject to review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (Permit Sonoma) prior to the issuance of any grading or building permits. LID BMP's must be installed per approved plans and specifications, and working properly prior to finaling the grading permit and associated building permits.
61. Drainage improvements shall be designed by a civil engineer, currently registered in the State of California, and in accordance with the Sonoma County Water Agency Flood Control Design Criteria. Drainage improvements shall be shown on the improvement plans and be submitted to the Grading & Storm Water Section of the Permit and Resource Management Department (Permit Sonoma) for review and approval. Drainage improvements shall maintain off-site natural drainage patterns, limit post-development

storm water quantities and pollutant discharges in compliance with PRMD's best management practices guide, and shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations. Existing drainage patterns shall be maintained, to the maximum extent practicable, to not adversely impact adjacent properties or drainage systems. Proposed drainage improvements shall not adversely impact adjacent properties or drainage systems.

62. The applicant shall provide improvement plans, prepared by a civil engineer currently registered in the State of California, which clearly indicate the nature and extent of the work proposed and include all existing and proposed land features, elevations, roads, driveways, buildings, limits of grading, limits of disturbed area/total work, adequate grading cross sections and drainage facilities such as swales, channels, closed conduits, or drainage structures. The grading plans shall abide by and contain all applicable items from the *Grading Permit Required Application Contents* (GRD-004) handout.
63. As part of the improvement plans, the applicant shall include an erosion prevention/sediment control plan which clearly shows best management practices to be implemented, limits of disturbed areas/total work, vegetated areas to be preserved, pertinent details, notes, and specifications to prevent damages or minimize adverse impacts to the surrounding properties and the environment. Tracking of soil or construction debris into the public right-of-way shall be prohibited. Runoff containing concrete waste or by-products shall not be allowed to drain to the storm drain system, waterway(s), or adjacent lands. The erosion prevention/sediment control plan shall abide by and contain all applicable items in the *Grading Permit Required Application Contents* (GRD-004) handout.
64. Grading and land disturbance shall be setback from streams a minimum of 25 feet from the top of stream bank.
65. Any waterway setbacks, including but not limited to building setbacks, grading setbacks, or riparian corridor setbacks, shall be clearly shown and noted on the improvement plans.
66. Before construction may begin near a waterway, wetland, and environmentally sensitive area, a protective construction fence shall be placed in such a manner to allow the proposed development while preventing land disturbance adjacent to the waterway, wetland, and environmentally sensitive area. The protective construction fence shall be shown and noted on the improvement plans.
67. Any stream crossing, such as a bridge or culvert, shall maintain at least one foot of freeboard between the 100-year water surface elevation and the lowest structural component or soffit of the culvert.
68. Drainage easements are required to convey storm water runoff through any neighboring properties. Drainage easements shall be clearly shown and noted on the improvement plans. The applicant shall be responsible for obtaining or creating drainage easements necessary for the proposed project prior to grading or building permit issuance. Any proposed drainage easements shall be private easements unless otherwise approved by the Department of Transportation and Public Works.

69. If the cumulative land disturbance of the project is equal to or greater than one (1) acre, then the project is subject to National Pollutant Discharge Elimination System (NPDES) requirements and must obtain coverage under the State Water Resource Control Board's General Construction Permit (General Permit). Documentation of coverage under the General Permit must be submitted to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any grading permit for the proposed project.

PERMIT SONOMA WELL AND SEPTIC:

"The conditions below have been satisfied" BY _____ DATE _____

Septic

70. To insure compliance with current State and Federal regulations at the time of recording the map, additional requirements may be imposed by PRMD to supplement sewage disposal conditions listed below as required by government Code section 66498.6 (b). Note that Well and Septic fees are separate from planning fees, and Well and Septic charges per parcel fees for each individual step (pre-perc, percolation testing, wet weather groundwater, plan check, operating permit, etc.).
71. Prior to recording the map, on Lots 1, 2 and 3, the applicant shall provide evidence of soils suitable for subsurface sewage disposal to the PRMD Well and Septic Section. This will include, but not be limited to, soil profiles, percolation tests, and preliminary septic system designs done in accordance with current standards of the Well and Septic Section. The work must be certified by a State Registered Civil Engineer, Environmental Health Specialist or Geologist, refer to this subdivision number, and shall be submitted to the PRMD, Well & Septic District Specialist.
72. Prior to recording the map, Lots 1, 2, and 3 shall contain a minimum area of 1.5 acres exclusive of easements and rights-of-way, in order to qualify for use of private sewage disposal and individual domestic wells; or 1.0 acres exclusive of easements and rights-of-way, in order to qualify for use of private sewage disposal with connection to an approved public water system.
73. Prior to recording the map, the applicant shall provide by means of a (topographic) Plot Plan drawn to a 1"=20' scale, that Lots 1, 2, and 3 contain sufficient area to accommodate a three-bedroom private sewage disposal system and a 200% unencumbered future reserve area. The plan shall include the location of any existing and potential domestic well site(s). Location of neighboring wells and septic systems within 150 feet of the proposed lots shall be shown, as well as existing and proposed driveways, grading cuts, and drainage ways. The plan is to be prepared by a registered Civil Engineer or Environmental Health Specialist and submitted to the PRMD Well and Septic Section.
74. **NOTE ON MAP:** "All future sewage disposal system repairs involving the sewage disposal area (not the septic tank, risers, sump, solid transmission lines or distribution boxes) shall be completed in the Designated Reserve areas and shall meet Class I Standards. Alternate reserve areas may be designated with the approval of PRMD Well and Septic staff and without a Certificate of Modification, if soil evaluation and testing demonstrate that the alternative reserve area meets or exceeds all of the requirements that would have been met by the original reserve area."

75. **NOTE ON MAP:** "The area tested for sewage disposal and shown on this map shall be reserved for the construction of future on-site wastewater disposal systems and shall not be encumbered by buildings, roads, soil borrow pits, ponds, parking lots, water wells, easements, or any use incompatible with use as an on-site wastewater disposal system, unless an alternative sewage disposal location on the parcel of similar capability has been tested and accepted by the County as suitable to provide wastewater disposal for a new dwelling, or unless the parcel has been connected to public sewer service."
76. Prior to recording the map, the area tested for sewage disposal shall be shown on the map and shall be free of all encumbrances (building envelopes, roads, easements, etc).
77. A check print of the map shall be submitted to the County Surveyor who will forward it to the Project Review Health Specialist for review and approval of the Health map notes prior to recording the map.
78. Prior to recording the map, demonstrate 200% future reserve area in accordance with current septic system standards (including percolation tests) on Lots 1, 2, and 3. The applicant shall provide by means of a (topographic) Plot Plan drawn to a 1"= 20' scale, that sufficient area to accommodate a 200% unencumbered future reserve area is present. The reserve area shall be sized for a three-bedroom private sewage disposal system, or the number of existing bedrooms, whichever is greater.
79. If the parcel is not served by public water, the plan shall include the location of any existing and potential domestic well site(s). Location of neighboring wells and septic systems within 150 feet of the proposed lots must be shown, as well as existing and proposed roadways, driveways, grading cuts, and drainage ways (including roadside/driveway ditches). The plan is to be prepared by a registered Civil Engineer or Environmental Health Specialist and submitted to the PRMD, Well & Septic District Specialist.
80. If Subdivision Improvement Plans are submitted, prior to recording the map, one additional copy of Subdivision Improvement Plans shall be submitted to the Survey and Land Development Section for Well and Septic Section review (fees apply). Subdivision Improvement Plans shall show the outline of all existing and proposed septic tanks, sumps, wastewater disposal areas, reserve wastewater disposal areas and water wells within 100 feet of the proposed on-site and off-site improvements. Any subdivision improvement requiring a cut three feet or deeper within 100 feet of a septic system component shall dimension that distance on the Improvement Plans. All setbacks to existing and proposed septic systems (including septic system reserve areas) shall be met prior to recording the map.
81. **NOTE ON MAP:** "All private sewage disposal systems shall be designed by a registered Civil Engineer or Registered Environmental Health Specialist" shall be shown on the lots of the map where test results indicate that a system requires such a design.
82. Prior to recording the map, for a mound, pressure distribution, pretreatment units, at-grade, filled land, or shallow sloping sewage system, the applicant shall submit to the Project Review Health Specialist an approved form of Declaration of Restrictions with either a Grant Deed/Straw Transfer or Owner's Statement on the map. Approval by the

Project Review Health Specialist of the Draft Declaration of Restrictions form shall be obtained prior to signature and notarization.

83. Prior to recording the map, geological review shall be made for stability of the proposed leach field sites on proposed Lot 3 or any lot where PRMD has requested geological stability study. The geologist shall make a finding that the proposed area is sufficiently stable for the expected life span of the septic system.
84. **NOTE ON MAP:** “Prior to major grading, landscaping or location of ponds, contact should be made with the PRMD Well and Septic Section with regard to protection of the septic system and reserve area.”

Water:

85. Prior to recording the map, proof of adequate water yield shall be demonstrated on Lots 1, 2, and 3 in accordance with Chapter 25, Sonoma County Code. At least one gallon per minute for each dwelling unit shall be demonstrated.
86. If the WR-2e Geological Report indicates unfavorable or uncertain water availability, test wells will be required prior to recording the map. Test wells shall comply with Sonoma County Code Chapter 7 (Revised 4-96) Section 7-12 water requirements for dry weather test period and yield.
87. Prior to recording the map, appropriated water rights approval shall be obtained from the State Water Resources Control Board, Division of Water Rights, for use of any well serving subdivided lots which draw water from the underflow of a perennial stream.
88. **NOTE ON MAP:** “Prior to occupancy, Lots 1, 2, and 3 shall be provided with a separate water supply meeting all current standards for annular seal and setbacks.”

Alternatively, the applicant may complete conditions a. through d. below prior to recording the map:

- a) A legal Covenant and Easement Agreement acceptable to PRMD, in compliance with Sonoma County Code, Chapter 7, Section 7-12, shall be drafted to operate and maintain any common water supply system. Contact the Project Review Health Specialist at (707) 565-1924 for requirements. A copy of the Draft Covenant must be reviewed and approved prior to recording the map or Deed.
- b) Water supply easements shall be shown on the map, and shall be conveyed at the time of property sale.
- c) Water system plans shall be submitted to the PRMD Project Review Health Specialist for review and distribution to the appropriate PRMD Plan Check Sections, including the Sanitation Section which shall review for compliance with Sonoma County Water System Standards. To the extent practicable, all portions of an existing system shall be shown on the Water System plans, and shall be labeled, “As Built” or “Existing”. Repairs of, or additions to the existing water system may be required, based upon the information provided about the existing system.

The applicant shall construct water mains and appurtenances or post securities to insure

that water supply facilities are installed in accordance with Sonoma County Water System Standards where applicable, and/or specific details, as shown on approved Improvement Plans. No construction of the water system shall begin until the Improvement Plans have been approved by PRMD, and construction inspection permits have been issued to the applicant or the applicant's contractor. Exposing portions of the existing water system will not be required unless it is necessary to understand the functioning of the existing system, to determine the number of service connections, or when it is deemed necessary by the design engineer.

d) Prior to recording the map, Lots 1, 2 and 3 served by a common water system shall be tested simultaneously by an acceptable licensed professional and found to meet Sonoma County Water System Standards for pressure and flow (5gpm/25psi for two hours).

89. Prior to recording the map, provide the Project Review Health Specialist with a copy of the Drillers Log for the existing well to verify a minimum of a 20-foot annular seal (the property owner may access existing confidential State records by calling the Department of Water Resources at 916-376-9612). If it is not possible to demonstrate that the well meets minimum construction standards and setbacks a replacement well may be required. Water System Standards for pressure and flow (5gpm/25psi for two hours).

90. **NOTE ON MAP:** "Prior to occupancy, Lots 1, 2, and 3 shall collect a sample of the water supply to be analyzed for total coliform and E. coli, arsenic and nitrates by a California State certified laboratory. The water supply to each parcel shall meet California State drinking water standards for E. coli, and shall meet the standard for total coliform if possible. If the analysis does not meet the applicable standard, the applicant will be required to flush the water line and re-test.

If a passing test cannot be obtained by simple flushing, replacement of any broken parts in the water system, chlorination and flushing of progressively more of the water system may be required until a passing test is achieved. A copy of the analysis shall be submitted to the Project Review Health Specialist."

91. In accordance with Government Code 66411.1, the Project Review Advisory Committee finds that the stated conditions are necessary for reasons of public health and safety, and/or are necessary prerequisites to the orderly development of the surrounding area.

Solid Waste:

92. Refuse Collection trucks must have at least a 32 foot turning radius at the street end. If the applicant elects to design for refuse collection at individual residences, then adequate turning radius for refuse trucks must be provided at the end of each street. Please note that the Local Enforcement Agency (at Environmental Health) bills at an hourly rate for enforcement of violations of the solid waste requirements.

SONOMA COUNTY TRANSPORTATION AND PUBLIC WORKS:

"The conditions below have been satisfied" BY _____ DATE _____

Intersections of Roads and Driveways:

93. Should the Applicant construct a new private roadway entrance the entry shall conform to County standards and meet the following criteria to allow for the smooth and safe movement of passenger vehicles entering and exiting the public road (Jensen Road) that provides access to the property. This condition shall be void if the existing entrance meets these requirements. A signed and stamped statement from a Registered Civil Engineer, licensed in the State of California, will be required to prove the driveway (project's entry to Jensen Road) meets these requirements.
- a) A minimum throat width of eighteen (18) feet.
 - b) Entrance curves having a minimum pavement radius of 25 feet; the entrance curves shall begin on a line that is a minimum of 12 feet distant from, and parallel with, the physical centerline of Jensen Road. A 1:10 pavement taper shall be constructed on both sides of the entrance if required per County Code Section 13-32 (b). Entrance curve radii may be reduced with the approval of the Fire Services Division of the Sonoma County Department of Fire and Emergency Services.
 - c) The minimum sight distance for vehicles entering and exiting the driveway shall be in accordance with current County requirements for the speed traveled on Jensen Road. Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve the minimum County required sight distance at each driveway.
 - d) The entry shall be surfaced with asphalt concrete a minimum distance of 25 feet from the existing edge of pavement.
 - e) The entry shall intersect the public road as close to perpendicular as possible, but in no case shall the entry intersect the public road at more than 20 degrees from perpendicular.
 - f) Refer to County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 815, latest revision, for private road and driveway intersection details.
 - g) Improvements shall be constructed prior to filing the parcel map, unless the entry design is incorporated into a Subdivision Improvement Agreement for private road improvements.
94. Private roadway cross-drains within the County right-of-way (if any) shall be upgraded to a minimum 18-inch culvert under the private roadway.
95. The Applicant shall construct a stabilized entrance for on-site construction activity to meet the following criteria prior to issuance of building permits:
- a) The entrance shall be of sufficient width to accommodate two-way traffic.
 - b) The entrance surface shall be stabilized to prevent tracking of gravel and mud onto the public road.

- c) The minimum sight distance for vehicles entering and exiting the construction entrance shall be in accordance with current County requirements for the speed traveled on the public road(s) providing construction access. Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve the minimum County required sight distance at each driveway.

Traffic Safety Gate Setback:

- 96. **NOTE ON MAP:** "Driveway gates shall be located a minimum distance of 30 feet from the edge of pavement, in accordance with standard detail 242."

Fees:

- 97. **NOTE ON MAP:** "New construction on the parcels associated with this approval is subject to payment of a development fee (Traffic Mitigation Fee) to the County of Sonoma before issuance of any building permits, as required by Chapter 26, Article 98 of the Sonoma County Code."

Processing:

- 98. **NOTE ON MAP:** "The Applicant shall obtain an Encroachment Permit issued by Permit Sonoma (PRMD) prior to constructing any improvements within County road right-of-way."

Completion of Required Improvements:

- 99. Prior to the filing of the Parcel Map, the Applicant shall either:
 - a) Complete construction of the required improvements. (If the required construction is completed prior to filing of the subdivision map, the Applicant shall enter into an Improvement Maintenance Agreement and post security with the County of Sonoma, to guarantee the improvements for a period of one (1) year), or,
 - b) Enter into an Improvement Agreement and post acceptable security with the County of Sonoma, agreeing to complete the required construction within the 24-month period following filing of the Parcel Map. Included in this Improvement Agreement shall be a requirement that the Applicant enter into an Improvement Maintenance Agreement and post security with the County of Sonoma, to guarantee the improvements for a period of one (1) year after acceptance of the improvements as being complete, by the County of Sonoma.