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Date: July 23, 2019

Item Number: \_\_\_\_\_  
Resolution Number: \_\_\_\_\_

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Majority Vote

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**Resolution Of The Board Of Directors Of The Sonoma Valley County Sanitation District Authorizing The Chair To Execute An Outside Service Area Agreement Between The Sonoma Valley County Sanitation District (District) And The Property Owners William Preston Raisin, Trustee Of The William Preston Trust 2011 And Diana Montgomery, Trustee Of The Diana Montgomery Trust 2011 As Tenants In Common, For Public Sewer Service Of Assessor Parcel Number (APN) 128-321-013 Located At 20600 Broadway, Sonoma, California, Determining That Executing Of The Agreement Will Not Have A Significant Adverse Effect On The Environment.**

**Whereas,** William Preston Raisin, Trustee of the William Preston Raisin Trust 2011 and Diana Montgomery, Trustee of the Diana Montgomery Trust 2011 as tenants in common (Owner), owner of Assessor Parcel Number 128-321-013, hereinafter Parcel, located at 20600 Palmer Avenue, Sonoma, California, and having one existing single-family dwelling to be demolished, has requested an Outside Service Area Agreement (Agreement) for public sewer service to one new single family dwelling on the Parcel; and

**Whereas,** Sonoma County Permit and Resource Management Department (PRMD) staff has determined that the Parcel is located outside the District boundary and is not entitled to connect to, or use of, District facilities; and

**Whereas,** staff has determined that the Parcel is not located in the service area of any city or other district having the ability to provide public sewer service to the Parcel; and

**Whereas,** PRMD Comprehensive Planning Division staff has determined that the Parcel is located inside the District's 2009 amended and expanded Sphere of Influence, and that extension of public sewer service to the Parcel is subject to the provisions of the Sonoma County 2020 General Plan and Land Use Policy L.U.-2011; and

**Whereas,** PRMD Comprehensive Planning Division staff has further determined that the Agreement is consistent with the policies of the Sonoma County 2020 General Plan and Land Use Policy L.U.-2011, and that the Agreement is restricted

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to serve uses allowed by zoning that replace existing legally-established uses and do not increase the amount of sewage discharged from the property into the District treatment system above the number of "Equivalent Single-Family Dwelling" billing units established for the existing legally-established uses. Furthermore PRMD Comprehensive Planning Division staff has determined the existing residence is considered a legally established use. It is to be demolished and replaced with another single-family dwelling residence. This Agreement does not authorize service for additional buildings or expanded development on the Parcel beyond stated here; and

**Whereas**, PRMD Environmental Review staff has determined that the requested application does not need additional environmental protections, other than the applicable mitigation measures adopted by the Board of Supervisors on December 8, 2009, for the District's Sphere of Influence Expansion (BOS Resolution No. 09-1162; PRMD File No. GPA09-0008); and

**Whereas**, Sonoma County Water Agency (Water Agency) operates the District under contract with the District. References to District employees are understood to be Water Agency employees acting on behalf of the District; and

**Whereas**, District has determined that there is currently adequate capacity available in the District's sewerage facilities, the sewage treatment facilities, and the treated effluent disposal system, to accommodate the 1.0 Equivalent Single-Family Dwelling (ESD) billing units to be allowed for the subject Parcel; and

**Whereas**, if the Owner does not acquire permits, pay required fees and charges, and construct sewer facilities within 5 years of LAFCO approval, the Agreement shall be terminated and the District shall be relieved of Obligations under the agreement.

**Whereas**, the District's General Manager has determined that approval of the Agreement is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(b), Existing Facilities, as it represents an additional connection to an existing public facility that involves negligible or no expansion of an existing or former use, and Section 15303(d), New Construction or Conversion of Small Structures, as it consists of construction of limited new, small sewage improvement of reasonable length to serve the parcel; and

**Whereas**, the Water Agency on behalf of the District, has prepared a Notice of Exemption for the Agreement in accordance with CEQA, the State CEQA guidelines, and the District's Procedures for the Implementation of CEQA.

**Now, Therefore, Be It Resolved** that the Board of Directors hereby finds, determines, certifies, and declares as follows:

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1. The above recitals are true and correct.
2. This Board determines that authorizing the Agreement will not have a significant impact on the environment and is exempt from CEQA pursuant to Section 15301(b) and Section 15303(d), Existing Facilities, as it represents an additional connection to an existing public facility that involves negligible or no expansion of an existing use.
3. The Chair of the Board hereby is authorized to execute the Agreement.
4. The Agreement shall not be effective until such time as Local Agency Formation Commission (LAFCO) has reviewed and approved the Agreement, and the Agreement has been recorded with the Sonoma County Recorder's Office as notice to any future purchasers of, or successors in interest to the Parcel.
5. District agrees to provide public sewer service to the Parcel subject to Owner's compliance with the terms and conditions set forth in the Agreement, available capacity of the collection and treatment system, and codes and standards in effect at such time as application is made for a permit to construct a building sewer. If the Owner does not construct sewer facilities per Agreement, within 5 years of LAFCO approval, the Agreement shall be terminated and the District shall be relieved of Obligations under the Agreement.

**Directors:**

Gorin:

Rabbitt:

Harrington:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**