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Date: April 4, 2023

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

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

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2/3 Vote Required

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**Resolution Of The Board Of Directors Of The Sonoma Valley County Sanitation District  
Authorizing The Chair Of The Board To Execute, On Behalf Of The Sonoma Valley County  
Sanitation District, An Outside Service Area Agreement With the Property Owner, Anthony N.  
Cognetti, For Public Sewer Service Of Assessor Parcel Number (APN) 052-451-013 Located At  
19340 Linden Street, Sonoma, California, And Determining That Execution Of the Agreement  
Will Not Have A Significant Adverse Effect On The Environment**

**Whereas**, Anthony N. Cognetti (Owner) owner of Assessor Parcel Number 052-451-013 located at 19340 Linden Street, Sonoma California (Parcel) has requested and Outside Service Area Agreement (Agreement) for public sewer service to connect an existing approximately 1,526 square-foot single-family-dwelling with a failing septic system on the Parcel ; and

**Whereas**, Sonoma County Permit and Resource Management Department (Permit Sonoma) 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**, Permit Sonoma Comprehensive Planning Division staff has determined that the site has a failing septic system and General Plan Land use is UR (Urban Residential) 1 with zoning descriptions R1 (Residential Low Density) B6 DU, RC 50 and VOH X; and

**Whereas**, Permit Sonoma Comprehensive Planning Division staff has determined that this Agreement is consistent with the General Plan including Goal LU-2 to provide adequate sewer service to parcels, consistent with Goal LU-3 to allow for infill that does not facilitate sprawl, and consistent with Policy LU-3c by limiting extension of sewer services outside of

designated Urban Services Areas; and

**Whereas**, Permit Sonoma Comprehensive Planning Division staff has further determined that this lot contains a protected riparian corridor with a 50-foot streamside conservation area and that its application does not conflict with the General Plan; and

**Whereas**, Permit Sonoma Comprehensive Planning Division staff recommends that there be two conditions for approval of this Agreement: 1) applicant obtain a septic tank destruct permit from the Well & Septic Division of Permit Sonoma in accordance with the requirements of the County Onsite Wastewater Treatment System Manual, and 2) future development shall be consistent with Article 65 of the Zoning Code; and

**Whereas**, owner's engineer has submitted a findings letter that: there is no designated septic reserve area on the parcel; that it would not be feasible to provide a replacement area that is capable of meeting current Onsite Wastewater Treatment Standards; the septic system is in substandard condition; and should be connected to the sanitary sewer; and

**Whereas**, Permit Sonoma staff in the Well & Septic Division have determined that a septic tank destruct permit needs to be issued along with a sanitary sewer permit for the construction of the upper lateral on private property; and

**Whereas**, staff in the Natural Resources Division of Permit Sonoma performed an environmental review for the construction of the upper lateral on private property as the subject property will use the newly constructed sewer main under Permit Sonoma permit SEW21-0194; and

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

**Whereas**, District staff has determined that as the parcel is located outside of the District's Urban Service Area boundary and sphere of influence and that an OSAA is the preferable method for the authorization of the extension of sewer service to the parcel; and

**Whereas**, District staff 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 1.00 Equivalent Single-Family Dwelling billing units (ESD) to be allowed for the Parcel; and

**Whereas**, District staff has determined that an existing sewer main constructed under Permit Sonoma SEW21-0194 with a lower lateral from the sewer main to the subject property line will be suitable for sewer connection after that sewer main has received a final inspection and accepted into the Sonoma Water public inventory; and

**Whereas**, the District's General Manager has determined that approval of the Agreement is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines 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**, Sonoma Water 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:

1. The above recitals are true and correct.
2. This Board determines that authorizing the Agreement will not have a significant impact of the environment and is exempt from CEQA pursuant to CEQA Guidelines 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 is authorized to execute the Agreement on behalf of the District.

4. The Agreement shall not be effective until such time as 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:

Lowe:

Coursey:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**