

# SONOMA COUNTY BOARD OF SUPERVISORS

## Conditions of Approval EXHIBIT A

<b>Staff:</b>	Traci Tesconi	<b>Date:</b>	February 21, 2017
<b>Applicant:</b>	Zane Holdings, LLC	<b>File No.:</b>	LLA14-0025 (aka PLP14-0030)
<b>Owner:</b>	Same	<b>APN:</b>	139-060-029, -028, and -031
<b>Address:</b>	9680 Dry Creek Road, Healdsburg		

**Project Description:** Approval for a Lot Line Adjustment amongst three parcels 134.66 acres (Lot A- APN 139-060-029), 58.30 acres (Lot B- APN 139-060-028), and 80 acres (Lot C- APN 139-060-031) resulting in three parcels 127.24 acres (Lot A), 38.97 acres (Lot B), and 107.41 acres (Lot C). Th

NOTE: The three parcels result from recorded Administrative Certificates of Compliance (PLP02-0021) and under one Land Conservation Act Contract.

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NOTE: These conditions must be met and the application validated within 24 months (February 14, 2019) unless a request and appropriate filing fee for a one year extension of time is received before the expiration date.

### SURVEY:

- 1) An Access and Public Utility Easement and agreement between the new 'Lot C' and new 'Lot B' as shown on the site map submitted with the application shall be described as Parcel Two and be included in the legal descriptions. The location of the Access and Public Utility Easement shall follow the existing driveway as shown on the site map. The following note shall be included in the deed:

"SAID DEED IS MADE AND ACCEPTED SUBJECT TO THE FOLLOWING CONDITIONS:

PARCEL TWO easement shall bind and inure to the benefit of the respective heirs, personal representatives, successors, and assigns of the grantor and grantee and that all specifications of the easement shall pertain to and run with the land.

Said provision of the easement is a condition relative to approval of PLP 14-0030 and may not be altered or eliminated without the express written consent of the Permit and Resource Management Department.

The use of the area designated as an easement by the grantor shall be restricted from uses which are incompatible with proper use. This shall include structures, vehicular parking, any and all uses which would disrupt the use of said easement.

The easement shall include the rights of the grantee to do all things reasonably necessary to inspect, repair, and maintain said private access in a good and passable condition.

### PLANNING:

- 2). Submit verification to Planning that taxes and/or assessments, which are a lien and termed as payable, are paid to the Treasurer-Tax Collector's Department on all parcels affected by the adjustment. The Treasurer-Tax Collector knows the amount of the tax due.
- 3). A draft description, prepared by a licensed land surveyor or civil engineer authorized to practice land surveying, showing the combination of lots or transfer of property shall be submitted to the County Surveyor for approval. The following note shall be placed on the deed or deeds. "The

purpose of this deed is for a Lot Line Adjustment for the reconfiguration of the Lands of Zane Holdings, LLC; as described by deed recorded under Document No. OR#2014-075449 Sonoma County Records, APN 139-060-029, with lands under Document No. OR#2014-093320, Sonoma County Records, APN 139-060-028, and with lands under Document No. OR#2014-075451, Sonoma County Records, APN 139-060-031; parcels of previously recorded Administrative Certificates of Compliance (PRMD File No. PLP02-0021). This deed is pursuant to on file in the office of the Sonoma County Permit and Resource Management Department. It is the express intent of the signatory hereto that the recordation of this deed extinguishes any underlying parcels or portions of parcels." It is the responsibility of the surveyor/engineer preparing the deeds to insure that the information contained within the combination note is correct. Note: The County Surveyor may modify the above described note.

- 4). Deed of Trust agreements, which encumber only portions of accepted legal lots, are violations of the Subdivision Map Act; therefore, prior to Permit and Resource Management Department approval of the deed for recordation, the applicant shall submit either recorded documents or documents to be recorded concurrently with the lot line adjustment deeds, showing that any Deed of Trust agreements on the subject properties will conform with the adjusted lot boundaries.
- 5). After approval by the County Surveyor, a grant deed or deeds shall be prepared and submitted to the Planning Division for approval prior to recording. An approval stamp will be placed on the face of the grant deed or deeds.
- 6). A site plan map of the Lot Line Adjustment shall be prepared by a licensed surveyor or civil engineer and attached to the deed(s) to be recorded. The site plan shall be subject to the review and approval of the County Surveyor. The following note shall be placed on said plan: "THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY. Any errors or omissions on this exhibit shall not affect the deed description."
- 7). After approval by PRMD, the Grant Deeds shall be recorded and a copy of the deed or deeds shall be submitted to the Permit and Resource Management Department.
- 8). The property owners shall execute a Right-to-Farm Declaration on a form provided by PRMD to be submitted before the lot line adjustment is cleared by PRMD for recordation. The Right-to-Farm Declaration shall be recorded concurrently with the PRMD approved lot line adjustment grant deed(s) to reflect the newly configured parcels.
- 9). NOTE ON MAP: "Agricultural activities occur in the area and noise, dust, odor, smoke and pesticide use may occur and are consistent with the Sonoma County General Plan Land Use designation for the area."
- 10). Once the LLA grant deeds have been recorded, PRMD can begin to process the request by the property owner on 5.75 acres for: 1) a General Plan Amendment from RRD (Resources and Rural Development) 40-acre density to LIA (Land Intensive Agriculture) 40-acre density designation; and 2) a Zone Change from RRD B6-40 acre density, SR (Scenic Resources), Z (Second Unit Exclusion) to LIA B6-40 acre density, SR, Z district; or other appropriate district as a condition of the Lot Line Adjustment which have already been concurrently filed under this application under file numbers GPA14-0004/ZCE14-0004 (aka PLP14-0030).
- 11). Once the LLA grand deeds have been recorded, the applicant shall file three complete applications and applicable filing fees to rescind and replace the single, existing Type II Non-Prime Land Conservation Act contract with the following new contracts:
  - a). On Lot A, an Open Space Land Conservation Act contract based on the site qualities identified in the Wildlife Habitat Study prepared by Kjeldsen Biological Consultants, dated February 2015; and submitted with PLP14-0030.

b). On Lot B, a Type I Prime Land Conservation Act contract for vineyard land and open space land.

c). On Lot C, an Open Space Land Conservation Act contract based on the site qualifies identified in the Wildlife Habitat Study prepared by Kjeldsen Biological Consultants, dated February 2015; and application currently filed under PLP14-0030. This is an At-Cost project and additional monies may be required prior to further processing.