SONOMA COUNTY PLANNING COMMISSION

EXHIBIT A FINAL CONDITIONS OF APPROVAL

Time: 1:05 p.m. **Date:** December 10, 2009

Staff: Melinda Grosch File No.: MJS01-0002

Applicant: Graywood Ranch LLC **APN:** 051-020-006, -032, -059, and 051-010-

095

Owner: Thomas R. Passalacqua, Successor Trustee of the Lendal Gray Trust of 1996

Address: 7935, 7945, 7955, 7965, and 7977 Highway 12, Kenwood

Project Description: Request for a Major Subdivision of 278.3 +/- acres into six parcels; 129.1 +/-

acres, 13.3 +/- acres, 91.1 +/- acres, 4.3 +/- acres, 11.2 +/- acres, and 29.3 +/- acres.

GENERAL:

1. No construction shall be initiated until plans have been approved by the appropriate entity.

- 2. All construction shall conform with existing County Design and Construction Standards, Subdivision Ordinance, and State Map Act.
- 3. Street names and location shall be approved by the Permit and Resource Management Department (PRMD) Mapping Section and shall occur prior to Improvement Plan signature or Subdivision Map, whichever occurs first.
- 4. Public utility easements shall be shown on the map in accordance with the map on file with PRMD.
- 5. All underground utilities within the road right-of-way shall be installed prior to street construction.
- 6. Utility distribution facilities, except surface mounted transformers, for pedestal mounted terminal boxes, meter cabinets, concealed ducts, and fire hydrants shall be placed underground.

 Appropriate easements shall be provided to facilitate these installations.
- 7. Prior to recording the map, the applicant shall complete an apportionment of assessment and pay necessary fees to process apportionment to the Sonoma County Treasurer's Office or applicant shall pay off in full all special assessments.
- 8. The Planning Commission's decision shall be final on the eleventh (11th) day after final Planning Commission action unless an appeal is taken.
- 9. These conditions must be met and the application validated within 24 months (December 10, 2011) unless a request for an extension of time is received before the expiration date.

BUILDING:

- 10. A grading permit shall be obtained from PRMD prior to the start of any earthwork, unless exempted under the most recent California Building Code (CBC). The grading plan, prepared by a civil engineer who is registered by the State, shall be submitted for review and approval by PRMD prior to grading permit issuance. Any structures to be constructed as part of the required grading, such as retaining or sound walls, shall require separate building applications and permits.
- 11. Prior to the submission of the Final Subdivision Map, the subdivider shall file with PRMD a preliminary soil report, prepared by a civil engineer who is registered by the State, based upon adequate test borings or excavations at the subdivision.
- 12. If any changes to plans, drawings, documents or specifications required pursuant to any conditions here-in specified occur, these changes shall be brought to the appropriate department for review and approval prior to any construction or improvements. Also, these changes shall be reviewed by all departments involved in the initial approval of the subject plans, drawings,

documents or specifications that are proposed for change.

SURVEYOR:

- 13. A Final Map, as defined in the State Subdivision Map Act and prepared by a licensed surveyor or civil engineer, showing, all parcels, and easement(s) shall be filed with the Sonoma County Surveyor. Upon recording of the map, the Subdivision is valid.
- 14. The subdivider shall retain a registered civil engineer to prepare road construction and drainage plans in accordance with the current adopted Fire Safe Standards Ordinance and the following:
 - A. Construct a private road from Highway 12 to all lots as shown on the Tentative Map dated August 2009. The road shall have an asphaltic concrete surface at least 0.20 feet thick and be 18 feet wide, with 2 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 it's 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.
- 15. Prior to the issuance of a building permit or the recording of the Final Map, which ever occurs first, all roads necessary to access the subdivision shall be named if they serve three parcels or more (new or existing parcels). All newly named roads must connect to an existing road with an approved name. A road sign shall be posted at all intersections on the existing and/or new access roads. The signs shall meet the Sonoma County Department of Transportation and Public Works standards. All road names and addresses used will have to be approved by the PRMD. NOTICE! You will be charged a fee for processing and approval of a road name application. This condition may be altered or waived with written approval of the County Fire Chief, PRMD and the County Surveyor. Any alteration or waiver of this condition may require other conditions to mitigate the required road standards.
- 16. The subdivider shall either complete all required 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 filing of the Subdivision Map. 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.
- 17. The road(s) shall have an all weather surface per the current adopted Fire Safe Standards Ordinance.
- 18. To ensure adequate emergency vehicle circulation, a turnaround shall be constructed at the end

of the road as shown on the Tentative Map and other locations as determined by the County Fire Marshall. 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 Chief and the County Surveyor. Any alteration or waiver of this condition may require other conditions to mitigate the required road standards.

HEALTH:

- 19. NOTE ON IMPROVEMENT PLANS AND FINAL MAP: "All internal combustion engines used during construction of this project shall be operated with mufflers that meet the requirements of the State Resources Code, and, where applicable, the Vehicle Code."
 - <u>Mitigation Monitoring:</u> The Land Development Plan Checker and the Project Review Planner shall review the Improvement Plans to ensure that this note is shown on them. The Project Review Planner shall review the map prior to recordation to ensure that the note is shown on it.
- 20. NOTE ON IMPROVEMENT PLANS AND FINAL MAP: "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., on weekdays and 9:00 a.m. and 5:00 p.m., on weekends and holidays."
 - <u>Mitigation Monitoring:</u> The Land Development Plan Checker and the Project Review Planner shall review the Improvement Plans to ensure that this note is shown on them. The Project Review Planner shall review the map prior to recordation to ensure that the note is shown on it.
- 21. NOTE ON IMPROVEMENT PLANS AND FINAL MAP: "All construction staging areas shall be located as far away from residences as possible. In no case shall a staging area be located within 200 feet of an existing residence."

<u>Mitigation Monitoring:</u> The Land Development Plan Checker and the Project Review Planner shall review the Improvement Plans to ensure that this note is shown on them. The Project Review Planner shall review the map prior to recordation to ensure that the note is shown on it.

Septic:

- 22. Prior to recording the map, to insure compliance with current sewage disposal regulations, additional requirements may be imposed by the Permit and Resource Management Department to supplement sewage disposal conditions listed below.
- 23. Prior to recording the map, on Lots 1, 2 and 6 the applicant shall provide evidence of soils suitable for subsurface sewage disposal to the Well & Septic Section. This will include, but not be limited to, soil profiles and percolation tests done in accordance with current standards of the Well & Septic Section of the Permit and Resource Management Department. The work must be certified by a State Registered Civil Engineer, Environmental Health Specialist or Geologist and refer to this subdivision number.
- 24. Wastewater discharge requirements shall be filed with the San Francisco Bay Regional Water Quality Control Board. A Waiver or an approval of the requirements shall be received from the appropriate board prior to final map recordation.
- 25. Prior to recording the map, the applicant must provide by means of a (topographic) Plot Plan drawn to a 1"=20' scale, that Lots 1, 2 and 6 contain sufficient area to accommodate a three-bedroom private sewage disposal system and a 200% unencumbered future reserve area. 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 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. This condition may be modified or waived by the District Specialist if the consultant can clearly demonstrate that adequate primary and reserve area is available.

- 26. NOTE ON MAP: "All future sewage disposal system repairs shall be completed in the designated reserve areas and shall meet Class I Standards. Alternate reserve areas may be designated 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."
- 27. Prior to recording the map, the area tested for sewage disposal and appropriate structure setbacks shall be shown on the map and shall be free of all encumbrances (building envelopes, roads, easements, etc).
- 28. 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.
- 29. The location, type and proper function of the septic system on Lots 3, 4 and 5 must be verified by a registered civil engineer, registered environmental health specialist or C-42 contractor prior to map recordation. Repairs may be required based on inspection reports. The septic system repairs must meet a minimum of the standards in effect at the time of the existing septic system permit and be within the Designated Reserve areas, or if reserve areas were not designated (pre-July of 1978 permits), the septic system must be repaired to a minimum of Class 3 standards. All repairs shall be done under permit of this department. The septic system must be located upon the same lot as the house being served by that septic system. The septic system may not serve additional dwelling units on other lots.
- 30. Prior to recording the map, demonstrate 200% future reserve area in accordance with current septic system standards (including percolation tests) on Lots 3, 4 and 5. The applicant must 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 3-bedroom private sewage disposal system, or the number of existing bedrooms, whichever is greater. 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 100 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. This condition may be modified or waived by the District Specialist if the consultant can clearly demonstrate that adequate reserve area is available.
- 31. 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.
- 32. 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.
- 33. Prior to recording the map, for a mound, pressure distribution, filled land, or shallow sloping sewage system, the applicant must submit to the Project Review Health Specialist the approved form 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.)

34. For major subdivisions served by septic systems, a final summary submittal must be provided by the consultant prior to recording the map. It must include the following by lot number and in an organized booklet format: percolation test(s), hydrometer test(s), ground water test(s) results, and septic system designs.

Water:

- 35. NOTE ON MAP: "Lots 1, 2 and 6 shall be provided with a separate water supply meeting all current standards for annular seal and setbacks prior to the occupation of any structures."
- 36. A legal Covenant and Easement Agreement acceptable to PRMD shall be drafted to operate and maintain any common water supply system. Contact the Project Review Health Specialist at (707) 565-1683 for requirements. A copy of the Draft Covenant must be reviewed and approved prior to recording the map or deed.
- Water supply easements shall be shown on the map, and shall be conveyed at the time of property sale.
- 38. Water system plans shall be submitted to the Project Review Health Specialist for review and distribution to the appropriate Plan Check sections, including the PRMD 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.

- 39. Prior to recording the map, a bacteriological sample from the proposed existing well shall be analyzed for total coliform and E. coli by a California State certified laboratory and found to meet California State drinking water standards. If analysis shows contamination, the applicant will be required to disinfect the well per County requirements and re-test the well. A copy of the analysis shall be submitted to the Project Review Health Specialist.
- 40. If any project well exceeds the Federal Standard of 10 ug/L of arsenic, then test wells shall be constructed on Lots 1, 2 and 6 prior to recording the map. The well water shall be tested by a California State certified laboratory and found to meet California State standards for arsenic contamination. If contamination exceeding the arsenic standards is found, then the applicant shall abandon the well under permit from the Well and Septic Section of PRMD and an acceptable water source shall be demonstrated.
- 41. Prior to recording the map, Lots 3, 4 and 5 which are currently served by a common water system must 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).

TRANSPORTATION AND PUBLIC WORKS:

- 42. Prior to building permit issuance, the driveways and access roads on the property shall be reviewed and approved for their adequacy in providing emergency access by the County Department of Emergency Services.
 - <u>Mitigation Monitoring:</u> The Project Review Planner and Land Development Plan Checker shall ensure that the roadways have been approved by Department of Emergency Services prior to approval of the Improvement Plans.
- 43. This proposal accesses the public road system using a road under State of California jurisdiction. If Caltrans determines that improvements to the roadway are necessary, the Developer shall obtain a State of California Encroachment Permit before making any improvements, including driveway, within State highway right of way.
- 44. 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 Section 26, Article 98 of the Sonoma County Code."

GRADING AND STORM WATER:

- 45. NOTE ON MAP: "The applicant/developer is responsible for obtaining drainage Easements necessary for the proposed project. A private Storm Drain Easement is required to convey the storm drainage through any neighboring property."
- 46. NOTE ON MAP: "Prior to issuance of a grading or building permit, the applicant shall submit for review and approval the Grading and Drainage Improvement Plans necessary for the proposed project. Drainage improvements shall be designed by a civil engineer in accordance with the Sonoma County Water Agency Flood Control Design Criteria. The Improvement Plans shall also include erosion control measures, notes, and details to prevent damages and minimize adverse impacts to the environment."
- 47. NOTE ON MAP: "A setback line along the waterway shall be measured from the toe of the stream bank outward, a distance of 2 ½ times the height of the stream bank plus 30 feet, or 50 feet outward from the top of the stream bank, whichever distance is greater."
- 48. NOTE ON MAP: "If the cumulative land disturbance of the project is equal to or greater than one 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 and Storm Water Section of PRMD prior to the issuance of either a grading permit or building permit.
- 49. Existing wetlands and the riparian setback (50 feet in both cases) shall be delineated on the Final Map as well as on the Construction Plans. Wetland and riparian setback protection measures shall be shown on the Improvement Plans, and shall be implemented during the construction process. Appropriate permits must be obtained wherever necessary.
- 50. The developer/engineer shall include a Site Grading Plan and an Erosion Control Plan as part of the required improvement drawings. The Erosion Control Plan shall be prepared prior to submitting grading plans for County review, and shall specify construction measures to minimize the exposure of bare soil to rainfall, temporary erosion control features to be installed during construction, measures to monitor and correct deficiencies identified during the rainy season, erosion control features to remain permanently in place, and long term operational measures to minimize erosion. Measures to trap eroded soil before it can enter local waterways shall be

included. The applicant shall submit the erosion control and drainage Improvements Plans for review and approval prior to issuance of grading and building permits.

Erosion Control Measures shall be incorporated into all project plans and construction documents, and shall be implemented during project development. Implement measures to reduce the amount of runoff that could potentially erode soils.

- Permanent and long-term erosion control measures and drainage improvements shall use measures that slow and filter water wherever feasible, in place of measures that involve engineered hard surfaces. Where practical, design drainage facilities to slow runoff from the site and direct it to landscaped or vegetated areas that spread water over the surface to slow, filter, and absorb it. Use vegetated swales or depressions to capture, store, infiltrate, and slow water as it moves from one area to another. In areas with drops in elevation, use rock "ladders" and pools to move water downhill without eroding soil or slopes.
- 52. Reduce the amount of development and grading planned for sloping areas of the project site.

 Minimize total grading on the project site. Use pier foundations for structures where this could substantially reduce construction grading.
- 53. Design all access roads to use the minimum amount of grading necessary. Road grading and construction within 100 feet of all streams and major drainages shall be completed by October 15, and Erosion Control Measures shall be installed by that date.
- 54. All Improvement Plans shall show a setback line along all waterways that shall be measured from the toe of the stream bank outward a distance of 2 ½ times the height of the stream bank plus 30 feet, or 50 feet outward from the top of the stream bank, whichever distance is greater. No grading, building or other development permit shall be issued until evidence is submitted and approved by the Grading and Storm W ater Section that all structures meet or exceed the required setback along waterways.
- Weed-free straw, mulch, or erosion control fabric shall be used to cover bare soils during and after construction, and areas shall be landscaped and revegetated as soon as feasible after disturbance. Cover bare soils with mulch or other suitable cover at all times (during and after construction and throughout management of the site). Straw or straw bales used for erosion control shall be certified weed free prior to use on the site, in order to prevent invasive weeds from entering the site.

<u>Mitigation Monitoring:</u> The applicant shall submit the Erosion Control Plan to the PRMD Grading and Storm Water Section for approval.

EMERGENCY SERVICES:

- 56. NOTE ON MAP: "Development on this parcel is subject to the Sonoma County Fire Safe Standards and shall be reviewed and approved by the County Fire Marshal/Local Fire Protection District. Said plan shall include, but not be limited to: emergency vehicle access and turn-around at the building site(s), addressing, water storage for fire fighting and fire break maintenance around all structures. Prior to occupancy, written approval that the required improvements have been installed shall be provided to the Permit and Resource Management Department from the County Fire Marshal/Local Fire Protection District."
- 57. Individual Fire Safe Vegetation Management Plans shall be prepared for each lot at the time of development. Where feasible and consistent with the Fire Safe Vegetation Management Plan, all existing trees on hillside areas between 31 feet and 150 feet of structures will be retained and additional native oak trees of the same species as found in the immediate vicinity will be planted to ensure that buildings are screened from Highway 12 and Adobe Canyon Road.

<u>Mitigation Monitoring:</u> The Department of Emergency Services (DES) shall review the Vegetation Management Plan and implementation of the plan. Building permits will not be issued until DES has approved a Vegetation Management Plan for the specific development proposal.

58. NOTE ON IMPROVEMENT PLANS: "Access to the site shall meet the standards and requirements for road widths and paving, bridges, culverts, gates, turnouts, grades, turning radius, turnaround and vegetation clearance as specified in the County Fire Code, Fire Safe Standards, Uniform Fire Code, Uniform Building Code, and Vegetation Management Plan requirements, as necessary."

<u>Mitigation Monitoring:</u> The Land Development Plan Checker and Project Review Planner shall ensure that the Improvement Plans incorporate the Fire Safety Measures. DES shall review the Improvement Plans to ensure that they meet their requirements. Inspection of roadway installation shall be carried out by DES and PRMD staff.

59. NOTE ON MAP: "The water supply for fire protection shall be developed in accordance with National Fire Protection Association Standards and Sonoma County requirements. Fire sprinkler systems shall be installed in all structures per current regulations."

<u>Mitigation Monitoring:</u> The Project Review Planner shall ensure that the note is shown on the Final Map. All building permits shall be reviewed by DES for compliance with fire codes.

60. NOTE ON MAP: "Knox locks or boxes to facilitate emergency access shall be installed as required by DES and the Kenwood Fire Department. This equipment may be obtained through the Kenwood Fire Department."

<u>Mitigation Monitoring:</u> The Project Review Planner shall ensure that the note is placed on the Final Map. The Building Inspection staff and Kenwood Fire Department shall approve installation of the Knox locks or boxes prior to occupancy of any buildings on the site.

61. NOTE ON MAP: "Non-flammable roofs shall be required on all structures on-site."

Mitigation Monitoring: The Project Review Planner shall ensure that the note is on the Final Map.

62. All potentially hazardous materials to the public or the environment shall be located and stored so that in the case of upset, spillage, or accidental release, the location shall be a minimum of 100 feet from any public use area or any riparian and drainage area. In addition, due to alluvial soils and a high groundwater table in the valley flatlands, all such materials used in these areas shall be stored on a non-porous (e.g. concrete) pad with raised sides to contain spillage.

<u>Mitigation Monitoring:</u> DES shall review plans for the storage of hazardous materials used during the development of the site. The Sonoma County Agriculture Commissioner shall approve plans for storing and handling agricultural chemicals.

PLANNING:

63. Dedication of parkland or payment of fees, in lieu of dedication, shall be paid prior to recordation of the Final 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 Final 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."

- 64. Within five working days after project approval, the applicant shall pay a mandatory Notice of Determination filing fee of \$50 (or latest fee in effect at time of payment) for County Clerk processing, and \$1,993.00 (or latest fee in effect at the time of payment) because a Mitigated Negative Declaration was prepared, for a total of \$2,043.00 made payable to Sonoma County Clerk and submitted to PRMD. If the required filing fee is not paid for a project, the project will not be operative, vested, or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the Fish and Game Code.) NOTE: If the fee is not paid within five days after approval of the project, it will extend time frames for CEQA legal challenges.
- 65. If it is determined by survey prior to recordation of the map that adequate land is not available to meet General Plan and Zoning densities, then the number of lots must be reduced in order to comply with required densities.
- 66. Prior to recordation of the map, the applicant shall apply for a Zone Change to the B7 (Frozen Lot Size) zoning district in order to preclude further subdivision.
- 67. Prior to building permit issuance or prior to exercising this approval, whichever comes first, the property owner(s) shall execute and record a Right-to-Farm declaration on a form provided by PRMD.
- 68. This "At Cost" entitlement is not vested until all permit processing costs are paid in full.

 Additionally, no grading or building permits shall be issued until all permit processing costs are paid in full.
- 69. Prior to submitting the subdivision check print maps to the County Surveyor, the applicant shall submit, to PRMD 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.

70. NOTE ON MAP AND INFORMATION TO INCLUDE ON IMPROVEMENT PLANS:

"In the event that the archaeological resources such as pottery, arrowheads, midden or culturally modified soil deposits are discovered at any time during grading, scraping or excavation within the property, all work should be halted in the vicinity of the find and County PRMD - Project Review staff shall be notified and a qualified archaeologist shall be contacted immediately to make an evaluation of the find and report to PRMD. PRMD staff may consult and/or notify the appropriate tribal representative from the tribes known to PRMD to have interests in the area. Artifacts associated with prehistoric sites include humanly modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rock indicative of food procurement or processing activities. Prehistoric domestic resources include hearths, firepits, or house floor depressions whereas typical mortuary resources are represented by human skeletal remains. Historic artifacts potentially include all by-products of human land use greater than fifty (50) years of age including trash pits older than fifty (50) years of age. When contacted, a member of PRMD Project Review staff and the archaeologist shall visit the site to determine the extent of the resources and to develop and coordinate proper protection/mitigation measures required for the discovery. PRMD may refer the mitigation/protection plan to designated tribal representatives for review and comment. No work shall commence until a protection/mitigation plan is reviewed and approved by PRMD - Project Review staff. Mitigations may include avoidance, removal, preservation and/or recordation in accordance with California law. Archeological evaluation and mitigation shall be at the applicant's sole expense.

"If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and PRMD staff, County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native

American, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and the appropriate provisions of the California Government Code and California Public Resources Code will be followed."

<u>Mitigation Monitoring</u>: Building/grading permits shall not be approved for issuance by PRMD - Project Review staff until the above notes are printed on the building, grading and improvement plans.

71. NOTE ON MAP AND INFORMATION TO INCLUDE ON IMPROVEMENT PLANS:

- "A. During site preparation and grading activities for Lots 3 through 6, which require a grading permit, the applicant shall provide for an archaeologist and representatives of Native American tribes (at a minimum Federated Indians of Graton Rancheria and Lytton Band of Pomo Indians) to be present to monitor for the presence of any historical or archaeological artifacts. If archaeological materials are discovered, work in the immediate vicinity of the find shall cease until the find can be evaluated.
 - Monitoring will consist of directly watching the excavation process. Monitoring will occur during the entire workday, and will continue on a daily basis until a depth of excavation has been reached at which resources could not occur or grading is complete. This depth is estimated at about five feet below grade at the beginning of the project, but may require modification in specific cases, and will be determined by the monitoring archaeologist based on observed soil conditions.
 - 2) Whenever the monitoring archaeologist or tribal representative suspects that potentially significant cultural remains or human burials* have been encountered, work in the immediate vicinity of the find shall cease, and the excavation inspected by the monitoring archaeologist and tribal representatives. If the suspected remains prove to be insignificant or non-cultural in origin, work may recommence immediately. If the suspected remains prove to be part of a significant deposit, all work shall be halted in that location until removal has been accomplished or a satisfactory means of in-place protection has been agreed upon by the tribal representatives, the owner, and the archaeologist.
 - *If human remains are encountered follow procedures outlined in Condition #70.
 - 3) Equipment stoppages will only involve those pieces of equipment in the immediate vicinity of deposits, and should not be construed to mean a stoppage of all equipment on the site unless the cultural deposit covers the entire building site.
- B. Prior to any earth disturbing activities a Phase II Study*shall be prepared for areas near the intersection of the two landing strips because of the potential for impacts of any earth disturbing activities are to be performed in this area, including re-grading of the landing strip.
 - * More careful excavation, and larger excavation units, are required in Phase II surveys in order to assess site integrity and to recover the kinds of qualitative information needed to evaluate whether the site is likely to be significant.

See http://www.indiana.edu/~arch/saa/matrix/cra/cra_mod09.html for more details on Phase II studies.

- C. The piles of dirt containing soils from CA-Son-2150 are not to be distributed on-site. They should remain as piles of soil. However, if it is necessary to move them the monitoring archaeologist shall document their new location and spot check the piles during and after their relocation and submit a report to PRMD Project Review staff.
- D. Archeological evaluation and mitigation shall be at the applicant's sole expense."

<u>Mitigation Monitoring:</u> The Project Planner and Land Development Plan Checker shall ensure that the notes are included on Improvement Plans and the Final Map. Prior to issuance of a grading permit, the applicant shall notify the Project Planner that work will start and provide copies of the contracts for the archaeologist and tribal representatives under contract for monitoring. Once all site preparation and grading has been completed, then affidavits prepared by the archaeologist and tribal representative shall be submitted to the Project Planner. The affidavits shall state the results of the archaeological monitoring.

72. All earth-disturbing activities shall be kept a minimum distance of 15 feet away from the rock wall. If the 50 foot setback to the adjoining wetland extends further than 15 feet to the wall then the setback to the wall will be coterminous with the wetland setback (i.e. more than 15 feet). This boundary shall be marked by placing orange construction fencing along it during grading and site development.

<u>Mitigation Monitoring:</u> The Project Review planner and/or building inspector shall review the installation of the fencing along the 15 foot boundary prior to earth disturbing work. The building inspector will ensure that the fences remain in place throughout the work.

- 73. NOTE ON MAP: "Affordable housing requirements apply to each residential lot pursuant to Section 26-89-040 F of the Sonoma County Code. Each non-exempt 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 non-exempt residential unit."
- 74. For all lots resulting from this subdivision each parcel may have one primary dwelling. If there is currently more than one dwelling the additional dwellings must be converted to non-residential uses, or if the parcel meets all of the criteria one residence may be converted to a Second Dwelling Unit. Alternatively, if the parcel meets the agricultural use criteria dwellings may be converted to Agricultural Employee dwellings. Applications for the designation of each dwelling unit beyond the primary dwelling must be completed prior to the recordation of the map.
- 75. All grading and development on-site shall be done in compliance with the County Tree Protection Ordinance, including protection of trees during construction with a chain link fence at the dripline, and replacement of damaged or removed trees. The projects grading and landscape plans shall detail all tree protection implementation measures.

Mitigation Monitoring: PRMD shall not sign off the grading or building permit for issuance until the project grading and landscape construction documents clearly show all tree protection measures (as required in the County Tree Protection Ordinance). PRMD Project Review staff shall not sign off the grading or building permit for occupancy until a site inspection has been conducted, and the applicant has provided written verification from the project's landscape architect or contractor, that the tree protection measures were complied with.

- 76. NOTE ON MAP: "Agricultural uses occur in this area and pesticide applications, dust, odor and other nuisances associated with agricultural activities may occur."
- 77. A 200-foot agricultural setback shall be established on all parcels adjoining agricultural zoned lands (easterly sides of Lots 2, 3, and 5 and approximately 120 feet from westerly side of Lot 3 for a distance of 1,675 feet north from Highway 12). Agricultural setback along westerly side of property may intrude into Lot 6. If necessary the building envelope on Lot 6 shall be adjusted to accommodate the 200-foot agricultural setback. These setbacks shall be shown on the map and shall apply only to new construction. The following note shall also be placed on the map:

NOTE ON MAP: "No construction is allowed within the 200-foot agricultural setback."

78. The property is subject to a joint agreement with the property to the east (Sonoma Country Inn property - former eastern half of Graywood Ranch) to provide a trail easement to the Sonoma

County Regional Parks Department as shown on the map for Sonoma Country Inn (PLP01-0006).

NOTE ON MAP: "All new structures on these lots are subject to Design Review through the Permit and Resource Management Department. Prior to building permit issuance, the Grading Plan, Development Plan, Landscaping Plan, elevations, and colors and materials shall receive review and approval by the Sonoma County Permit and Resource Management Department through the Administrative Design Review process. This review shall ensure that buildings are screened from view from public roads by any combination of existing land forms, vegetation, colors, or materials. If landscaping is required to provide screening of buildings or to reduce visual impacts of fire clearing a Landscaping Plan shall be submitted as part of the Administrative Design Review application. The Landscaping Plan shall incorporate species of plants approved by both Fire Services Vegetation Management Section and PRMD's Environmental Review Section. These plants shall be those that are well suited to the poor soil conditions in the hillsides and should mimic the visual aspects of the native chaparral or Douglas Fir forests as much as possible. Landscaping shall provide screening from Highway 12 and Adobe Canyon Road within five years."

<u>Mitigation Monitoring:</u> The Project Review Planner shall ensure that the note is on the map prior to recordation.

80. The Building Envelope on Lot 1, as reviewed in the field, shall be located so that all development will be visually screened, both from the valley floor (particularly Highway 12 and Adobe Canyon Road). No Building Envelope shall be placed so that any portion is on the highest point of any ridgeline. The Building Envelope shall encompass the entire area that will require vegetation management for fire purposes. None of the area to be cleared or thinned shall be located so as to be visible from Highway 12, Adobe Canyon Road, (i.e., all downslope clearing shall be accounted for when placing the Building Envelope).

<u>Mitigation Monitoring:</u> The Building Envelope shall be shown on the Final Map with dimensions that will allow it to be established in the field from the map.

81. The proposed Building Envelope on Lot 2 shall be located such that the building will be screened from view from Highway 12 and Adobe Canyon Road. Additionally, a Vegetation Management Plan shall be established for the Building Envelope to ensure that there is adequate remaining vegetation to screen development from view (i.e., all downslope clearing shall be accounted for when placing the Building Envelope).

<u>Mitigation Monitoring:</u> The Building Envelope shall be shown on the Final Map with dimensions that will allow it to be established in the field from the map.

82. The Building Envelope on Lot 6 shall be designated to prohibit building within 200 feet of Highway 12 to avoid the Scenic Corridor. The Building Envelope is also established to protect significant historic, archaeological, biotic and wetlands resources.

Mitigation Monitoring: The Project Review Planner will ensure that the Building Envelope is located correctly, by reviewing its staked location with the Department of Fish and Game and a representative of Archaeological Resource Service and Native tribes who have expressed concerns about the site. Once the Building Envelope is properly sited and approved by the Project Planner, it shall be shown on the Final Map with dimensions that will allow the Building Envelope to be established in the field from the map.

83. The following note will be placed on the map to ensure that all building occurs within the Building Envelopes:

NOTE ON MAP: "No building construction 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."

<u>Mitigation Monitoring:</u> The Project Review Planner shall ensure that the note appears on the map prior to signing off for recordation.

84. All utilities shall be placed underground.

<u>Mitigation Monitoring:</u> The Project Review Planner and the Land Development Plan Checker shall review the Improvement Plans to ensure that utilities are placed underground and within driveways or other alternative locations subject to approval by the Project Planner.

85. On the Final Map, Building Envelopes for Lots 3, 4, and 5 shall be established around the existing development to ensure that any new buildings that may be developed on these sites will be as well screened as existing development.

<u>Mitigation Monitoring:</u> The Project Review Planner will review the map prior to recordation to ensure that Building Envelopes are shown around existing development on the map.

86. A setback of 50 feet from the top of the bank shall be established for the entire course of both streams that cross the property. This setback shall be shown on the map and designated in the field through markers. During construction or vineyard planting the area shall be clearly marked with high visibility stakes every 5 feet (no fencing should be installed unless it allows for the free movement of wildlife in and out of the riparian area).

The following note shall be placed on the map relative to the riparian setback area:

NOTE ON MAP: "Structures, roads, utility lines, parking lots, lawns, vineyards or other cultivation, grading, fill, and excavation shall be prohibited in this creek setback/conservation area. Restoration of the riparian area is encouraged with the proper permits from Army Corp of Engineers, Fish and Game, Water Quality Control, etc. The setback does not preclude a driveway/bridge crossing the stream if all permits from the above agencies are obtained."

<u>Mitigation Monitoring:</u> The Project Review Planner shall ensure that the setback line and note are shown on the map. At the time of grading or building the Project Review Planner shall inspect the site to ensure that the required markers have been installed to protect the riparian area from encroachment.

87. The following note shall be placed on the map:

NOTE ON MAP: "All development on these parcels is subject to the Sonoma County Tree Protection Ordinance. Protected trees, their protected perimeters, and whether they are to be retained or removed must be clearly shown on grading and building permit plans. Trees that are proposed to be removed or are damaged during construction activities must be replaced in accordance with the Tree Protection Ordinance. An arborist report may be required for any grading or construction proposed within the protected perimeters of any protected tree."

<u>Mitigation Monitoring:</u> The Project Review Planner shall review the map to ensure that note is shown on the map.

88. NOTE ON MAP: "For all new construction subject to Design Review, flat, non-reflective paint or integrated coloring will be used in all exterior building materials throughout the project.

Non-reflective glass shall be used in all windows. The use of eves to shade windows and cast shadows onto the building will be considered in the design of all houses.

"Prior to issuance of each Building Permit, an exterior lighting plan shall be submitted for Design Review and approval. The lighting plan shall utilize the following standards:

- A. Fully shielded luminaries with a fifteen degree cutoff shall be the only allowed fixture for outdoor lighting.
- B. Stray light will be controlled through use of low-brightness fixtures with optical lens or reflector controls.
- C. All light sources shall be fully blocked by the use of shrouds (either fixed or adjustable), louvers, or other shielding, from off-site views including from State Highway 12 and Adobe Road.
- D. No uplighting will be permitted from any outdoor light fixtures.
- E. On-demand exterior lighting systems shall be employed. Area lighting and security lighting will be controlled by the use of timed switches and/or motion detectors."

Mitigation Monitoring: The Project Review planner shall ensure that the note is on the map. PRMD shall not issue building permits until an exterior night lighting plan has been submitted for each residence that is consistent with the plans approved through Design Review and County standards. PRMD shall not sign off final occupancy on the building permits until a site inspection of the specific property has been conducted that indicates all lighting improvements have been installed according to the approved plans and conditions. If light and glare complaints are received, PRMD shall conduct a site inspection and require the property be brought into compliance or initiate procedures to revoke the permit.

- 89. NOTE ON MAP: "For all lots, prior to issuance of building permits, an exterior lighting plan shall be submitted for design review (by PRMD or Design Review Committee). 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."
- 90. Lighting plans shall be designed to meet the Lighting Zone (LZ1) for dark areas, standards from Title 24.
- 91. All exterior fixtures shall be limited to lamps (light bulbs) not exceeding 100 watts.
- 92. An Agricultural/Scenic/Valley Oak Preserve Easement over the valley flatlands shall be established to protect riparian/wetland, historic/archaeological, Valley Oak, and agricultural resources. Areas inside the Building Envelopes and the driveways will not be included in the Easement. The Easement shall be granted to the Sonoma County Agricultural Preservation and Open Space District or other acceptable agency in perpetuity.

<u>Mitigation Monitoring:</u> The Project Review Planner shall ensure that the Easement has been offered and accepted prior to the recordation of the map. The boundaries of the Easement Area are subject to the Project Planner's review and approval prior to recordation of the map.

- 93. The following dust control measures shall be included in the project:
 - A. Water or other dust palliative shall be applied to unpaved portions of the construction site, unpaved roads, parking areas, staging areas and stockpiles of soil daily as needed to control dust.
 - B. Trucks hauling soil, sand and other loose materials over public roads shall cover the loads, or shall keep the loads at least two feet below the level of the sides of the container, or shall wet the load sufficiently to prevent dust emissions.
 - C. Paved roads shall be swept as needed to remove any visible soil that has been carried onto

them from the project site.

Mitigation Monitoring: Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and Improvement Plans. The applicant shall be responsible for notifying construction contractors about the requirement for dust control measures to be implemented during construction. If dust complaints are received, PRMD staff shall conduct an on-site investigation. If it is determined by PRMD staff that complaints are warranted, the permit holder shall implement additional dust control measures as determined by PRMD or PRMD may issue a stop work order. (Ongoing during construction)

94. NOTE ON MAP: "If construction occurs between February 1 and August 31, a qualified biologist will conduct preconstruction surveys of all potential nesting habitats within 500 feet of project activities. If nesting birds are identified on the project site, a non-disturbance buffer (determined in coordination with the California Department of Fish and Game) should be established around the nest during the breeding season or until the young have fledged. A report shall be prepared stating the biologist's findings and a map clearly indicating the area within the non-disturbance buffer shall be prepared and provided to the Project Review Section of the Permit and Resource Management Department. The buffer shall be marked in the field with orange construction fencing with notices posted.

"If preconstruction surveys indicate that nests are inactive or potential habitat is unoccupied, no further Mitigation Measures are required. Raptor or other bird nests initiated during construction are presumed to be unaffected and no buffer is necessary. Trees with nests initiated after construction must be protected from removal and the nests must not be damaged or removed by construction until after the young have fledged."

<u>Mitigation Monitoring:</u> The Project Review Planner shall ensure that the above note is on the map. The Project Review planner shall not sign-off any construction or Improvement Plans until a report has been received from the biologist. If nesting sites were found the Project Review planner shall visit the site to ensure that the non-disturbance buffer has been appropriately established.

95. NOTE ON MAP: "At the time of development a survey shall be performed by a botanist to establish exact locations of sensitive plants. Sensitive plants shall be protected to the extent feasible by avoiding impacts resulting from grading, construction, driveways, landscaping, or other site work. Any development proposed adjacent to or near the locations where sensitive plants are found shall be configured to avoid impacts to the plants to the maximum extent feasible, including to the watershed, soils, and habitat of the plants. Construction fencing shall be used to demarcate and protect the plants and their buffer and easement area as necessary, and shall be reviewed by a botanist prior to construction to ensure that maximum protection of the plants is provided.

"In the event that adequate protection is infeasible a replacement plan shall be developed by the botanist. The plan can include such measures as collection and replanting, gathering seeds and planting the seeds after construction, gathering topsoil and stockpiling it for redistribution on the site after construction, etc."

<u>Mitigation Monitoring:</u> The Project Review Planner shall review the map to ensure that the note is shown properly. At the time of development, building and grading plans shall be reviewed by PRMD to ensure that the sensitive plant species are indicated on the plans and that a satisfactory method for protecting them from impacts of development is indicated on the plans. Prior to start of construction the Project Review Planner shall visit the site to ensure that the sensitive plans are protected by fencing or other methods.

96. NOTE ON MAP: "For lots where Sonoma Ceanothus is suspected, topsoil that is excavated shall be stockpiled and redistributed over areas that are suitable for the Sonoma Ceanothus (Ceanothus sonomensis) subject to review and approval by PRMD Project Review staff."

<u>Mitigation Monitoring:</u> The Project Review Planner shall review the map to ensure that the note is shown properly. At the time of development, the applicant shall provide an extra copy of the grading and drainage plans for the Project Review Planner who shall review the plans to determine whether the soil is handled appropriately.

97. On Lot 6 the entire wetland plus a 50-foot buffer along the edge shall be established as a preserve area where no development, landscaping, or agricultural uses shall occur.

A Final Mitigation Plan shall be prepared by a qualified botanist to provide for permanent protection of the wetland. The Mitigation Plan shall be prepared in consultation with the California Department of Fish & Game and the Environmental Review Section of PRMD.

Alternatively, the applicant could contribute to a wetlands mitigation bank to provide off-site wetlands in compliance with the requirements of California Department of Fish and Game.

Mitigation Monitoring: The Land Development plan checker and Project Review Planner shall ensure that the setback is included in the Improvement Plans and that all revisions to the limits of grading, lot line and preserve boundaries, roadway and driveway locations, and other modifications are incorporated into the Final Map. PRMD staff shall review and approve the Mitigation Plan to ensure compliance prior to issuance of building permits or recordation of the Final Map, whichever occurs first. The PRMD Grading and Storm Water Section shall ensure that the water balance for the wetland is not disturbed.

- 98. Each of the six parcels shall be subject to a covenant outlining the following restrictions:
 - A. Vineyard development, if any, must maintain the 50-foot setback to the wetland in addition to any other setbacks established for the protection of biotic resources, maintenance of oak woodlands, and scenic and historic resources, consistent with Sonoma County Code Chapter 11: Grading, Drainage, and Vineyard and Orchard Site Development (Ordinance No. 5819).
 - B. Mitigation Measures outlined under Grading and Storm Water Section shall be implemented to prevent erosion and sedimentation on the site and protect the drainages and stream courses from sediment. This will provide protection for steelhead if they do exist in these streams. It will also protect Sonoma Creek from these impacts, preventing impacts on steelhead that live in that stream.
 - C. No lighting shall intrude into any native wildland portion of residential lots outside of the Building Envelope shown on the Tentative Map. All new lighting on-site shall be directed downwards toward the ground or structures, and shall be shielded so that light does not travel horizontally.
 - D. No new fencing, other than 3-4 strand barbed wire or other open type fencing, shall be constructed outside of any Building Envelope designated on the Tentative Map for all residential lots. The agricultural parcel shall allow wildlife movement through the riparian areas, drainage/canyon areas, throughout wildland areas onsite, and provide ability for through movement at all property lines connecting wildlands or forested areas.
 - E. Native habitat outside of the Building Envelope and septic/leach field areas of Lot 1 and Lot 2 shall remain at least 60% wildlands. No non-native plants or animals shall be introduced outside the building envelope, including horses, goats, and livestock of any kind. Wildlife shall be allowed unrestricted access and movement outside of designated Building Envelopes. Vegetation management for fire purposes will require a plan prepared by a professional biologist.
 - F. No invasive exotic species or those suspected to be invasive by the California Invasive Plant Council (Cal-IPC) (lists available at http://www.cal-ipc.org/) shall be planted on any residential property within this development. Specifically precluded are pampas and African grasses and

acacia species.

G. No native wildlife shall be hunted, baited, trapped or otherwise disturbed outside of designated Building Envelopes.

<u>Mitigation Monitoring:</u> The Project Review planner shall ensure that a covenant is prepared for each parcel outlining the restrictions above and ensuring that it is signed by the property owner and recorded.

99. NOTE ON MAP AND INFORMATION TO INCLUDE IN IMPROVEMENT PLANS:

"Prior to grading or building permit issuance a site and project specific design level geotechnical engineering investigation shall be prepared to develop seismic design criteria for proposed structures at the site. These reports shall include a characterization of the soil/rock conditions and appropriate seismic design coefficients and near-field factors in accordance with current Uniform Building Code. Prior to grading, building, or septic permit issuance the applicant shall submit the reports to the County Permit and Resource Management Department. As a part of permit applications for individual residential lots, the applicant shall submit the necessary report to the County Permit and Resource Management Department. The project applicant shall incorporate the recommendations developed in the site-specific geotechnical reports prepared for each development area. Said recommendations shall be implemented and constructed as part of the development of the site.

"Ground motions and Uniform Building Code site coefficients shall be determined by a separate analysis as part of design-level geotechnical investigations for the specific buildings and other proposed structures."

<u>Mitigation Monitoring:</u> The Land Development Plan Checker and Project Review Planner will review the Final Map to ensure that the note is included. Staff will be responsible for ensuring that the recommendations have been incorporated into the structural design of project improvements.

100. NOTE ON MAP:

- "A. No commercial use of the airstrip is allowed (Use Permit 2709, 1959).
- "B. The use of the airstrip shall be limited to the owner of the property upon which the airstrip exists and the property owner's guests.
- "C. The airstrip may only be used during daylight hours (Use Permit 2709, 1959).
- "D. Prior to Recordation: Signage shall be posted on the access road, in both directions before reaching the airstrip, to warn visitors and others that a low-flying airplane may be taking off from or landing on the airstrip unless already installed by Sonoma County Inn (PLP01-0006)."

<u>Mitigation Monitoring:</u> Prior to recordation of the Final Map the necessary warning signs shall be installed. The Project Review Planner shall insure that they have been installed. The Project Review Planner will also ensure that the "Note" is shown correctly on the map.

- 101. If any changes to plans, drawings, documents or specifications required pursuant to any conditions herein specified occur, these changes shall be brought to the appropriate department for review and approval prior to any construction or improvements. Also, these changes shall be reviewed by all departments and PRMD sections involved in the initial approval of the subject plans, drawings, documents or specifications that are proposed for change.
- 102. The Director of PRMD is hereby authorized to modify these conditions for minor adjustments to respond to unforseen 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 condition(s) 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 permit. 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 PRMD, and shall not affect the original permit approval date or the term for expiration of the permit.

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.