

COUNTY OF SONOMA PROJECT REVIEW AND ADVISORY COMMITTEE

Draft Conditions of Approval (Certificate of Modification)

Staff: Joshua Miranda

Applicant: Hale Sonoma Property II LLC

Owner: Hale Sonoma Property II LLC and Perta Woltering

Date: April 20, 2023

File No.: CMO22-0006

APN: 128-031-024, -042, -043, and -044

Address: 19765, 19755, 19745, and 19739 7th St. E., Sonoma

Project Description:

Certificate of Modification to reduce the size of the 50-foot wide right-of-way serving a 4-lot subdivision as depicted on Parcel Map, 3926 Book 211, Page 37, Sonoma County Records. The request includes a new 25-foot wide right of way easement area shown along the existing shared driveway that connects to Seventh Street East.

SURVEYOR:

1. In accordance with Section 66472.1 of the Subdivision Map Act, the following findings are made:
 - (a) that there are changes in circumstances which make any and all of the conditions of such map no longer appropriate or necessary, and
 - (b) that the modifications do not impose any additional burden on the present fee owner of the property, and
 - (c) that the modifications do not alter any right, title or interest in the real property reflected on the recorded map, and
 - (d) that the map as modified conforms to all the provisions of the Subdivision Map Act and local implementing ordinances.
2. An Amended Map or Certificate of Modification prepared by a Licensed Land Surveyor or someone authorized to practice land surveying, shall be submitted to the County Surveyor within two (2) years after date of approval. It shall be accompanied by a **CURRENT** Title Report showing proof of ownership and documentation listing those with a record title interest in the property. Upon recording the Amended Map or Certificate of Modification the original map will be deemed to have been modified.
3. **NOTICE:** Anyone with a record title interest in the property shall sign a statement on the map or certificate consenting to the preparation and recording of said map or certificate.
 - a. I (We) have an interest in the property reflected on this certificate of correction (modification) and hereby consent to the preparation and recordation of this document.
 - b. Signatures need to be acknowledged by a Notary Public.
4. Only that portion of the Right of Way Easement that is hatch and labeled "Proposed 25' Easement" on Adobe Associates Site Map dated May 4, 2022, shall only be the piece to be modified as a reduction of the 50' Right of Way Easement per 211 Maps 37.
5. If a Certificate of Modification is to be prepared, there shall be a plat showing the modified area attached to the certificate.

PERMIT SONOMA FIRE PREVENTION:

6. There shall be no parking permitted anywhere within the 25 foot Right of Way easement shown on Adobe Associates "Site Map" dated May 4th 2022.
7. There shall be two (2) "no parking" signs permanently installed within the proposed Right of Way

easement. One at 30 feet in, from the beginning of the easement, and one at the end of the easement.

8. There shall be a turnaround constructed within 150 feet of each structure per Sonoma County Fire Safe Standards code section 13-37 standard drawings F1 and F 9.

PERMT SONOMA PLANNING:

9. These conditions must be met and the application validated within 24 months from the date of the Project Review and Advisory Committee final action April 20, 2025 unless a request for an extension of time is received before the expiration date.
10. The Director of PRMD 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 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.
