

SONOMA COUNTY PROJECT REVIEW AND ADVISORY COMMITTEE

MNS22-0006 Conditions of Approval

Staff: Adam Sharron – Project Planner **Date:** June 15, 2023
Applicant: Orrin Thiessen **File No.:** MNS22-0006
Owner: Orrin Thiessen **APN:** 130-280-049
Address: 2601, 2607, 2613, 2619, & 2625 Brush St., Graton

Project Description: Request for a Minor Subdivision of a 1.03-acre parcel into four lots measuring 8,437 ft², 9,285 ft², 8,112 ft², and 20,225 ft², respectively.

GENERAL:

"The conditions below have been satisfied" BY _____ DATE _____

1. Within five working days after project approval, the applicant shall pay a mandatory Notice of Determination filing fee of \$50.00 (or latest fee in effect at time of payment) for County Clerk processing.
2. The PRAC decisions shall be final on the eleventh (11th) day after final PRAC action unless an appeal is taken.
3. These conditions must be met and the application validated within 24 months unless a request for an extension of time is received before the expiration date.

SURVEYOR:

"The conditions below have been satisfied" BY _____ DATE _____

4. A Parcel Map, as defined in the State Subdivision Map Act and as prepared by a licensed surveyor or registered civil engineer authorized to practice land surveying, showing all easements and parcels shall be filed with the Sonoma County Surveyor. Upon recording of the map, the Subdivision is valid.
5. This subdivision was approved and a finding of site suitability was made based on the representation of the subdivider that he has, or is currently negotiating for and will acquire, the property rights necessary to (1) provide legal access, with a minimum width of 25 feet from a County maintained road to the subdivision, (2) provide the necessary Public Utility easements and (3) make all required offsite improvements. Without this representation, the subdivision would not have been approved. If the subdivider is unable to provide such proof, he shall be deemed to have failed to meet the condition and no subdivision map shall be recorded. The subdivider understands and agrees that the County will not exercise its power of eminent domain to condemn any of the above-described property rights.
6. The County acknowledges that there may be an existing private access roadway for this proposed subdivision. However, the project/subdivision is being conditioned for access from the nearest public road to the furthest proposed lot. Conditions allowing mitigation of some or all of that requirement follow the conditions requiring the improved access.

7. The subdivider shall retain a registered civil engineer to prepare road construction and drainage plans for submittal to the County Surveyor's Office in accordance with the Board of Forestry Fire Safety Regulations 14 CCR §1270 et seq, including the Exceptions to Standards approved by the Fire Marshal, the Sonoma County Subdivision Ordinance and the following:
 - a. Construct, or provide, a private road from Lot 4 to the County's maintained portion of Brush Street as shown on the tentative map dated June 7, 2022, LACO. The road shall have an Asphaltic Concrete surface at least 0.20-feet thick and be 18-feet wide, with one-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 they wish 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 its 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 Permit and Resources Management Department (PRMD) shall be attached to, and become a part of, the subdivision's improvement plans.
8. The width of this road may be altered with written approval of the County Fire Chief and the County Engineer/Surveyor only if found to be in compliance with Sonoma County Code Exceptions to Standards. Approval of the road will require an inspection by the County Fire Marshal and may require other conditions to mitigate the required road standards. This mitigation is for width only and cannot mitigate any other road conditions.
9. If the altered road is approved, in order to provide emergency two-way access, passing turnouts shall be constructed at intervals not exceeding 300 feet or at locations approved by the County Fire Marshal. The turnouts shall be constructed per the current Sonoma County Code
10. A report prepared by a civil engineer which provides sufficient information to demonstrate that the existing on-site private road does meet the Conditions of Approval may be submitted for approval by the County Engineer/Surveyor. The report shall contain information regarding condition, width, alignment, grade, structural section, subgrade, base rock and asphalt compaction, surfacing, and any other relevant information necessary to approve the report. If this cannot be demonstrated, the subdivider shall retain a registered civil engineer to prepare road and drainage plans showing how the road is to be upgraded to meet the above stated standards. This condition cannot be mitigated by the Fire Marshal.
11. Roads outside of parcel boundaries shall be inspected by the Fire Marshal to assure that emergency equipment can traverse the road safely. The Fire Marshal and/or PRAC may require the applicant to make improvements to meet safety requirements and may include, but are not

limited to, widening, turnouts, turnarounds, and surfacing. These improvements shall comply with the Board of Forestry’s Fire Safety Regulations, including the Exceptions to Standards that may be approved by the Fire Marshal. In complying with this condition, the subdivider may provide the County Engineer with an Exception to Standard Form that has been reviewed and approved by the County Fire Marshal in accordance with Sonoma County Code.

12. An encroachment permit shall be obtained for all driveway approaches off of a County designated right of way.
13. The subdivider shall either complete all required private and public 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 preparation of the agreement. 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.
14. A maintenance agreement shall be obtained for the road right of way and be recorded concurrently with the parcel map.
15. Only the conditions entitled "NOTE ON MAP" and "NOTE ON PLANS" are required to be included on the Map and Improvement Plans, respectively.

HEALTH:

GRADING & STORMWATER:

"The conditions below have been satisfied" BY _____ DATE _____

16. **Note on the Map:**

“Prior to issuance of a grading or building permit, the property owner shall submit any and all required grading/site plans and drainage reports for proposed work to the Permit and Resource Management Department (Permit Sonoma) for review. Grading/site plans shall clearly indicate the nature and extent of the proposed work including earthwork, drainage improvements, erosion prevention/sediment control measures, details, notes, and specifications to prevent damages or minimize adverse impacts to the surrounding properties and the environment. Grading, drainage improvements, and erosion prevention/sediment control measures shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations.”

17. **Note on the Map:**

“The lots shown hereon are subject to storm water Low Impact Development (LID) regulations. Post-construction storm water features to mitigate impacts to the quality and quantity of post-construction storm water discharges must be incorporated as part of the development of each individual lot. Prior to issuance of a grading or building permit, the property owner shall submit a Storm Water Low Impact Development Submittal (SW LIDS) to the Permit and Resource Management Department (Permit Sonoma) - for review.”

18. Grading and/or building permits require review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (Permit Sonoma) prior to issuance. Grading permit applications shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations.

FIRE:

"The conditions below have been satisfied" BY _____ DATE _____

19. Addressing, signing, and building numbering is in compliance with the California Fire Code, as adopted and amended by Sonoma County Fire Safety Ordinance, and when located in the SRA, Board of Forestry Fire Safe Regulations, subject to the review and approval of the Fire Marshal prior to filing the Parcel/Final Map at PRMD. This condition shall be met by providing Sonoma County Fire Prevention appropriate documentation that includes a scale plan-view drawing that graphically illustrates that the signing and building numbers are in compliance with the California Fire Code, as adopted and amended by Sonoma County Fire Safety Ordinance.
20. All roads serving more than two (2) parcels shall be identified by a road name. All private roads requiring a road name shall be named by the director of Permit and Resource Management pursuant to procedures established by resolution or ordinance of the Board of Supervisors. Any private road having a road name may be renamed using the procedures for naming a private road. A new road name will not be required since it is already address per code based on the existing conditions of the parcel boundary.
21. **Notes on the Map:**

“Development on this parcel or parcels is subject to the Sonoma County Fire Safety Ordinance and shall be reviewed and approved by the County Fire Marshal or Local Fire District when requested. Said plan shall include but not limited to: Emergency vehicle access, easements, turnarounds at building sites, addressing, water storage for fire protection, vegetation management. Prior to occupancy, written approval that the required improvements have been installed shall be provided to PRMD from the county fire marshal.”

“All existing and newly created private roads shall be considered a Fire Emergency Vehicle Access Route (EVA) to facilitate emergency response and shall not be altered or obstructed without approval of the County Surveyor and Sonoma County Fire.”

BUILDING:

"The conditions below have been satisfied" BY _____ DATE _____

22. All structures adjacent to proposed adjusted property lines shall be identified and justified to meet minimum fire resistance requirements set forth in the California Residential Code (CRC) Section R302.
23. If any structures require alteration to achieve code provisions set forth in the previous Conditions, these alterations shall be submitted and reviewed under and associated Building Permit application.

PLANNING:

"The conditions below have been satisfied" BY _____ DATE _____

24. If it is determined by survey prior to recordation of the Parcel 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.

25. **Note on the Map:** All grading and building permits plans involving ground disturbing activities shall include the following notes:

"If paleontological resources or prehistoric, historic or tribal cultural resources are encountered during ground-disturbing work, all work in the immediate vicinity shall be halted and the operator must immediately notify the Permit and Resource Management Department (PRMD) – Project Review staff of the find. The operator shall be responsible for the cost to have a qualified paleontologist, archaeologist or tribal cultural resource specialist under contract to evaluate the find and make recommendations to protect the resource in a report to PRMD. Paleontological resources include fossils of animals, plants or other organisms. Prehistoric resources include humanly modified stone, shell, or bones, hearths, firepits, obsidian and chert flaked-stone tools (e.g., projectile points, knives, choppers), midden (culturally darkened soil containing heat-affected rock, artifacts, animal bone, or shellfish remains), stone milling equipment, such as mortars and pestles, and certain sites features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe. Historic resources include all by-products of human use greater than fifty (50) years of age including, backfilled privies, wells, and refuse pits; concrete, stone, or wood structural elements or foundations; and concentrations of metal, glass, and ceramic refuse.

If human remains are encountered, work in the immediate vicinity shall be halted and the operator shall notify PRMD and the Sonoma County Coroner immediately. At the same time, the operator shall be responsible for the cost to have a qualified archaeologist under contract to evaluate the discovery. If the human remains are determined to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification so that a Most Likely Descendant can be designated and the appropriate measures implemented in compliance with the California Government Code and Public Resources Code."

26. **Note on the 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."

27. This "At Cost" entitlement is not vested until all permit processing costs and development fees are paid in full. Additionally, no grading or building permits shall be issued until all permit processing costs and development fees are paid in full.

28. 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.

29. The applicant shall include these Conditions of Approval on a separate sheet of plan sets to be submitted for building and grading permit applications.
30. 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 dropline, and replacement of damaged or removed trees. The projects grading and landscape plans shall detail all tree protection implementation measures.

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.

31. Building envelopes shall be shown on the map as established. The envelopes shall be dimensioned and have ties to the parcel boundaries so that they can be established in the field.

32. **Note on the Map:**

"No building construction shall occur outside the envelopes. Modification of the building envelopes can only be accomplished through a Certificate of Modification.

33. 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 conditions 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 Tentative Map. 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.